

▶ **FILE #:** 6-C-10-UR

AGENDA ITEM # 33

AGENDA DATE: 6/10/2010

▶ **APPLICANT:** THE KROGER COMPANY

OWNER(S): TIM MCNAMARA THE KROGER COMPANY

TAX ID NUMBER: 81 E F 007

JURISDICTION: City Council District 4

▶ **LOCATION:** Southeast side of E. Woodland Ave., west side of N. Broadway.

▶ **APPX. SIZE OF TRACT:** 3.69 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via E. Woodland Ave., a minor arterial street with a five lane section with curbed median within a 75' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **ZONING:** C-1 (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Shopping center and Kroger Food Store

▶ **PROPOSED USE:** Kroger Fuel Center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Fulton High School / R-2 (General Residential)

South: Shopping center / SC-2 (Community Shopping Center)

East: First Creek and mixed commercial businesses / F-1 (Floodway) & C-3 (General Commercial)

West: Business / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: The site is located within an older shopping center in an area that includes a mix of commercial, institutional and residential uses.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for a 10 pump gas fueling station, subject to 7 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 Department of Engineering.
3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
4. Obtaining a variance from the Knoxville Board of Zoning Appeals for the reduction in the number of required parking spaces as identified on the development plan.
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 and obtaining any required permits for the proposed signage from the Knoxville Sign Administrator.
7. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the SC-2 zoning district and all criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to construct a gas fueling station with 10 pumps in front of the existing Kroger food store located at the Broadway Shopping Center at the intersection of N. Broadway and E. Woodland Ave. The station will also have a kiosk in the middle to house the station attendant and will include a restroom for the attendant. The fueling center will be located on the northeast side of the shopping center's access drive off of E. Woodland Ave.

A total of 39 parking spaces will be removed in order to accommodate this project. The revised parking layout provides for 118 parking spaces on the Kroger property which is below the required parking. A variance will be needed from the Knoxville Board of Zoning Appeals for the reduction in the number of required parking spaces. Kroger's has a cross access and parking agreement with the shopping center. The fuel center will be located on a portion of the site that is presently used for a recycling center and the existing parking in that area is seldom utilized.

Trees and shrubs will be added along the southern perimeter of the fueling center which will enhance the aesthetics of this almost fully paved area.

Approvals are required from Knoxville Department of Engineering and the Tennessee Department of Environment and Conservation for the fuel centers location along First Creek.

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 prepared for the proposed fueling center indicated that all intersections should have excess capacity to absorb the new traffic generated by the fueling center and all driveways should operate with acceptable service levels.

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 SC-2 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

