

# 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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Knoxville, Tennessee 37902  
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www.knoxmpc.org

**File Number:** 1-C-06-UR                      **Related File Number:**  
**Application Filed:** 12/5/2005              **Date of Revision:**  
**Applicant:** WEIGEL'S STORES, INC.  
**Owner:**

## PROPERTY INFORMATION

**General Location:** North side Oak Ridge Hwy., west side Karns Valley Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 90 PART OF 010 OTHER: PORTION ZONED PC              **Jurisdiction:** County  
**Size of Tract:** 7 acres  
**Accessibility:** Access is via Oak Ridge Hwy., a major arterial street with 22' of pavement width within 130' of right of way, or Karns Valley Dr., street that is currently under construction with 4 lanes and 487' of pavement width at this intersection.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Weigel's convenience store with gas pumps              **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This area has been developed with rural and low density residential uses under A, PR and RA zoning.

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

**Street:**  
**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:** MPC approved commercial plan designation and PC zoning for this site on Aug. 11, 2005 (8-E-05-SP/8-J-05-RZ).

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE the development plan in the PC zoning district, subject to 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
4. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
5. The declaration of protective covenants, as submitted to MPC staff (front page attached), must be recorded at the Knox County Register of Deeds prior to issuance of the first occupancy permits for the project.
6. TDOT driveway entrance permits will be required for the two curbcuts along Oak Ridge Hwy. The curb radii and driveway widths of all access points must meet requirements of both TDOT and the Knox County Department of Engineering and Public Works.

With the conditions noted above, this request meets the requirements for approval in the PC zone, as well as other criteria for approval of a use on review.

Comments: The applicant is proposing to construct a Weigel's Farm Stores convenience store with fueling station on the subject property, within the PC zoning district. The development plan shows a 3,778 square foot building (1,800 s.f. of retail floor space) and eight gasoline pumps. The plan includes 24 parking spaces and peripheral landscaping.

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

1. Public water and sewer utilities are available to serve the site.
2. Oak Ridge Hwy. has sufficient capacity to handle the additional traffic which will be generated by this development.
3. This request will have no impact on schools and minimal impact on adjacent properties.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposal meets all requirements of the PC 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 plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan proposes commercial uses for this property, consistent with the zoning of the property and with the proposed use.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth

Policy Plan.

**MPC Action:**

Approved

**MPC Meeting Date:** 1/12/2006

**Details of MPC action:**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
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**Summary of MPC action:**

APPROVE the development plan in the PC zoning district, subject to 6 conditions:

**Date of MPC Approval:**

1/12/2006

**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:**