

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 8-B-08-UR
Application Filed: 6/30/2008
Applicant: THE KROGER CO.

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southwest side of N. Broadway, north side of Knox Rd.
Other Parcel Info.:
Tax ID Number: 58 K C 007 **Jurisdiction:** City
Size of Tract: 7.66 acres
Accessibility: Access is via N. Broadway, a five lane arterial street with a pavement width of 53' within a 90' wide right-of-way and by Knox Rd., a collector street with a pavement width of 30' within a 40' right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant commercial building
Surrounding Land Use:
Proposed Use: Kroger food store **Density:**
Sector Plan: North City **Sector Plan Designation:** GC
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The property in the vicinity of this site is zoned C-1 and C-3 commercial, O-1 office and R-1 and R-2 residential. The site is located in the heart of the Fountain City / N. Broadway commercial corridor. The vacant building on the site was formally occupied by the Target store. Detached dwellings are located to the east of the site along Gibbs Dr.

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: PC-1 (Retail and Office Park) - pending
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoning of the site to PC-1 was considered on first reading by the Knoxville City Council on 8/12/2008

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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a retail establishment containing up to 79,599 square feet of floor space and the accompanying parking as shown on the development plan subject to 14 conditions

- Staff Recomm. (Full):
1. City Council approval of the rezoning of this site to PC-1 (Retail and Distribution Park) zoning district
 2. Obtaining the proposed variances for parking, building setback and driveway width from the Knoxville Board of Zoning Appeals
 3. Supplying MPC staff with a set of protective covenants as called for in the PC-1 (Retail and Distribution Park) zoning district regulations
 4. In addition to the sidewalks shown on the development plan, provide a 5 foot sidewalk that will connect from the proposed stairs from Knox Rd. back to the sidewalk that leads to the bus stop. Provide a 5' wide sidewalk from the proposed stairs southward along the entire Knox Rd. frontage. All sidewalk construction must be ADA compliant.
 5. Coordinate maintenance of the sidewalks with the City of Knoxville either by granting the City an easement or dedicating the sidewalks to the City.
 6. Constructing the pad and providing the shelter in the event that KAT is successful in obtaining an easement for a bus stop on the First Tennessee Bank property or construct it in another location along Knox Rd. at the direction of KAT.
 7. Provision of space for bicycle racks at the front of the store. The bicycle racks may be obtained from the Knoxville TPO
 8. As a supplement to the landscaping plan provide a drawing detailing required tree protection measures
 9. Installing all of the proposed landscaping shown on the plan prior to the issuance of an occupancy permit for the building
 10. Meeting all applicable requirements of the Knoxville Engineering Dept.
 11. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Transportation (TDOT) and the Tenn. Dept. of Environment and Conservation
 12. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
 13. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to obtaining any grading or building permits
 14. Prior to obtaining a building permit, submit for review and approval by MPC staff a lighting plan that directs all lighting down and away from the adjoining residential neighborhoods

Comments: Approval of this request will result in the construction of a new Kroger supermarket on the site of the former Target store on N. Broadway. The applicants propose to demolish the existing building and replace it with a structure that will contain 79,599 square feet of floor area. Property to the north and south of this site is developed with other commercial uses. To the east of this site, along Gibbs Dr., detached dwellings and residential zoning are in place. The zoning of the land to west of the site is both residential (R-2) and commercial (C-3) and the area is developed with a mix of residential and commercial uses.

Access to the site will be via N. Broadway and Knox Road. One of the current N. Broadway access points to the former Target store will be relocated so that it will align with Gibbs Dr. The other access points to the site will remain in their present locations. A traffic impact study was prepared for this project. The study states that the proposed development can be expected to generate over 6, 700 trips per day. Compared to the previous use and considering the existing traffic conditions, the study did not recommend that any major improvements would be need to accommodate this development.

A review of the site plan reveals that a number of the existing Willow Oaks on the site will be retained.

Kroger will be changing the parking lot design by changing from angle parking to ninety-degree parking. This will necessitate the removal and reconstruction of large number of the existing parking islands. The landscaping plan shows that most of the new islands will be landscaped. The plan also proposes new landscaping along N. Broadway. The primary purpose of this new landscaping will be to screen the proposed loading dock that is located on that side of the building.

In addition to installing the new landscaping along N. Broadway, the applicants will be constructing a sidewalk along that frontage. It will be 5' wide and will be set back from the pavement in order to create a planting strip that will separate pedestrians from the street. Kroger and the City will work together to define long term responsibilities for that sidewalk. In addition to that sidewalk, two other pedestrian linkages are proposed. The first will be a sidewalk that will be constructed along a portion of the Knox Rd. boundary to an area that is proposed for a KAT bus stop. The proposed bus stop is not located on the Kroger site. Kroger has requested that KAT or the City administration pursue obtaining the needed easement for the bus stop location. A second pedestrian access from Knox Rd. is proposed in the form of a set of stairs that will lead to the site from the area of Fair Dr. and Maple Dr. The City has proposed to build a park in the area and the proposed stairs will facilitate pedestrian movement between the park and the Kroger. Staff will recommend that the proposed sidewalk along Knox Dr. that leads to the bus stop be extended to the proposed stairs. By making this connection, pedestrians coming up the stairs will not have to walk through the parking lot to get access to the store.

Throughout the review process, staff has requested that Kroger include a sidewalk along their entire Knox Rd. frontage. Due to elevation differences, the best place to build the sidewalk would be on the Kroger property where they are currently proposing parking. Kroger has stated throughout the process that they are actually providing less parking than they normally provide for a store of this size and they do not want to lose any additional parking. Based on standards contained in the "Institute of Traffic Engineers Parking Manual" 2nd edition, staff believes that adequate parking can be provided even with the loss of some of the parking along the Knox Rd. frontage. The I.T.E. manual states the 3.42 parking spaces per 1000 square feet of floor area would be adequate. At present, Kroger is proposing more than 4 parking spaces per thousand feet of floor space. Presently, the number of parking spaces proposed does not meet the minimum standards as called for in the City Zoning Ordinance. A variance to the City's parking standard will be required. With the addition of the sidewalks and the provision of pedestrian access to the bus stops, staff would support the needed variance.

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. The retail store will have minimal additional impact on street and schools.
3. The proposed retail store is compatible with the scale and intensity of the former use of the site and the surrounding development and zoning pattern.

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

1. With approval of the needed variances, 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. The Knoxville One Year Plan the North City Sector Plan propose commercial use for this site.
2. The construction of the sidewalks as recommended is consistent with the North city Sector Plan and Section 63-10 of the Knoxville Knox county Minimum Subdivision Regulations

MPC Action:

Approved

MPC Meeting Date: 8/14/2008

Details of MPC action:

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Summary of MPC action: APPROVE the request for a retail establishment containing up to 79,599 square feet of floor space and the accompanying parking as shown on the development plan subject to 14 conditions

Date of MPC Approval: 8/14/2008

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 8/28/2008

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 9/23/2008

Date of Legislative Action, Second Reading: 12/2/2008

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed 9/23, 10/7 11/4, 11/18/08

Disposition of Case, Second Reading: Denied (Withdrawn)

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: