

# DEVELOPMENT PLAN REPORT

► **FILE #:** 6-I-25-DP

**AGENDA ITEM #:** 51

**AGENDA DATE:** 6/12/2025

► **APPLICANT:** LKM PROPERTIES, L.P.

OWNER(S): LKM Properties L.P.

TAX ID NUMBER: 132 09904

[View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 8880 WESTLAND DR

► **LOCATION:** Southeast corner of Ebenezer Rd and Westland Dr

► **APPX. SIZE OF TRACT:** 1.87 acres

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Ten Mile Creek

► **ZONING:** PC (Planned Commercial)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **PROPOSED USE:** Convenience store with gasoline pumps

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

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - CB (Business and Manufacturing), F (Floodway) in the County

South: Commercial - PC (Planned Commercial) in the County

East: Multifamily residential - PR (Planned Residential) in the County

West: Public/quasi public land (church) - AG (General Agricultural), F (Floodplain Overlay) in the City

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.

## STAFF RECOMMENDATION:

► **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.**

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.

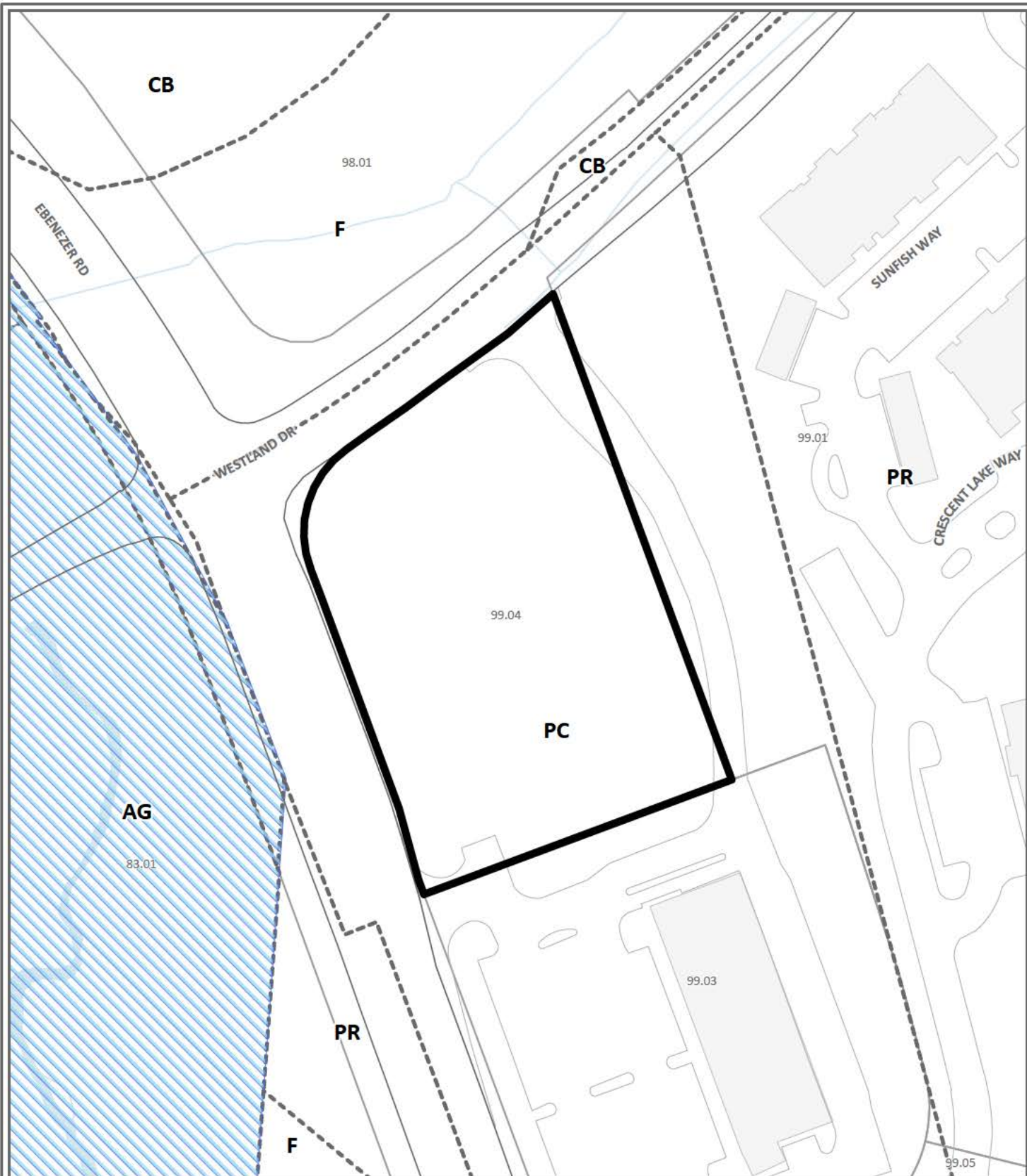
4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

- 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.

ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



**DEVELOPMENT PLAN**

**6-I-25-DP**

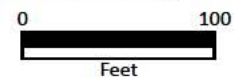
**Petitioner:** LKM Properties, L.P.



Convenience store with gasoline pumps in PC (Planned Commercial)

**Map No:** 132

**Jurisdiction:** County



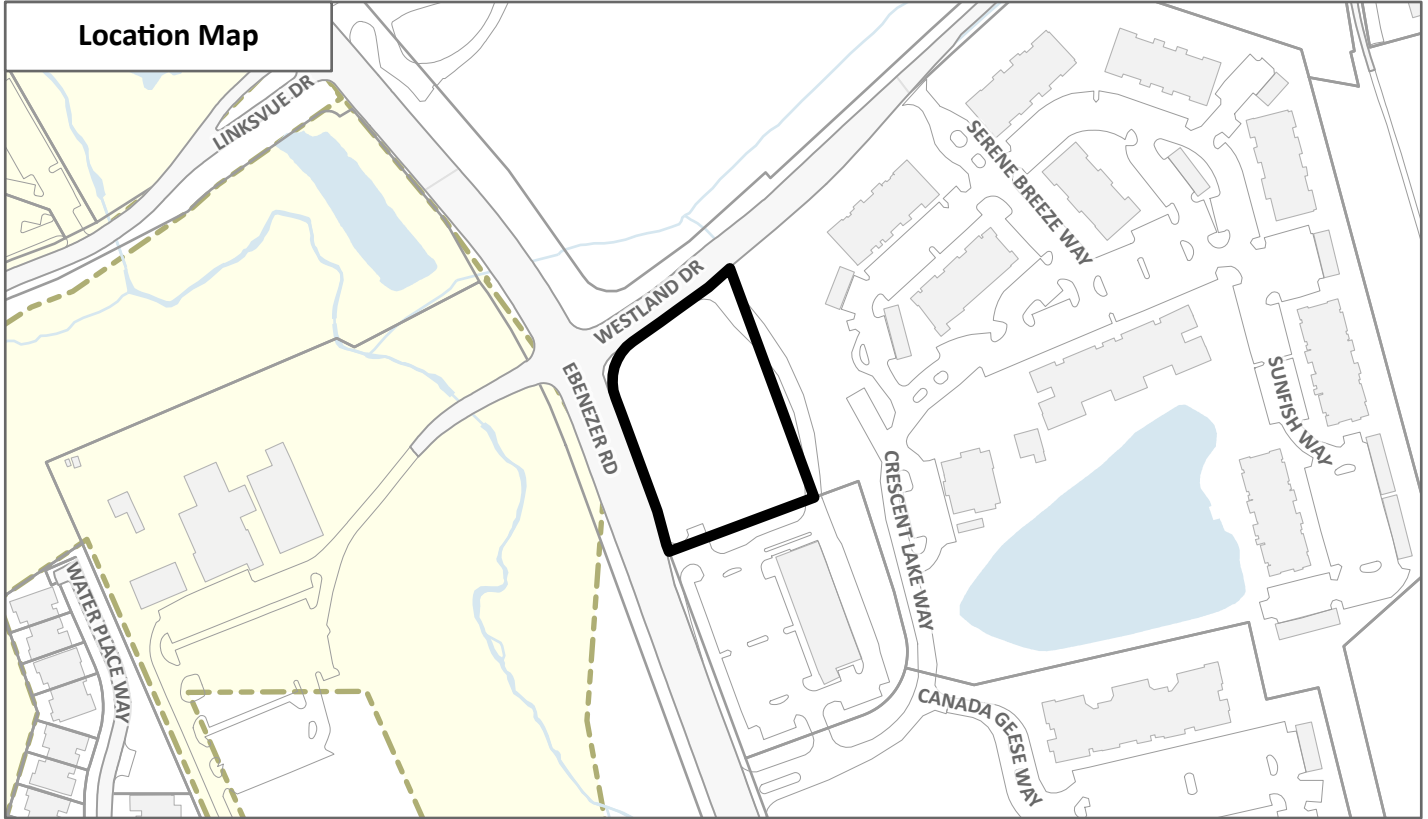
**Original Print Date:** 4/30/2025

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



## Exhibit A. Contextual Images

Location Map



Aerial Map

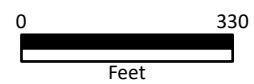


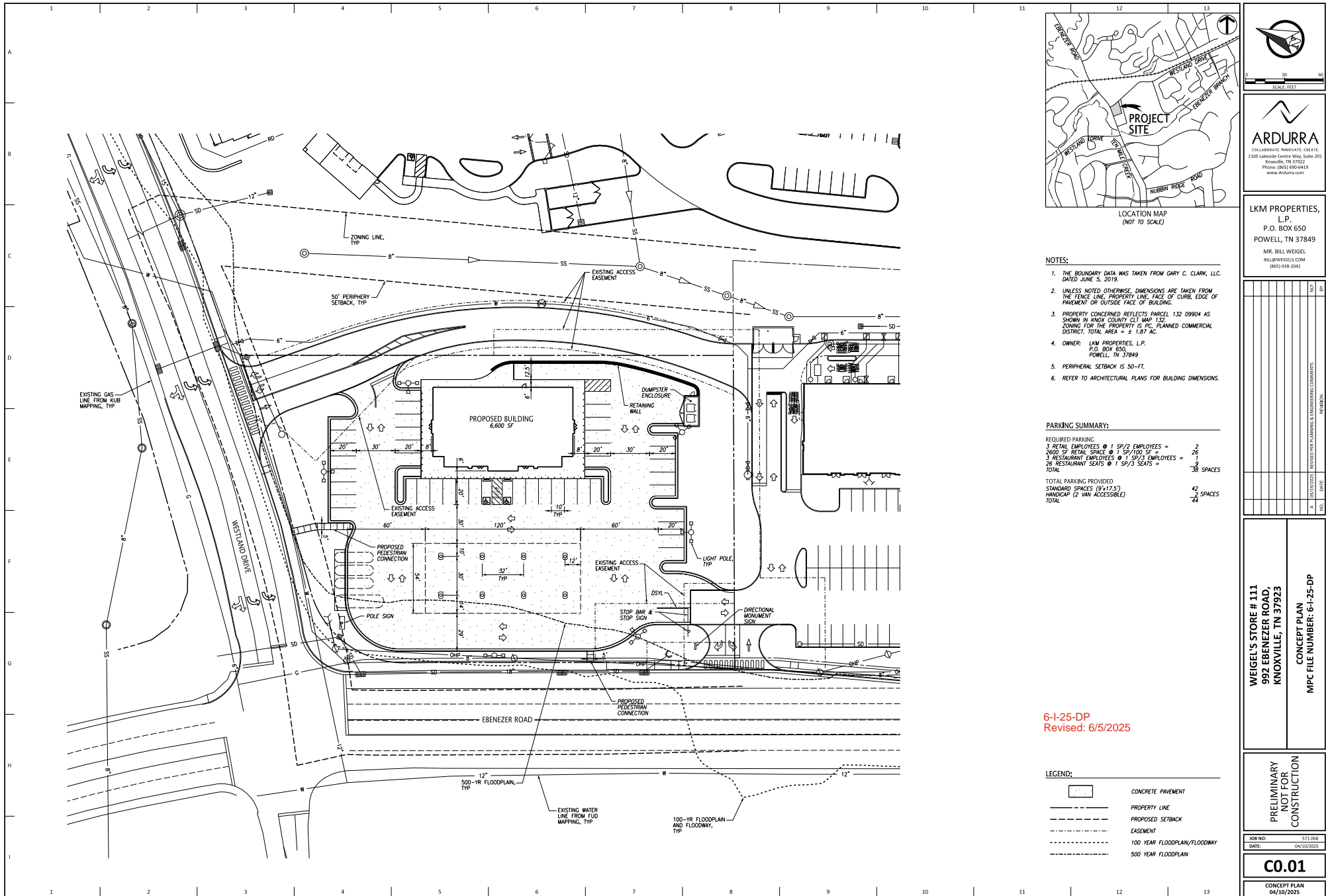
CONTEXTUAL MAPS 1

6-I-25-DP



Case boundary





WEIGEL'S STORE # 111  
992 EBENEZER ROAD,  
KNOXVILLE, TN 37923  
CONCEPT PLAN  
MPC FILE NUMBER: 6-1-25-DP

PRELIMINARY  
NOT FOR  
CONSTRUCTION

JOB NO: 571,008  
DATE: 04/10/2025

**C0.01**

CONCEPT PLAN  
04/10/2025





1 2 3 4 5 6 7 8 9 10 11 12 13

A

B

C

D

E

F

G

H

I

1 2 3 4 5 6 7 8 9 10 11 12 13

PLANTING SCHEDULE

SYMBOL	COMMON NAME	SIZE	HEIGHT	QUANTITY
(A)	EMERALD GREEN ARBOREVITAE	24"-36" ROUND	10 FT MAX	6
(C)	COLORADO RED CRAPE MYRTLE	15 GAL	15 FT MAX	21
			TOTAL	27

LANDSCAPING NOTES:

1. ALL LANDSCAPING ACTIVITIES SHALL BE IN ACCORDANCE WITH KNOX COUNTY ZONING ORDINANCE AND LANDSCAPE SCREENING DESIGN GUIDELINES.
2. THIS PLANTING AND LANDSCAPE PLAN IS DEVELOPED TO PROVIDE THE MINIMUM REQUIRED FOR CODE COMPLIANCE. ADDITIONAL PLANTINGS MAY BE ADDED AS DIRECTED BY OWNER TO PROVIDE SPECIFIC NEEDS OF TENANT OR TO PROVIDE ADDITIONAL AESTHETIC VALUE.
3. LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER AS TO NOT IMPERE THE ACCESS FOR MAINTENANCE TO SITE UTILITIES AND DRAINAGE FEATURES.
4. THE LANDSCAPE CONTRACTOR SHALL COORDINATE WORK WITH ALL OTHER TRADES ON SITE. ANY PLANTING AREAS DISTURBED AS A RESULT OF GENERAL CONSTRUCTION ACTIVITY SHALL BE IMMEDIATELY REPAIRED/REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
5. UNDERGROUND UTILITIES SHALL BE VERIFIED BEFORE ANY DIGGING OR EXCAVATION. PRIOR TO INSTALLATION OF ANY PLANT MATERIAL, THE LANDSCAPE CONTRACTOR SHALL HAVE ACCURATELY LOCATED ALL EXISTING UNDERGROUND UTILITIES, INCLUDING ALL RECENTLY INSTALLED UTILITIES. THE LANDSCAPE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY CONFLICTS WITH UTILITIES PRIOR TO PROCEEDING WITH INSTALLATION OF PLANT MATERIALS. ANY UTILITIES DAMAGED AS A RESULT OF PLANTING ACTIVITIES SHALL BE REPAIRED AND/OR REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
6. ALL FINISHED LAWN AREAS SHALL HAVE A MINIMUM OF 6" TOPSOIL, SMOOTHLY AND EVENLY DISTRIBUTED. TOPSOIL SHALL BE FREE OF DEBRIS AND NOXIOUS MATERIALS, AND SHALL HAVE POSITIVE DRAINAGE IN ALL LOCATIONS.
7. ANY LAWN SLOPE 3:1 OR STEEPER SHALL BE PROPERLY SECURED SODDING OR SHALL HAVE EROSION CONTROL BLANKET UNTIL GRASS HAS PROPAGATED AND COVERED 90% OF BARE AREAS.
8. A PRE-EMERGENT HERBICIDE (TRIFLUR, EPIN, OR EQUAL) SHALL BE APPLIED TO ALL SHRUB BEDS PRIOR TO THE INSTALLATION OF PLANT MATERIAL. THE HERBICIDE TO BE APPLIED FOR MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE STATE AND LOCAL CODES.
9. PLANT GROWTH IN LANDSCAPED AREAS SHALL BE CONTROLLED BY PRUNING, TRIMMING, OR OTHER SUITABLE METHODS SO THAT PLANT MATERIALS DO NOT INTERFERE WITH UTILITIES, RESTRICT PEDESTRIAN OR VEHICULAR ACCESS, OR OTHERWISE CONSTITUTE A TRAFFIC HAZARD.
10. LANDSCAPED AREAS SHALL BE MAINTAINED IN A RELATIVELY WEED-FREE CONDITION AND CLEAR OF UNDERGROWTH. PLANTINGS SHALL BE FERTILIZED AND IRRIGATED AT INTERVALS AS ARE NECESSARY TO PROMOTE OPTIMUM GROWTH.
11. ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" (LATEST EDITION) AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMEN.
12. STAKE/GUY ALL TREES IMMEDIATELY AFTER INSTALLATION AND PRIOR TO ACCEPTANCE. WHEN HIGH WINDS OR OTHER ADVERSE CONDITIONS OCCUR, THE LANDSCAPE CONTRACTOR SHALL TAKE PRECAUTIONS TO PROTECT THE PLANTS.
13. TREES, SHRUBS, GROUND COVERS, AND OTHER PLANT MATERIALS SHALL BE REPLACED IF THEY DIE OR BECOME UNHEALTHY DUE TO ACCIDENTS, DRAINAGE PROBLEMS, DISEASE, ETC. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A MINIMUM OF ONE FULL YEAR AND A COMPLETE GROWING SEASON (MAY THROUGH SEPTEMBER) BEGINNING AFTER WRITTEN ACCEPTANCE FROM THE OWNER'S REPRESENTATIVE FOR THE INSTALLATION OF THE PLANT MATERIAL. AT THE CONCLUSION OF THE GROWING SEASON, OR AS REQUESTED BY THE OWNER, ALL PLANTS THAT ARE NOT VIGOROUS, HEALTHY, AND IN GOOD CONDITION SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. THESE REPLACEMENT PLANTS SHALL MEET ALL SPECIFIED QUALITIES OF THE ORIGINAL PLANT MATERIALS AND CARRY THE SAME GUARANTEE FROM THE TIME OF REPLACEMENT.
14. SEEDING OR SOD SHALL BE APPLIED TO ALL DISTURBED AREAS NOT BUILT UPON, MULCHED (OR OTHERWISE LANDSCAPED), PRIOR TO INSTALLATION OF GRASS SEEDING OR SOD. ALL PROPOSED LAWN AREAS SHALL BE RAKED SMOOTH TO A UNIFORM GRADE AS SHOWN ON THE GRADING PLAN, BE FREE OF WEEDS AND OTHER DEBRIS, AND THE AREA FERTILIZED AS REQUIRED. ALL SOD SHALL BE Laid WITHIN 24 HOURS OF ARRIVING AT THE SITE.
15. LANDSCAPE CONTRACTOR TO COORDINATE PROPOSED PLANTINGS IN THE VICINITY OF EXISTING OVERHEAD LINES WITH UTILITY OWNER PRIOR TO INSTALLATION.
16. CONTRACTOR TO PROVIDE DESIGN/BUILD IRRIGATION SYSTEM FOR ALL NEW LAWN AND LANDSCAPE AREAS, SUBJECT TO APPROVAL BY OWNER.

PROPOSED BUILDING 6,600 SF

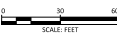
WESTLAND DRIVE

EBENEZER ROAD

LANDSCAPING PLAN

61-25-DP  
Revised: 6/5/2025

1. ALL LANDSCAPING ACTIVITIES SHALL BE IN ACCORDANCE WITH INDIANA COUNTY ZONING ORDINANCE AND LANDSCAPE SCREENING DESIGN GUIDELINES.
2. THIS PLANTING AND LANDSCAPE PLAN IS DEVELOPED TO PROVIDE THE MINIMUM REQUIRED FOR CODE COMPLIANCE. ADDITIONAL PLANTINGS MAY BE REQUIRED AS DIRECTIONAL OR FUNCTIONAL TO PROVIDE SPECIFIC NEEDS OF TENANT OR TO PROVIDE ADDITIONAL AESTHETIC VALUE.
3. LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER AS TO NOT IMPED THE ACCESS FOR MAINTENANCE TO SITE UTILITIES AND DRAINAGE FEATURES.
4. THE LANDSCAPE CONTRACTOR SHALL COORDINATE WORK WITH ALL OTHER TRADES AND ANY AND ALL UTILITIES PRIOR TO ANY CONSTRUCTION. GENERAL CONSTRUCTION ACTIVITY SHALL BE IMMEDIATELY REPORTED TO THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
5. UNDERGROUND UTILITIES SHALL BE VERIFIED BEFORE ANY DIGGING OR EXCAVATION BEGINS. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LANDSCAPE CONTRACTOR SHALL HAVE ACCURATELY LOCATED ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. THE LANDSCAPE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OF ANY CONFLICTS WITH UTILITIES PRIOR TO PROCEEDING WITH INSTALLATION OF ANY UTILITIES. ANY AND ALL UTILITIES SHALL BE PROTECTED. EXISTING ACTIVITIES SHALL BE REPAIRED AND/OR REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
6. ALL FINISHED LAWN AREAS SHALL HAVE A MINIMUM OF 6" TOPSOIL, SMOOTHLY AND EVENLY DISTRIBUTED. TOPSOIL SHALL BE FREE OF DEBRIS OR FOREIGN MATERIALS, AND SHALL HAVE POSITIVE DRAINAGE IN ALL LOCATIONS.
7. ON ANY LAWN SLOPE 3:1 OR STEEPER SHALL BE PROPERLY SECURED SODDING OR SHALL HAVE EROSION CONTROL BLANKET UNTIL GRASS HAS PRODUCE TO PROTECT THE SLOPE FOR UP TO 18 MONTHS.
8. A PRE-EMERGENT HERBICIDE (TRIFLURALIN, OR EQUAL) SHALL BE APPLIED TO ALL SHRUB BEDS PRIOR TO THE INSTALLATION OF PLANT MATERIALS. THE HERBICIDE TO BE APPLIED PER MANUFACTURER'S SPECIFICATIONS AND ALL APPLICABLE STATE AND LOCAL CODES.
9. PLANT GROWTH IN LANDSCAPED AREAS SHALL BE CONTROLLED BY ANNUAL TRIMMING, OR OTHER MEANS TO MAINTAIN THE APPEARANCE OF THE AREAS. TRIMMING SHALL NOT INTERFERE WITH THE PROTECTIVE PEDESTRIAN OR VEHICULAR ACCESS, OR OTHERWISE CONSTITUTE A TRAFFIC HAZARD.
10. LANDSCAPED AREAS SHALL BE MAINTAINED IN A RELATIVELY WEED FREE CONDITION AND CLEAR OF UNDERGROWTH. WEEDS SHALL BE FERTILIZED AND IRRIGATED AT INTERVALS AS ARE NECESSARY TO PROMOTE OPTIMUM GROWTH.
11. ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARDS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" (LATEST EDITION) AS SPECIFIED BY THE ARCHITECT.
12. STAKE/GUYS ALL TREES IMMEDIATELY AFTER INSTALLATION AND PRIOR TO ACCEPTANCE, WHEN HIGH WINDS OR OTHER ADVERSE CONDITIONS OCCUR. THE PLANTS, LANDSCAPE CONTRACTOR SHALL TAKE PRECAUTIONS TO PROTECT THE PLANTS.
13. TREES, SHRUBS, GROUND COVERS, AND OTHER PLANT MATERIALS SHALL BE REPLACED IF THEY DIE OR BECOME UNHEALTHY DUE TO A COMBINATION OF FACTORS, INCLUDING DISEASE, DROUGHT, OR OTHER CAUSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT OF ANY PLANTS GUARANTEED FOR A MINIMUM OF ONE FULL YEAR AND TO ACCORDANCE WITH THE MANUFACTURER'S WARRANTY. THE CONTRACTOR SHALL OBTAIN WRITTEN ACCEPTANCE FROM THE OWNER'S REPRESENTATIVE FOR THE INSTALLATION OF ANY PLANTS. ANY AND ALL PLANTS THAT ARE NOT VIGOROUS, OR AS REQUESTED BY THE OWNER, ALL PLANTS THAT ARE NOT VIGOROUS, OR AS REQUESTED BY THE OWNER, SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. THESE REPLACEMENT PLANTS SHALL BE MAINTAINED TO THE SAME GUARANTEE. THE REPLACEMENT MATERIALS SHALL CARRY THE SAME GUARANTEE FROM THE TIME OF REPLACEMENT.
14. SEEDING OR SOD SHALL BE APPLIED TO ALL DISTURBED AREAS NOT BUILT UPON OR COVERED BY OTHER LANDSCAPING MATERIALS. TO INSTALLATION OF GRASS SEEDING OR SOD, ALL PROPOSED LAWN AREAS SHALL BE RAKED AND FERTILIZED TO BE IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS FOR WEEDS AND OTHER DEBRIS, AND THE AREA FERTILIZED AS REQUIRED.
15. THE LANDSCAPE CONTRACTOR TO COORDINATE PROPOSED PLANTINGS IN THE VICINITY OF EXISTING OVERHEAD LINES WITH UTILITY OWNER PRIOR TO INSTALLATION.
16. CONTRACTOR TO PROVIDE DESIGN-BUILD IRRIGATION SYSTEM FOR ALL NEW PLANTINGS AND EXISTING PLANTINGS TO BE MAINTAINED BY OWNER.

