



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

▶ **FILE #:** 8-B-08-UR

**AGENDA ITEM #:** 75

**AGENDA DATE:** 8/14/2008

▶ **APPLICANT:** THE KROGER CO.

OWNER(S): TIM MCNAMARA THE KROGER CO.

TAX ID NUMBER: 58 K C 007

JURISDICTION: City Council District 5

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

▶ **APPX. SIZE OF TRACT:** 7.66 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area

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) - pending

▶ **EXISTING LAND USE:** Vacant commercial building

▶ **PROPOSED USE:** Kroger food store

HISTORY OF ZONING: Rezoning of the site to PC-1 was considered on first reading by the Knoxville City Council on 8/12/2008

SURROUNDING LAND USE AND ZONING:  
North: Bank & general commercial / O-1 office & C-3 commercial  
South: General commercial / C-3 commercial  
East: Detached dwelling / R-1 residential  
West: General commercial & First Creek / R-2 residential, C-3 commercial & F-1 floodway

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. The vacant building on the site was formally occupied by the Target store. Detached dwellings are located to the east of the site along Gibbs Dr.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a retail establishment containing up to 79,599 square feet of floor space and the accompanying parking as shown on the development plan subject to 13 conditions**

1. City Council approval of the rezoning of this site to PC-1 (Retail and Distribution Park) zoning district
2. Obtaining the proposed variances for parking, building setback and driveway width from the Knoxville Board of Zoning Appeals

3. Supplying MPC staff with a set of protective covenants as called for in the PC-1 (Retail and Distribution Park) zoning district regulations
4. In addition to the sidewalks shown on the development plan, provide a 5 foot sidewalk that will connect from the proposed stairs from Knox Rd. back to the sidewalk that leads to the bus stop. Provide a 5' wide sidewalk from the proposed stairs southward along the entire Knox Rd. frontage. All sidewalk construction must be ADA compliant.
5. Coordinate maintenance of the sidewalks with the City of Knoxville either by granting the City an easement or dedicating the sidewalks to the City.
6. Constructing the pad and providing the shelter in the event that KAT is successful in obtaining an easement for a bus stop on the First Tennessee Bank property or construct it in another location along Knox Rd. at the direction of KAT.
7. Provision of space for bicycle racks at the front of the store. The bicycle racks may be obtained from the Knoxville TPO
8. As a supplement to the landscaping plan provide a drawing detailing required tree protection measures
9. Installing all of the proposed landscaping shown on the plan prior to the issuance of an occupancy permit for the building
10. Meeting all applicable requirements of the Knoxville Engineering Dept.
11. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Transportation (TDOT) and the Tenn. Dept. of Environment and Conservation
12. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
13. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to obtaining any grading or building permits

#### **COMMENTS:**

Approval of this request will result in the construction of a new Kroger supermarket on the site of the former Target store on N. Broadway. The applicants propose to demolish the existing building and replace it with a structure that will contain 79,599 square feet of floor area. Property to the north and south of this site is developed with other commercial uses. To the east of this site, along Gibbs Dr., detached dwellings and residential zoning are in place. The zoning of the land to west of the site is both residential (R-2) and commercial (C-3) and the area is developed with a mix of residential and commercial uses.

Access to the site will be via N. Broadway and Knox Road. One of the current N. Broadway access points to the former Target store will be relocated so that it will align with Gibbs Dr. The other access points to the site will remain in their present locations. A traffic impact study was prepared for this project. The study states that the proposed development can be expected to generate over 6,700 trips per day. Compared to the previous use and considering the existing traffic conditions, the study did not recommend that any major improvements would be needed to accommodate this development.

A review of the site plan reveals that a number of the existing Willow Oaks on the site will be retained. Kroger will be changing the parking lot design by changing from angle parking to ninety-degree parking. This will necessitate the removal and reconstruction of a large number of the existing parking islands. The landscaping plan shows that most of the new islands will be landscaped. The plan also proposes new landscaping along N. Broadway. The primary purpose of this new landscaping will be to screen the proposed loading dock that is located on that side of the building.

