



Minutes

July 13, 2006

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

The Metropolitan Planning Commission met in regular session on July 13, 2006 at 1:30 p.m. in the Main Assembly Room, City/County Building, Knoxville, Tennessee. Members:

Mr. Randy Massey, Chair	Mr. Philip French
* Ms. Susan Brown	Mr. Dick Graf
Mr. Robert Anders	Ms. Kimberly Henry
Mr. Trey Benefield	* Mr. Stan Johnson
* Mr. Art Clancy	A Mr. Chester Kilgore
Mr. Herbert Donaldson	Mr. Robert Lobetti
Mr. Ray Evans, Vice Chair	Mr. Jack Sharp
	Ms. Mary Slack

* Arrived late to the meeting.

** Left early in the meeting.

A – Absent from the meeting

1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Buz Johnson called the role.

Mr. Ray Evans led the invocation and Pledge of Allegiance.

* 2. APPROVAL OF JULY 13, 2006 AGENDA

THIS ITEM WAS APPROVED ON CONSENT.

* 3. APPROVAL OF JUNE 8, 2006 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

MS. KIM HENRY RECUSED FROM VOTING ON THE POSTPONEMENT LIST.

MOTION (ANDERS) AND SECOND (BENEFIELD) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE

**AUGUST 10 AND SEPTEMBER 14, 2006 MPC MEETINGS
RESPECTIVELY. MOTION CARRIED 9-0-1.
POSTPONEMENTS APPROVED.**

Automatic Withdrawals Read

WITHDRAWALS REQUIRING MPC ACTION

REVIEW OF TABLED ITEMS

<u>KNOX COUNTY ZONING ORDINANCE AMENDMENT</u>	10-A-04-OA
Definitions and development standards for adult oriented establishments, including, but not limited to, bookstores and motion picture theaters, and changes to related sections	
<u>LAKEVIEW POINT</u>	1-SC-05-C
West side of Fredonia Rd., north of Merchant Dr., Council District 3.	
<u>ROSEBAY PLACE</u>	8-SB-05-C
East side of Rosebay Rd., south of Garden Dr., Council District 4.	
<u>ANDREWS POINTE - GARY ANDREWS</u>	
a. Concept Subdivision Plan South side of Westland Dr., southwest of S. Northshore Dr, Commission District 5.	12-SH-05-C
b. Use On Review Proposed use: Detached single family subdivision in PR (Planned Residential) pending & F (Floodway) District.	12-G-05-UR
<u>WILLIAM H. HARRELL PROPERTY, RESUBDIVISION OF LOT 1R</u>	1-SF-04-F
Southeast side of Buffat Mill Rd., Council District 4.	
<u>HATAUB SUBDIVISION</u>	6-SY-05-F
West side of Hickory Creek Rd., north of Everett Rd., Commission District 6.	
<u>HILL PROPERTY</u>	4-SG-06-F
Northwest side of Greenwell Rd., northeast of Pedigo Rd., Commission District 7.	
<u>SHOREWALKER PLACE, LLC</u>	7-F-05-RZ
South side Middlebrook Pike, southeast side Broome Rd., Council District 2. Rezoning from R-1 (Single Family Residential) to RP-1 (Planned Residential).	
<u>NORMAN SHAW</u>	4-H-06-PA
Northwest side Asheville Hwy., southwest of Grata Rd. One Year Plan Amendment from LDR (Low Density Residential) to O (Office). Council District 6.	

**ITEMS REQUESTED TO BE REMOVED FROM TABLE –
(Indicated with U)**

None

MS. SUSAN BROWN ARRIVED AT THE MEETING AT THIS TIME.

TABLINGS – (Indicated with T)

**MOTION (ANDERS) AND SECOND (SLACK) WERE MADE TO
TABLE ITEMS AS READ. MOTION CARRIED 11-0. TABLED.**

CONSENT ITEMS

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

MR. ART CLANCY ARRIVED AT THE MEETING AT THIS TIME.

**MS. MARY SLACK RECUSED FROM DISCUSSION OR VOTING ON
THE CONSENT ITEMS.**

**MOTION (BROWN) AND SECOND (BENEFIELD) WERE MADE
TO HEAR THE CONSENT ITEMS AS READ. MOTION
CARRIED 11-0-1.**

**MOTION (BROWN) AND SECOND (BENEFIELD) WERE
MADE TO APPROVE CONSENT ITEMSAS READ. MOTION
CARRIED 11-0-1. CONSENT ITEMS APPROVED.**

Ordinance Amendments:

5. METROPOLITAN PLANNING COMMISSION (REVISED)

11-A-05-OA

Amendment to the Knox County Zoning Ordinance, Article 2, Definitions, Section 2.20, and City of Knoxville Zoning Ordinance, Article 2, Definitions, to amend the definition of "family".

STAFF RECOMMENDATION: Approve the residential occupancy standards, residential housing types and associated new and revised definitions as proposed by MPC's task force charged with reviewing the definition of "Family" for both the City of Knoxville and Knox County zoning ordinances.

Mr. Mark Donaldson: Executive Director, MPC. In April County Commission asked MPC to put together a task force on the definition of family in both the Knoxville and Knox County zoning ordinances. A total of 20 neighborhood representatives worked over the months of May and June to craft the product in your packages today. The main thrust of which was to eliminate the use of term family as far as managing residential occupancy

throughout our community and replace that with an adopted set of occupancy standards. The recommendation of the task force is to replace the definition of dwellings that use the term family as an adjective; to create new definitions for those types of dwellings such as house, duplex, and multi-dwelling structures rather than single-family, two-family and multi-family dwellings; to create residential occupancy standards, and to create a status for what we have called a functional family household; and to create some criteria for making that determination. That product is in your package. Taskforce recommends approval. We have forwarded the strategy to the County Law director and they will take it up at their July 24 meeting. City Council will take it up August if you make a recommendation today. Some members of the Task Force would like to address the Commission

Mr. Scott Ballard: 7744 Trophy Run Lane, Member of Task Force. Thanked Commission for allowing the task force to be formed for citizen participation and concerns. Thanked the staff of MPC for facilitating this, in particular Mark Donaldson and Buz Johnson, who provided a forum to have a very open and healthy discussion and debate, which we did. Although we were asked to come up with a new definition of family, that was not an easy task. It was very evident early on that we could not do it through that means. That is when we came up with the residential occupancy approach. As a whole we came out of it with a very long term, workable plan that can be used across the board for all the community. The taskforce was very representative of the Knoxville and Knox County community. We had over 20 people representing various areas of the community, residential, commercial, etc. It was a very positive thing. Ask for your consideration and approval. I think it is a good working document.

Ms. Terry Faulkner, Chair Bearden Council
Thanked MPC for the process of action to resolve this problem. This was a good process with good citizen input. We hope that in the future other problems that affect citizens of Knoxville can be addressed in this efficient manner. This was a really good experience with for all of us. We hope that MPC Commission will lobby with the County Commission and City Council to get this passed.

Mr. Arthur Seymour, Jr. On behalf of Woodlands Inc.
I am not against the ordinance, but to tweak in one respect. Today you approved Item no. 106 a condominium development on Cherokee Trail that will be occupied primarily by students. These will be condominiums with 1, 2, 3 and 4 bedrooms. They would fall within subsection III of proposed City Ordinance and would prohibit 4 students from living together in one condominium with 4 bedrooms. I spoke with Mr. Donaldson this

morning and Mr. Patrick. I understand from them that it is not intended to limit this type of arrangement where you have condominium ownership directed to student occupancy. The problem that arose that started this debate was multiple students and rental houses. Our project on Cherokee Trail and similar developers concentrate students in housing where students are located. We are alleviating part of the problem by putting students together. I do not want to stop the process. We would like to work with the Committee and Mr. Donaldson before it comes up to City Council to tweak to be sure it does not take this type of project out. Our condominium documents limit 1 person per bedroom. So in a 4-bedroom condominium you can only have 4 people.

Mr. Ray Evans: Are you asking for a change involving 4 bedroom condominiums only?

Mr. Seymour: I do not think it is possible to come up with language here today. I am asking for a little leeway to get this tweaked before it comes to City Council. I do not think it was the intent to prohibit this type of arrangements.

Ms. Susan Brown: You have no issues with us acting on it today and amendments could be sent to legislative body at the appropriate time. I do think the task force spent many hours working on a complex issue and had a lot of good representation on it. They are to be thanked for their community service. You would want us to approve today and amend before the City Council.

Mr. Donaldson: That was one of the vigorous discussions that we had relating around condominiums. The expectations that an owner-occupied condominium would have verses renters. It was an issue important enough to identify within the standards. I think I can craft some language that would work. If we could have a recommendation with the condition that we address the particular issue on condominiums, that would be appreciated. I can then use email to notify all the Task Force members and get their input and support.

MOTION (CLANCY) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH STIPULATION THAT LANGUAGE ADDRESS THE CONDOMINIUM ISSUES. MOTION CARRIED 12-0. APPROVED AS AMENDED.

Mr. Ray Evans: It is my understanding that we just gave Mr. Donaldson, the Task Force members and Mr. Seymour the ability to make those changes without coming back before the Planning Commission. Chair agreed.

- P 6. METROPOLITAN PLANNING COMMISSION 7-A-06-OA**
Amendments to the City of Knoxville Zoning Ordinance to allow residential uses within the C-3, C-4 and C-6 Districts.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 7. METROPOLITAN PLANNING COMMISSION 7-B-06-OA**
Amendments to the Knoxville Zoning Ordinance adding to Article 4 a new section creating the IH-1 Infill Housing Overlay to provide infill housing development standards for neighborhoods.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 8. METROPOLITAN PLANNING COMMISSION 7-C-06-OA**
Amendments to the Knox County Zoning Ordinance, Article 5, Section 5.51, EC Employment Center Zone, amending subsections regarding uses permitted, site development standards and administration.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

Alley or Street Closures:

- P 9. CHEROKEE RIDGE, LLC 6-B-06-SC**
Request closure of Stekoa Ln between Schaad Rd. and Stekoa Ln. western cul-de-sac right of way, Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 10. ALVIN AND ILA PERDUE 6-A-06-SC**
Request closure of Hopkins Ave between Mingle Avenue and Northeast property line of 094IE00802, Council District 3.

STAFF RECOMMENDATION: Approve subject to maintenance of the required utility easement and any other required easements.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 11. ALVIN AND ILA PERDUE 7-A-06-AC**
Request closure of Unnamed alley between east corner of parcel 094IE016 and Mall St., Council District 3.

STAFF RECOMMENDATION: Approve subject to any required easements.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12. ALVIN AND ILA PERDUE 7-A-06-SC**

Request closure of Mall St between Hopkins Ave and end of Mall St, Council District 3.

STAFF RECOMMENDATION: Approve subject to any required easements.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Street or Subdivision Name Changes:

- * 13. **SADDLEBROOK DEVELOPMENT, LLC** **7-A-06-SDNC**
Change Westgate Glen to West Arden, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Plans, Studies, Reports:

None

Concepts/Uses on Review:

14. **DUCK COVE** **2-SI-04-C**
East side of Duck Cove Dr., south of Early Rd., Commission District 5.

STAFF RECOMMENDATION: Deny the concept plan.

MOTION (BENEFIELD) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DENIED.

15. **GLENLAKE SUBDIVISION, UNIT 2 (FKA RUFUS H. SMITH JR. & COMPANY ON BALL CAMP PIKE – NORTH SECTION) RUFUS H. SMITH JR. & COMPANY** **5-SG-04-C**
a. **Concept Subdivision Plan**
North of Ball Camp Pike, west of Johnson Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 9 conditions

Mr. Rocky Smith: Would like to have different language on the item on screening of proposed road. Where it says "for the proposed road" you may require this of us and maybe we can refer to the County. We do not think we should be required to do that with a road that is actually not there. One of the concerns we do have is some of the requirements on accessing across the road with County's Schaad extension. I think all those things can be work out with the County at a

later time. I want to go on record that I am not exactly sure what those requirements are going to be by the County.

Mr. Tom Brechko: The chances are that this part of subdivision will begin before the Schaad Road extension comes through there. People buying lots that front along that right-of-way may not be aware of the impact that will actually have. They will be above the highway looking down on it. Staff's position that there needs to be a buffer screening because these are fairly shallow lots. This would buffer them from a 4-lane highway.

Mr. Rufus Smith: We hoped we could put the screening in the slope easement. The slope easement will not be there until the extension. Because it is going to have to be down that slope easement to be able to the screening in the proper place and get the housing in there.

Mr. Trey Benefield: You are not opposed to the screening; you just want to do it after the grading for the road has occurred.

Mr. Smith: It would not serve much purpose to do it now and then that entire slope be taken off and then it is really not screened.

Mr. Brechko: Because lots are at the top of the bank, putting something down the slope may not provide protection that the residents would need. The conditions is stated that it would be put in after road is constructed. There is a construction easement that goes into the lot beyond the slope easement. The road would have to be constructed and then they can put the screening at the top of the bank.

Mr. Art Clancy: There is a road missing that goes into the subdivision. We are approving a subdivision that does not have a road. How are you going to get people in there to develop that?

Mr. Smith: We are a little concerned about that. We feel like the County will work with us. They say we will work through that. There is actually no collector there that we enter into. We will have to come across the connector into Glenlake and access it that way. We will work with the County on that.

MOTION (CLANCY) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. APPROVED.

b. Use on Review

5-M-04-UR

Proposed use: Detached Single-family Subdivision in PR (Planned Residential) District. Commission District 6.

STAFF RECOMMENDATION: Approve the development plan for up to 56 detached single family dwellings on individual lots subject to 3 conditions.

MOTION (CLANCY) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. APPROVED.

16. WOOD CREEK SOUTH - OAKLEIGH, GP

4-SF-06-C

a. Concept Subdivision Plan

North side of Tipton Station Rd., east of Twin Creek Rd., Commission District 9.

STAFF RECOMMENDATION: Approve the concept plan subject to 11 conditions

Mr. Scott Ballard: 7744 Trophy Run Lane, representing the South Doyle Homeowners group.

We are not in opposition to the plan. We reviewed conditions and feel like needs to be 2-3 things addressed. First and foremost is traffic. After review of traffic study it looked light and did not take in traffic problems at Bonnie Cate Elementary in the mornings and afternoons. Another issue is density. We are looking at over 201 homes. We are concerned that infrastructure is good. We would like to see a report from Knox Chapman Utility District as we go through the process saying their current system can handle the 200 houses without an upgrade. We want to see controlled growth.

Mr. John King: PO. Box 3435 37920, on behalf of applicant
Indeed there was a traffic study done and reviewed by staff. I have reviewed portions of it. The important part is they say Tipton Station Road is adequate to handle this even projected into the future as far as volume of traffic. This was rezoned in February. Prior to rezoning the major portion of the property was zoned RB which could have been developed out at 7500 sq. ft. lots or up to 12 units per acre. Remaining portion was zoned Commercial. Request for approval is for up to 201 lots and we know we are not going to be able to get that many in especially with the 11 conditions. Between now and the time this matter can be appealed if they desire to do so anybody can check with Knox Chapman on utilities. History is that the development is what causes upgrades; not before

MOTION (EVANS) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. APPROVED.

b. Use On Review

4-I-06-UR

Proposed use: Detached single-family subdivision in PR (Planned Residential) Pending District.

STAFF RECOMMENDATION: Approve the development plan for up to 201 detached single family dwellings on individual lots subject to 2 conditions.

MOTION (BROWN) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. APPROVED.

P 17. NORTHSHORE DR. SUBDIVISION - HOLROB INVESTMENTS, LLC

6-SD-06-C

South side of S. Northshore Dr., north side of Crystal Lake Dr. Council District 2 & Commission District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*** 18. SUMTER PLACE**

7-SA-06-C

East & south side of Salem Church Rd., north of Fort Sumter Rd, Commission District 8.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 10 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 19. BLUE GRASS VILLAGE - JOE TOUCHTON

7-SB-06-C

a. Concept Subdivision Plan

Southeast side of Bluegrass Rd., northeast of Legacy Park Rd., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Use On Review

7-B-06-UR

Proposed use: Detached single family subdivision in PR (Planned Residential) District.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 20. PBM PROPERTIES - JOE TOUCHTON

7-SC-06-C

a. Concept Subdivision Plan

Southwest side of Dogwood Rd., southeast of Solway Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Use On Review

7-D-06-UR

Proposed use: Detached single family subdivision in PR (Planned Residential) District.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 21. COVERED BRIDGE AT HARDIN VALLEY, UNIT 2 - CORNERSTONE DEVELOPMENT GROUP

a. Concept Subdivision Plan

7-SD-06-C

Northeast side of East Gallaher Ferry Rd., north of Hardin Valley Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Use On Review

7-C-06-UR

Proposed use: Detached Single-family Subdivision in PR (Planned Residential) & PR (Planned Residential) Pending District.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*** 22. TIMBERLAKE, UNIT 4 - REVISED**

7-SE-06-C

North end of Kiva Dunes Ln., north of Surfside Shores Ln., Commission District 7.

STAFF RECOMMENDATION: Approve the applicant's request for a revision to condition #5 of the conditions of approval for file number 2-SB-06-C subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

23. WITHDRAWN PRIOR TO PUBLICATION

**7-SF-06-C
7-G-06-UR**

*** 24. BUFFAT MILL ESTATES, REVISED - SBC**

a. Concept Subdivision Plan

7-SG-06-C

South side of Buffat Mill Rd., north side of McIntyre Rd, Council District 4.

STAFF RECOMMENDATION: Approve variance 1 and the concept plan subject to 12 conditions

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*** b. Use On Review**

7-L-06-UR

Proposed use: Detached single family subdivision in RP-1 (Planned Residential) District.

STAFF RECOMMENDATION: Approve the plan for up to 151 detached single family dwellings on individual lots subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 25. SHANNON VALLEY FARM CONDOMINIUM - SOUTHLAND GROUP, INC.

a. Concept Subdivision Plan

West side of Murphy Rd., north of Summer Rose Blvd., Commission District 8.

7-SH-06-C

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Use On Review

Proposed use: Attached single-family subdivision in PR (Planned Residential) & PR (Planned Residential) Pending District.

7-I-06-UR

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 26. RIVER MEADOWS - JIM SULLIVAN

a. Concept Subdivision Plan

South side of Mascot Rd., west side of Saylor's Ford Rd., Commission District 8.

7-SI-06-C

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Use On Review

Proposed use: Detached single-family subdivision in PR (Planned Residential) District.

7-F-06-UR

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

27. NORRIS FREEWAY COMMERCIAL CENTER - CROSSROADS GENERAL PARTNERSHIP

a. Concept Subdivision Plan

Northeast side of Norris Freeway, north of E. Emory Rd., south of Whitworth Dr., Commission District 7.

7-SJ-06-C

STAFF RECOMMENDATION: Approve variances 1 & 2 and the concept plan subject to 13 conditions.

MS. KIM HENRY RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

Mr. Arthur Seymour, Jr., 550 West Main Ave. on behalf of applicant. The applicant agrees with all the conditions of staff report. Site traffic engineer and civil work support are here. Turn it over to Mr. Bud Cullum, developer.

Mr. Bud Cullom: 6312 Kingston Pike, This was rezoned shopping center 6 years ago and we were involved in the project then. We have put together a site plan and have addressed traffic. We have met with County Engineering and State Department of

Transportation going through issues. I met with residents whose property adjoins my property from Carrington Subdivision and McCloud Landing. I issued a challenge to the engineers with regards to the drainage not only to comply with ordinances in place now, but to look at ordinances on the drawing board to be upgraded, and exceed that. They have met that challenge and gone over this with County Engineering. People have said we will be tying this project into Andersonville Pike and that is not correct. The plan shows a road coming in and stopping about 350 feet from Andersonville Pike. Staff when we had some preliminary meetings discussed the possibility in the future. I said if the community wants it and we can engineer it in the future, we will go along with it. Reiterate no current plan to connect to Andersonville Pike and if there ever was a plan it would have to come back before this body.

Mr. David Sharp: 3924 Arline Drive across from this proposed development

You recommended that the rezoning be denied and the County overturned your decision. I prefer your professional decision over their political decision. It is difficult as a neighborhood to remain focused over time and our costs cannot be expensed. Our neighborhoods have not had time to review the plan and study it in depth. While we prefer it to go away, at this time we seek cooperation of MPC and developers to make the development more compatible with neighborhoods. I am representing 6 neighborhoods and 500 people that signed petitions. We do intend to make comments to the concept and development plan. Our questions, thoughts and recommendations are as follows. We were informed by developers that they intended to 4-lane Emory between Norris Freeway and Andersonville Pike. But it is not shown on the concept plan. We request that Norris Freeway be a divided highway appropriately landscaped and with adequate turn lanes. We are aware Norris Freeway is a scenic State Highway and the developers have indicated this does not matter to them. After I talked with Mr. Corum of TDOT, it is my impression that they are favorably influenced by recommendations of the professional staff of MPC and request that a divided highway be shown on the concept plan from Emory Road to Carrington Place Subdivision. We are requesting that the lighting be as low as is legally allowed and that all signage be eliminated and not allowed except on buildings within the development and any out parcels to be bought in future. This includes Emory Road and Norris Freeway. We need to preserve the beauty of scenic Norris Freeway and avoid neighborhood annoyance lighting if possible. We are concerned about buffer zones and noise created by motors unloading tractor trailers late at night. It would be appreciated if trucks could be unloaded in the day prior to 10:00 p.m. If Walmart should demand signage we

recommend a non illuminated sign architecturally with a height of no more than 4 or 5 feet as in a resort area. Request that condition one be reworded as follows: connection of sanitary sewer to Hallsdale Powell Utility District subject to a letter of approval from TDEC. Terminology to meet requirements of Knox County Health Department implies to us a large complex septic tank system which is unacceptable and makes no common sense since the sewer connection with Hallsdale Powell are immediately available. Second we in the Freeway Subdivision object to the red-light at the second entrance into the development or even the second entrance for fear we will experience a great deal of cut through traffic from Norris Freeway to Emory Road and vice-versa which will place the children of our subdivision in jeopardy. Item 8 alludes to a public street. We suspect they will be back sooner than you expect requesting this street to be extended. However, before you approve such a road you need to go to the school at 2:30 p.m. to pick up kids at Halls Elementary and see the mess. Stream is about 150 feet north of current entrance which should be brought to attention of TDEC and be properly handled as they require. There is a free running stream which runs continuously regardless of drought. Walmart proclaims to take an active role in the community and wants their stores to be aesthetically pleasing. This is hard to believe because they do not do it unless required to by Planning Commission's such as you. I have received no response from my polite and courteous letter to Walmart dated February 15, 2006. Southern portion of property floods occasionally and makes Norris Freeway impassable. This has happened twice in my lifetime. Appreciate our recommendations being made as a part of the motion.

Mr. Cullom: My traffic engineer will have to speak to Emory Road being four lane and Norris Freeway being divided with median. With respect to keeping lighting as low as legally possible, we have already asked that the lighting be lowered significantly from standard size lighting poles that Walmart and Home Depot use. I am not sure of the legal minimum. We are trying to make the lights lower than the top of the building to screen from behind. Other than signage on buildings, we intend to come back with a sign package that would be another issue that would have to come before you as a use on review. We would like to do a stone or brick monument sign that is backlight or internally illuminated. We have discussed with both of the anchor tenants about tractor trucks being scheduled. I am going to go out on a limb and say that we can enforce delivery times of trucks unloading. Regarding entrances, when we came before MPC and zoning it was more conceptual. At that time we had three entrances off Norris Freeway shown and now we have two. In tying into Andersonville Pike, if it never ever extends onto Andersonville Pike it is fine with me. If the

community and County could play a broader scope in road improvements and if our project could help with elementary school in any way and it is deemed that it would be acceptable and desired with the community, we will go along with it. As far as stream we have had TDEC and environmental officials as well as County Engineering on the site. Our plan is to probably form an architectural control committee. We are going to require both Walmart and Home Depot to go beyond their normal. There are some details I am still negotiating with both of these buildings and we think it will exceed what is submitted. We want them to tie into architecture of the area and other shops to be built there.

Mr. Dick Graf: There is no problem with the concept plan. It looks like concerns go on the use on review side.

Mr. Randy Massey: Opposition has requested letter of approval from TDEC for sewage and stream.

Mr. Grant Berry: Site Inc. 2033 Castaic Lane Site There is sewer on site by Hallsdale Powell Utility. We plan to utilize that. Portion will be relocated. Part of standard permitting process for all water and sewer connections in the State of Tennessee approval from TDEC is required and will be obtained prior to construction commencing.

MOTION (GRAF) AND SECOND (LOBETTI) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-0-1. APPROVED.

MR. STAN JOHNSON ARRIVED AT THE MEETING AT THIS TIME.

b. Use On Review

7-K-06-UR

Proposed use: Commercial Subdivision in SC (Shopping Center) District.

STAFF RECOMMENDATION: Approve the development plan for up to 358,500 sq. ft. of retail space on three lots within the SC zoning district, subject to 5 conditions.

Mr. Dick Graf: When we try to condition these things, we probably do not do a good job. It did not look like there is much to argue about. They are addressing the lighting, but they do not know the acceptable level. The signs are going to come back to us anyway. TDEC has been addressed. Can we approve this so that they can go on with their project subject to getting appropriate answers on the lighting, signage, sewer, and TDEC?

Mr. Tom Brechko: Other than issue of signage which will require them to come back and the connection to Andersonville Pike if

that is ever proposed, once this is approved their next step is to go to engineering and submit their plans for grading and drainage and inspections department for building site plans. There is very little in the standards as far as lighting. Issues on traffic analysis and turn lanes, the concept and use on review show four lanes along the front of the property. The traffic study shows the proposed plans for four lanes and all the turn lanes from the northern entrance of this site all the way down to Emory Road. All of that is part of the application before you. (Mr. Graf asked if Mr. Brechko felt the issues had been covered adequately.) There still is the safety issue that needs to be addressed within the parking lot for having adequate lighting on the site. You could have a condition as part of the use on review as to the hours that loading would be allowed. It would become an enforcement issue if they do not meet that requirement once you put it in. Drainage is going to be addressed by the County and TDEC. All plats are signed off by the health department. It either says subject to septic systems or installation of sewers. In this case it would be sewer. The next step is the design plan. Before we accept a final plat they have to provide a certification from the utility company that they have reviewed and approved the design plans for the water and sewer systems. A lot of those things are addressed through the review process.

Mr. Randy Massey: You could put a condition for approval of the use on review restricted to a monument sign on it.

Mr. Brechko: They also have to deal with location of the signs and property boundary and what the ordinance allows. They understand their sign plan is coming back before the Planning Commission for approval. You could do it now or address that when they bring their sign plan back.

Mr. Sharp: We are interested in not starting commercial signage out the freeway. This divided highway is important as far as appearance to the scenic. Understand State takes it to the main entrance and they take it to Carrington Place. Fred Corum is influenced greatly by your recommendations. There is plenty of property and we are very much interest in a divided highway with proper turn lanes. Also we are not interested in a large complex sewer septic tank rather than connection to Hallsdale Powell approved by TDEC.

Mr. Cullom: A divided highway is a lot of right-of-way. I think we could do better by getting an easement agreement from TDOT and landscape and maintain the rest of the right-of-way 75 to 100 feet of right-of-way which otherwise would remain un-landscaped and maintained by TDOT. I think we could make it look a lot better. It is my understanding that TDOT would

decide how that goes. The plan for it right now is for it not to be divided.

Mr. Brechko: You could put a condition on it, but it would be subject to TDOT approval. You could put wording to work with TDOT on addressing median for this proposed section of the road. The turn lanes they have addressed in their traffic study. The thing that is not a part of it is the median.

Mr. Sharp: If you all will add making it divided subject to TDOT, that is fine with us.

Mr. Graf: Let's add to use on review extending the divided highway subject to TDOT's recommendation and the times when trucks stop loading and unloading at night at 10:00 p.m.

Mr. Seymour: If you put the hours for not loading I would put 10:30 p.m. to 6:30 a.m.

Ms .Gloria Welch: Andersonville Pike

Since there are unanswered questions about the design the developer spoke about Home Depot and Wal Mart getting together on the design and other questions and suggestions Mr. Sharp has made, I am asking that it be tabled or denied. I am asking for this since there is so much community opposition to this. Norris Freeway is a rural two-lane road. It is far off the main Maynardville Highway. It is in a rural and residential area. It really does not fit in. We would like more time to work with the developer before it is approved.

Mr. Graf: I would suggest that we use 10:30 p.m. to 6:30 p.m. on the loading hours.

Mr. Seymour: Would that read that TDOT be requested to make that a divided highway at that point? Graf answer yes.

Mr. Massey: We have the divided highway issues requesting TDOT make it a divided highway. We have the lighting situation which the developer has assured us he will work on. We have a restriction of no loading and unloading of trucks from 10:30 p.m. to 6:30 a.m. We are going to put the monument sign restriction and that the sign needs to come back as a monument sign. And we have a letter for sanitary sewer system approval per TDEC connected to Hallsdale Powell Utility District.

Ms. Brown asked if applicant would be coming back with a sign plan.

Mr. Seymour: The shopping center sign will be a monument sign, lighted as he said, and the rest of the signage will be

building mounted other than directional signage within the center itself.

Mr. Smith: Am not interested in individual illuminated signs on the Freeway and out parcels. We were held restricted on the sign at our bank.

MOTION (GRAF) AND SECOND (ANDERS) WERE MADE TO APPROVE STAFF RECOMMENDATION AS MODIFIED WITH 5 ADDITIONAL CONDITIONS.

Mr. Ray Evans: Rarely do we have a developer that is willing to go along with so many restrictions. The property is going to be commercial. You should be congratulated for that. It sounds like a nice development. The community may not get everything they want. This is a high level of restrictions we are putting on this motion.

MOTION CARRIED 12-0-1. APPROVED.

28. THE VILLAGE AT HARDIN VALLEY- JIMMIE DOSS & JAMES PINKSTON

a. Concept Subdivision Plan

South side of Hardin Valley Rd., east of Bryant Ln., Commission District 6.

7-SK-06-C

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 10 conditions.

MS. KIM HENRY RECUSED FROM VOITNG OR DISCUSSION OF THIS ITEM.

Mr. John King: This was originally submitted included the planned commercial portion as well as property to rear with residential development on that portion of the rear. During the review process it became apparent to us and staff raised some issues, when we looked at our deisgn it became apparent that some of residential to the rear was not going to work. We eliminated one building and there is still some massaging going on with that. We talked to Mr. Johnson about some additional matters on that portion of it. When removed that one building we were giving more slope protection to the rear and at the same time it did not seems retaining wall was economically feasible. We have before just the front planned commercial portion of the development. It is my understanding that staff has recommended approval of that commercial portion with those variances as requested. The rear we will develop another day. We will still have to go before the Tech Corridor Board as we go along and back before this body. Tech Corridor Board approved the commercial portion of it and denied the back portion which is not before you today.

Mr. Jerry Huffman 2212 Grenich Lane 37932, representing the Board of Directors of Britton Farms off Hardin Valley Road
Hearing what I heard will shorten what I have to say. I do not bring opposition to the commercial center. Our opposition was to oppose the residential portion. Item lists this as a residential development and yet I have information that 168 apartments were part of the planning. I would like to go on record even though he is not going to do them now, if those apartments were to be built the project would not be consistent with the surrounding properties and current zoning. Multi-resident to us does not mean 3 students in an apartment. It just does not seem consistent with the rest of the area. Traffic on Hardin Valley is horrendous as it is. If you put 504 students in 168 apartments, you add that many more cars. The commercial center will add more cars also. We have sidewalks there and we love them. That is a lot more traffic to come out of the subdivisions that are there. We want to be on record that we want to oppose apartments. We do not oppose the commercial.

Mr. Brian Hawthorn 2006 Cypress Wood Lane, from Hardin Valley Woods

Although there has been a lot of questions about traffic and signage I am here to I speak to environmental concerns. If you look at the USGS quadrant map, there is a blue line stream on the proeprty. Blue line streams are subject to local and Federal protections. The draft Knox County Stormwater Ordinance section 3.5-21, sections f2, 3 and 4 all refer to blue line stream. They dictate that they have to be preserved during development. The project development has no reference to the stream on it. It is the head waters of Conners Creek that flows into Melton Hill Lake. Stormwater ordinances dictates that it should have a buffer zone 15 feet deep on either side of it, which is not apparent on the drawing, and waterway should not be moved. Under the current design the waterway goes through the super market, parking lot and other structures on the property. This encroaches on Section 404 of the Federal Clean Water Act. Since plan does not have any protection for stream it should be denied. HANDED OUT MATERIALS FOR THE RECORD.

Mr. John King: Michael Brady and applicant are going to be using a permeable pavement in this commercial portion of it. They are already working with TDEC on stream and mitigation that TDEC will require. TDEC issues the permits that allows them to do development. I do not see that as an issue. As far as traffic, there will be a traffic light added. Traffic capacity exists to support the project. Installation of the traffic light will certainly improve the situation as far as our entrance is concerned.

Mr. Ray Evans: There is going to be a traffic light for this project. The only thing before us is commercial. Concerns about stream are valid and should be addressed with Knox County Engineering in compliance with TDEC. You in the area should stay in contact with TDEC and Knox County Engineering and make sure that all your issues are addressed.

Mr. Trey Benefield: Asked about permeable pavement and if was throughout the whole area. Asked County Engineering about blue line stream.

Ms. Cindy Pionke: County Engineering, We will be relying on TDEC for the blue line stream determination and go with whatever they say as far as the permitting process.

Mr. Brechko: One point on the apartments that are eliminated from the plan. If they have a proposal for doing less than 12 dwelling units per acre, it does not come back to this body. It is only if plan is for 12 or more units will it come before the Planning Commission because it is in the OB zone and would be permitted use subject to getting approval from Inspections for the building plans and design and engineering for grading.

Mr. King: When we eliminated the building that is what happened. It went below 12 and that is our current intention is below 12 units per acre. Even if it is below 12 units, we still have to go through Tech Corridor Board for certificate of appropriateness. We do not have to come back here, but we still have to go to the Tech Corridor Board.

MOTION (EVANS) AND SECOND (CLANCY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0-1. APPROVED.

b. Use On Review

6-J-06-UR

Proposed use: Commercial & multi-family residential development in PC (Planned Commercial) & OB (Office, Medical and Related Services) District.

STAFF RECOMMENDATION: Approve the request for up to 127,000 sq. ft. of retail space within the PC zoned portion of the site as shown on the development plan subject to 10 conditions. Eliminate the portion of the plan pertaining to the proposed multi-family development.

MOTION (EVANS) AND SECOND (CLANCY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0-1. APPROVED.

A BREAK WAS TAKEN FROM 3:00 P.M. TO 3:10 P.M.

Final Subdivisions:

- 29. RESUBDIVISION OF JAMES SLYMAN & B. H. NICELY PROPERTY** **2-SF-04-F**
Northwest side of Tazewell Pike, north end of Clapps Chapel Rd.,
Commission District 8.

STAFF RECOMMENDATION: Deny

Mr. Tom Brechko: This was removed from the table last month.
We have not received a revised plat or action.

MOTION (BROWN) AND SECOND (GRAF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.

- W 30. FARMER PROPERTY** **6-SJ-04-F**
South side of Majors Rd, east of Tell Mynatt Rd., Commission
District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- * 31. VICTORIA'S LANDING, UNIT 3** **9-SE-04-F**
East end of Silveredge Rd, south of Peony Dr., Commission
District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 32. GLADYS M. BRASHER PROPERTY** **1-SG-05-F**
North side of Legg Ln., northwest side of Millertown Pk.,
Commission District 8.

STAFF RECOMMENDATION: Deny

Mr. Tom Brechko: Same as the prior final. It was untabled and no
action requested. Staff recommends denial.

MOTION (GRAF) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.

- * 33. W. M. MCNEELY ADDITION** **1-SN-06-F**
Northwest side of Cecil Ave, southwest of Citrus St, Council
District 2.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 34. TAYLOR'S VIEW, PHASE II 2-SQ-06-F**
At terminus of Taylor's View Ln south east of Meredith Rd,
Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 35. JOHN HILL PROPERTY 4-SF-06-F**
Southwest side of Hill Rd., southeast of Pleasant Gap Dr.
Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- T 36. EMORY PLACE 4-SX-06-F**
Northwest side of E. Emory Rd, southwest of Bishop Rd,
Commission District 6.

THIS ITEM WAS TABLED EARLIER IN THE MEETING.

- * 37. H. W. SWAN ADDITION TO KNOXVILLE 5-SD-06-F**
East side of Tennessee River, west of Cherokee Trail, north side
of Scottish Pike, Council District 1.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 38. VARNELL PROPERTY ON DERRIS DRIVE 5-SP-06-F**
North side of Derris Drive, East of Wrights Ferry Road,
Commission District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 39. BRUCE BUNCH PROPERTY 6-SF-06-F**
Southeast side of Pittman Road, northeast of Gray Beal Road,
Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 40. RHINES PROPERTY 6-SI-06-F**
Northwest side of Tarklin Valley Road, southwest of Pickens Gap
Road, Commission District 9.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- W 41. W. T. LOWE ADDITION, RESUB. OF P/O LOT 50 6-SN-06-F**
Southwest intersection of Tillery Drive and Bounds Road,
Commission District 3.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- P 42. BRUHIN VILLAS APARTMENTS 6-SR-06-F**
West side of Bruhin Road, south of Broadview Drive, Council
District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 43. THOMPSON TRAIL 6-SW-06-F**
Northeast side of Thompson Road, southeast of Hardin Valley
Road, Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 44. STRONGS ADDITION, RESUB. OF LOTS 8R, 9R, & 10R 6-SZ-06-F**
Southeast side of McDaniel Road, Southwest of Brandville Road,
Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 45. ROBERT & SHARON MORTON PROPERTY 6-SDD-06-F**
Southeast side of Callahan Drive, southwest of Keck Road,
Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 46. CREEK RIDGE APARTMENTS 7-SA-06-F**
West of intersection of Pleasant Ridge Road and Merchant Drive,
northeast of Pleasant Ridge Road, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 47. HAZEN ADDITION, RESUB. OF LOTS 368 & 369 7-SB-06-F**
Southeast side of Jefferson Avenue, northeast of Spruce Street,
Council District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 48. JAY G. SHERRED PROPERTY 7-SC-06-F**
North side of Strawberry Plains Pike, east of S. Woodale Road,
Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 49. BRIGHT PROPERTY 7-SD-06-F**
Southeast side of Fort Sumter Road, southwest of Daniels Road,
Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 50. RUSHLAND PARK, PHASE III 7-SE-06-F**
North of Millertown Pike, west of Harris Road, Commission District
8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 51. JIM & BRENDA ROBERTS PROPERTY 7-SF-06-F**
Northeast side of Jim Wolfe Road, southeast of Tazewell Pike,
Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 52. BRIDGES PROPERTY 7-SG-06-F**
Northeast side of Carpenter Road, northwest of Patriot Way,
Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 53. BEAUMARIS 7-SH-06-F**
Northwest side of Dry Gap Pike, northeast of Jim Sterchi Road,
Council District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 54. WHISPER RIDGE, UNIT 2 7-SI-06-F**
West side of Maloneyville Road, south of McNeely Road,
Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 55. **DAMERON'S ADDITION TO KNOXVILLE, RESUB. OF LOT 120R** 7-SJ-06-F
Northeast side of Wray Street, northwest of Bernard Avenue, Council District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 56. **GROVE HEIGHTS, RESUB. OF LOTS 6 & 7** 7-SK-06-F
Northwest side of Sutherland Avenue, northeast of Liberty Street, Council District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 57. WEATHERSTONE, UNIT 9** 7-SL-06-F
Northeast terminus of Laurel Ridge Lane, north of Autumn Valley, southwest of Pipkin Lane, Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 58. **WEATHERSTONE, UNIT 8** 7-SM-06-F
Northwest side of Autumn Valley Lane at northeast terminus of Sunny Springs Lane, Council District 2.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 59. YOUNG'S CEDAR GROVE ADDITION** 7-SN-06-F
Southwest corner of Hillview Avenue and Cedarwood Street intersection, Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 60. **MECHANICSVILLE RESUB. OF LOT 1R1** 7-SO-06-F
Southwest intersection of W. Fifth Avenue and Arthur Street, Council District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 61. **HARDIN VALLEY CROWN CENTER** 7-SP-06-F

Southeast side of Hardin Valley Road, northeast of Pellissippi Parkway, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **62. CHATHAM VILLAGE, RESUB. OF LOT 4** **7-SQ-06-F**
Southeast side of Chatham Circle, northeast of Park Hill Circle, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **63. KENNON SPRINGS RESUB. OF LOTS 1-8** **7-SR-06-F**
Northeast side of Kennon Road, northeast of I-40, Council District 2.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **64. KENWOOD** **7-SS-06-F**
Southwest corner of Snyder School Road and Black Road, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **65. C. SCHNEIDERS 2ND ADDITION, PART OF LOT 15 AND ACREAGE** **7-ST-06-F**
North side of Abilene Place, west of N. Sixth Avenue, Council District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 66. PROPERTY OF J. RONALD SCHOOLCRAFT, JR.** **7-SU-06-F**
Southeast side of Northshore Drive, southwest of Terrace Woods Way, Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * **67. HENRY FELIX 1ST ADDITION, RESUB. OF LOTS 3-4 & P/O 2** **7-SV-06-F**
Northeast side of W. Gilbert Lane, southwest of E. Redbud Road, Council District 1.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

68. **SHANNON VALLEY FARMS, UNIT 3, SECTION B** 7-SW-06-F
Intersection of Gallant Lane and Golden Gate Road, Commission District 8.