[illegible]

PRELIMINARY  
NOT FOR  
CONSTRUCTION

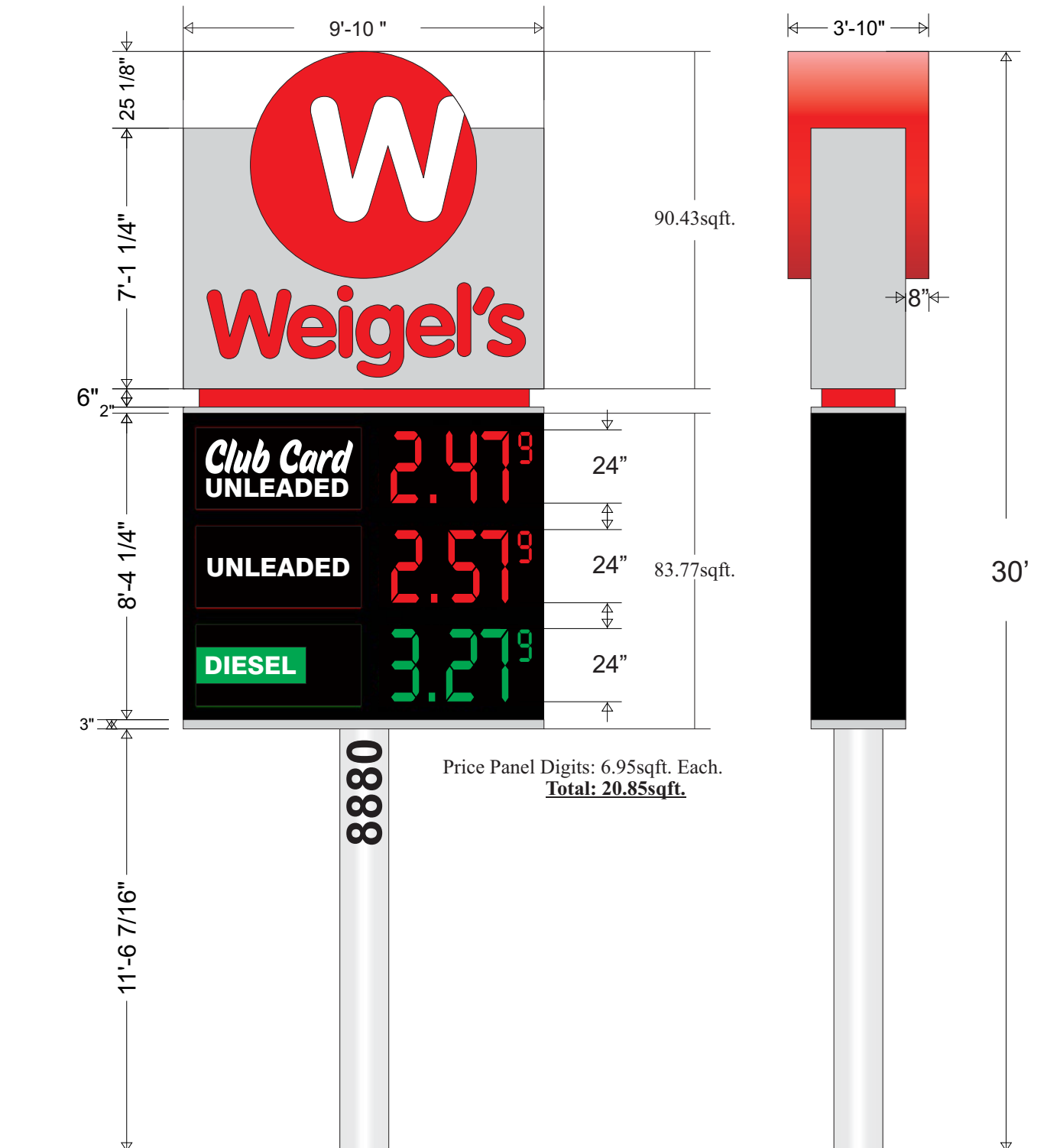
JOB NO:	571.068
DATE:	04/10/2025

**L0.01**

CONCEPT PLAN  
04/10/2025



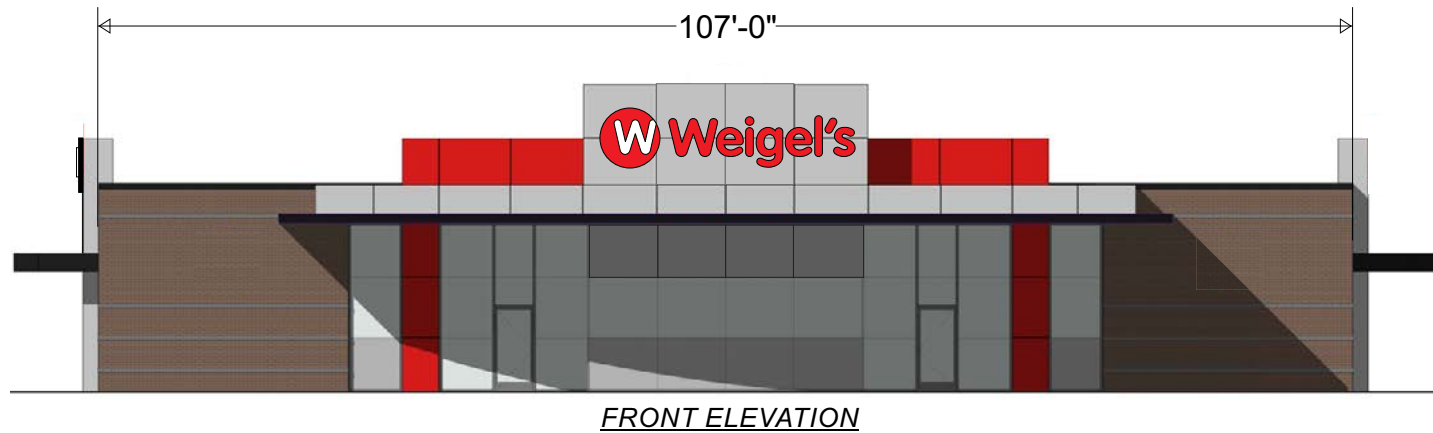
174.20  
**Total sqft.**



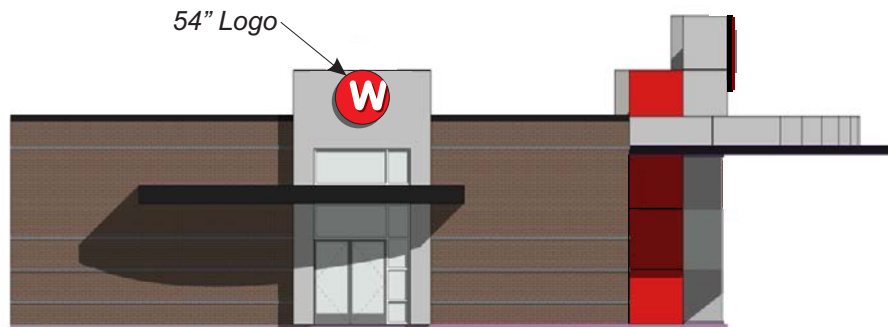
6-I-25-DP  
Revised: 5/19/2025

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<i>Neon Service Co.</i>		
SCALE: 1/4"=1'	APPROVED BY:	DRAWN BY:
DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2



FRONT ELEVATION



LEFT ELEVATION

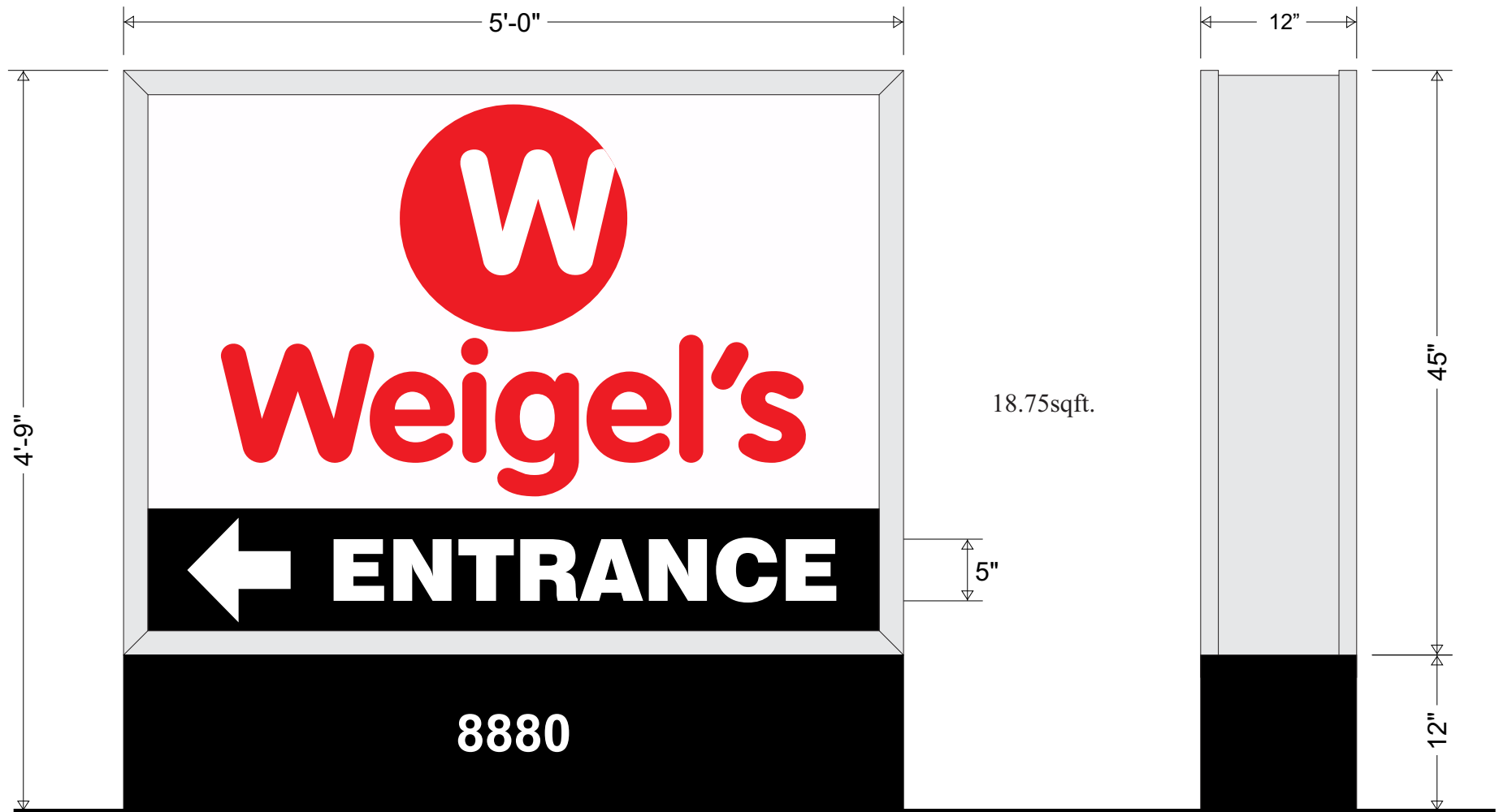


RIGHT ELEVATION

6-I-25-DP  
Revised: 5/19/2025

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<i>Neon Service Co.</i>		
SCALE: 3/8"=1'	APPROVED BY:	DRAWN BY:
DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2



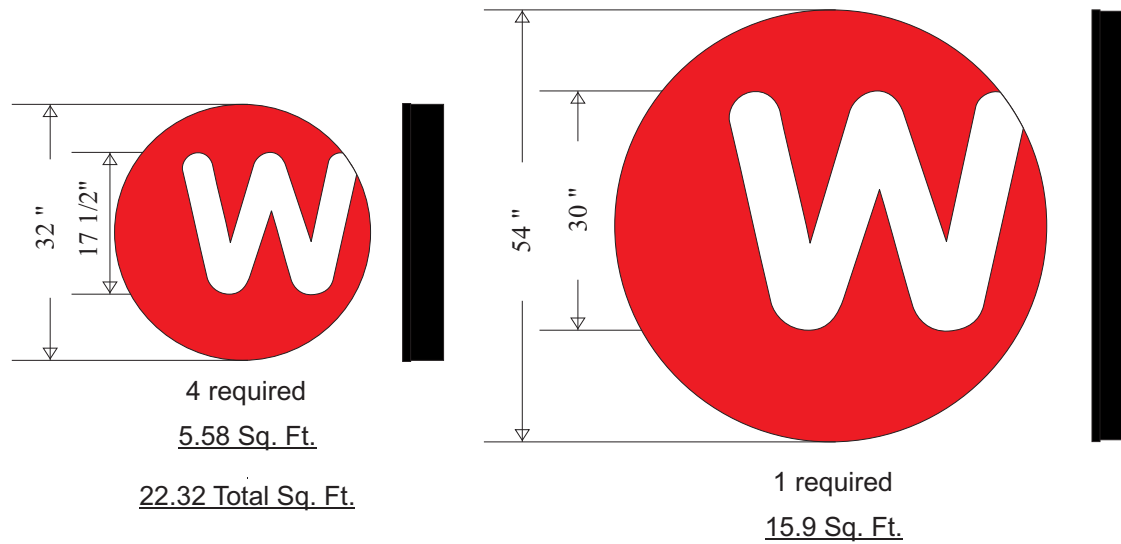
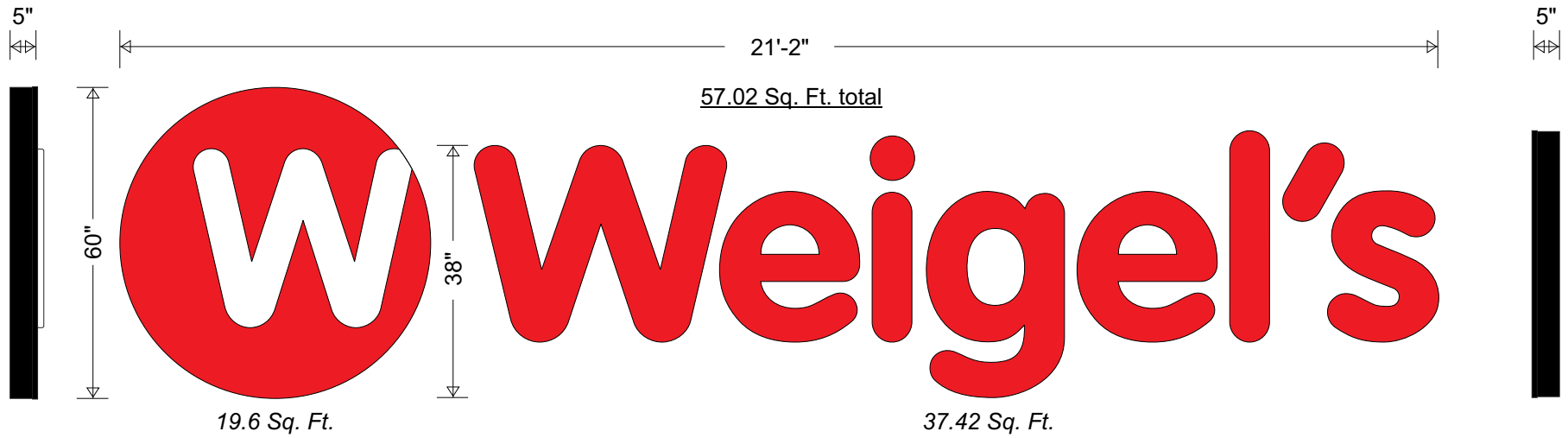
*NOTE: One (1) double face sign with flat  
White faces with premium vinyl applied.  
Internally illuminated with LEDs.*

6-I-25-DP  
Revised: 5/19/2025

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<i>Neon Service Co.</i>		
SCALE: 1":1'	APPROVED BY:	DRAWN BY:
DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2





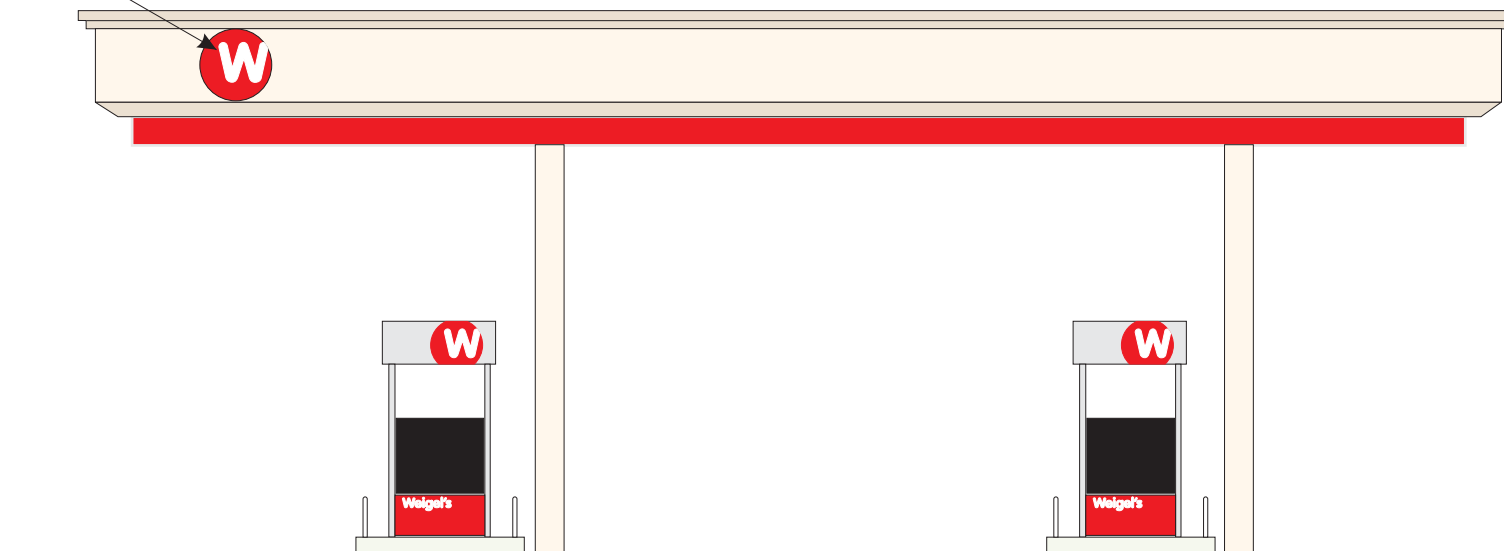
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**95.24 Sq. Ft. total**

<i>Neon Service Co.</i>		
SCALE: 1/2":1'	APPROVED BY:	DRAWN BY:
DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2

32" Logo  
4 REQUIRED



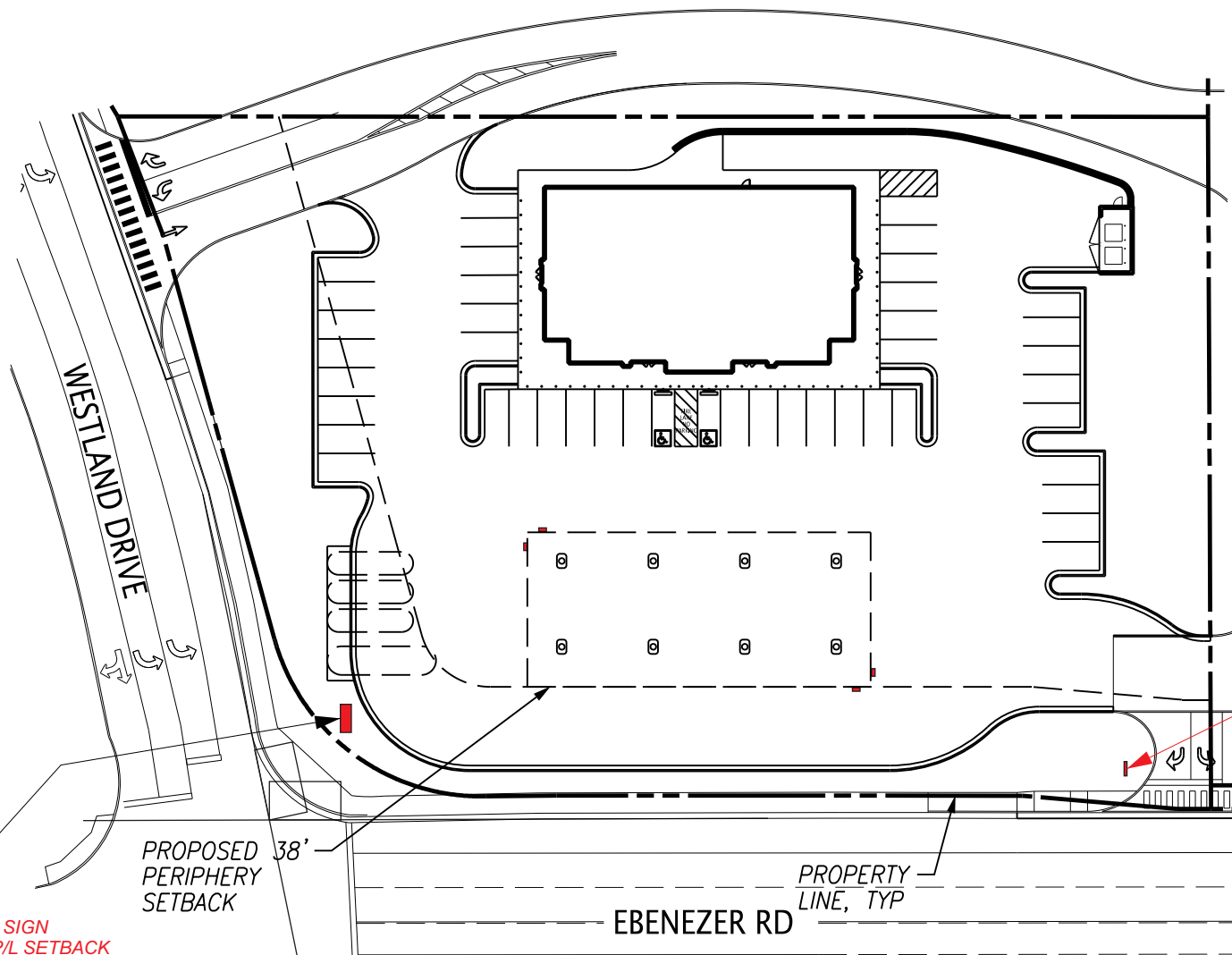
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DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2



**POLE SIGN**  
5'-0" P/L SETBACK  
WITH MINIMUM 10'-0"  
GRADE CLEARANCE  
AND 15'-0" FROM  
EDGE OF PAVEMENT



**EBENEZER ROAD  
DIRECTIONAL MONUMENT**  
10'-0" P/L SETBACK AND 15'-0"  
FROM EBENEZER PAVEMENT



**WEIGEL'S WESTLAND & EBENEZER**  
8880 WESTLAND DR  
KNOXVILLE, TN 37923

6-I-25-DP  
Revised: 5/19/2025

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## SITE PLAN

SCALE: 1" = 60'

*Neon Service Co.*

SCALE: 1"=60'	APPROVED BY:	DRAWN BY:
DATE: 4-1-2025		R.H.
NAME: Weigel's #111 8880 Westland Drive, Knoxville TN		
DRAWING NUMBER		4-1-251222-2



6-I-25-DP  
TIL Version 2  
5/23/2025

May 22, 2025

Mr. Mike Conger, PE  
Knoxville-Knox County Planning  
400 Main Street, Suite 403  
Knoxville, TN 37902

Re: Traffic Impact Letter for Weigel's Westland at Ebenezer

Dear Mr. Conger:

Weigel's Inc. is proposing a commercial development with a convenience store and gas station with a 6,600 SF store and sixteen (16) vehicle fueling positions. The development is located at the southeast corner of the signalized intersection of Westland Drive (north) at Ebenezer Road in Knox County Tennessee. The total area of development is approximately 1.87 acres and the property is currently zoned PC (Planned Commercial). Construction is proposed to take place this year and this analysis assumes full build out for the development will occur in 2028. A copy of the concept plan is included in the attachments.

