

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

▶ **FILE #:** 12-H-16-UR

**AGENDA ITEM #:** 44

**AGENDA DATE:** 12/8/2016

▶ **APPLICANT:** R2R STUDIO LLC

OWNER(S): R2R Studio. LLC

TAX ID NUMBER: 57 PART OF 00701

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 0 E Emory Rd

▶ **LOCATION:** Southeast side of E. Emory Rd., northeast of Central Avenue Pike.

▶ **APPX. SIZE OF TRACT:** 1.7 acres

SECTOR PLAN: North County

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

ACCESSIBILITY: Access is via E. Emory Rd., a major arterial street with a 5 lane section, and a 60 foot pavement width within a required right-of-way of 112 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Beaver Creek

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Restaurant

HISTORY OF ZONING: Property rezoned to PC-1 in 2006

SURROUNDING LAND USE AND ZONING: North: Vacant land and businesses - CA (General Business)

South: Vacant land - PC-1 (Retail and Office Park)

East: Kroger store and fuel center - PC-1 (Retail and Office Park)

West: Vacant land and residence - PC-1 (Retail and Office Park)

NEIGHBORHOOD CONTEXT: This site is the former location of the Powell airport, a private landing strip. I-75 runs along the east side of the site and E. Emory Rd is along the north side. The interstate interchange is developed with a variety of commercial uses, under various zones.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a restaurant containing approximately 7,635 square feet of floor area 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. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.

5. Meeting all applicable requirements of the Knoxville Urban Forester.
6. Installation of all sidewalks and pedestrian crossings identified on the approved development plan in compliance with the applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
7. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Zoning Inspector
8. Approval of the revised Aubrey's Restaurant Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc., by MPC and Knoxville Department of Engineering Staff, and implementation of any recommended improvements.

With the conditions noted above, the development plan meets all requirements for the approval of a use on review in the PC-1 Zoning District.

**COMMENTS:**

The applicant is proposing an Aubrey's Restaurant with approximately 7,635 square feet of floor area on a 1.73 acre site. The property is located on the south side of E. Emory Rd. just west of the main entrance for the new Kroger store and fuel center. While the proposed lot has frontage along E. Emory Rd., there will be no direct access from the site onto E. Emory Rd. Access to the site will be through a driveway connection to the main driveway access for the Kroger store at the signalized intersection on E. Emory Rd.

The applicant is proposing a total of 121 parking spaces to serve the restaurant which exceeds the minimum zoning ordinance requirement of 77. The number of proposed spaces is based on parking demand experience from other Aubrey's Restaurants in the Knoxville area.

The applicant submitted an updated traffic analysis of the area with the addition of the proposed restaurant. It was determined that no additional traffic improvements would be required. It should be noted that any additional development of the 60+ acre tract that surrounds the Kroger site will require a new traffic impact study and consideration of the access driveway connection out to Central Avenue Pike.

**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 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 restaurant 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 a major arterial street. 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 County Sector Plan identifies this site as part of a mixed use special district (MU-NC04), which allows consideration of PC-1 development.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**ESTIMATED TRAFFIC IMPACT:** A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

**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.