

▶ **FILE #:** 5-F-10-UR

**AGENDA ITEM #** 55

**AGENDA DATE:** 5/13/2010

▶ **APPLICANT:** SONIC RESTAURANTS, INC.

OWNER(S): TED TILLMAN SONIC RESTAURANTS, INC.

TAX ID NUMBER: 58 K C 00701

JURISDICTION: City Council District 5

▶ **LOCATION:** West side of N. Broadway, north side of Knox Rd.

▶ **APPX. SIZE OF TRACT:** 0.55 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via N. Broadway, a five lane arterial street with a pavement width of 53' within a 90' wide right-of-way and by Knox Rd., a collector street with a pavement width of 30' within a 40' right-of-way

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **ZONING:** PC-1 (Retail and Office Park)

▶ **EXISTING LAND USE:** Drive-in / drive-through restaurant

▶ **PROPOSED USE:** Drive-in / drive-through restaurant

HISTORY OF ZONING: Development plans have been approved for this site in 1980, 1993 & 1997

SURROUNDING LAND USE AND ZONING: North: Kroger & detached residential / PC-1 commercial & R-1 residential

South: General commercial / C-3 commercial

East: General commercial / C-3 commercial

West: General commercial & first Creek / F-1 floodway, C-3 commercial & R-2 residential

NEIGHBORHOOD CONTEXT: The property in the vicinity of this site is zoned C-1 and C-3 commercial, O-1 office and R-1 and R-2 residential. The site is located in the heart of the Fountain City / N. Broadway commercial corridor. Detached dwellings are located to the east of the site along Gibbs Dr.

**STAFF RECOMMENDATION:**

▶ **APPROVE the plan for a drive-in/drive-through restaurant at this location as shown on the development plan subject to 10 conditions**

1. Obtaining the needed peripheral boundary setback variance and withdrawing the variance request to permit the proposed canopy to extend into the setback that is scheduled to be heard by the Knoxville Board of Zoning Appeals on May 20, 2010
2. Meeting all parking and signage requirements of the Knoxville Zoning Ordinance
3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

4. Meeting all applicable requirements of the City of Knoxville Engineering Dept.
5. Construction of the sidewalks as shown on the development plan. All sidewalk construction must be ADA compliant
6. Coordinate maintenance of the sidewalks that are being built on private property with the City of Knoxville either by granting the City an easement or dedicating the sidewalks to the City
7. Installing all of the proposed landscaping shown on the plan prior to the issuance of an occupancy permit for the building
8. Supplying MPC staff with a set of protective covenants as called for in the PC-1 (Retail and Distribution Park) zoning district regulations
9. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
10. A revised site plan reflecting the conditions of approval must be submitted to MPC for certification prior to obtaining any site development permits or building permits

With the conditions noted, this plan meets the requirements for approval in the PC-1 district and the other criteria for approval of a use on review.

#### **COMMENTS:**

The plan before the MPC at this time proposes a total renovation of the Sonic Restaurant. This site has been the subject of a number of use on review requests dating back to 1980. A development plan for a Checkers restaurant was approved in 1993. The existing Sonic Restaurant was approved by MPC in 1997.

The applicant is proposing to demolish the existing 1504 square foot build and replace it with a slightly smaller 1450 square foot building. Additionally, they are proposing four new canopy covered parking/service stalls. The existing covered spaces will remain but a new canopy will be installed replacing the existing canopy. The existing driveways and the free standing sign will remain in their present location. The new building will be brick veneered in order to be compatible with the new Kroger supermarket that was built on the adjoining site. In addition to redeveloping the site for the proposed restaurant, the applicant will extend the sidewalk along Broadway to the current crosswalk. The existing sidewalk along Knox Rd. will also be extended across this site. All sidewalk constructing will be required to be ADA compliant.

At the time the new Kroger store was developed this site was zoned PC-1 (Retail and Office Park) district. It was known at the time the rezoning was being considered, due to the small size if the site, that all requirements of the PC-1 zone could not be met. At that time it was deemed more important that a zoning district that requires plan review through the use on review process should be maintained for this location. As a result of the rezoning the staff has been able to get the applicant to include the sidewalks as part of the project. However, a variance in the required peripheral boundary setback will be required for this project to move forward. If MPC approves the redevelopment of this site, staff will support the needed variance at the Knoxville Board of Zoning Appeals. An additional variance that would permit the proposed new canopy to encroach into the setback was requested. Staff told the applicant that it would not support that request. The applicant has since changed their plans making that variance no longer needed.

