

ARTHUR G. SEYMOUR, JR.  
FRANCIS A. CAIN  
ROBERT L. KAHN  
REGGIE E. KEATON  
DONALD D. HOWELL  
DEBRA L. FULTON  
MICHAEL W. EWELL  
IMOGENE A. KING  
JOHN M. LAWHORN  
JAMES E. WAGNER  
BEVERLY D. NELMS  
MARY ELIZABETH MADDOX  
BENJAMIN C. MULLINS  
RICHARD T. SCRUGHAM, JR.  
MATTHEW A. GROSSMAN  
SHARON POTTER  
KEVIN A. DEAN  
ROBERT H. SMITH

LAW OFFICES  
**FRANTZ, MCCONNELL & SEYMOUR LLP**  
ESTABLISHED 1902

Email: [ajseymour@fmsllp.com](mailto:ajseymour@fmsllp.com)

Direct Fax: 865-541-4612

October 12, 2010

550 W. MAIN STREET  
SUITE 500  
P.O. Box 39  
KNOXVILLE, TENNESSEE 37901  
TELEPHONE: 865-546-9321  
FACSIMILE: 865-637-5249  
WEB SITE: [WWW.FMSLLP.COM](http://WWW.FMSLLP.COM)

**Metropolitan Planning Commission**

Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Agenda Item #34 – Applicant Charles Richardson

Dear Commission:

This letter is written on behalf of the above Applicant who requests permission to open a small retail wine and spirits store (3,500 square feet) in the Northshore Town Center. City Council has already approved a license for Admiral Wine and Spirits for this location after MPC certified on July 23, 2010 that the site was permitted for retail sales. (A copy is enclosed.)

The Applicant is in the process of acquiring ½ acre of land to build a two story building in which 3,500 square feet would be the proposed wine store and the remainder for office and storage space.

Staff has recommended against this use because the location is in the peripheral area of the Town Center Zone. However, it is important to point out that there are other uses permitted in the peripheral area of the zone such as hotel/motels, eating and drinking establishments, clubs and lodges and churches which could have a much larger impact on the area via traffic, hours of operation and so forth, than the proposed wine store.

Furthermore, the Town Center Zone permits any other store or shop for retail trade or for rendering personal, professional, or business services which the Planning Commission finds does not produce more noise, odor, dust, vibration, blast or traffic from those that I mentioned above.

The wine store is permitted to operate 6 days a week and must be closed on Christmas, Thanksgiving, Labor Day, July 4<sup>th</sup>, and New Years Day. The Applicant who, along with his son, will be the owner of the store, proposes to close at 9:30 p.m. on weekdays and 10:00 on Friday and Saturday. The traffic impact estimated from this wine store is less than 200 trips per day. In discussions with other owners of similar wine stores in the City of Knoxville the owners find that only 12% of those trips occur after 6:00 p.m.

We submit that the proposed store is a good use for this site which presently is simply a hole in the ground and is difficult to develop. The Applicant also would like to reduce the

parking required and will be applying for a reduction in the number of parking spaces required if the use is approved.

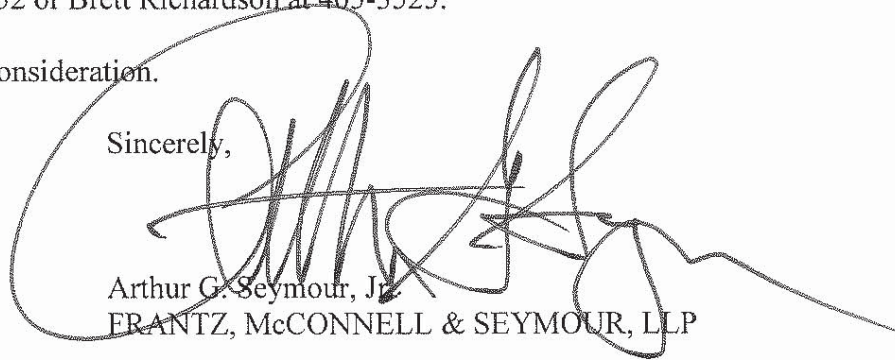
The Applicant feels that permitting this development will go a long ways toward promoting the development of this town center area which has been proposed for over 5 years.

We would urge you to support this development.

If you have any questions about the Richardsons' proposal, please call the undersigned or Chuck Richardson at 524-2452 or Brett Richardson at 405-3525.

We appreciate your consideration.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'AGS', is written over the typed name and firm name.

Arthur G. Seymour, Jr.  
ERANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:alh

S:\WDOX\CLIENTS\5410\0000001\CORRESPO\00661896.DOC



Suite 400 - City County Building  
 400 Main Street  
 Knoxville, Tennessee 37902  
 865-215-2622  
 FAX 215-2068  
 www.knoxmpc.org

# Certification of Zoning

**Request:**

To Be Issued To: *City of Knoxville*

Date of Request: *7/23/2010*

Fee Paid

**Certification Requested By:**

Name: *Brett Richardson*

Address: *416 Kituwah Trail*

Phone: *865-405-3525*

City: *Knoxville*

Fax:

St.: *TN* Zip: *37919*

**Location of Subject Property:**

Physical Address: *9753 S Northshore Drive*

Tax Parcel ID No.: *154 094*

City Block No.:

General Location: *North side of S Northshore Drive , West side of Thunderhead Road*

Name of Business (if applicable): *Admiral Wines and Spirits*

**Certification:**

The Current Zoning of Property as identified above is:

*TC-1 (Town Center)*

The following uses are permitted in the above referenced zone:

Real Estate Offices

Automobile Sales

Truck Sales

Other: *Retail*

Additional Comments:

*This property is subject to all requirements and restrictions of the TC-1 zoning. A copy of the TC-1 zoning information as provided in the City of Knoxville Zoning Ordinances (Article 4, Section 3.12) has been provided.*

A copy of this form will be sent to the Knoxville Beer Board.

To the best of my knowledge and belief, our zoning map is accurate with respect to the subject property. If further certification of zoning is a significant issue, however, it is suggested that you or your attorney search the public record located in the office of the Knoxville City Recorder, City County Building, 400 Main Street, Knoxville, TN (if parcel is in the City) or in the office of the Knox County Clerk, 300 Main Street, Knoxville, TN (if parcel is in the County).

Certified by MPC Staff: *Marc Payne*

Signature:

Date: *7/23/2010*

**From:** Dan Kelly  
**To:** Betty Jo Mahan  
**Date:** 10/12/2010 4:59:25 PM  
**Subject:** Fwd: opposition to proposed liquor store

>>> "snjcampbell tds.net" <snjcampbell@tds.net> 10/12 3:21 PM >>>  
Dan,

I am speaking on behalf of myself, husband, and neighbors in stating our complete and utter opposition to a liquor store next door to Northshore Landing Subdivision on Northshore Drive, Knoxville, TN 37922. The proposed building would be approximately 125 yards from my home, not to mention the dumpster would be at the end of our street. I have 2 elementary aged children and this is not what I want them exposed to on a daily/nightly basis. Customers wishing to purchase alcohol can simply drive less than a mile down the road to the commercialized area. The current location for the proposed store is residential in nature, not commercial. Let us not forget the proposed elementary school in the same location and what message a liquor store next to their playground area would send.

Thank you,  
Sharon and Jason Campbell and family  
9804 Kristi Drive  
Knoxville, TN 37922  
865-671-2750