

▶ **FILE #:** 11-E-09-UR

AGENDA ITEM #: 52

AGENDA DATE: 11/12/2009

▶ **APPLICANT:** ALDI
 OWNER(S): ALDI
 KINGSTON PIKE LLC

TAX ID NUMBER: 132 PART OF 02702

JURISDICTION: City Council District 2

▶ **LOCATION:** East side of Moss Grove Blvd., south side of Kingston Pike.

▶ **APPX. SIZE OF TRACT:** 2.5 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via Moss Grove Blvd., a private Joint Permanent Easement with access out to Kingston Pike, a major arterial street with a four and five lane cross section within a required right-of-way of 100'.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Grocery Store

HISTORY OF ZONING: Rezoning to PC-1 (k) (Retail and Office Park) was approved by Knoxville City Council on 9/25/07.

SURROUNDING LAND USE AND ZONING: North: Shopping center / SC-3 (Regional Shopping Center)

South: Vacant land in Sherrill Hill Commercial Subdivision / PC-1 (k) (Retail and Office Park)

East: Vacant land and shopping center / PC-1 (k) (Retail and Office Park) & SC (Shopping Center)

West: Vacant land in Sherrill Hill Commercial Subdivision / PC-1 (k) (Retail and Office Park)

NEIGHBORHOOD CONTEXT: The Sherrill Hill Subdivision has residential development on three sides and commercial development to the north across Kingston Pike. Zoning in the area includes SC and SC-3 Shopping Center, RAE, PR and RB Residential.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for a grocery store with approximately 16,000 square feet subject to 8 conditions.**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance and conditions of the approved rezoning.

2. Meeting all applicable requirements of the approved Master Plan for the Sherrill Hill development (11-A-07-PA).
3. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
4. Prior to issuance of a building permit for this development, all permits required from the Tennessee Department of Transportation (TDOT) for the installation of the Kingston Pike street improvements recommended in the Traffic Impact Study prepared by Cannon & Cannon, Inc. must be obtained. All the required improvements to Kingston Pike shall be completed prior to the issuance of a certificate of occupancy for the grocery store. Prior to the issuance of the building permit, Aldi's corporate office shall provide a letter to the City's Building Inspections Division stating that they understand that the certificate of occupancy will not be issued until the street improvements are completed.
5. Installation of the sidewalks as designated on the development plan with a connection to the sidewalks that are required along Moss Grove Blvd.
6. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.
7. Meeting all applicable requirements of the Knoxville Department of Engineering.
8. Meeting all applicable requirements of Knoxville's Sign Inspector.

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

COMMENTS:

The applicant is proposing to develop a 16,000 square foot grocery store on a 2.5 acre site located on the east side of Moss Grove Blvd. (Joint Permanent Easement), the main entrance off of Kingston Pike into the Sherrill Hill development. Access to the site will be from a shared driveway off of Moss Grove Blvd. The shared driveway will also serve two other commercial lots on the east side of Moss Grove Blvd. There is no direct access from the Aldi's site onto Kingston Pike.

The traffic impact study that had been prepared for the entire Sherrill Hill development had recommended improvements at the Kingston Pike intersection. Those improvements have not been put in place. To guarantee that the improvements will be in place prior to the opening of the grocery store, staff has recommended conditions that all required permits from TDOT must be obtained before a building permit is issued and all the required improvements to Kingston Pike shall be completed prior to the issuance of a certificate of occupancy for the grocery store.

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

1. Public water and sewer utilities are available to serve the site.
2. The traffic impact study that had been prepared for the entire Sherrill Hill development recommended improvements that will address the traffic impacts of this development.
3. This proposed commercial development will have minimal impact on the residences that adjoin the Sherrill Hill development since it is adjacent to Kingston Pike and only adjoins commercial property.

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 grocery store 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 substantial additional traffic through residential areas since the development is located off an 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 amended Southwest County Sector Plan identifies this as a mixed use development area allowing commercial use. The One Year Plan also designates the site for commercial use. The development complies with both the Sector Plan and One Year Plan.

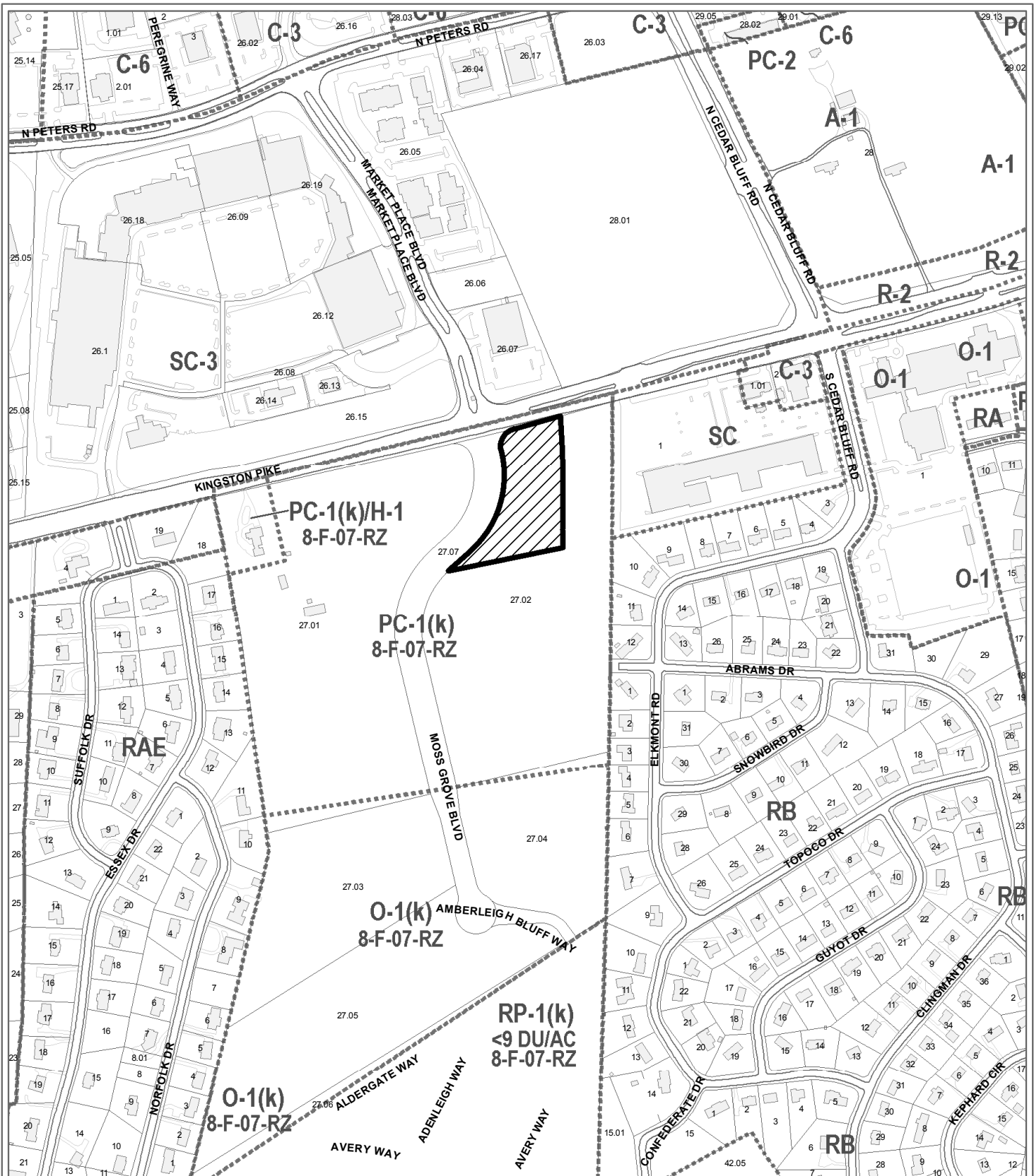
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 1784 (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.