#### **EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

1. Public water and sewer utilities are available in the area to serve this site.
2. The proposed development is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The proposed building materials are compatible with the surrounding development

#### **CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning district as well as the general criteria for approval of a use on review.
2. The proposed restaurant development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas. No

surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

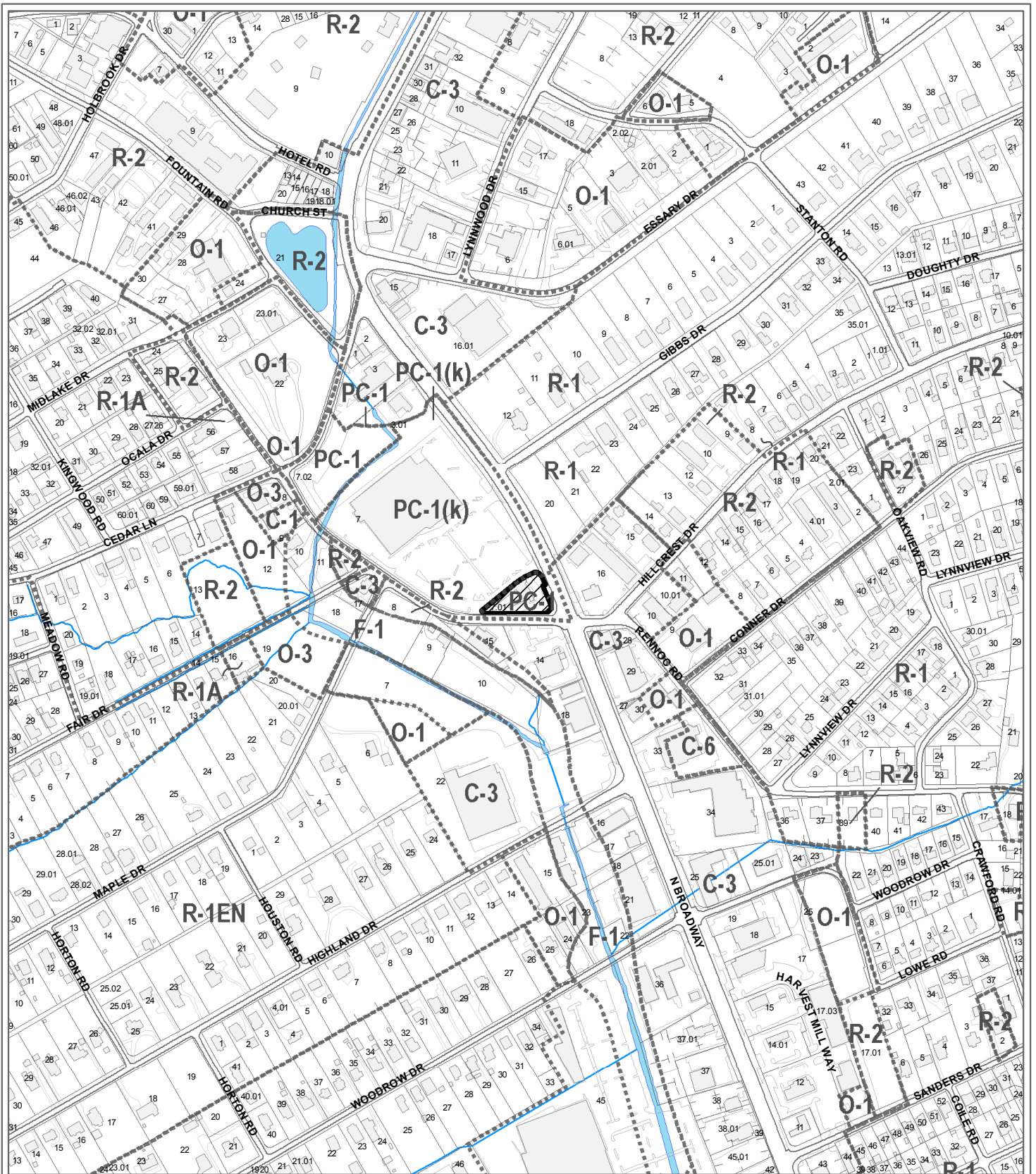
1. The North City Sector Plan and Knoxville One Year Plan propose commercial uses for the site. The proposed use is consistent with the PC-1 zoning district and sector plan designation.

ESTIMATED TRAFFIC IMPACT 719 (average daily vehicle trips)

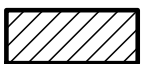
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**5-F-10-UR  
USE ON REVIEW**



Drive-in restaurant in PC-1 (Retail and Office Park)

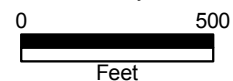
Original Print Date: 4/15/2010  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

