

# Draft Minutes

## May 11, 2017

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

The Metropolitan Planning Commission met in regular session on MAY 11, 2017 at 1:30 p.m. in the Main Assembly Room, City/County Building, and Knoxville, Tennessee. Members:

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

Ms. Rebecca Longmire, Chair	Mr. Mac Goodwin
Mr. Herb Anders	Mr. Charles F. Lomax, Jr
Ms. Gayle Bustin	A Mr. Chris Ooten
A Ms. Laura Cole	Mr. Patrick Phillips
Mr. Art Clancy	A Mr. Jeff Roth
Mr. Mike Crowder	Mr. Scott Smith
Ms. Elizabeth Eason	Mr. Charles Thomas
	Ms. Janice Tocher

\* Arrived late to the meeting. \*\* Left early in the meeting  
 A – Absent from the meeting

**Agenda Item No.**

**MPC File No.**

**\* 2. APPROVAL OF MAY 11, 2017 AGENDA.**

THIS ITEM WAS APPROVED ON CONSENT.

**\* 3. APPROVAL OF APRIL 13, 2017 MINUTES**

THIS ITEM WAS APPROVED ON CONSENT.

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

Automatic postponements read

**POSTPONEMENTS TO BE VOTED ON READ**

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO POSTPONE ITEMS AS READ 30 DAYS UNTIL THE JUNE 11, 2017 MPC MEETING. MOTION CARRIED 12-0. POSTPONED 30 DAYS.**

Agenda Item No.

MPC File No.

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO POSTPONE ITEMS AS READ FOR 60 DAYS UNTIL THE JULY 13, 2017 MEETING. MOTION CARRIED 12-0. POSTPONED 60 DAYS.**

***WITHDRAWALS REQUIRING MPC ACTION***

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO WITHDRAW ITEMS 19, 23 AND 35A&B&C. MOTION CARRIED 12-0. WITHDRAWN.**

**Tabled Items** (Actions to untable items are heard under Agenda Item 4)

KNOXVILLE CITY COUNCIL (REVISED) 12-B-13-OA  
Amendments to the City of Knoxville Zoning Ordinance regarding definitions, appropriate zone districts and development standards for various group living facilities.

METROPOLITAN PLANNING COMMISSION 10-A-15-OA  
Amendments to the City of Knoxville Zoning Ordinance regarding creating a mixed use zoning district for properties located in the area defined by the Bearden Village Opportunities Plan.

TREVOR HILL 11-A-14-SC  
Request closure of Forest Ave between eastern edge of Twelfth St. right-of-way and southwestern edge of World's Fair Park Dr. right-of-way, Council District 1.

WILSON RITCHIE 3-F-10-SC  
Request closure of Lecil Rd between Asheville Hwy. and N. Ruggles Ferry Pike, Council District 4.

WILLOW FORK - GRAHAM CORPORATION  
a. Concept Subdivision Plan 11-SJ-08-C  
Southeast side of Maynardville Hwy., southwest side of Quarry Rd., Commission District 7.  
b. Use on Review 11-H-08-UR  
Proposed use: Retail subdivision in PC (Planned Commercial) & F (Floodway) District.

HARRISON SPRINGS - EAGLE BEND DEVELOPMENT  
a. Concept Subdivision Plan 4-SC-09-C  
Southeast side of Harrison Springs Ln., northeast of Schaeffer Rd., Commission District 6.  
b. Use On Review 4-D-09-UR  
Proposed use: Detached dwellings in PR (Planned Residential) District.

VILLAS AT MALLARD BAY - HUBER PROPERTIES, LLC

<u>Agenda Item No.</u>	MPC File No.
a. Concept Subdivision Plan Northeast side of Harvey Rd., south side of Raby Way, Commission District 5.	7-SC-15-C
b. USE ON REVIEW Proposed use: Detached residential subdivision in PR (Planned Residential) pending District.	7-H-15-UR
<u>GREEN BRIAR RETIREMENT COMMUNITY - JAMES LORD, GLEN GLAFENHEIN, MARGARET AVERY</u>	
a. Concept Subdivision Plan South side of W. Governor John Sevier Hwy., east of Government Farm Rd., Commission District 9.	4-SD-16-C
b. USE ON REVIEW Proposed use: Detached Residential Subdivision, Apartments and Assisted Living Facility in PR (Planned Residential) District.	4-I-16-UR
<u>CREEKSTONE - RUFUS H. SMITH, JR. &amp; CO.</u>	
a. Concept Subdivision Plan North side Strawberry Plains Pike, east of Creekside Ln., Commission District 8.	1-SA-17-C
b. USE ON REVIEW Proposed use: Single family residential in PR (Planned Residential) up to 5 du/ac (pending) District.	1-B-17-UR
<u>CANTON HOLLOW WOODS - URBAN ENGINEERING, INC.</u>	
a. Concept Subdivision Plan Southwest side of Canton Hollow Rd., west of Edgewater Dr., Commission District 5.	1-SD-17-C
b. USE ON REVIEW Proposed use: Detached Residential Subdivision in PR (Planned Residential) District.	1-G-17-UR
<u>BEN H. MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1</u>	
Intersection of I-40 and McMillan Rd., Commission District 8.	2-SO-09-F
<u>HARDIGREE - HERRON ADDITION RESUBDIVISION OF LOT 9</u>	
North side of West Gallaher Ferry Dr, west of Hardin Valley Rd, Commission District 6.	12-SJ-13-F
<u>RESUBDIVISION OF GEORGE HOSKINS PROPERTY</u>	
North side of N. Ruggles Ferry Pike, on a private right of way known as Rugby Lane, Commission District 8.	4-SE-14-F
<u>CHILHOWEE HILLS BAPTIST CHURCH RESUBDIVISION OF LOT 1</u>	
Northwest side of Asheville Hwy., north east of Macedonia Lane, Council District 6.	5-SH-15-F

<u>Agenda Item No.</u>	<u>MPC File No.</u>
<u>FAERBER PROPERTIES</u> Southeast side of Westland Drive, south of Pellissippi Parkway, Commission District 5.	7-SL-15-F
<u>HOOD PROPERTY</u> North side of Rhea Rd, southwest of Spangler Rd, Commission District 9.	7-SR-15-F
<u>FINAL PLAT OF THE JERRY SHARP PROPERTY</u> At the terminus of Goldfinch Avenue and the east side of Ellis Street, Council District 1.	9-SA-15-F
<u>BEAU MONDE, PHASE 3, RESUBDIVISION OF LOT 261 AND ADDITIONAL ACREAGE</u> Northeast side of Clingmans Dome Drive, northwest side of Chimney Top Lane, Council District 6.	6-SF-16-F
<u>WILLIAM S. AND HANNA J. CUMMINGS PROPERTY</u> Bob Cummings Rd due east of W. Marine Rd., Commission District 9.	9-SF-16-F
<u>TANASI GIRL SCOUT COUNCIL, INC. (REVISED)</u> Southeast side Merchant Dr., east of Wilkerson Rd., Council District 5. Rezoning from A-1 (General Agricultural) & C-1 (Neighborhood Commercial) to RP-1 (Planned Residential).	4-J-14-RZ
<u>GUSTO DEVELOPMENT, LLC</u> Southeast side Ball Camp Pike, northeast of Middlebrook Pike, Commission District 6.	
a. Northwest County Sector Plan Amendment From LDR (Low Density Residential) to C (Commercial).	10-F-15-SP
b. Rezoning From A (Agricultural) to CA (General Business).	10-Q-15-RZ
<u>TRANTANELLA CONSTRUCTION DAVID TRANTANELLA</u> North side Beaver Ridge Rd., east of Lindal Rd., Commission District 6.	
a. Northwest County Sector Plan Amendment From LDR (Low Density Residential) to MDR (Medium Density Residential).	1-E-17-SP
b. Rezoning From A (Agricultural) to PR (Planned Residential).	1-F-17-RZ
<u>SOUTHEAST COMMERCIAL, LLC</u> Northeast side Zion Ln., northwest of Ball Rd., Commission District 6.	
a. Northwest County Sector Plan Amendment From LDR (Low Density Residential) to O (Office).	2-A-17-SP
b. Rezoning	2-A-17-RZ

Agenda Item No.

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From PR (Planned Residential) to OB (Office, Medical, and Related Services).

