



# Minutes

## January 12, 2012

1:30 P.M. ◊ Main Assembly Room ◊ City County Building

The Metropolitan Planning Commission met in regular session on January 12, 2012 at 1:30 p.m. in the Main Assembly Room, City/County Building, Knoxville, Tennessee. Members:

	Ms. Rebecca Longmire, Chair		Mr. Michael Kane
	Mr. Robert Anders	**	Mr. Nate Kelly
A	Ms. Ursula Bailey		Mr. Robert Lobetti
	Mr. Bart Carey, Vice Chair		Mr. Brian Pierce
	Ms. Laura Cole		Mr. Jeff Roth
	Mr. Art Clancy		Mr. Jack Sharp
	Mr. George Ewart		Mr. Wes Stowers
	Mr. Stan Johnson		

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\* Arrived late to the meeting.

\*\* Left early in the meeting.

A – Absent from the meeting

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**1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE**

**\* 2. APPROVAL OF JANUARY 12, 2012 AGENDA.**

THIS ITEM WAS APPROVED ON CONSENT.

**\* 3. APPROVAL OF DECEMBER 8, 2011 MINUTES**

THIS ITEM WAS APPROVED ON CONSENT.

**4. REQUEST FOR POSTPONEMENTS, WITHDRAWALS, TABLINGS AND CONSENT ITEMS.**

Automatic Postponements read

**POSTPONEMENTS TO BE VOTED ON READ**

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE POSTPONEMENTS AS READ 30 DAYS UNTIL THE FEBRUARY 9, 2012 MPC MEETING. MOTION CARRIED 14-0. POSTPONED.**

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE POSTPONEMENTS AS READ 60 DAYS UNTIL THE MARCH 8, 2012 MPC MEETING. MOTION CARRIED 14-0. POSTPONED.**

Automatic Withdrawals Read  
None

***WITHDRAWALS REQUIRING MPC ACTION***

None

**REVIEW OF TABLED ITEMS**

METROPOLITAN PLANNING COMMISSION 8-A-08-OA

Amendment of the City of Knoxville Zoning Ordinance adding Section 4.2 (Cumberland Avenue District) to the proposed Article 4, Secti4 (Form Districts) to establish development regulations and standards for the area described in the Cumberland Avenue Corridor Plan. Council District 1.

WILSON RITCHIE 3-F-10-SC

Request closure of Lecil Rd between Asheville Highway and N. Ruggles Ferry Pike, Council District 4.

METROPOLITAN PLANNING COMMISSION 6-A-10-SAP

Ft. Sanders Neighborhood District Long Range Planning Implementation Strategy. Council District 1.

METROPOLITAN PLANNING COMMISSION 7-C-10-SP

Central City Sector Plan Amendment as recommended by the Ft. Sanders Neighborhood District Long Range Planning Implementation Strategy. Council District 1.

WILLOW FORK - GRAHAM CORPORATION 11-SJ-08-C

a. Concept Subdivision Plan  
Southeast side of Maynardville Hwy., southwest side of Quarry Rd., Commission District 7.

b. USE ON REVIEW 11-H-08-UR

Proposed use: Retail subdivision in PC (Planned Commercial) & F (Floodway) District.

HARRISON SPRINGS - EAGLE BEND DEVELOPMENT 4-SC-09-C

a. Concept Subdivision Plan  
Southeast side of Harrison Springs Ln., northeast of Schaeffer Rd., Commission District 6.

b. Use On Review 4-D-09-UR

Proposed use: Detached dwellings in PR (Planned Residential) District.

TIPPIT VILLAGE - SITES TO SEE, INC.

a. Concept Subdivision Plan 9-SA-10-C  
 Northeast side of Andes Rd., north of David Tippit Wy., Commission District 6.

b. Use On Review 9-E-10-UR  
 Proposed use: Detached dwellings in PR (Planned Residential) District.

LONGMIRE SUBDIVISION 1-SA-11-C  
 West side of Tazewell Pk., north of E. Emory Rd., Commission District 8.

BEN H. MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1 2-SO-09-F  
 Intersection of I-40 and McMillan Road, Commission District 8.

METROPOLITAN PLANNING COMMISSION/CITY OF KNOXVILLE 8-O-08-RZ  
 Area generally described from White Avenue to Lake Avenue between CSX Railroad Corridor and Seventeenth Street (See Map), Council District 1. Rezoning from C-3 (General Commercial), C-7 (Pedestrian Commercial), O-1 (Office, Medical & Related Services), O-2 (Civic & Institutional) and R-2 (General Residential) to Cumberland Avenue Form District.

JAMES L. MCCLAIN  
 Southeast side Lovell Rd., northeast side Hickey Rd., Commission District 6.

a. Northwest County Sector Plan Amendment 9-A-09-SP  
 From LDR (Low Density Residential) & STPA (Stream Protection Area) to C (Commercial) & STPA (Stream Protection Area).

b. Rezoning 9-A-09-RZ  
 From A (Agricultural) to CB (Business and Manufacturing).

CITY OF KNOXVILLE 7-D-10-RZ  
 South side Joe Lewis Rd., east of Maryville Pike, Council District 1. Rezoning from I-3 (General Industrial) to R-1 (Low Density Residential).

BUFFAT MILL ESTATES - CLAYTON BANK & TRUST 4-B-10-UR  
 South side of Buffat Mill Rd., north side of McIntyre Rd., Council District 4. Proposed use: Detached dwellings in RP-1 (Planned Residential) District (part pending).

***ITEMS REQUESTED TO BE UNTABLED OR TABLED***

None

**CONSENT ITEMS**

***Items recommended for approval on consent are marked (\*). They will be considered under one motion to approve.***

COMMISSIONER BRIAN PIERCE RECUSED FROM VOTING ON THE CONSENT LIST.