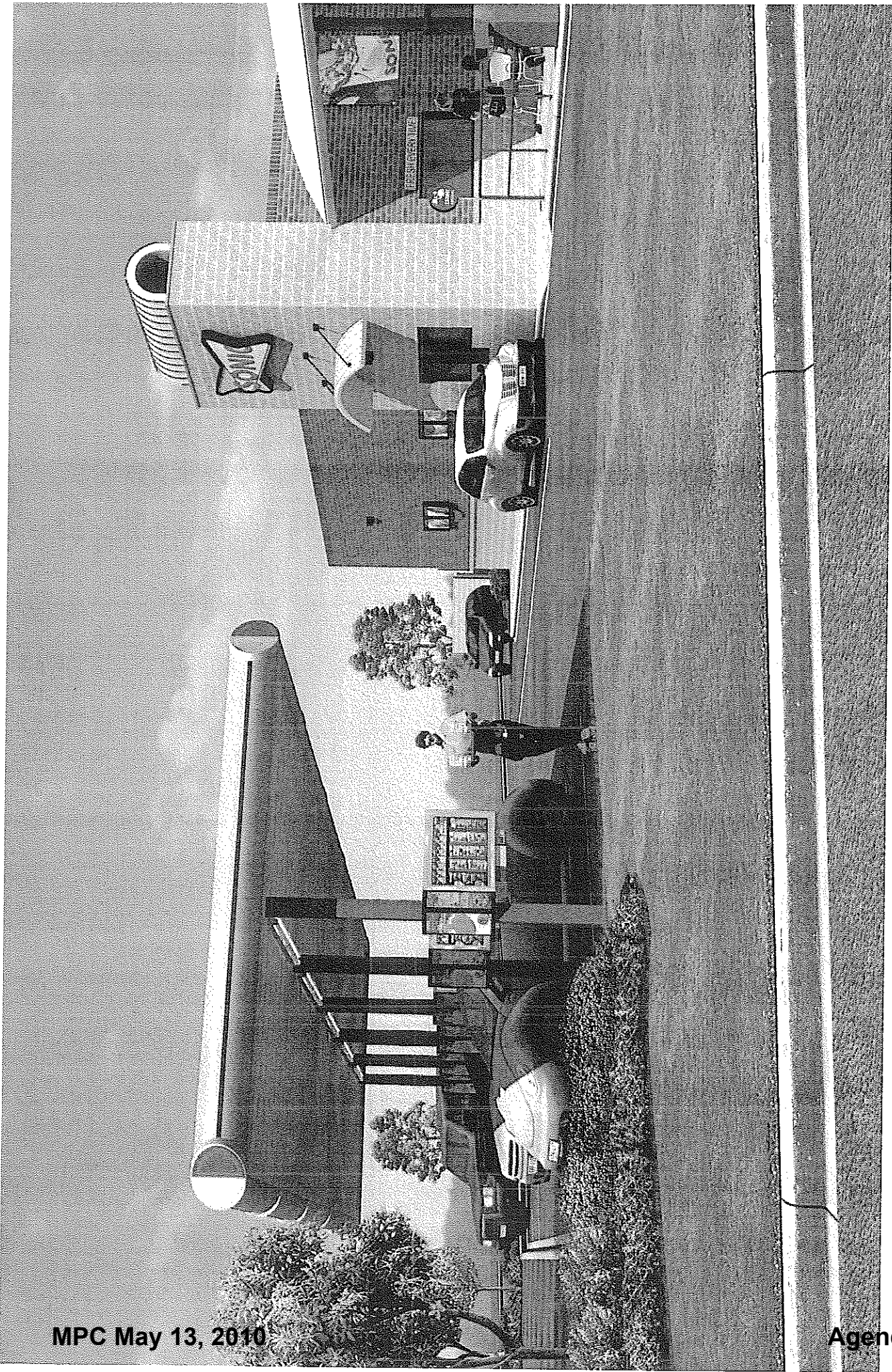
Revised:

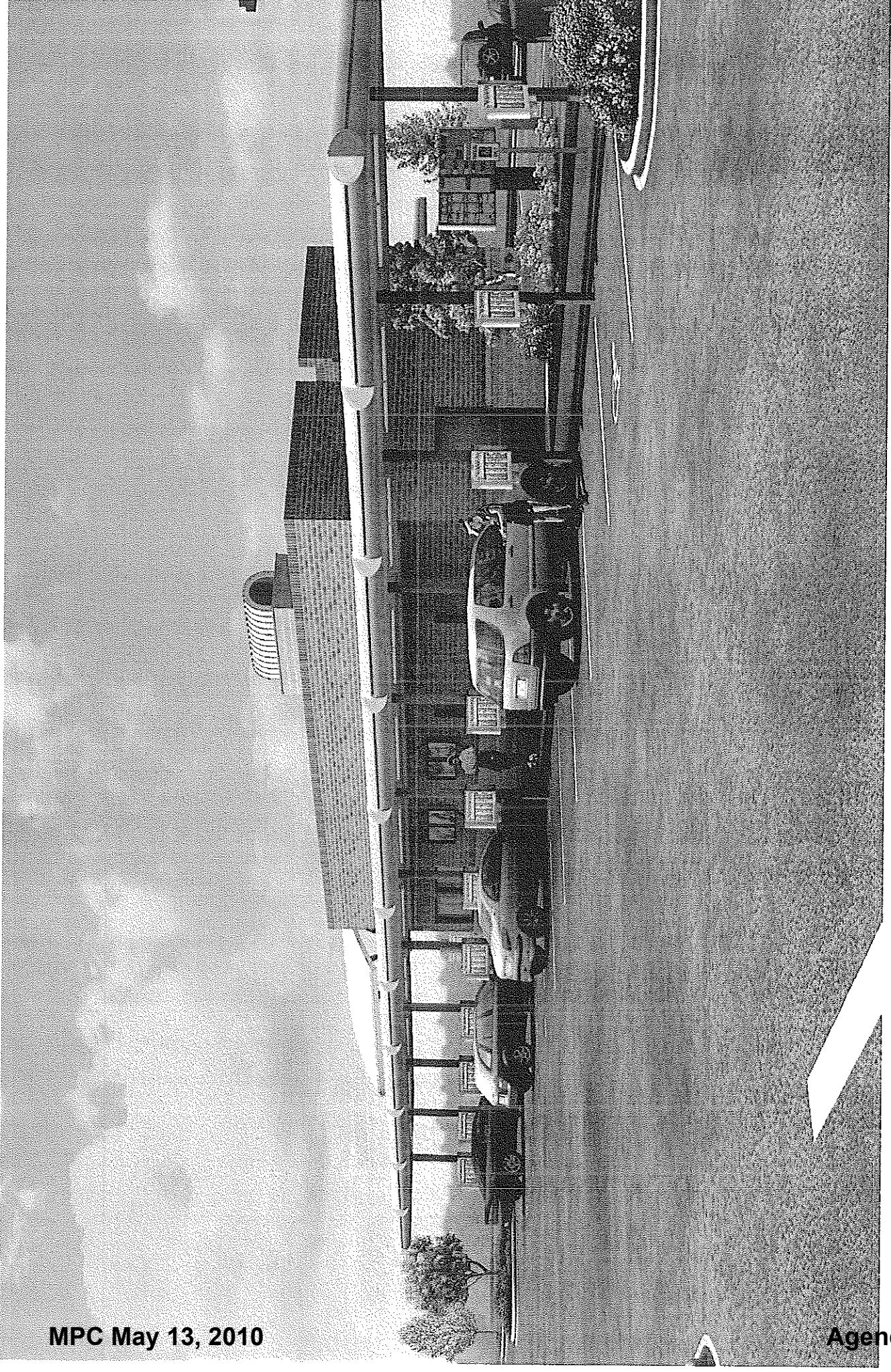
Petitioner: Sonic Restaurants, Inc.