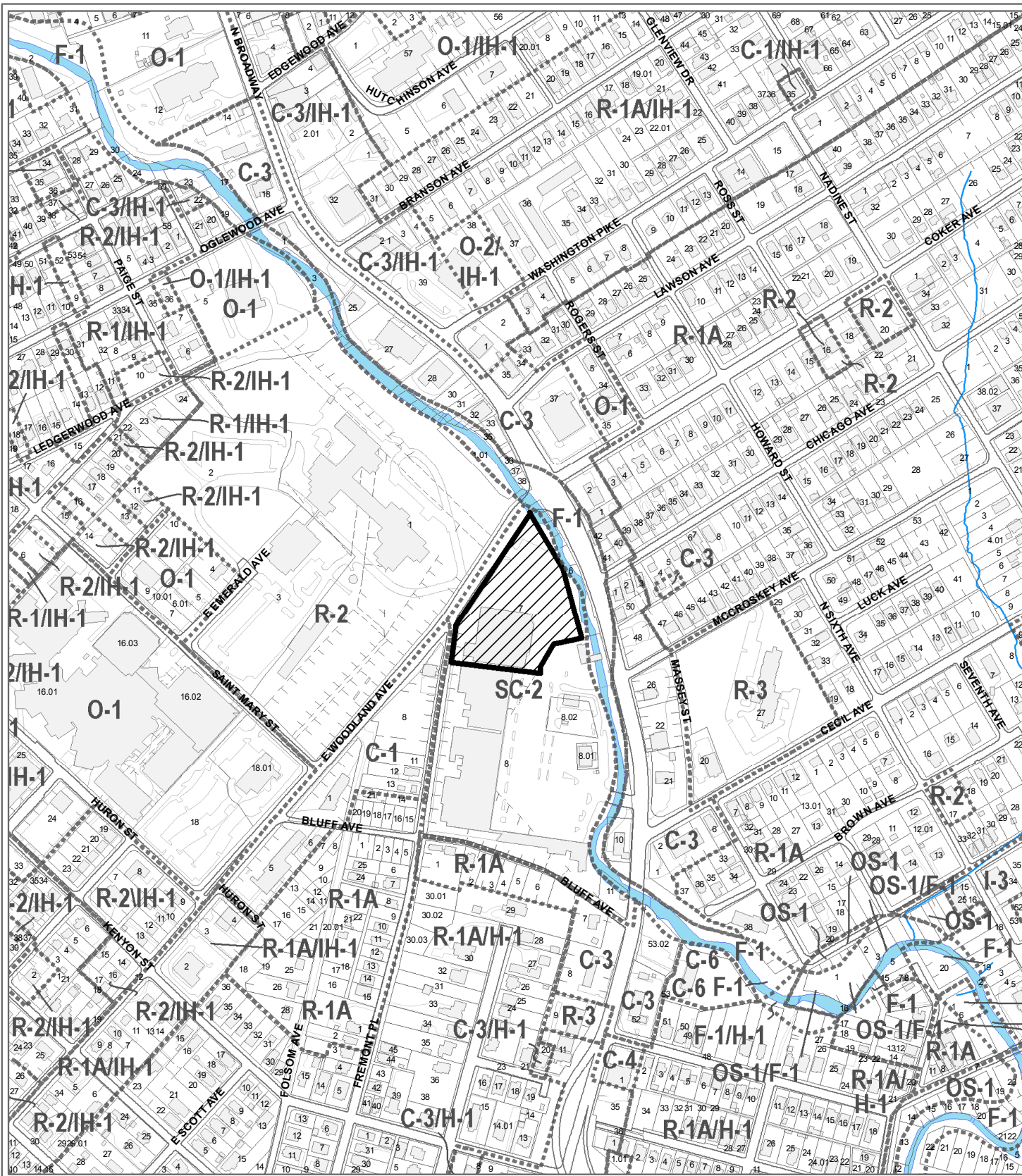
1. The Central City Sector Plan and the One Year Plan propose commercial uses for this site. The gas fueling center is consistent with both the Sector and One Year plans.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT 1628 (average daily vehicle trips)

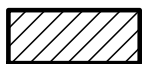
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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.



**6-C-10-UR
USE ON REVIEW**



Kroger Fuel Center in SC-2 (Community Shopping Center)

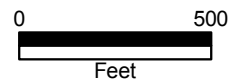
Original Print Date: 5/20/2010
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