**11-E-09-UR
USE ON REVIEW**

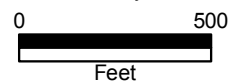


Grocery Store in PC-1 (k) (Retail and Office Park)

Petitioner: Aldi

Map No: 132

Jurisdiction: City



PROJECT SITE

GENERAL NOTES:

1. PROPERTY CONSIDERED WITH CITE PARCEL 02702 AS SHOWN ON CITY OF KNOXVILLE CITY MAP NO. 122.
2. CITY BLOCK NUMBER IS 46215.
3. AREA OF PROPOSED DEVELOPMENT IS 2.24 ACRES.
4. PROPERTY OWNER: PNC, LLC
4101 POMPAS DRIVE, IRVING, TEXAS 75039
TEL. NO. (972) 955-1780
FAX NO. (972) 986-8933

LEGEND

--- EXISTING BOUNDARY

Cannon & Cannon Inc.
City of Knoxville, Tennessee
1000 University Plaza
Knoxville, Tennessee 37921-3804
Tel: 865.524.1100
Fax: 865.524.1101
www.cannonandcannon.com

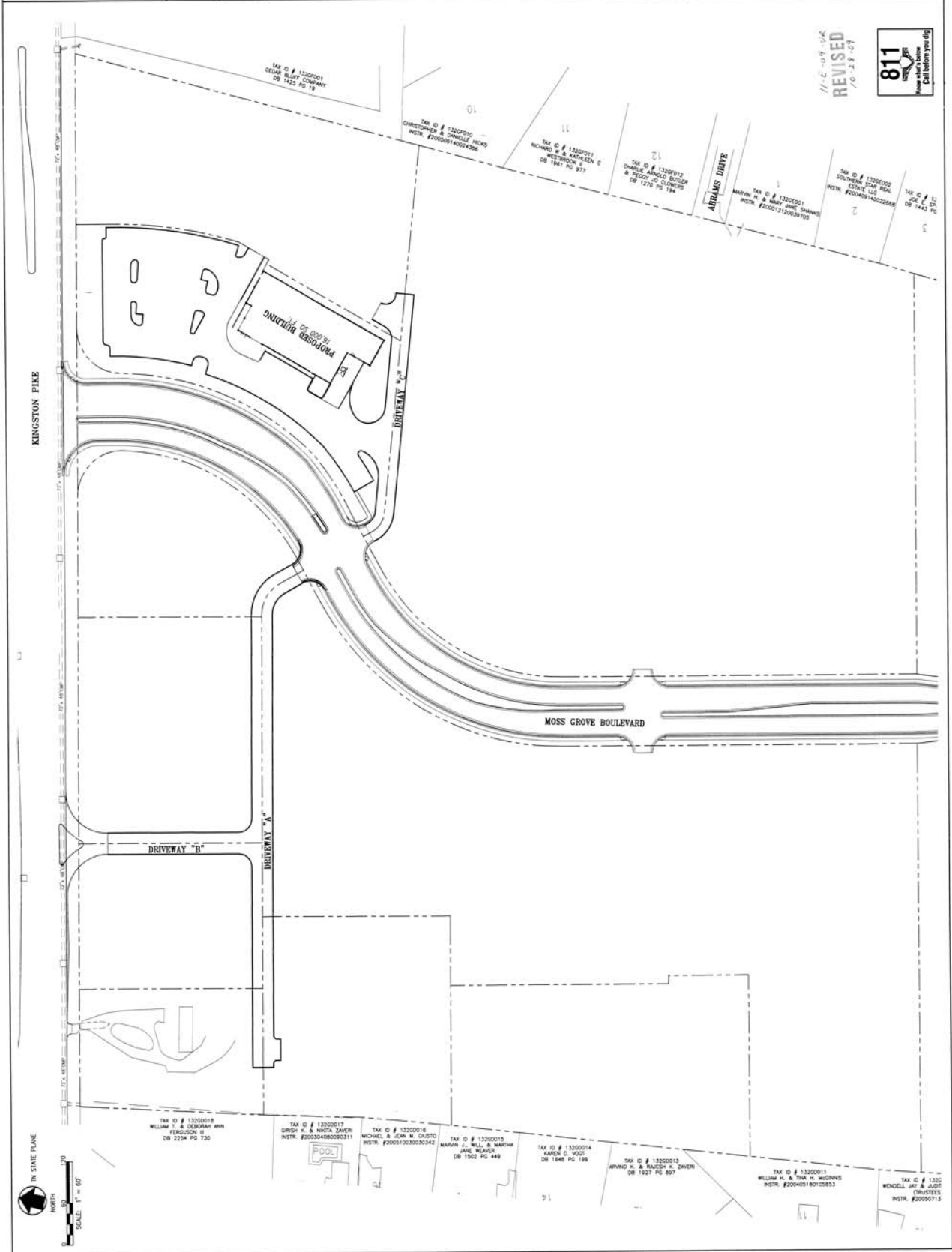
CLIENT:
P.J. BELL, LLC
1000 UNIVERSITY PLAZA
KNOXVILLE, TN 37921
CONTACT: P. BELL, JR. ASSESSOR
TEL. NO. (615) 489-6840 EXT. 123

PROJECT:
MATH AT HERBELL HILL
MOSS GROVE BLVD
KNOXVILLE 3, TENNESSEE

USE IN REVIEW
OVERALL LAYOUT

PROJECT NO. 000007-0000
DATE: 08/11/09
SCALE: 1" = 60'

UOR0.01



GENERAL NOTES:

- PROPERTY CONVEYED REFLECTS PARCEL 02702 AS SHOWN ON THE 1997 PLAT MAP NO. 132.
- ZONING FOR THE PROPERTY IS PC-1.
- CITY BLOCK NUMBER IS 46346.
- AREA OF PROPOSED DEVELOPMENT = 2.56 ACRES.
- PERMETER SLOPES SHALL BE LANDSCAPED AND ARE NOT TO BE PROPOSED.
- PERMETER SLOPES SHALL BE LANDSCAPED AND ARE NOT TO BE PROPOSED.
- PROPOSED DEVELOPMENT SHALL BE MAINTAINED AS PART OF THE FINAL CONSTRUCTION DRAWINGS.