STAFF RECOMMENDATION: Deny

Denial based on geotechnical study not completed by the corrections deadline. That has been addressed. We have a plat that applies with the regulations. Need 9-day waiver.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

MOTION (BROWN) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

- * 69. **DOWELL SPRINGS, RESUB. OF LOT 5R1** 7-SX-06-F
Northeast quad. Intersection of Dowell Springs Blvd. and Lonas Spring Drive, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 70. **MARTHA B. SCHUBERT & JOHN H. SCHAAD, RESUB. OF LOTS 1 & 2** 7-SY-06-F
Northeast side of Central Avenue Pike, northeast of Charlene Lane, Council District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 71. **JENKINS CREEK, UNIT 2** 7-SZ-06-F
South side of Jenkins Road @ intersection of Joe Hinton Road, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 72. **WESTGATE GLEN, PHASE I** 7-SAA-06-F

Southeast side of George Williams Road, northeast of Hidden Glen Lane, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

73. DUTCH VALLEY HEIGHTS, RESUB. OF LOT 10R & MAPLERIDGE, RESUB. OF LOTS 52 & 53

7-SBB-06-F

Southeast terminus of Riverstone Lane, northwest side of Dutch Valley Drive, Council District 4.

STAFF RECOMMENDATION: Deny

Mr. Tom Brechko: We did not receive required documents by corrections deadline. Need 9-day waiver.

MOTION (BROWN) AND SECOND (CLANCY) WERE MADE TO WAIVE ARTICLE 6, SECTION 1, OF MPC'S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS. MOTION CARRIED . ARTICLE 6, SECTION 1, OF MPC'S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS WAIVED.

MOTION (BROWN) AND SECOND (CLANCY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.

*** 74. 8761 GLEASON DRIVE**

7-SCC-06-F

North side of Gleason Drive, west of Echo Valley Drive, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Rezoning and Plan Amendments:

P 75. CITY OF KNOXVILLE

12-D-00-RZ

Southeast side of Westland Dr., northeast side I-140, Council District 2. Rezoning from No Zone to A-1 (General Agricultural).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 76. CITY OF KNOXVILLE

12-Q-00-RZ

North side of Westland Dr., west side Emory Church Rd., east side of I-140., Council District 2. Rezoning from No Zone to RP-1 (Planned Residential).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 77. **CITY OF KNOXVILLE** **12-Y-00-RZ**
 West side of I-140, south of Westland Dr., Council District 2.
 Rezoning from No Zone to A-1 (General Agricultural).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 78. **CITY OF KNOXVILLE** **3-R-02-RZ**
 East side of Sherlake Ln., west side of Hayfield Rd., south of
 Parkside Dr., Council District 2. Rezoning from No Zone to C-6
 (General Commercial Park).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- 79. **MICHAEL MCCLAMROCH**
 South side S Northshore Dr., southwest of Pellissippi Parkway,
 Council District 2. **4-K-01-PA**
 - a. **One Year Plan Amendment**
 From LDR (Low Density Residential) to GC (General
 Commercial).

STAFF RECOMMENDATION: Deny or Withdraw

Mr. Ken Pruitt: This was tabled in 2001. It was part of the Northshore Town Center development that did not go forward. Owners and applicant were notified and have not responded. Staff recommends denial. Last month planned residential was approved on lot adjoining this. We do not think TC-1 is now applicable.

MOTION (BROWN) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.

- b. **Rezoning** **4-R-01-RZ**
 From NZ (No Zone) to TC-1 (Town Center).

STAFF RECOMMENDATION: Deny or Withdraw

MOTION (BROWN) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.

- * 80. **SHEILA PROFFITT (REFERRED BACK TO MPC BY CITY COUNCIL)**
 Northwest side Mineral Springs Ave., northeast of Whittle Springs
 Rd, Council District 4. **1-D-06-PA**
 - a. **One Year Plan Amendment**

From MDR (Medium Density Residential) to O (Office) and OS (Open Space).

STAFF RECOMMENDATION: Approve O (Office) to a depth of 300 ft from Mineral Springs Ave and OS (Open Space) for the remainder of the site.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*

b. Rezoning

1-F-06-RZ

From RP-1 (Planned Residential) to O-1 (Office, Medical, and Related Services) and RP-1 at 1 du/ac.

STAFF RECOMMENDATION: Approve O-1 (Office, Medical and Related Services) to a depth of 300 ft. from Mineral Springs Ave. and RP-1 at up to 1 du/ac for the remainder of the site

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**81. KNOXVILLE CITY COUNCIL (CHARLES SWANSON)
(REFERRED BACK TO MPC BY CITY COUNCIL)**

2-H-06-RZ

East & west sides Scenic Dr from Kingston Pk south to Oakhurst Dr; northwest & southeast sides Scenic from Oakhurst to Blows Ferry Rd; east side Southgate Rd from Scenic to Sagwa Dr; north & south sides Blows Ferry from Scenic north to Alta Vista Way, Council District 2. Rezoning from R-1 (Single Family Residential) to R-1 (Single Family Residential)/NC-1 (Neighborhood Conservation Overlay) and Approve Design Guidelines.

STAFF RECOMMENDATION: Approve Scenic Drive NC-1 (Neighborhood Conservation Overlay) and Design Guidelines

Mr. Mark Donaldson: You recommended approval of a Neighborhood Conservation district of 75 lots along Scenic Drive. In June City Council approved on first reading an ordinance that exempted 33 of those lots and that pledged to put deed restrictions that mimic the overlay to some extent. Council referred it back to you because they are dealing with a substantially different district and two different ways of enforcing guidelines you needed to see that again and make another recommendation. Staff would recommend that you recommend approval of the 75 lot version. That is the best way to manage a neighborhood conservation strategy. You also have a map of Alternate 2 which is 75 lots minus 33 lots. And Third alternative identifies a core area along Scenic where the approval rate is in the 70 to 75% range.

Ms. Lisa Gameltoff: 901 Scenic Drive, support overlay
What happened is the overlay is that parties that has questions agreed to preserve their property with deed restrictions or

conservation easement. We think that those conservation easements are going to protect the same goals that existed with the overlay. We urge you to support option 2 today.

Mr. Patricia Long: I am here for those that opted to exclude our 33 properties. Also ask that you approve option no. 2. We were not aware that the other options were even being considered before you today.

Mr. Art Clancy: Asked Nick Arning of Historic Zoning Commission if he looked at all the options and what the Historic Zoning Commission wanted.

Mr. Nick Arning: We would like option number 1. We have been at this for a year. However, since the parties agreed on option number 2, that is a no brainier. I do not think it accomplishes what they wanted to do, but it is the closest alternative. I think that possibly within a year both sides may come closer together on what they want.

Mr. Ray Evans: It would have been so much better if there had been a petition and gathered signatures of opposition and in favor of Historic Zoning. There is not an overwhelming majority in favor of this overlay. I do not think we should approve any additional restrictions on property unless there is an overwhelming majority. If the other property owners have agreed to put deed restrictions on their property themselves, then I agree. It will be back before us and we will be going through this again. It should be a large majority of people affected that want to endure those additional restrictions.

Mr. Trey Benefield: I think it is odd that we ended up with something that everybody agrees to for their property. Since there are deed restrictions agreed to I think we will get enough to preserve the integrity of the neighborhood.

MOTION (BENEFIELD) AND SECOND (CLANCY) WERE MADE TO APPROVE NC-1 OVERLAY AND DESIGN GUIDELINES FOR PROPERTIES IN ALTERNATIVE 2. MOTION CARRIED 12-1. APPROVED.

(THE FOLLOWING ITEM WAS MOVED ON THE AGENDA AND HEARD AFTER ITEM 103)

82. VICTOR JERNIGAN

Southwest side Midway Rd., southeast side Thorngrove Pike, Commission District 8.

a. East County Sector Plan Amendment

From LDR (Low Density Residential) to C (Commercial).

6-B-06-SP

b. Rezoning

From A (Agricultural) to CA (General Business).

6-I-06-RZ

Mr. David Buuck: 707 Market Street, 8th District Preservation Association. This should be considered in conjunction with No.103 which is the business park. Although the staff indicates does not have anything to do with it. This does say that PC zone would allow this site to be developed with the adjacent business park, like it was already approved.

Chair Massey: Agreed it was a good idea to hear Item No. 103 with this item.

MOTION (BROWN) AND SECOND (EVANS) WERE MADE TO AMEND THE AGENDA TO MOVE ITEM NO. 82 TO BE HEARD AFTER ITEM NO. 103. MOTION CARRIED. 13-0. AGENDA AMENDED.

- P 83. HOLROB INVESTMENTS, LLC** **6-O-06-RZ**
(9/14/06) Northwest side S. Northshore Dr., northeast of Falling Waters Rd., Council District 2. Rezoning from C-6 (General Commercial Park) to O-1 (Office, Medical, and Related Services).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 84. OLIVER A. SMITH**
Northeast side Lake Heritage Way, southwest side I-140, southeast of Westland Dr., Commission District 5.
a. Southwest County Sector Plan Amendment **6-H-06-SP**
From LDR (Low Density Residential) to O (Office).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P b. Rezoning** **6-S-06-RZ**
From PR (Planned Residential) and CA (General Business) to OB (Office, Medical, and Related Services).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 85. TERRY E. HENLEY**
Northeast side Morrell Rd., northwest of S. Northshore Dr., Council District 2.
a. One Year Plan Amendment **7-A-06-PA**
From LDR (Low Density Residential) to O (Office).

STAFF RECOMMENDATION: Approve Mixed Use (O/MDR).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * b. Rezoning** **7-A-06-RZ**
From R-1 (Single Family Residential) to O-1 (Office, Medical, and Related Services).

STAFF RECOMMENDATION: Approve O-1 (Office, Medical, and Related Services).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

86. PJT, LLC

East side Meadowrun Ln., west side Oak Ridge Hwy., Commission District 6.

a. Northwest County Sector Plan Amendment

7-A-06-SP

From LDR (Low Density Residential) to C (Commercial).

STAFF RECOMMENDATION: Approve C (Commercial)

Mr. Joe Tate: 1031 North Cedar Bluff Road. I stood before you 3-4 years ago and you approved my rezoning. What stands there now is a Gallery and Walgreens. Remember I am a good developer to be in opposition with. The opposition has become my friends and now trade with me.

Mr. Stewart Grady 3201 Meadowrun Lane on behalf of all homeowners on Meadowrun Lane and some on Shady Oak Lane. Submitted petition

We request that commercial be denied. This is across from Sterchi Elementary. It is a deadend road. There is no cul de sac and on occasion delivery trucks have to turn around in our yards. The road Meadowrun Lane is only 19 feet wide with parts less than 15 feet wide. It seems there are other properties available in this area for this down the road. Just down the road across Oak Ridge Highway

Mr. Robert Dowdiggin 1400 Davis Lane. Directly across from this. We have no objection to this.

Mr. Tate: They are right the road is narrow and it is secluded. I was just thinking I would be willing to close our property entrance to Meadowrun Lane so that we would not have any vehicles entering from Meadowrun Lane. I would do that if it would help.

Ms. Henry: Is this going to be combined to make a larger piece?

Mr. Tate: We are just beginning. I do not have anything firm at this time. It is a long journey. I am going to meet with Mike Gordon, my neighbor, after the approval and discuss putting these two together and developing something that the community would be proud of.

Ms. Henry: Asked County Engineering about driveway only on Oak Ridge Highway.

Ms. Cindy Pionke: I do not know depending on the type of use if he would have to install a turn lane. Oak Ridge Highway is not going to be widened any time soon. CA zone would not come back in front of you. It would strictly be a building permit that he would apply for.

Mr. Benefield: That parcel is very narrow where it fronts on Oak Ridge Highway and not a good idea. Forcing the only entrance there would not be a good idea. A better plan would be to improve Meadowrun Lane from his access to Oak Ridge Highway and that way would have a safer access and neighborhood concerns would also be met.

Chair Massey: Mr. Tate we are not putting restriction on Meadowland, but we would prefer you do put entrance from Oak Ridge Highway.

MOTION (CLANCY) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

b. Rezoning

7-B-06-RZ

From OA (Office Park) to CA (General Business).

STAFF RECOMMENDATION: Approve CA (General Business)

MOTION (BENEFIELD) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

* **87. MICHAEL STINNETT**

7-C-06-RZ

South side Asheville Hwy., east of N. Ruggles Ferry Pike, Commission District 8. Rezoning from CA (General Business) and A (Agricultural) to CB (Business and Manufacturing).

STAFF RECOMMENDATION: Approve CB (Business & Manufacturing).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

88. Withdrawn Prior to Publication

7-D-06-RZ

* **89. PSC METALS**

7-E-06-RZ

Southeast side Maryville Pike, northeast of Joe Lewis Rd., Council District 1. Rezoning from I-3 (General Industrial) and C-1 (Neighborhood Commercial) to I-4 (Heavy Industrial).

STAFF RECOMMENDATION: Approve I-4 (Heavy Industrial).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **90. KEAR INVESTMENT PROPERTIES, LLC** **7-F-06-RZ**
Southwest side Fairview Rd., south of E. Emory Rd., Commission District 8. Rezoning from A (Agricultural) to PR (Planned Residential).

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of up to 5 dwelling units per acre.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **91. SONYA Y. HUTTON PIERCE PROPERTIES** **7-G-06-RZ**
Southeast side E. Copeland Dr., northeast side Heiskell Rd., Commission District 6. 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.

- * **92. DAVID WHISNANT** **7-H-06-RZ**
East side Fox Rd., north of Donovan Ln., Commission District 5. Rezoning from A (Agricultural) to OB (Office, Medical, and Related Services).

STAFF RECOMMENDATION: Approve OB (Office, Medical, and Related Services).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **93. JOHN AARON VOYLES**
Northwest side Morris Ave., southwest of Loraine St., Council District 3.
a. One Year Plan Amendment **7-B-06-PA**
From LI (Light Industrial) to LDR (Low Density Residential).