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO HEAR THE CONSENT ITEMS AS READ. MOTION CARRIED 13-0-1.**

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE CONSENT ITEMS AS READ. MOTION CARRIED 13-0-1. APPROVED.**

**Ordinance Amendments:**

- P 5. KNOXVILLE CITY COUNCIL **1-A-12-OA****  
Amendment to the Knoxville Zoning Ordinance regarding appropriate zoning for crematoria in Knoxville.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**Alley or Street Closures:**

None

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

None

**Concepts/Uses on Review:**

None

**Final Subdivisions:**

- P 6. MILLERTOWN COMMERCIAL CENTER **9-SF-11-F****  
West of Millertown Pike, south of Loves Creek Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 7. CARTREF ADDITION RESUBDIVISION OF LOTS 10 & 16 BLOCK A **11-SB-11-F****  
South side of Sherwood Dr, west of Westland Dr., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* 8. PLASTILINE UNIT 1 RESUBDIVISION OF LOT 7 **1-SA-12-F****  
East side of Dannaher Drive, north of E Emory Road, Commission District 7.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **9. PROPERTY OF MARIA STOUT HARDIN** **1-SB-12-F**  
North and South side of Grove Road, east of Mine Road, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **10. JONES SUBDIVISION RESUB OF LOTS 1 & 3** **1-SC-12-F**  
North side of Kimberlin heights Road, west of Jack Jones Road, Commission District 9.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **11. PRATT PROPERTY** **1-SD-12-F**  
North side of Yarnell Road, northeast of Carmichael Road, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **12. JOHN & ANNA HICKMAN PROPERTY** **1-SE-12-F**  
South side of Thorn Grove Pike, west side of Berry Lane, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **13. DOWELL SPRINGS RESUBDIVISION OF LOT 5-R3** **1-SF-12-F**  
Southwest side of Old Weisgarber Road, northwest side of Lonas Springs Drive, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **14. CHESTER COCHRAN PROPERTY** **1-SG-12-F**  
Northeast of intersection of Dutch Valley & Bruhin Road, Council District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Rezoning and Plan Amendment/Rezoning:**

- \* **15. SAMUEL J. BARBRA** **1-A-12-RZ**

North side W. Marine Rd., west of Bush Ln., Commission District 9.  
Rezoning from A (Agricultural) to RA (Low Density Residential).

STAFF RECOMMENDATION: Approve RA (Low Density Residential).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**16. FORT SANDERS, G.P.**

**1-B-12-RZ**

Northeast side N. Central St., northwest side E. Morelia Ave., Council District 5. Rezoning from I-3 (General Industrial) to C-3 (General Commercial).

STAFF RECOMMENDATION: Approve C-3 (General Commercial)

Roger Roberts 1612 Summer Hill Drive

Michael Ronald McMillan, 115 East Morelia, which is right behind that property. The only thing I am concerned about is there is a laundry mat 2 blocks down the street on Central. The need to put another laundry made there, I don't know. Second of all the laundry mat down the street there are no residential houses around it. It is right up in front of Helen Ross McNabb Center and so on. Where this laundry mat is going to be used to be David's Bumpers. They had a regular business ther3. The building has been vacant since he died and his wife sold everything back out. We have all houses in there and children and things like that. The people that we talked to they are working. I got off. They are concerned about the people that will be around the laundry mat hanging out in the alley or whatever doing things when there is one right down the street. We live there. I have a concern. I am not trying to stir up trouble or anything.

Roberts: The business owner representative is here and he can address some of those concerns. I do know that this laundry mat will be attended. It will have an attendant all the time. It will close somewhere around 9 or 10 o'clock at night. It is not to be just an open building for people to come in a wander around. It is going to be attended. I don't know. James Ware is here to represent the business owner himself. I don't know if you want to hear from him or not.

**MOTION (CLANCY) AND SECOND (EWART) WERE MADE TO APPROVE STAFF RECOMMENDATION.**

Michael Kane: I was wondering if the applicant is willing to have any restrictions regarding the time of operation? If they stated that 9 o'clock is what their intended operation is, something from 6 to 9 or something like that.

James Ware: I am from out of state. I am from Calhoun, Georgia. I represent the owner. I build laundry mats and I will be building this laundry mat and installing equipment. We do upscale attended. This

particular laundry mat will be an attended store. The hours normally from 7 a.m. to 10 p.m. usually seven days a week.

Longmire: But you don't know exactly what hours are set for this location?

Ware: Well I mean we can, yes I can say that 7 to 10.

Kane: The reason, I understand this is a difficult situation. You have already got industrial zoning on here, but it is a mixed use area which could be problematic. You have got people living next door and you could have a 24-hour business going on and that is a significant change in peoples quality of life. They have clearly lived with businesses around them and I guess there were not a lot of complaints. Now you have got something that is an unknown. I just think we should at least consider that if the applicant is willing to have some restrictions on the hours of operation, I think we should consider that.

Longmire: Basically what you are asking for Commission is that in the approval we make a condition that the hours are from 7 to 10. Is that something?

Ware: Yes definitely by 11, I know for a fact 11, but 10 would be okay.

Steve Wise: Let me encourage Commissioners that the activity of discussing with an applicant potential restrictions relative to a rezoning would constitute conditional zoning which is not lawful in Tennessee. You have the right to impose conditions within the discretion that is granted to you under the statute, but you do not have the right or the ability or the power to negotiate with an applicant. This discussion is not...

Longmire: So if you wish to make that a condition, you just make the condition.

Kane: Well there is a motion on the table and has been seconded. I just bring it up for discussion in hoping that maybe a modification to the motion.

Longmire: Opposition we have already come to Commission. All in favor of the motion to recommend City Council approve C-3 General Commercial zoning say aye.

**MOTION CARRIED 13-1 (Kane). APPROVED.**

- \* 17. **RONALD E. JONES**  
Southeast side Maryville Pike, west of Chapman Hwy., Council District 1.
  - a. **One Year Plan Amendment**  
From O (Office) to GC (General Commercial).

**1-A-12-PA**

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation on parcel 15 only. (See MPC recommendation map.)

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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**b. Rezoning**

**1-C-12-RZ**

From O-1 (Office, Medical, and Related Services) to C-3 (General Commercial).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning, except for parcel 109IF014 to remain O-1. (See MPC recommendation map.)

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**18. SAGEBRUSH CAPITAL**

Southwest side Middlebrook Pike, southeast of Bob Kirby Rd., Commission District 6.

**a. Northwest County Sector Plan Amendment**

**1-A-12-SP**

From LDR (Low Density Residential) & SLPA (Slope Protection Area) to HDR (High Density Residential) & SLPA (Slope Protection Area).

STAFF RECOMMENDATION: ADOPT RESOLUTION # 1-A-12-SP, amending the Northwest County Sector Plan to MDR (Medium Density Residential) and SLPA (Slope Protection Area) and recommend that County Commission also adopt the amendment

Scott Yates, 777 East Spare Boulevard, Denver, Colorado, I am the development partner with Sagebrush Capital. We are the owner and manager of Walden Legacy Apartments which is a 236 unit apartment complex on Middlebrook Pike adjacent to this site. Our proposed development is on the 10 acres directly adjacent to the site where we are hoping to develop 194 units. We like the location. We feel Walden Legacy is very well positioned in west Knoxville to accommodate growth. This development will benefit from city, state and county expansions of Middlebrook Pike, Lovell Road and Hardin Valley High School. We believe the location is proficient use of developable ground adjacent to an apartment community that has proven very successful. The plan we have shown will have ... hopefully most everyone has received this via email that I sent. The plan is conceptual however it will incorporate the same high end building design that we have incorporated into the development of phase 1 that has been there since 2004. We will step the buildings to accommodate grades on the site. While the plan will likely change to some degree, the proposed unit count of 194 units is the goal of the ownership to develop. So for that we are requesting the high density residential for this site to accommodate the 194 units. The main reason is that this density allows for significant efficiencies of scale. That is both from a building perspective and operational. A building perspective with efficiency of 194 units on this site we are

able to incorporate better building practices. We are intending to build green and go for green certification. What that means is that we will be able to use for local and regional materials. It will incorporate more efficient mechanical and electrical systems and probably more important to this process is we will have more efficient water quality and retention improvements to support drainage. The operational efficiency allows for the project to be feasible to develop and own. This project we feel will benefit the community. It will be a significant economic stimulus to this community. We are looking to make an \$18 million investment in this development. That equates to about a \$12 million investment for construction that will likely go to local subcontractors and suppliers. It will probably to about 100 plus jobs during construction and six permanent jobs following construction. The development will also increase sales tax generation for neighboring retail. That increase in retail demand will attract additional retail uses to the area and provide additional options for employers in the area and it will utilize major transportation investments made by the taxpayers. We feel neighborhood support and community involvement is integral to this process as is with all of our developments. As part of that we have reached out to the neighbors, that is why we don't have opposition here today. We reached out to neighboring residents as well as neighboring commercial uses, explained the development, showed the development plan and explained the 19 units per acre. I have with me today 45 letters of support from all the adjacent neighbors supporting the project and supporting the proposed density that we have. I will hit on slope protection a little bit. Being from out of state I wanted to do some research. I understand that the background of slope protection is to prevent erosion from speculative residential subdivisions. This project is not speculative. We don't plan to build it in phases. We recognize the concern and we intend to spend significant time addressing engineering of this site. We will be working with local civil engineers to fully address water, drainage, and retention. I want to point out that due to utilities and roads, we would excavate the same amount of area when building 100 units as we would 194 units. Our goal is to support the community by providing additional apartment residences. I will leave it at that.

Mike Brusseau: As we talked about on Tuesday the main issue with this site is the slope protection. The adopted policy of the general plan that require limited densities on slopes greater than 15%. When you crunch the numbers, staff recognizes that MDR for the non slope protected areas of this site is appropriate; not HDR we don't feel. MDR is a logical extension of the phase 1 development. If you look at Exhibit E in your package, well over half the site is shown as slope protection on the map. We recognize that areas outside of that are appropriate for MDR but we have to address the slope protected area. As a result of that we ran slope analysis for the area less than 15% we applied the maximum under MDR density which is 12 units per acre and crunched the numbers based on the formulas, which if anybody wishes I certainly can go more in depth,

but basically it comes out that this site based on the slope protection policy supports 44 units which is 4.45 units per acre. We rounded up to 5 units per acre so that is where the density recommendation comes from. The plan as shown would require extensive clearing the grading of the site; shelving in order to accommodate it, complete removal of the sloped vegetated area in the front, depletion of the tree stand that is in place which is stabilizing the slope. The purpose of the slope protection is to protect existing slopes and this is where this comes from. Any consideration of a density greater than 12 units per acre would require high density residential on the sector plan. We certainly feel like that is not appropriate. No one on staff was aware of any location in the county that is designated for HDR so it certainly would be a precedent setting decision if this were approved here. I guess I will leave it at that and just take any questions if you all have any.

Art Clancy: I would like to make a motion; but I will listen to what everybody else has to say first.

Robert Anders: You referred to sending an email out showing the development plan. I didn't receive that. I left my office and came straight over here. Did you send it out via email?

Yates: I did. I used all the email addresses that were on the MPC website. I sent it early last week or the week before. I am sorry if you haven't received that.

Anders: I guess I just missed it. I live out that way and I drive up there a lot. The first Legacy, the Walden Legacy you did, I thought was a great addition down Middlebrook Pike. Conceptually I wanted to tell me is it going to look just like a continuation very similar architectural, setback the same way, that kind of thing?

Yates: It will. Really the buildings themselves architecturally and from a site side they will look the same. The building interiors everything will be different on phase 2 to limit our maintenance on the property. On the outside maybe I can show you this.

Stowers: This discussion on your previous development Mr. Yates is already 12 units per acre and medium density. Is that correct? Yates, that is correct. Stowers: And you are asking for high density here. What does 12 units per acre do for you on this project?

Yates: From an efficiency standpoint 120 units does not get us there. It doesn't allow us to build the type of building that we would like to build on this site. I can build something similar to what is out there right now. But as an ownership group we are not looking to necessarily own what is out there. It has been a great project for us. It has also been a maintenance issue for us. Those buildings as is fairly typical with a lot of three story and four story walk up buildings, there is a lot of maintenance with them if you don't build them on a high end. As a company and as a development company

that moves forward, we are building everything green. We are trying to get LEED certification on everything we do. That increases costs as well. What it means to the community is a better built produce that is out there for the community that is longer lasting.

Stowers: The concern I had looking at this, we have already beat this slope thing until its blue in the face and here we are talking about it. I have walked it, been there. I think it is crazy to limit it to 5 units an acre. There is one place that is steep you wouldn't dream to build. I have looked at their site plan that was emailed to me. They have a retention pond you can float the Queen Mary in. I am not concerned remotely about their ability to control runoff, vegetation... All this can be excavated and graded and done appropriately for the foot print. The concern comes whether we are talking medium density or high density. I was out of town Tuesday and unable to attend the meeting. I am a little ignorant about the fact, Mr. Brusseau, we haven't had HDR ever before. Is that correct?

Brusseau: Nobody on staff is aware of any HDR shown on any sector plan in the county.

Stowers: Fundamentally we have got something there is a, the slope protection at 5 units per acre is a very heavy handed reason not to approve this, at least look at increasing the density. It is very doable. These are apartments and not single family dwellings. There is absolutely no opposition from the neighbors. It is a major investment. It increases housing and it does so with a very efficient use of land. It doesn't tear up as much land as a neighborhood would. So I might make a few more comments in a minute.

Rebecca: Mr. Brusseau, medium density residential is up to 12 units per acre. Brusseau, correct.

