

▶ **FILE #:** 12-B-10-UR

AGENDA ITEM # 41

AGENDA DATE: 12/9/2010

▶ **APPLICANT:** W & L PROPERTIES, LLC

OWNER(S): W & L Properties, LLC

TAX ID NUMBER: 118 01601

JURISDICTION: County Commission District 6

▶ **LOCATION:** Northwest side of Lovell Rd., southwest side of Centerpoint Bv.

▶ **APPX. SIZE OF TRACT:** 3.47 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY:

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PC (Planned Commercial) & TO (Technology Overlay)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Convenience store

HISTORY OF ZONING: Use on review approved for a convenience was approved in 1994 (9-C-94-UR)

SURROUNDING LAND USE AND ZONING: North: Office park / PC/TO commercial & technology overlay

South: Residences & church / RATO residential, BP/TO commercial & technology overlay

East: Office park / PC/TO commercial & technology overlay

West: Apartments / PR/TO residential & technology overlay

NEIGHBORHOOD CONTEXT: This site is located at the edge of the Centerpoint Business Park which was developed by the Knox County Development Corp. Other uses in the area consist of a recently completed apartment project and a church.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a convenience store containing 3,990 sq. ft with gasoline pumps as shown on the site plan subject to 11 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Submitting a driveway design for the proposed Yarnell Rd. entrance to the Knox County Dept. of Engineering and Public Works for their review and approval
3. Providing a cross access easement from this site to any future development that may occur on this property. No additional access to Lovell Rd. will be permitted from this property
4. Review and approval of a drainage plan by the Knox County Dept. of Engineering and Public Works. Detention of stormwater on-site may be required

5. Construction of the sidewalk along Centerpoint Bv. as shown on the site prior to obtaining an occupancy permit
6. Review and approval of the site plan by the Knox County Development corporation and compliance with any conditions of that review
7. Issuance of a Certificate of Appropriateness for the proposed development by the Tennessee Technology Corridor Development Authority (TTCDA) and compliance with any conditions of that certificate
8. Completion of the improvements to Yarnell Rd and Lovell Rd. prior to obtaining an occupancy permit
9. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
10. Obtaining a driveway connection permit from the Tenn. Dept. of Transportation
11. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and approval prior to obtaining a building permit

With the noted conditions, this plan meets the requirements for approval in the PC (Planned Commercial) zone and the other criteria for approval of a use on review.

COMMENTS:

The applicant is proposing a convenience store with gasoline pumps at this location. The same applicant received approval for a similar request in 1994. Recent improvements to Lovell Rd. and Yarnell Rd. along with changes to the building design have resulted in changes to the 1994 plan beyond what staff would consider as minor amendments to the approved plan. As a result, the applicant is back before MPC requesting approval of the new site plan. The plan as submitted meets the requirements of the PC (Planned Commercial) zone. However, the site plan will need to be reviewed and approved by the Tennessee Technology Corridor Development Authority and the Knox County Development Corporation. Both of those review bodies have development standards that are more restrictive than the PC (Planned Commercial) zone requirements for setbacks, lighting, landscaping and signage. So, staff will condition the approval of this use on review on the applicant meeting the conditions of approval of those two reviewing bodies.

The Knox County Dept. of Engineering and Public Works is dealing with an existing drainage problem in the vicinity of this site. Alternative solutions to this drainage problem are being reviewed at this time. The County engineer may require this applicant to detain stormwater on this site that would have otherwise been directed to the existing detention basin that was put in place to serve the entire Centerpoint Business Park.

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

1. The proposed convenience store will have minimal impact on local services since all utilities are available to serve this site.
2. Road improvements are being completed that will enhance the safety and operation of this facility.

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

1. With the recommended conditions, the proposed convenience store meets the standards for development within the PC (Planned Commercial) zoning district and all other requirements of the Zoning Ordinance..
2. The proposed convenience store 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.

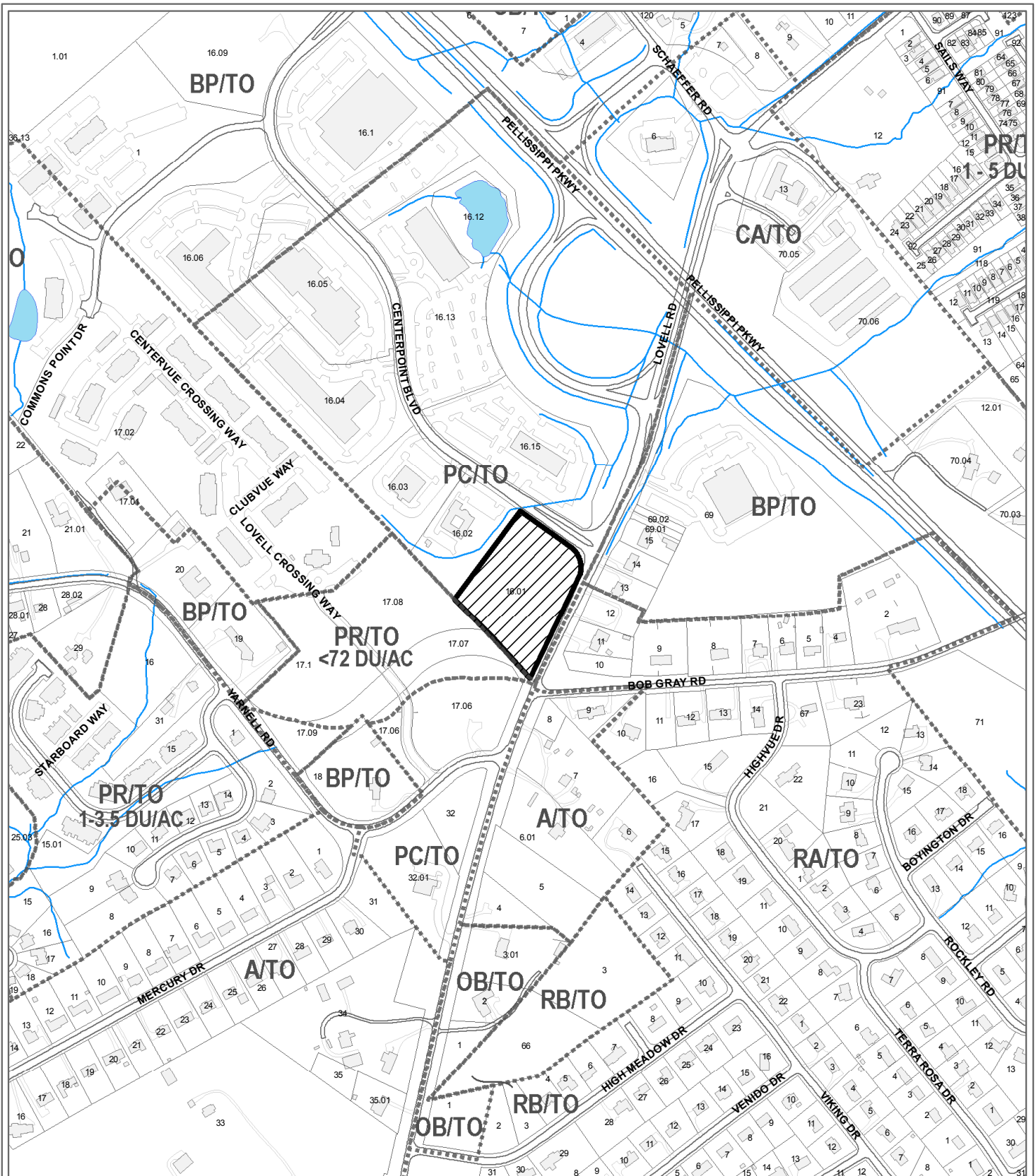
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan identifies this property for commercial use

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**12-B-10-UR
USE ON REVIEW**

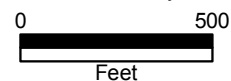


Convenience store in PC (Planned Commercial) & TO (Technology Overlay)

Original Print Date: 11/22/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: W & L Properties, LLC

Map No: 118
Jurisdiction: County



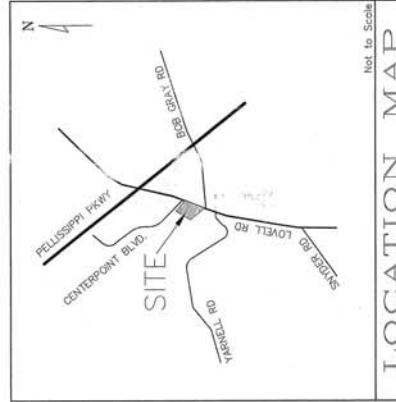
DESIGN PLAN
FOR

W&L PROPERTIES, LLC

DISTRICT 6, KNOX COUNTY, TENNESSEE
CLT MAP 118, PARCEL 016.01

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	SITE PLAN
3	GRADING & DRAINAGE
4	EROSION & SEDIMENT CONTROL PLAN
5	WATER PLAN
6	WASTEWATER PLAN
7	DETAIL SHEET
8	LANDSCAPE PLAN
9	LIGHTING PLAN



OWNER:

W&L PROPERTIES, LLC
BILL WEIGEL
P. O. BOX 650
POWELL, TENNESSEE 37849
PHONE: (865) 938-2042
FAX: (865) 938-2444

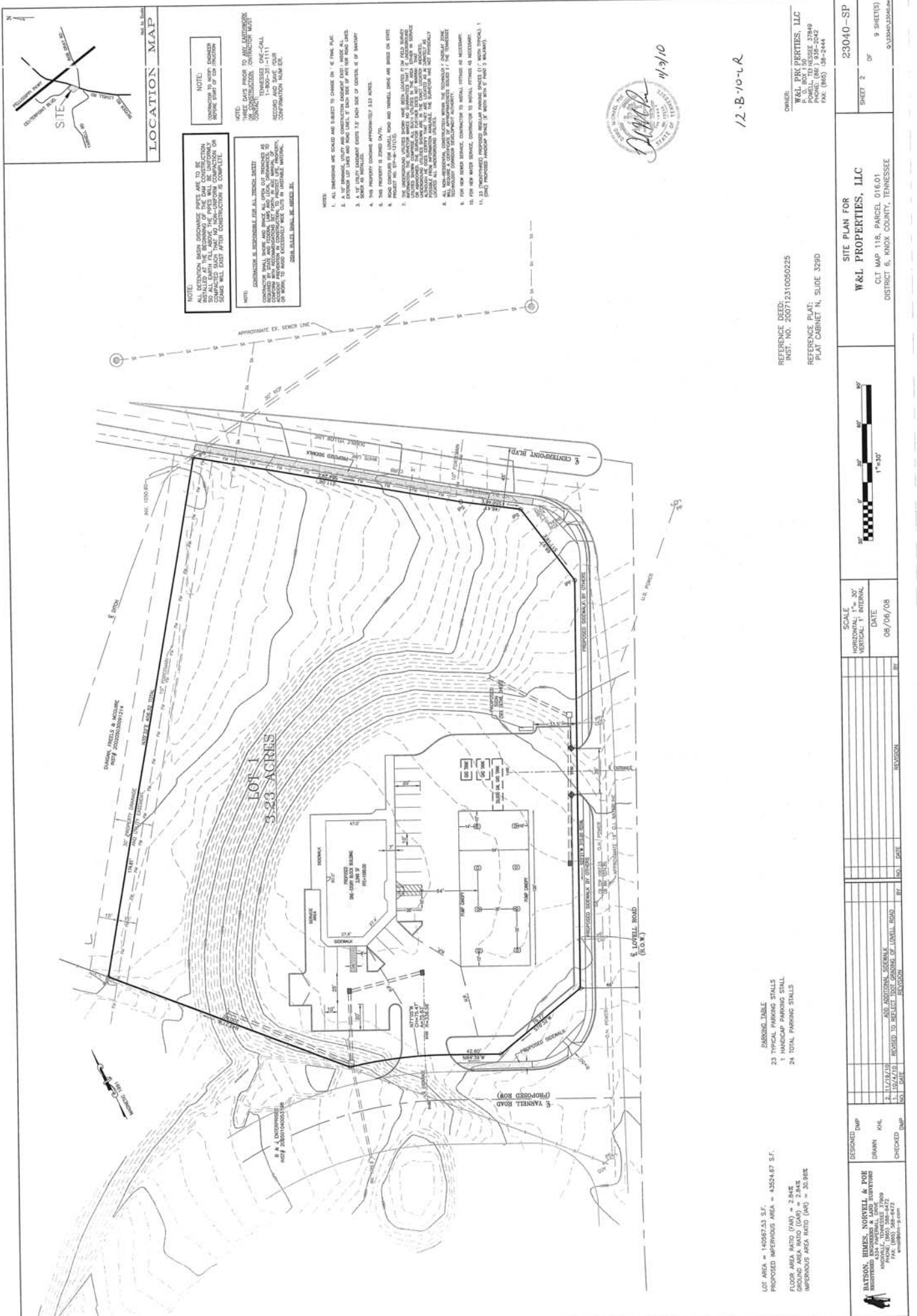
12-8-10-UR
REVISEL
11-24-10



AUGUST 6, 2008
REVISED: OCTOBER 4, 2010
REVISED: NOVEMBER 19, 2010

SHEET 1 OF 9 SHEETS
23040-TS

C:\23040\23040.dwg





LOCATION MAP

OWNER:
W&L PROPERTIES, LLC
 P.O. BOX 118
 KNOXVILLE, TENNESSEE 37949
 PHONE: (615) 938-2042
 FAX: (615) 938-2444

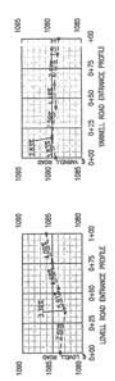
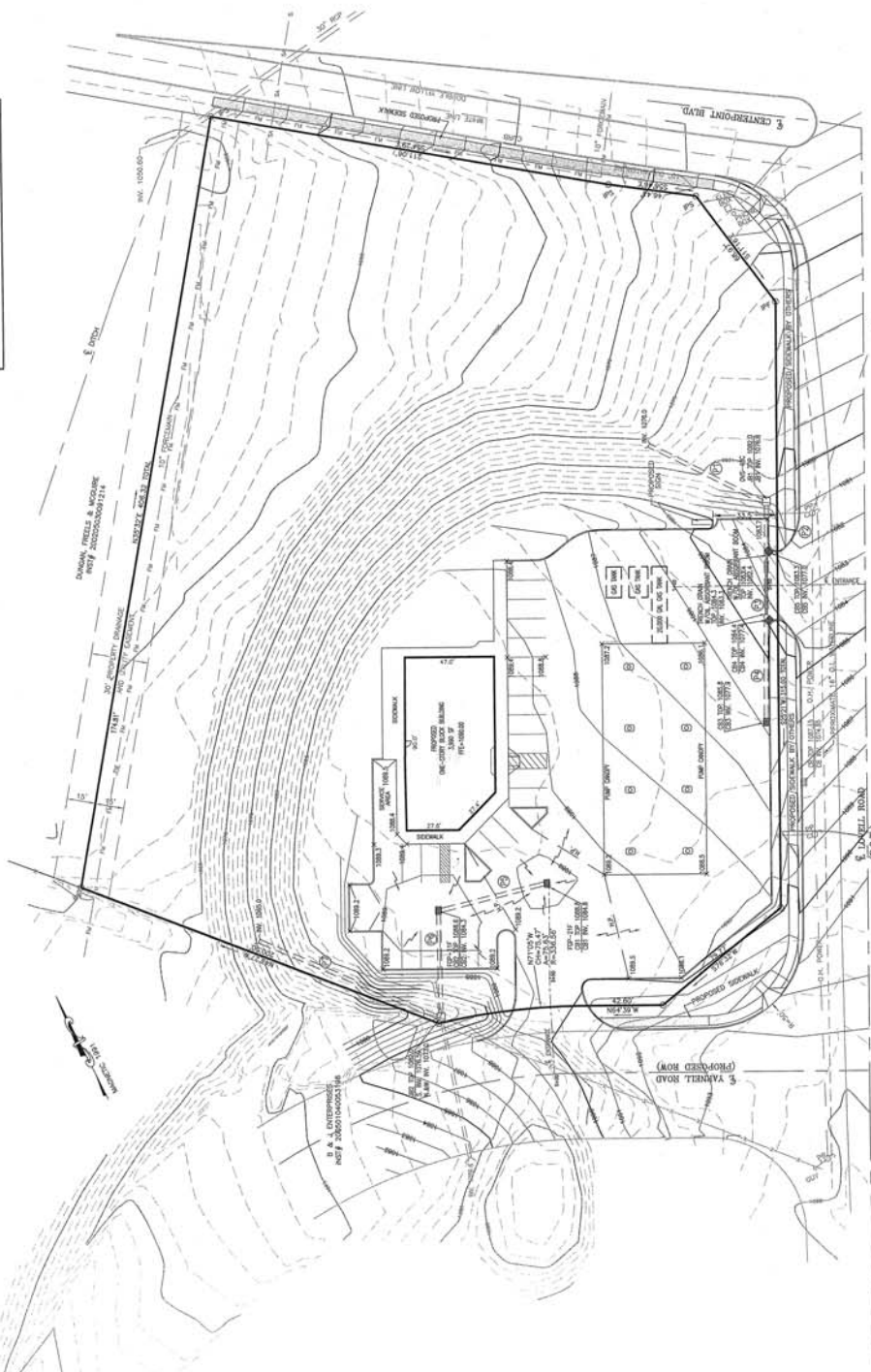
NOTE:
 CONTRACTOR TO NOTIFY ENGINEER
 BEFORE START OF CONSTRUCTION

NOTE:
 CONTRACTOR IS RESPONSIBLE FOR ALL DESIGN SHEETS
 CONTRACTOR SHALL SHORE AND BRACE ALL OPEN CUT TRENCHES AS
 SHOWN WITH REINFORCING SET ABOVE AND ADEQUATE TO
 PREVENT COLLAPSE. TO AVOID ACCIDENTS, ALL WORKERS
 ON SITES TO AVOID ACCIDENTS IN UNSTABLE MATERIAL,
 DESIGN SHEETS SHALL BE ADHERED TO.

PIPE SIZE (IN)	DEPTH (FT)	VELOCITY (FPS)	MANHOLE NO.	PIPE MATERIAL	PIPE SLOPE (%)	LENGTH (FT)	PIPE CAPACITY (GPD)
18"	4.0	4.75	1	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	2	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	3	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	4	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	5	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	6	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	7	RP2P	0.0118	100.00	100.00

PIPE SIZE (IN)	DEPTH (FT)	VELOCITY (FPS)	MANHOLE NO.	PIPE MATERIAL	PIPE SLOPE (%)	LENGTH (FT)	PIPE CAPACITY (GPD)
18"	4.0	4.75	8	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	9	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	10	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	11	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	12	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	13	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	14	RP2P	0.0118	100.00	100.00

PIPE SIZE (IN)	DEPTH (FT)	VELOCITY (FPS)	MANHOLE NO.	PIPE MATERIAL	PIPE SLOPE (%)	LENGTH (FT)	PIPE CAPACITY (GPD)
18"	4.0	4.75	15	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	16	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	17	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	18	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	19	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	20	RP2P	0.0118	100.00	100.00
18"	4.0	4.75	21	RP2P	0.0118	100.00	100.00



- LINE SYMBOL LEGEND
- CATCH BASIN
 - MANHOLE
 - SEWER MAINLINE
 - END WALL

NOTES:
 1. SHOWN SHALL BE PAID FOR AT THE CONTRACTOR'S RISK.



12-15-10-UR

Pipe Schedule and Capacity Chart - Post Development

PIPE NO.	PIPE SIZE (IN)	DEPTH (FT)	VELOCITY (FPS)	MANHOLE NO.	PIPE MATERIAL	PIPE SLOPE (%)	LENGTH (FT)	PIPE CAPACITY (GPD)
1	18"	4.0	4.75	1	RP2P	0.0118	100.00	100.00
2	18"	4.0	4.75	2	RP2P	0.0118	100.00	100.00
3	18"	4.0	4.75	3	RP2P	0.0118	100.00	100.00
4	18"	4.0	4.75	4	RP2P	0.0118	100.00	100.00
5	18"	4.0	4.75	5	RP2P	0.0118	100.00	100.00
6	18"	4.0	4.75	6	RP2P	0.0118	100.00	100.00
7	18"	4.0	4.75	7	RP2P	0.0118	100.00	100.00

NOTE:
 THREE DAYS PRIOR TO ANY EXCAVATION
 CONTRACTOR SHALL NOTIFY THE ENGINEER
 CONTRACT: TENNESSEE ONE-CALL
 1-800-351-1111
 RECORD AND SAVE YOUR
 CONFIRMATION NUMBER.

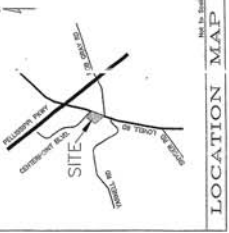
DESIGNED: DMP
 DRAWN: KHL
 CHECKED: DMP

DATE: 11/13/10
 PROJECT: PROPOSED SEWER AND INCREASE PROFILE
 NO. 1: 12-15-10-UR

SCALE:
 HORIZONTAL: 1" = 30'
 VERTICAL: 1" = 10'
 DATE: 06/06/08

PROJECT: GRADING PLAN FOR
W&L PROPERTIES, LLC
CENTERPOINT BOULEVARD
 DISTRICT 6, KNOX COUNTY, TENNESSEE

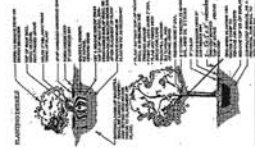
SHEET 3 OF 9 SHEETS(S)
 12-15-10-UR
 03/28/03/28/04



NOTE:
CONTRACTOR TO VERIFY THE EXISTING UTILITY LOCATIONS AND DEPTHS PRIOR TO CONSTRUCTION.

NOTE:
OWNER HAS BEEN ADVISED THAT THE LANDSCAPE DESIGN IS SUBJECT TO APPROVAL BY THE LOCAL HEALTH DEPARTMENT AND OTHER AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.

- NOTE:**
ALL DIMENSIONS ARE SHOWN ON THIS PLAN AND SHALL BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING UTILITY LOCATIONS AND DEPTHS PRIOR TO CONSTRUCTION.
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- TREES**
- 5 2" cal. Crown Arborvitae
 - 2 1 1/2" cal. Crown Arborvitae
 - 3 1 1/2" cal. Crown Arborvitae
 - 1 1 1/2" cal. Crown Arborvitae
 - 1 1 1/2" cal. Crown Arborvitae
- SHRUBS**
- 13 3 gal. Blue Spruce
 - 3 3 gal. Blue Spruce
 - 3 3 gal. Blue Spruce
 - 3 3 gal. Blue Spruce
 - 2 3 gal. Blue Spruce
 - 2 3 gal. Blue Spruce
- GROUNDCOVER**
- 40 4" dia. x 18" high 'Creeper Lilly Turf'

OWNER:
W&L PROPERTIES, LLC
P.O. BOX 850
KNOXVILLE, TENNESSEE 37940
PHONE: (615) 838-2042
FAX: (615) 838-2444

2:040-SP
SHEET 8 OF 9 SHEETS
DISTRICT 6, KNOX COUNTY, TENNESSEE

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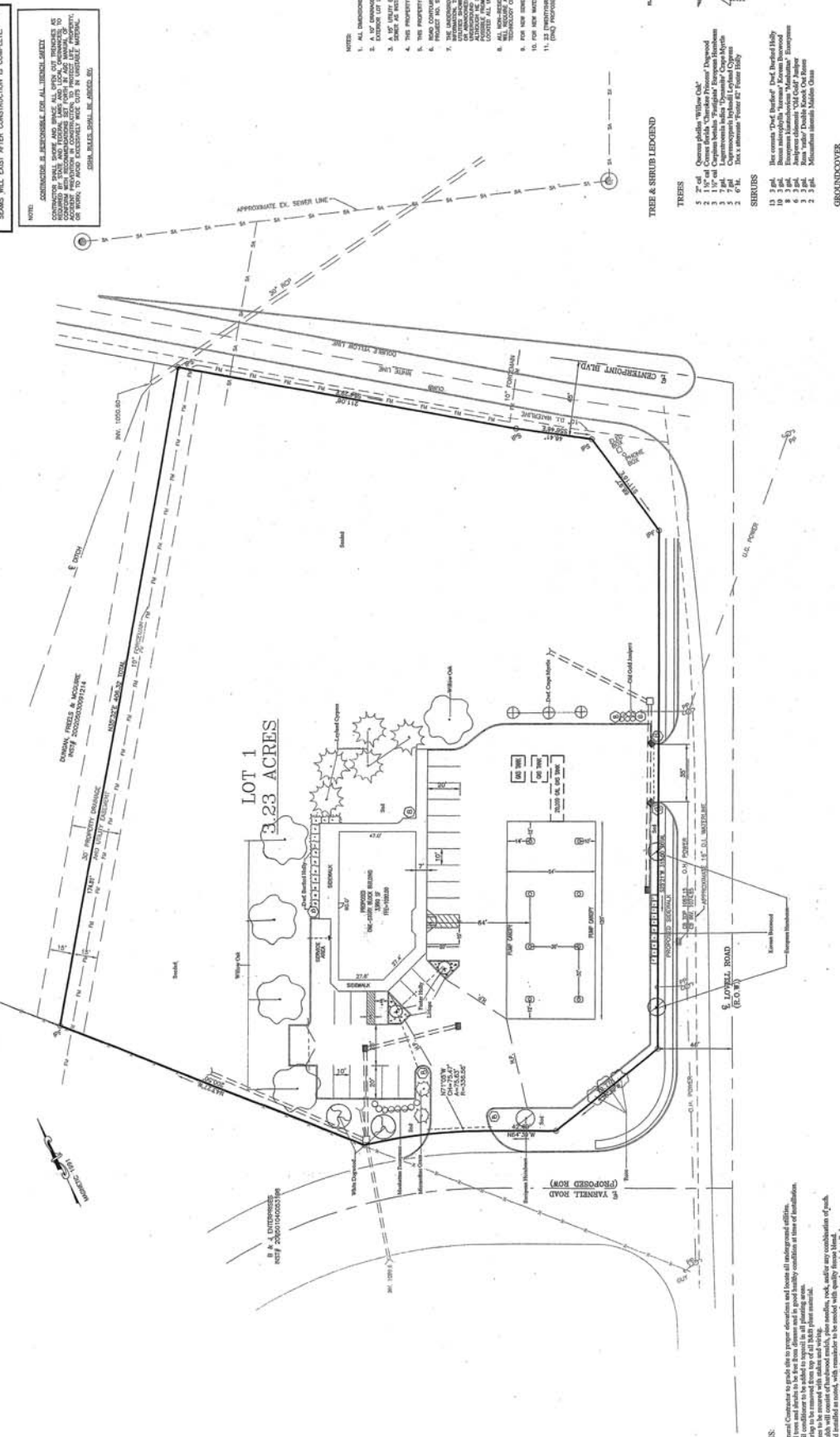
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- GROUNDCOVER**
- 40 4" dia. x 18" high 'Creeper Lilly Turf'

OWNER:
W&L PROPERTIES, LLC
P.O. BOX 850
KNOXVILLE, TENNESSEE 37940
PHONE: (615) 838-2042
FAX: (615) 838-2444

2:040-SP
SHEET 8 OF 9 SHEETS
DISTRICT 6, KNOX COUNTY, TENNESSEE



REFERENCE DEED:
INST. NO. 200712310050225

REFERENCE PLAT:
PLAT CABINET N, SLIDE 3280

SCALE:
HORIZONTAL: 1" = 30'
VERTICAL: 1" INTERVAL

DATE:
08/06/08

NO.	DATE	REVISION
1	08/06/08	REVISED TO REFLECT THE CHANGE OF LOTS AND EASEMENTS
2		
3		
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10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

DESIGNED:
DMP: [Signature]
DRA: [Signature]

CHECKED:
DMP: [Signature]

DATE:
08/06/08

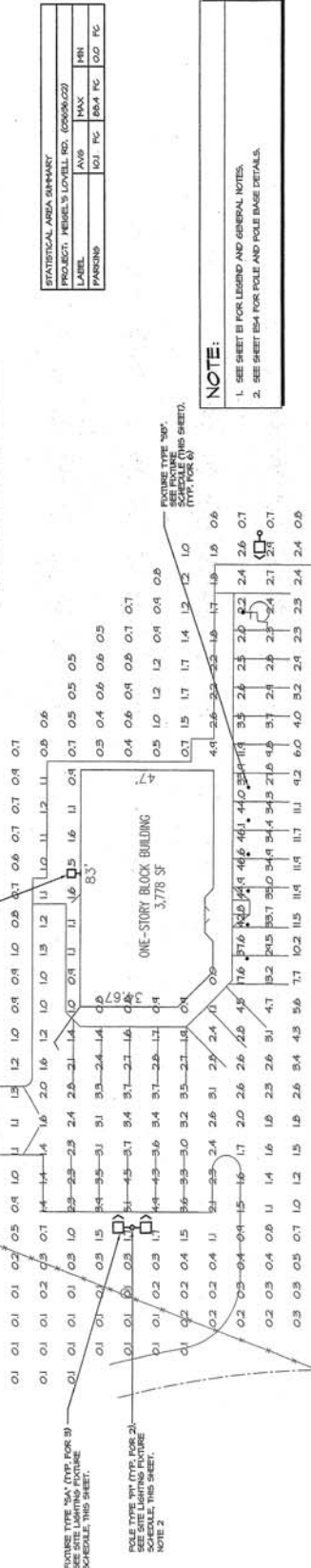
PAVING TABLE

23	TYPICAL PARKING STALLS
1	HANDICAP PARKING STALL
24	TOTAL PARKING STALLS

BATSON, JAMES, NORWELL & POE
INCORPORATED
KNOXVILLE, TENNESSEE 37940
PHONE: (615) 838-4472
FAX: (615) 838-4472
www.batsonjames.com

SITE LIGHTING FIXTURE SCHEDULE

DESCRIPTION	TYPE	LAMP	NO.	HEIGHT	FOOT CANDLE	REMARKS
01	01	01	01	01	01	01
02	02	02	02	02	02	02
03	03	03	03	03	03	03
04	04	04	04	04	04	04
05	05	05	05	05	05	05
06	06	06	06	06	06	06
07	07	07	07	07	07	07
08	08	08	08	08	08	08
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11	11	11	11	11	11	11
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22	22	22	22	22	22	22
23	23	23	23	23	23	23
24	24	24	24	24	24	24
25	25	25	25	25	25	25
26	26	26	26	26	26	26
27	27	27	27	27	27	27
28	28	28	28	28	28	28
29	29	29	29	29	29	29
30	30	30	30	30	30	30



NOTE: 1. SEE SHEET E14 FOR LEMING AND GENERAL NOTES. 2. SEE SHEET E14 FOR POLE AND POLE BASE DETAILS.

STATISTICAL AREA	PROJECT	STATISTICAL AREA	PROJECT
LABEL	PASSING	LABEL	PASSING
AVG	MAX	AVG	MAX
MFL FC	MOA FC	MFL FC	MOA FC
0.1	0.1	0.1	0.1
0.2	0.2	0.2	0.2
0.3	0.3	0.3	0.3
0.4	0.4	0.4	0.4
0.5	0.5	0.5	0.5
0.6	0.6	0.6	0.6
0.7	0.7	0.7	0.7
0.8	0.8	0.8	0.8
0.9	0.9	0.9	0.9
1.0	1.0	1.0	1.0
1.1	1.1	1.1	1.1
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.4	1.4	1.4	1.4
1.5	1.5	1.5	1.5
1.6	1.6	1.6	1.6
1.7	1.7	1.7	1.7
1.8	1.8	1.8	1.8
1.9	1.9	1.9	1.9
2.0	2.0	2.0	2.0
2.1	2.1	2.1	2.1
2.2	2.2	2.2	2.2
2.3	2.3	2.3	2.3
2.4	2.4	2.4	2.4
2.5	2.5	2.5	2.5
2.6	2.6	2.6	2.6
2.7	2.7	2.7	2.7
2.8	2.8	2.8	2.8
2.9	2.9	2.9	2.9
3.0	3.0	3.0	3.0

STATISTICAL AREA: PROJECT: STATISTICAL AREA: PROJECT:

LABEL: PASSING: LABEL: PASSING:

AVG: MAX: AVG: MAX:

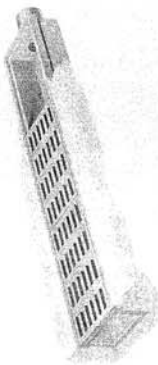
MFL FC: MOA FC: MFL FC: MOA FC:

NOTE: 1. SEE SHEET E14 FOR LEMING AND GENERAL NOTES. 2. SEE SHEET E14 FOR POLE AND POLE BASE DETAILS.

DATE: 04/21/06
 DESIGNED BY: CHP
 DRAWN BY: PHG
 REVIEWED BY: CHP
 COUNTY: N. C. 05636.02

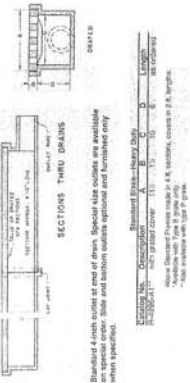
DATE: 04/21/06
 DESIGNED BY: CHP
 DRAWN BY: PHG
 REVIEWED BY: CHP
 COUNTY: N. C. 05636.02

DATE: 04/21/06
 DESIGNED BY: CHP
 DRAWN BY: PHG
 REVIEWED BY: CHP
 COUNTY: N. C. 05636.02



TRENCH DRAIN
TO BE
NEEDHAM
DUPLICATE-4996-A1
GRATED
COVER

Illustration of 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.



Product Features:
Standard 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.

Standard Dimensions:
Standard 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.

Notes:
Standard 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.

Product Features:
Standard 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.

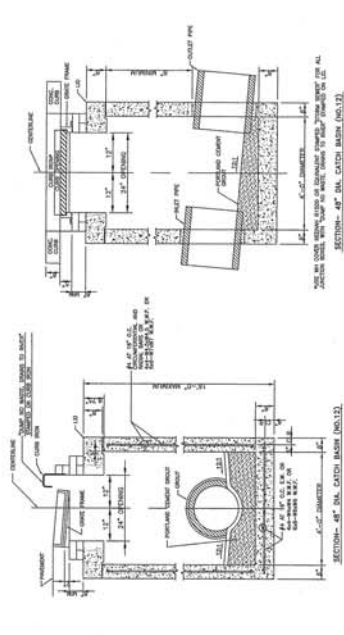
Standard Dimensions:
Standard 1/2" frames with grates cover. Standard with 4" slots outside curb. Cover to be equipped for health care if specified.

Notes:
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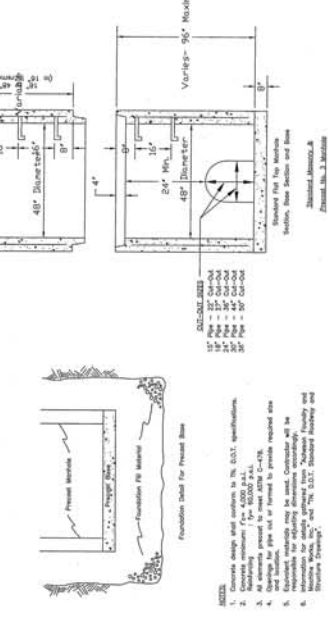
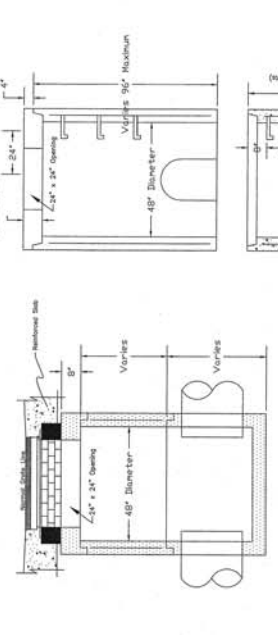
258 9 UNLEADED
Weigel's

NOTE: Only 17¢/gallon has ever been achieved in Tennessee. This is a record. Weigel's 258 9 Unleaded is the only fuel in Tennessee that has ever been as low as 17¢/gallon.

NOTE: CONTRACTOR IS RESPONSIBLE FOR ALL TRUCK WEIGHTS AND LOADS. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LOCAL ORDINANCES TO PROTECT THE PUBLIC AND THE ENVIRONMENT. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LOCAL ORDINANCES TO PROTECT THE PUBLIC AND THE ENVIRONMENT.



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W&L PROPERTIES, LLC
23040-GP
SHEET 7 OF 9 SHEETS
01/30/09 13:46:46

DETAILS SHEET FOR
W&L PROPERTIES, LLC
CENTERPOINT BOULEVARD
CLT MAP 118, PARCEL 01601
DISTRICT 6, KNOX COUNTY, TENNESSEE

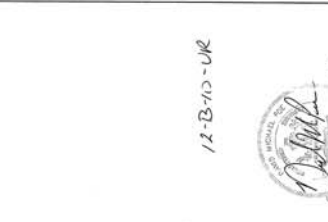
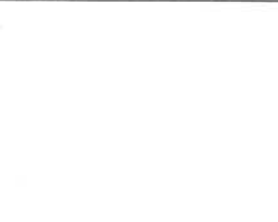
SCALE: HORIZONTAL 1"=30'
VERTICAL 1"=30'

DATE: 08/06/08

DESIGNED: DMP
DRAWN: HCL
CHECKED: DMP



NOTE: THREE DAYS PRIOR TO ANY EARTHWORK BEING PERFORMED, CONTRACTOR SHALL CONTACT THE UTILITY COMPANIES TO LOCATE ALL UTILITIES. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LOCAL ORDINANCES TO PROTECT THE PUBLIC AND THE ENVIRONMENT.



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