PROPERTY OWNER:
 KINGSTON PIKE, LLC
 1715 W. BENTLEY AVENUE, SUITE 600
 ATLANTA, GA 30339-2505
 TEL. NO. (770) 963-1780
 FAX. NO. (770) 963-1780

THE TOPOGRAPHIC DATA SHOWN WAS OBTAINED FROM CONTINENTAL METRAL, INC. DATED 8-03-07 & THE BOUNDARY DATA WAS OBTAINED FROM METRAL, INC. DATED 8-03-07. ALL PROPOSED DEVELOPMENT SHALL BE MAINTAINED AS PART OF THE FINAL CONSTRUCTION DRAWINGS.

LANDSCAPING:

- ALL LANDSCAPING ACTIVITIES SHALL BE IN ACCORDANCE WITH SECTION 63-40, "LANDSCAPING," OF THE KNOXVILLE, TENN. MUNICIPAL CODE.
- ALL PLANTINGS SHALL BE IN ACCORDANCE WITH THE CITY OF KNOXVILLE, TENN. MUNICIPAL CODE.
- ALL TREES SHALL BE MAINTAINED TO ASSURE SURVIVAL A MINIMUM OF 18 MONTHS AFTER COMPLETION OF CONSTRUCTION.
- PROPOSED BOUNDARIES SHALL MAINTAIN THE BOUNDARY LINE OF SIGHT AND VISIBILITY.

EROSION CONTROL:

- EROSION CONTROL SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF KNOXVILLE, TENN. MUNICIPAL CODE.
- AS A MINIMUM, SILT FENCE SHALL BE INSTALLED AROUND THE PERIMETER OF THE PROJECT.
- OPERATIONS SHALL BE COMPLETED.

UTILITY SERVICES:

UTILITY SERVICES ARE TO BE PROVIDED BY THE FOLLOWING:

- WATER - FIRST UTILITY DISTRICT
- SEWER - FIRST UTILITY DISTRICT
- GAS - KNOXVILLE UTILITIES BOARD
- TELEPHONE - AT&T, COMCAST, VERIZON

PARKING:

REGULATIONS PER 1000 SQ. FT. OF GROSS LEASABLE AREA (GLA) (16,000 SQ. FT.) = 72 PARKING SPACES

76-100 STANDARD SPACES REQ. 3

1 IN ACCESSIBLE = 4 ACCESSIBLE SPACES

PROVIDER:

TOTAL STANDARD SPACES PROVIDED = 84 SPACES

TOTAL ACCESSIBLE SPACES PROVIDED = 4 SPACES

PARKING SPACE GRAND TOTAL = 88 SPACES

GENERATION OF CONCEPT PLAN:

I hereby certify that I am an engineer, licensed to do so in the State of Tennessee, and that I am the author of the design, drawings, documents and statements conforming to all applicable laws and regulations of the State of Tennessee. I further certify that the plan and accompanying information have been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Tennessee.

Professional Seal: [Blank]

Professional Stamp: [Blank]

Professional License No.: [Blank]

Professional Title: [Blank]

Professional Address: [Blank]

Professional Phone: [Blank]

Professional Fax: [Blank]

Professional Email: [Blank]

Professional Website: [Blank]

Tennessee Certificate No. _____ Engineer _____

DATE _____

Cannon & Cannon, Inc.
 Consulting Engineers, Inc.
 1000 N. W. 10th St., Suite 100
 Ft. Lauderdale, FL 33304
 Telephone: (954) 574-4444
 Fax: (954) 574-4444

CLIENT:
 ALDI AT SHERBELL HILL
 MOSS GROVE BLVD
 KNOXVILLE, TENNESSEE

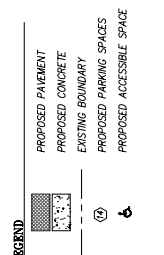
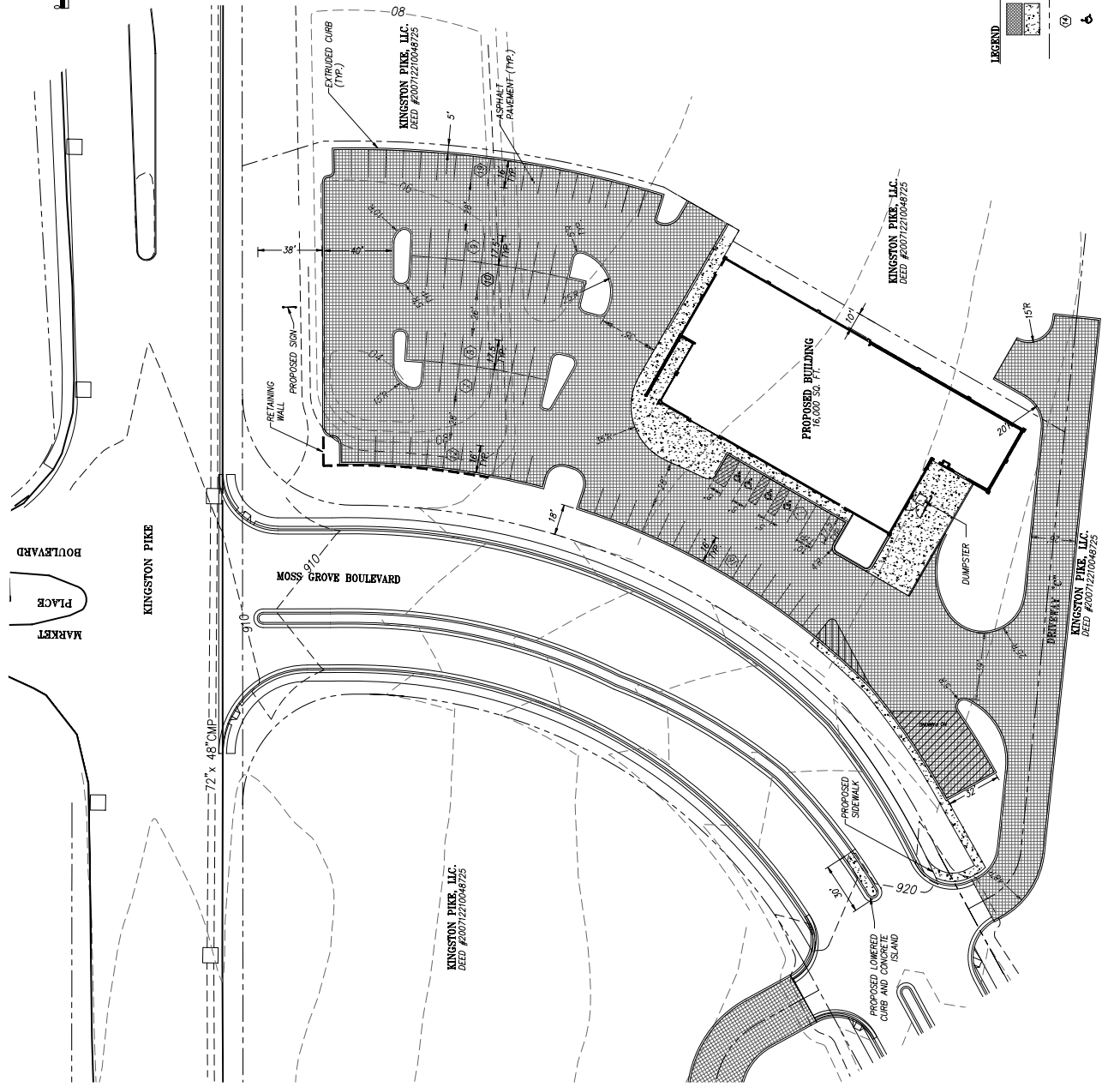
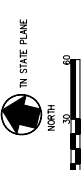
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 ALDI AT SHERBELL HILL
 MOSS GROVE BLVD
 KNOXVILLE, TENNESSEE