STAFF RECOMMENDATION: Approve Mixed Use (LI/O/MDR).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **b. Rezoning** **7-I-06-RZ**
From I-3 (General Industrial) to R-1A (Low Density Residential).

STAFF RECOMMENDATION: Approve R-1A (Low Density Residential).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

94. G.E. KOONTZ

East side Roberts Rd., south side Shelton Rd., Commission District

a. Northeast County Sector Plan Amendment

7-F-06-SP

From A/RR (Agricultural/Rural Residential) to LDR (Low Density Residential).

STAFF RECOMMENDATION: Deny LDR (Low Density Residential)

Mr. Robert Campbell: 7523 Taggart Lane
HANDED OUT MATERIALS WHICH BECOME A PART OF THESE MINUTES.

Mr. Bill Baggett 5130 Roberts Road, Corryton, 37721 own property to south
Opposed to 78 units for this property. It is rural and needs to stay rural. Small farms still exist on Roberts Road. Ask denial. Personal interest is I have property beside this with a pond and a spring on the fence line which would be affected by a subdivision. I have no problem with 1 dwelling unit per acre.

Ms. Connie Stevens: 5122 Roberts Road
Agree with 1 unit per acre. Do not oppose development. We oppose the saturation of that number of houses. We want to maintain the rural integrity of our community.

Ms. Michelle Derdano. 5317 Roberts Road
I got a postcard in the mail. Can I get the map and other information sent to me in the future? They told me low density would be up to 5 houses per acre. I do not have a problem with 1 dwelling per acre. That would keep it country-ish. That is why I came here.

Mr. Robert Campbell: We believe the property is 3 units per acre property. I live in Halls on a road similar to Roberts Road which started out being all farms and it has turned into some subdivisions and farms. Map handed out shows the zoning in the area. Map on the screen does not really show what is going on with Roberts Road corridor. Roberts Road is a major connector street to large roadways like Emory Road, Washington Pike to Rutledge Pike. It has a good amount of traffic and has lost some of its rural character because of that. Pointed out commercial at the intersection of Washington Pike and Roberts and planned residential on both sides of road beyond that. This indicates it is an area developing from a major intersection outward. One opposition from MPC is that it is not contiguous to the Planned Growth area. That assumes

growth mushrooms out from the middle. That is not true. Most growth starts at intersections with good access and as other services become available, like water and sewer, you start seeing those areas develop. Roberts Road is a great connector road. The water is no problem from Northeast Knox. KUB is putting an 8 inch well as an auxiliary 6 inch line down Roberts Road right now. KUB has spent several hundreds of thousands dollars upgrading the electrical and sewer systems in this area. This tells me that I am not alone in seeing that this is an expanding area. This is not strictly farmland country. This property, even though a little farther out than what others are used to seeing, is very much in line with higher density property. Problems in the past is that properties that could have been developed at higher densities were developed at lower and you end up spreading growth out to other properties that may not be as suitable.

Mr. Lobetti: Approved PR at 3 per acre. With the price of land, they cannot make it on 1. We have done it before.

MOTION (LOBETTI) AND SECOND (CLANCY) WERE MADE TO APPROVE PR AT 3 UNITS PER ACRE

Ms. Susan Brown asked how far proposed development is from Roberts Road PR 1-4 near Washington Pike intersection.

Mr. Campbell answered about 0.7 of mile from intersection.

Mr. Ray Evans: There is no question that there will be development in this area at a major intersection. But jumping over a half a mile away and doing a density of 3 per acre is too much for this area. Development should take place near other development. I think it is appropriate to be developed as residential, but no more than 1 unit per acre.

Ms. Kim Henry: Is the only thing it does not meet is the fact that it is not contiguous with other.

Mr. Brusseau: That fact is true. However, three units per acre is clearly not compatible with the surrounding uses or zoning. There are one acre and greater tracts surrounding it and most are well more than that.

Ms. Susan Brown: I thought it met three of the four conditions: roads, water, sewer and then the PR zoning.

Mr. Brusseau: Compatibility is something we look at on all zoning requests. That is factored into our recommendation. From a growth plan standpoint there is four criteria and three of the four being met. The only that is not being met is that it

is not an extension of the planned or urban growth area. They are approximately a mile away.

Mr. Dick Graf: If you are first in an area you could never get beyond having a farm somewhere. How are you ever going to get beyond being a rural agricultural district if you are the first to want to change? At some point somebody has to go and say the time is right and this is where it needs to be. Every place in Knox County has been developed under that criteria. Going 0.7 of a mile is not like going 10 miles. This is a piece of property that is first. Everything around it will also get the density. I am in favor of 3 units per acre. That is how low density development goes in Knox County. That is a pretty low figure. Three is not very high for these days.

Mr. Stan Johnson: Asked if any way they could do with less than 3 units per acre.

Mr. Campbell: We may not necessarily get 3 units per acre. If you look in the most restrictive residential zoning, which is 10,000 square feet RA zoning, you typically get somewhere in that 3 category. There is a pond in the middle we are preserving as a community feature. I cannot tell you that it is going to be 70 or 65 yet. There are things on the concept plan we will have to work out and come back with that.

LOBETTI AND CLANCY AMENDED MOTION TO APPROVE PLAN AMENDMENT FIRST

MOTION (LOBETTI) AND SECOND (CLANCY) WERE MADE TO APPROVE LDR (LOW DENSITY RESIDENTIAL). MOTION CARRIED 12-1. LDR APPROVED.

b. Rezoning

7-J-06-RZ

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

STAFF RECOMMENDATION: Approve PR (Planned Residential) at 1 dwelling unit per acre

MOTION (CLANCY) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-1. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (LOBETTI) AND SECOND (CLANCY) WERE MADE TO APPROVE PR AT 3 DWELLING UNITS PER ACRE.

ANDERS YES

BENEFIELD **NO**
BROWN **YES**
DONALDSON **NO**
CLANCY **YES**
EVANS **NO**
JOHNSON **NO**
GRAF **YES**
HENRY **YES**
LOBETTI **YES**
SHARP **YES**
SLACK **YES**
MASSEY **YES**

MOTION CARRIED 9-4. PR (PLANNED RESIDENTIAL) AT A DENSITY OF UP TO 3 DWELLING UNITS PER ACRE APPROVED.

P 95. H.E. BITTLE, III

Southwest side Pellissippi Pkwy., northwest of Carmichael Rd., southeast of Hardin Valley Rd., Commission District 6.

a. Northwest County Sector Plan Amendment

From MU (Mixed Uses) and SLPA (Slope Protection Area) to C (Commercial) and SLPA (Slope Protection Area).

7-B-06-SP

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Rezoning

From BP (Business and Technology) / TO (Technology Overlay) to CA (General Business) / TO (Technology Overlay).

7-K-06-RZ

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 96. ANDREW SMIDDY

Southwest side Carpenter Rd., northwest of W. Emory Rd., Commission District 6. Rezoning from A (Agricultural) to PR (Planned Residential).

7-L-06-RZ

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*** 97. ROBERT SHMAEFF**

Northwest side Old Callahan Dr., west of Callahan Dr., Council District 3.

a. One Year Plan Amendment

From MDR (Medium Density Residential) and OS (Open Space) to GC (General Commercial).

7-D-06-PA

STAFF RECOMMENDATION: Approve GC (General Commercial).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **b. Rezoning** **7-M-06-RZ**
From R-2 (General Residential) and A-1 (General Agricultural) to C-3 (General Commercial).

STAFF RECOMMENDATION: Approve C-6 (General Commercial Park).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **98. SEVIER HEIGHTS BAPTIST CHURCH** **7-E-06-PA**
East side Alcoa Hwy., south side Maloney Rd., Council District 1 and Commission District 9.
- a. One Year Plan Amendment**
From LDR (Low Density Residential) to GC (General Commercial).

STAFF RECOMMENDATION: Approve GC (General Commercial) on the front portion of the site only.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **b. Rezoning** **7-N-06-RZ**
From R-1 (Single Family Residential) and RA (Low Density Residential) to C-4 (Highway and Arterial Commercial) and CA (General Business).

STAFF RECOMMENDATION: Approve C-4 (Highway and Arterial Commercial) on the front portion of the site only. Approve OB (Office, Medical & Related Services) on parcel 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 99. ROBERT RANKIN** **7-O-06-RZ**
Southwest side S. Northshore Dr., southeast of Sandpiper Ln., Commission District 5. Rezoning from A (Agricultural) to PR (Planned Residential).

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density up to 3 dwelling units per acre.

Mr. Robert Rankin: 300 Sunny Springs Lane 37922
I have pictures. I will demonstrate how the Community and County will be much better off than the way the property exists.

Mr. Fred Bright: Attorney, residents have filed a petition. 10605 Sandpiper Lane. HANDED OUT PETITION WHICH BECOMES A PART OF THESE MINUTES. Rick Emert along with 10 other residents present will summarize their concerns.

Mr. Rick Emert: Sandpiper Lane. The pictures are very pretty. Mr. Rankin knows this hearing is for the land as it lays today. Mr. Rankin has not presented any type of concept plan to the neighborhood for us to evaluate one way or the other. Pictures will not go on a 40 degree bank. That is one of the main problems. If you approve 3 units per acre, Mr. Rankin will have to jam them and a large portion will become unusable. Real problem is hydrology. Water that comes off of it goes trough my back yard and 5 other people's back yards. We have 4 people from Riverlake Subdivision that would like to tell that the runoff is already creating pond, destroying their drain field because it is saturated and does not work. Another will testify his basement has 18 inches of water during heavy rains. If we put 15 more acres of impervious surface, we might as well just knock down \$2 million worth of houses and move on. My suggestion would be to pass them until a hydrology study is performed until every knows what they are dealing with.

Mr. Bob Johnson: 10642 Sandpiper 37922

Recommend defer 30 days until have had a chance to read comments involved. Dave Hutchins has not written something and I think he should talk because he has a lot of interesting items on transportation. I have 12 items I have tried to boil down. How are you going to respond to my comments if you have not even read them? You cannot make a decision without reading what we have written. Some of us have spent a week writing this and have taken off for work. It is the right thing to do is read our comments before you do anything. COMMENTS SUBMITTED BECOME A PART OF THESE MINUTES. We do not know your language. You should read my paper because I have offered alternatives. If this means anything on your cover focus about greenways, you should at least read it and think about it. Read from comments submitted in writing. "The request should be denied because much of the site is not suitable for development. The presence of steep slopes, steep-sided gullies and small sinkholes are indicative of developmental karst. Drainage from the site cannot be controlled without the presence of a dedicated engineered drainage system. Clear cutting would increase these problems. Zoning classification and density cannot be selected until these problems have been clearly thought through with regard to engineering, design and cost. Item 2 Woodlake Acres Subdivision has a density of 1 dwelling unit per acre while Rivermist Subdivision was built 2 dwelling units per acre. It is not appropriate and not in-kind to place a higher density development between two existing lower density because the value of adjacent properties would be decreased. I am in favor of 1 unit which is compatible with the surrounding zoning. I am not in favor of density of 2,3,4, or 5 dwellings. Since approximately 40% of site cannot be developed without specialized construction, this needs to be an acre specific density, not an average. In other words you

do not double it for the other half after you have said it was 2 and go to 4 because the rest of the site cannot be developed. This site has many large hardwood trees which could be on national tree register. No variance should be given on the 35 foot setback because this will minimize impacts. I have other comments, but defer to others.

Mr. David Hutchins: 10635 Sandpiper Lane

Agree with Mr. Johnson that this property should be developed at a maximum of 2 units per acre given adjacent properties are at an acre and one half an acre, even though there are some up the road at 3 units per acre they are not on this side of the street and not adjacent. Over 50% of property is under slope protection as stated in staff's report. Northshore is considered a major arterial street. There has been significant growth in traffic densities in that area on Northshore and Westland Road and Concord Road that has increased 12% in the past two years. Analysis of staff indicates that at the recommended density an additional 450 trips per day might occur or up to 760 at requested developed. Beacon Park, which is in construction right up the street, could result in up to 1500 homes and 15,000 additional trips. This on a two lane road for which the transportation plans do not have plans to widen to 4 lanes for more than 15 years. This is inappropriate. That is going to have significant quality of life and safety issues for the area. Ask that you consider 1 or no more than 2 units per acre.

Mr. Bill Snyder: 10604 Riverlake

I am the recipient of most of the water that comes off the property he mentioned. That water is over the fill lines which affects the operation of that. Sewage weeps out across the neighborhood. I would like to ask you postpone decision until hydrological work is done and then proceed with what will work for everybody including the developer.

Ms. Elizabeth Wright 10652 Sandpiper Lane, you have my written statement (WHICH BECOMES A PART OF THESE MINUTES)

I am a mother and have boys that catch a bus at the end of Sandpiper. The traffic is a huge consideration. There is a blind hill and people pass school buses frequently. I work in clean water act areas in Oak Ridge. State is going to a watershed approach. Hydrology studies needs to include groundwater recharge in this area. If you go down to the lake there is a spring. Around the spring are huge freshwater mussels. There are huge trees in the forested area behind our house. It is very permeable soil. Their roots go deep and hold these steep banks. Drainage is extremely steep in the back of this property. If you have roofs and concrete and asphalt driveways and look at 3 dwelling units per acre, about 60% of each acre will be hardened. All this water will not

be going to the normal recharge of the groundwater recharging, but running off into these two individuals' yards.

Mr. Ted Ballard: 10617 Riverlake Drive

Concerned about traffic and water. Area to be developed is at top of hill. My property is at the bottom of the hill and all the water comes under the road and onto my property. I have a barn there and concerned that going to wash away the barn. Whenever we have a heavy rain it washes it all through there.