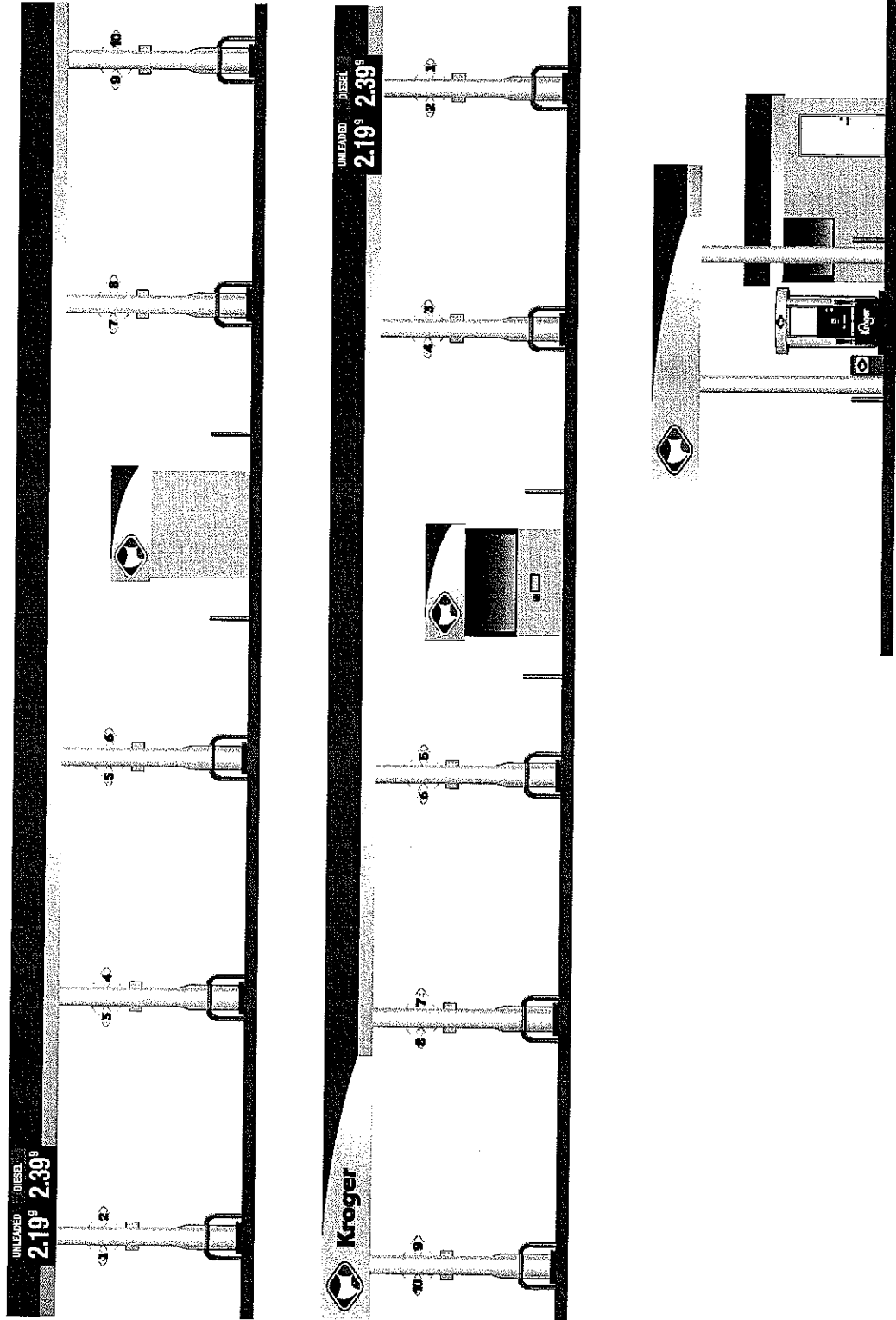
Revised:

Petitioner: The Kroger Company

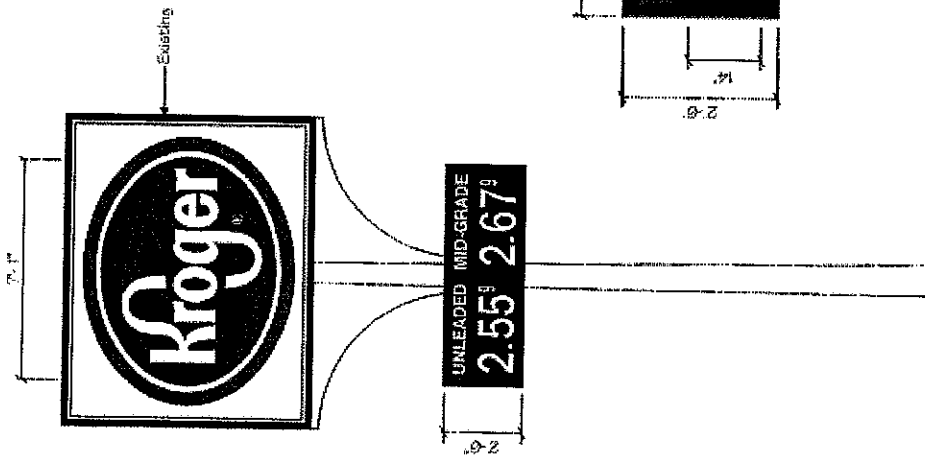
Map No: 81

Jurisdiction: City



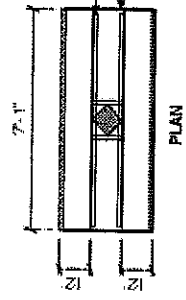
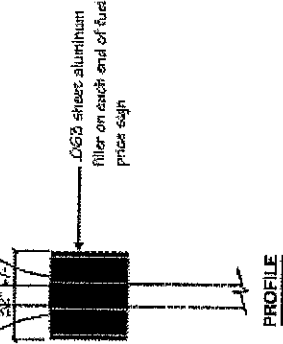
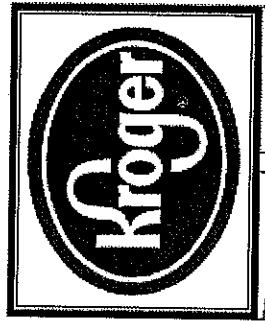


6-C-10-UK
REVISED
5-18-10



Two S/F Skyline Price Signs
 MODEL NO. PSS-14SPSHTC
 2'-6" X 7'-1" X 12"

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



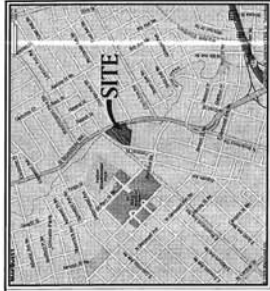
6-C-10-UR

Rainbow Signs, Inc. GREENWOOD, SC 864-223-8473		CUSTOMER NAME: KROGER COMPANY (Store #506)	ACC. EXEC: C. Priest	JOB NO. 10-118-4	APPROVED BY CUSTOMER:
		ADDRESS: 2217 Broadway - Knoxville, TN	DESIGNER: C. Johnson	DATE: 04/15/10	DATE: 04/15/10
		SIGN TYPE: Add Gas Price Signs	SCALE: AS NOTED	FILE: #506 Knoxville Fyler-4	
COPY RIGHTS NOTICE: This design, artwork and printed presentation is the sole property of Rainbow Sign Company, inc. and may not be used without written permission from Rainbow Sign Company, Inc.					
Electrical conduit to sign location and tag connection not by Rainbow Sign Co., inc.					



PRELIMINARY GRADING PLAN NOTES:

1. TOPOGRAPHIC AND EXISTING UTILITIES INFORMATION TAKEN FROM A SURVEY BY SURVETS FIRM, INC. DATED 10/27/09.
2. THE 100-YEAR FLOOD MAPS FOR THE REGION, AS SHOWN ON THE 100-YEAR FLOOD MAP FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY PANEL NUMBER 47051 C0017, DATED MAY 2, 2007.
3. PRE-DEVELOPED CONDITIONS:
 - TOTAL IMPROVED AREA = 114,200 SF = 2.6137 AC
 - IMPROVED = 802
4. POST-DEVELOPED CONDITIONS:
 - TOTAL IMPROVED AREA = 114,200 SF = 2.6137 AC
 - IMPROVED = 802
5. PROPOSED IMPROVEMENTS IN STREAM BUFFER ZONE IS 13,146 SF, WHICH COMPRISE OF CURRENTLY IMPROVED AREA, APPROXIMATELY 2,727 SF OF EXISTING PAVEMENT WITHIN THE 4810 SF BUFFER THE STREAM BUFFER ZONE THAT WILL REMAIN IMPROVED WHILE THE EXISTING PAVEMENT WITHIN THE BUFFER ZONE IS REPAIRED. THE REMAINING IMPROVEMENTS ARE THE CONCRETE SIDE AREA IS SHOWN AS THE VEGRETATION AREA ON THE GRADING PLAN.
6. AREA DEDICATED BY GRADING = 16,839 AC.
7. ALL EXISTING UTILITIES AND STRUCTURES ON THE PROPERTY, EXCEPT ROAD ARE, FOR CONCEPTUAL PURPOSES ONLY. THEY ARE APPROXIMATE AND SUBJECT TO CHANGE.



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PROJECT:
Kroger FUEL Center
 STORE GA-506
 N. BROADWAY ST. &
 E. WOODLAND AVE.
 CITY OF KNOWVILLE
 KNOX COUNTY, TN
 PARCEL ID: 081E7007

DATE:
 04/22/10

THE KROGER COMPANY
 2175 FRANKLIN AVENUE
 CINCINNATI, OHIO 45216
 (770) 486-7400

6-C-10-04A
 REVISED
 5-17-10

REVISIONS

NO.	DATE	DESCRIPTION
1	04/22/10	ISSUE FOR PERMIT

2000/225271.dwg
 04.22.10
PRELIMINARY GRADING PLAN
Z-2.1
 SHEET