A previous concept plan was approved for a Weigel's convenience market with gasoline pumps with a 3,997 SF store and sixteen (16) vehicle fueling positions by the Knoxville-Knox County Planning Commission on July 12, 2012.

A Level I Traffic Impact Study was conducted for the Weigel's Westland at Ebenezer Development. The "Ebenezer Road – Westland Drive Weigel's Convenience Store Traffic Impact Study" was prepared by CDM Smith and dated May 21, 2012.

The Weigel's Westland at Ebenezer was also included in "The Crescent at Ebenezer Commercial Site & Phase 2 Apartments" prepared by Fulghum, MacIndoe & Associates and dated May 19, 2021.

The purpose of this Traffic Impact Letter is to update the previous traffic studies based on the current site conditions and the revised concept plan layout for the proposed Weigel's Westland at Ebenezer.

#### **Existing Site Conditions**

Westland Drive east of the intersection of Ebenezer Road is a two-lane road. Knoxville-Knox County Planning classifies Westland Drive as a Minor Arterial with an 88 foot right-of-way per the Major Road Plan. The posted speed limit on Westland Drive is 40 mph.

Ebenezer Road is a five-lane road with a two-way left turn lane. Knoxville-Knox County Planning classifies Ebenezer Road between S Peters Road and S Northshore Drive as a Minor Arterial with a 100 foot ROW per the Major Road Plan. The posted speed limit on Ebenezer Road is 45 mph.

At the existing signalized intersection of Westland Drive (north) at Ebenezer Road the eastbound approach (Ebenezer Methodist Driveway) has a left turn lane with an approximate storage length of 30 feet, the westbound approach (Westland Drive) has a double left turn lane with an approximate storage length of 350 feet, the northbound approach (Ebenezer Road) has a left turn lane with a striped storage length of 100 feet and a right turn lane with an approximate storage length of 340 feet and the southbound approach (Ebenezer Road) has a left turn lane with a striped storage length of 140 feet.

Two full access driveway connections were installed as a part of the Crescent Commercial Development. The proposed Weigel's Gas Station and Convenience Market will have direct access to the existing driveway connection at Westland Drive (north) and to the existing driveway connection at Ebenezer Road. In addition, the Crescent Commercial Development and the proposed Weigel's Gas Station and Convenience Market have access to the existing intersection of Ebenezer Road at Crescent Lake Way.

The existing driveway connection at Westland Drive (north) is located approximately 250 feet east of the signalized intersection at Ebenezer Road and has a driveway width of 36 feet. The northbound approach (driveway) has a separate left turn lane with an approximate storage length of 100 feet and a separate right turn lane with an approximate storage length of 390 feet.

The existing driveway connection at Ebenezer Road is located approximately 360 feet south of the signalized intersection of Ebenezer Road and has a driveway width of 36 feet. The eastbound approach (driveway) has separate left and right turn lanes with approximate storage length of 25 feet.

The existing sidewalk on both sides of Ebenezer Road extend northbound to the intersection of S Peters Road and southbound to the intersection with S Northshore Drive. The existing sidewalk on the south side of Westland Drive (north) extends approximately 600 feet eastbound to the intersection of Serene Breeze Way and connects to the existing Crescent Ebenezer Apartment Complex. Sidewalk ramps and crosswalk striping were installed at both driveway connections as a part of the Crescent Commercial Development.

Aerial photos of the existing intersection of Westland Drive (north) at Ebenezer Road and the existing driveway connections are included in the attachments.

### **Traffic Volumes**

Ardurra conducted a peak hour turning movement count at the signalized intersection of Westland Drive at Ebenezer Road on Tuesday April 8, 2025. The AM peak hour occurred between 7:30 a.m. and 8:30 a.m. with a peak hour factor (PHF) of 0.95 and an hourly



volume of 3,446 vehicles and the PM peak hour occurred between 4:45 p.m. and 5:45 p.m. with a peak hour factor (PHF) of 0.97 and an hourly volume of 3,748 vehicles.

The traffic data collected is included in the attachments.

### **Background Growth**

TDOT count station #47000286 is located on Ebenezer Road south of Nubbin Ridge Road and south of the proposed development. The annual growth rate for this station over the last ten years is approximately 1.04%. The 2024 ADT was 16,137 vehicles per day.

TPO count station ID: 093M002 is located on Westland Drive approximately 1,000 feet east of Villa Crest Drive and east of the proposed development. The annual growth rate for this station over the last ten years is approximately 2.04%. The 2023 ADT was 11,320 vehicles per day.

In order to calculate traffic for the background year 2028, Ardurra assumed an annual growth rate of 2.0%. Figure 1: 2025 Existing Peak Hour Traffic, Figure 2: 2028 Background Peak Hour Traffic, and the ADT trend line growth charts are included in the attachments.

### **Trip Generation**

The Weigel's Gas Station and Convenience Market proposed a 6,600 Sf convenience store and a gas station with sixteen (16) vehicle fueling positions.

Convenience Store/Gas Station or Land Use 945 with a GFA (5.5-10K) was used to calculate the site trips for the proposed vehicle fueling. The site trips were calculated using the average rates from the *Trip Generation, 11<sup>th</sup> Edition*, published by the Institute of Transportation Engineers.

A pass-by trip is defined as an intermediate stop on the way from an origin to a primary trip destination without a route diversion and are trips attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. A *Memorandum to MPC Traffic Impact Study Reviewers and Preparers Group* was published on March 10, 1997 to document the maximum pass-by percentages for selected land uses in Knox County. A Convenience Market on a roadway with an ADT between 10,000-20,000 vehicles per day has a maximum pass-by rate of 65%; therefore, a pass-by rate of 65% was assumed for the AM and PM peak hours for the Weigel's Gas Station and Convenience Market. However, the pass-by trip reduction was capped at 10% of the adjacent street traffic during the background conditions.

The trip generation land use worksheets are included in the attachments. A trip generation summary is shown below in Table 1 – Trip Generation Summary.

**Table 1 - Trip Generation Summary  
Weigel's Westland & Ebenezer**

Land Use	Density	Daily Trips	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Convenience Store / Gas Station GFA (5.5-10K) (Land Use 945)	16 Vehicle Fueling Positions	5532	253	253	215	215
<b>New Trips</b>			<b>164</b>	<b>164</b>	<b>140</b>	<b>140</b>
Pass-By Trips			89	89	75	75

The new trips generated by the Weigel's Gas Station and Convenience Market were estimated to be 1,936 daily trips. The estimated new trips are 178 trips during the AM peak hour and 150 trips during the PM peak hour.

The total pass-by trips were estimated to be 3,596 daily pass-by trips, 328 trips during the AM peak hour and 280 trips during the PM peak hour.

### **Trip Distribution**

Ebenezer Road at the existing commercial driveway connection has a trip distribution of 70% northbound and 30% southbound during the AM peak hour and 50% northbound and 50% southbound during the PM peak hour.

Westland Drive at the existing commercial driveway connection has a trip distribution of 50% eastbound and 50% westbound during the AM peak hour and 65% eastbound and 35% westbound during the PM peak hour.

The directional distribution of the trips generated by the Weigel's Gas Station and Convenience Market were determined using the existing traffic volumes at the intersection of Westland Drive at Ebenezer Road in combination with the concept plan layout. Ardurra assumed that 30% of traffic would enter and 70% of traffic would exit using the Westland Drive commercial driveway connection and 70% of traffic would enter and 30% of traffic would exit using the Ebenezer Road commercial driveway connection.

Ardurra assumed an entering/exiting trip distribution that is approximately 15% Westland Drive, 25% Ebenezer Road (north) and 60% Ebenezer Road (south) during both the AM and PM peak hours.

Figure 3: Gas Station Peak Hour Trip Distribution – New Trips, Figure 4: Gas Station Peak Hour Trip Distribution – Pass-By Trips, Figure 5: Gas Station Peak Hour New Site Trips, Figure 6: Gas Station Peak Hour Pass-By Site Trips and Figure 7: 2028 Full Buildout Peak Hour Traffic are included in the attachments.

### Capacity Analysis and Level of Service

Signalized intersection capacity analyses were performed using the Synchro 11 software at the intersection of Westland Drive (north) at Ebenezer Road in order to evaluate the AM and PM peak hours for the existing, background and full buildout conditions. The existing signal timing worksheets were provided by Knox County Engineering & Public Works and are included in the attachments.

The results from the analyses are expressed with a term “level of service” (LOS), which is based on the amount of delay experienced at the intersection. The LOS index ranges from LOS A, indicating excellent traffic conditions with minimal delay, to LOS F indicating very congested conditions with excessive delay. LOS D generally is considered the minimum acceptable condition in urban areas. Table 2 shows the LOS index range for signalized and unsignalized intersections as defined by the Highway Capacity Manual (HCM).

**Table 2**  
**Level of Service (LOS) Index**

Level of Service Intersection	Signalized Intersection	Unsignalized
LOS A	≤ 10 sec	≤ 10 sec
LOS B	10 – 20 sec	10 – 15 sec
LOS C	20 – 35 sec	15 – 25 sec
LOS D	35 – 55 sec	25 – 35 sec
LOS E	55 – 80 sec	35 – 50 sec
LOS F	> 80 sec	> 50 sec

The Synchro 11 worksheets are included in the attachments and the results of the capacity analysis are shown in Table 3 – Intersection Capacity Analysis Level of Service (LOS) Summary.

**Table 3 - Intersection Capacity Analysis  
Level of Service (LOS) Summary**

Intersection	Time Period	Year 2025 Existing (Delay/LOS)	Year 2028 Background (Delay/LOS)	Year 2028 Full Buildout (Delay/LOS)
<b>Westland Dr @ Ebenezer Rd</b>	<b>AM Peak</b>			
	EB Left	51.5 / D	51.6 / D	51.9 / D
	EB Thru/Right	51.4 / D	51.4 / D	51.8 / D
	WB Left	47.0 / D	48.1 / D	52.2 / D
	WB Thru/Right	42.5 / D	43.5 / D	43.2 / D
	NB Left	N/A	N/A	N/A
	NB Thru	24.9 / C	31.1 / C	35.7 / D
	NB Right	11.7 / B	12.1 / B	12.6 / B
	SB Left	36.2 / D	39.8 / D	44.5 / D
	SB Thru/Right	5.8 / A	6.0 / A	6.2 / A
	<b>Intersection</b>	<b>23.1 / C</b>	<b>26.5 / C</b>	<b>29.7 / C</b>
<b>Westland Dr @ Ebenezer Rd</b>	<b>PM Peak</b>			
	EB Left	54.6 / D	54.9 / D	55.3 / E
	EB Thru/Right	53.6 / D	53.9 / D	54.3 / D
	WB Left	51.0 / D	52.5 / D	56.1 / E
	WB Thru/Right	39.1 / D	39.0 / D	38.8 / D
	NB Left	21.2 / C	22.4 / C	23.5 / C
	NB Thru	31.2 / C	34.8 / C	37.5 / D
	NB Right	24.0 / C	25.4 / C	26.4 / C
	SB Left	37.4 / D	52.7 / D	59.5 / E
	SB Thru/Right	13.1 / B	14.2 / B	14.6 / B
	<b>Intersection</b>	<b>27.9 / C</b>	<b>31.0 / C</b>	<b>33.4 / C</b>

### Queue Analysis

The 95% queue length is defined as the queue length that has only a 5-percent probability of being exceeded during the analysis time period. The 95% queue length is typically used to determine the length of turning lanes in order to minimize the risk of blockage.

Table 4 presents the Synchro traffic queueing summary for the 95<sup>th</sup> percentile queue at the signalized intersection of Westland Drive at Ebenezer Road for both the AM and PM peak hour.