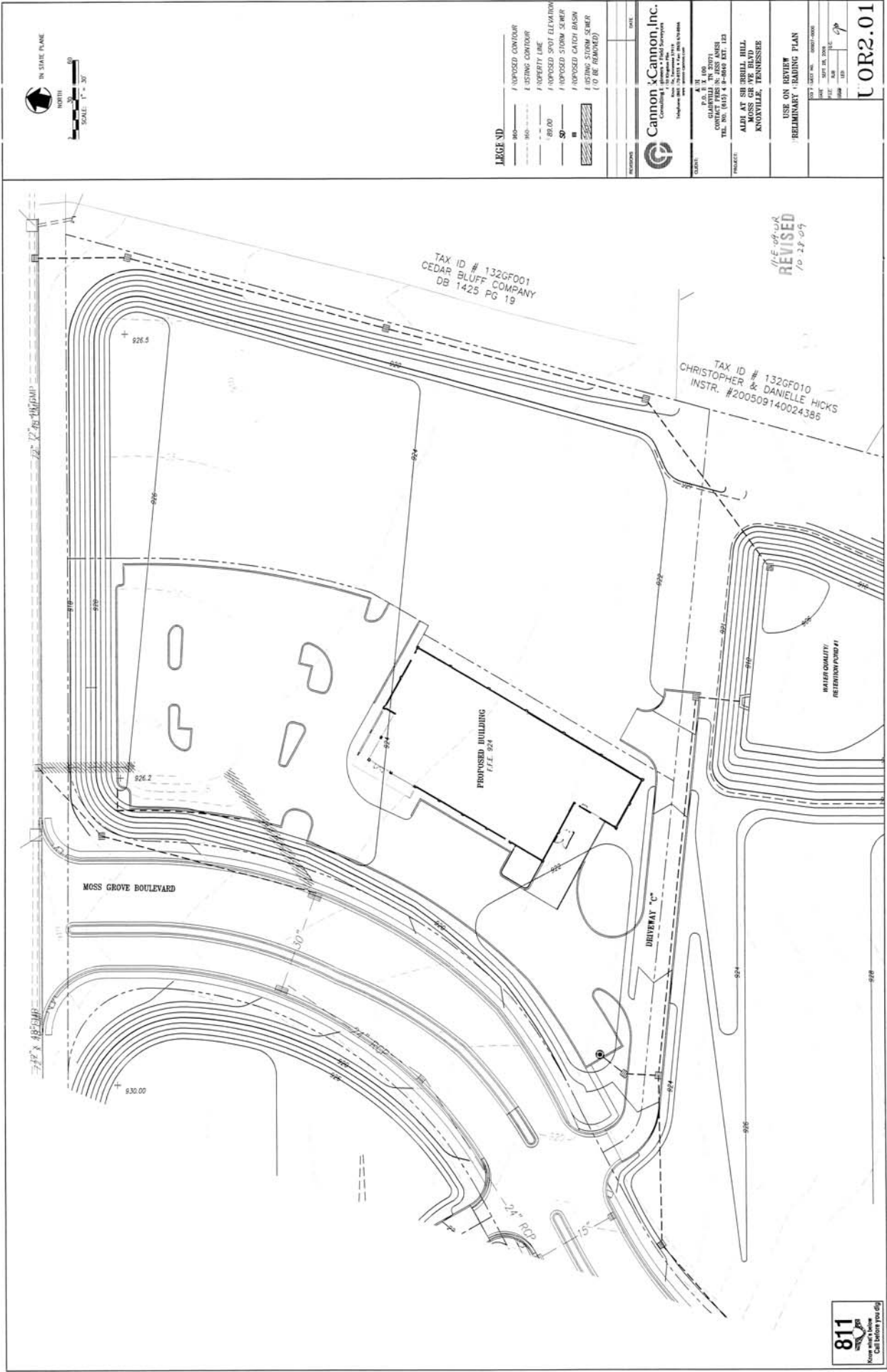
USER ON REVIEW SITE LAYOUT

NO. PROJECT NO. 00007-0000
 DATE: NOVEMBER 14, 2008
 PLAN: R18
 DRAWN: LJD
 CHECKED: [Blank]

PRELIMINARY FOR REVIEW ONLY

UOR1.01







MICHAEL VERZEN & ASSOCIATES
LANDSCAPE ARCHITECTURE
2443 ALLEBERRY COURT
KNOXVILLE, TENNESSEE 37920
(615) 888-1534

ALDI FOODS
Moss Grove Boulevard
Knoxville, Tennessee

L-1
SCALE: 1" = 30'
DATE: 11/3/11
PROJECT: ALDI FOODS
LOCATION: MOSS GROVE

Planting Plan

PLANT SCHEDULE

SYMBOL	DESCRIPTION	SIZE	QTY	NOTE
1	PLANTING BEDS	AS SHOWN	1	SEE DETAIL
2	SOFT PLANTS	AS SHOWN	1	SEE DETAIL
3	GRASS	AS SHOWN	1	SEE DETAIL
4	SHRUBS	AS SHOWN	1	SEE DETAIL
5	TREES	AS SHOWN	1	SEE DETAIL

NEEDS AND REQUIREMENTS: ALL PLANTING SHALL BE AS SPECIFIED IN THESE NOTES, LET THE CONTRACTOR VERIFY ALL CONDITIONS OF THE SITE PRIOR TO THE START OF WORK. ANY CHANGES TO THE PLANTING SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.

NEEDS AND SOIL PREPARATION: ALL PLANTING AREAS SHALL BE PREPARED TO ACCEPT THE SPECIFIED PLANTS. THE CONTRACTOR SHALL OBTAIN A SOIL ANALYSIS REPORT FROM A REPUTABLE LABORATORY PRIOR TO THE START OF WORK. THE SOIL ANALYSIS REPORT SHALL BE SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL. ANY CORRECTIVE ACTION SHALL BE TAKEN AS REQUIRED TO BRING THE SOIL UP TO THE REQUIRED LEVELS.