Mr. Rankin: These people have every right to be concerned. I have tried to listen to their concerns. They want the water kept off of them. Topo shows there is a slope on the property. We are aware of that and that we cannot have the water run off into their yards. I have explained to them that we can change the slope of the property. The steep slopes in the corner we are not going to affect. We have a 28 foot drop from Northshore to the back. We will change the slope in platting it out. Run all the water to the back and build a 100 year pond instead of a 25 year pond. The water will soak back into the ground. I will be doing them a favor. They will not have a water problem anymore. Right now they have a water problem that they have had and will continue to have forever. Propose to build a high end villa. Will be putting \$30 to 35 million dollars worth of value on tax rolls. We will be increasing the value of their property. I live in one of these in Weatherstone and there is not a single child that lives there. The rest of the neighborhood has another 40 to 50 homes built at about have of the density that is going to be built out there and the back yards are full of children. Impact on the traffic will be reduced by giving me 5 units per acre and let me built these high-end villas rather than 3 units an acres where we have to build single family homes with children for the school system. The neighbors rightly talked about another problem which is traffic. People fly down Northshore. I understand about 5 years from now is the plan for widening Northshore. With the new Beacon Park development Northshore Drive is going to be lowered 7 feet at the intersection of Bluegrass and Northshore. Traffic light is going in. Blind hill is going to be taken down and Northshore is going to be widened by the developer all the way down to my property. We are proposing to widen it. We have to donate 25 feet anyway to the County as part of the condition for rezoning. It would be in our best interest to go ahead and widen Northshore with a turn lane in front of our own property. We are going to have a beautiful entrance set back off the road. If staff had our site plan to see how we are going to lower tops of knolls in the middle that their slope analysis would be totally different and they would recommend a higher density. Showed a map highlighting surrounding density at 4 to 5 units per acre. One anxiety of the neighbors is that the owner is getting nearly \$2 million for this property. We cannot go in there and build \$200,000 to \$300,000

houses. We are bringing sewer lines up the road so they can all hook into the sewer. We are building units that will be sold to empty nesters which will not increase school system and will not increase traffic. Ask for 5 units per acre.

Mr. Brusseau; Density recommendation was based on slope analysis. Half the site is designated as slope protection. 27.3% of the site has slopes of 25% or great and about 40% of the site has slopes between 15% and 25%. With a lot of grading that could be smoothed out. We never want to encourage major grading on a site. We like to see a sight developed somewhat in its natural state. If less than 15% slope any density allowed under the plans can be considered. If it is between 15% and 25% the plans suggest limiting it to 2 units per acre and over 25% is limited to 0.5 unit per acre. Putting that together the final calculation arrived at the high 2's and we recommended 3 units per acre. Three units per acre is closer to being compatible with the surrounding properties. There are a few zoned with a higher density than that. The surrounding properties certainly are not. Three units per acre is consistent with Sector Plan and Growth Plan. Decision is do want to allow major grading and allow condos or allow single family.

Ms. Henry: Asked staff to go over steps of rezoning process.

Mr. Brusseau: We are deciding today if this is an appropriate site for residential at a higher density and what density. The applicant would come in with a concept plan and use on review approval by this body. That is when drainage and traffic concerns would be addressed. Rezoning stage does not require a plan because there is a lot of money invested in creating a plan and unless it can get zoned, there is no point in doing that.

Mr. Anders: Asked Mr. Rankin about his statement that if MPC had seen his plans that MPC would change their mind and if he had other information to show staff.

Mr. Rankin: I talked with Mr. Brusseau last week that if we had out concept plan to show him how we were going to smooth out the knolls. We are not going to tear up the steep slopes. They are wooded and we are going to leave the wooded boundary around the property. When we smooth out knolls, fill up the low spot behind Rick's house, run all the water to the back, we have solved all their problems. The slope analysis will be totally different. We have to work toward the rezoning and concept plan at the same time until we know what the zoning is.

Mr. Ray Evans: Anytime you oppose or are for an application, there is a website were you can our phone numbers, email addresses. You can call the MPC office and they will give you

information about us or about a plan. Please get us information before the meeting. I think this is appropriate for residential. Next step is a concept plan that would have to be approved by all kinds of entities such as Knox County Engineering. We are not addressing water runoff right now. It could turn out we approve a certain amount of density and the developer cannot get that 5 units per acre density. Whatever we do here you can appeal it to County Commission. Where you live now there used to be trees, but it has been developed. I am concerned that 5 units per acre is too much for this site. There is a lot of slope. When he does a concept plan he is going to have a hard time putting 5 units per acre on the land.

Mr. Art Clancy: My problem with limiting to 1 to 3 dwelling units per acre is this is a hard site. We approved 1 to 6 at Beacon Hill. It is dense all the way around it. One to 3 cuts down on his budget and cuts down on what he can afford to do. Let make sure he does not cut back on his hydrology because of a budget shortage. I am for giving him 1 to 5 because specifically I think he may do a good job with the hydrology and getting his infrastructure put in correctly.

MOTION (CLANCY) AND SECOND (ANDERS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-2. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (CLANCY) AND SECOND (ANDERS) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL) AT A DENSITY OF UP TO 5 DWELLING UNITS PER ACRE.

Mr. Johnson corrected statement that Beacon Park was 1 to 3 density and not 1 to 6.

Mr. Graf: Keep in mind that the motion is 1 to 5. If they cannot get but 3 or 2.5 on there that is all they are going to get. This just gives them a little more flexibility. It does not mean he is going to walk out with what we vote on. That is the range.

Ms. Susan Brown: I think with staff's analysis related to the slope, that we have got to have some concerns about the 1-5 and that we need to go with staff's recommendation on the density.

ANDERS	YES
BENEFIELD	NO
BROWN	NO
DONALDSON	NO
CLANCY	YES
EVANS	NO
JOHNSON	YES
GRAF	YES

HENRY	YES
LOBETTI	NO
SHARP	NO
SLACK	NO
MASSEY	NO

MOTION FAILED 8-5

MOTION (BROWN) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION OF 1 TO 3 UNITS PER ACRE.

Mr. Graf: One thing that was brought up was grading. I would doubt very seriously if there will be any more grading at 4 to the acres than at 3.

BENEFIELD	YES
BROWN	YES
DONALDSON	YES
CLANCY	NO
EVANS	YES
JOHNSON	NO
GRAF	NO
HENRY	NO
LOBETTI	NO
SHARP	NO
SLACK	YES
MASSEY	YES
ANDERS	NO

MOTION FAILED 7-6.

MOTION (HENRY) AND SECOND (CLANCY) WERE MADE TO APPROVE PR AT 1 TO 4 DWELLING UNITS PER ACRE.

ANDERS	YES
BENEFIELD	YES
BROWN	NO
DONALDSON	NO
CLANCY	YES
EVANS	YES
JOHNSON	YES
GRAF	YES
HENRY	YES
LOBETTI	NO
SHARP	NO
SLACK	YES
MASSEY	YES

MOTION CARRIED 9-4. PR (PLANNED RESIDENTIAL) AT 1 TO 4 DWELLING UNITS PER ACRE APPROVED.

Mr. Rankin: I would like my neighbors to know there will be a hydrology report. I will also continue to meet with them and work with them and look forward to their input.

P 100. SOUTHLAND GROUP, INC.

Southwest side Murphy Rd., southeast of Tazewell Pike, Commission District 7.

a. North City Sector Plan Amendment

From LDR (Low Density Residential) to C (Commercial).

7-C-06-SP

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P b. Rezoning

From RB (General Residential) and PR (Planned Residential) to PR (Planned Residential) and CA (General Business).

7-P-06-RZ

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

101. STRAW PLAINS PROPERTIES

Southeast side Strawberry Plains Pike, northeast side Bell Ln, Council District 4.

a. One Year Plan Amendment

From GC (General Commercial) to MU (Mixed Uses) (GC General Commercial & LI Light Industrial).

7-F-06-PA

STAFF RECOMMENDATION: Approve MU (Mixed Uses) (GC General Commercial & LI Light Industrial)

Mr. Arthur Seymour, Jr. attorney for applicant
This property is near intersection of Straw Plains Pike and I-40. It is presently zoned C-6. We requested C-3 for the front part. Staff has recommended it remain C-6 for that. We are comfortable with that recommendation. The back portion we are asking for I-3 for a truck terminal. Development of front part under the C-6 zone will provide protection for the properties around that.

Mr. Charles Benson: 1704 Wisteria View Way
I am here with neighbors. Read from prepared statement. We value our tranquility. Consider quality of life change this will bring. Ask that process be responsive and sensitive to surrounding developing family neighborhoods. Proper and fenced landscaped green space will go a long way in helping maintain the harmony of this area. In order to understand merits of change and how it will affect our community as well as financial investment in our new homes, we ask that our

homeowners association we be included on any hearings regarding this application.

Mr. Seymour: His home is diagonally across the street. The front is already C-6 and requires landscaping. John Turley and Davis Phiser have done good developments such as Turkey Creek. Since the front is remaining C-6, there is no change in what this gentleman will see on his property. I will contact this gentleman on the next part of the development.

Ms. Brown: Front portion is remaining C-6 300 feet back.

MOTION (BROWN) AND SECOND (CLANCY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

b. Rezoning

7-Q-06-RZ

From C-6 (General Commercial Park) to I-3 (General Industrial) & C-3 (General Business).

STAFF RECOMMENDATION: Approve I-3 (General Industrial) for rear portion and Deny C-3 (General Business) for the front portion (see site map).

MOTION (BROWN) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED .

A BREAK WAS TAKEN FROM 4:53 p.m. TO 5:08 p.m.

* **102 PJT, LLC**

West side Meadowrun Ln., south side Oak Ridge Hwy., Commission District 6.

a. Northwest County Sector Plan Amendment

7-D-06-SP

From LDR (Low Density Residential) to O (Office).

STAFF RECOMMENDATION: Approve O (Office) .

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* **b. Rezoning**

7-R-06-RZ

From RA (Low Density Residential) to OA (Office Park).

STAFF RECOMMENDATION: Approve OA (Office Park).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

103. THE DEVELOPMENT CORPORATION OF KNOX COUNTY

Northwest and southeast sides Thorngrove Pike, north and west of Midway Rd., north of I-40, Commission District 8.

a. East County Sector Plan Amendment**7-E-06-SP**

From LDR (Low Density Residential) and O (Office) to HI (Heavy Industrial).

STAFF RECOMMENDATION: Approve BP (Business Park (Type 1)) and C (Commercial) as identified on map.

Mr. John Valliant: Suite 2658 South Gay Street for Development Corporation of Knoxville

Mr. David Buuck: Eight District Preservation Association and other individuals. 707 Market Street. The comments I make on 103 also apply on Item no. 82 that follows. About 100 people stood in opposition in representation only. First the changing of sector plan and rezoning on both parcels does not meet requirements for amendments under section 6.30 of the Knox County Zoning Ordinance. Section 6.31.01a says in order for amendment to come about the proposed amendment shall be necessary because of substantially changed or changing conditions in the area, in zones affect or in the County generally". There are no findings or facts to support that there has been a substantial change in any condition in this area. Sector plan was done in conjunction with my client, the Eight District Preservation Association and many others. There was a lot of input and you came up with a plan for this predominantly rural area. And sector plan says development in this area at highest should be planned residential. Applicant is attempting to surround at least 5 areas that are agricultural or single family residential. That is spot zoning of sorts because makes an island in the middle. Other aspect of the zoning ordinance that is not met is 6.31.01.d which says "proposed amendment shall be consistent with and not in conflict with the General Plan of Knoxville and Knox County including any of its elements, major road plan, land use plan, community facilities plan and others. Others is this East Sector Plan. It is not consistent with the East Sector Plan. To say we want to change one little area of the sector plan is not the way it should be done. Showed map of the Sector Plan. Sector Plan specifically provides that upon agreement with the Eighth District Preservation that the only business park was up in the northeastern part of the area. You are here trying to make a recommendation to the Knox County Commission which is inconsistent with the Knox County Zoning Ordinance. If they make a decision that is arbitrary and inconsistent with that Ordinance, then they are subject to being overturn for arbitrary and capricious decisions. Secondly, the original application was for industrial. As I read staff recommendation all changing to BP does is, in their own words, "open the door for the applicant to proceed with the development as an industrial park at this location".

Industrial parks allow such as sanitary land fills that has already been fought by these people. It is a backdoor way to say, I would suggest that BP does not exist in this area by its own definition, okay applicant you can have your industrial zoning and call it BP and then you can come in and as for industrial. That is exactly what is opening up with this. Staff report also properly noted that this sector plan did not provide for anything other than at most office. However, a later MPC study, which does not have the effect of a sector plan because a sector plan has been adopted by the legislative body, said this was a potential location for business park development. That study means nothing in front of this body or Knox County Commission. What this body and Knox County Commission are constrained to do is follow the sector plan. To spot zone this little area and change the entire sector plan based is in our argument arbitrary and capricious. That is what is being passed on to Knox County Commission.