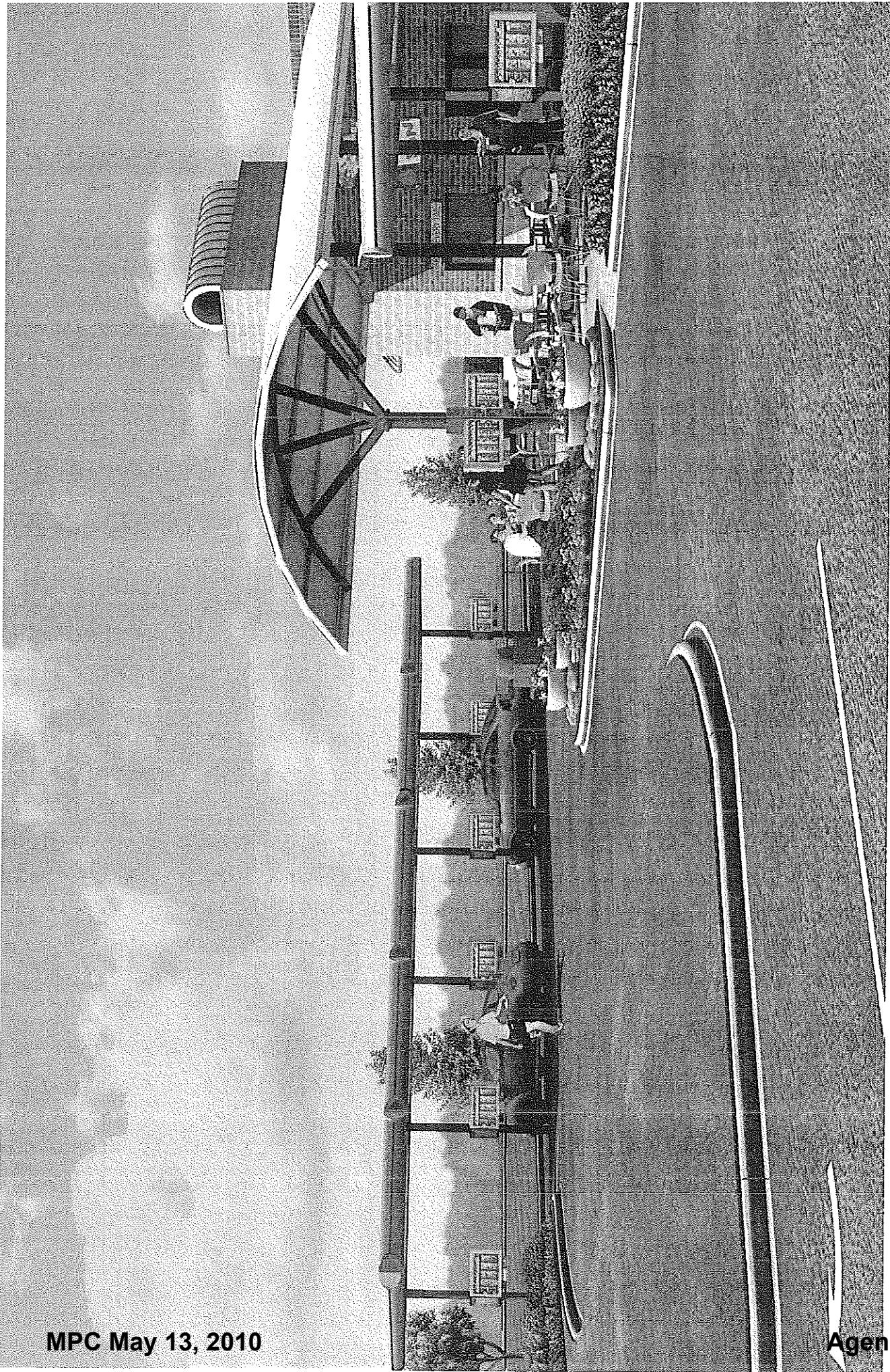
Map No: 58

Jurisdiction: City









UNITE ENGINEERS, LLC  
 CIVIL ENGINEERS  
 5115 CANTON HIGHWAY  
 SUITE 100  
 KNOXVILLE, TN 37912  
 (615) 396-2025  
 FAX: (615) 396-2026

UNITE ENGINEERS, LLC  
 CIVIL ENGINEERS  
 510 N. BROADWAY  
 KNOXVILLE, TENNESSEE  
