

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE · KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 2-B-13-UR Related File Number:
Application Filed: 12/28/2012 Date of Revision:
Applicant: THE KROGER COMPANY

PROPERTY INFORMATION

General Location: Southeast side of E. Emory Rd., southwest of I-75, northeast of Central Avenue Pike.
Other Parcel Info.:
Tax ID Number: 57 PART OF 007 Jurisdiction: City
Size of Tract: 14.23 acres
Accessibility: Access is via E. Emory Rd., a major arterial street with a 5 lane section, and a 60 foot pavement width within a required right-of-way of 112 feet; and Central Avenue Pike, a minor arterial street with a 21 foot pavement width within a required right-of-way of 88 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Kroger store and fuel center Density:
Sector Plan: North County Sector Plan Designation: Mixed Use
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is the former location of the Powell airport, a private landing strip. I-75 runs along the east side of the site and E. Emory Rd is along the north side. The interstate interchange is developed with a variety of commercial uses, under various zones.

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

Street: 212 E Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park) pending
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The Planning Commission recommended approval of a rezoning of the property to PC-1 (Retail and Office Park) on January 10, 2013. Knoxville City Council approved the request on March 5, 2013 on second reading.

PLAN INFORMATION (where applicable)

completed by 2020. The Study recommends a traffic signal at the main entrance to the Kroger site on E. Emory Rd. at a location that is approximately halfway between the Central Avenue Pike signal and the I-75 southbound on-ramp signal. The driveway entrance that is proposed on the east side of the fuel center will be a right-in/right-out only driveway. With the driveway connection out to Central Avenue Pike, turn lane improvements are also recommended on Central Avenue Pike. Staff is recommending the installation of the street improvements for the Phase I development by the developer prior to a Certificate of Occupancy being issued for the Kroger store or fuel center.

The proposed development is located within the floodplain of Beaver Creek, and as proposed, a considerable amount of fill will be added to the site. Approximately half of the site is located within the No Fill Zone of the floodplain. The applicant will be required to submit a City of Knoxville No Rise Study for the proposed fill in the No Fill Zone. Approval is required from the Knoxville Engineering Department of the No Rise Study and proposed mitigation plan before any fill material can be placed within the No Fill Zone.

The applicant has been made aware that the proposed ground sign locations do not comply with the zoning regulations and are not a part of this approval. With the recommended condition, proposed signage for the development is subject to the approval by Planning Commission staff and Knoxville's Sign Inspector.

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. With the construction of the road improvements shown on the development plan, the traffic impact of this development will be minimized.
3. The proposed shopping center is compatible with the scale and intensity of development and zoning patterns in the area.

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

1. With the recommended conditions, 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. With the recommended One Year Plan amendment to conditioned GC, the proposed commercial development would be consistent with the plan. The North County Sector Plan identifies this site as part of a mixed use special district (MU-NC04), which allows consideration of PC-1 development.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 3/14/2013

Details of Action:

Summary of Action: APPROVE the request for a retail shopping center containing approximately 122,000 square feet of floor space, and a fuel center as shown on the development plan, subject to 13 conditions

Date of Approval: 3/14/2013 **Date of Denial:** **Postponements:** 2/14/2013

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:

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: