KNOXVILLE·KNOX COUNTY
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PLANNING
COMMISSION
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Minutes

March 11, 2004

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

The Metropolitan Planning Commission met in regular session on March 11, 2004, at 1:30 p.m. in the Main Assembly Room, City/County Building, Knoxville, Tennessee. Members present at roll call were:

	Ms. Susan Brown, Chair		Mr. Dick Graf
	Mr. Randy Massey, Vice Chair		Mr. Chester Kilgore
	Mr. Trey Benefield		Mr. Steven Lewis
	Mr. Herb Donaldson		Mr. Jack Sharp
	Mr. Ray Evans		Ms. Mary Parker Slack
	Ms. Mamosa Foster	*	Mr. Larry Smith
**	Mr. Philip French	**	Mr. Mark Jendrek

* Arrived late to the meeting.
** Left early in meeting.

1. ROLL CALL

Ms. Vi Whitmire called the role.

2 INVOCATION

Mr. Randy Massey led the invocation.

3 PLEDGE OF ALLEGIANCE

Mr. Randy Massey led the Pledge of Allegiance.

***4. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED FEBRUARY 12, 2004.**

THIS ITEM WAS APPROVED ON CONSENT.

***5. APPROVAL OF CURRENT AGENDA.**

THIS ITEM WAS APPROVED ON CONSENT.

6. REQUEST FOR POSTPONEMENTS, WITHDRAWALS AND TABLINGS

Automatic Postponements (as provided for in Article XII, Section 1.B of MPC's *Administrative Rules and Procedures* which allows automatic postponements when the request is received by 3:30 p.m. on the Monday prior to the Thursday MPC meeting)

***POSTPONEMENTS – AUTOMATIC* – (Indicated with P)**
All items automatically postponed until the April 8, 2004 MPC Meeting:

P 3-SI-04-F MIDDLEBROOK HEIGHTS COMPANY, RESUBDIVISION OF PART OF LOTS 5 & 6, BLOCK B
Southeast side of Kim Watt Dr., west of Frank Watts Rd., Council District 6.

P 3-SJ-04-F EAST TENN. REALTY AUCTION, RESUBDIVISION OF LOT 10-R
West side of Ellistown Rd., south side of Friendly Way, Commission District 8.

P 3-SS-04-F THE RESERVE OF HUNTER'S RIDGE, UNIT 3
East side of Stony Point Rd., east end of Kays Ridge Ln., Commission District 8.

P 3-SZ-04-F WESTSHORE SUBDIVISION, RESUBDIVISION OF LOTS 5, 6 & 7
Southwest end of Rock Arbor Way, northwest side of Westland Dr., south of S. Northshore Dr., Commission District 5.

P 3-SDD-04-F PLASTILINE SUBDIVISION
North side of E. Emory Rd., east of Conner Rd., Commission District 7.

***POSTPONEMENTS –REQUIRING MPC ACTION*– (Indicated with P)**
Items to be postponed 30 days until the April 8, 2004 MPC Meeting:

2-SE-04-C KNOX ESTATES
South side of Buffat Mill Rd., west of Locarno Dr., Council District 4.

2-L-04-UR KNOX ESTATES, LLC
South side of Buffat Mill Rd., west of Locarno Dr. Proposed use: Detached single family subdivision & day care center in RP-1 (Planned Residential) District. Tax ID 60 P A 025, Council District 4, East City Sector.

THESE ITEMS WERE REMOVED FROM THE POSTPONEMENTS.

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

P 9-SK-03-F ARBOR VISTA
Northwest side of Choto Rd., south of Whitten Ln., Commission District 5.

P 10-SE-03-F RALPH JOEL OWNBY PROPERTY
Northwest side of Twin Oak Ln., southwest Tazewell Pike, Commission District 8.

P 12-SO-03-F FRANKLIN CREEK
South side of Yarnell Rd., east of Carmichael Rd., Commission District 5.

P 1-SA-04-F EDNA MAE TAYLOR
Northeast side of Majors Rd., north of Wood Rd., Commission District 8.

P 1-SF-04-F WILLIAM H. HARRELL PROPERTY, RESUBDIVISION OF LOT 1R
Southeast side of Buffat Mill Rd., Council District 4.

P 1-SN-04-F CHRISTIAN SPRINGS, UNIT 2
East end of Ruby June Ln., east of Stair Dr., Commission District 8.

P 1-SS-04-F POLO CLUB, UNIT 2
Southeast side of Westland Dr., northeast side of Appaloosa Way, Commission District 5.

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

P 2-SL-04-F PROPERTY OF ALICE RUTH GRIFFIN
East side Neubert Springs Road, at Tarwater Road, Commission District 9.

P 3-ST-04-F PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE MAGNOLIA AVENUE CAMPUS
South side of E. Magnolia Ave., east side of Myrtle St., Council District 6.

P 3-SCC-04-F FARRAGUT HILLS ESTATES, RESUB OF PORTION OF LOTS 6 AND 6CR
West side of Windswept Ln, south of S. David Lane, Commission District 5.

P 7-V3-03 41 NORTHSHORE DRIVE SUBDIVISION, RESUB OF PARTS OF LOTS 2 & 3
Northwest side of S. Northshore Dr, northwest of Morrell Rd., Council District 2.

P 10-V3-03 BONNYMAN ESTATE LOT - 3A, BLOCK "A" WESTMORELAND HEIGHTS SUBDIVISION
North side of Sherwood Dr., east of Gate Head Rd., Council District 2.

P 10-V5-03 AMERISTEEL PROPERTY
Northwest side of Tennessee Ave., southeast side of Louisiana Ave., southwest side of Stonewall St., Council District 5.

P 10-V10-03 THE ETHANOL CORPORATION RESUBDIVISION PLAT
North side of Asheville Hwy., west side of River Turn Rd., Council District 4.

P 11-V6-03 WILLIAMSBURG ADDITION, RESUBDIVISION OF ALL OR PARTS OF LOTS 17, 18, 23, 24, 29, 30, 33 & 34
South side of W. Hill Ave., west of Maplehurst Ct., Council District 6.

P 1-V3-04 RONALD DEWAYNE WHITT PROPERTY
Northwest side of Old Maynardville Pike, west side of Thomas Weaver Rd., Commission District 8.

P 3-N-02-RZ CITY OF KNOXVILLE, BY MAYOR VICTOR ASHE
Southeast corner of the intersection of Union Avenue and Walnut Street (420-430 Union), Rezoning from C-2 (Central Business District) to C-2 (Central Business District)/H-1 (Historic Overlay) and design guidelines. Tax ID 94 L F 021, Council District 6, Central City Sector.

Items added or removed from the postponement list:

2-SE-04-C KNOX ESTATES
2-L-04-UR KNOX ESTATES, LLC

Mr. Ronnie Collins 4606 Washington Pike, Spring Hill
2-SE-04-C and 2-L-04-UR removed

Ms. MARY SLACK RECUSED FROM VOTING ON THE POSTPONEMENT ITEMS.

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO APPROVE POSTPONEMENTS AS READ EXCLUDING 2-SE-04-C AND 2-L-04-UR KNOX ESTATES UNTIL THE APRIL 8, 2004 MPC MEETING. MOTION CARRIED 12-0-1. POSTPONEMENTS APPROVED.

Items to be postponed 60 days until the May 13, 2004 MPC meeting:

P 2-SH-04-F PROPERTIES OF ALLEN DUNLAP, BRYAN BARKLEY & JAMES BURKHART
60 days-5/13/04 Northwest side of Asbury Rd., southwest of Vaughn Ln., Commission District 8.

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO POSTPONE UNTIL THE MAY 13, 2004 MPC MEETING. MOTION CARRIED 12-0-1. POSTPONEMENT APPROVED.

Items to be postponed 90 days until the June 10, 2004 MPC Meeting:

P 9-SH-02-C MURDOCK CENTER DEVELOPMENT
90 days-6/10/04 Northwest side of Dutchtown Rd., east of Simmons Rd., Commission District 6.

P 9-Q-02-UR BOOGER BEAR, LP
90 days-6/10/04 Northwest side of Dutchtown Rd., east of Simmons Rd. Proposed use: Office/warehouse development in PC (Planned Commercial) & TO (Technology Overlay) District. Tax ID 118 Pt. 173.20, Commission District 6, Northwest County Sector.

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE JUNE 10, 2004 MPC MEETING. MOTION CARRIED 12-0-1. POSTPONEMENTS APPROVED.

MR. LARRY SMITH ARRIVED AT THE MEETING AT THIS TIME.

Automatic Withdrawals (as provided for in Article XII, Section 3.D of MPC's *Administrative Rules and Procedures* which allows automatic withdrawals when the request is received by 3:30 p.m. on the Monday prior to the Thursday MPC meeting)

***WITHDRAWALS – AUTOMATIC* – (Indicated with W)**

W 2-B-04-SC CITY OF KNOXVILLE
Request closure of Cheshire Dr (for vehicular traffic only) between Deane Hill Dr. edge of right-of-way and 5 feet northwest of the edge of Deane Hill Dr. right-of-way, CLT Map 120, Council District 2, West City Sector.

W 2-C-04-SC CITY OF KNOXVILLE
Request closure of Golf Club Rd. (for vehicular traffic only) between edge of right-of-way of Deane Hill Dr. and 5 feet northwest of the edge of right-of-way of Deane Hill Dr., Map 120, Council District 2, West City Sector.

W 8-SF-02-C CREATIVE TENNESSEE HOMES, LLC ON EMORY ROAD
Northwest side of E. Emory Rd., southwest of Findhorn Blvd., Commission District 8.

W 8-M-02-UR CREATIVE TENNESSEE HOMES, LLC
Northwest side of E . Emory Rd., southwest of Findhorn Blvd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 21 100 & pt 100.01, Commission District 8, Northeast County Sector.

W 4-V-03-RZ DON BREWER
Northwest side Sutherland Ave., southwest side Prestwick Ridge Way, Rezoning from I-2 (Restricted Manufacturing and Warehousing) and C-6 (General Commercial Park) to C-3 (General Commercial). Tax ID 107 D J 26.01, Council District 6, Central City Sector.

***WITHDRAWALS – REQUIRING MPC ACTION* – (Indicated with W)**
None

REVIEW OF TABLED ITEMS

TABLED

4-K-01-PA MICHAEL MCCLAMROCH
South side S Northshore Dr., southwest of Pellissippi Parkway. Request One Year Plan amendment from NPD (No Plan Designation) to GC (General Commercial). Tax ID 154 96,97, Council District 2, Southwest County Sector.

4-R-01-RZ MICHAEL MCCLAMROCH
South side S Northshore Dr., southwest of Pellissippi Parkway. Rezoning from NZ (No Zone) to TC-1 (Town Center). Tax ID 154 96,97, Council District 2, Southwest County Sector.

1-SC-03-C THE VILLAS OF WELLSLEY PARK
East end of Gleason Dr., east of Morrell Rd., Council District 2.

1-E-03-UR BARGE WAGGONER SUMNER & CANNON, INC.
East end of Gleason Dr., east of Morrell Rd. Proposed use: Detached single-family subdivision in RP-1 (Planned Residential) & R-1A (Low Density Residential) District. Tax ID 120 F B Part of 36.06, Council District 2, West City Sector.

5-SB-03-F G.S. GILL PROPERTY, RESUB OF LOT 3R1
North of Ball Camp Pk, west of Byington Solway Rd., Commission District 6.

7-V6-03 SHERLAKE CENTER, LOT 5
South side of Parkside Dr, west side of Hayfield Rd., Council District 2.

12-D-00-RZ CITY OF KNOXVILLE
Southeast side of I-140 / Westland Dr. interchange., Rezoning from No Zone to A-1 (General Agricultural).Tax ID 144 32.01, Council District 2, Southwest County Sector.

12-Q-00-RZ CITY OF KNOXVILLE
North side of Westland Dr., east side of I-140 interchange, Rezoning from No Zone to RP-1 (Planned Residential). Tax ID 144 30.02, Council District 2, Southwest County Sector.

12-Y-00-RZ CITY OF KNOXVILLE
West side of I-140, south of Westland Dr., Rezoning from No Zone to A-1 (General Agricultural). Tax ID 144 032, Council District 2, Southwest County Sector.

3-R-02-RZ CITY OF KNOXVILLE
East side of Sherlake Ln., west side of Hayfield Rd., south of Parkside Dr., Rezoning from No Zone to C-6 (General Commercial Park). Tax ID 132 3, 5, 132 HE 18. Council District 2, Southwest County Sector.

***ITEMS REQUESTED TO BE REMOVED FROM TABLE* – (Indicated with U)**
None

***TABLINGS* – (Indicated with T)**
None

7. CONSENT ITEMS

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

Please note that if you would like to discuss an item marked with (*), approach the podium after the entire consent list is read and request that it be removed from the consent list.

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO HEAR THE CONSENT ITEMS AS READ MOTION CARRIED 13-0-1. THE FOLLOWING ITEMS WERE HEARD BY CONSENT

*4. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED FEBRUARY 12, 2004.

*5. APPROVAL OF MARCH 11, 2004 AGENDA

STREET NAME CHANGE

* 3-A-04-SNC HUNTERS CREEK, LLC
Change Fish Pond Lane to ' Deer Ridge Lane ' between Hunters Creek Ln. and deadend cul-de-sac, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve “Deer Ridge Lane”.

