

▶ **FILE #:** 7-E-10-UR

**AGENDA ITEM #** 38

**AGENDA DATE:** 7/8/2010

▶ **APPLICANT:** THE KROGER COMPANY

OWNER(S): ALBERT W. FINK

TAX ID NUMBER: 105 92.01 AND PART OF 92

JURISDICTION: County Commission District 3

▶ **LOCATION:** Northeast side of Middlebrook Pike, north end of N. Cedar Bluff Rd.

▶ **APPX. SIZE OF TRACT:** 1.19 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street that is a four lane divided highway with turn lanes within a required right-of-way of 112'.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

▶ **ZONING:** PC (Planned Commercial)

▶ **EXISTING LAND USE:** Vacant building

▶ **PROPOSED USE:** Kroger Fuel Center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Shopping center / PC (Planned Commercial)

South: Mixed businesses / PC (Planned Commercial) & CA (General Business)

East: Mixed businesses / CA (General Business)

West: Shopping center / PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: The site is located in the center of commercial core area located at the intersection of Middlebrook Pike and N. Cedar Bluff Rd.

**STAFF RECOMMENDATION:**

▶ **APPROVE the development plan for a 14 pump gas fueling station, subject to 6 conditions:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Installation of the intersection improvements on the shopping center parcel, as identified on the approved development plan, prior to the issuance of an occupancy permit for the fueling center.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements and obtaining any required permits for the proposed signage from the Knox County Sign Administrator.
5. Installing all landscaping, as shown on the development plan, within six months of the issuance of occupancy permits for this project.

6. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

**COMMENTS:**

The applicant is proposing to construct a gas fueling station with 14 pumps as a stand alone facility adjacent to the shopping center development that includes the Kroger store located on the northeast side of Middlebrook Pike at the north end of N. Cedar Bluff Rd. The fueling station will include a kiosk to house the station attendant and includes a restroom for the attendant. Access to the fueling center will be from the main access drive for the shopping center with an access connection to the commercial center to the east. There is no direct access from the fueling station out to Middlebrook Pike. The proposed development includes improvements to the existing internal intersection that serves the Kroger store and this site.

The Traffic Impact Study that was prepared for the fuel center concluded that there should be adequate capacity at the intersection of Middlebrook Pike and N. Cedar Bluff Rd. to handle the traffic generated by the fuel center.

The proposed sign package for this development includes a small business monument sign, which is consistent with the approved signage for the shopping center, and signage on the fueling center canopy and kiosk. Since the fueling center is located on separate lot from the shopping center, they cannot use the existing Kroger sign to advertise the fueling center.

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

1. The proposed fueling center will have minimal impact on local services since all utilities are available to serve this site.
2. The Traffic Impact Study concludes that there is adequate capacity at the intersection of Middlebrook Pike and N. Cedar Bluff Rd. to handle the traffic generated by the fuel center.
3. Proposed improvements to the existing internal intersection will improve circulation through the center.

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

1. With the recommended conditions, the proposed fueling center meets the standards for development within the PC zoning district and all other requirements of the Zoning Ordinance..
2. The proposed fueling center 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 area 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.

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

1. The Northwest County Sector Plan identifies this property for commercial use.
2. The site is identified as being within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**ESTIMATED TRAFFIC IMPACT 2279 (average daily vehicle trips)**

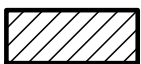
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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 Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**7-E-10-UR  
USE ON REVIEW**



Kroger Fuel Center in PC (Planned Commercial)

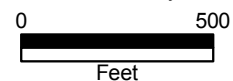
Original Print Date: 6/23/2010  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