In addition to installing the new landscaping along N. Broadway, the applicants will be constructing a sidewalk along that frontage. It will be 5' wide and will be set back from the pavement in order to create a planting strip that will separate pedestrians from the street. Kroger and the City will work together to define long term responsibilities for that sidewalk. In addition to that sidewalk, two other pedestrian linkages are proposed. The first will be a sidewalk that will be constructed along a portion of the Knox Rd. boundary to an area that is proposed for a KAT bus stop. The proposed bus stop is not located on the Kroger site. Kroger has requested that KAT or the City administration pursue obtaining the needed easement for the bus stop location. A second pedestrian access from Knox Rd. is proposed in the form of a set of stairs that will lead to the site from the area of Fair Dr. and Maple Dr. The City has proposed to build a park in the area and the proposed stairs will facilitate pedestrian movement between the park and the Kroger. Staff will recommend that the proposed sidewalk along Knox Dr. that leads to the bus stop be extended to the proposed stairs. By making this connection, pedestrians coming up the stairs will not have to walk through the parking lot to get access to the store.

Throughout the review process, staff has requested that Kroger include a sidewalk along their entire Knox Rd. frontage. Due to elevation differences, the best place to build the sidewalk would be on the Kroger property

where they are currently proposing parking. Kroger has stated throughout the process that they are actually providing less parking than they normally provide for a store of this size and they do not want to lose any additional parking. Based on standards contained in the "Institute of Traffic Engineers Parking Manual" 2nd edition, staff believes that adequate parking can be provided even with the loss of some of the parking along the Knox Rd. frontage. The I.T.E. manual states the 3.42 parking spaces per 1000 square feet of floor area would be adequate. At present, Kroger is proposing more than 4 parking spaces per thousand feet of floor space. Presently, the number of parking spaces proposed does not meet the minimum standards as called for in the City Zoning Ordinance. A variance to the City's parking standard will be required. With the addition of the sidewalks and the provision of pedestrian access to the bus stops, staff would support the needed variance

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

1. Public water and sewer utilities are in place to serve this development.
2. The retail store will have minimal additional impact on street and schools.
3. The proposed retail store is compatible with the scale and intensity of the former use of the site and the surrounding development and zoning pattern.

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

1. With approval of the needed variances, the proposal is consistent with all requirements of the PC-1 zoning district, as well as other criteria for approval of a use on review.
2. The proposed use is consistent with the general standards for uses permitted on review: The proposed development 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 draw substantial additional traffic through residential areas.

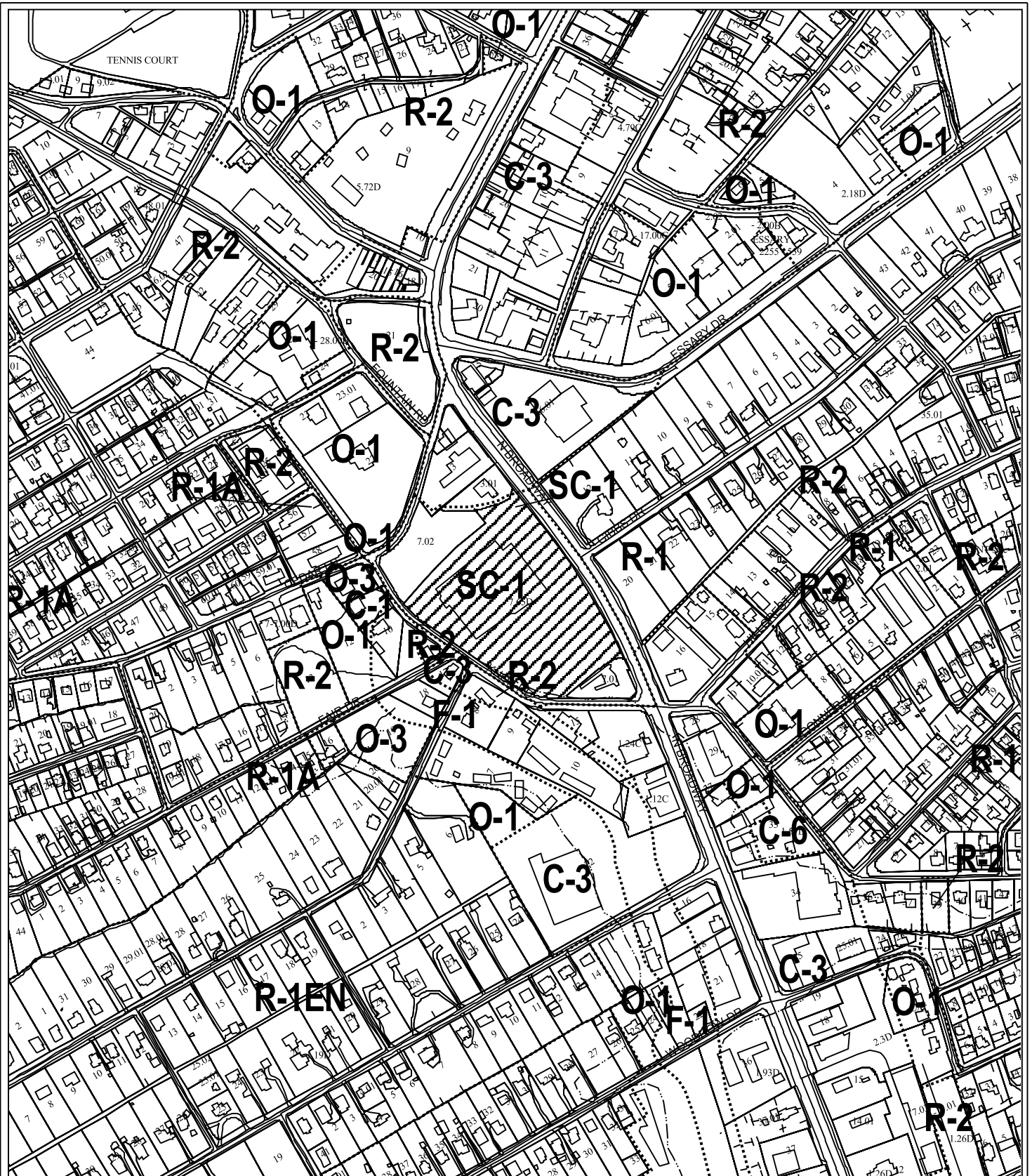
#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan the North City Sector Plan propose commercial use for this site.
2. The construction of the sidewalks as recommended is consistent with the North city Sector Plan and Section 63-10 of the Knoxville Knox county Minimum Subdivision Regulations