Ms. Elaine Clark, 8003 Thorngrove Pike, property owner Member of French Broad Preservation Association that believe the French Broad River corridor and community surrounding this area are an important area of historical significance and nature beauty that should be protected and enhanced for future generations. We sent you packages earlier about our organization and out position on this matter and make that a part of the record today.. Opposition is lack of trust among the community and Development Corporation. Lack of trust has come from several things. We are being asked to partner with this group on a project that has being secretly developed and is being stream rolled with false deadlines and what seems to be special interest pressure to move on this matter or will kill the deal. Our lack of trust comes from the following. In May we first learned about this proposal. We contacted Development Corporation, on several different occasions. We had meetings and asked them to come out to the community and talk to us and answer questions. We got excuses and refusals. Mr. Todd Napier told us he would not reveal the plan until the end of June, which was two weeks ago. Through our own research we found out the Development Corporation Board of Directors was having a meeting on this project and several people attended that board meeting. The plans for this project were sketchy. Both mayors were part of the Board and directed the Development Corporation to hold public forums in the community about the plans. We had one public forum on June 29. We still do not know what kind of businesses, we do not know how many. We do not know the impact it is going to have on our air, water and our wells. How is the sewage going to be handled and what is going to happen with the runoff? The Development Corporation said to us in the public forum trust us we know what we are doing and will make it

attractive. We are worried. We have concerns about the impact on our water quality. If Midway Road proposed project proceeds and is mismanaged, our community is destroyed forever. Second point is the project does not meet the requirements of the East Knox Sector Plan. Sector Plan is our mutually binding road map for future economic development. We worked with MPC and it is our guideline and we would like to use it. This plan was used numerous times by MPC staff on other applications that have come before you. It was cited in the Victor Jernigan application and "is in line with the sector plan of minor commercial usage between the interstate and Thorngrove Pike". Yet an application known as the Bedwell application which was 59 acres on the other side of the river was denied by this Commission. MPC staff recommendation said "commercial designation of 59 acres of land in the midst of this rural residential area is out of character with the established development plan. This sector plan proposes low density residential and rural residential". Staff goes on to say "A rezoning of this scale and intensity would result in issues regarding traffic, lighting, signage, drainage, slope protection and other development concerns associated with such a large site. When considering the rural nature of the surrounding area, this request is premature." If rezoning 59 acres in this area is premature, how can rezoning 377 acres not be premature also? Based on MPC ruling of the recent past, we believe it is best to deny this application or at the very least postponed it to a later date. The community would like the opportunity to work with MPC on updating the current sector plan through a public process. This will allow a mutually acceptable plan for the future of our community. We want to work with Knox County on the right vision for the future of economic development. ABOUT 100 PEOPLE STOOD IN OPPOSITION. Asking you to give the citizen of Knox County an opportunity to carefully examine this expensive and monumental proposal. Quoted Wilma Dykeman "Dwellers of the French Broad are learning an ancient lesson on all their natural resources. It is easy to destroy overnight treasures that cannot be replaced in a generation. Easy to destroy in a generation that cannot be restored in a Century." Voting to deny or postpone the application is the right thing to do.

Ms. Susan Cox Davis, 9718 Cannon Lane, 37871 Strawberry Plains. I am a 6th generation farm girl and live on farm where I was raised which directly adjoins the project that is being sold. I raise horses on my family's farm that adjoins this. Family and neighbors were not made aware that the proposed property was being considered for a heavy industrial park. We feel that we were deliberately kept in the dark about this. We realize development is imminent. We realize what a jewel our area is and that we have been privileged to live in that area

so long. Request that you involve us in the way that it is going to be developed. We oppose heavy industrial. We want to work with MPC and the County to develop what is best for our area. Please allow us to be involved in this development. We deserve no less.

Mr. Wayne Whitehead, President of French Broad Preservation Association. We had two scientists from our neighborhood who had a PowerPoint presentation to make today on the geology and geo-hydrology and water quality issues up there. Unfortunately you have not moved into the 21st Century and do not have that capability of presenting that. SUBMITTED THE POWERPOINT PRESENTATION IN WRITTEN FORMAT FOR THE RECORD. We ask that you consider this before you vote.

Mr. Mark Donaldson: Executive Director, for the record you can do PowerPoint here. You just have to contact us and work it out. Buz Johnson apologized and said he did not think there were those capabilities.

Mr. Valliant: The Development Corporation fully accepts staff's recommendation and comments and is willing to abide by that. As part of your packet had a letter from Todd Napier that described the nature of agreement between Development Corporation and MPC dated July 10, 2006, which becomes a part of these minutes. There have been legal issues made with regard to the sector plan. I think the best person in the room to raise those issues with is your attorney, Mr. Wise. We have here with us experts on geology of the site and traffic studies. A lot of the issues the neighborhood is concerned about could not be addressed at this stage. They are being address as part of our due diligence. Because of the length of time of the zoning process, we have to get on with it. It is going to take months to get approval for this type of rezoning from MPC to County Commission. If County Commission approves it through the resubmission of a design plan to MPC. It is a lengthy process and we have to get on with it.

Mr. Todd Napier: Development Corporation, 17 Market Square, Number 201

We are running out of industrial and business park property in Knox County. It has been a goal of ours to find additional property in Knox County so that we have a location to attract quality businesses to our community and to accommodate existing businesses that need to grow and cannot do that in their present locations. We got with MPC a year ago and identified sites for potential business park locations. This was one of the best sites that come from the study. It is right at the interstate and at the interchange. We began the process

of asking the property owners if they wanted to sell. We do not have the power of condemnation so we have to do that through negotiation one piece at a time. That took a long time one contract at a time. When we finally had enough property to make this project work we went to the Development Corporation Board and asking for their approval for us to proceed with the purchase and rezoning of these properties. We then put together what the concept plan would look like for this property. That is what is on the board facing you right now. We presented that at the community meeting with basic concepts of what we were going to do regarding design standards and layouts and amenities of that project and the types of businesses we would accommodate. After that meeting we got back together with the Planning Commission staff and realized that there was going to be a lot of interest in the community in having additional input into how that was going to be done. We agreed to reduce our request from Industrial zoning down to Planned Commercial with the allowed uses within the EC zone for the bulk of the property and additionally for the 20 right at the interchange shopping center zone. This reduces the list of uses dramatically from what is found in the industrial zone, but still works with the types of companies we are trying to recruit and jobs to our community. One of the previous speakers asked to have input. By going to a planned zone, we have agreed to come back to this body with a site plan, design standards and restrictive covenants. By going to a planned zone there is opportunity for public input and have to come back to this body for approval. We are working with KUB to get sewer to this area. As far as air or water quality, we do not intend to skirt any environmental regulation. Anything would be done per regulations and don with quality. We would look to preserve any natural drainage ways as they exist and depressions. We are talking about a lot of landscaping in this area. As you can see in our rendering, we are preserving a lot of the peripheral trees on the periphery as well as in depressed areas down through the existing drainage ways.

Mr. Valliant: Four years ago Knoxville, Knox County, Knoxville Chamber Partnership, the Development Corporation, and the formation for Jobs Now set out and spent enormous time and effort to try to attract economic development to Knox County. We have sent people nation wide to bring business to our community. Knoxville is now recognized nationally in publications such as Forbes, Site Selection Magazine, Expansion Management Magazine and Inc. Magazine, as a great place to live, do business and to work. Businesses are now looking to come to Knox County. In order for us to deliver on the talk we have done, we have to have a business inventory. We had MPC start a search county wide and this

came up as the best location. Other cities we are competing with have 1500 acres or more in inventory, Chattanooga for instance. If you do not get your inventory built up, you end up like Austin, Texas. We will be behind the eight ball, will never get caught up. I live in the Eight District. I have talked to several people. The business park is going to have covenants that go with it with lighting restrictions and buffering restrictions. The community is going to have some input on what those things are. As you note on that plan, the buffering will extend around the park. The lighting is going to be down lighting. There are going to be amenities that come with this business park that we believe will help the community. This is not an all bad thing. It is something that is necessary for us in Knox County. Some people fear it will affect the property values down. Think it would be the opposite. Ask this Commission to adopt its staff's professional recommendation and rezone this as they recommend.

Dr. Sarah Williar: 710 Cooper Road

I am not a geologist, but I am married to one. I am disillusioned that we heard about this and had our first meeting on June 28. I do not feel like that indicates the community is going to be involved. I would appreciate your giving us more time. This area is karst that is characterized with sinkholes and dolines with few streams. Dolines are like massive cracks. The area shifts significantly. The geological maps available to you done by the USGS are not at a resolution significant or low enough to show you the sink holes and shifting areas that are present. There are 28 mapable sinkholes already noted in the roughly three square mile area bounded by Carter School Road, Thorngrove Pike and Cooper Road. Nine sinkholes and I have 8 active ones that my neighbors gave me that are not on that map. That is just a start. We have not had much time to walk around and map. Nine sinkholes exceed sinkhole density in the Dutchtown area. You know what happened when Christian Academy of Knoxville decided to build without their knowledge of what was going to happen with the geology. The area floods terribly. That is the exact same kind of terrain we are talking about here. When we asked about sewage and storm water management at the meeting, we felt we got a glib response that KUB would take care of that. One thing that bothers me personally is that there have been no studies to take into consideration the geology of our area and the biological and endangered species in our area. One of the caves on the Fox property has bats. We have not had time to analyze that, but there are two particular species of protected bats in our area.

Mr. Randy Massey: They will not do the studies and geology and other things until they get the zoning. If they spend the

money doing the geology studies and everything else and get every aligned and do not get the zoning, they have thrown the money away. They are trying right now to just get the zoning. Studies, planning, streets, roads, lights, drains all come after the rezoning.

Ms. Williar: The problem I have is they have options they are going to wind up going ahead and spending \$11 million dollars of our tax money to purchase that land. I do not know if geological studies cost more than \$11 million, but my husband would volunteer to walk around with anybody and do it for free. I do not buy that. I understand their limitation and respect that they are doing the best that they can. Once you change the rezoning here, it does not go backwards. Have you ever had anybody rezone and then go back and change it back to agricultural? What farmer is going to be able to afford \$20,000 or \$30,000 an acre? This zoning change is not trivial. This is the Metropolitan Planning Commission and I thin that planning is an important responsibility you have. I do not see you as the okay-dokay stamp body and that all the power really goes to the other guys. We need to have a futuristic look. It was stated that this was the best place in the country for new college graduates to come. We have a lot of intellectual property here and that we need to move into the 21st Century.

Mr. Bob Adcock 705 Cougar Road 37871

As I understand this rezoning as to be preceded by a sector plan change. The reason we have a sector plan is because it is a State requirement. It is also a requirement that it has to be reviewed every 5 years which has expired. How can you propose this major change this sector plan without a community input review? We request a community input review to the sector plan before it is amended and rezoned.

Mr. John Gifford: 636 Manilla Schackelford, Strawberry Plains
Showed on the Development Corporation's rendering his house and neighbors covered with the industrial park.

Mr. Mose Lobetti: I think with a project of this magnitude that this many people deserve more than one meeting with the Chamber. I understand their concern they do not know what they are planning. If they lay their cards on the table, these people would probably support them. They cannot find out anything and I cannot find out anything myself.

MOTION (LOBETTI) WAS MADE TO POSTPONE FOR 60 DAYS TO MEET WITH THE CHAMBER AT LEAST ONE MORE TIME AND APPOINT A COMMITTEE TO WORK TOGETHER.

Mr. Trey Benefield: There was discussion about the inadequacy of some of the other commercial sites in the community. Why is this site better?

Mr. Napier: We are down to in total... we have 95 acre business park under development in west Knox County. We have 180 acres in East Bridge which has been very difficult to sell because of distance to the interstate. We have about 334 acres in total when all of that is done. It is not enough when you consider half of that is not desirable because of the distance from the interstate. When we looked at property we looked at property that had grades less than 6%, availability of utilities, proximity to major arterials and it would not put traffic through neighborhoods. All of this property is along I-40 at the interchange. It is gently to rolling topography. The areas where it is not we are going to respect that and leave it as it is. We cannot and will not condemn property owners. We have willing property owners. We have a great opportunity to do a quality development and improve the overall quality of life in Knox County to bring good jobs and raise the standards of living for folks that live here. That is what our mission is.

Mr. Benefield: One of the zones before us is Planned Commercial. With Planned Commercial you would be required to submit a concept plan to the Planning Commission in the future. During the development of that concept plan, inevitably you will interact with the community. What is your schedule to submit the concept plan?

Mr. Napier. Assuming we get the rezoning taken care of we are going to proceed with more detailed engineering of the site. When we have that done, that will take several months to do, we will begin to develop our concept plan. It would take about 6 months before we would have something detailed to show them. When asked if willing to interact with the community during the design of the concept plan, said yes

Ms. Kim Henry: Asked staff to go over some of the types of businesses that might be considered under the types of zonings that are recommended.

Mr. Pruitt: Construction and contracting, buildings and development including heavy construction contractors, manufacturing including food manufacturing and excluding slaughter of animals and rendering businesses; beverage and tobacco product manufacturing, textile mills and textiles product mills, apparel manufacturing wood product manufacturing. Pharmaceuticals, plastic and rubber products fabrication; machinery manufacturing, electrical equipment,

appliance and component manufacturing, transportation equipment manufacturing, furniture and related product manufacturing, wholesale trade including durable and non durable goods, transportation warehousing, and list goes on. It is not as inclusive as the Industrial zone. Typically it is what you would find in a light manufacturing wholesaling type of business park.

Ms. Susan Brown: If this moves forward there will be a concept plan back before the Commission for the overall park?

Ms. Pruitt: Staff recommended planned commercial over the Employment Center because the Planned Commercial is unique in that it allows a developer to come forward with a proposed development plan for anything from an office development to a retail type center to a light manufacturing industrial as proposed in this case. When they come back to planning commission for approval of their development plan, they would be required to submit to you and to the general public a list of permitted uses that they intend to allow within this development and criteria for which those development sites could be built on, such as type of material in the structures to landscaping and other criteria. It is required to submit a list of uses. Purpose of recommending PC limited to Employment Center list is to eliminate the more obnoxious uses in the industrial park which is one of the concerns we heard at the June 29 public hearing as well as to give the community a written document that identified the types of activities that they and we expect to see in this development.

Ms. Brown: If that were approved after that is there a subsequent level of review when people buy certain parcels of land and then plan to actually develop within the park?

Mr. Pruitt: In the letter in which Mr. Napier outlined their understanding of this process there would be a concept subdivision development proposal in which the Corporation would come back to this body through the subdivision process and identify where improvements are going to be in the way of public streets, infrastructure to support the development, points of access and improvements required within the public rights-of-way already in place. In addition to that they would submit a conceptual plan including a rendering such as is before you here with a set of protective covenants and, in the case of one of their industrial parks they have a written document that includes all of their criteria for developers to construct under. His letter identifies as number 5: "The plan on any future, individual projects being proposed on the subject property will be evaluated by the Development Corporation's Design Review Board and then by a member of

the MPC staff for compliance with the approved overall site plan and set of design standards (that are approved by this body). If the plans for an individual project are in conformance with the approved overall site plan and set of design standards, no further review or approval by the MPC will be requested or required." If they come back with a set of design criteria and this body does not deem that to be an appropriate level of review, you would have the option of stating what you do want to see before you release the project for full development.

