

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 6-I-25-DP      Related File Number:

Application Filed: 4/25/2025      Date of Revision:

Applicant: LKM PROPERTIES, L.P.

## PROPERTY INFORMATION

General Location: Southeast corner of Ebenezer Rd and Westland Dr

Other Parcel Info.:

Tax ID Number: 132 09904      Jurisdiction: County

Size of Tract: 1.87 acres

Accessibility: Access would be via Westland Dr, a minor arterial with a pavement width of 50 ft within a 75-ft right-of-way, and Ebenezer Rd, a minor arterial with a pavement width of 70 ft within a 100-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use: Convenience store with gasoline pumps      Density:

Planning Sector: Southwest County      Plan Designation: SMR (Suburban Mixed Residential), SP (Stream Protection)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is characterized by a mix of single family and multifamily residential dwellings with some commercial, quasi-public, and office uses along Ebenezer Road.

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

Street: 8880 WESTLAND DR

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: This property was rezoned from PR (Planned Residential) to PC (Planned Commercial) in 2006 (11-J-06-RZ).

## 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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): Approve the request for a convenience store with up to 16 fueling stations (points of sale) as shown on the development plan, subject to 13 conditions.

Staff Recomm. (Full): Approve the request for a convenience store with up to 16 fueling stations (points of sale) as shown on the development plan, subject to 13 conditions.

1. If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, as caused by the development, the developer will either enter into a memorandum of understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.
2. All signs must comply with Article 3.90 (Signs) of the Knox County Zoning Ordinance, unless this approval requires a stricter standard. Compliance with the total wall sign area shall be confirmed to ensure it complies with the maximum allowable in the PC zone during permitting.
3. Reducing the ground sign at the intersection of Ebenezer Road and Westland Drive to a maximum height of 25 ft.
4. Complying with the sign standards of the Tennessee Scenic Highway System Act of 1971 (Tenn. Code Ann. § 54-17-109), limiting advertising signs to no more than 100 sqft and no closer than 1,000 ft to any other sign that is 12 sqft or more located on the same property. The property can only have 1 ground sign with a sign face that is 12 sqft or larger and no greater than 100 sqft.
5. Implementing the recommendations of the Traffic Impact Letter (TIL) for Weigel's Westland at Ebenezer (Ardurra, 5/22/2025) as required by Knox County Engineering and Public Works during permitting (Exhibit B). If the TIL is further revised, it must be submitted to the Planning staff for review and approval by all applicable agencies.
6. Modifying the shared Ebenezer Road driveway to restrict turn movements to right-in and right-out, and providing internal markings, such as a painted "do not block" box, placed just inside the site, per the requirements of Knox County Engineering and Public Works during permitting.
7. Modifying the design and/or location of the connection to the shared driveway near the Westland Drive access per the requirements of Knox County Engineering and Public Works during the permitting phase. The existing turn lane striping on the shared driveway shall not be modified without the applicant's traffic engineer revising the TIL and verifying that the proposed turn lane lengths are adequate for the projected queuing during peak hours, unless otherwise approved by Knox County Engineering and Public Works during permitting.
8. All site lighting must meet the following standards unless otherwise required by a life and safety code:
  - (a) All light fixtures shall be full cut off and installed with the light source perpendicular to the support structure or otherwise parallel to the ground if mounted to the underside of a roof or canopy. Lights on the underside of the fuel canopy must be fully recessed or, if flush mounted, have opaque (solid) sides so the light shines straight down.
  - (b) No pole-mounted light shall be taller than those in the commercial strip center to the south, measured from the ground to the top of the pole or light fixture, whichever is greater.
9. Providing landscaping at the base of the ground sign at the Ebenezer Road and Westland Drive intersection to hide the support pole, and a continuous row of shrubs with minimum height of 2 ft (minimum height of 1 ft at planting) or a decorative fence, or combination thereof, between the vehicle use areas (parking spaces, drive aisles, fueling area, etc) and the Ebenezer Road and Westland Drive frontages.
10. Providing a final landscape plan for review and approval by Planning staff before site development/grading permits are issued. It shall be in keeping with the proposed landscape plan (Sheet L0.01), and with this condition and condition #9. The landscaping must be installed 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. Any proposed tree that cannot be located as proposed must be relocated to within the same quadrant of the site.

11. Providing a pedestrian connection from the public sidewalk on Ebenezer Road and Westland Drive to the site.

12. Meeting all applicable requirements of the Knox County Zoning Ordinance.

13. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

**Comments:**

Corrections (6/6/2025) - Condition # 4 and the staff comments were modified to address the maximum sign area requirement of the Tennessee Scenic Highway System Act of 1971, and corrected a reference in condition #10.

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This is a request for a convenience store with approximately 6,600 sqft of floor area and 16 fueling stations (points of sale). Access to the site is via two driveways on Ebenezer Road and one on Westland Drive, all of which were constructed with the adjacent apartment complex and shopping center, creating internal connections between the subject site and the commercial strip center to the south. The Board of Zoning Appeals approved a reduction of the peripheral setback from 50 ft to 38 ft along the Ebenezer Road frontage for the fuel canopy in May 2025.

**BACKGROUND**

In 2012, a 4,000 sqft Weigel's convenience store with 16 fuel stations was approved for this site (6-A-12-UR) with several design-related conditions listed in the details of action of the case summary (Exhibit C), Proposed Changes Per Homeowners Requests (Exhibit D), and the Planning Commission meeting minutes for July 12, 2012 (Exhibit E). The applicant agreed with the nine proposed changes listed in Exhibit D, as well as the other conditions recommended by staff, except for the height of the ground sign, which was the main point of discussion. Staff recommended that the maximum sign height be 25 ft, and the applicant requested 30 ft because, if shorter, the sign would not be visible to the south from a distance due to a retaining wall and two structures near the road. The Planning Commission approved the 30-ft sign height. The retaining wall and buildings of concern were subsequently removed when the adjacent commercial strip center was constructed.

In 2019, the commercial strip center to the south was approved with driveways to Ebenezer Road and Westland Drive that are to be shared with the subject site (7-E-19-UR). Condition #6 of this approval states, "Any proposed revision to the approved development plan for the Weigel's store (LKM Properties, 6-A-12-UR) site will require a reevaluation of the driveways onto Ebenezer Rd and Westland Drive, which may require modification to those street connections." Staff is recommending conditions that the shared driveway at Ebenezer Road be modified to restrict turn movements to right-in and right-out, and internal markings be added, such as a painted "do not block" box, placed just inside the site to prevent exiting right-turners from queuing across and blocking the internal Weigel's driveway.

**SIGNS**

Weigel's is proposing a main wall sign on the west (front) elevation facing Ebenezer Road, and a small logo wall sign on the north (side) elevation facing Westland Drive. The fuel canopy will have four small logo signs, with two in the northeast corner and two in the southwest corner. There are two ground signs: a 30-ft tall, 174 sqft, pole-mounted sign with changeable price EMCs located at the Ebenezer Road and Westland Drive intersection, and a 4'-9", 18.75 sqft, directional monument sign located at the Ebenezer Road driveway. Westland Drive is designated as a state scenic route and is subject to the sign standards in Tennessee Code Annotated § 54-17-109, which limits the site to no more than 1 ground sign with a sign face that is 12 sqft or larger and no greater than 100 sqft. The pole mounted ground sign must be reduced to 100 sqft or less, and the directional monument sign must be reduced to 12 sqft or less.

In the PC zone, business ground signs are limited to one per each frontage in excess of 125 ft. The proposed 30 ft tall ground sign is located in the northwest corner of the property, but it is being considered the allowed ground sign for the Westland Drive frontage since the smaller ground sign is located on the Ebenezer Road frontage. The PC zone has a maximum sign area for wall signs (small accessory business signs) of 1 sqft per linear foot of building frontage, but a maximum size of ground signs is not specified, except for the general standards for business signs that limits business ground signs to no more than 450 sqft (Article 3.90.04). However, the Planning Commission has the authority to limit the size of signs as part of the development plan approval process.

Staff recommends that the ground sign at the intersection of Ebenezer Road and Westland Drive have a maximum height of 25 ft, to be more compatible with the character of the area, consistent with the sign heights in the area, and compatible with the state scenic route designation of Westland Drive. The monument sign along Ebenezer Drive for the commercial strip center to the south is approximately 20 ft tall.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PC (Planned Commercial):

A. The PC zone is intended for a unified grouping of commercial buildings that do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping, and traffic circulation patterns possible. The permitted uses include offices, commercial services, and light industrial distribution centers.

B. The peripheral setback reduction from 50 ft to 38 ft along the Ebenezer Road frontage for the fuel canopy was approved by the Knox County Board of Zoning Appeals in May 2025.

C. In the PC zone, the landscaping plan shall include but is not limited to approaches to building entrances, appropriate visual screens, and any parking areas.

D. The proposed gas station and convenience store are in conformance with the PC zone's intent and dimensional standards.

2) KNOX COUNTY COMPREHENSIVE PLAN - IMPLEMENTATION POLICIES

A. The conditions regarding the signs, lighting, and landscaping are consistent with Policy #2, to ensure development is sensitive to existing community character.

B. The site's location is consistent with Policy #9, to coordinate infrastructure improvements with development and focus growth in areas already served by adequate infrastructure.

C. The recommended condition of restricting turn movements to right-in and right-out only is consistent with Policy #12, to improve safety for all users.

3) KNOX COUNTY COMPREHENSIVE PLAN - PLACE TYPE

A. The property is classified as SMR (Suburban Mixed Residential) place type, which lists commercial uses as a secondary use. The site's location at the intersection of two minor arterial streets and its proximity to residential development along Ebenezer Road and Westland Drive make it a suitable location for a commercial development and help to create a small commercial node at this intersection.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. This development is in alignment with these goals.

**Action:** Approved with Conditions **Meeting Date:** 6/12/2025

**Details of Action:** Approve the request for a convenience store with up to 16 fueling stations (points of sale) as shown on the development plan, subject to 13 conditions, with the revision to condition #1 to read: "If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, as caused by the development, the developer will either enter into a memorandum of understanding (MOU) with the county for these improvements or reimburse the county for their direct expenses (if completed by county crews) to make corrections deemed necessary."

**Summary of Action:** Approve the request for a convenience store with up to 16 fueling stations (points of sale) as shown on the development plan, subject to 13 conditions, with the revision to condition #1 to read: "If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, as caused by the development, the developer will either enter into a memorandum of understanding (MOU) with the county for these improvements or reimburse the county for their direct expenses (if completed by county crews) to make corrections deemed necessary."

**Date of Approval:** 6/12/2025 **Date of Denial:** **Postponements:**

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

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**