

# 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:** 6-A-12-UR  
**Application Filed:** 4/30/2012  
**Applicant:** LKM PROPERTIES

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** East side of Ebenezer Rd., southeast side of Westland Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 132 09902 **Jurisdiction:** County  
**Size of Tract:** 1.869 acres  
**Accessibility:** Access is via Ebenezer Rd., a minor arterial street with a five lane section within a 100' required right-of-way and Westland Dr. a minor arterial street with a two to three lane section within an 88' required right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Landscape nursery  
**Surrounding Land Use:**  
**Proposed Use:** Convenience Store with gasoline fueling station **Density:**  
**Sector Plan:** Southwest County **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located along a section of Ebenezer Rd. that includes a mix of residential, institutional and mixed business uses.

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

**Street:** 1000 Ebenezer Rd  
**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:** Property rezoned to PC (Planned Commercial) by Knox County Commission on December 18, 2006.

## 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 request for a convenience store with up to 16 gasoline fueling stations as shown on the development plan subject to 10 conditions

Staff Recomm. (Full):

1. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Providing for two driveway connections from this site to the remaining property within this PC (Planned Commercial) zoning district. The two driveway connections include the shared access driveway onto Westland Dr. and a future driveway connection between the two parcels along this site's southern property line.
4. The shared access driveway from this site onto Westland Dr. shall be the only driveway from the PC (Planned Commercial) property onto Westland Dr.
5. Including notations on the final plat for the subdivision of the PC property that includes the access conditions identified in conditions 3 and 4 above.
6. The site lighting for this development shall be installed in compliance with the Town of Farragut's lighting standards for this type of facility.
7. The business ground sign be reduced to a maximum height of 25'.
8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
9. Installing all landscaping, as shown on the landscape plan, within six months of issuance of an occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation. Landscaping at all intersections shall be installed so as not to interfere with the sight triangles and visibility along public streets.
10. Implementation of the recommendations from the Traffic Impact Study prepared for this development by Wilbur Smith Associates.

With the conditions noted above, this request meets all requirements of the PC (Planned Commercial) zoning district, as well as other criteria for approval of a use on review.

Comments: The applicant has submitted a request for approval of a Weigel's convenience store and gasoline fueling station at the southeast corner of the intersection of Ebenezer Rd. and Westland Dr. The proposed facility will include a total of 16 gasoline fueling stations. The proposed site of 1.869 acres is being subdivided from a 6.848 acre tract that was rezoned to PC (Planned Commercial) in 2006.

Access to the facility includes an access driveway onto Ebenezer Rd. near the southern end of the site and a shared access driveway onto Westland Dr. at the northeast corner of the property. The shared access driveway will also serve as the Westland Dr. access for the remaining portion of the PC property. The intersection of Ebenezer Rd. and Westland Dr. is currently scheduled for major improvements under Knox County's capital improvements program.

Since the proposed use will generate more than 750 vehicular trips per day, the applicant was required to have a traffic impact study prepared. A copy of the recommended improvements from the study is included in the agenda package.

The applicant is designing the site lighting to be in compliance with the Town of Farragut's lighting standards for this type of facility.

While there is a mix of uses in the area of the proposed convenience store and gasoline fueling station, the majority of the development along Ebenezer Rd. is residential. To reduce the visual impact of the proposed development on the area, Staff is recommending a condition that the business ground sign not exceed 25' in height.

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

1. The proposed convenience store and fueling station will have minimal impact on local services since all utilities are available to serve this site.
2. The Traffic Impact Study recommendations and proposed intersection improvements by Knox County will address the traffic impacts from this proposed facility.
3. Lighting intensity and direction will be controlled in order to minimize the off site impact of the project.
4. The proposal will have no impact on schools.

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

1. With the recommended conditions, the proposed convenience store and gasoline fueling station meets the standards for development within the PC zoning district and all other requirements of the Zoning Ordinance..
2. The proposed development 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 since it is located along two minor arterial streets.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan identifies the property for commercial use. The proposed development is in compliance with that plan.
2. The site is identified as being within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:**

Approved as Modified

**Meeting Date:** 7/12/2012

**Details of Action:**

1. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Providing for two driveway connections from this site to the remaining property within this PC (Planned Commercial) zoning district. The two driveway connections include the shared access driveway onto Westland Dr. and a future driveway connection between the two parcels along this site's southern property line.
4. The shared access driveway from this site onto Westland Dr. shall be the only driveway from the PC (Planned Commercial) property onto Westland Dr.
5. Including notations on the final plat for the subdivision of the PC property that includes the access conditions identified in conditions 3 and 4 above.
6. The site lighting for this development, including the lighting for the signs, shall be installed in compliance with the Town of Farragut's lighting standards for this type of facility. (Modified by MPC 7-12-12)
7. The business ground sign be reduced to a maximum height of 30'. (Modified by MPC 7-12-12)
8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
9. Installing all landscaping, as shown on the landscape plan, within six months of issuance of an occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation. Landscaping at all intersections shall be installed so as not to interfere with the sight triangles and visibility along public streets.
10. Implementation of the recommendations from the Traffic Impact Study prepared for this development by Wilbur Smith Associates.
11. Modifying the design of the convenience store using many of the design features and materials used at the Weigel's store at the intersection of Choto Rd. and S. Northshore Dr. These design changes are outlined in a nine item agreement between the applicant and area homeowners that was provided to the MPC at the meeting (copy attached). A tenth item was added at the meeting stating that the stucco for the store will be slightly darker than the stucco color at the Choto/Northshore store. (Added by MPC 7-12-12)

With the conditions noted above, this request meets all requirements of the PC (Planned Commercial) zoning district, as well as other criteria for approval of a use on review.

**Summary of Action:**

APPROVE the request for a convenience store with up to 16 gasoline fueling stations as shown on the development plan subject to 11 conditions

Date of Approval: 7/12/2012

Date of Denial:

Postponements: 6/14/2012

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:**