PLANS

* 3-A-04-OYP METROPOLITAN PLANNING COMMISSION
Knoxville One Year Plan, 2004 Update.

STAFF RECOMMENDATION: Approve.

CONCEPTS/USES ON REVIEW

* 3-SA-04-C S.W., INC. ON OAK RIDGE HIGHWAY
Northeast side of Oak Ridge Hwy., northwest of Ridgedale Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 11 conditions.

* 3-SB-04-C SHADOW RIDGE ESTATES
South side of Shadow Creek Rd., south of Council Fire Dr., Commission District 7.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 7 conditions.

* 3-SC-04-C LATHERWOOD
South side of Strawberry Plains Pk., south of Pleasant Hill Rd., Commission District 8.

STAFF RECOMMENDATION: Approve variances 1-8 and the concept plan subject to 7 conditions.

* 3-D-04-UR UNDERWOOD PROPERTIES
South side of Strawberry Plains Pk., south of Pleasant Hill Rd. Proposed use: Attached single family subdivision in PR (Planned Residential) District. Tax ID 63 56 & 56.01, Commission District 8, East County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 31 attached single family dwellings on individual lots and reduce the peripheral setback from 35' to 15' along the eastern boundary of the site subject to 2 conditions.

* 3-SD-04-C SHERRILL BUSINESS PARK
Northeast side of Sherrill Bv., south of Mabry Hood Rd., Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-2 and the concept plan subject to 6 conditions.

* 3-SE-04-C CHRISTIAN SPRINGS - REVISED
Southeast side of Maloneyville Rd., east side of Stair Dr., Commission District 8.

STAFF RECOMMENDATION: Approve variances 1-11, deny variance 12 and approve the concept plan subject to 11 conditions.

* 3-SF-04-C OSPREY POINT SUBDIVISION
South side of Osprey Point Ln., southeast of S. Northshore Dr., Commission District 4.

STAFF RECOMMENDATION: Approve variances 1-3, deny variance 4, and approve the concept plan subject to 6 conditions.

* 3-F-04-UR FULGUM MACINDOE
South side of Osprey Point Ln., southeast of S. Northshore Dr. Proposed use: Detached single family subdivision and office lot in PR (Planned Residential) and O-3 (Office Park) District. Tax ID 154 102 & 102.01, Commission District 4, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 13 detached single family dwellings on individual lots subject to 3 conditions.

3-SG-04-C THE WOODS AT HARDIN VALLEY
East and west sides of Thompson Rd, south of Hardin Valley Rd., Commission District 6.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

3-G-04-UR S&E PROPERTIES
East and west sides of Thompson Rd., south of Hardin Valley Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) pending District. Tax ID 104 141, Commission District 6, Northwest County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

* 3-SH-04-C REMINGTON RIDGE
West side of Wrights Ferry Rd., north side of Badgett Rd., Commission District 4.

STAFF RECOMMENDATION: Approve variances 1-7 and the concept plan subject to 5 conditions.

* 3-SI-04-C REAGAN WOODS
South side of Coward Mill Rd., east side of Reagan Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-4, deny variances 5 & 6, and approve the concept plan subject to 9 conditions.

* 3-H-04-UR FUAD REVEIZ
South side of Coward Mill Rd., east side of Reagan Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 90 75.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 42 detached single family dwellings on individual lots subject to 2 conditions.

FINAL SUBDIVISIONS

* 9-SU-02-F POTOMAC PLACE, PHASE 2, UNIT 2
North end of Presidential Ln, north of Beaver Ridge Rd., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 11-SN-03-F H. T. & EDITH ROACH ESTATE, RONALD E. & FAYE WEISGERBER & HARVEY M. WRIGHT
Southeast side of Wood Rd., east of Majors Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 12-SA-03-F PROPERTY OF THOMAS J. & BETTY L. MARTIN
West side of W. Dick Ford Ln., just west of Chapman Hwy., Commission District 9.

STAFF RECOMMENDATION: Approve final plat.

* 2-SB-04-F RESUBDIVISION OF THE ROGER D. PHILLIPS & GRACE S. PHILLIPS PROPERTY & JUANITA MAPLES PROPERTY
Northwest side of Rutledge Pike, southwest side of Varnard Ln., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 2-SC-04-F VERNON T. LATTIMORE PROPERTY
South side of Sunset Heights Dr., east side of Hightop Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 2-SE-04-F SHERRILL LANE BUSINESS PARK
Northeast side of Sherrill Blvd., just south of Mabry Hood Rd., Commission District 5.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 2-SK-04-F VIRGIL COX
East side of Wood Rd., north of Dalton Ln., Commission District 8.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 2-SO-04-F J. B. CATE SOUTH KNOXVILLE ADDITION, RESUBDIVISION OF LOTS 1 - 9 & PARTS OF LOTS 10, 14 - 22
Southwest end of Stevens Ave., Council District 1.

STAFF RECOMMENDATION: Approve variances 1-3 and final plat.

* 2-SX-04-F VERLIS OGLE PROPERTY
Northeast end of Richard Ln., north of Curtis Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 3-SA-04-F EULA T BROWN PROPERTY
Northwest side of W Beaver Creek Drive at the north end of Adams Rd., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 3-SB-04-F JAMES A. GREGORY & RUTHA BUFFALO
Northeast side of Copper Ridge Rd., north of Hillbrook Dr., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 3-SC-04-F MYNATT VILLAS RESUBDIVISION
Southeast side of East Beaver Creek Dr., northeast of Central Avenue Pike, Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 3-SD-04-F HAROLD M. BOWMAN HEIRS PROPERTY, RESUBDIVISION OF TRACTS 1 & 2
Northwest side of E. Brushy Valley Dr., northeast of Heiskell Rd., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 3-SE-04-F FRANCES GWYNN PROPERTY
Northwest side of Carter Rd., southwest side of Archer Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 3-SF-04-F SURVEY FOR KNOX COUNTY
Block bounded by Commerce Ave., State St., Union Ave. & S. Central St., Council District 6.

STAFF RECOMMENDATION: Approve variances 1-6 and final plat.

* 3-SG-04-F HOOMAN SUBDIVISION
South side of Alki Ln., west of Dukesbury Dr., Commission District 4.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 3-SH-04-F TAMMY PUCKETT PROPERTY
Northwest side of Schaad Rd., northeast side of Grassy Creek Way., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 3-SK-04-F CRUMLEY PROPERTY
West side of Ellistown Rd., south of Munsey Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 3-SL-04-F SCOTT SMITH PROPERTY
West side of Maloneyville Rd., north of McNeely Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 3-SM-04-F ALISA A. BAKER & BRIAN L. BAKER PROPERTY
Buttermilk Rd & Graybeal Rd, Commission District 6.

STAFF RECOMMENDATION: Approve variances 1 & 2 and final plat.

* 3-SN-04-F MARY & TED BOHANAN PLAT
West side of Jones Rd., south of Ridgeview Rd., Commission District 8.

STAFF RECOMMENDATION: Approve variances 1 - 3 and final plat.

* 3-SO-04-F LARRY S. MILLER PROPERTY
East side of Fulton Rd., south of Bud Hawkins Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 3-SP-04-F TAYLORS VIEW SUBDIVISION, RESUBDIVISION OF LOTS 8 - 11
Southwest side of Taylors View Lane, south of Meredith Rd., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 3-SQ-04-F SUMMER ROSE, UNIT 8
Northeast end of Ivy Rose Dr., east of Artistry Rd., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 3-SR-04-F HERITAGE LAKE OFFICE PARK
Southeast side of Westland Dr., southwest side of Pellissippi Parkway, Commission District 5.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 3-SU-04-F CHILHOWEE HILLS BAPTIST CHURCH
North side of Asheville Hwy., west of Carta Rd., Council District 6.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 3-SV-04-F DEVANSHIRE UNIT III, RESUBDIVISION OF LOTS 162-186
North and south side of Missoula Way, south of Lovell Rd., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 3-SW-04-F SEQUOYAH HILLS, BLOCK N, RESUBDIVISION OF LOTS 11R1, 11R2, 11R3 AND 12R
West side of Cherokee Blvd., south of Tugaloo Dr., Council District 2.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 3-SX-04-F EVERGREEN COURT
South side of Neal Dr., east side of Fraker Rd., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 3-SY-04-F THE OAKS, UNIT 2
Northwest side of S. Northshore Dr. just west of Harvey Rd, Commission District 5.

STAFF RECOMMENDATION: Approve final plat.

* 3-SAA-04-F FLOYD E. & MARY L. ROACH PROPERTY RESUBDIVISION
Southeast side of Millertown Pike, southwest of Norris Ln., Commission District 8.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 3-SBB-04-F EUGENE & WILMA JOYCE CHITWOOD PROPERTY
Southwest side of Schroeder Rd., south of E. Copeland Dr., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 3-SEE-04-F CAMPUS POINTE SUBDIVISION
South side Grand Ave., west side S 21st St. Council District 1.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 2-V2-04 ADAIR GARDENS ADDITION, RESUBDIVISION OF LOTS 90, 91, 92 & 93
Northwest side of Tazewell Pike, northeast side of Coile Rd., Council District 4.

STAFF RECOMMENDATION: Approve variances 1 & 2 and final plat.

* 2-V3-04 DWIGHT C. CARDEN SUBDIVISION
Southwest side of Long Hollow Rd., east of Shade Weaver Rd., Commission District 7.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 2-V7-04 SEQUOYAH HILLS, BLOCK F, SECTION ONE, RESUBDIVISION OF LOTS 14, 15 & PART OF 16
East side of Cherokee Blvd., south of Bluff Dr., Council District 2.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

REZONINGS

* 2-M-04-RZ JIM SLYMAN
North side Tazewell Pike, northwest of Clapps Chapel Rd., Rezoning from PR (Planned Residential) & A (Agricultural) to PR (Planned Residential). Tax ID 5 51,51.01,52, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 dwelling unit per acre.

* 3-A-04-RZ CHARLES ENGLISH
Northwest side Cluster Ave., east of Sano St., Rezoning from I-2 (Restricted Manufacturing and Warehousing) to O-1 (Office, Medical, and Related Services). Tax ID 70 L A 19, 20, Council District 6, East City Sector.

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

* 3-B-04-RZ JAMIE LILES
Northeast portion of parcel 87, northeast of Amherst Rd., southeast of Ball Camp Rd., Rezoning from A-1 (General Agricultural) to R-1 (Single Family Residential). Tax ID 92 087 (Part), Map on file Council District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve R-1 (Single Family Residential)

3-C-04-RZ DEANE HILL DENTAL LAB
Southeast side Lonas Dr., southwest of Kirby Rd., Rezoning from R-1 (Single Family Residential) to O-3 (Office Park). Tax ID 107 I B 019, Council District 2, Northwest City Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

* 3-D-04-SP JILL COLLINS (REVISED)
Southwest side Old Clinton Pike, southeast of W. Beaver Creek Dr. Request Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Tax ID 67 141.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve C (Commercial).

* 3-F-04-RZ JILL COLLINS (REVISED)
Southwest side Old Clinton Pike, southeast of W. Beaver Creek Dr. Rezoning from RB (General Residential) to CA (General Business). Tax ID 67 141.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business)

* 3-G-04-RZ MIKE HINTON
Southeast side Meredith Rd., northeast of Taylors View Ln., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 67 166, 168.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at 1-3 dwelling units per acre.

* 3-J-04-RZ PAUL GARRON / GARRON LAND SURVEYING
Northeast side Morris Rd., northwest of E. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 37 179, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at 1-3 dwelling units per acre.

* 3-K-04-RZ AUTREY DAWSEY / PREMIERE ENTERPRISES OF WHITEVILLE, LLC
East side Dutchtown Rd., south side Lexington Dr., Rezoning from C-6/TO-1 (General Commercial Park/Technology Overlay) to I-3/TO-1 (General Industrial/Technology Overlay). Tax ID 131 62.01, Council District 2, Northwest County Sector.

STAFF RECOMMENDATION: Approve I-3 (General Industrial)/TO-1 (Technology Overlay).

* 3-M-04-RZ TRACI SANDERSON, RUFUS SMITH III AND TOM SMITH
Northwest side Oak Ridge Hwy., southwest of Pennell Ln., Rezoning from RB (General Residential) to CB (Business and Manufacturing). Tax ID 78 158 (portion zoned RB), Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve CB (Business and Manufacturing).

* 3-N-04-RZ EAGLE BEND REALTY
Northwest side Hill Rd., north of Cabbage Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 28 128.01 and part of 118, Commission District 8, North County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at 1-3 dwelling units per acre.

* 3-O-04-RZ KCDC
Southeast side Parham St., northwest side Louise Ave., northeast side Ben Hur Ave., southeast of Martin Luther King Jr. Ave. Rezoning from R-1 (Single Family Residential) to C-3 (General Commercial). Tax ID 82 O J 8-14, 34-36, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial)

* 3-Q-04-RZ CITY OF KNOXVILLE
East side Park 40 North Blvd., south side Sherrill Blvd., west of N. Cedar Bluff Rd., Rezoning from No Zone to PC-1 (Retail and Office Park), C-3 (General Commercial) or C-6 (General Commercial Park). Tax ID 119 18.41, & rights of way. Council District 2, Northwest County Sector.

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

* 3-R-04-RZ S & E PROPERTIES
Southeast side Westland Dr., southwest of S. Northshore Dr., Rezoning from A (Agricultural) / F (Floodway) to PR (Planned Residential) / F (Floodway). Tax ID 153 070, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at 1-3 dwelling units per acre.