Roth Mr. Brusseau is there anything that the applicant could do to his application or to amend his application to change the recommendations of staff as far as dwelling units per acre.

Brusseau: Get more land. Can you do that?

Yates: I can address that. No it is not unfortunately. The Brown family we are purchasing 10 acres from them. They live on the remaining acres up there as well as running a business out of some adjoining acreage up there as well. For the expansion of Walden Legacy we are looking at 10 acres or unfortunately we have to kind of look elsewhere.

Roth: I would like to echo what Commissioner Stowers has said. I think the slope protection issues are valid and it is up to us to take those into consideration. However I do not think they apply in every situation. In this situation the development is not going to be detrimental to the property around it. As a matter of fact it will be

important and be beneficial to the property around it I think we ought to consider approving this recommendation.

Michael Kane: Mr. Stowers that was part of my question. Another issue, I did not have an opportunity to walk the site. What is the elevation change from the area that is considered I guess the 0 to 15 percent slope and up to the yellow on our packet, the 15 to 25. Are we talking 20, 30, 40 feet rise. It was hard for me to tell from the topo map.

Mark Donaldson: From the extreme northern point of the property adjacent to Middlebrook Pike which is at an elevation of about 990 to the extreme southern point which is an elevation of about 1120. We have got 130 feet of elevation change.

Kane: On the internal side though?

Donaldson: Most of the area that is less than 15% slopes is that area immediately adjacent to Middlebrook Pike and a little bit right at the top of the ridge. So the 130 feet is probably accurate for the total change of elevation from the beginning of the 15% slope to the steepest part.

Kane: Right now we don't have any... what does the slope area mean in terms of the application of something like this?

Donaldson: The Northwest County sector plan identifies the slope protection area that is on your map at Exhibit E and the plan simply recommends the use of a planned residential zone. Then there area guidelines as far as making a recommendation on the density. Those are the factors that Mike talked about. When we run those factors utilizing 12 units per acre on that portion of the property that is on land sloped less than 15% and then 2 units per acre and 0.5 unit per acre on the other portions.

Kane: So all that is if this comes in as planned residential, that would all come out during that phase of the project.

Donaldson: In determining the zoning, we would we are recommending the use of a planned residential district, PR, as staff recommended 5 units per acre which is generated by the use of the formula. Once County Commission adopts that ordinance establishing the zoning then that becomes the cap for the density.

Kane: How the apartments are nested and how high and all that kind of stuff based upon how much excavation into the higher areas.

Donaldson: That would be determined during the development plan approval process.

Bart Carey: This is a great working example of all the work we have been doing on slope protection over the last few years. To my

knowledge it is the first time we really sat down since all our debate and discussion to really see how it works. I think it is kind of really interesting right now. In looking at this map, the category that takes up the largest amount of volume or acreage it looks like is that super controversial 15 to 25 percent or at least it is a large part of it. I think we all know the red is forbidden, the green is great, not much of that on here, but that yellow is overwhelmingly dominate in this map we are looking at. To me and I have been saying this for three years, to me it is hard, there is something in that yellow category that is very buildable but it borderlines on up there when you get closer to 25 percent that is not. That is why I have always hoped we could have the category broken down. But since we don't and can't, we have to taken into some common sense practical applications here. I think I saw on his, I and didn't see the email, but there were some cross sections that showed access to the low elevation side and roadways down here as well as some elevation and roadways above cut into the hill which is actually what we have been proposing in our whole. Part of how we manage that slope and how we do that is to have good infill and have high roads and low roads and to manage that. I guess Mr. Brusseau how much are we, you said you could crunch the numbers and elaborate a little bit more. What is that yellow area doing in terms of penalizing density on this project?

Brusseau: The general plan specifically breaks them down, the current general plan, breaks them down into lower three categories: lower than 15 percent, 15 to 25, and 25 or greater. Like you said the yellow area is the 15 to 25 and it limits the residential density to 2 units per acre within that area.

Carey: So that is the major whack here. That is where he is getting whacked.

Brusseau: I would say so considering that is the largest percentage of the site. I will add that the general plan does not specify anything about type of residential development. It doesn't specifically address apartments. It just addresses residential period. That is something that can certainly be taken into account also.

Carey: Apartments are a whole lot less invasive if you will in terms of number of footprints obviously.

Brusseau: Apartments by nature are clustered.

Carey: We are going vertical. What was his total stories on these?

Yates: 3 on one side and 4 on the other.

Carey: Greatly reducing footprint and how he can contain runoff as well. Okay thank you.

Robert Anders: You said and our job is not to approve plans that are financially feasible. I mean that is really not what we are supposed to do. You are saying that if you got the same density that you had in the first phase that that would not work for your guys. I am hard pressed. I agree with the comments that have been made already. I think limiting to 5 dwellings per acre is kind of ludicrous on that. But I am hard pressed to see why we should have a much higher density than what is adjacent which you currently have. I understand from a construction standpoint, but from a planning standpoint. In my mind it would be stretching to get to 12. I may be able to support that. I do not understand why that wouldn't work for you.

Yates: I understand what you are saying. At 12... I understand from your perspective the planning side of it. To that I think we are making more efficient use of the site instead of taking slopes down on 20 acres. We are taking 10 acres. We are taking the slopes down on that 10 acres instead of 20. That is from a planning perspective. From a cost perspective, I understand this is just to provide information and I am happy to share it. In a meeting with Hathaway Construction who built phase 1, it cost \$58,000 a door to build that site. I am looking upwards at \$85,000 a door. That increasing cost in large part it's because of the slopes. Whether or not I build 120 or I build 194, I am going to have to cut down the slopes. Because of that my construction costs from that perspective and from the other perspective of 2004 to day have really risen and that is affecting me a great deal.

Ewart: You are saying 12 units per acre won't work period.

Yates: It doesn't work for us right now.

Ewart: Then I can't support this thing. I can't put 19 units an acre on something that really can't support it. Especially when you have got a development that is abutting adjacent to it that you all have done at 12 units per acre. I was willing to make a motion get this thing to 12 units per acre, but if it does not work then you know I can't support it.

Stowers: On that point my question if it was 12 units per acre or 19 are you getting the extra ones by going vertically or are you going to have to have more buildings?

Yates: It is probably by having more buildings. As shown on that plan right now, it is hard from an architectural or planning perspective to really tell a difference on density between the two, the proposed and the existing. That is because we have a square site right now; before it was long and narrow. I think actually phase 1 will look a lot more dense at 12 units per acre than 19 units per acre would look on a square site.