ESTIMATED TRAFFIC IMPACT: Not calculated.

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.



8-B-08-UR  
 USE ON REVIEW



Kroger food store in PC-1 (Retail and Office Park) - pending

Original Print Date: 07/21/08 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: The Kroger Co.

Map No: 58

Jurisdiction: City





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INCORPORATED

PROJECT:



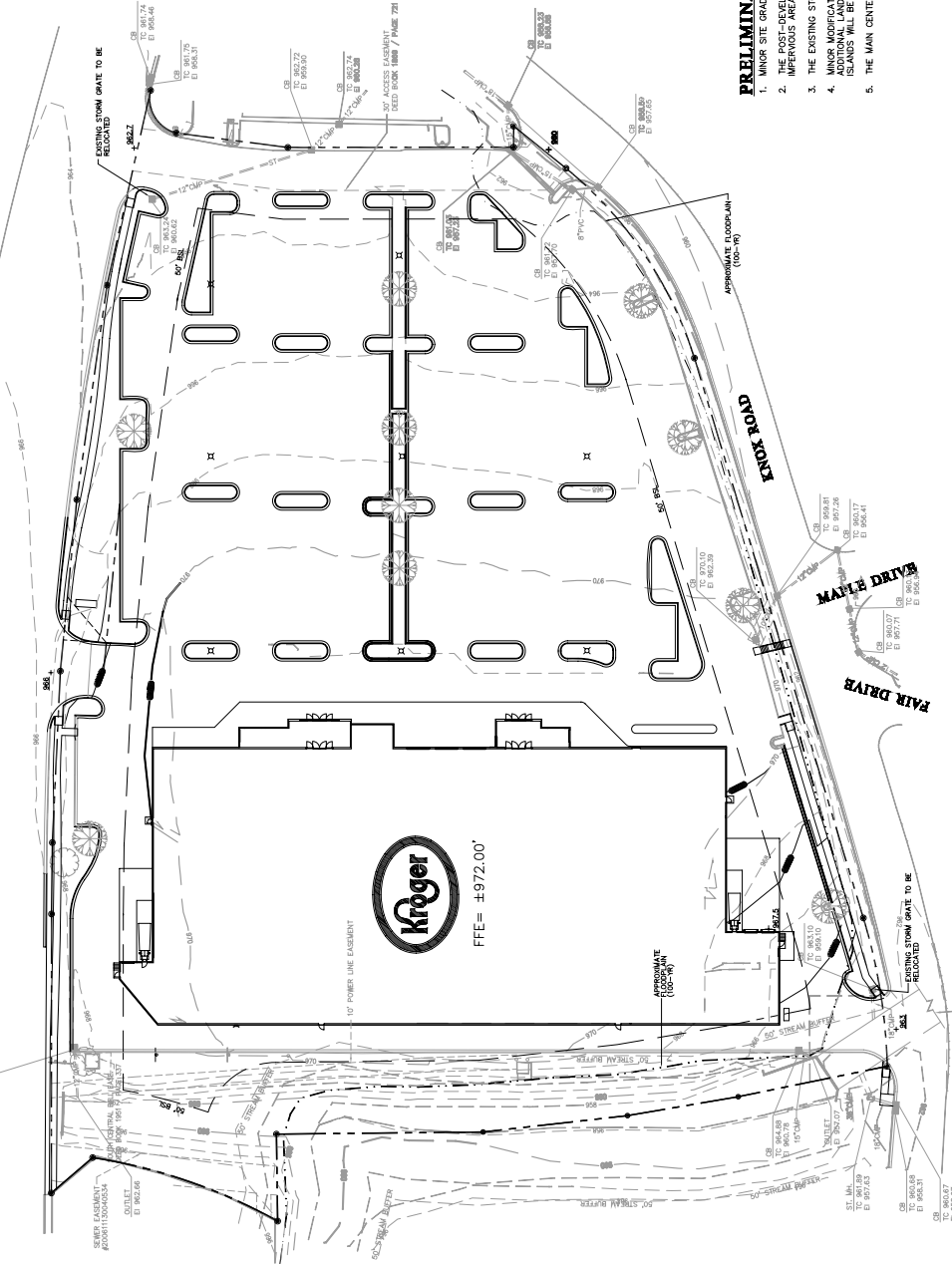
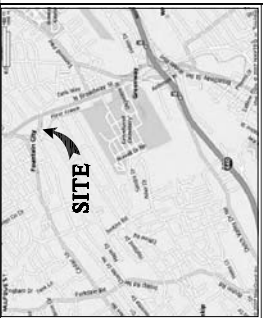
**STORE 698**  
503 N. BROADWAY  
7th DISTRICT  
WARD 37  
CITY BLOCK 37240  
KNOXVILLE, TENNESSEE