 DEVELOPER: Somic Restaurants, Inc



Sonic Restaurants, Inc  
 510 N. BROADWAY  
 KNOXVILLE, TENNESSEE  
 DEVELOPER / OWNER

S-1-102-118  
**REVISED**  
 7-17-10

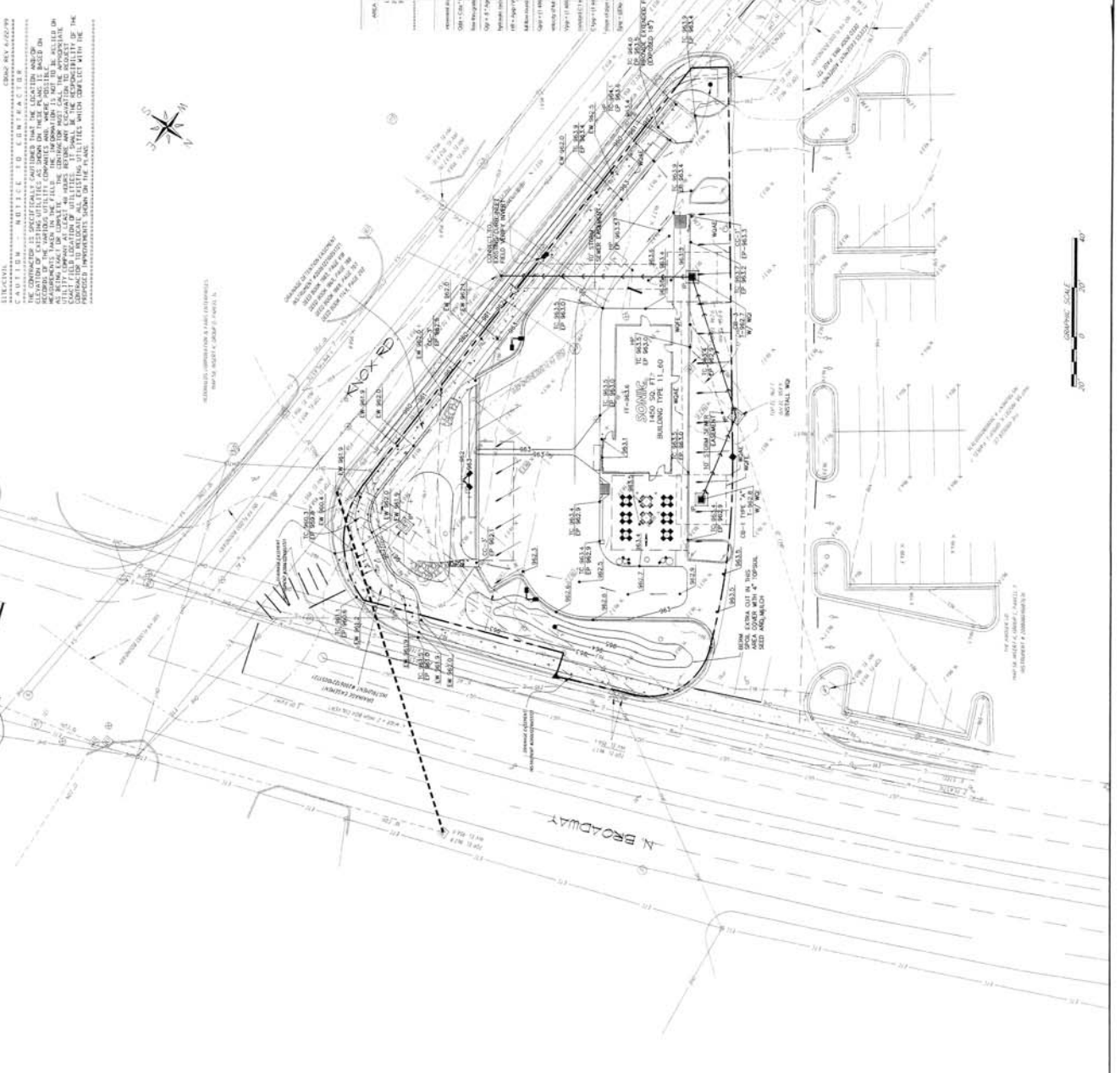
SHEET NO. **C-3.0**  
**Site Grading Plan**  
 DATE: 10-02-09  
 DATE DWT: 03/09/10