BUFFAT MILL ESTATES - CLAYTON BANK & TRUST

4-B-10-UR

South side of Buffat Mill Rd., north side of McIntyre Rd., Council District 4. Proposed use: Detached dwellings in RP-1 (Planned Residential) District (part pending).

**ITEMS REQUESTED TO BE UNTABLED OR TABLED**

None

**CONSENT ITEMS**

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

Richard Groves, 1193 Oakhaven Rd asked number 55 be removed.

Chris Rorex, 2529 Ancient Oak Lane. Asked item 17A&B be removed.

Margo Owenby, Corryton TN Asked that item no. 13A&B be removed from consent.

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO HEAR THE CONSENT ITEMS AS READ EXCLUDING ITEMS 13, 17 AND 55. MOTION CARRIED 12-0.**

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO APPROVE CONSENT ITEMS AS READ EXCLUDING ITEMS 13, 17 AND 55. MOTION CARRIED 12-0. APPROVED.**

**Ordinance Amendments:**

**P 5. METROPOLITAN PLANNING COMMISSION 8-A-16-OA**  
(6-8-17) Amendment of Knox County Zoning Ordinance establishing regulations for rural retreats/event facilities in the Agricultural and possibly other zone districts.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 6. METROPOLITAN PLANNING COMMISSION 9-A-16-OA**  
(7-13-17) Amendments to the Knoxville-Knox County Minimum Subdivision Regulations.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 7. METROPOLITAN PLANNING COMMISSION 3-B-17-OA**

Agenda Item No.

MPC File No.

- (7-13-17) Review of amendment to the City of Knoxville Zoning Ordinance to identify residential as a Use-on-Review in the C-3 (General Commercial) District and establish standards for residential uses.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 8. METROPOLITAN PLANNING COMMISSION 5-A-17-OA**  
(7-13-17) Amendments to the City of Knoxville Zoning Ordinance regarding sidewalk requirements for new developments.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 9. METROPOLITAN PLANNING COMMISSION 5-B-17-OA**  
(6-8-17) Amendments to the Knox County Zoning Ordinance to create a new Rural Preservation zoning district.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- 10. CITY OF KNOXVILLE LAW DEPARTMENT 5-C-17-OA**  
Amendment to City of Knoxville Code of Ordinances regulating short term rental.

STAFF RECOMMENDATION: Approve.

Gerald Green

Explained definition of short term rentals. City has been having these business operating illegally and City has been working on this to establish fair and reasonable standards for 6 months.

Not part of the zoning ordinance but City code.

Dr. William Lyons, City

Want to allow short term rentals and have 200 to 300 mostly Airbnb's operating outside the ordinance.

Three fundamental principles:

- Make sure we did no harm to neighborhoods
- Find a way to allow for Airbnb's and other short term rentals to operate reasonably.
- Provide fairness to the hotels and motels in collection of fees and taxes

Large number of public meetings and emails for input.

Propose permit in residentially zoned districts limits to owner occupied units 1 per person.

Propose nonresidential districts with only two permits per owner.

Sandy Gillespie, 4272 Holloway Drive, 37919, Community Forum

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Community Forum opposes short term rentals in residential districts in R-1 and R-1E zones which do not allow apartments, bed & breakfast or rooming or boarding houses.

Short-term rentals are a commercial use and out of character with R-1 and R1-E developments.

Also leaders from the following neighborhood organizations also indicated opposed to allowing in R-1 and R-1E:

Alice Bell/Spring Hill, Pond Gap, Ft. City Town Hall, Kingston Pike/Sequoyah Hills Association, Tazewell Pike/Beverly Station, Wesley Neighborhood Community Association and West Hills Community Association.

Nathaniel Shelso, 811 Avice Lennon Street

Concern with ban on non-owner occupied short term rentals in residential areas.

Younger people like to stay in the city and part of a neighborhood often. City could miss out on growth and have more tourism in neighborhoods.

Vacant housing stock could be used for rental, plus the number of vacant lots that could be developed.

Some policies restrict the number of non-owner occupied short-term rentals by neighborhoods or census tracts.

Carlene Malone, 6051 Fountain Road

There is no professional staff recommendation, so send to City Council without a vote to approve or deny noting this has been considered.

If renting for less than 30 days it is a hotel

Jennie Wright, 140 E Glenwood Avenue, 37917.

Submitted a letter from 4<sup>th</sup> and Gill Neighborhood Association.

Support ordinance as drafted.

Short-term rentals exist in our neighborhood and have not had problems as of yet. Want to prevent problems from occurring.

Concerned homes purchased and used for short term rental by non-owners.

Relationships with neighbors are important part of the neighborhood.

Crista Cuccaro, City Law Department

At the General Assembly a bill on this styed which could lead to losing our local zoning authority on short-term rental property.

Legislators will be watching what we are doing. Want a balance between protecting neighborhood and allowing this activity to occur.

As far as problems, defined these as motels and when complaint have gone to operator and told them they cannot do in residential district and shut them down and typically they complied.

Enforcement for not having permit, looking into software to monitor operations of these. If does have permit, there is a revocation process with appeals.

**MOTION (COLE) AND SECOND (GOODWIN) WERE MADE TO FORWARD TO CITY COUNCIL WITHOUT A RECOMMENDATION.**

Laura Cole

Want to send forward without changes because the City has worked on this and we are not going to have an impact on this.  
City has done a good job of starting the balance of strong opinions and a market that has already grown without regulation.  
Appreciate the need to move forward with it because of what is going on at the State level.

Art Clancy

I have an opinion on this and our job is to make a recommendation.

Pat Phillips

This is a business venture with permits and collecting taxes.  
This will effect older established residential areas in the city that are void of restrictive covenants.

Dr. Lyons

We do not see any harm in this activity.  
This is somebody's residence allowing somebody to stay there.  
If we thought there would be any harm in this, would not want anywhere.  
If take that many homes out, would be depriving a lot of people who would like to share their home in this way.  
The fact that we are under the watchful eye of the General Assembly, we are afraid that all of our ability to regulate them at all would be taken away and some think if we are overly restrictive we are taking away property rights.  
Middle ground is compromise during this scrutiny.

Scott Smith

Traditional single family detached neighborhoods are not suitable for and do not want short term rentals with people coming in and out.  
Like the concept in certain areas like downtown or 4<sup>th</sup> and Gill.  
Have to get business licenses and with permit fee rounds to \$100 or \$150 yearly.

Mike Crowder

Asked the percentage of such facilities in Historical Zone areas.



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Cuccaro

Airbnb.com shows the short terms rentals but one cannot get location until you book so we do not have data to track.

Upon roll call the Planning Commission voted

- Anders no
- Clancy yes
- Cole yes
- Crowder yes
- Eason yes
- Goodwin yes
- Lomax no
- Philips no
- Smith yes
- Thomas yes
- Tocher yes
- Longmire no

**MOTION CARRIED 8-4. SEND ON TO CITY COUNCIL WITHOUT RECOMMENDATION.**

**Alley or Street Closures:**

- P 11. LAND DEVELOPMENT SOLUTIONS 4-C-17-SC**  
(6-8-17) Request closure of Park West Blvd between southeast corner of parcel 119-018.36 and southeast corner of parcel 119-018.23, Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 12. STEVEN W. ABBOTT JR. 5-A-17-AC**  
(6-8-17) Request closure of Unnamed alley between northern edge of Western Avenue right-of-way and northern terminus, Council District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

None

**Concepts/Uses On Review:**

- 13. TWIN OAK LANDING - PAUL C. HIBBIN 4-SA-17-C**  
**a. Concept Subdivision Plan**  
Northwest & southeast sides of Twin Oak Ln., west side of Tazewell Pk.,  
Commission District 8.

STAFF RECOMMENDATION: Approve variances 1-10, Deny variance 11, and approve the Concept Plan subject to 10 conditions.

Paul G. Hibbin Jr., 8333 Coppock Road, Corryton TN 37731  
Twin Oak Lane is going to have to be widened.  
We have all utilities.

Chair Longmire  
Correction to number of lots is 102 and not 92.

Brenda Savage, 7709 Twin Oak Lane  
No sewer and none of the lots will perk.  
Trying to get onto Tazewell Pike will be even worse.  
Need another access other than sharp, dangerous curve on Tazewell Pike.  
Knox County Deputy was killed there.  
This is a wetlands.  
Schools make traffic dangerous.