USES ON REVIEW

* 3-A-04-UR JOHN CAPUTO
Southwest side Chapman Hwy., southeast side W. Young High Pike
Proposed use: Master signage plan in C-6 (General Commercial Park) District. Tax ID 123 B A 8,8.01,10,25, Council District 1, South City Sector.

STAFF RECOMMENDATION: Approve development directory sign ("A") as a master signage plan in the C-6 zoning district, subject to 2 conditions.

* 3-E-04-UR E. LUKE GREENE CO.
Northwest side Strawberry Plains Pike, southwest of Pine Grove Rd.
Proposed use: Condominium development in PR (Planned Residential) & OB

(Office, Medical & Related Services) District. Tax ID 84 045, Commission District 8, East County Sector.

STAFF RECOMMENDATION: Approve the development plan for 57 condominium units in the PR and OB zoning districts, subject to 5 conditions.

Items added or removed from the consent list:

3-SG-04-C THE WOODS AT HARDIN VALLEY
3-G-04-UR S&E PROPERTIES

Mr. Horace Beckner: Thompson Road
3-G-04-UR and 3-SG-04-C Woods at Hardin Valley request they be removed from consent.

3-C-04-RZ DEANE HILL DENTAL LAB

Ms. Suzan Kurr: 5123 Evelyn Drive, Lonas Drive Community Association
Removed from consent.

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

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO APPROVE CONSENT ITEMS AS READ EXCLUDING 3-SG-04-C, THE WOODS AT HARDIN VALLEY, 3-G-04-UR S&E PROPERTIES, AND 3-C-04-RZ DEANE HILL DENTAL LAB. MOTION CARRIED 13-0-1. CONSENT ITEMS APPROVED AS READ EXCLUDING 3-SG-04-C, THE WOODS AT HARDIN VALLEY, 3-G-04-UR S&E PROPERTIES, AND 3-C-04-RZ DEANE HILL DENTAL LAB.

8. ORDINANCE AMENDMENTS

None

9. STREET CLOSURES

W 2-B-04-SC CITY OF KNOXVILLE
Request closure of Cheshire Dr (for vehicular traffic only) between Deane Hill Dr. edge of right-of-way and 5 feet northwest of the edge of Deane Hill Dr. right-of-way, CLT Map 120, Council District 2, West City Sector.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

W 2-C-04-SC CITY OF KNOXVILLE
Request closure of Golf Club Rd. (for vehicular traffic only) between edge of right-of-way of Deane Hill Dr. and 5 feet northwest of the edge of right-of-way of Deane Hill Dr., Map 120, Council District 2, West City Sector.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

3-A-04-SC TENNESSEE VALLEY AUTHORITY (TVA)
Request closure of Strong St. between W. Summitt Hill Dr. and Wall Ave., Map 94, City Block 06103 & 06104, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve subject to maintaining required utility easements and continued access easements for adjoining property owners.

Ms. Kathy McGinley: On behalf of TVA

TVA applied for closure in support of Knoxville Tourist Sports Corporation and KUB in order to renovate the old Wendy's building. Feel renovation will greatly improve the area and the three sports corporations in that building will help economic renewal of downtown. TVA will continue to work with adjoining property on access to the alley. The alley has been closed since security concerns after September 11, 2001. We do not feel like there will be much change with the permanent closure.

Mr. Doug Slitca: Knoxville Tourism and Sports Corporation, 900 E. Hill Avenue, 37915
We are bringing three new businesses to the building to help revitalize the downtown area. Searched out alternative places to put the power supply. In partnership with TVA and KUB we reviewed every situation and this allows the least amount of negative impacts on our friends and neighbors in the area. I did submit a letter to the Planning Commission. Knoxville Sports Corp is proud to be moving into that area. We pledge to work with our neighbors to alleviate any pains incurred by them.

Ms. Charlotte Beets: Sr. Vice President, TVA Credit Union, 301 Wall Avenue
Problem with closing the alley permanently is that it does block our receiving and shipping entrance. When built in 1989, we built it according to code. Code was our service elevator had to be located on Strong Street. That is our only access for sending and receiving supplies. We have worked around many numerous obstacles. Latest obstacle was the street was blocked immediately after 9/11/2001. TVA did allow us to have access across the parking lot to have access to the storage and shipping. With parking being the way it is; it is hard for trucks to maneuver across the parking lot, make a left turn into the alley and then have to back up and have to come back across the parking lot. TVA does own the property beside the Wendy's building. It can be placed there. It will only hinder their parking. We have no other parking. We have no way to get to the freight door. Closure serves no one but TVA.

Mr. Bill Ambrose: Architects Ambrose McDonald on Market Square
We went through this 7 years ago during a previous attempt to close the street. Thought it was settled at that time. We had something like 300 signatures to keep that street open. We had strong support with all the businesses in the area that need that access. With the renovation and growth of Market Square, we need more access rather than less. When TVA blocked that we tried to be good neighbors. I corresponded with the then director of MPC and was assured that would not be a permanent closure. It seems that we should have been notified about this since we are affected and there was so much objection from before. I sent a letter to Mr. Hill and Board Members to reacquaint you with this situation along with letters from 1997, presentation points, copy of e-mail from Mr. Whitaker. That street replaced the extension of Market from Wall to Summitt. It was a concession to the loss of that circulation. Would like to see you turn this down and reopen the street, or at least postpone it 30 days. Previous speaker mentioned KUB and TVA had consulted about why they need to take the street. I talked to several electrical engineers and they said it was not normal for streets to be closed for equipment like this. Want private individuals to look at this and see if there is a better answer. I do not want to throw roadblocks into the development of that building. I would love to see that happen and it is a great step. Do not think we need to lose the street to do that.

Chair Brown: Asked about access.

Mr. Ken Pruitt: It is the recommendation from staff that a easement be provided to the adjoining property owners as well as to the general public for pedestrian access through that corridor in the future.

Ms. Beets: We had talked to McGinley. We were of the understanding that TVA would not give us an easement, but that they would give us a lease and that lease could be terminated with a 90-day notice. They have said we have access, but we have not been using it. You cannot get a large truck in there, back up and make a left turn. We have been blocking Wall Avenue is exactly what has been happening.

Mr. Ambrose: Address the year and one half that this has been closed. You should not hold that against those that are against the closure because the director of MPC advised us that this was temporary. We tried to be good neighbors and understand the security situation. Just because we detoured for a year and one-half does not mean that is the best solution.

Ms. McGinley: I have discussed with upper management and security that we are willing to remove the planters on the Wall end of the alley to help alleviate the credit union problem. Sports Corporation is also putting their freight door in the alley. It will not help the thoroughfare, but it will help the accessibility from the alley.

Mr. Larry Smith: We are trying to get development in downtown. Think two sides are close to getting together on agreement. Let the two of them get together and put that on paper and come back next month.

MOTION (SMITH) AND SECOND (GRAF) WERE MADE TO POSTPONE.

Mr. Slitca: Our projected move in is May 1st. Any delay will severally hamper the project. The access to that alley is unchanged from what it has been and will remain to be. We are putting our loading dock in that alley. It is difficult, but functional for us. I do not think any of us are moving major sets of freight through there. We pledge to work with the credit union and Market Square to make that thoroughfare as best we can for everybody. We hope to stick to the time frame to get our organization in there and the renovation to move on.

Ms. Beets: That is our main office. We have all of our envelopes and large bulk items that come into this office and are shipped back out. It has been a great inconvenience to use during the last period.

Chair Brown: You are opposed to the closure period. I am not sure where the middle ground is.

Mr. Philip French: We are talking about closing the whole Summitt Hill entrance to that street? Will there be access via Wall Street?

Ms. McGinley: We will remove the planters at Wall Avenue. As I understand the process, we have to apply for closure of that entire section officially whether we block it or not. That will be up to the adjoining property owners which will be TVA and

the Credit Union. At the Summit Hill Drive end there will be KUB equipment and planters will remain to protect the equipment.

Mr. French: Could that equipment be elevated so that you could drive through?

Ms. McGinley: We asked them specifically if there were other alternatives. Apparently that equipment has to go on the ground.

Mr. Dick Graf: If we deny this today, it is going to affect that time line also.

Mr. Smith: This will go on to City Council. You are close to getting that together. We can make a move on this today and it still gives you time to work together before we go to City Council. I am withdrawing my postponement motion since you are in a hurry for the Sports Corporation.

SMITH AND GRAF WITHDREW THE MOTION TO POSTPONE.

Mr. Ray Evans: The fact that the planters are removed from the Wall Street entrance, would that not solve your problem?

Ms. Beets: Our problem from that point will be TVA will own the property. All Credit Union will own is half to the alley. Any other access would be at our mercy. She has said they will not give us easement that they would give us a lease, which means we will have to have their permission to go through the property. If you only open one end, a truck will have to back in or back out.

Mr. Evans: The recommendation of the staff is that you would have continued access easements for adjoining property owners. I suppose that if we approve this, that gives you easement. That is, our approval would be subject to that easement.

Mr. Steve Wise: MPC attorney
No, you cannot condition a closure. That is a private property right. If the road is closed, it is divided down the middle and the entire interest in that entire property passes to the abutting landowners.

Ms. Mary Slack: Asked for KUB to explain their plan.

Ms. McGinley: I had indicated that we would prefer not to do an easement. I said we prefer, but we will work with the Credit Union on a mutual access for the alley.

Mr. Mike Patterson: KUB, 445 South Gay Street
The equipment we will be placing in the alley is a pad-mounted transformer and a pad-mounted switch gear typical of what serves most of our commercial businesses. Foot of equipment will be on a pad approximately 17 feet deep by 15 feet wide. Transformer is oil filled and is quite heavy. We need access to that equipment to maintain it at ground level. Would not be practical to elevate the equipment.

Mr. Buz Johnson: With motion to approve with the idea that it is going on to City Council, there is an expectation that they need to try to work out the agreement. Then when it gets to Council that is an issue that can be debated at that level.

MOTION (MASSEY) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. Phil French: It would seem that it is in TVA's best interest to work out something with the Credit Union since the property owners own half of it so TVA cannot access without authorization from Credit Union. Seems like the best interest is to work out the right thing to do.

Upon Roll Call vote the Planning Commission voted as follows:

BENEFIELD	YES
DONALDSON	YES
EVANS	NO
FOSTER	YES
FRENCH	YES
GRAF	NO
JENDREK	NO
KILGORE	NO
LEWIS	NO
MASSEY	YES
SHARP	YES
SLACK	YES
SMITH	NO
BROWN	YES

MOTION CARRIED 8-6. CLOSURE APPROVED.

Chair Brown: The four of your should be getting together before the next City Council meeting.

3-B-04-SC ETN PARTNERS
Request closure of Manford St. between Asheville Hwy and Parcel 071PA022 (deadend), Map 71, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve subject to replatting of adjoining property as required by City Engineering and retaining any required easements.

MOTION (SMITH) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. CLOSURE APPROVED.

10. ALLEY CLOSURES

None

11. STREET NAME CHANGES

* 3-A-04-SNC HUNTERS CREEK, LLC
Change Fish Pond Lane to ' Deer Ridge Lane ' between Hunters Creek Ln. and deadend cul-de-sac, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

12. SUBDIVISION NAME CHANGES

None

13. PLANS AND PLAN AMENDMENTS/REZONINGS

* 3-A-04-OYP METROPOLITAN PLANNING COMMISSION
Knoxville One Year Plan, 2004 Update.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

SUBDIVISIONS
14. CONCEPTS/USES ON REVIEW

W 8-SF-02-C CREATIVE TENNESSEE HOMES, LLC ON EMORY ROAD
Northwest side of E. Emory Rd., southwest of Findhorn Blvd., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

W 8-M-02-UR CREATIVE TENNESSEE HOMES, LLC
Northwest side of E . Emory Rd., southwest of Findhorn Blvd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 21 100 & pt 100.01, Commission District 8, Northeast County Sector.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

P 9-SH-02-C MURDOCK CENTER DEVELOPMENT
90 days-6/10/04 Northwest side of Dutchtown Rd., east of Simmons Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 9-Q-02-UR BOOGER BEAR, LP
90 days-6/10/04 Northwest side of Dutchtown Rd., east of Simmons Rd. Proposed use: Office/warehouse development in PC (Planned Commercial) & TO (Technology Overlay) District. Tax ID 118 Pt. 173.20, Commission District 6, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

2-SE-04-C KNOX ESTATES
South side of Buffat Mill Rd., west of Locarno Dr., Council District 4.

STAFF RECOMMENDATION: Postponed until the April 8, 2004 MPC meeting.

MS MARY SLACK RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

Chair asked for first discussion to be on the merits of postponing this item today.

Mr. John King: P.O. Box 445

Mr. Ronnie Collins: 4606 Washington Pike, President, Alice Bell/Spring Hill Neighborhood Association

We have a large group of people here. We did not know about the postponement until last Tuesday. We do not want it postponed today. Mr. Paul Williams, Hodge Engineering, and his representatives were offered by us four time to postpone on February 16, 19, 21 and 24. All four times we were told they could not postpone. They understand they were asked by MPC staff to redraw their plans. Now we understand they are not acceptable. They have had their grant since spring of 2003 and have been working with MPC since January 2004 and yet cannot get their plans right. They do not seem to be working in good faith.

Mr. King: We have had continuing efforts in working on the plan. My request to postpone was submitted to MPC on March 1. Postponement was requested due to staff needed more information that was not available and time constrained. We changed access from Buffat Mill to McIntyre, which necessitated another traffic study for McIntyre. We had already done one for Buffat Mill. My clients told me that there had been an effort to meet with the homeowner representatives again and they advised him that that could not be done. Mr. Frost talked to Mr. Collins and told me that the reason for declining to meet with us were the time constraints and if postponed, it would allow the developer to go to the outlying neighbors and talk about the revised plan and concerns and issues. I called Mr. Collins several times and did not reach him. I did talk to him yesterday. I was told we could not meet with them in March because the meeting was full and their April meeting comes after the MPC meeting. He has told me he would try to find a place to meet and a date for such a meeting. My request for postponement was on all these basis.

Mr. Dan Kelly: Plan as submitted originally had access from Buffat Mill and had deficiencies. After meeting with staff, they revised their plan significantly reorienting with access via McIntyre. The primary item missing was a traffic impact study. There was additional drainage information they were required to supply to us. Use on review information missing was information regarding their club house, recreation facilities, sidewalk plan and discussion of a day care center. None of these items were addressed in information received by staff. We have been working on plans. During the meantime Mr. King was retained. We feel that the developer in this case is supplying information. As long as the developer is working toward a better designed subdivision, staff would recommend, if items are missing, that the developer be allowed to postpone their request.

Chair Brown: On this case there is no staff recommendation. Unlike the other item that was pulled from the postponement list that has a staff report that details the advantages and disadvantages of the proposal and gives a professional staff assessment.

Mr. Herbert Donaldson: I live in the neighborhood and got an invitation that they were going to meet. They never were able to meet with anybody. Subsidized in that area of town does not work. Anytime you have to rent the property in order to buy is because we have a different set of people in that area. I know because I run a food pantry in that section. I know we have people in that area that come to get food. Subsidized, rent to own-it does not work. My heart was aching for the ones that called me. It is the same situation that we had with a golf course to get kids off the street. The developer came along and wanted to put in apartments next to the golf course. I bought there before East Town.

I was offered about a month ago more for one lot, than the house and the other lot. I was thinking about buying at Buffat Trace. Then I would be faced with the same situation you are. We have a different set of people in the area now. I went to a political party and ran into a young person driving a Hummer and just chilling. I want to hear it today and not postpone.

Mr. Randy Massey: I support your neighborhood effort. I apologize I did not make myself clear to you Tuesday. I do not know what we are hearing. I have nothing that staff says has been approved for this. There is nothing that says what they are going to put there.

Mr. Collins: It is not our problem that they cannot get their act together when they have been working on this for years.

Mr. Massey: We have not gotten in anything to deny or approve.

Mr. Collins: Not finding out until the luncheon Tuesday, there was no way I could notify all these people and tell them not to come down here. I did not get a chance to talk with Mr. King and he has now given me two weeks to get together a meeting with the neighborhood group. He wants our meeting to be at least a week or a week and one half until the MPC meeting to prepare for our comments.

Mr. Ray Evans: I do not know what to vote on to deny or to approve. I do not see any option except to postpone. To vote on something we do not understand would be a disservice.

Mr. Larry Smith: I thought Mr. Massey was plain on Tuesday that this would not be heard. I have had people call my office and I told them it was going to be postponed. We may have cut out some of the other people that planned on being here.

Mr. Dick Graf: How did this end up on the agenda if this is incomplete?

Mr. Kelly: We get applications every month that are incomplete. Traffic impact studies are usually not done at meeting time.

Mr. Stephen Lewis: I would be concerned about asking these people to come back in 30 days and it is still not resolved. Consider 60 days so that each party has time to get with the other.

Mr. John King: It may be a problem. If that is the wish of the Commission, they will have to live with it. One reason why this is not completed is this project got reoriented. Originally showed access off Buffatt Mill and oriented toward Buffat Mill. Staff suggested flipping the project and orienting it toward the McIntyre side. Now we need another traffic study. The number of units has changed also. I do not agree that I set the timeline with the neighborhood organization. He said our next meeting was March 16, but we cannot meet with you then. He is the one that said it would take some time to notify the neighborhood in the area in addition to the association members. He said he would work on a place and time. I did not set the timeline.

MOTION (LEWIS) AND SECOND (MASSEY) WERE MADE TO POSTPONE 60 DAYS.

Mr. Dick Graf: Do not think 60 days would do more than 30 days. If I owned property there and there was that much interest, I would find a way to attend a meeting and get this thing voted on one way or another.

Mr. Phil French: Based on the response to Mr. Donaldson's comments, it seems there is nothing in the character of this development that would meet their approval. Need to meet with the people and have a discussion or tell them that there is nothing that will satisfy you. Either meet or tell them you do not need to meet and come back next month with a direct answer.

LEWIS AND MASSEY AMENDED THEIR MOTION TO POSTPONE 30 DAYS UNTIL THE APRIL 8, 2004 MPC MEETING.

Mr. Jack Sharp: I agree that this is not the type of project for this area. I want you to be sure you understand this is 30 days and you have to come back.

MOTION CARRIED 13-0-1. POSTPONED UNTIL THE APRIL 8, 2004 MPC MEETING.

2-L-04-UR KNOX ESTATES, LLC
South side of Buffat Mill Rd., west of Locarno Dr. Proposed use: Detached single family subdivision & day care center in RP-1 (Planned Residential) District. Tax ID 60 P A 025, Council District 4, East City Sector.

STAFF RECOMMENDATION: Postponed until the April 8, 2004 MPC meeting.

MS MARY SLACK RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

MOTION (LEWIS) AND SECOND (MASSEY) WERE MADE TO POSTPONE 30 DAYS UNTIL THE APRIL 8, 2004 MPC MEETING. MOTION CARRIED 13-0-1. POSTPONED UNTIL THE APRIL 8, MPC MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 3-SA-04-C S.W., INC. ON OAK RIDGE HIGHWAY
Northeast side of Oak Ridge Hwy., northwest of Ridgedale Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SB-04-C SHADOW RIDGE ESTATES
South side of Shadow Creek Rd., south of Council Fire Dr., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SC-04-C LATHERWOOD
South side of Strawberry Plains Pk., south of Pleasant Hill Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-D-04-UR UNDERWOOD PROPERTIES
South side of Strawberry Plains Pk., south of Pleasant Hill Rd. Proposed use: Attached single family subdivision in PR (Planned Residential) District. Tax ID 63 56 & 56.01, Commission District 8, East County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SD-04-C SHERRILL BUSINESS PARK
Northeast side of Sherrill Bv., south of Mabry Hood Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SE-04-C CHRISTIAN SPRINGS - REVISED
Southeast side of Maloneyville Rd., east side of Stair Dr., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SF-04-C OSPREY POINT SUBDIVISION
South side of Osprey Point Ln., southeast of S. Northshore Dr., Commission District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-F-04-UR FULGUM MACINDOE
South side of Osprey Point Ln., southeast of S. Northshore Dr. Proposed use: Detached single family subdivision and office lot in PR (Planned Residential) and O-3 (Office Park) District. Tax ID 154 102 & 102.01, Commission District 4, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-SG-04-C THE WOODS AT HARDIN VALLEY
East and west sides of Thompson Rd, south of Hardin Valley Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 12 conditions.

Mr. Horace Beckner: 2305 Thompson Road, Homeowner in Hardin Valley
Thompson is narrow windy road that does not meet any of the design standards for local streets. Road is a 13-14 feet wide, single-lane road. Sight distance is 200 feet or less on hills. Speed limit is 20 on part and 25 mph on part. There are no sewer mains or water mains. Service drainage goes into small creek a few feet from the side of the road. I lived on this road for 30 years and there have been a lot of accidents due to the speed of cars. Consider impact of this development and have the road improvements done before construction starts.

Mr. Scott Smith: 1476 Lyons Bend Road

I talked to Mr. Beckner and understand his concern about the road. We agree to improve the road as one of the conditions. We can extend sewer and water from Hardin Valley. We cannot until road is improved. We agree to condition 3 to widen the road.

MOTION (MASSEY) AND SECOND (FRENCH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTIONED CARRIED 14-0. APPROVED.

3-G-04-UR S&E PROPERTIES
East and west sides of Thompson Rd., south of Hardin Valley Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) pending District. Tax ID 104 141, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 60 detached single family dwellings on individual lots subject to 2 conditions.

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTIONED CARRIED 14-0. APPROVED.

* 3-SH-04-C REMINGTON RIDGE
West side of Wrights Ferry Rd., north side of Badgett Rd., Commission District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SI-04-C REAGAN WOODS
South side of Coward Mill Rd., east side of Reagan Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-H-04-UR FUAD REVEIZ
South side of Coward Mill Rd., east side of Reagan Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 90 75.01, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

15. FINAL SUBDIVISIONS

* 9-SU-02-F POTOMAC PLACE, PHASE 2, UNIT 2
North end of Presidential Ln, north of Beaver Ridge Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

1-SB-03-F ELNORA L. GRAY
Southeast side of W. Copeland Dr, northeast of Brickyard Rd., Commission District 6.

STAFF RECOMMENDATION: Deny final plat.

Mr. Brechko: This was removed from the table at last month's meeting. We contacted surveyor and have not received revised plans. We do not have an approvable plat.

MOTION (GRAF) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. FINAL PLAT DENIED.

P 9-SK-03-F ARBOR VISTA
Northwest side of Choto Rd., south of Whitten Ln., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 10-SE-03-F RALPH JOEL OWNBY PROPERTY
Northwest side of Twin Oak Ln., southwest Tazewell Pike, Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 11-SN-03-F H. T. & EDITH ROACH ESTATE, RONALD E. & FAYE WEISGERBER & HARVEY M. WRIGHT
Southeast side of Wood Rd., east of Majors Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 12-SA-03-F PROPERTY OF THOMAS J. & BETTY L. MARTIN
West side of W. Dick Ford Ln., just west of Chapman Hwy., Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 12-SO-03-F FRANKLIN CREEK
South side of Yarnell Rd., east of Carmichael Rd., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 1-SA-04-F EDNA MAE TAYLOR
Northeast side of Majors Rd., north of Wood Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 1-SF-04-F WILLIAM H. HARRELL PROPERTY, RESUBDIVISION OF LOT 1R
Southeast side of Buffat Mill Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 1-SN-04-F CHRISTIAN SPRINGS, UNIT 2
East end of Ruby June Ln., east of Stair Dr., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 1-SS-04-F POLO CLUB, UNIT 2
Southeast side of Westland Dr., northeast side of Appaloosa Way, Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 2-SB-04-F RESUBDIVISION OF THE ROGER D. PHILLIPS & GRACE S. PHILLIPS PROPERTY & JUANITA MAPLES PROPERTY
Northwest side of Rutledge Pike, southwest side of Varnard Ln., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 2-SC-04-F VERNON T. LATTIMORE PROPERTY
South side of Sunset Heights Dr., east side of Hightop Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 2-SE-04-F SHERRILL LANE BUSINESS PARK
Northeast side of Sherrill Blvd., just south of Mabry Hood Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 2-SH-04-F PROPERTIES OF ALLEN DUNLAP, BRYAN BARKLEY & JAMES BURKHART
60 days-5/13/04 Northwest side of Asbury Rd., southwest of Vaughn Ln., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 2-SK-04-F VIRGIL COX
East side of Wood Rd., north of Dalton Ln., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 2-SL-04-F PROPERTY OF ALICE RUTH GRIFFIN
East side Neubert Springs Road, at Tarwater Road, Commission District 9.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

2-SN-04-F TURKEY CREEK PHASE 1, RESUBDIVISION OF LOT 1R-3R4RA
North side of Parkside Dr., east of Snow Goose Rd., Council District 2.

STAFF RECOMMENDATION: Deny final plat.

MR. TREY BENEFIELD RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

Mr. Tom Brechko: Revised plans to detention basin were submitted to engineering, but were not approved at the corrections deadline. Engineering has approved those plans at this time and is in approvable form. I understand the applicant is asking for waiver of 9-day rule and approval of plat.

MOTION (MASSEY) AND SECOND (GRAF) 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 13-0-1. ARTICLE 6, SECTION 1, OF MPC'S *ADMINISTRATIVE RULES AND PROCEDURES* AND SECTION 44-22 OF THE *MINIMUM SUBDIVISION REGULATIONS* WAIVED.