PLANTING: ALL PLANTS SHALL BE PROVIDED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF WORK.

PLANTING SCHEDULE: ALL PLANTING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF WORK.

LANDSCAPE REQUIREMENTS: ALL PLANTING SHALL BE AS SPECIFIED IN THESE NOTES, LET THE CONTRACTOR VERIFY ALL CONDITIONS OF THE SITE PRIOR TO THE START OF WORK. ANY CHANGES TO THE PLANTING SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.

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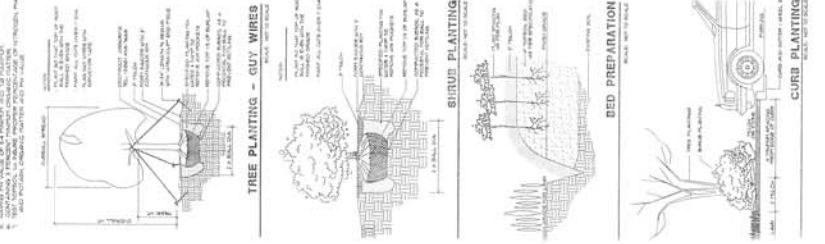
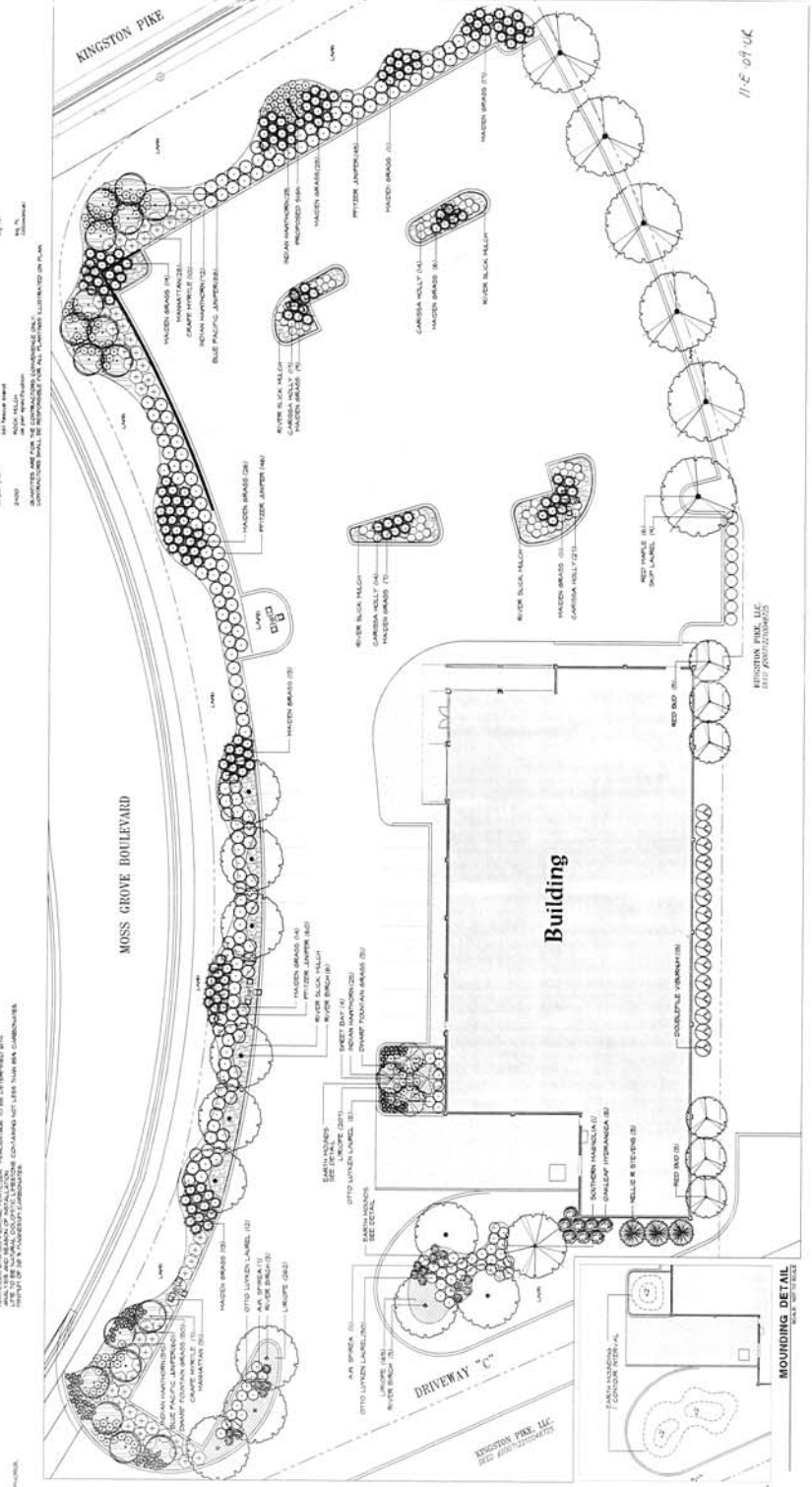
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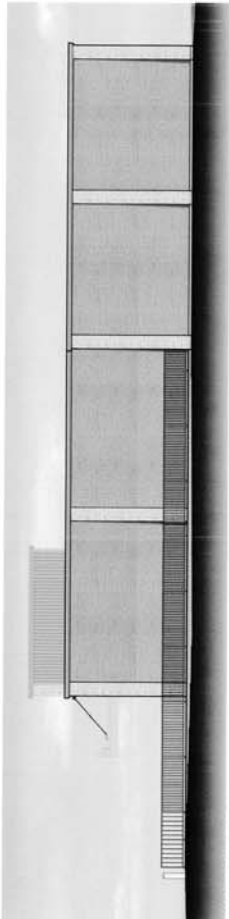
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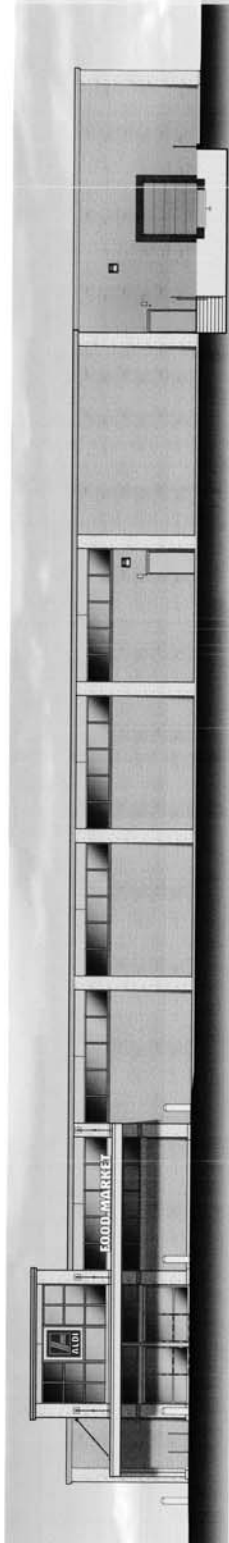