Clancy On slope Mr. Donaldson you said 140 feet. It is more like 40 right.

Donaldson: from 990 to 1120.

Stowers: I have flown in a helicopter and it is about 100 feet from where the construction is going to be.

Clancy: Thank you Wes. I would like to make a motion that we, and again this may not work, but I kind of have a feeling that if push comes to shove we might be able to find just a little bit more land, but to adopt resolution # 1-A-12-SP amending the Northwest County Sector Plan to MDR (Medium Density Residential) and SLPA (Slope Protection) and recommend that County Commission also adopt the amendment.

**MOTION (CLANCY) AND SECOND (COLE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. APPROVED.**

**b. Rezoning**

**1-D-12-RZ**

From A (Agricultural) to PR (Planned Residential).

STAFF RECOMMENDATION: RECOMMEND the County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac, subject to 1 condition. (Applicant requested 19 du/ac) 1. No clearing or grading of the site prior to use on review plan approval by MPC.

**MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO RECOMMEND THAT COUNTY COMMISSION APPROVE PR (PLANNED RESIDENTIAL) ZONING AT A DENSITY OF 12 UNITS PER ACRE SUBJECT TO THE ONE CONDITION. MOTION CARRIED 13-1. (Kane) APPROVED.**

COMMISSIONER NATE KELLY LEFT THE MEETING.

**19. GRAHAM CORPORATION**

**1-E-12-RZ**

Southwest side Clinton Hwy., northwest side Merchant Dr., Council District 3. Rezoning from SC-2 (Community Shopping Center) & C-6 (General Commercial Park) to C-4 (Highway and Arterial Commercial).

STAFF RECOMMENDATION: Approve C-4 (Highway and Arterial Commercial) zoning, except for parcels 068NA019 and 020 to remain C-6 (General Commercial Park). (See MPC recommendation map.)

Arthur Seymour Jr., 550 West Main Avenue on behalf of Graham Corporation and Mr. Graham is here also. If I may reserve one minute and one half for my rebuttal. We agree about 80% with staff on this. We are requesting, Graham Corporation, is requesting C-4. This is the site of the Expo Center and former Kroger's at Merchants and Clinton Highway. There are also two lots that we are requesting C-4, that is lots 19 and 20 there across from the Weigel store on

Merchants Road. We beg to differ with staff on that. This property is ideally suited for the purpose of C-4 which says this is for to provide areas in which principle use of land is to develop commercial establishments which cater specifically to the needs of motor vehicle oriented trade. That is why we are asking it. There is C-4 all around this property, most of which is Mr. Graham's; but there is also C-4 on the south side of Merchants Road. This area is about to see some increase in business. I think most of you are family with recent opening of Cheddars Restaurant which is on Mr. Graham's property. Just to the west of this property, that is a C-4 site. We are anticipating that there will be more development because of the success of that business. The type of development we are anticipating based on calls is restaurant and convenience stores. The success of Cheddars, I would emphasize, has shown a spotlight on this area. Some would criticize C-4 because it is unplanned, maybe even a bad zone. However, a large part of Pinnacle at Turkey Creek is zoned C-4. That is one of the finer shopping centers in town. That is where Belks, the old Borders store and upscale restaurant Flemings are located. Mr. Graham feels based upon his experience that C-4 is appropriate for all the requested area so it will be consistent with the other property he owns there at that corner. He has a major investment in that corner. He is continuing to work on it even though part of it is vacant to improve it anticipating that there will be further improvements to that area. Directly across the street he recently did a nice strip center sort of northwest corner of Merchants and Clinton Highway that is in a C-4 zone also, Merchants Commons there. Based upon what Mr. Graham has done in the past, and I would emphasis Crown Point Plaza just a couple of miles west of here toward Clinton where Target, Lowes is, that you can anticipate continued good development under the C-4 zone. We would ask that you approve the entirety of his request.

Lynn Redmond, 5246 Oak Hill Lane, I am here as president of Norwood Homeowners Association. We met this past Tuesday night and had a very long discussion of the Graham proposal. The previous discussion was very interesting. It was sort of an either or thing. We are not here to do that. We are big supporters of everything Tim Graham does because his success in this commercial development is very important to us. We are here thinking about the next guy that will own that property. We agree with staff recommendation on the two lots that face Merchants Road. Four years ago we were here at the previous rezoning of this property in which we listened to very good promises of the church. New Hope Presbyterian Church border these to lots. The church was made promises. This would be a buffer zone of C-6. We won't let C-4 get down to you. Well here we are to change that. We agree with staff. This would be an unnecessary intrusion on the church. If the two lots are not big enough for some C-4 development, Mr. Graham has several thousand feet of other C-4 on the east side. This will not harm any development at all, it will just protect the church. That to us is very important and of course it is to the church. The second part of the rezoning request, there is underneath the Expo Center

going all the way to Merchants Road and Clinton Highway is shopping center 2. It is an old zone. It is rarely used. For heavens sake don't flip it to C-4. C-4 is a dirty zone. It is a bad zone. Get in my car with me and ride Clinton Highway and see very pawn shop, every broken down car lot. That is what C-4 gets you. This is too important a property. If Mr. Graham wants to change it to another zone, we have no objection to that. The trick is a planned zone. Whether shopping center 2 or another zone, it needs to be subject to the planning process. Mr. Graham has done many good things under C-4, but he has also done many good things in planned zones as we know. We ask you to either leave it shopping center 2 or work with Mr. Graham to come up with another planned zone that will be flexible enough for him. I will reserve the rest of my time. Thank you.

Seymour: Mr. Redmond is worried about the next guy who comes along. May I introduce him; it is Rob Graham who is sitting right back here. He is working with his father already and will continue to work with him on this property. He has mentioned New Hope Presbyterian Church, a very fine church in the O-1 zone immediately to the west of this site. I think I may have a suggestion that would take care of any concerns there. In C-4 zone the width of any side yard which abuts a residential district shall be not less than 50 feet. We would have no objection to a limitation of a 50-foot setback between New Hope Presbyterian Church, which is a very fine church, I have actually attended church there. My uncle used to do supply in Presbyterian churches and he would take me along with him. Mr. Redmond complains about Clinton Highway. Clinton Highway is on the rebound and the reason it is on the rebound is because of what Mr. Graham has done at Crown Point, what he is doing at this corner. Hopefully his success there will encourage others to come forward and do the upgrades that he has been doing for 10 years in that area and intends to keep doing for the next generation. We would ask that you approve C-4 for all the requested property. Thank you..

