

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 10-B-13-UR

AGENDA ITEM #: 34

AGENDA DATE: 10/10/2013

▶ **APPLICANT:** BRUCE KNIGHT

OWNER(S): LM Restaurants, Inc.

TAX ID NUMBER: 132 PART OF 028

JURISDICTION: City Council District 2

▶ **LOCATION:** North side of Kingston Pike, east of N Cedar Bluff Rd.

▶ **APPX. SIZE OF TRACT:** 2.19 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: The primary access to the site will be via the internal access driveway system serving the Kingston Corner Subdivision with access out to Kingston Pike and N. Cedar Bluff Rd., both of which are 6 lane median divided arterial streets at this location.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Restaurant

HISTORY OF ZONING: Property was rezoned to PC-1 (Retail and Office Park) on November 17, 2009.

SURROUNDING LAND USE AND ZONING: North: Vacant land (Kingston Corner Commercial Subdivision) / PC-1 (Retail and Office Park)

South: Church / O-1 (Office, Medical, and Related Services) & C-3 (General Commercial)

East: Shopping center / C-3 (General Commercial)

West: Vacant land (Kingston Corner Commercial Subdivision) / PC-1 (Retail and Office Park)

NEIGHBORHOOD CONTEXT: This site is located in an area that is dominated by shopping centers and general commercial uses. The zoning in the area is O-1, C-3, C-6, SC, SC-3, PC-1 and PC-2 commercial zones.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a restaurant containing approximately 7,192 square feet of floor area and 2,469 square feet of patio as shown on the development plan, subject to 8 conditions**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance

3. An occupancy permit shall not be issued for this development until the internal access driveways serving the Kingston Corner Commercial Subdivision and any required off-site street improvements are installed by the developer and approved by the Knoxville Department of Engineering. If the driveway and street improvements are phased for the subdivision, the access driveways that adjoin this site must be completed prior to issuance of the occupancy permit.
4. An occupancy permit shall not be issued for this development until the stormwater facilities serving the Kingston Corner Commercial Subdivision and this proposed development are installed by the developer and approved by the Knoxville Department of Engineering.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
7. Meeting all applicable requirements of the Knoxville City Arborist.
8. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Sign Enforcement Inspector.

With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District

COMMENTS:

The applicant is proposing to develop a Carolina Ale House restaurant with approximately 7,192 square feet of floor area and a 2,469 square foot patio area on a 2.19 acre lot that is a part of the Kingston Corner Commercial Subdivision. The site is located at the southeast corner of the subdivision east of the intersection of Kingston Pike and N. Cedar Bluff Rd. While the lot has frontage along Kingston Pike, there will be no direct access from the site onto Kingston Pike. Access to the site will be through the driveway network for the commercial subdivision which provides access to N. Cedar Bluff Rd. and Kingston Pike. Stormwater management for this site will be tied into the overall stormwater system for the subdivision.

The applicant has submitted plans for a 12' high monument sign for the restaurant along the Kingston Pike frontage.

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

1. All public utilities are available to serve the site.
2. The traffic impact study that had been prepared for the Kingston Corner Commercial Subdivision recommended improvements that will address the traffic impacts of this development.
3. The proposed restaurant is compatible with the scale and intensity with the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development with the recommended conditions 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 since the development is located off of two arterial streets. 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

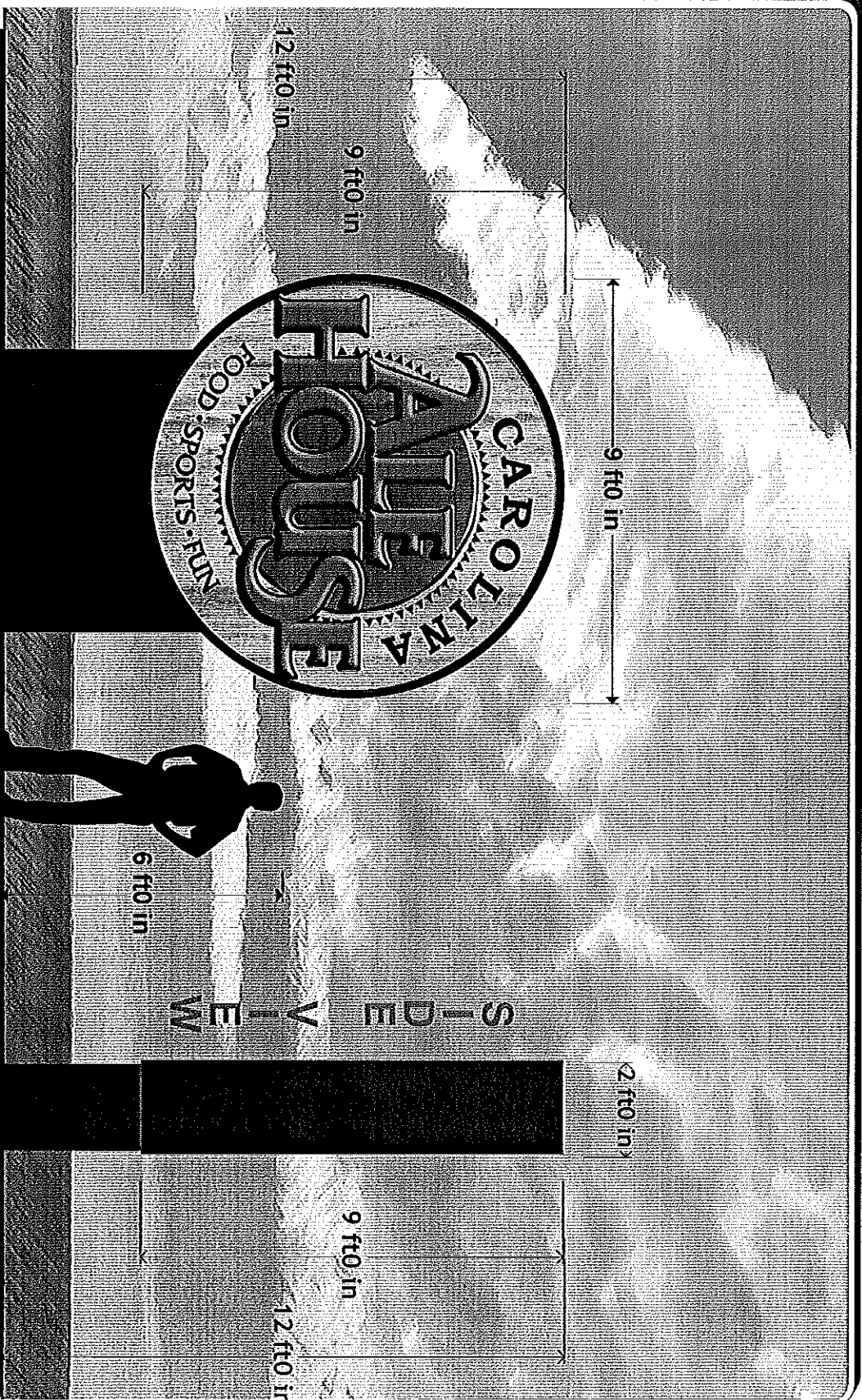
1. The Knoxville One Year Plan the Southwest County Sector Plan propose commercial use for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 1259 (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.



Proposal Drawing		Contact:	Notes:	Customer Approval	Date
Project: CAROLINA ALE HOUSE		Info:			
Location: Knoxville, TN		Date:	Drawn by: CL BELLAMY	Landlord Approval	Date
		Description:			

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