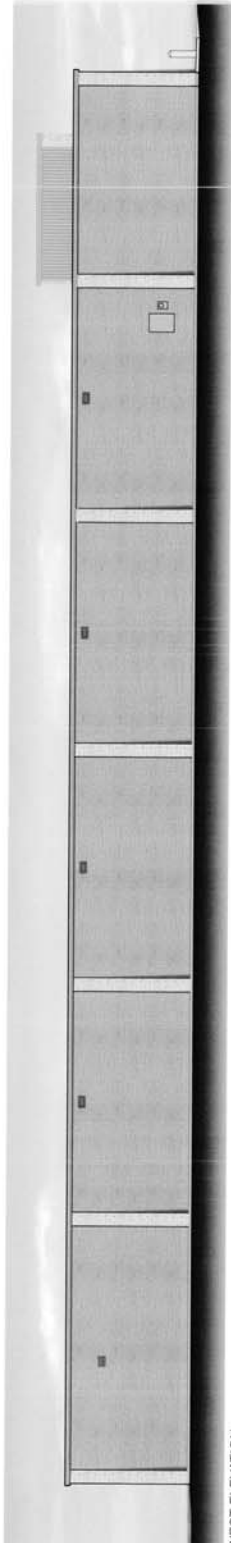
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



WEST ELEVATION



ALDI - Knoxville, Tennessee

Exterior Elevations

11-2-09-UR



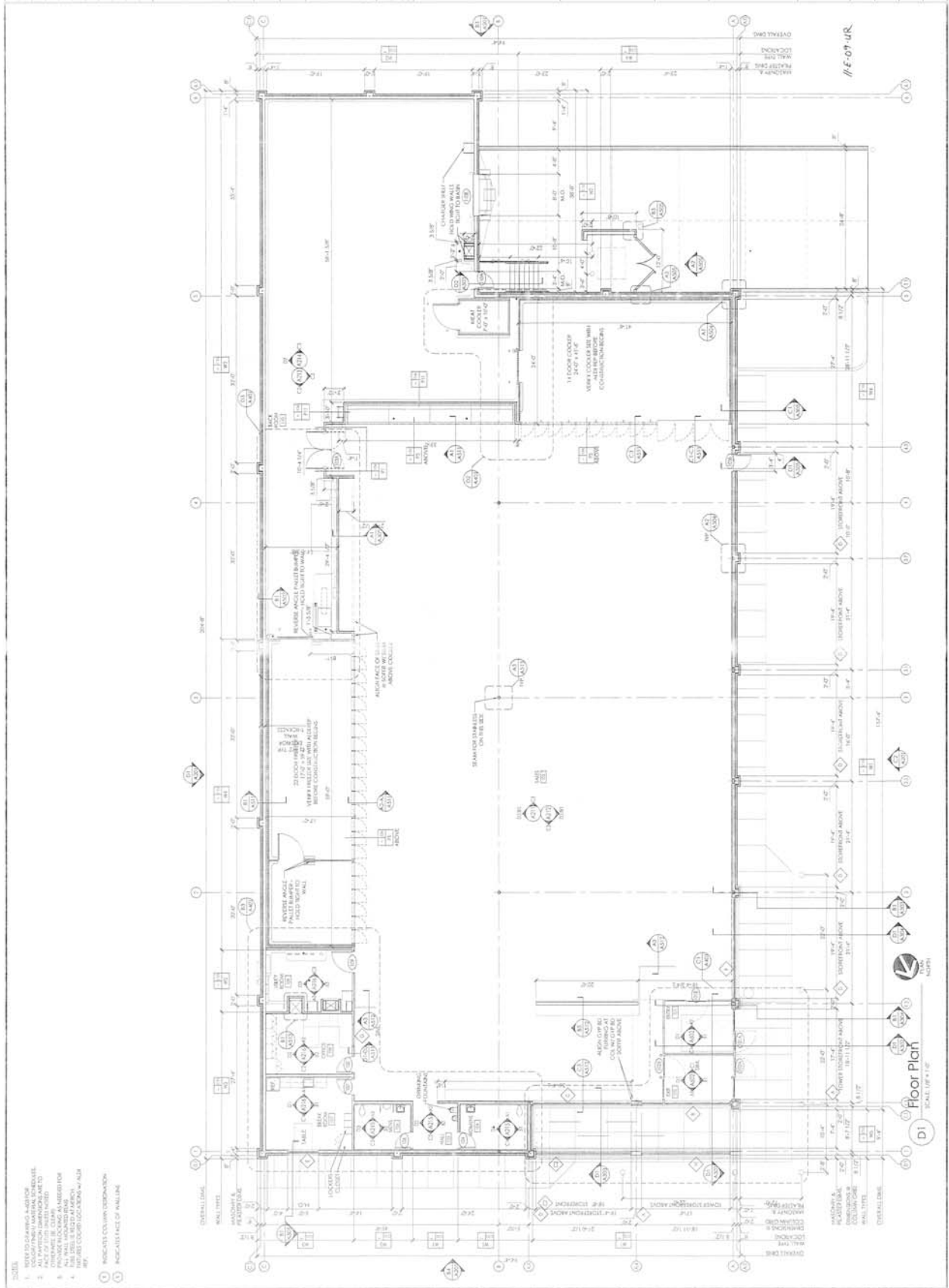
Revised:	Details:
A	1/17/2009
B	
C	
D	
Revised by:	
1	
2	
3	
4	
5	

1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
 2. FINISH FLOOR TO FINISH FLOOR UNLESS OTHERWISE SPECIFIED.
 3. ALL WALL THICKNESSES UNLESS OTHERWISE SPECIFIED.
 4. FINISH FLOOR TO FINISH FLOOR UNLESS OTHERWISE SPECIFIED.
 5. FINISH FLOOR TO FINISH FLOOR UNLESS OTHERWISE SPECIFIED.