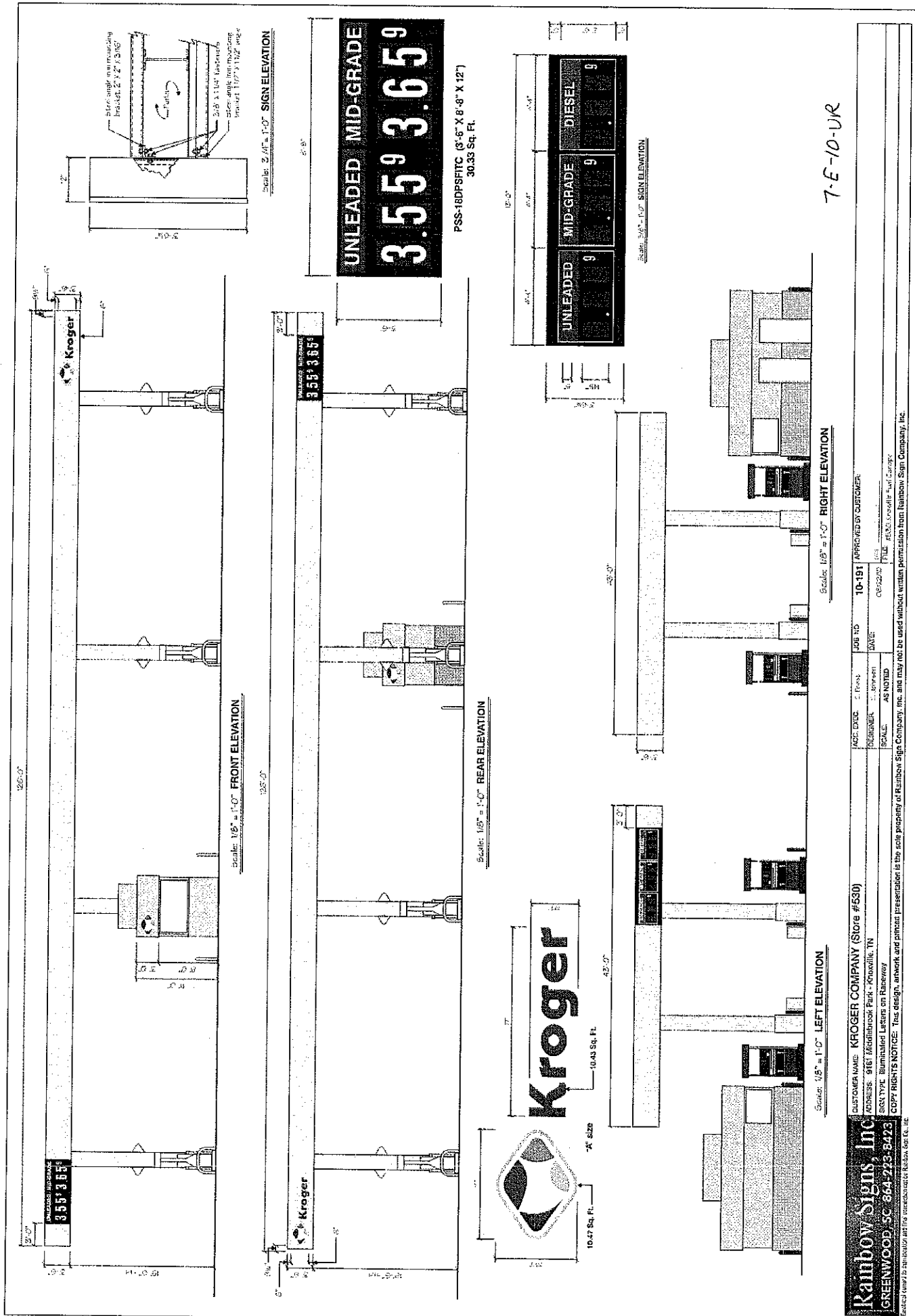
Revised:

Petitioner: The Kroger Company

Map No: 105

Jurisdiction: County



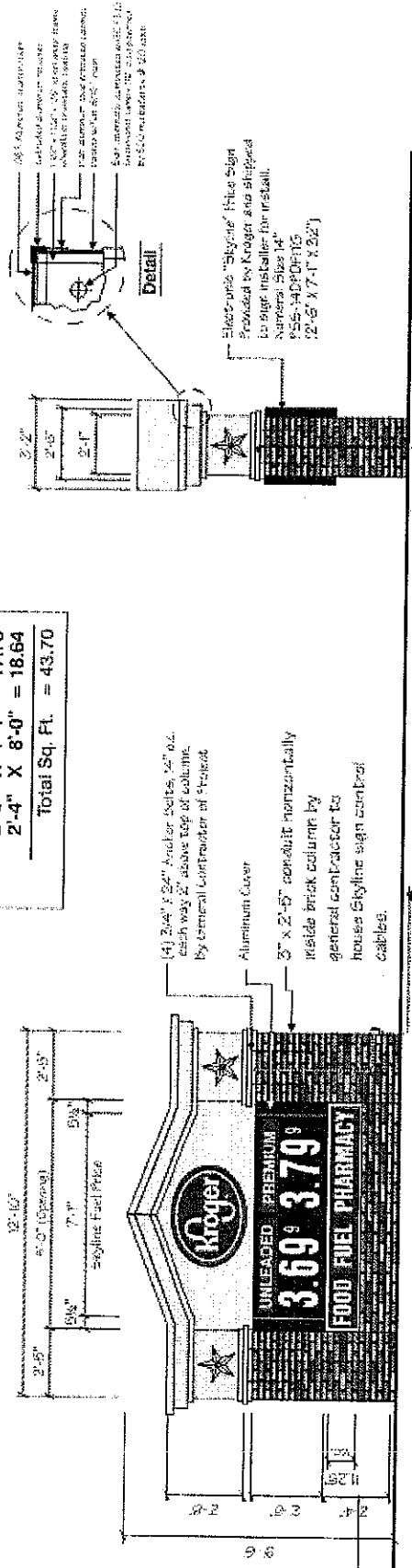


7-E-10-UR

<b>Rainbow Signs, Inc.</b> GREENWOOD, SC 864-223-3423 Contact us for the best price and quality for your sign.		CUSTOMER NAME: <b>KROGER COMPANY (STORE #530)</b>		JOB NO: <b>10-181</b>		APPROVED BY CUSTOMER: _____	
ADDRESS: <b>9161 Midland Park - Knoxville, TN</b>		DESIGNER: <b>J. J. JONES</b>		DATE: _____		FILE # <b>4540</b> LOCAL FILE # <b>4540</b>	
SIGN TYPE: <b>Illuminated Letters on Raceway</b>		SCALE: <b>AS NOTED</b>		DATE: _____		FILE # <b>4540</b> LOCAL FILE # <b>4540</b>	
COPY RIGHTS NOTICE: This design, artwork and physical presentation is the sole property of Rainbow Sign Company, Inc. and may not be used without written permission from Rainbow Sign Company, Inc.							

50 Sq. Ft. Maximum

$$\begin{aligned} & (\frac{1}{2} \times 2'-8") \times (\frac{1}{2} \times 3'-6") \times 3.14 \\ & = 1.34 \times 1.75 \times 3.14 = 7.36 \\ & 2'-6" \times 7'-1" = 17.70 \\ & 2'-4" \times 8'-0" = 18.64 \\ & \hline & \text{Total Sq. Ft.} = 43.70 \end{aligned}$$