**Table 4**  
**Synchro Queue Summary**

Intersection	Movement	Storage Capacity (ft)	Existing Conditions		Background Conditions		Full Buildout Conditions	
			AM	PM	AM	PM	AM	PM
<b>Westland Dr @ Ebenezer Rd</b>	EBL	30	6	34	6	35	6	35
	EBT	410	6	31	6	34	6	34
	WBL	350	130	241	137	257	176	298
	WBT	1,000+	102	68	129	71	129	71
	NBL	100	N/A	15	N/A	15	N/A	15
	NBT	900	795	452	878	495	896	531
	NBR	340	46	72	48	74	50	74
	SBL	140	<b>141</b>	<b>325</b>	<b>158</b>	<b>404</b>	<b>181</b>	<b>442</b>
	SBT	1,000+	131	391	141	430	143	433

Notes:

The # footnote indicates that the volume for the 95<sup>th</sup> percentile cycle exceeds capacity.  
Bold indicates queue length exceeds available storage capacity.

Bold cells indicate that the queue lengths are more than the available storage. The 95<sup>th</sup> percentile queue length is defined as the queue length that has only a 5-percent probability of being exceeded during the analysis time period. The 95<sup>th</sup> percentile queue length is typically used to determine the length of turning lanes in order to minimize the risk of blockage. Synchro assumes a passenger vehicle length of 25 feet and a heavy vehicle length of 45 feet.

The existing northbound approach at the signalized intersection of Westland Drive (north) at Ebenezer Road has an available storage length of 900 feet before the queue blocks the signalized intersection of Westland Drive (south) at Ebenezer Road. The capacity analysis for the full buildout conditions shows that the 95% queue length for the northbound approach (Ebenezer Road) of 896 feet (36 vehicles) during the AM peak hour and 531 feet (22 vehicles) during the PM peak hour; therefore, the queue will back up to the signalized intersection of Westland Drive (south) at Ebenezer Road but will not block Westland Drive (south).

The existing southbound left turn lane at the signalized intersection of Westland Drive (north) at Ebenezer Road has a striped storage length of 140 feet and an available storage length of 380 feet before the queue blocks the northbound left turn lane at Linksvue Drive and 520 feet before the queue blocks the intersection at Linksvue Drive. The capacity analysis for the full buildout conditions shows that the 95% queue length for the southbound left turn lane (Ebenezer Road) of 181 feet (8 vehicles) during the AM peak hour and 442 feet (18 vehicles) during the PM peak hour; therefore, the queue will interfere with the northbound left turn lane at the intersection with Linksvue Drive during the PM peak hour but will not block the intersection.



The existing westbound double left turn lanes at the signalized intersection of Westland Drive (north) at Ebenezer Road have a storage length of 350 feet. The existing commercial driveway connection is located approximately 250 feet east of the intersection. The capacity analysis for the full buildout conditions shows that the 95% queue length for the westbound approach (Westland Drive) of 176 feet (7 vehicles) during the AM peak hour and 298 feet (12 vehicles) during the PM peak hour; therefore, the queue from the signalized intersection will block the existing commercial driveway connection during the PM peak hour.

### **Sight Distance**

Within Knox County the minimum sight distance at an intersection (in both directions along the major street) shall be ten (10) times the posted speed limit, but in no case shall it be less than 250 feet in accordance with the "Knoxville-Knox County Subdivision Regulations" amended through June 13, 2024.

The minimum recommended intersection sight distance for Ebenezer Road is 450 feet in both directions and for Westland Drive is 400 feet in both directions.

Photos of the intersection sight distance at the intersection of existing driveway connections are included in the attachments.

### **Previous Traffic Studies**

A level 1 traffic impact study was done for the Weigel's Westland at Ebenezer located in Knox County. The "Ebenezer Road – Westland Drive Weigel's Convenience Store Traffic Impact Study" was prepared by CDM Smith date May 21, 2012.

The proposed project was a 3,997 SF Weigel's convenience store with sixteen (16) vehicle fueling stations. A full access driveway connection was proposed from both Ebenezer Road and Westland Drive.

CDM Smith had the following recommendations:

- Minimize landscaping, using low growing vegetation, and signing at the proposed street access to ensure that safe sight distance is maintained.
- Extend the planned northbound right-turn lane on Ebenezer Road for Westland Drive approximately another 100 feet to be also used by traffic entering the Weigel's Convenience Store.
- Provide separate left and right turn lanes from the site access.
- Post STOP signs (R1-1) for exiting traffic from the site driveways.
- Intersection design should conform to the recommended standards and practices of the Tennessee Department of Transportation (TDOT), American Association of State Highway and Transportation Officials (AASHTO), the Institute of Transportation Engineers (ITE) and the Knox County Department of Engineering & Public Works.

The concept plan was approved for the Weigel's convenience market with gasoline pumps by the Knoxville-Knox County Planning Commission on July 12, 2012.

A use on review was approved for the adjacent parcel, the Crescent at Ebenezer Commercial Development by Knoxville-Knox County Planning Commission on July 11, 2019.

A level 1 traffic impact study was conducted for the Crescent at Ebenezer Commercial Development located in Knox County on the parcel adjacent to the proposed Weigel's Store. "The Crescent at Ebenezer Commercial Site & Phase 2 Apartments Traffic Impact Study" was prepared by Fulghum, MacIndoe & Associates and dated May 19, 2021.

The proposed Weigel's convenience store was included in the background traffic and the trip generation was updated to the Trip Generation 10<sup>th</sup> Edition published by the Institute of Transportation Engineers. The total new trips generated by the Weigel's convenience store was estimated to be 2,495 daily trips. The estimated trips were 56 new trips during the AM peak hour and 68 new trips during the PM peak hour.

The following recommendation was provided as a part of the traffic study. "Knox County Engineering and Public Works recommended that the Ebenezer Road driveway be a right-in/right-out driveway connection." And Condition #6 for Crescent at Ebenezer Commercial Development (7-E 19-UR) says that "Any proposed revision to the approved development plan for the Weigel's Store (LKM Properties, 6-A-12-UR) site will require reevaluation of the driveways onto Ebenezer Rd and Westland Drive which may require modification to those street connections."

Per the recommendations of Knoxville Knox County Planning the Ebenezer Road driveway was evaluated as a right-in/right-out driveway connection.

The attachments include Figure 8: 2028 Full Buildout Peak Hour Traffic – Alternate Scenario Ebenezer Driveway - RIRO and the Synchro 11 capacity analysis worksheets for the signalized intersection of Westland Drive at Ebenezer Road. The results of the analysis are that the intersection will continue to operate at a LOS C during both the AM and PM peak hours if the driveway is converted to a right-in/right-out intersection with a slight increase in delay for the southbound left turn lane on Ebenezer Road.

### **Conclusion and Recommendations**

The previously approved concept plan for the Weigel's Gas Station and Convenience Market had a 3,997 SF store and sixteen (16) vehicle fueling positions. The total new trips generated were estimated to be 2,495 daily trips, 56 trips during the AM peak hour and 68 trips during the PM peak hour using the *Trip Generation 10<sup>th</sup> Edition*.

The updated concept plan for the Weigel's Gas Station and Convenience Market has a 6,600 SF store and sixteen (16) vehicle fueling positions. The total new trips generated were estimated to be 1,936 daily trips, 178 trips during the AM peak hour and 150 trips during the PM peak hour using the *Trip Generation 11<sup>th</sup> Edition*. The estimated increase in daily trips from the previously approved concept plan is partially due to the increase in the convenience store building size and partially due to updating the calculations to the current *Trip Generation 11<sup>th</sup> Edition*.

After the completion of the Weigel's Gas Station and Convenience Market the signalized intersection of Westland (north) at Ebenezer Road will continue to operate at an acceptable LOS C during both the AM and PM peak hours.

The result of the queue analysis is that during the PM peak hour the southbound left turn lane (Ebenezer Road) will exceed capacity and block access to the northbound turn lane at Linksvue Drive. Also, during the PM peak hour, the queue from the signalized intersection of Westland Drive (north) at Ebenezer Road will block the existing commercial driveway connection at Westland Drive.

The PM peak hour at the signalized intersection has a high percentage of daily traffic but during the remaining hours of the day the intersection operates effectively with no turn lanes exceeding capacity; therefore, there are no recommended improvements.

A "Stop Sign" and Stop Bar were added to the concept plan at the proposed intersection of Weigel's Driveway at Ebenezer Driveway Connection. Striping at the driveway includes painted directional arrows.

Arduarra recommends that the signs and pavement markings be installed in accordance with the standards provided in the *Manual on Uniform Traffic Control Devices* (MUTCD).

There are no further recommendations as a result of the increase in building size for the Weigel's Westland at Ebenezer convenience store and gas station.

I hope that this is helpful. Please contact me if you have any questions.

Thank you,



Addie Kirkham, P.E.

Enclosure: Attachments

# 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

# **Proposed Changes Per Homeowners Requests:** EXHIBIT D #25

- 1. We are going to use the stone materials for the Westland/Ebenezer convenience store that are the same as the stone used on the convenience store at Choto.**
- 2. Metal storefront and window casing to be bronze/brown in color to match the brick and canopy posts.**
- 3. Black horse-farm style fencing as built at Choto constructed on the frontage on Ebenezer and turning the corner of Westland.**
- 4. Dark wood-beam look canopy posts with decorative arms as built at Choto.**
- 5. We are going to use the “at – grade” stamped concrete sidewalk with an enhanced slate look, as well as black bollards.**
- 6. All exterior lighting to comply with the Town of Farragut standards for this type of facility.**
- 7. Landscaping to comply with the Town of Farragut standards.**
- 8. New outdoor amenity area with seating and additional landscaping to be provided.**
- 9. One of the leading features of the landscaping design will be adding additional landscaping to hide the pole of the sign.**



An architectural rendering of a modern, single-story commercial building, identified as Weigel's Farm Store. The building features a flat roof, large glass windows, and a prominent white 'W' logo on its facade. It is surrounded by a parking lot, trees, and a wooden fence in the foreground. The sky is overcast.

Weigel's Farm Store

**MBI**  
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EXHIBIT D



**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE O (OFFICE) ONE YEAR PLAN DESIGNATION.**

**c. Rezoning**

**7-J-12-RZ**

From A-1 (General Agricultural) and O-3 (Office Park) to C-6 (General Commercial Park).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE O-3 (Office Park) zoning on parcel 101.01.

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE O-1 (OFFICE, MEDICAL, AND RELATED SERVICES) ZONING. MOTION CARRIED 13-0. APPROVED.**

## Uses on Review

**25. LKM PROPERTIES**

**6-A-12-UR**

East side of Ebenezer Rd., southeast side of Westland Dr.  
Proposed use: Convenience Store in PC (Planned Commercial) District. Commission District 5.

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

COMMISSIONER BRIAN PIERCE RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

Arthur Seymour, Jr.: 550 W Main Avenue, Knoxville 37902. I am here on behalf of the applicant. Mr. Weigel is here also and Mr. Chris Ooten who is with Weigels and Mr. David Harbin with Batson Himes Norvell and Poe the engineers on this project.

Longmire: Is there opposition? All of you want to speak? Is there someone that is going to be speaking for the opposition, more than one someone? So each of you wants to speak you have 5 minutes to divide amongst yourselves. Mr. Seymour would you like to go first?

Seymour: Yes if I may. This is a use on review in a planned commercial zone for a convenience store at the corner of Ebenezer Road and Westland Drive. This was extensively discussed at the meeting last month and I will not duplicate what I said then. Since that meeting there have been, you all have been inundated with emails, letter and phone calls. We have discussed this with Ms. Kline and her associates representing the various neighborhoods out there. Last night Mr. Weigel met with Ms. Kline and approximately 20 other people and Mr. Ooten also at Wesley Place in an effort to resolve this matter. We apparently have every thing resolved except one issue. I will

hand out or Chris could you hand out the plans. Mr. Weigel has agreed to 9 substantive changes to the appearance and exterior of the store. Apparently the difference comes back down to the sign. The sign as originally request was 34 feet high. MPC staff recommended 25 feet. Mr. Weigel went back and had his sign people look at the issue and can reduce it to 30 feet and we are asking for that change in condition 7 plus 9 upgrades to the store itself in the design. Let me say this about the sign. The convenience store business is unique. You have got to advertise gas prices and your location so that the public will know where you are. This intersection is being improved or will be improved by Knox County. Westland Drive where it enters Ebenezer will become three lanes. Ebenezer on the north bound lanes will have a turn land added in front of where the Weigels store is to be located. Because of that the store will be pushed to the east off the existing right of way of Ebenezer Road. Visibility then becomes difficult for any signage on the property because immediately to the south there are two buildings and a retaining wall with a nursery there. The nursery is going to remain. At some future date that might be developed, but there are no plans for it now. The sign will not be visible unless it is 30 feet high. Mr. Weigel can assure you and I will assure you on his behalf he doesn't just put up signage as high as he can. He puts up the necessary signage for several reasons. Signage is very expensive. It needs to be where it can be observed and at a height that it can be observed at. He is adding landscaping to the pole of the sign and he has done this at several of his other stations so that you can barely see that there is a pole there. One station I am aware of you cannot see that there is a pole there and he is conceding that. He cannot development this store unless he has signage that is adequate for the public for the reasons we have stated before and that is 30 feet. He needs no more than that but he can't have any less than that. That's the crux of the matter. If we cannot go forward with 30 feet, the station will be out of sight or it will be difficult to identify and potentially could create a traffic hazard. I have handed out to everybody, unless somebody came in late, the 9 upgrades which include basically making this store look like the Choto store which was recently built at Choto and Northshore. I will hand those to anybody that is not here. We would ask that a motion be approved adding these 9 design features and changing condition 7 so the sign will be at a 30 foot height. May I reserve my 22 seconds.