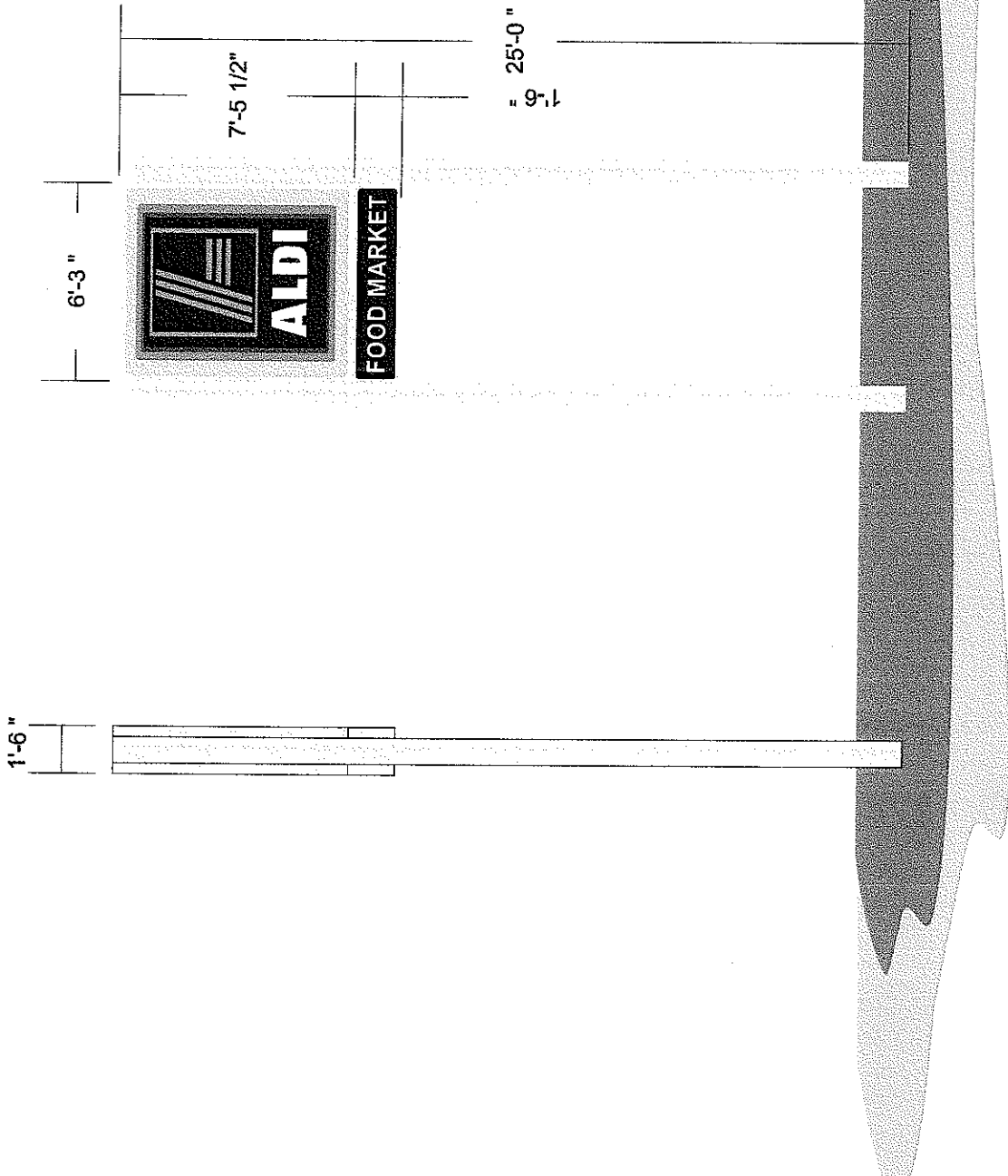
APC Engineering & Architecture
 401 Pigeon Bluff
 Knoxville, TN 37922
 615.584.1514
 www.apc-engineering.com

ALDI Inc.
 209 Apple Valley
 ALBUQUERQUE, NM 87102
 ALDI Inc. TN
 Kingston Pike & Moss Grove Blvd
 Knoxville, TN 37922
 Knox County
 Project Name & Location:

Floor Plan
 Drawing No. ne: 09-0205A
 Date: C 316
 Type: LHSC V2
 Drawn By: XX
 Scale: AS NE: ead
 Drawing No. A-101



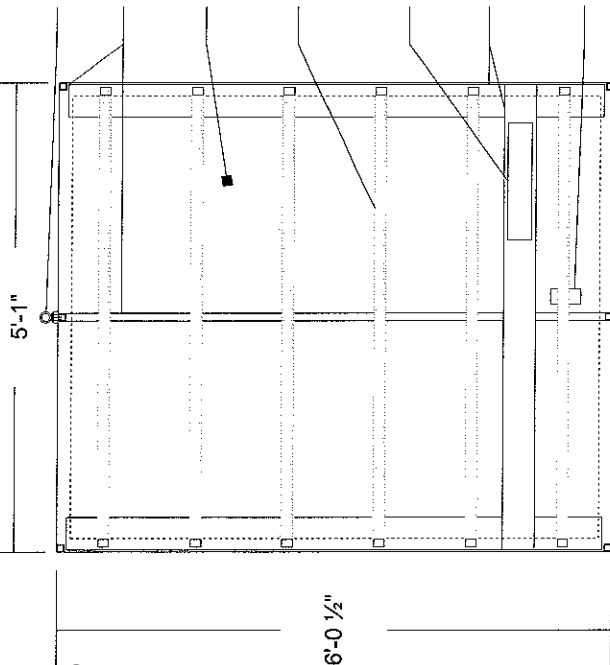
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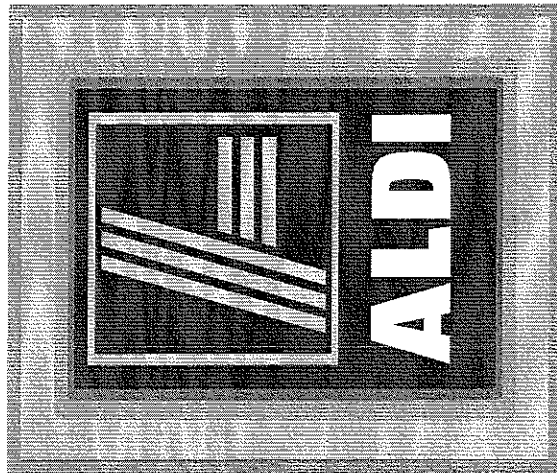
DISTRIBUTED BY SIGN UP COMPANY
 700 21st STREET SOUTHWEST
 PO BOX 240
 WATERTOWN, SD 57201-0210



