

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 10-B-20-SU **Related File Number:**
Application Filed: 8/24/2020 **Date of Revision:**
Applicant: RANDY KROGER LIMITED PARTNERSHIP I

PROPERTY INFORMATION

General Location: Northeast of Knox Rd., south side of N. Broadway
Other Parcel Info.:
Tax ID Number: 58 K C 007 (PART OF) **Jurisdiction:** City
Size of Tract: 9.15 acres
Accessibility: Access is via N. Broadway, a five lane arterial street with 75' of pavement width within 92' of right-of-way; and via Knox Rd., a collector street with 33' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Parking Lot (for grocery store)
Surrounding Land Use:
Proposed Use: Fuel center for grocery store **Density:**
Sector Plan: North City **Sector Plan Designation:** MU-SD (NC-6)
Growth Policy Plan: N/A
Neighborhood Context: This site is centrally located in the Fountain City / N. Broadway commercial corridor and is currently used as parking for the existing Kroger grocery store. The area is developed with commercial, office, park, and residential uses in the C-G-2, C-N, O, OS and RN-1 zone.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 5201 N. Broadway
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-G-2 (General Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from SC-1 to PC-1 in 2008 (7-M-09-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the development plan for a fuel center with 10 fuel pumps and payment/retail kiosk that is approximately 180 square feet, subject to 6 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to the sign regulations and minimum parking requirement for the Kroger grocery store and proposed fuel center.
2. Installation of landscaping as shown on the development plan within 6 months of the issuance of an occupancy permit for this project, or posting a bond with the City of Knoxville Dept. of Engineering to guarantee its installation.
3. Providing a Transportation Impact Letter (TIL) to update the Kroger Store 698 North Broadway Traffic Impact Study (Wilbur Smith Associates, July 2008) during permit review. The scope of the TIL will be determined by Planning Commission staff, the City of Knoxville Dept. of Engineering and TDOT. All recommended improvements of the TIL shall be installed by the applicant, as required by the City of Knoxville Depart. of Engineering and TDOT.
4. Meeting all applicable requirements of the City of Knoxville Dept. of Engineering.
5. Meeting all applicable requirements of the Tennessee Department of Transportation.
6. Approval by City Council of the amendments to Article 1.4.G. (Transition Rules, Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, to allow modifications of development plans in previously approved Planned Districts to be reviewed and approved as a Special Use application by the Planning Commission. This Special Use approval shall not be effective until Article 1.4 has been amended by City Council.

With conditions noted above, this request meets the requirements of the former PC-1 zone (current zoning C-G-2), the previously approved development plan, and the other criteria for approval of a special use for modifications to previously approved planned districts (per the pending amendment to Article 1.4.G).

Comments:

This proposal is for a 10-pump fuel station with a small payment/retail kiosk within the Kroger parking lot. Some existing parking stalls and landscaping will be removed to accommodate the fuel center, however, the proposal will maintain the required minimum number of parking stalls and landscaping for the two uses. The access points to the site are not proposed to change, however, modification of the driveways or the public right-of-way may be required if recommended by the Transportation Impact Letter or if otherwise required by the City of Knoxville Dept. of Engineering or TDOT.

The proposed signage for the fuel center includes one new monument sign on the Knox Lane frontage and signs on the fuel canopy with a "Kroger" sign and LED pricing signs on the front and rear elevations of the canopy. The LED pricing signs will be perpendicular to Broadway and Knox Lane and will not directly face a residential district. All signs must meet the sign standards in the City of Knoxville zoning ordinance.

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

1. The fuel center could have a significant impact on traffic in this portion of Broadway that is already congested. Since the development of the Kroger store, the properties across Broadway have developed and created new traffic patterns and conflict points that should to be evaluate as part of the Transportation Impact Letter during permitting.
2. All new landscaping and signage appears to be outside of any sight distance requirements along Knox Lane. This will be evaluated further during permitting to sight distance is not further restricted. The current sight distance on at the Knox Lane access adjacent to the fuel center is somewhat restricted because of the curve in the road, utility poles, and the elevation of the Kroger parking lot

being above Knox Lane.

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

1. The proposed fuel center meets the standards for development within the former PC (Planned Commercial) Zone and all other requirements of the Zoning Ordinance.
2. If City Council approves the amendments to Article 1.4 (Transition Rules), the proposed expansion is consistent with the general standards for special use approval of previously approved planned districts: 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 significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North City Sector Plan and the One Year Plan identifies this property for a mix of medium density residential, office and commercial uses. The proposed development is consistent with the Sector Plan.
2. The site is located within the City limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 10/8/2020

Details of Action:

Summary of Action: APPROVE the development plan for a fuel center with 10 fuel pumps and payment/retail kiosk that is approximately 180 square feet, subject to 6 conditions.

Date of Approval: 10/8/2020 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**