Longmire: You may reserve your 22 seconds. I do want to ask of the 10 stated conditions the only change you are making is in number 7 is that correct?

Seymour: That is correct. Excuse me I forgot to mention one thing. The stucco on this store will be slightly darker than the stucco at the Choto store, but in all other respects it will be, the store itself will be consistent with the Choto store including the

fencing and in addition an amenity area picnic tables and a place there for the people who use the sidewalks on Ebenezer Road.

Longmire: Alright you lost your 20 seconds but that is okay. Opposition?

Margot Kline, 8845 Ebenezer Oaks Lane. Actually I am here in support. So I guess I am in an odd position to ask for a little extra time on the support side. I think they probably need it on the opposition side as well.

Longmire: If Commission asks I think that is a permitted thing. Shall we hear from opposition first and then if the Commission would like to call we will see what you have to say.

Richard Piety, 1108 Farrington Drive. I am President of the Farrington Homeowners Association. We have talked to over 200 of our residents representing 127 of our 195 homes. Of this group only 3 people were not in opposition to the plan that Weigels presented originally. Their focus was especially on the 30 foot or higher pylon style sign that was proposed for this location. Last night Bill Weigel did present some enhancements to his store that were well received by the group. Unfortunately we had less than 24 hours and officially what you have in writing today we have not seen what has been proposed to assess this and to get back to my board in particular and to my residents to see if they would accept this in light of the fact that the 30 foot pylon sign was still not changing and that was a major issue with them. Given that is the case, frankly at this time we cannot change our stand we are still opposed to the proposal. Could everybody that is opposed here stand please. (About 25 people stood.) We have not had time to go through this and to get back to our constituents and to make sure that this will be a satisfactory compromise.

Longmire: So you are asking for a postponement? Or what?

Piety: I am in opposition to the current proposal. We have not had time to look...

Longmire: Ms. Kline, can you very briefly fill us in on the meeting.

Kline: There were approximately 30 people there. About 30 people met from neighborhoods closest to the corner of Ebenezer and Westland and we were generally pleased and really grateful for Mr. Weigel's willingness to meet the neighborhoods request more than half way. The sticking point was the sign. I would like to ask for approval with conditions that the MPC include as a condition that the budgeted road work at Ebenezer and Westland be completed prior to the Weigels opening and that the sign be reduced to 25 feet. I understood



that there are some concerns. I recognize that the retaining wall on the adjacent property presents a hardship and therefore may warrant a sign tall enough to be seen above the wall, but respectfully as Mr. Weigel to take a look at the topography down there. Consider maybe the size of the letters on the prices whatever in order to get it to 25 feet because I think the neighbors would be a lot happier and might be pretty compliant with everything. That is approximately the same height as Weigels at the corner of Blue Grass and Ebenezer a mile and one half down the road. I would like to also state for the record that approval of this sign is not consistent with the norm and does not set a precedent. The neighbors have already spoken to Commissioner Briggs, Councilman Grieves, Mark Donaldson, Tom Brechko, and Dean Rice requesting a small area study in order to establish a corridor plan or zoning overlay for Ebenezer that addresses the need for low sign regulations, historic preservation and neighborhood conservation.

Longmire: Mr. Seymour, how many conditions are you adding?

Seymour: They are not really conditions. We are adding the following design criteria for the store, The 9 items that I have listed will be included in the design criteria that will be amended if this can be approved.

Longmire: And Ms. Kline you are asking that there be a condition for the road work to be complete before the store is built and that number 7 to be kept at the 25 foot level.

Ewart: I thought there was a gentleman at the back that wanted to talk in opposition.

Dennis Overton, 950 Gettysview Drive. I am on the homeowners board. The biggest issue that I have that the homeowners there wanted me to bring to your attention is the roadwork at Ebenezer and Westland. That the road work would be completed, that design would be completed before that store is actually put into place. If you ever come on We4stland going west that traffic an back up all the way from Ebenezer almost a half a mile back to the reserve where that traffic flow is just not adequate. We would just ask that you make sure that happens before they actually get he store put in.

Cindy Pionke: County Engineering. The problem with guaranteeing the project being completed that it is a project that will be constructed by the Tennessee Department of Transportation. The project is being funded with federal dollars for congestion mitigation and air quality. So I can't tell you exactly what the time line is for when that is going to happen. Right now the right of way plans have been submitted to TDOT. That is where we are right now. I don't have those approved and signed off on. I don't have a date to tell you to shoot for.



Longmire: Basically all you are saying is the design plans have been drawn and that is as far as it is right now.

Pionke: Actually the right of way, once the right of way plans have been approved and then we will move on and finalize the construction plans. I don't know what the time line is.

Joyce Feld, 1540 Agawela Avenue, President of Scenic Knoxville. I greatly appreciate the modifications that Mr. Weigel has made to the design of the development. I think that will certainly enhance the project. I would however strong recommend that an appropriate scaled monument sign be erected on this development. I understand that Mr. Weigel feels that a tall sign is necessary in order to capture some of the traffic. However I think we can all agree that certainly the majority if not the vast majority of his customers are going to be residents in the area who are already going to know where this station is. I don't know what percentage of customers are going to need this tall sign in order to find the business, but I think we can agree it is a very small percentage. I ask you if this trade off is a good one? I think that we should consider the general good of the area. This is a sign that will change, degrade the character of the neighborhood, perhaps lower surrounding property values. Is that worth it? There are hundreds of homes in the area. We are talking about one business and a very small minority of customers. I personally don't think the tradeoff is worth it. I am also pretty sure if this sign is allowed to go in as proposed that every other business that goes into the area after this will expect a sign of similar height. I think this is an opportunity. This is a new undeveloped area. It is an opportunity to make a nice commercial development. I hope you recognize that and seize the opportunity.

Howard Pollock, 1008 Golf View Lane. I think it is also worth keeping in mind that the signage issue is predicated on potential customers seeing the location. There are currently three other locations within extremely close proximity of which many of the people here in opposition to this large sign currently patronize those locations. We are all potential customers. We are all neighbors. We ask that there be restraint on the part of the Commission in terms of the size of the sign so that we may all have choices and we'd welcome Weigels in as a good neighbor rather than a source of controversy.

Longmire: Once again I would like to congratulate both sides of this application for working to hard to come to an agreement. I really appreciate the community concern.

Clancy: It seems to me that if they are allowed a 35 foot sign in this zone per the sign ordinance if that is what they are actually allowed, they've conceded to a 30 foot sign. I think they went

and did their homework. It seems to me what needs to be addressed is the sign ordinance rather than each individual business that goes in. You could do a lot of good by addressing that and some overlays. The business at hand is the applicant purchased the property with the understanding he could have a 35 foot sign. He is proposing a 30. I know staff is recommending a 25. Some of the concept designs that I have looked at, the pictures that you have given, the landscaping; I think all of those are great. I commend the neighborhood and Mr. Weigel for coming together and trying to make a decent project of this. I understand his signage issues. I think he would do just fine with a monument sign. But his zoning on the property that he purchased allows him to have a 30 foot, a 35 foot sign which is 5 feet lower than the sign across the street. I haven't measured Gettysview's sign, but I would image it is about 30 feet as well. 12 feet? I am going to go check that. That is what I have to say. We voted on it last week and I voted to support the development and the recommendation by staff with the exception of number 7. I think that a 30 foot sign is appropriate based on what he understood when he bought the property is his property right. It is his decision if he wants to exercise that 35 foot sign, or if he wants to do battle with the neighborhood that is going to patronize the store he needs to weight the gains and losses of that decision. He is entitled to a 35 foot sign. My opinion has not changed any from last month. I think the 9 design points that he has conceded on will make his store much more appealing and nicer looking addition to the neighborhood. My opinion on the sign height has not changed since last month.

Jeffery Roth: I am going to echo some of the things Commissioner Clancy said. I appreciate the community's involvement in this issue and certainly appreciate them wanting them to make sure the neighborhood stays a neighborhood or has good neighbors that move into it. I also want to point out that Mr. Weigel and the corporation seems to have gone out of their way to make that happen. They certainly have made some concessions that they did not really have to make. As far as the sign height, they are not asking for a variance. There is no variance required for the sign. It is actually zoned that way. I have a real issue with picking, we have an ordinance in place that determines the height of signs and has been adopted by City Council and County Commission. I have an issue with us taking individual properties and changing them. I think if we are going to change that on an individual basis then it should be dealt with like Commissioner Clancy says, it should be dealt with at the ordinance level and not our level. I think Mr. Weigel has purchased this property with the intent of putting a business there and he has gone out of his way to make sure it is a neighborhood friendly business. These 9 things he worked with the community. I would be in support of a... and he has actually before was asking for a 35 foot sign and reduced it voluntarily to

30. I would be in support of approving with a 30 foot sign height as requested.

Michael Kane: I really thought about this a lot. I agree with many of the points that my fellow commissioners have stated. I feel that part of the problem is that we have got a situation where this is planned commercial and unfortunately planned commercial allows for interpretation of design that is supposed to be consistent with what is going on in the community. We have a situation where we have commercial development into an existing very well established neighborhood. Signage is one of the big things that neighbors really have a concern with in terms of how they feel about their neighborhood. I certainly understand Mr. Weigel's position. He enters into planning and all kinds of stuff and he really doesn't know what he is going to get. He does the best he can. I think the points that he makes and Mr. Seymour makes in terms of what his needs are, in terms of having a viable business are very important. I totally agree that this needs to be done up front especially in areas where you have got commercial development going into residential areas. It needs to be defined up front. It makes it difficult for this Commission and staff to get in the middle of these kinds of things at this point in the game after people have invested a lot of money and effort into the planning purposes. I wholeheartedly encourage some kind of overlay district or something in situations like that or change the ordinance that would establish the signage at the time that rezoning is done. If that is in the planned commercial than that is the way it is. I think there was some expectation when this was done as planned commercial that the neighborhood would have that they have input into this in terms of what it is. If we wanted to allow something to be at what the upper limits of whatever zoning is, it should have been zoned general commercial and not planned commercial. That is the whole purpose. I feel very uncomfortable in voting on something that is essentially going to completely change the character of the neighborhood of Ebenezer. This is going to do it. It will establish a precedent for the rest of the commercial development along this road. It does not sound like the community is against commercial development necessarily in parts of their community. It is very difficult. I really feel for Mr. Weigel. I think this is a difficult thing for him to plan his business on. Clearly from the studies that are shown having the price people knowing the price people will drive extended distances. I personally don't do that. It is something that people do. Again the balancing the precedent of changing the character of the neighborhood. We will be changing the character of the neighborhood. I wish the community and Mr. Weigel had been able to work something out on this specific issue. I have really struggled on this. Given the fact that I don't think it is a right in the planned commercial necessarily to have up to a 50 foot sign; I think that is what I was told that the zoning allows up to and certainly planned commercial next to an interstate with a 50 foot

sign that may be very acceptable in that location. I can see where you need to have that flexibility in the planned commercial. I just don't see it in planned commercial in this area. I would really recommend that we deny it.

George Ewart: A couple of comments to address some of the things that Commissioner Kane said too. I have struggled with this and had a lot of friends contact me about it. This whole property when you look at it is surrounded by floodway. It is really separated from residential. I know there is some planned residential that is behind it but it has not been developed yet. There are just two tracts here of commercial land along this area. I don't know what we will be significantly impacting or changing this whole dynamic of this area. I guess I have got a couple of questions. Number one is how tall are these light poles or telephone poles down through here. They look like they are 75 feet or 50 feet. Does anybody know?