**GRADING PLAN LEGEND**

SYMBOL	DESCRIPTION
1	EXISTING GRADE
2	PROPOSED GRADE
3	PROPOSED CUT
4	PROPOSED FILL
5	PROPOSED SIDEWALK
6	PROPOSED DRIVEWAY
7	PROPOSED DRIVEWAY DRIVE
8	PROPOSED DRIVEWAY DRIVE DRIVE
9	PROPOSED DRIVEWAY DRIVE DRIVE DRIVE
10	PROPOSED DRIVEWAY DRIVE DRIVE DRIVE DRIVE
11	PROPOSED DRIVEWAY DRIVE DRIVE DRIVE DRIVE DRIVE
12	PROPOSED DRIVEWAY DRIVE DRIVE DRIVE DRIVE DRIVE DRIVE
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29	PROPOSED DRIVEWAY DRIVE
30	PROPOSED DRIVEWAY DRIVE

**CATCH BASIN GRATE SCHEDULE**

TYPE	MANUFACTURER	MODEL NUMBER	GRATE SIZE (30x30 FT)	INLET (FEET)	OUTLET (FEET)	APPLICATOR	LFS	NOT
1	MESH	1020	24	30	30	STATION	120	120
2	MESH	1020	24	30	30	STATION	120	120
3	MESH	1020	24	30	30	STATION	120	120
4	MESH	1020	24	30	30	STATION	120	120
5	MESH	1020	24	30	30	STATION	120	120
6	MESH	1020	24	30	30	STATION	120	120
7	MESH	1020	24	30	30	STATION	120	120
8	MESH	1020	24	30	30	STATION	120	120
9	MESH	1020	24	30	30	STATION	120	120
10	MESH	1020	24	30	30	STATION	120	120
11	MESH	1020	24	30	30	STATION	120	120
12	MESH	1020	24	30	30	STATION	120	120
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14	MESH	1020	24	30	30	STATION	120	120
15	MESH	1020	24	30	30	STATION	120	120
16	MESH	1020	24	30	30	STATION	120	120
17	MESH	1020	24	30	30	STATION	120	120
18	MESH	1020	24	30	30	STATION	120	120
19	MESH	1020	24	30	30	STATION	120	120
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25	MESH	1020	24	30	30	STATION	120	120
26	MESH	1020	24	30	30	STATION	120	120
27	MESH	1020	24	30	30	STATION	120	120
28	MESH	1020	24	30	30	STATION	120	120
29	MESH	1020	24	30	30	STATION	120	120
30	MESH	1020	24	30	30	STATION	120	120



**NOTES:**

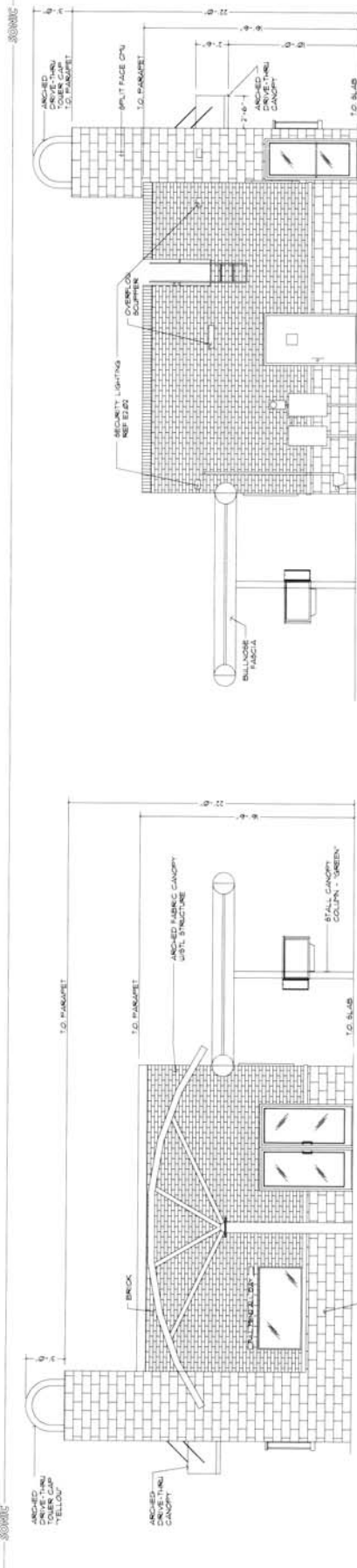
1. QUALITY CONTROL AND INSPECTION: ALL GRADING SHALL BE INSPECTED AND APPROVED BY THE COUNTY ENGINEER OR HIS DESIGNATED REPRESENTATIVE BEFORE PROCEEDING TO THE NEXT PHASE OF CONSTRUCTION.
2. ALL EXISTING UTILITIES SHALL BE IDENTIFIED AND MARKED PRIOR TO ANY GRADING OPERATIONS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES AT ALL TIMES.
5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMEDIATION OF ANY SOIL OR WATER POLLUTION RESULTING FROM GRADING OPERATIONS.
7. ALL STORMWATER SHALL BE COLLECTED AND DISCHARGED TO THE APPROPRIATE INFRASTRUCTURE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
8. THE CONTRACTOR SHALL MAINTAIN THE STABILITY OF ALL EXISTING STRUCTURES AND UTILITIES ADJACENT TO THE PROJECT AREA.
9. ALL GRADING OPERATIONS SHALL BE COMPLETED WITHIN THE SPECIFIED TIMEFRAME AND BUDGET.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

