

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: 7-E-10-UR

Related File Number:

Application Filed: 5/24/2010

Date of Revision:

Applicant: THE KROGER COMPANY

PROPERTY INFORMATION

General Location: Northeast side of Middlebrook Pike, north end of N. Cedar Bluff Rd.

Other Parcel Info.:

Tax ID Number: 105 92.01 AND PART OF 92

Jurisdiction: County

Size of Tract: 1.19 acres

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'.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant building

Surrounding Land Use:

Proposed Use: Kroger Fuel Center

Density:

Sector Plan: Northwest County **Sector Plan Designation:** Commercial

Growth Policy Plan: Planned Growth Area

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.

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

Street: 9147 Middlebrook Pike

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: None noted

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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

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

Staff Recomm. (Full):

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.

Action: Approved **Meeting Date:** 7/8/2010

Details of Action:

Summary of Action: APPROVE the development plan for a 14 pump gas fueling station, subject to 6 conditions:

Date of Approval: 7/8/2010 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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:**