Mr. Robert Anders: I do not think we can say anything to make you happy about this project. It is bringing change to your community and nobody wants changes. I live in Hardin Valley and look down on an industrial park from my front yard. It does not have to be doom and gloom. They are good neighbors. They do a good job at building these parks. I believe if we vote it yes or no we need to do it today. I do not think we need to postpone it.

LOBETTI'S MOTION TO POSTPONE 60 DAYS FAILS FOR LACK OF SECOND.

Mr. Ray Evans: We read your emails and letters from all of you. We cannot respond to everybody. The sector plan designation for this property now is a combination of low density residential, office and general business. In the staff report they bring up the point that if this property were to be designed low density residential, that you could have up to 1800 houses on this property with 18,000 cars a day generating 900 school children. Either way this property when developed will be a significant impact on your community. The way this process work is once we vote on whether to change a sector plan or zoning that is not approving the business park. The applicant must do a concept plan and design what they intent to construction and address issues such as sinkholes, drainage, traffic and changes to the street system. Over the next 6 months, that is the time to get involved in issues about design. PC requires our further approval. I know there has been study of this area. You wish there had been further notice. But from what I understand the acquisition of property was piece meal and you now have people willing to sell finally to create a piece of property large enough to do this business park. I think this is an appropriate use and probably a lot less intrusive than other uses of the property.

MOTION (EVANS) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-1. APPROVED.

b. Rezoning

7-S-06-RZ

From A (Agricultural) and CA (General Business) to I (Industrial).

STAFF RECOMMENDATION: Approve PC (Planned Commercial) limited to EC (Employment Center) zone uses for the BP (Type 1) part of the site and EC and SC (Shopping Center) zone uses within the C designation along Midway Road.

MOTION (EVANS) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-1. APPROVED.

AGENDA WAS AMENDED EARLIER MOVING ITEM 82 HERE ON THE AGENDA.

82. VICTOR JERNIGAN

Southwest side Midway Rd., southeast side Thorngrove Pike, Commission District 8.

a. East County Sector Plan Amendment

6-B-06-SP

From LDR (Low Density Residential) to C (Commercial).

STAFF RECOMMENDATION: Approve C (Commercial)

Mr. Victor Jernigan: 108 Stekoa Lane, Suite 103, 37912

Mr. Wayne Kline, Hodge Doughty Carson, 617 Main Street, represent the Eight District Preservation Association.

In spite of the fact that this body just changed the zone for the business park, for this particular property they should not feed back on this proposed business park for purposes of allowing commercial zoning. That would be improper for purposes of violating the sector plan. The sector plan is in place and has been in place and has not been reviewed. There has been no public comment. This commercial property does not attach to Midway property. Changing this to a commercial zone would once again violate the existing sector plan which does not call for commercial zoning at this property. Also comments by staff in terms of their recommendation say the proposal will establish this intersection as a future commercial node. If look to the future, we need to go back to the sector plan with community input so that we can provide what we need instead of changing the sector plan without public input and allowing commercial zone to be placed on property that is not called for now. Comments talk about currently two large site at the interchange of Midway and I-40. There are two large sites with about 90 acre total property. If that is going to be an area for serving the interstate and servicing the area, where is the need been shown? It is already zoned commercial and

there is nothing there. Where is the commercial at that intersection? To allow Mr. Jernigan to say for the future we need to rezone this commercial is improper as well. Comments from staff talk about the recommended PC zone would establish a precedent for establishing a commercial node. I heard Mr. Graf say once it is there you get more and more. Without a public input sector plan change and without a proper sector plan change, once again you violate your own sector plan that adopted with public input. You not only set the precedent, but you push that first domino. The only way to get the sector plan to comply is to change it here today. Without public review and public input I do not think you should take on not only a business park but the domino effect of putting a PC zone where none exists. Ask denial on behalf of the neighborhood.

Mr. Jernigan: Originally asked for CA because of the amount of other commercial in the area. I attend several meetings with the neighborhood. At the meetings I discussed with the neighborhood the logical typical users I have on sites like this. and discussed with them where the people I have use . Even though I do not have a plan normally people use 5 acres and depending on how the rest of the area would be developed. I told the people quite clearly at those public meetings that I was confident that with 400 acres contiguous for sale the property was going to be developed. I used the number of 1800 to 2000 houses or a business park. Either situation 10 acres of commercial property at an intersection 700 feet from an interstate exchange is appropriate for this area. We will continue to work with neighborhood as we go throughout this process and let them see exactly who the users are and how they fit in this process. Ask for support for staff recommendation of a Planned Commercial zone.

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

Mr. Trey Benefield: It appears you are going to be surrounded by a business park. Are you willing in the development of your property to comply with the strict requirements of the business park?

Mr. Jernigan: I do not know what those restrictions are. I can say that staff has a neighborhood commercial zone that allows development of convenience stores, banks, drug stores, retail and/or office property and would use some of the property under restrictions such as that. If it does become a business park, I told the neighborhood the other five acres that we have may turn into a Hampton Inn or Marriott hotel property to service the business park. Whatever restrictions

the business park would have I feel ours would be as strong or stronger.

Mr. Ray Evans: With a business park there will be significant plans and you would need to be compatible with whatever they develop. When it comes time to review the concept plan, we will be reviewing it in light of the concept plan for the business park.

Mr. Jernigan We will work with the neighborhood and the plans of the business park. There is no question that we will continue to do that.

MOTION CARRIED 13-0. APPROVED.

b. Rezoning

6-I-06-RZ

From A (Agricultural) to CA (General Business).

STAFF RECOMMENDATION: Approve PC (Planned Commercial)

Chair Massey told the audience that he was not getting what he asked for. He asked for CA and he is getting Planned Commercial. He has to come back before us.

MOTION (CLANCY) AND SECOND (LOBETTI) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

Ms. Williar: The way Mr. Jernigan conducted himself is certainly more representative of what we expected. He came to our community he stayed as long as we wanted him to. He answered all of our questions. He certainly revealed what he had planned. I hope that the other people involved in this area will treat us this way.

104. ROBERT MARLINO

7-C-06-PA

Southwest side N. Sixth Ave., southeast side Grainger Ave. Council District 4. One Year Plan Amendment from LI (Light Industrial) and STPA (Stream Protection Area) to MDR (Medium Density Residential) and STPA (Stream Protection Area).

STAFF RECOMMENDATION: Deny MDR (Medium Density Residential)

Mr. Robert Marlino: 29 Market Square Suite 201
We met with the neighborhood organization of Old North Knoxville and got their support. We believe the staff recommendation of not mixing residential with industrial needs more discussion in the sense that 6th Avenue from Cecil to Hoyt is

residential and from Hoyt to Grainger is a mixture of residential and commercial. All of that is zoned industrial. Those are not typical industrial uses. The block where our site is has some empty structures, the KUB storage tank and subcontractors and building supplies. These show a mix in the area. Old North Knoxville is in the middle of a renaissance and housing prices are going up and need for this type of housing \$150,000 townhouse units is very needed. Demographics are geared more toward the urban professional and they would not necessarily be opposed to living in a mixed area or half industrial or half commercial area. We ask for postponement for 30 days. We spoke with the Old North Knoxville Neighborhood Association, but we would like the opportunity to speak with the Park Ridge Association. It is in the border area onto Park Ridge and we have had some discussions with Park Ridge residents who would like to know what is going on there.

MOTION (BENEFIELD) AND SECOND (ANDERS) WERE MADE TO POSTPONED 30 DAYS UNTIL THE AUGUST 12, 2006 MPC MEETING. MOTION CARRIED 13-0. POSTPONED.

Uses on Review:

- T 105. **DONNY MEADOWS** **3-I-06-UR**
 North end N. Hembree St., east end Nichols Ave., southeast side I-40 Proposed use: Apartment complex in RP-1 (Planned Residential) Pending District. Council District 6.

THIS ITEM WAS TABLED EARLIER IN THE MEETING.

- * 106. **STUART HENRY** **6-H-06-UR**
 North side of Cherokee Trail, north end of Candora Rd. Proposed use: Multi-family residential in RP-1 (Planned Residential) District. Council District 1.

STAFF RECOMMENDATION: Approve the development plan for a 162 multi-family development with up to 492 bedrooms subject to 14 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 107. **KING PROPERTIES & DEVELOPMENT, LLC** **7-A-06-UR**
 Northeast side of Dewine Road, northeast side of Fleetwood Drive Proposed use: Condominiums in RP-1 (Planned Residential) District. Council District 3.

STAFF RECOMMENDATION: Approve the request for up to 32 attached residential units as shown on the development plan subject to 12 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

108. BETHEL A.M.E. CHURCH

7-E-06-UR

Northwest side of Boyds Bridge Pike, southeast side of Riverview Drive Proposed use: Church in R-1 (Single Family Residential) District. Council District 6.

STAFF RECOMMENDATION: Approve the proposed plan for a church on this site in the R-1 zoning district, subject to 10 conditions.

Mr. Donny R. Watson Sr. 2460 Park Junior Avenue, 37917

MOTION (CLANCY) AND SECOND (HENRY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

109. MARK HEINZ

7-H-06-UR

Southeast side of S. Northshore Drive, southwest of Wrights Ferry Road Proposed use: Outdoor seating for existing restaurant in C-1 (Neighborhood Commercial) District. Council District 2.

STAFF RECOMMENDATION: Deny proposed outdoor seating

Ms. Kelly Schlitz: Recommended denial due to closeness to residential property. Applicant has been in discussion with property owners and has reached an agreement.

Mr. Mark Heinz 3829 Kiwi Avenue 37919

Mr. Wayne Cocker: 7718 S. Northshore Drive. Property adjoins this restaurant. Talked with Mr. Patrick on what we can come to an agreement on to let him serve outside and have seating out there. He talked with three other neighbors who use my driveway to get in and out of their property. We talked about things that maybe we could agree upon. We all signed this paper. You approved the Doghouse Bar and Grill and I have had to pick up trash off my driveway and yard all the time for the past several years. In the past I would oppose this because it has been so bad. Since I talked with him, we came up with things that Rick would agree upon if he agreed to honor them. We talked about putting a fence up. SUBMITTED A SIGNED LIST OF AGREED UPON 9 CONDITIONS WHICH BECOME A PART OF THESE MINUTES. I would like to ask that if this restaurant is sold could they remove the outside restaurant. (agree to no liquor only beer)

Chair Massey: No sir, but we could hold the next owner to the same conditions. He is bound by the conditions of the zoning.

Ms. Kelley Schlitz: I have not seen the list of conditions. One of those needs to be that a revised parking plan be submitted to staff.

Mr. Heinz: I talked about this at length with Kelley. We have to meet about this and talk about the issues that they have. The discrepancies of parking lot one being handicapped parking and one being a narrow isle. I will be happy to work with the owners and MPC to bring this up to code.

Mr. Steve Wise: We maintain property for one year. Put up a fence for one year. First condition would be that he would establish a fence and an evergreen buffer and maintain it for a year along the retaining wall. Use on review runs with the land. If the property is sold, the use that is granted and special conditions would automatically pass on down. If you want some provision that in the event of sale of business, then matter would have to come back before MPC for a review of the use on review. That would meet that request. Rather than saying it is denied have it come back to be revised by the next owner. The last one says " We agree not to sell liquor and to serve only beer outside". That would do it with the revised parking plan and three boiler plates.

MOTION (BROWN) AND SECOND (HENRY) WERE MADE TO APPROVE APPLICANTS REQUEST SUBJECT TO CONDITIONS ABOVE AND ON LETTER FROM ETCETERA RESTAURANT. MOTION CARRIED 13-0. APPROVED AS AMENDED.

- P 110. HOLROB INVESTMENT, LLC 7-J-06-UR**
Northwest side of Oak Ridge Hwy., southeast side of Beaver Ridge Rd. Proposed use: Shopping Center in PC (Planned Commercial) District. Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- W 111. CITY OF KNOXVILLE 7-M-06-UR**
West side of N. Broadway, north of Ridgewood Rd. Proposed use: Remove Parcel 20.01 from use-on-review approval for church in R-1 (Single Family Residential) District. Council District 4.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- * 112. PRECISION CRAFTERS 7-N-06-UR**
West side of Bluestar Dr., north of Sinclair Dr. Proposed use: Reduce required front yard from 50' to 20' in RP-1 (Planned Residential) District. Council District 4.

STAFF RECOMMENDATION: Approve the request to reduce the front yard setback from 50' to 20' as shown on the development plan subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **113. PRECISION CRAFTERS** **7-O-06-UR**
Southwest side of Sinclair Dr., north of Spring Park Rd. Proposed use: Reduction of the required front yard setback from 30' to 20' in RP-1 (Planned Residential) District. Council District 4.

STAFF RECOMMENDATION: Approve the request to reduce the front yard setback from 30' to 20' as shown on the development plan subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Other Business:

- * **114. Consideration of two-year extension of Concept Plan approval for Troutman Subdivision on Dick Ford Lane (7-SE-04-C).** **7-A-06-OB**

STAFF RECOMMENDATION: Approve

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **115. Consideration of two-year extension of Concept Plan approval for Conard Construction on Jackson Road Subdivision (7-SG-04-C).** **7-B-06-OB**

STAFF RECOMMENDATION: Approve

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **116. Consideration of amendment No. 1 to MPC's FY 2006/2007 Budget.** **7-C-06-OB**

EXECUTIVE COMMITTEE RECOMMENDATION: Approve

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * **117. Consideration of amendments to MPC's Administrative Rules and Procedures regarding MPC Meeting and Agenda deadlines and fees.** **7-D-06-OB**

STAFF RECOMMENDATION: Approve

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Adjournment

MOTION (HENRY) WAS MADE TO ADJOURN

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 6:35 p.m.

Prepared by: Betty Jo Mahan

Approved by: Mark Donaldson, Executive Director

Approved by: Randy Massey, Chair

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