Longmire: What poles are you referring to?

Ewart: The telephone poles or electric poles that go down Ebenezer.

Longmire: Just the standard utility pole?

Ewart: There are a number of those. They are very high up there. I don't see... We have a cell tower out there. I don't remember if I was on commission when that came through. If I was, I don't remember a lot of opposition that came out from that either. I just don't see the problem with having a 30 foot sign. I mean he bought the property with the intention of a 50 feet in height that it could go. There have been compromises back and forth. He has done a lot of things with his store. If people don't want to go and shop there that is their opinion if they want to do that. That is Mr. Weigel's risk. I think he has done a great job of compromising with the look and what he wants to do. Another question I do have is in the light spread that we are asking them to do on the lights, does the sign apply to that also? Item number 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. Does the sign also include that because it is lighted?

Donaldson: I am not sure. As I recall the Farragut standard they have a standard that no more than one foot candle shall be registered at the perimeter of the property from all light sources. I think that is the standard.

**MOTION (EWART) AND SECOND (STOWERS) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH REVISION IN ITEM 6 TO ALSO INCLUDE THE SIGN AND ITEM NO. 7 A MAXIMUM HEIGHT OF 30 FEET.**

Buz Johnson: Let me clarify. Do you want to make reference to the additional design elements requested by the applicant?

Ewart: As condition no. 11 that we accept all the... If you help me craft it I will.

Longmire: Design elements as...

Buz Johnson: As proposed by the applicant in Exhibit.

Ewart: **AND AS CONDITION NO. 11 THAT WE ACCEPT ALL THE 9 DESIGN ELEMENTS PROPOSED CHANGES AT THE HOMEOWNERS' REQUEST.**

Longmire: What about the road work to be completed?

Ewart: I just don't see how you can do that. Somebody brought a piece of plan. They are ready to develop on it. With the way government works it might be ten years from now before they ...

Stowers: Just one thing for the record. How much of these proposed changes that Mr. Weigel's agreed to do, how much will that cost? What is the estimate?

Seymour: About \$90,000.

Stowers: \$90,000 extra dollars. Okay. I just want to echo what Mr. Clancy and Jeff everybody has already stated regarding somebody buys a piece of property with understanding of what the ordinances are and added they have \$90,000 more in expense to try to keep peace in the neighborhood. I think they are fully within their rights.

Cole: I have not heard anything in here I don't agree with. Both sides have their points. I understand that. I definitely understand where Mr. Weigel is coming from. I also appreciate all the work and compromising that has gone on. But when I look at this I am trying to look at it from a planning perspective. I am trying not to look at such specific things. When I look at this we are talking about a use on review and my understanding is when we do that we are looking at the big picture and we are not necessarily going by the ordinance. We have some leeway in there to make interpretations. I was a little disappointed I thought I was going to come in and find different kind of agreement. There's lots of aesthetic thing on here that Mr. Weigel has agreed to and I really do appreciate that. When it is all said and done I drive down that road and I don't see those tall signs. I know that when this one goes in others are going to follow. I started out on a completely different thought process and I ended up feeling the same way Ms. Feld does that this is exactly the place where a monument sign should go in. I realize

it doesn't have to be done but just because it's, just because what we are asking to do isn't required by law does not mean it is the best thing that could be done for this community. In this particular case, if we do approve this sign it is going to change the way that neighborhood looks. I am struggling with supporting the agreement for that reason.

Bart Carey: This is generally my neighborhood. I drive through this intersection all the time. This is going to be my go to station if it is built. I would pull in whether it had a monument sign or a 50 foot sign. I like the idea of the vegetated base of the sign. I think that really helps soften the flow. The 5 feet that are left is neither here nor there. I move into this area in 1978 off Ebenezer. There were no signs of any kind; maybe a neighborhood sign at Farmington. Presently there are three other convenience store signs that have frontage on this road. I have heard a lot about there is nothing else out there, but there are on Ebenezer Road other convenience store signs. I think some of those might be not necessarily coming down they might be changing color so to speak but that is another story. We talked about both sides. This is very unique. Today we do not really have both sides. We have three sides. Last month it was basically the convenience store developer and a certain component of the neighborhood that wanted to see the sign come down. There was discussion of a monument sign. Today we basically have the applicant, a group of neighbors that have met on more than one occasion have come up with proposed changes at the homeowners request and we have almost a new faction that is against the store altogether unless there is a monument sign. I think the industry speaking I do know now of any where else in Knoxville there is a monument sign for a convenience store on use on review. I think there is only one other monument and that was basically... it is kind of interesting. As you remember the homeowners association and you have restrictions when you move in you have to comply with those restrictions. This is kind of an analogy. The only other monument sign was basically to build in this neighborhood you have to have a monument sign. In this case I feel hard pressed to try to enforce monument signs even though I like then where the industry standard is something different. The extra steps that the Weigels family is going to to make this store first class in every way I think that to me satisfies the need to show this is an upscale store to bring that extra money to the table and to fit in with an upscale neighborhoods that you all live in. I think this is a compromise. I think I have got to support the sign in this case.

Clancy: In addition to everything I said before, I struggle with... I would prefer a monument sign. I don't think it needs to be a tall sign. I struggle with property owner's rights in that respect. I am going to support the motion. I am very tempted to support the motion contingent on that he put a Weigels just like this sign and all in my neighborhood. They are really going to make this a nice



store. The sign may bother you but this is a good use of this piece of property. That is what we are here to determine. There are things I like and I don't like about every single piece that comes through here. You have got to weight it out. Like Mr. Seymour said you have got the ham you don't need the whole hog. Let's just do... it seems to me that we have come to, you are half way there, you are more than half way there. You have got a good looking store coming out of it. For those reasons I am going to support the motion.

Stan Johnson: Mr. Weigels, I was wondering why do you put so much effort in this process when you have all your ducks in a row anyway?

Bill Weigel, 7104 Hickory Hills Drive, Rocky Hill area. I guess when you are a family business and your name is on the front door you do some stupid things. That is why I think family businesses are important to our town. I hate to see the Regas's go. I hate to see the Roddy's go. I hate to see all the family businesses that have been so important in this community leave and the decisions are made in Chicago or Atlanta or Cincinnati or wherever. We take pride in our work. We take price in people liking what we do. It makes us feel good. Maybe it costs money but it makes us feel good.

Longmire: Before we vote I want to ask one more time, how high are those canopies?

Weigel: 24 feet.

Longmire: So when you are looking at the store the sign, a 30 foot sign would be 6 foot taller than that canopy. I have been looking at canopies all over Knoxville. That is why I asked.

Clancy: You math skills are excellent.

Longmire: Thank you. I graduated from Knox County schools. As I understand the motion that is on the floor and Mr. Ewart follow me closely, your **MOTION IS TO APPROVE THE REQUEST FOR A CONVENIENCE STORE WITH UP TO 16 GASOLINE FUELING STATIONS AS SHOWN ON THE DEVELOPMENT PLAN SUBJECT TO 11 CONDITIONS NUMBER 6 BEING CHANGED TO INCLUDE THE SIGN LIGHTING AS WELL AS SITE LIGHTING, NUMBER 7 THE GROUND SIGN WILL BE A MAXIMUM OF 30 FEET AND ADDITION OF NUMBER 11 WHICH ADD THE PROPOSED CHANGES PER THE HOMEOWNERS REQUEST.**

Ewart: Yes you can say the 9 items ..

Longmire: **THE PROPOSED 9 ITEMS DEALING WITH THE CHANGE IN DESIGN. AND THAT SECOND STILL STANDS?**

Stowers: Yes.

Seymour: The stucco is going to be, I need to add a 10<sup>th</sup> one that the stucco will be darker than it is at the Choto store. I can work this out with Mr. Brechko.

Longmire: Will it be terribly darker or will it just be kind of darker.

Seymour: Kind of darker.

Longmire: Okay I guess that is acceptable a kind of darker.

**MOTION CARRIED 11-2 (Cole, Kane). APPROVED AS MODIFIED.**

Longmire: The motion passes. Again I would say there is always the appeal to County Commission? BZA. Again I thank all of you. You have worked so well together. I think that shows very good community interaction and we appreciate that. Thank you and thank you for coming down today.

**P 26. BEVERLY HOLLAND**

**6-C-12-UR**

Southeast side of Holston Dr., northwest side of Speedway Circle. Proposed use: Child Day Care Center for up to 100 children in C-3 (General Commercial) District. Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**\* 27. WELLSPRING SENIOR LIVING SAMUEL J. FURROW**

**7-A-12-UR**

Northeast side of Thunder Ln., northwest of E. Emory Rd. Proposed use: Assisted living/memory care - 40 unit/60 beds in OB (Office, Medical, and Related Services) District - Pending. Commission District 7.

STAFF RECOMMENDATION: Approve the request for an assisted living facility with up to 40 client rooms that may contain up to 60 beds as shown on the site plan subject to the following 8 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**\* 28. FLAGSHIP GROUP, INC.**

**7-B-12-UR**

Southeast side of Corridor Park Blvd., southeast end of Data Ln. Proposed use: Medical facility expansion in BP (Business and Technology) / TO (Technology Overlay) District. Commission District 6.

STAFF RECOMMENDATION: Approve the development plan for an expansion of approximately 39,600 sq. ft. to the

STAFF REVIEW ☐

# Development Request

**Subdivision** ☐ Concept Plan ☐ Final Plat**Zoning** ☐ Rezoning ☐ Plan Amendment**Development** ☒ Development Plan ☐ Planned Development ☐ Use on Review / Special Use ☐ Hillside Protection COA

LKM Properties, L.P.

Property Owner

Applicant Name

Affiliation

04/25/2025

06/12/2025

File Number(s)

Date Filed

Meeting Date (if applicable)

6-I-25-DP

## Correspondence

All correspondence will be directed to the approved contact listed below.

☒ Applicant ☐ Property Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

William B Weigel

LKM Properties, L.P.

Name

Company

3100 Weigel Lane

Powell

TN

37849

Address

City

State

ZIP

865-617-4052

Phone

Email

## Current Property Info

LKM Properties, L.P.

P.O. Box 650, Powell, TN 37849

865-938-2042

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8880 Westland Drive, Knoxville, TN 37923

132 09904

Property Address

Parcel ID

First Utility District

First Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

## Development Request

☐ Residential ☒ Non-Residential

RELATED CITY PERMIT NUMBER

Gasoline Service Station

Proposed Use

Specify if a traffic impact study is required: ☒ Yes (required to be submitted with application) ☐ No

MARCH 2025

## Subdivision Request

RELATED REZONING FILE NUMBER

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Proposed Number of Lots (total)

☐ Other (specify) \_\_\_\_\_

Specify if requesting: ☐ Variance ☐ Alternative design standard

Specify if a traffic impact study is required: ☐ Yes (required to be submitted with application) ☐ No

## Zoning Request

PENDING PLAT FILE NUMBER

☐ Zoning Change

Proposed Zoning

Proposed Density (units/acre, for PR zone only)

☐ Sector Plan ☐ One Year Plan ☐ Comprehensive Plan

☐ Plan Amendment Change

Proposed Plan Designation(s)

☐ If, in Knox county, submit plan amendment request with application

Previous Rezoning Requests

☐ Other (specify) \_\_\_\_\_

## Authorization

☒ I declare under penalty of perjury the foregoing is true and correct: **1)** He/she/it is the owner of the property **AND 2)** The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

William B Weigel

Please Print

4/24/2025  
Date

865-617-4052

4/24/2025

Phone Number

Email

William B Weigel

04/25/2025, SG

Property Owner Signature

Please Print

Date Paid

## Staff Use Only

ADDITIONAL REQUIREMENTS ☐ Property Owners / Option Holders

FEE 1	FEE 2	FEE 3	TOTAL
0405			\$1,600.00



# Public Notice and Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

## Sign Posting and Removal

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission.

**Planning staff will post the required sign.** If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

### Location and Visibility

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

### Timing

The sign(s) must be posted not less than 12 days prior to the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

### Acknowledgement

**By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.**

**05/30/2025**

Date to be Posted

**06/13/2025**

Date to be Removed

**Have you engaged the surrounding property owners to discuss your request?**

☐ Yes ☐ No

☐ No, but I plan to prior to the Planning Commission meeting

  
Applicant Signature

William B Weigel  
Applicant Name

4/24/2025  
Date

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