MOTION (MASSEY) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0-1. FINAL PLAT APPROVED

* 2-SO-04-F J. B. CATE SOUTH KNOXVILLE ADDITION, RESUBDIVISION OF LOTS 1 - 9 & PARTS OF LOTS 10, 14 - 22
Southwest end of Stevens Ave., Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 2-SX-04-F VERLIS OGLE PROPERTY
Northeast end of Richard Ln., north of Curtis Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SA-04-F EULA T BROWN PROPERTY
Northwest side of W Beaver Creek Drive at the north end of Adams Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SB-04-F JAMES A. GREGORY & RUTHA BUFFALO
Northeast side of Copper Ridge Rd., north of Hillbrook Dr., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SC-04-F MYNATT VILLAS RESUBDIVISION
Southeast side of East Beaver Creek Dr., northeast of Central Avenue Pike, Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SD-04-F HAROLD M. BOWMAN HEIRS PROPERTY, RESUBDIVISION OF TRACTS 1 & 2
Northwest side of E. Brushy Valley Dr., northeast of Heiskell Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SE-04-F FRANCES GWYNN PROPERTY
Northwest side of Carter Rd., southwest side of Archer Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SF-04-F SURVEY FOR KNOX COUNTY
Block bounded by Commerce Ave., State St., Union Ave. & S. Central St., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SG-04-F HOOMAN SUBDIVISION
South side of Alki Ln., west of Dukesbury Dr., Commission District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SH-04-F TAMMY PUCKETT PROPERTY
Northwest side of Schaad Rd., northeast side of Grassy Creek Way., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 3-SI-04-F MIDDLEBROOK HEIGHTS COMPANY, RESUBDIVISION OF PART OF LOTS 5 & 6, BLOCK B
Southeast side of Kim Watt Dr., west of Frank Watts Rd., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 3-SJ-04-F EAST TENN. REALTY AUCTION, RESUBDIVISION OF LOT 10-R
West side of Ellistown Rd., south side of Friendly Way, Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 3-SK-04-F CRUMLEY PROPERTY
West side of Ellistown Rd., south of Munsey Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SL-04-F SCOTT SMITH PROPERTY
West side of Maloneyville Rd., north of McNeely Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SM-04-F ALISA A. BAKER & BRIAN L. BAKER PROPERTY
Buttermilk Rd & Graybeal Rd, Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SN-04-F MARY & TED BOHANAN PLAT
West side of Jones Rd., south of Ridgeview Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SO-04-F LARRY S. MILLER PROPERTY
East side of Fulton Rd., south of Bud Hawkins Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SP-04-F TAYLORS VIEW SUBDIVISION, RESUBDIVISION OF LOTS 8 - 11
Southwest side of Taylors View Lane, south of Meredith Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SQ-04-F SUMMER ROSE, UNIT 8
Northeast end of Ivy Rose Dr., east of Artistry Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SR-04-F HERITAGE LAKE OFFICE PARK
Southeast side of Westland Dr., southwest side of Pellissippi Parkway, Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 3-SS-04-F THE RESERVE OF HUNTER'S RIDGE, UNIT 3
East side of Stony Point Rd., east end of Kays Ridge Ln., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 3-ST-04-F PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE MAGNOLIA AVENUE CAMPUS
South side of E. Magnolia Ave., east side of Myrtle St., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 3-SU-04-F CHILHOWEE HILLS BAPTIST CHURCH
North side of Asheville Hwy., west of Carta Rd., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SV-04-F DEVANSHIRE UNIT III, RESUBDIVISION OF LOTS 162-186
North and south side of Missoula Way, south of Lovell Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SW-04-F SEQUOYAH HILLS, BLOCK N, RESUBDIVISION OF LOTS 11R1, 11R2, 11R3 AND 12R
West side of Cherokee Blvd., south of Tugaloo Dr., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SX-04-F EVERGREEN COURT
South side of Neal Dr., east side of Fraker Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SY-04-F THE OAKS, UNIT 2
Northwest side of S. Northshore Dr. just west of Harvey Rd, Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 3-SZ-04-F WESTSHORE SUBDIVISION, RESUBDIVISION OF LOTS 5, 6 & 7
Southwest end of Rock Arbor Way, northwest side of Westland Dr., south of S. Northshore Dr., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 3-SAA-04-F FLOYD E. & MARY L. ROACH PROPERTY RESUBDIVISION
Southeast side of Millertown Pike, southwest of Norris Ln., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-SBB-04-F EUGENE & WILMA JOYCE CHITWOOD PROPERTY
Southwest side of Schroeder Rd., south of E. Copeland Dr., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 3-SCC-04-F FARRAGUT HILLS ESTATES, RESUB OF PORTION OF LOTS 6 AND 6CR
West side of Windswept Ln, south of S. David Lane, Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 3-SDD-04-F PLASTILINE SUBDIVISION
North side of E. Emory Rd., east of Conner Rd., Commission District 7.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 3-SEE-04-F CAMPUS POINTE SUBDIVISION
South side Grand Ave., west side S 21st St. Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

16. ONE LOT SUBDIVISIONS

P 7-V3-03 41 NORTHSHORE DRIVE SUBDIVISION, RESUB OF PARTS OF LOTS 2 & 3
Northwest side of S. Northshore Dr, northwest of Morrell Rd., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 10-V3-03 BONNYMAN ESTATE LOT - 3A, BLOCK "A" WESTMORELAND HEIGHTS SUBDIVISION
North side of Sherwood Dr., east of Gate Head Rd., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 10-V5-03 AMERISTEEL PROPERTY
Northwest side of Tennessee Ave., southeast side of Louisiana Ave., southwest side of Stonewall St., Council District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 10-V10-03 THE ETHANOL CORPORATION RESUBDIVISION PLAT
North side of Asheville Hwy., west side of River Turn Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 11-V6-03 WILLIAMSBURG ADDITION, RESUBDIVISION OF ALL OR PARTS OF LOTS 17, 18, 23, 24, 29, 30, 33 & 34
South side of W. Hill Ave., west of Maplehurst Ct., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 1-V3-04 RONALD DEWAYNE WHITT PROPERTY
Northwest side of Old Maynardville Pike, west side of Thomas Weaver Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 2-V2-04 ADAIR GARDENS ADDITION, RESUBDIVISION OF LOTS 90, 91, 92 & 93
Northwest side of Tazewell Pike, northeast side of Coile Rd., Council District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 2-V3-04 DWIGHT C. CARDEN SUBDIVISION
Southwest side of Long Hollow Rd., east of Shade Weaver Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 2-V7-04 SEQUOYAH HILLS, BLOCK F, SECTION ONE, RESUBDIVISION OF LOTS 14, 15 & PART OF 16
East side of Cherokee Blvd., south of Bluff Dr., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

17. REZONINGS

P 3-N-02-RZ CITY OF KNOXVILLE, BY MAYOR VICTOR ASHE
Southeast corner of the intersection of Union Avenue and Walnut Street (420-430 Union), Rezoning from C-2 (Central Business District) to C-2 (Central Business District)/H-1 (Historic Overlay) and design guidelines. Tax ID 94 L F 021, Council District 6, Central City Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

11-C-02-SP HAROLD BYRD/ DON BROWN
South side Millertown Pike, northeast of Ellistown Rd. Request Northeast County Sector Plan Amendment from Agricultural/Rural Residential to LDR (Low Density Residential). Tax ID 41 180.03, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Deny LDR (Low Density Residential).

MOTION (GRAF) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. LDR (LOW DENSITY RESIDENTIAL) DENIED.

11-O-02-RZ HAROLD BYRD/ DON BROWN
South side Millertown Pike, northeast of Ellistown Rd. Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 41 180.03, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Deny PR (Planned Residential).

MOTION (SLACK) AND SECOND (GRAF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. PR (PLANNED RESIDENTIAL) DENIED.

W 4-V-03-RZ DON BREWER
Northwest side Sutherland Ave., southwest side Prestwick Ridge Way, Rezoning from I-2 (Restricted Manufacturing and Warehousing) and C-6 (General Commercial Park) to C-3 (General Commercial). Tax ID 107 D J 26.01, Council District 6, Central City Sector.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

MR. RANDY MASSEY LEFT THE MEETING AT THIS TIME.

2-C-04-SP JOHN KERR CONSTRUCTION CONCEPTS (REVISED)
North side Westland Dr., east of Cessna Dr. Request West City Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential). Tax ID 133 G C 6, 7, 9,10,11, Commission District 4, West City Sector.

STAFF RECOMMENDATION: Approve MDR (Medium Density Residential).

Mr. Vaughn Bush: Highland Point Condo
Westland is a very narrow dangerous road. Three cars have gone in the ditch. There are no shoulders on the road. When we come out and get ready to turn, if a car is coming, we have had it. That is why I do not want to see any more traffic on the road.

Mr. Richard LeMay: 10818 Kingston Pike
Recognize traffic situation. Proposing 27 units, which generates about 207 trips per day. We do not think this is a significant increase in traffic. We are tearing down houses on the lots.

Mr. Bush: Has there been a traffic impact study done? I think it should be done before anything takes place.

Mr. Pruitt: Since last month, the applicant acquired two additional lots. Our initial concern was the size of the property was so small it would be difficult to develop under Planned Residential zoning. By adding two additional lots he has moved the project over so it is a continuation of planned residential on the south side and across Westland. It is a good use and redevelopment of property that backs onto a major railroad right of way as well as fronting on this collector facility. Threshold for traffic impact, level I analysis is 750 trips a day, which this project does not warrant a sufficient amount to be requested by the staff. Not aware of traffic counts along that section of Westland.

MOTION (EVANS) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. MDR (MEDIUM DENSITY RESIDENTIAL) APPROVED.

2-J-04-RZ JOHN KERR CONSTRUCTION CONCEPTS (REVISED)
North side Westland Dr., east of Cessna Dr. Rezoning from RA (Low Density Residential) to PR (Planned Residential). Tax ID 133 G C 6, 7,9,10,11, Commission District 4, West City Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1-8 dwelling units per acre.

MOTION (EVANS) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (GRAF) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-8 DWELLING UNITS PER ACRE APPROVED.

MR. RANDY MASSEY RETURNED TO THE MEETING AT THIS TIME.

2-K-04-RZ JEFFREY R. MURRELL
Northeast side Coatney Rd., southeast side W. Gov. John Sevier Hwy., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 136 120, Commission District 9, South County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 4 dwelling units per acre, as revised by the applicant on 3/5/04.

Mr. Carson Dailey: 7508 Governor Farm Road, President, South Doyle Homeowners Association
We met with the developer this past Tuesday night and had a good discussion. We have water questions, right-of-way, walkways, utilities and road questions. Main thing is the density. We asked the developer to go to three per acre. It is a good development. It is out of character with that part of the neighborhood. It is not more than 800 feet from South Doyle High School. Traffic accidents will happen. This is a narrow road. I was in an accident last weekend with a teenager. Have had the same problem at Highway 33 that is trying to be addressed by County Commission. We asked the developer to go to three units per acre or be denied.

Mr. Jeff Murrell: 150 Court Avenue, Sevierville
Since the February meeting, we revised density request from 5 to 4 at the urging of the members of the community who were here at the last meeting.

We met with them Tuesday night and showed them a concept plan, which has already been submitted to MPC. Have a total of 58 homes on this 14.65-acre tract. Those who have seen the plan would note that there is 9 ½ acres of green space remaining in that 14.65-acre tract after these 58 homes are built. There are two other developments within one mile of this property that have 1 to 5 units per acre. There is also RB zoning within about 1200 feet. Utilities are something the developer is willing to address by extending sewer from Tipton Station to this property. We have heard concerns about a sidewalk or walkway from the development to South Doyle High School and the engineer for this development is discussing that possibility with the County. Stormwater cannot have more water coming off the property post development that there is pre development. Ask approval of PR at 1-4 dwelling units per acre.

Ms. Mary Slack: It seems that the developers have gotten with the neighborhood already and conceded to reduce the density.

MOTION (SLACK) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. Philip French: Urge developer if this is approved at 1-4 ask that they seriously consider sidewalk issue to the high school. This will come back before us as concept and use on review to see the details of the plan.

Mr. Dick Graf: Are the sidewalks automatic?

Mr. Brusseau: Sidewalks are required on their section of the site. They are going to try to work with the County to extend them all the way to South Doyle. I do not believe we would be able to require them to do that.

Mr. Graf: John Sevier Highway was not too long ago designated a Scenic Highway. This is visible on the corner. I am not all that impressed with the way John Sevier has been developing the last few years. I hope you put up something nice the people in that area can be proud of.

MOTION CARRIED 13-1. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (SLACK) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-3. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-4 DWELLING UNITS PER ACRE APPROVED.

* 2-M-04-RZ JIM SLYMAN
North side Tazewell Pike, northwest of Clapps Chapel Rd., Rezoning from PR (Planned Residential) & A (Agricultural) to PR (Planned Residential). Tax ID 5 51,51.01,52, Commission District 8, Northeast County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-A-04-RZ CHARLES ENGLISH
Northwest side Cluster Ave., east of Sano St., Rezoning from I-2 (Restricted Manufacturing and Warehousing) to O-1 (Office, Medical, and Related Services). Tax ID 70 L A 19, 20, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-B-04-RZ JAMIE LILES
Northeast portion of parcel 87, northeast of Amherst Rd., southeast of Ball Camp Rd., Rezoning from A-1 (General Agricultural) to R-1 (Single Family Residential). Tax ID 92 087 (Part), Map on file Council District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-C-04-RZ DEANE HILL DENTAL LAB
Southeast side Lonas Dr., southwest of Kirby Rd., Rezoning from R-1 (Single Family Residential) to O-3 (Office Park). Tax ID 107 I B 019, Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve O-3 (Office Park)

Ms. Suzan Kurr: 5123 Evelyn Drive, President, Lonas Drive Community Association
Talked to perspective buyers and to Kerry Shell who has expressed an interest in acquiring the adjoining property. Also talked with community association and adjacent property owners. Concerns are Lonas Drive is a narrow road with poor sight lines and no shoulder. In the area proposed the sight line is very bad with a rise and immediate drop from the east and have no time to see vehicles entering or leaving any business that might be put there. While the land in the long term planning is to be office in that area, we are concerned about the piecemeal turning of R-1 properties into offices and whether that is reasonable planning for the kinds of roads they are locating on. We would like to have this rezoning denied or postponed until the road by the proposed office property is improved.

Ms. Carla Psimer: Dean Hill Dental Lab, 6708 Dean Hill Drive
As far as traffic on Lonas, we do not serve the public. There are only 5 of us that work there. We did send all the Commissioners a letter about us and a site plan. As far as future rezonings of other properties, all I can comment on is our intentions. We want to keep the existing building and keep everything aesthetic and move into something nicer than what we have now. We also want to own. We want to be good neighbors and do as little change as possible.

Chair Brown: We do not serve the public, but dentists? You only have three employees?

Ms. Simmer: Yes, I have a partner and three employees. We do not even need an exterior sign.

Mr. Michael Brusseau: This rezoning is designed for mixed uses limited to O-3, RP-1 or R-1 A. It also designated as office by the Sector Plan. The area has been looked at in the pubic realm and designated for office development. Zoning does allow other uses. The proposed use does sound okay for the property. There will be minimal impact on the streets.

Mr. James R. Carroll: 5427 Lonas Road
I have lived there since 1972 and have watched the growth of that area. I approve of the O-3 zoning and would like to see this type of growth there.

This activity is more acceptable than other developers such as apartments. I would like to stay on the track of letting high quality, well-kept offices in there. Their activities are consistent with homes. It helps the neighborhood and could be a whole lot worse.

Mr. Kerry Shell: 1534 Lonas Drive
Own three parcels directly across from this at 5413, 5405 and lot between. I am not opposed to the rezoning to O-3. Hopefully this rezoning to O-3 will pave the way for O-3 west of this property, which is zoned RP-1 at 12 units per acre. I do not want 12 units per acre and neither do other neighbors in the area. Would like to see office across the street. Lonas Drive Community Association was much involved in writing the ordinance for O-3. It was seen as a good transition from commercial to residential uses. We have national headquarters for Pilot Corporation, headquarters for Bush Brothers, another medical complex along with the Elks Club. With exception of Elks Club not much there in the evening or weekends.

MOTION (MASSEY) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. O-3 (OFFICE PARK) APPROVED.

3-A-04-SP CONNIE SINGLETARY
Southwest side Oak Ridge Hwy., southwest of Weaver Rd. Request Northwest County Sector Plan Amendment from LDR (Low Density Residential) and SP (Slope Protection) to C (Commercial) and SP (Slope Protection). Tax ID 78 136.10, 136.06 (Part), Map on file. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve C (Commercial) and SP (Slope Protection).

MOTION (SLACK) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. C (COMMERCIAL) AND SP (SLOPE PROTECTION) APPROVED.

3-D-04-RZ CONNIE SINGLETARY
Southwest side Oak Ridge Hwy., southwest of Weaver Rd Rezoning from A (Agricultural) to CA (General Business). Tax ID 78 136.10, 136.06 (Part), Map on file. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business) and SP (Slope Protection).

MOTION (SLACK) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. CA (GENERAL BUSINESS) AND SP (SLOPE PROTECTION) APPROVED.

3-C-04-SP ROBERT F. AND MARY P. SLACK
South side Crippen Rd., east of Maynardville Pike. Request North County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Tax ID 38 L B 003, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve C (Commercial).

MS. MARY SLACK RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM

MOTION (EVANS) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0-1. C (COMMERCIAL) APPROVED.

3-E-04-RZ ROBERT F. AND MARY P. SLACK
South side Crippen Rd., east of Maynardville Pike. Rezoning from RB (General Residential) to CA (General Business). Tax ID 38 L B 003, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve CA (General Business)

MS. MARY SLACK RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM

MOTION (EVANS) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0-1. CA (GENERAL BUSINESS) APPROVED.

* 3-D-04-SP JILL COLLINS (REVISED)
Southwest side Old Clinton Pike, southeast of W. Beaver Creek Dr. Request Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Tax ID 67 141.01, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-F-04-RZ JILL COLLINS (REVISED)
Southwest side Old Clinton Pike, southeast of W. Beaver Creek Dr. Rezoning from RB (General Residential) to CA (General Business). Tax ID 67 141.01, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-G-04-RZ MIKE HINTON
Southeast side Meredith Rd., northeast of Taylors View Ln., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 67 166, 168.01, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-H-04-RZ LEN JOHNSON
Southeast end of Whitten Ln., southeast of Choto Rd, Rezoning from A (Agricultural) to CR (Rural Commercial). Tax ID 172 B A 002, 002.01, 005, 007, (Part) Map on file. Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve CR (Rural Commercial).

Mr. John King: PO Box 2425, SUBMITTED INFORMATION FOR THE RECORD. ‘

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. CR (RURAL COMMERCIAL) APPROVED.

A BREAK WAS TAKEN FROM 3:12 P.M. TO 3:21 P.M.

3-F-04-SP LANDVIEW, LLC

Northeast side Solway Rd., southwest side Pellissippi Pkwy., north of George Light Rd. Request Northwest County Sector Plan Amendment from TP (Technology Park) to LDR (Low Density Residential). Tax ID 89 131, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny LDR (Low Density Residential).

Mr. John Schoonmaker: 144 Tan Rara Drive

Community would like to postpone for the following reasons. No signs were posted anywhere on the property. We have had three people survey the 66-acre area and no signs were posted. Council of West Knox County Homeowners receives the preliminary agenda and consolidates the files in the area. The person that reviews it saw it Monday and reviewed it with Mr. Pruitt. This is a high profile piece of property that they wanted to place a warehouse on several years ago. Want to meet with the developers and find out exactly what is going on.

Mr. John Yarboro: 11403 Berrryhill Drive. Past President of Morgan Hill Homeowners Association

Asked for 30-day postponement also.

Mr. John King: P.O. Box 2425

I am advised that the signs were posted on Pellissippi Parkway and were properly posted. We oppose postponement. We can tell them today what the proposal is. The concept plan has been filed earlier this week. It is single family residential detached. Mr. Schoonmaker is right. There is history with respect to this property. In 2000 there was a rezoning request that started being a request for CB. There was some sort of trucking and warehousing operation proposed. That was dropped. The suggestion was made to look at a planned commercial designation for this piece of property. A portion lies inside the technology corridor and some outside the corridor with the part outside larger than inside. It is all one tract of ground. The part inside the corridor remained and was left zoned A and TO and part outside to the west was zoned PC. This made the piece of property to where you could not realize any economic benefit out of it. This is exactly what I asked not to happen in 2000 and that is why nothing has happened on this property. When we talked about planned commercial and light manufacturing, the people in the neighborhood were in opposition suggesting strongly it should be zoned residential. Tech Corridor plan designates this as rural residential. Request is planned residential for the entire property at 1-3 units per acre. Concept shows slightly less than 3 units per acre as proposed. We discussed this at the Tech Corridor meeting and how this had been in the owners family since the mid 1940's and he came into full ownership in the mid 90's. He has tried several times to realize economic benefit out of this undeveloped real property. View I heard most from the Tech Corridor Board was they saw no real reason to hold this property hostage to some potential future development when there was not really a plan to provide the kinds of support and infrastructure that would produce that development. There are approximately 3000 acres in the tech corridor that are agricultural, forested or vacant currently. There is about 140,000 sq. feet of vacant office space and 100,000 sq. ft of industrial vacant space. Do not feel is appropriate to take a

portion of this piece of property and limit the potential development of the entire property just because part was in the corridor overlay. Feel like staff recommendation was based on holding this piece of property for some future development in line with technology-related businesses. The vote of the Technology Corridor Board reflects their views that they do not feel that this is appropriate. He has tried to develop it under the agricultural zoning classification to no avail and PC planned commercial to no avail. We are now back to what the neighborhood said they preferred in 2000, and that was some sort of single family detached residential development. Tech Corridor Board after hearing our discussion voted unanimously to approve our request and grant our certificate of appropriateness. Ask you approve PR at 1-3 units per acre.

Mr. John Schoonmaker: 14410 Tan Rara Drive

If signs had been posted at the intersection of the property where it has access to Solway Road, people would have seen it. You are never going to see a sign from that direction on Pellissippi Parkway. Ask for a 30-day delay. Some people that wanted to be here today are out of town. How many people from the immediate homeowners were at the Tech Corridor meeting?

Mr. Ken Pruitt: In the last two and one-half years staff has been notifying individual property owners that live within 200 feet of the property boundaries with postcards in addition to signs. Those cards are mailed out 15 to 20 days prior to the meeting in the general mail system. Occasionally we do have signs taken by individuals. Every attempt was made by staff to notify the community of this request. The TTCDA vote was taken last Monday and the staff report was mailed out prior to that.

Mr. Dave Hill: In the past the TTCDA board recommended denial. Issue here we are struggling with is the idea of considering a proposal that has a marketable use ready to go now verses the long term intended use for the Tech Corridor. It was a fairly telling decision by the TTCDA board to recommend low density residential for this site. The message I heard is that if the corridor is being designated that is nice, but if there is no follow-up in terms of investment and economic development strategies intended to make that corridor develop as it was intended, then... This site is deficient regarding transportation access. How do you treat a property owner fairly when they are ready to go with a use now even if it is not the highest and best use if there is no foreseeable horizon to see that use come to fruition? I made the call to recommend denial consistent with the long-term use intended for the Tech Corridor. At the same time there is strong indication that we need to go back to the Tech Corridor and see why it is not developing the way it should. This is not a strong recommendation to deny. We understand the problems that the property owner faces. You can decide which is the appropriate way to go.

Mr. Dick Graf: There is a sign on Pellissippi Parkway. There is a problem with the property. There are steep ravines and gullies that would not be developed as a commercial park. You would not develop and have parking adjacent because it is rough. Part zoned PC lays fairly nice. To put this whole thing together and think there would be a nice park, I do not think that will work. This will be the last piece to go for that. If you go with residential, you will have smaller buildings and driveways. It is still going to take some work to do a nice

residential development. It is a lot more suited for residential development than office or commercial.

Mr. Ray Evans: Staff has done their duty in suggesting that this be denied because of the classification. But I am of the opinion it would be a long time before this would be developed for office buildings or technology. If there is a use for it now, the landowner ought to be able to use the property.

Mr. Trey Benefield: It seems that every time we have a Tech Corridor property, we have this same discussion that we are at odds with our Master Plan—both the Technology Corridor Plan and the Northwest Sector Plan. Does the master plan say what we really want to do with that property? The master plans need to address that better so that we as a Commission can support the staff and TTCDA more true to their stated desires.

Mr. Hill: We realized that there was a problem when we tried to bring the master plan update back and that is why it has been withdrawn. We are going back and really looking at if is it a master plan or an economic development strategy. If we are going to retain that corridor, we need to identify those most suited for technology corridor uses and those that ought to be released for other purposes.

MOTION (MASSEY) AND SECOND (EVANS) WERE MADE TO APPROVE LDR (LOW DENSITY RESIDENTIAL). MOTION CARRIED 13-0-1. LDR (LOW DENSITY RESIDENTIAL) APPROVED.

3-I-04-RZ LANDVIEW, LLC
Northeast side Solway Rd., southwest side Pellissippi Parkway, north of George Light Rd Rezoning from PC (Planned Commercial) and A/TO (Agricultural/Technology Overlay) to PR (Planned Residential) and PR/TO (Planned Residential /Technology Overlay). Tax ID 89 131, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny PR (Planned Residential) at 1-3 dwelling units per acre.

MOTION (MASSEY) AND SECOND (KILGORE) WERE MADE TO APPROVE PLANNED RESIDENTIAL AT 1-3 DWELLING UNITS PER ACRE. MOTION CARRIED 13-0-1. PLANNED RESIDENTIAL AT 1-3 DWELLING UNITS PER ACRE APPROVED.

* 3-J-04-RZ PAUL GARRON / GARRON LAND SURVEYING
Northeast side Morris Rd., northwest of E. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 37 179, Commission District 7, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-K-04-RZ AUTREY DAWSEY / PREMIERE ENTERPRISES OF WHITEVILLE, LLC
East side Dutchtown Rd., south side Lexington Dr., Rezoning from C-6/TO-1 (General Commercial Park/Technology Overlay) to I-3/TO-1 (General Industrial/Technology Overlay). Tax ID 131 62.01, Council District 2, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-L-04-RZ CHARLOTTE WILLS / HEARTHWOOD PROPERTIES
South side North Middlebrook Pk., north and south sides of South Middlebrook Pk., Rezoning from A-1 (General Agricultural) to C-6 (General Commercial Park). Tax ID 93 O A 021, Council District 2, Northwest City Sector.

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

Ms. Suzan Kurr: 5123 Evelyn Drive, President, Lonas Drive Community Association
We met with Russell Lewis of Oliver Smith Realty and various members of the board of directors and Barbara Pelot and expressed our concern about changing this property to C-6. Right behind it is R-1 that runs up to Fairview Hills Subdivision. We are supportive of the intended use of property on the south side of Middlebrook, which is an office building. It is less clear what is going to happen in the area between the two sides of Middlebrook. We were talking to Mr. Lewis about one of the issues is that R-1 over the ridge does not have an access. Our concern is what will happen to the R-1? Is there another form of zoning that would allow the office building? We would like to see it postponed while some of these issues are addressed. What about access and what is its future if change to C-6?

Mr. Ken Pruitt: The area is designated by the Northwest County Sector Plan and One Year Plan for light industrial activities along that Middlebrook Pike industrial corridor. Property and surrounding are presently zoned I-3. In order to put a zoning that would allow offices as a free standing business, you would have had to have had a one year plan and sector plan amendment to designate the area from light industrial to office category or it would have had to be some related activity to some industrial use. Recommendation from staff was to pursue C-6 zoning, which provides for a transition zone that is permitted in both light industrial and commercial designated areas on the one year and sector plans. It would accommodate proposed use for the portion of the property he is wishing to develop at this time. C- 6 provides for a 60-foot minimum setback from residential as well as a buffered landscape area along that common boundary, which we felt was an appropriate buffer. Access issue is going to be a legal issue. I have not done any research as to whether there is a legal means of access to that property. If one would be required for this property, the changing of zoning would have no impact on that as far as its ability to provide a legal means of access to the site if it were presently landlocked and some court determines a legal means of access would have to be provided. C-6 goes before the staff and is reviewed internally with the City administration, engineering department and other codes enforcement before staff approval. If there is not an agreement reached between the applicant and staff, there may be an appeal to the City Board of Zoning Appeals.

MOTION (MASSEY) AND SECOND (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. Chester Kilgore: Plan says for the site with historic preservation of the residence on the property. What significant is that residence?

Mr. Pruitt: That is designated as a national register property. It does not have historic zoning designation on it. But the applicant has agreed to work with the staff and our Historic Preservation Planner on preservation of that part of the site with any future development. It would be a consideration of staff in any site plan review.

MOTION CARRIED 14-0. C-6 (GENERAL COMMERCIAL PARK) APPROVED.

* 3-M-04-RZ TRACI SANDERSON, RUFUS SMITH III AND TOM SMITH
Northwest side Oak Ridge Hwy., southwest of Pennell Ln., Rezoning from RB (General Residential) to CB (Business and Manufacturing). Tax ID 78 158 (portion zoned RB), Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-N-04-RZ EAGLE BEND REALTY
Northwest side Hill Rd., north of Cabbage Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 28 128.01 and part of 118, Commission District 8, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-O-04-RZ KCDC
Southeast side Parham St., northwest side Louise Ave., northeast side Ben Hur Ave., southeast of Martin Luther King Jr. Ave. Rezoning from R-1 (Single Family Residential) to C-3 (General Commercial). Tax ID 82 O J 8-14, 34-36, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-P-04-RZ TERRY PATTON
North side I-40, south side of Union School Rd, south of Hammer Rd., Rezoning from A (Agricultural) to CA (General Business). Tax ID 72 K C 1-4 (portion zoned A), Commission District 8, East County Sector.

STAFF RECOMMENDATION: Deny CA (General Business).

Mr. John King: P.O. Box 2425, On behalf of applicant
There was some discussion about this at Tuesday's review. In late 70's a three-man County Commission rezoned this property on the north side to the east before get to Strawberry Plains Pike. About 100 feet deep off the interstate right-of-way, we are asking it be rezoned to Commercial. When they gave the size on the staff report, they gave the entire parcel. Billboards were built and it has been there since. When the change was made in the mapping system and they were going to a full bodied County Commission, only one part of that parcel was shown on the map as being zoned commercial and remainder was shown as agricultural. At some point in time, those maps were adopted by County Commission as the zoning. I believe if that occurred that would have resulted in rezoning part of the parcel back to agricultural. Request was made to put it back to commercial so that the current usage coincides with the zoning classification. Currently State of Tennessee takes the position that the Grandfather Clause, which permits rebuilding of preexisting nonconforming structure under your Zoning

Ordinance, does not apply to the State of Tennessee. In order to have outdoor advertising signs you have to have two permits--one from local government and one from the state. In accordance with the state, in order to have a state permit you have to be in a commercial or industrial zoning classification. Separate from that they have only one provision for rebuilds if a sign comes down that permits rebuild in certain instances. The local Zoning Ordinance deals with the grant of zoning authority, which permits rebuilding of preexisting nonconforming structures. Since it is not zoned permissible for a State permit, current lessee can easily take the position that you have to take what I am paying you for rent or I will take them down. If they are taken down, there is no provision by which they can be rebuilt. We are not asking that the number of billboards increase. We are asking to be able to negotiate the boards. You have to have dual permitting on these signs and currently you would not be able to get a State permit as currently zoned.

Mr. Ken Pruitt: Staff position is that in 1982 when the County went through three months of separate readings and re-adoptions of the County Zoning Ordinance, they intentionally reestablished the zoning within the community in those areas that were deemed to be inappropriately zoned commercial properties and were done so at that time. Anything that was there was permitted to continue as far as the County Zoning Ordinance is concerned. The issue of the State is a separate side issue. Question before you is this an appropriate use in the community's best interest. If you think the owners have received their due just rewards for these signs that have been there since 1970's and there may be some jeopardy to the present owner as to being able to maintain them through another lease period, then you should permit the zoning to occur as requested. Staff's position is that it is an inappropriate location for commercial zoning because of the rural nature of the area and the established rural residential around it; and if the signs cannot be maintained in a nonconforming status, they should be removed.

Mr. Trey Benefield: I do not believe spot zoning to commercial in an otherwise agricultural area is in the best interest of the community. If the signs have to come down, so be it.

MOTION (BENEFIELD) AND SECOND (KILGORE) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. John King: Where people have come to rely on them as a means of income, it is not appropriate or called for to take it away from them. What is there currently adjoining the property has developed there with them being there. You are only rezoning a limited portion of those pieces of the property. It is not like you could build some big commercial development on it. It is for the purpose of continuing an existing business endeavor. They have had that utilization and have been paying taxes on it for years. Urge you to vote against the motion.

Mr. Benefield: I think people have come to rely upon sources of income that are not in the best interest of themselves or the community. We do not need to take that into account.

Upon Roll Call Planning Commission voted as follows:

DONALDSON	YES
EVANS	YES
FOSTER	YES
FRENCH	NO
GRAF	YES
JENDREK	NO
KILGORE	YES
LEWIS	NO
MASSEY	YES
SHARP	NO
SLACK	YES
SMITH	YES
BENEFIELD	YES
BROWN	YES

MOTION CARRIED 10-4. CA (GENERAL BUSINESS) DENIED.

* 3-Q-04-RZ CITY OF KNOXVILLE
East side Park 40 North Blvd., south side Sherrill Blvd., west of N. Cedar Bluff Rd., Rezoning from No Zone to PC-1 (Retail and Office Park), C-3 (General Commercial) or C-6 (General Commercial Park). Tax ID 119 18.41, & rights of way. Council District 2, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 3-R-04-RZ S & E PROPERTIES
Southeast side Westland Dr., southwest of S. Northshore Dr., Rezoning from A (Agricultural) / F (Floodway) to PR (Planned Residential) / F (Floodway). Tax ID 153 070, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-B-04-SP WALLACE R. FLYNN
Northwest side Yarnell Rd., southwest of Marietta Church Rd. Request Northwest County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) and Slope Protection to C (Commercial) (limited to CN zoning) and Slope Protection. Tax ID 129 167, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny C (Commercial)

Mr. Ken Pruitt: This request to get the sector plan for the northwest portion of the county in conformity with his established automobile business on his property. Sector plan would have to be amended in this rural residential area to accommodate this existing facility which has been cited by the County as being illegally located there. Staff determined it is not an appropriate site for commercial development. Our policies and plans call for such commercial activities to be located at intersections of arterial and collector streets and this site does not meet that criteria. We therefore recommend denial.

Mr. Wallace R. Flynn: 12333 Yarnell Road
I have been there since 1993. I have 22 letters and 334 signatures from the community supporting me. I work by appointment and do not have more than

four to five automobiles on the premises at one time. L & D Transportation is 1.2 miles from me. Service United and Freightliner are 1.3 of a mile from me. Hardin Valley Body shop is 0.6 of a mile from me.

Mr. Kermit Wheat: 12329 Yarnell Road. Live next door
His shop has been there a while. It does not bother me or the road with very few cars going in and out. He is a lot less trouble than the Farragut Loudon County Speedway. Ask that you vote for this.

Ms. Susan Brown: Was there a complaint that brought this to Codes attention?

Mr. Flynn: There was a complaint filed. It was anonymous.

Mr. Graf: This is a very clean piece of property. It is a small modest home. He is just trying to make a living and trying to keep it in good shape. It would not be any different than working on your car in your own backyard. There is nothing to draw attention to this. I wish we could work with this man.

Mr. Susan Brown: Asked if we could postpone this and do some conditional zoning for Mr. Flynn's use? I think the fear is if he moved someone could put other uses.

Mr. Pruitt: You would need to make this sector plan amendment with conditions to the types of activities that should be deemed appropriate with a limitation on the zoning to commercial or neighborhood commercial. It is still going to take a use determination by this body. The first stage is this sector plan amendment to allow him to seek a change of zoning from either CN or CR.

Mr. Chester Kilgore: When the business was first started in 1992, what was the zoning?

Mr. Flynn: It was agricultural and I have had a business license with Knox County since February 1992.

Mr. Graf: Ultimate end is to allow him to work and not to put a business on it when he leaves.

Ms. Susan Brown: We should postpone to work out the details for all parties.

Mr. Evans: I would like to see us postpone it and see if we can work this out with him.

Chair Brown: Do you have a problem with a postponement?

Mr. Flynn: No I do not. Code enforcement gave me 60 days to work this out.

Mr. Pruitt: He needs to apply for rural commercial or neighborhood commercial zoning and have a use determination for next month's meeting.

MOTION (EVANS) AND SECOND (DONALDSON) WERE MADE TO POSTPONE 30 DAYS UNTIL THE APRIL 8, 2004 MPC MEETING. MOTION CARRIED 14-0. POSTPONED UNTIL THE APRIL 8, 2004 M MPC MEETING.

3-E-04-SP IVAN SCOTT CANTRELL
Northwest side Tell Mynatt Rd., northeast of Maynardville Pike Request North County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) to

C (Commercial). Tax ID 20 P A 1,2, Commission District 8, North County Sector.

STAFF RECOMMENDATION: Deny C (Commercial)

Mr. Michael Brusseau: This is similar to the one you just heard except the applicant wants to locate a used car lot. Sector plan recommends agriculture rural residential uses. It is surrounded by agricultural zoning and would be spot sector plan amendment if approved. Staff feels it is incompatible to introduce commercial uses into this rural residential area. Plans are to improve Maynardville Highway. Currently access is from Tell Mynatt Road and is not appropriate. Applicant claims they will be able to get access to Maynardville Highway after the improvements are done. Staff's position would be why not wait to rezone until that access is available if they can get that access.

Mr. Ivan Cantrell: 4522 Doris Circle 37918
Property has been partially acquired by TDOT for expansion of Maynardville Highway. In that negotiation I negotiated that I currently have two entrances into the property approved by TDOT—one coming straight off Maynardville Pike and one off Tell Mynatt Road. I have a letter and map from Mr. Williams Reeves who is a right-of-way agent for TDOT. Read the letter AND SUBMITTED IT FOR THE RECORDS. I requested access on Tell Mynatt and they denied that a residential use property. They said if I had use of that property other than residential, they will consider me having access. They are basically closing Tell Mynatt at my property and creating a cul-de-sac. They do not want to give me access unless I have commercial use and not residential. Right-of-way is definitely there. My property is 2700 feet from the nearest commercial property on the south side and 2500 feet on the north side. The only other property is my neighbor who has access on Maynardville Highway on the south side to the north side. They do not have road frontage on Maynardville Highway. They cannot have access to Maynardville Pike because of a major ravine and ridge line. I also have maps showing roads accessing and that no other property could be zoned commercial other than my neighbor.

Mr. Don Hill: 5436 Tell Mynatt Road
State did purchase part of our property for a right-of-way. Our new driveway will go into a cul-de-sac adjoining Mr. Cantrell's property. If he put a car lot in there, we would be looking at the back of a car lot in front of our house.

Mr. Cantrell: This was my primary residence some years back. The reason I turned it into rental property was because I did not want to live right on the highway when I found they were widening it. They forced me to sell one of the residences. I tried to get them to buy both of them so I could be done with the property. They agreed to give me an extra amount of money because left me with an uneconomic remnant property. This piece of property could not hold more than 15 to 20 cars on it.

Mr. Randy Massey: I am not a fan of spot zoning at all.

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. C (COMMERCIAL) DENIED.

18. USES ON REVIEW

MR. MARK JENDREK LEFT THE MEETING AT THIS TIME.

2-M-04-UR B & J ENTERPRISES
North side Hardin Valley Rd., west of Ball Camp Byington Rd. Proposed use: Condominium development in PR (Planned Residential) and F (Floodway) District. Tax ID 104 C B 049, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the request for up to 16 attached residential condominiums as shown on the revised development plan for lot #122 of Highgate Subdivision subject to 8 conditions.

Mr. Chris Rowe: 10026 Highgate Circle
Purchased two homes in the subdivision. We have a petition against this with 87 signatures that equates to 65 home. There are 122 home in the subdivision. This is the third time that we had to come against the developer. They met with us and withdrew without even coming to MPC. In 2001, there was a proposed gas station to be put on this lot. Staff recommendation was to not approve based on the zoning at the time. Before we had half the auditorium filled with homeowners. As these fights continue, it gets harder and harder to get people to come out. Now we are fighting the condo issue.