Redmond: Very briefly I just want to remind everyone our whole entire community lives or dies over this project. When want Mr. Graham to succeed in every way possible. It is a benefit to the community. It is a benefit to us personally. When we talk about the next guy, I have seen this property under shopping center 1 be an Almart store, another discount department store, a Lowes stores, a Kroger store and an Expo center. Property changes. We all know that. We are not zoning it for the guy up here right now. To change it to a planned zone or keep it a planned zone does not hinder Mr. Graham in any possible way. It still gives him the flexibility that builders and developers all over this county use. When we did a planned town center in the Farragut area, we didn't zone it C-4. We are not zoning the South Knoxville Waterfront C-4. This is a critical intersection in the part of town that we live in. We just ask the same consideration. Again if there were harm involved that this is going to

block a project that might be different. This is just a little common sense for down the road.

Mike Brusseau: I was just looking in the ordinance to verify in my mind some of the differences between C-6 to C-4 specifically how it relates to the church property. Arthur's observation is correct. It requires a 50 foot setback. But the C-6 zone requires a 60-foot setback adjacent to residential and in addition to that it requires a landscaped buffer strip at a minimum depth of 15 feet. That is what needs to be retained and that is why staff is recommending that the C-6 be retained there. Those two properties are down Merchants Drive close to where it changes into two lands. It is getting into a residential area. It is getting out of the area that is appropriate for C-4. Staff believes clearly the intersection of two arterial streets, the area zoned SC-2, we have zero problem with C-4 there. That is certainly a location that is certainly appropriate for it. Those two properties are kind of outliers. The other problem is you give them C-4 and then the next guy comes in wanting C-4. The C-4 should be limited to the vicinity which is a large area adjacent to the intersection of two arterial streets. I will stop there and take any questions.

Clancy: Michael, on all the maps I am looking at I am showing two parcels 19 and 20. 19 is C-4 already. Right?

Brusseau: Incorrect. There is a label on there that says C-4. That label has a little arrow pointing to the adjacent property. It is just a labeling thing on these maps that there is not a whole lot we can do about. They are both currently zoned C-6.

Clancy: So 19 is C-6. There is a lot of C-4 right there and it is right across the street. I am going to make a motion that we recommend City Council approve C-4 for the entire project, entire parcels.

**MOTION (CLANCY) AND SECOND (LOBETTI) WERE MADE TO APPROVE C-4 FOR ENTIRE PARCELS.**

Michael Kane: Mr. Donaldson, I seem to recall there was some kind of initiative for Clinton Highway corridor study if I recall. Is there anything active in that area? Am I mistaken as a possibility.

Donaldson: Either you are mistaken or I am. There may have been brief mention of it. It certainly did not get any traction and we have not taken it any where.

Kane: My assumption is what is going on is the developers want to have as much flexibility as they can regardless of whether or not their intent is to have all the uses that would be allowed under C-4 and allow them the flexibility and get away from planned zones and having any kind of review from staff and this body. It is very difficult in a situation like this where we have a large quantity of C-4 around it as well as C-3. I find it really difficult without some kind of master

plan to understand how we justify not supporting staff recommendation. I understand the protection into the neighborhood and feel like we ought to do that and encourage folks to allow a second vote which would support staff recommendation.

Bart Carey: Mr. Redmond, you make some very good points and I know you are not against this development. You are looking at the back end of this site which is where this property is now. I am sure you would like to see a comparable development to what Mr. Graham has done at other places. I wasn't here Tuesday either. I am not sure how much this has been discussed Should I assume Mr. Seymour that the L shaped C-4 section is also part of this overall development.

Seymour: Yes, Mr. Graham owns the big boundary at C-4 which surrounds the requested area there where the former Krogers was and where the Expo Center is now. Cheddars was the first step in this development.

Carey: Seems like the biggest issue here is going southwest towards what is now the C-6 lots and how they might contribute toward the overall parcel. I am not sure I understood the church requirements Mr. Brusseau. The 50-foot buffer plus a 15-foot green...

Brusseau: It is nothing to do with the church. It is just simply adjacent zoning is R-1. Any kind of residential zoning the C-6 specifics that you have an additional setback in this case 60 feet and even more importantly in our eyes it requires a 15 foot vegetated landscape strip in addition to other landscaping requirements none of which are in C-4.

Carey: Would you go along with that?

Seymour We would be happy with that. Actually the church is on O-1 property isn't it? The school is the R-1 property unless that is another labeling issue.

Johnson: It is another labeling issue the church is zoned R-1.

Seymour: We would be happy agreeing to the buffering and landscaping with the church, on the church side.

Longmire: I would remind Commissioners that we can't negotiate. You need to make statements, but you really can't negotiate.

Carey: My question would be could there be an amended motion to include that language.

Clancy: There could be but there won't be until this one is acted on.

Anders: Commissioner Clancy I wanted clarification on your on motion. What I heard you say was approved C-4 for the entire parcel. So you are intending to include 19 and 20 to C-4.

Clancy: Everything else is pretty much C-6 or C-4. I don't see a whole of sense in.., I mean it is a church. We are right next to it I kind of know. I have an idea of what is going to on on those two lots and I don't have any problem with the way those people develop. I can't pull that into my decision, but I think it a good use of the land.

Longmire: Let's go over the motion. The motion is to re commend that City Council approve C-4 for both that large section that is now labeled SC-2 and the two lots down closer to the church C-6, all of that is C-4. We have a motion and a second any further discussion.

Carey If this motion failed then another motion could be made to include C-6?

Longmire If this motion fails we can entertain another motion.

Upon roll call the Planning Commission voted as follows:

Carey	No
Clancy	Yes
Cole	No
Ewart	Yes
Johnson	No
Kane	No
Lobetti	Yes
Longmire	No
Pierce	No
Roth	Yes
Sharp	Yes
Stowers	No
Anders	No

Motion Failed 5-8

**MOTION (KANE) AND SECOND (ANDERS) WERE MADE TO APPROVE STAFF RECOMMENDATION.**

Upon roll call the Planning Commission voted as follows:

Carey	No
Clancy	No
Cole	Yes
Ewart	No
Johnson	Yes
Kane	Yes
Lobetti	No
Longmire	Yes
Pierce	Yes
Roth	No
Sharp	No

Stowers No  
Anders Yes  
Motion failed 6-7.

**MOTION (CLANCY) AND SECOND (LOBETTI) WERE MADE TO APPROVE C-4 FOR THE ENTIRE PROPERTY WITH THE CONDITION THAT THEY MAINTAIN A 15 FOOT VEGETATIVE BUFFER ALONG THE SOUTHWEST SIDE BETWEEN PARCELS 20 AND 21.**

Longmire: It is perpendicular. It is between the church and the lot.