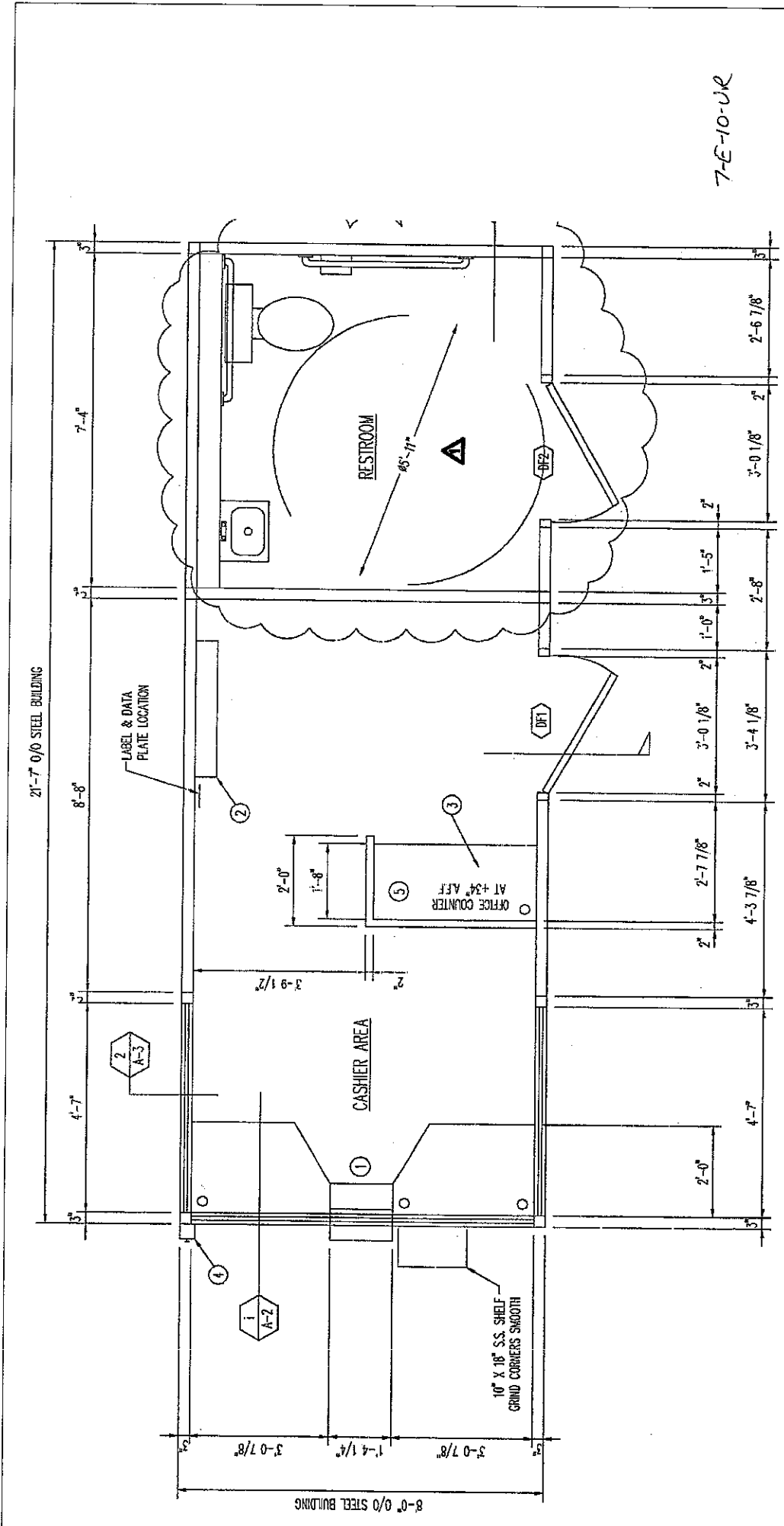
Scale: 1/4" = 1'-0" SIGN ELEVATION

One (2) 20 amp circuit  
88 120 volts required



7-E-10-UK

<b>Rainbow Signs, Inc</b> GREENWOOD, SC 864-223-8423	CUSTOMER NAME: <b>KROGER COMPANY (Store #530)</b> ADDRESS: 8161 Middlebrook Park - Knoxville, TN SIGN TYPE: DIF Pylon		ACC. ENG.: E. Dyeat DESIGNER: E. Johnson SCALE: AS NOTED	JOB NO.: 10-135-4 DATE: 05/20/10 05/12/10 05/22/10	APPROVED BY CUSTOMER: FILE: #530 Knoxville Pylon
	COPY RIGHTS NOTICE: This design, artwork and printed presentation is the sole property of Rainbow Signs Company, Inc. and may not be used without written permission from Rainbow Signs Company, Inc. Electrical current to sign locations and final installation list by Rainbow Signs Co., Inc.				



7-E-10-UR

**Sagebrush** BUILDING SYSTEMS  
 808 N. WARELINS AVE.  
 TULSA, OK 74110

**Ventaira, LLC**  
 4345 S. 63RD E. AVE.  
 TULSA, OK 74147

**KROGER COMPANY**  
 8'-0" X 21'-7" MODULAR BUILDING  
 FLOOR PLAN

SHEET 1 OF 4 DWG. NO. A-1

JOB NO.:  
 DRAWN BY: KRE  
 DATE: 5/12/08  
 SCALE: 1/2" = 1'-0"  
 SYSTEM I.D. NO.: KC BX21

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REVISIONS	DESCRIPTION	BY	DATE
1	PERPLAN REVIEW COMMENTS	VGR	8/8/08







STORE GA-530  
1147 MIDDLEBROOK PIKE  
KROGER DISTRICT 6  
PARCEL ID: 105 08201

**THE KROGER  
COMPANY**  
2175 MARSHALL DRIVE  
ATLANTA, GA 30345  
(770) 486-7400

REVISIONS

NO.	DATE	DESCRIPTION
1	05/21/10	ISSUED FOR PERMITS
2	06/23/10	REVISED FOR PERMITS

2001-1922-A.DWG 05/21/10

**PRELIMINARY  
GRADING PLAN  
(OPTION A)**

SHEET **Z-1.2**