When I bought my fist home I was provided with sheets that showed five common areas. I bought my second home in the second phase. Our covenants and restrictions, which he gave us, state there should be one unit per lot. Regardless of who owns it we think it is common area, it should be ours, it should be deeded over. If it is not, it is designated at lot 122. Proposal is for 16 units on one lot. We are a single-family, one house per lot, residential area. The third time after two convenience stores and now we are to condos. This is a development diversion from what was presented to us. We are an island surrounded by water when it rains and it does not have to be a 100 year flood. PASSED AROUND PICTURES WHICH BECOME A PART OF THESE MINUTES. We call that the 10-minute, spring shower line, because when it rains it floods. After they changed the designation, a lot of our people have had to get flood insurance. If you are going to move forward, at least give us the opportunity to do a flood study. With respect to the Northwest Sector Plan, it talks about conservation of open space, preservation of ridges and protection of stream corridors. This piece of land falls into that. Secondly, in the 15-year plan you state that there is protection of adjacent residential land uses. We are adjacent to this piece of land. We ask that you protect these areas. Thirdly, Chris Granju sent a flyer to all our homeowners about the Beaver Creek and a blueline creek. We are a back flow. The water goes by and backs up. The more water that is pushed and the more development that is done, the more it backs up. We tried to work with Danny and it has been tough to get together. We decided not to meet with them, because there was no common ground. It was listen to their plan. We did not have an option to say okay we will give you your land like it was purported to you in many documents or portraits. It was either them develop or us to want to keep the land.

Mr. Danny Kirby: 1346 Winberry Road, Powell

This is the second time there has been an issue on this property. The other issue was down further on the corner. This parcel was attempted to be rezoned CA in 2000. At that time it was denied, because CA allowed uses not compatible with the adjacent residences. Had I known they did not intend to meet with me, it would not be such an issue. I felt like I was mislead for two months until March 1 when we received a letter from Mr. Covert who was retained by Highgate Homeowners Association. We met with him on March 1 and told him we had the clubhouse reserved for March 7. As far as the common area, back in 2000 rezoning attempt the map was brought forward from the brochure. Yes, that was a mistake on the maps. However we keep referring to the fact that it is a recorded plat. Lot 122 of Highgate Subdivision of Unit 2 is a recorded lot. Remaining common areas for Highgate Subdivision, both Units 1 & 2, clearly showed the common areas that have been deeded over to the Highgate Homeowners Association. As far as being restricted, we presented documentation to Mr. Covert and Dan Kelly, the deeds where we set up Highgate Subdivisions Homeowners association when we finished Unit 1. When completed Unit 2, we had gone in with legal description and went around unit 2. In that legal document this property is clearly excluded in the quit claim deed where we deeded over the remainder of the common area this property is expressly excluded as lot 122 is expressly excluded. I understand the confusion. However, they are claiming that this common area needs to be deeded over to them. This has been 8-9 years and at no time has anybody tried to get it turned over to them. As far as the flooding issue, we submitted plans that Cannon & Cannon designed based on the no fill line. We submitted it to Knox County Engineering. I believe it has been accepted. We feel like newly established no fill line provides us some protection. We talked during the break and want to be sure that we do not have any additional impact on these residents. We said we would put the rest of the property into a conservation flood protection easement. We will put that in an easement so there is no threat to the future. This lot is zoned PR. The townhomes are clearly an allowed use in this zone. We did not want to fight a rezoning issue, but it is a prime commercial location. If we sold this property, someone with a little more political clout could probably get it rezoned commercial. Some issues are ownership. All covenants clearly exclude this property.

Mr. Susan Brown: In 1992 you developed 60 plus acres with 100 plus units. Why did not develop this four-acre tract or at least design for it so that people buying into this subdivision would know what you had planned for that?

Mr. Danny Kirby: I was not with them then. I do not think that is uncommon. Although Mr. Kelly indicated in this day and age that is a requirement if you are going to set aside a remnant piece of property for development at a later date, you need to be more specific what you are going to do there. However, it was stated in the use on review report that this property was to be used and would require a separate use on review, which is where we are now.

Mr. Mike McCuller: 10038 Highgate Circle
I did not hear about an error in a map until two weeks ago. When purchased property, he had a model home up front with a huge map showing Phase 2. My property abuts right up to this development. On this map were common areas. I addressed directly with Bob Moaney about this area because I wanted an open area behind me. In addition I paid an upgraded price to get

this bigger lot and not have development behind me. He said it is in a flood zone and I cannot and will not build there. He said it is common area. When the development is 80% complete, then I will deed it over to the homeowners association. That was a basis for my purchase of my property. Then he starts changing the rules on everybody. I think that is somewhat deceptive.

Mr. Chris Rowe: If these were always on the plat, in 1993, the conveyance was done in 2002 and it strictly says expressly excluding lot 122. This continuation of sales with this common area noted, not only in the model home, but on the maps we were given continued. We did not know that. It was expressly up to the developer to convey it to us.

Mr. Graf: Are you against what is proposed or against any development there.

Mr. Rowe: Mr. McCuller is one of about 25 people that live along that common area. We have large lots. The developer set out in the covenants to develop a nice community. 24 out of these 25 people paid upwards of $10,000 to live on those lots. You do not pay a premium on a lot to just buy that lot. You ask what is behind it. He paid extra for the lot using the map including the common area. It is misrepresentation That is our whole point.

Mr. Graf: I ask the questions again. Are you against any development on that property?

Mr. Rowe: Yes, sir.

Mr. Evans: Their property is zoned PR and the density is within the LDR. In 1992 the property was designated for future development. Seems like common property issue is a legal issue. The proposed development seems to meet all the criteria that we are to vote on. It seems that is not an issue we can address here.

Ms. Brown: It appears the neighborhoods they live in and to south are single family?

Mr. Dan Kelly: The neighborhood to the south is detached built in units of 3 and 4. To the north is Highgate and to the east is Forrest Ridge apartments.

Mr. Rick Coleman: 10032 Highgate Circle
I respect your comments on multiple dwellings. We want you to consider that our community has single dwelling homes on it. We are a single dwelling community. We have a lot of backwater. We have not heard anything about flooding yet.

Ms. Brown: Your original dwelling called for 5 to 12 dwelling units per acre. You did not build attached. This is 6 to 12. Why are you proposing attached as opposed to single family unattached?

Mr. Kirby: This is one single lot. I do not know if that question has been asked before? I do not know. Sure it allows 6 to 12 units per acre. A lot of condominium sites do that may already have the particular zoning. Obviously the economy is there for condominium units. They are across the street at Cove Ridge as attached single family homes. These are single family attached units as opposed to single family detached. They are not less in quality and character than a single family detached dwelling. Mr. Kelly asked to see the

architectural renderings. There were questions about whether these would be rental units or sales units. These are sale units we do not plan on renting them. It is clearly 4 acres fronting on Hardin Valley set aside for future development. There is probably a pretty good chance that there was some potential for one of the commercial uses that allowed within the PR zone. I do not think at the time they didn't consider what they were going to do there. Single family subdivision zoned for 5-10 units per acre, there was obviously extra density allowed in the overall development that probably meant there was going to be a higher density development on the 4 acres that front on Hardin Valley. I do not know. I was not part of that group at the time.

Mr. Larry Smith: Every time this group comes they do a good job in explaining why they are for or against. Two times we have turned it down. I am disturbed by what I heard today and the way people were mislead.

MOTION (SMITH) AND SECOND (KILGORE) WERE MADE TO DENY.

Upon Roll Call the Planning Commission voted as follows:

EVANS	NO
FOSTER	YES
GRAF	YES
KILGORE	YES
LEWIS	NO
MASSEY	NO
SHARP	YES
SLACK	NO
SMITH	YES
BENEFIELD	YES
DONALDSON	YES
BROWN	YES

MOTION CARRIED 8-4. DENIED

* 3-A-04-UR JOHN CAPUTO
Southwest side Chapman Hwy., southeast side W. Young High Pike Proposed use: Master signage plan in C-6 (General Commercial Park) District. Tax ID 123 B A 8,8.01,10,25, Council District 1, South City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

3-B-04-UR WITHDRAWN PRIOR TO PUBLICATION

3-C-04-UR JAMES DORAN COMPANY
North side S. Northshore Dr., west of I-140 Proposed use: Development plan, including maximum heights, build to lines, parking structures and master signage plan in TC-1 (Town Center) District. Tax ID 154 89,95,98,99, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Approve the use on review request for TC-1 development at this location, subject to 3 general conditions, 7 conditions for the single-family and townhouse residential area, 11 conditions for the mixed-use core and apartment area and 10 transportation conditions.

Mr. Richard Swann: 1829 Scenic Valley Lane

This came up in 2001. Opposition was fairly extensive although that opposition did not get conveyed back to MPC at the time. Opposition was not against any development in the area. I live about a mile from there and am a member of the homeowners association there. Concern is the level of development and the development of commercial space including a 20-screen theater and an anchor property like Wal-Mart. The development of Northshore there is not conducive to this type of development. Original owner was Mr. Sterchi who has owned this since it was out in the middle of nowhere. At the time he was saying most of the commercial and retail establishments were going to be fed by the people that live within the development itself. We all know there is no way that 1400 living units are going to support that type of development. You are going to create an increased traffic flow along Northshore on a section that is already probably about 18 feet wide. Opposed to the level of development with regard to high density development such as a 20-screen theater. Retail with areas above is an interesting concept. Day after day you continually hear about revitalization of downtown. Who is going to attend if you continue urban sprawl into west Knoxville? We are not against low-density retail applications. As far as widening of Northshore, there are two ponds to deal with. The developer will tell you that they do not envision that Northshore is going to have to be widened at all. There is no way to develop this property without widening Northshore along those two ponds, which are well stocked because you have people fishing there all the time. Infrastructure is not there. Already have schools that are using portable buildings to house students that do not meet the code. Ask that you limit development and make it more conducive to the area around it. A development that serves people that live in the area and have to go through there every day.

Mr. Tom McAdams: Suite 600, 530 S. Gay Street, representing the applicant

This is one of the most intensely studied pieces of property in east Tennessee. It was studied in connection with Town Center zoning. It has been studied since then. An enormous amount of time and professional effort has gone into reviewing this. Three separate traffic engineering firms, all of whom reached the same conclusion, have reviewed the road conditions and required improvements. Town Center is a unique zone. It comes with a concept plan at the time you approve the zone. It shows how much development is going to occur. All the issues raised today were addressed by MPC years ago when rezoned to TC-1. All that is happening today on this use on review is providing more detail and fleshing out the original proposal. The uses are the same and the intensity are the same We appreciate his concern about whether the retail will be successful, but that is an issue for the developer. This complies with all of the requirements. It is a unique development.

Mr. Buz Johnson: We have been working with the property owner through his representatives ever since the property was rezoned in 2001. They have been working with an entire staff of people from the previous development team and current development team. TC-1 zone was developed as a means to be an answer to urban sprawl. It is a pedestrian-oriented zoning classification that calls for a land use and development pattern that meshes commercial with residential development in such a way that people living in the residential development

can access to commercial development and not have to drive. There will be some traffic from outside the area. That is why we have conditions that call for some very major improvements to that intersection. It is a compact development zone. This is the first example we have had to see implementation of the zone. We hope it catches on because it is different from the shopping center zone, which are not based on tying in with residential development to take more reliance off the automobile and put more reliance on pedestrian traffic. They have an extensive design manual they have prepared. This is as detailed as you can get for this community. Major arterial make this an appropriate area for this. We have revised the conditions you have on blue paper. We will make this a tight process. This is not the last step. They have to come back in with their residential portion for concept plan approval. There are various steps where they come back in for staff or Executive Director approval. This is by no means an end of the process, but a continuation of the process.

Mr. Randy Massey: Has your client seen and read all the conditions and agree with them?

Mr. McAdams: Yes, they are fully prepared to accept all these conditions.

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. Ray Evans: I suppose the developer is doing all the road improvements.

Mr. McAdams: If this plan is approved, we will go forward with the road improvements. We cannot commence development without significant road improvements being done. This project will develop significant taxes and we hope sufficient that the public might consider some participation.

Mr. Evans: I live near this and think this is a very aggressive, superb idea. I would have made the motion to approve.

Mr. Trey Benefield: I want to talk about intensity of development. It is about what anybody in the area should expect. They have done a good coordination in offsetting parking between daytime and evening uses. They have a more environmentally friendly proposal than what we would expect under our more typical zoning. Possibly opportunities to expand on the pedestrian infrastructure. Admire developer for taking the step to do something other than the 3 units per acre. It gives people in that area closer access to services rather than having to drive further to get them.

Mr. Larry Smith: I appreciate the work you have done and the work you have put into this. I commend you.

Mr. McAdams: The developer has done this before and put together a team of design professionals that include urban planners, land planners, residential planners, retail planners and all sorts that work together.

Chair Brown: For a mixed use development on 140 acres and we only have one e-mail that is in support speaks for how you have communicated with the surrounding area. Staff needs to be commended as countless hours have going into the review process.

MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

* 3-E-04-UR E. LUKE GREENE CO.
Northwest side Strawberry Plains Pike, southwest of Pine Grove Rd.
Proposed use: Condominium development in PR (Planned Residential) & OB (Office, Medical & Related Services) District. Tax ID 84 045, Commission District 8, East County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

19. OTHER BUSINESS

None

20. ADJOURNMENT

MOTION (SMITH) WAS MADE TO ADJOURN THE MEETING.

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 5:35 p.m.

Prepared by: Betty Jo Lamb

Approved by: Vi W. Whitmire, Administrative Services Manager

Approved by: David M. Hill, Executive Director

Approved by: Susan Brown, Chair

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