Carey: I think what we are trying is trying to accomplish on that is to meeting the buffering requirements of C-6. What would bring that it into line with C-6 setback requirements and buffering?

Brusseau: I will read them directly out of the ordinance here. For the side yard setback in C-6 it calls for 20 feet in depth except if the side yard abuts a residential district in which case it shall be 60 feet. That is the building setback. In the landscaping requirements section within the side yards it says a landscaped strip with a minimum depth of 15 feet shall be maintained where the rear or side yard abuts residential zoning. It essentially has to be a 15 foot wide vegetative buffer.

Longmire: And nothing on the front?

Brusseau: C-6 has that requirement also. C-6 has a lot of beneficial requirements which is why we recommend that is stay there. That specifically addresses the side.

Longmire: The motion on the floor and seconded is that there be a 15 foot vegetative border between the church property and the property under consideration.

Carey: Is there a building setback difference between C-4 and C-6?

Brusseau: Yes, 60 feet compared to 50 in C-4..

Stan Johnson: Only thing I am worried about with the C-4 that far in and goes across the street already, is something like a car lot or outdoor display center right beside the church. I am not sure I can even support a C-4 going that far down.

Roth: With the current motion, would that not effectively keeping lot 20 at C-6?

Brusseau: There are other regulations in addition to just that buffer that keeping it in C-6 would keep those in place also, such as a 25 foot front yard setback with a vegetative area also.

Mark Donaldson: C-6 also requires staff approval of a site plan. We are in favor of the act of planning, just the act of putting things on paper to prepare a plan gets folks thinking about things and how they relate to each other.

Brusseau: I would also add too that the uses between the two are not all that different. C-6 even allows car lots. They would have to be screened more so than they would in C-4. The uses are fairly similar in the two zones.

Longmire: So the two things we need to consider between C-4 and C-6 mainly to my point of view is the setback and vegetative barriers and the review, the planning. Those are the two main differences.

Longmire: The motion is, I think I have forgotten it.

Clancy: Recommend City Council approve C-4 for the entire site with one condition that he maintain a 15 foot vegetative buffer between lots 20 and lots 21.

Upon roll call vote the Planning Commission voted as follows:

- Carey Yes
- Clancy Yes
- Cole No
- Ewart Yes
- Johnson No
- Kane No
- Lobetti Yes
- Longmire No
- Pierce Yes
- Roth Yes
- Sharp Yes
- Stowers Yes
- Anders No

**MOTION CARRIED 8-5. APPROVED AS MODIFIED.**

- \* **20. UNIVERSITY COMMONS, LLC**  
 South side Kingston Pike, west of Volunteer Blvd., Council District 1.  
**a. Central City Sector Plan Amendment**  
 From LI (Light Industrial) & STPA (Stream Protection Area) to C (Commercial) & STPA (Stream Protection Area).

**1-B-12-SP**

STAFF RECOMMENDATION: ADOPT RESOLUTION # 1-A-12-SP, amending the Central City Sector Plan to C (Commercial) and STPA (Stream Protection) and recommend that City Council also adopt the amendment

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **b. Rezoning**  
 From RP-3 (Planned Residential) to C-3 (General Commercial).

**1-F-12-RZ**

STAFF RECOMMENDATION: Approve C-3 (k) (General Commercial) zoning with one condition. 1) The site must have at least one other vehicular access point to a street other than Kingston Pike.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**21. METROPOLITAN PLANNING COMMISSION**

Northwest and southeast sides New York Ave., northeast side Stonewall St., southwest side Bragg St. Council District 5.

**a. Central City Sector Plan Amendment**

From HI (Heavy Industrial) & PPOS (Parks and Public Open Space) to LDR (Low Density Residential).

**1-C-12-SP**

STAFF RECOMMENDATION: ADOPT RESOLUTION # 1-C-12-SP, amending the Central City Sector Plan to LDR (Low Density Residential) and recommend that City Council also adopt the amendment.

Alvin Nance, Executive Director of Knoxville's Community Development Corporation. I am here to speak today in support of staff recommendation for the down zoning. KCDC was instrumental in preparing a redevelopment plan for the Lonsdale community. Back in April of 2005 MPC along with representatives of the City of Knoxville, KCDC, representatives from the community residences as well as businesses participated in a design charrette to develop the plan for Lonsdale. Then in August of 2005 the MPC Lonsdale Neighborhood Plan was adopted which at that time KCDC built its redevelopment plan upon that plan that had already been conducted by MPC. I did want to make the members aware of the fact that within that plan that you adopted it did speak to the fact that a buffer between industrial and residential property was needed. The residents will speak of the encroaching industrial use within the residential area. I wanted to come before this body and let you know that the downzoning was consistent with the redevelopment plan itself as far as what was trying to be achieved. With that I will answer any questions you may have of me regarding the redevelopment plan or I would turn over the remaining amount of my time to a couple of residents of Lonsdale that would like to speak.

Longmire: I would like to draw the Commissioner's attention to the fact that we have two 21's and we are dealing with the first one, the sector plan first and then we will go on to the other part of it. There are two number 21's.

Janice Pizzon: 1313 Texas Avenue. I am a resident of Lonsdale as well as president of Heart of Lonsdale. We are in favor of rezoning in the Lonsdale area although we would enjoy and entertain our neighbors communication and having a relationship with them. Lonsdale is currently redeveloping and growing and showing our initiatives in our area and we would love to keep our area a

residential area as well as to see more of our residential properties in the area saved and growing up. We please ask that you all do help us and keep our area a residential sector.

Arthur Seymour, Jr., 550 West Main Avenue, on behalf of Gerdau, formerly known as Gerdau Ameristeel, formerly Ameristeel, the Old Knoxville Iron Company. I am not speaking in favor or against. My request is simple that this matter be postponed for 30 days. I found about this right around Christmas; not from a notice from MPC but because I happened to be scouring some applications that came up. Gerdau has acquired some properties around it. It operates the steel mill down there and has spent millions of dollars and is interested in the same thing Mr. Nance spoke about a few minutes ago, making sure the neighborhood is buffered from its operations. Gerdau has had conversations with property owners on the south side of New York Avenue about possible purchase. (Chair Longmire stepped out.) Gerdau has not had time to really discuss internally this request from MPC. I think the notices just went out two weeks ago to property owners in the area. They are looking at a major redevelopment away from this to the west with the expansion of Western Avenue. We are not opposed to the rezonings on the north side of New York Avenue and there are two others that are coming up that are to the northeast of this map. We are certainly not opposed to those. We are not even opposed to the ones south of New York. We are not in favor of them. We are simply asking for 30 days to meet internally, meet with the City of Knoxville. I have met briefly with Mr. Massey and Mr. Daugherty with the City of Knoxville. (Chair Longmire returned.) We would like to all sit down and disclose our plans to them, Gerdau's plans to them and hear their plans. We have had discussions in the past about this issue. That is simply my request that we be given 30 days to consider this.