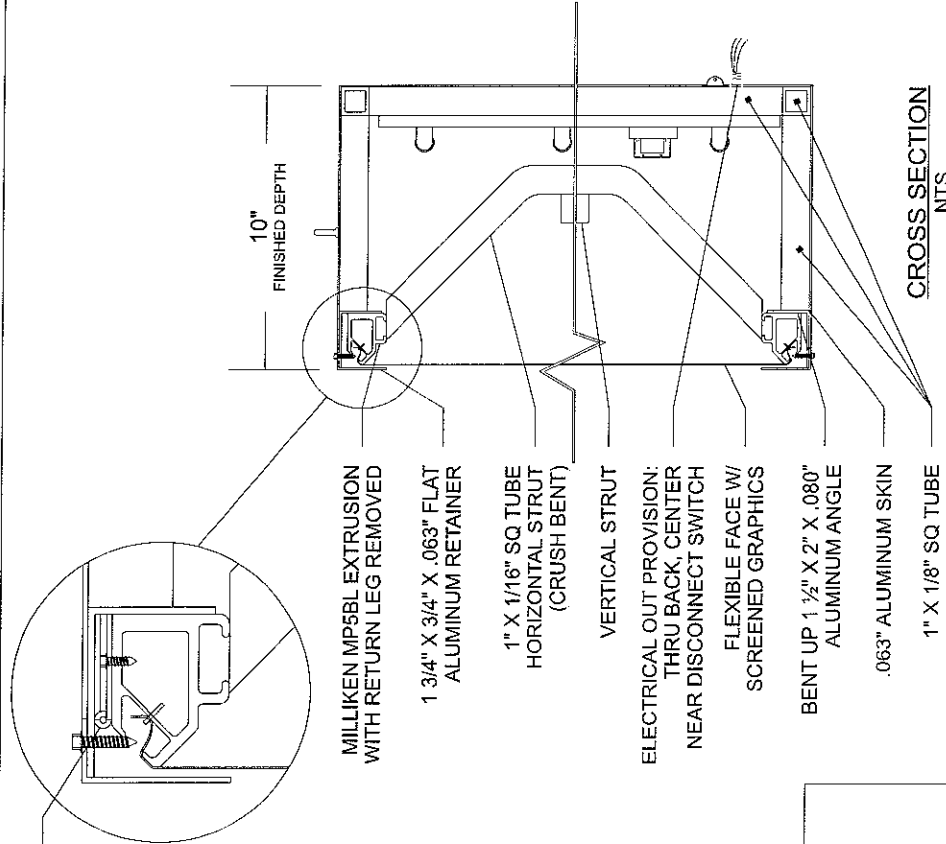
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Location:	VARIOUS	File Name:	1000 -R17-7X6 @ 25' OAH	ENG:	X		



FRAME & LAMP DETAIL
SCALE: 1/2" = 1'-0"



GRAPHIC DETAIL
SCALE: 1/2" = 1'-0"



FRAME DETAIL

MILIKEN MP5BL EXTRUSION
1 3/4" FLAT ALUMINUM RETAINER
EXTERIOR FINISH: ALDI SLATE GRAY
RETAINERS REMOVABLE FOR SERVICE
U.L. APPROVED
ELECTRICAL: 4.20 AMPS, 120 VOLTS

NOTE FOR DIRECT INSTALLERS :-
FRONT OF THE SIGNS ARE TO
PROTRUDE 1" FROM WALL.

	VERTICAL STRUT TO SIT ON TOP OF HORIZONTAL STRUT TO CLEAR LAMPS

STRUT LOCATIONS

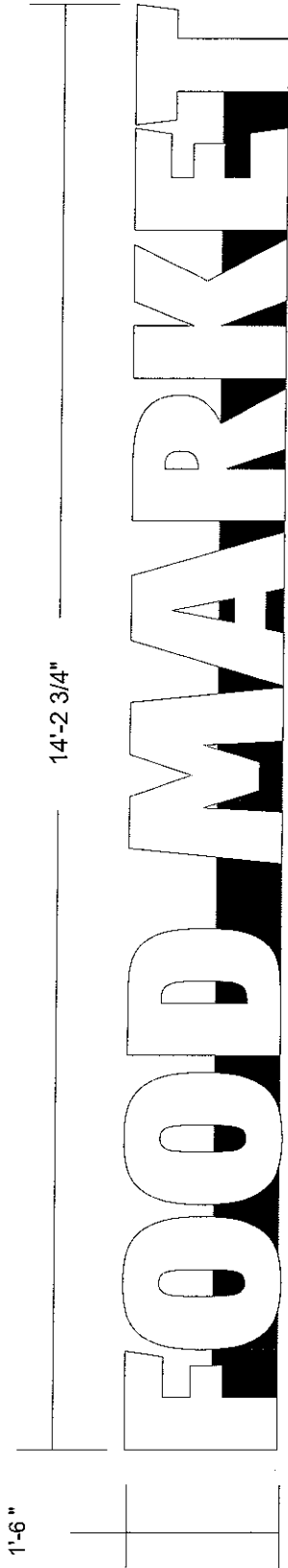
11-E-09-UR

Customer:	ALDI	Prepared By:	CM/IJA/CM	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.
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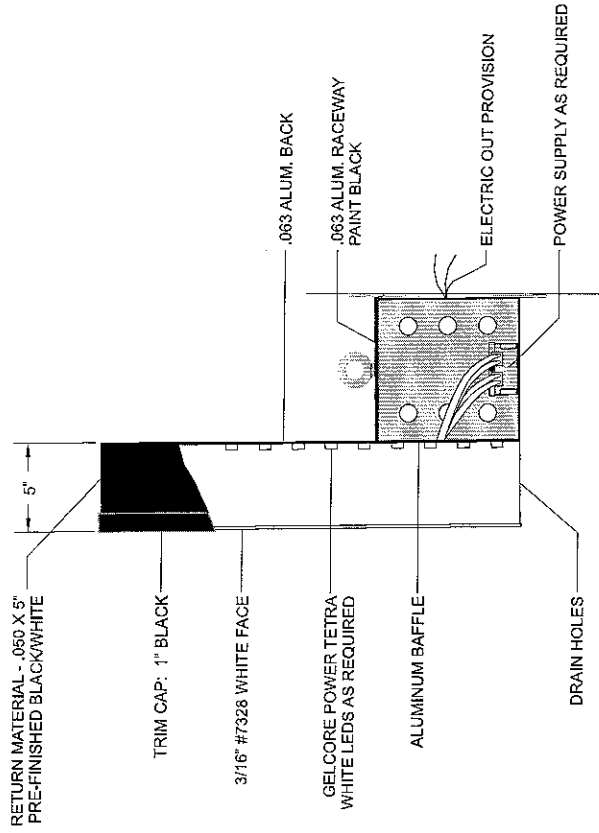


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700 21st STREET SOUTHWEST
PO BOX 210
WATERTOWN, SD 57201-0210

11-E-09-UR



FRONT OF LETTER FACES TO BE FLUSH W/ FRONT OF CANOPY
 BACK OF RACEWAY OF SIGN WILL MOUNT TO (5) EVENLY SPACED 1/2" TUBES W/(10) 3/8" BOLTS
 VERTICAL TUBING PROTRUDING FROM THE CANOPY ROOF TO BE SUPPLIED BY GENERAL CONTRACTOR
 BOTTOM OF THE LETTERS NEEDS TO BE 1" ABOVE TOP OF FASCIA TRIM



RACEWAY CHANNEL LETTER PROFILE

Prepared By: **MWR/IJA**
 Date: **04/06/09**
 File Name: **48033 - R2 - 18" RW CL**
 ENG: **X**

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

Customer:	ALDI
Location:	VARIOUS



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 PO BOX 210
 WATERTOWN, SD 57201-0210