CAUTION - CHECKED & APPROVED BY: [Signature]

GRAPHIC SCALE: 1" = 20'

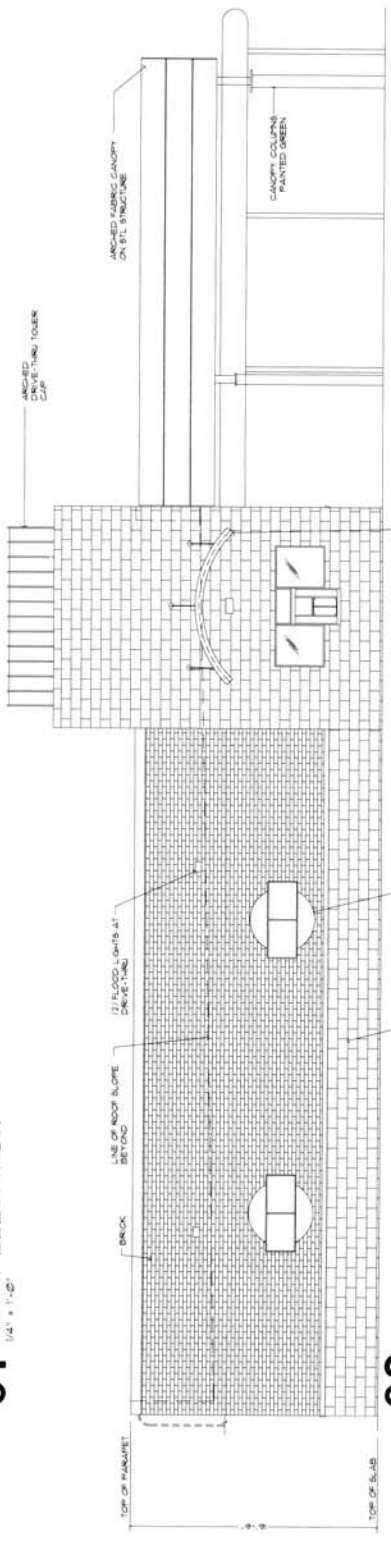




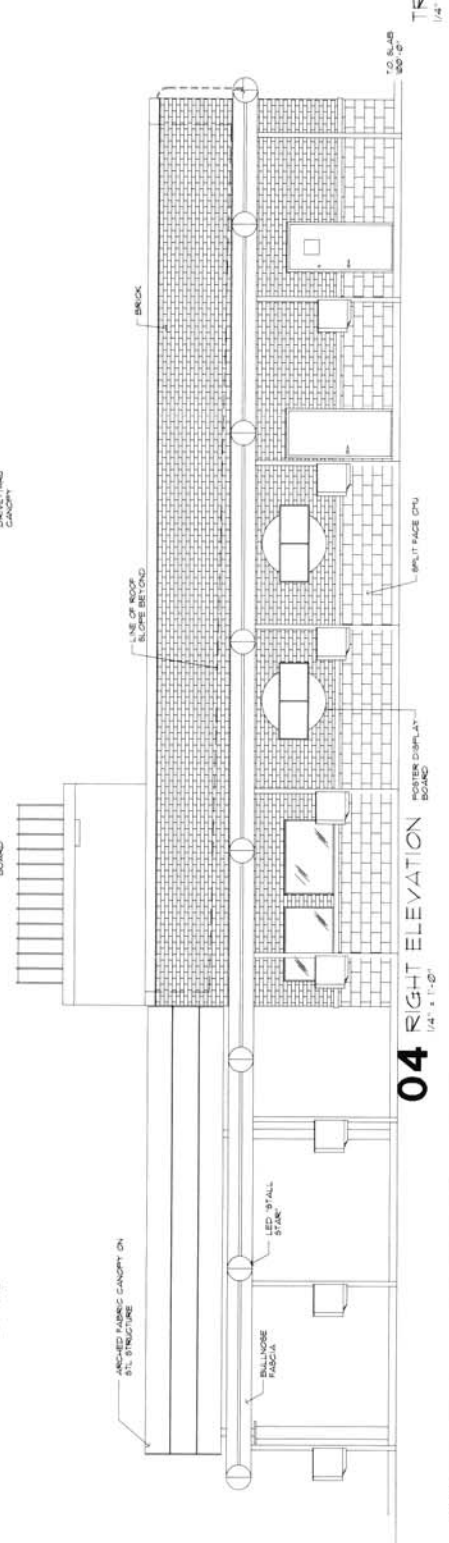


**01 FRONT ELEVATION**  
1/4" = 1'-0"

**02 REAR ELEVATION**  
1/4" = 1'-0"



**03 LEFT ELEVATION**  
1/4" = 1'-0"



**04 RIGHT ELEVATION**  
1/4" = 1'-0"

**TRASH ENCLOSURE ELEV.**  
1/4" = 1'-0"

S.F. - 10 - L.R.

NO.	DATE	REVISIONS

**SONIC CORPORATION**  
1400 JOHNS BRICK DR  
OKLAHOMA CITY, OK 73104  
TELEPHONE: 405-251-4426  
FAX: 405-251-4427  
OFFICES: 405-251-3000

**SONIC DRIVE-IN**  
BUILDING TYPE: 11  
SHEET: A0

**EXTENSION ELEVATIONS**  
DWG: 100004\_11N  
DATE: MARCH 22, 2010

SONIC

SONIC

**HARDWARE SCHEDULE**

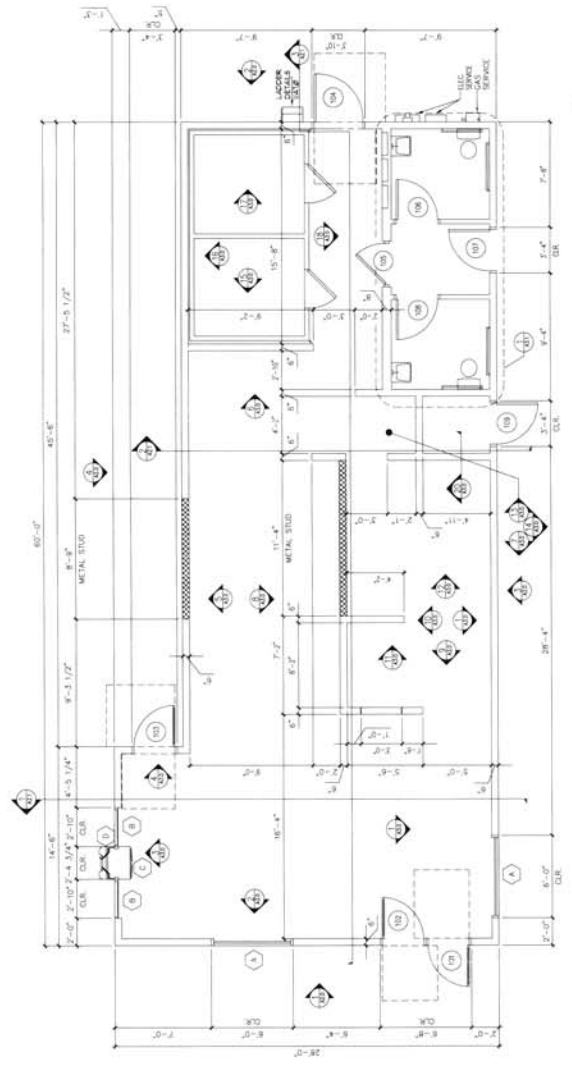
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103	DOOR SET	1/4" SLIP	103	DOOR SET	1/4" SLIP
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138	DOOR SET	1/4" SLIP	138	DOOR SET	1/4" SLIP
139	DOOR SET	1/4" SLIP	139	DOOR SET	1/4" SLIP
140	DOOR SET	1/4" SLIP	140	DOOR SET	1/4" SLIP

**DOOR SCHEDULE**

NO.	SIZE	TYPE	FINN	HEAD	JAMB	THR	LOCKER	N.E.	S.W.	SET	COMMENTS
101	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
102	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
103	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
104	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
105	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
106	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
107	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
108	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
109	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
110	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
111	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
112	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
113	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
114	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
115	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
116	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
117	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
118	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
119	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
120	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
121	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
122	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
123	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
124	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
125	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
126	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
127	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
128	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
129	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
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135	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
136	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
137	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
138	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
139	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			
140	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A	3'-0" x 7'-0"	A		N.E. 1			

**WINDOW SCHEDULE**

MAIN	SIZE	CLS.	TRK.	FINN.	HEAD	JAMB	SHL.	COMMENTS
A	8'-0" x 3'-6"	AL.	3'-0"	AL.	8'-0"	AL.	3'-6"	
B	2'-4" x 2'-10"	AL.	3'-0"	AL.	2'-4"	AL.	2'-10"	
C	3'-0" x 2'-10"	AL.	3'-0"	AL.	3'-0"	AL.	2'-10"	
D	3'-4" x 2'-4"	AL.	3'-0"	AL.	3'-4"	AL.	2'-4"	



**REVISIONS**

NO.	DATE	DESCRIPTION

REC. NO. DATE

**OWNER**  
SIOI N BROADWAY  
KNOXVILLE, TN

**DESIGNER**  
SOMI...  
DOKAN...  
KNOXVILLE, TN

**DATE ISSUED**  
XXXXX

**SHEET NO.** 809  
**A10**

**DESCRIPTION**  
SHEET NO. 809  
FLOOR PLAN  
AND SCHEDULES