Donaldson: In addition to the comments that we heard from Nance and representatives from the Lonsdale neighborhood, I sit on the Infill Housing Overlay committee and we have an active application to build a house on the south side of New York Avenue coincidentally which is currently being restrained by the existing industrial zoning. In addition to the development, they are pretty active with some of their programs in the proposed rezoning area. The My Front Yard program is being actively used in this area. We think it is appropriate to acknowledge that rezoning these particular parcels to I industrial way back when might have been a failed strategy for economic development and that the neighborhood is reclaiming itself along this edge. The rezoning is consistent with the buffering and the greenway planning that was done by the community, by the planning commission staff for this area. We are in fact trying to implement the planning that has been done on over the last 5 years.

Longmire: Because this is an amendment change we have to have a reason. The reason is that the current designation is not consistent with the established and ongoing residential use.

Longmire: Mr. Lobetti would you mind pulling your mike toward you and repeating what you said.

**MOTION (LOBETTI) AND SECOND (STOWERS) WERE MADE TO POSTPONE 30 DAYS.**

Robert Anders: Mr. Seymour this is a pretty straight forward rezoning. What exactly and I am not necessarily against a postponement, but exactly are you wanting to accomplish, what are you hoping to get done in this 30 days?

Seymour: One define what Gerdau intends to do. We have property that fronts on Ely Street. We have been contacted by some property owners and I have not been the one that has been in contact with them on the south side of New York. We just wanted to define what we are going to do up there, meet with the city, meet with the neighborhood organization, perhaps lay out a future strategy for... Mr. Nance and I have had meetings in the past with Gerdau executives to discuss the greenway out there and ways to buffer... This has sort of hit us by surprise because it was filed, I can't remember what day it was filed. I found out right about Christmas time or a few days before. You know how getting a decision over Christmas is very difficult. Part of our management has been out of town since the first of the year. I am not opposed to the zoning. I am not in favor of it or Gerdau is not. They want time to react to this and discuss this. We had already tentatively got meetings set. We don't have a firm date, but it is to be within the next two weeks he told me and try to set a neighborhood meeting after that.

Stowers: The reason I seconded this for 30 days we do this all the time when there is a neighborhood objecting to something. Gerdau is a major part of this neighborhood. I think could be a real positive player in the redevelopment of this area with a buffer and how it is put together. To do this now with Gerdau not even being prepared to address it, I think we can end up with a better solution 30 days from now when they have all sat down together. I personally support the idea of what we are trying to do here. I just want to get it right the first time.

**COMMISSIONER COLE CALLED FOR THE QUESTION.**

Carey: Mr. Nance and Ms. Pizzon, does this put a hardship on you a 30 day?

Pizzon: It does sir. What we would like you all to do and we beseech you to do so is go ahead with the vote. We would love to meet with Mr. Nance, not Mr. Nance, but with Gerdau Corporation as a community. However this is belaboring our development in our area. We have taken our area back. We want to keep it residential.

Carey: I don't think there is any question that we all here are on the same page. This is just a common courtesy type of thing that works both ways. We don't usually work in this fashion, but we are kind of working it both ways right now. That is what we are trying to do right now. Thank you.

Donaldson: There would be one distinct loser in a postponement in this case and that is the gentleman who has the pending application before the Infill Housing Committee literally asking for a building permit for a new house on the south side of New York. A month is important to him.

Anders: He asked for the permit in the zone that is now zoned heavy industrial

Donaldson: He did not learn about the current zoning on his property until he met with us.

Longmire: Commissioner Lobetti would you be willing to expand your motion to include all sections of agenda item no. 21. There are three different staff recommendations. Would you be willing to expand it so that the whole issue is postponed for 30 days.

Lobetti: Yes ma'ame. All of it.

Longmire: And the second is in accord with that?

Stowers: Yes

**MOTION (LOBETTI) AND SECOND (STOWERS) WERE MADE TO POSTPONE ALL OF AGENDA ITEM 21 (A,B,C) FOR 30 DAYS UNTIL FEBRUARY 9, 2012. MOTION CARRIED 13-0. POSTPONED 30 DAYS.**

Northwest and southeast sides New York Ave. and Louisiana Ave., southwest side Sheridan St., northeast side Stonewall St., Council District 5.

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**b. One Year Plan Amendment**

**1-B-12-PA**

From LI (Light Industrial) & MU (Mixed Uses) [(LI (Light Industrial), LDR (Low Density Residential)] to LDR (Low Density Residential).

STAFF RECOMMENDATION: Approve

**MOTION () AND SECOND () WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED -0. APPROVED.**

THIS ITEM WAS POSTPONED 30 DAYS WITH 21A.

**c. Rezoning**

**1-G-12-RZ**

From I-2 (Restricted Manufacturing and Warehousing) / IH-1 (Infill Housing Overlay) to R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay).

THIS ITEM WAS POSTPONED 30 DAYS WITH 21A.

**Uses on Review**

**P 22. REV. ALAN SMITH 11-A-11-UR**  
(3/8/12) South side of Dutchtown Rd., west of Rennboro Rd. Proposed use: Expansion/addition to church and school facility with after school care in A-1 (General Agricultural) District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**\* 23. RANDOLPH ARCHITECTURE R. MARK RANDOLPH 1-A-12-UR**  
North side of Kingston Pike, west of N. Cedar Bluff Rd. Proposed use: Y-12 Federal Credit Union in PC-1 (Retail and Office Park) District. Council District 2.

STAFF RECOMMENDATION: APPROVE the request for a financial establishment (credit union) containing approximately 3,000 square feet of floor space and three drive thru lanes as shown on the development plan, subject to 7 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Adjournment**

**MOTION (CLANCY) WAS MADE TO ADJOURN**

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 3:05 p.m.

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Prepared by: Betty Jo Mahan

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Approved by: Mark Donaldson, Executive Director

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Approved by: Rebecca Longmire, Chair

NOTE: Please see individual staff reports for conditions of approval and the staff recommendation.