FOR:  
**THE KROGER COMPANY**  
2175 PARKLAKE DRIVE  
ATLANTA, GA 30345  
(770) 496-7400

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	06.27.08	AWB	ADD S.W. & T.W. LINES
2	06.27.08	AWB	IFC COMMENT

2007444UOR.4WG 06.27.2008  
**PRELIMINARY GRADING PLAN UOR.2**



- PRELIMINARY GRADING NOTES:**
1. MINOR SITE GRADING WILL OCCUR IN THE VICINITY OF THE NEW BUILDING ONLY. THE POST-DEVELOPED IMPERVIOUS AREA IS LESS THAN THE PRE-DEVELOPED IMPERVIOUS AREA.
  2. THE EXISTING STORM DRAINAGE WILL BE UTILIZED "AS-IS".
  3. MINOR MODIFICATIONS WILL BE MADE IN THE EXISTING PARKING FIELD TO ADD DRIVE AISLES AND PARKING SPACES TO ACCOMMODATE THE NEW PARKING LAYOUT. ISLANDS WILL BE REMOVED TO ACCOMMODATE THE NEW PARKING LAYOUT.
  4. THE MAIN CENTER ISLAND AND THE LARGER EXISTING TREES WILL REMAIN.

**PRELIMINARY GRADING PLAN**

SCALE: 1" = 40'

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LANDSCAPE ARCHITECTS  
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SUITE 200  
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www.paulsonmitchell.com

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INCORPORATED

PROJECT:



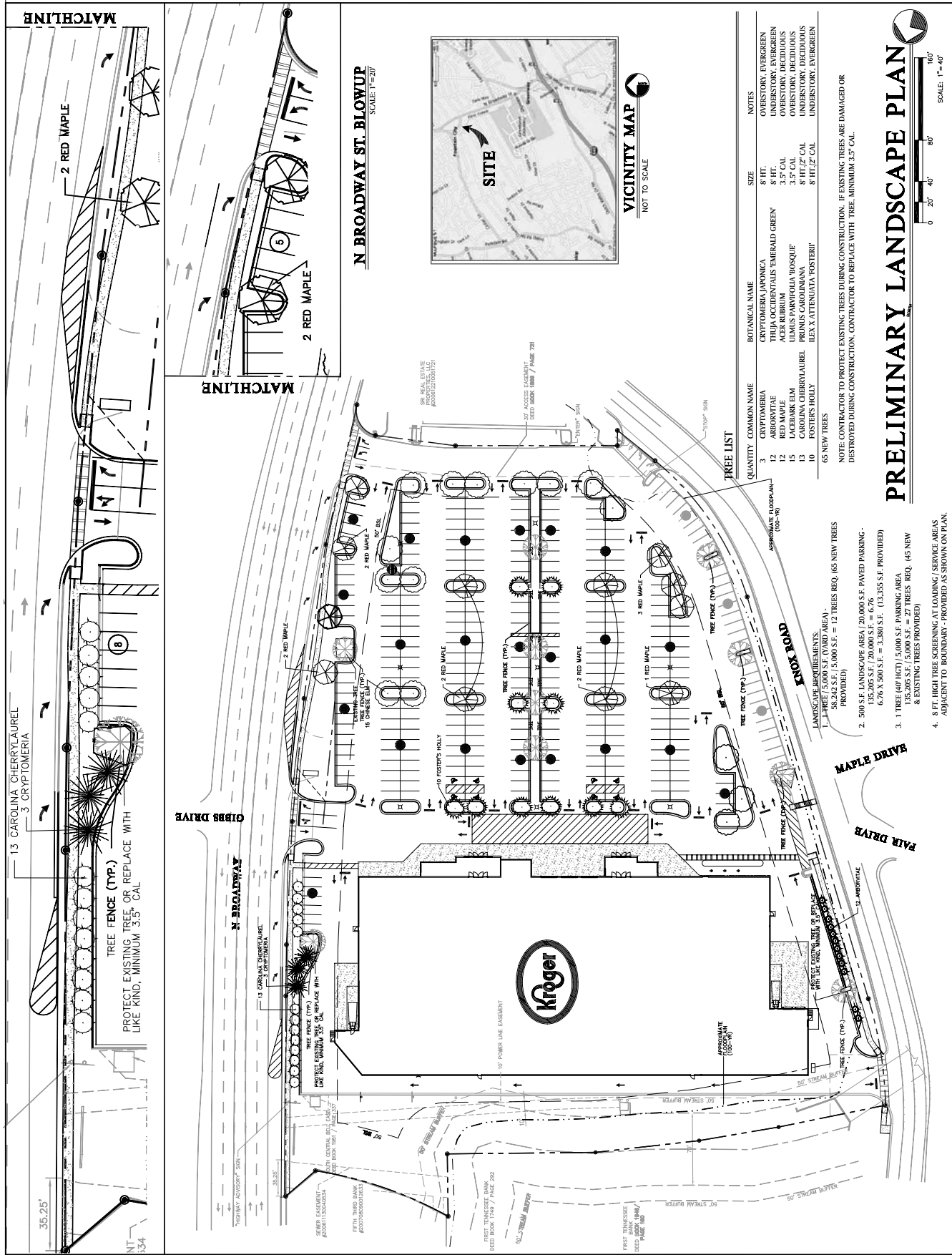
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**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	06.27.2008	AWG	PRELIMINARY LANDSCAPE PLAN UOR.3

2007444-UOR-049  
06.27.2008  
**PRELIMINARY LANDSCAPE PLAN UOR.3**  
(UOR)



**PRELIMINARY LANDSCAPE PLAN**  
SCALE: 1"=40'





**From:** Dan Kelly  
**To:** Betty Jo Mahan  
**Date:** 8/7/2008 3:05:12 PM  
**Subject:** Fwd: Re: comments on latest Kroger site plan

>>> Mike Carberry 08/07 12:48 PM >>>  
Dan,

After meeting with Chris Howley and examining the limitations regarding sidewalks immediately next to Knox Road (slope constraints and the need to maintain traffic carrying capacity along Knox Road...limiting the feasibility of a road diet), we recommend an extension of the proposed sidewalk along the edge of the parking lot above Knox Road.

The Fountain City Small Area Plan, pages 31-35 of the recently adopted North City Sector Plan, calls for the creation of a more urban place in this area with objectives to provide connectivity through sidewalk and other modes including transit and bicycle use. Fountain City Connections and TPO staff created those concepts after a walkability audit was conducted by Mark Fenton, a nationally renowned multi-modal transportation engineer. The audit clearly pointed to the shortcomings of sidewalk connections in Fountain City. The plan is premised on the area becoming a more urban place. Sidewalks are needed on both sides of the streets.

Rather than lose all the parking spaces (presently at right angles to Knox Road, we suggest that the Kroger team revisit the second design alternative which showed parallel parking along the initial sidewalk segment. Roughly half of the parking spaces could be retained under this scenario.

Michael Carberry, Comprehensive Planning Manager

Ellen Zavisca, Transportation Planner

>>> Ellen Zavisca 8/6/2008 2:58 PM >>>  
Hi Dan,

Thanks for the copy of Kroger's most recent preliminary site plan. My suggestions for the staff recommendations are as follows:

The pedestrian crossing from the Knox Road sidewalk to the front of the store, as shown, is not a good idea. It appears to be about 140 feet from the Knox Road sidewalk to the sidewalk in front of the store, and the pedestrians' path will pass directly by the pharmacy drive-through area. This is a lot of unnecessary exposure to traffic for pedestrians. (At 3.5 feet per second, which is the walking speed the City uses to time its pedestrian signals, that's 40 seconds of exposure to parking lot traffic, which is often coming from multiple directions at high rates of speed.) Instead, the sidewalk should be extended another 40 or 50 feet south along Knox Road to where the steps will come up from the road. From there high-visibility marked crosswalks, or even better raised crosswalks, should connect pedestrians across two parking lot islands to the

front of the store. Pedestrians' exposure to traffic will be broken up into small pieces, and total exposure will be cut approximately in half, a significant safety benefit. The parking lot islands will of course need ADA ramps connecting to these crosswalks. Similarly, the pedestrian exposure to traffic should be reduced at the pedestrian crossing from the Broadway sidewalk to the store entrance. The curb should be extended from the sidewalk to the edge of the motor vehicle area, and a high-visibility marked crosswalk, or raised crosswalk, should link the curb extension to the sidewalk in front of the store. A sidewalk along the rest of Knox Road is needed for the safety of pedestrians going to and from this store from throughout the neighborhood, and will also be invaluable to pedestrians passing by the store on Knox Road, especially considering that this store is in the PRZ for three Knox County schools (Fountain City Elementary, Gresham Middle and Central High). Three to four racks providing six to eight secure and convenient bicycle parking spaces should be provided near the store entrance. They should be in an area protected from the elements if at all possible. The TPO can help fund those bike racks through its bicycle program. If you have any questions concerning these suggestions, please let me know.

Thanks much,  
Ellen

Ellen Zavisca  
Transportation Planner  
Knoxville Regional Transportation Planning Organization  
865.215.3818  
[www.knoxtrans.org](http://www.knoxtrans.org)

**From:** Dan Kelly  
**To:** Betty Jo Mahan  
**Date:** 8/7/2008 3:13:14 PM  
**Subject:** Fwd: 698 colored elevation part 2.

>>> <Paul.Xhajanka@kroger.com> 08/07 10:47 AM >>>

Second email attachment.

Dan,

If you would please share with the MPC staff that we have revisited the suggestion for additional sidewalk along Knox Avenue. However, our parking ratio is such that we do not feel comfortable with any further reductions and therefore we regret that we can't provide any additional sidewalks along the remainder for Knox road.

We hope that the MPC staff, prior to making its recommendation for or against the project, considers the effort that Kroger have put forth on this project to incorporate your suggestions and ordinances. We have offered to build or add; a pad for the bus stop (on the First Bank of Tennessee land), sidewalk from the proposed bus stop to the store with corresponding cross walks, sidewalk and landscaping along Broadway; enhanced store elevations on the front and side of the building, stairs connecting the project to the proposed skateboard park and preserve the larger trees as well as add more than 50 additional trees to the property. We believe we have done everything possible to meet or exceed the City's expectations and we hope the MPC staff supports our project. Thank you for your time and consideration.

Paul.

Paul Xhajanka  
Real Estate Manager  
Kroger Southeast Division  
2175 Parklake Drive, Suite 100  
Atlanta, GA 30345  
Office 770-496-7516  
Cell 404-536-2627  
[paul.xhajanka@kroger.com](mailto:paul.xhajanka@kroger.com)

----- Forwarded by Paul Xhajanka/REAL/AT/KrogerCo on 08/07/2008 10:26 AM  
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Dean Stansel

<DStansel@rlrpc.c To: "'Paul.Xhajanka@kroger.com'"  
<Paul.Xhajanka@kroger.com>  
om> cc:  
Subject: 698 colored elevation  
08/06/2008 06:03  
PM

Here you go Paul. Hopefully this is not too late.

Dean Stansel - Senior Associate  
Robertson Loia Roof, Architects & Engineers  
3460 Preston Ridge Road | Suite 275 Alpharetta, GA 30005  
Phone (770) 674-2600 | Fax (678) 319-0745  
(See attached file: GA-698 colored elevation 8.5x11.pdf)