Hibbin  
Safety improvements will be made to Tazewell Pike and a turn lane put in.  
Schools have created more traffic and road does need widening.  
Community is growing.  
Greenway trails will be built.

Cindy Pionke  
Tazewell Pike is State route. Nothing planned for road improvements.  
As part of this development a left turn lane north on Tazewell Pike will be required.  
Twin Oak Road will have to be improved to public standard road.  
We have met with developer and school to get access from the subdivision to the school and have access to the fields along with Edwards Place Subdivision as well for children to walk.

Margo Owenby  
Twin Oak Road comes out to Tazewell Pike way too close to the school.  
The turn lane to drop children off is right on a deadly curve.

Art Clancy  
Gibbs is growing and we need to plan for expansion.  
This property is not going to stay farmland.  
Sidewalks and access to the school grounds for walking within the neighborhood.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE VARIANCES 1-10 AND DENY VARIANCE 11 PER STAFF RECOMMENDATION. MOTION CARRIED 11-1 (Thomas-no). APPROVED.**

(Came back to this item to make concept plan motion. Commissioner Thomas left the meeting at this time.)

**MOTION (CLANCY) AND SECOND (SMITH) WERE MADE TO APPROVE CONCEPT PLAN PER STAFF RECOMMENDATION. MOTION CARRIED 11-0. APPROVED.**

**b. USE ON REVIEW**

**4-E-17-UR**

Proposed use: Detached residential subdivision in PR (Planned Residential) & PR (Planned Residential) pending District.

STAFF RECOMMENDATION: Approve the request for up to 102 detached dwellings on individual lots and a reduction of the periphery boundary setback from 35' to 25' as shown subject to 1 condition.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 11-1 (Thomas – No) . APPROVED.**

**14. WESTLAND OAKS - MESANA INVESTMENTS, LLC**

**a. Concept Subdivision Plan**

**4-SD-17-C**

South side of Westland Dr., east of Andover View Ln., Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-3 and the Concept Plan subject to 12 conditions.

Wayne Kline, 1226 Birchcove Way on behalf of Westland West Homeowners Association and Heritage Point.

Traffic problems are bad and this would need a traffic study for safety and address the entrance and exit.

Due to the fact only 74 units, recommendation is if Phase II or next house is proposed to be built then traffic study, asking for it now.

Dr. Cathy Smith, live across the street

Recognize the development that have been built on Westland Drive

Ask for a second access to this subdivision on Heritage Boulevard so we not have 74 more house people driving on Andover View.

Scott Davis PO Box 11315

Provided everything that you asked for at the last meeting.

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Cindy Pionke

Staff policy has been traffic study asked for when 75 units.  
Ran preliminary numbers and seems left turn lane warranted.  
Staff report has been revised to ask for traffic impact study if any further development occurs to the left.

Tom Brechko

Added a condition that any addition beyond the 74 lots would require traffic study.  
Added a condition about fill and grading and approvals needed for that.

Laura Cole

We have heard from numerous members of the community asking for traffic study. Want to require traffic study.

Tom Brechko

Could require traffic study to be submitted to engineering staff and MPC staff during design plan stage.  
If delay study, then school will be out and would not have impact of school traffic.  
Looking at way for him to be able to move forward and not wait until study done.

Scott Davis

At the last meeting a traffic impact study was voted down.  
Not normal to have traffic impact study at design stage.

Pionke

Traffic data during the school best or could use some older counts with assumptions.

**MOTION (COLE) AND SECOND (LOMAX) WERE MADE TO APPROVE VARIANCES 1-3 PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. APPROVED.**

**MOTION (COLE) AND SECOND (LOMAX) WERE MADE TO APPROVE SUBJECT TO 12 CONDITIONS REPLACING CONDITION 10 WITH REQUIRING A TRAFFIC STUDY PRIOR TO DESIGN PLAN REVIEW.**

Scott Smith

Developers have expectations they know they can count on.  
That is a great site for an apartment complex with low impact.  
Do not see traffic as bad.

Scott Davis

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Unnecessary and unjustifiable burden to have to come back with something different that was voted against last month. Very unusual for this to be requested.

Eason

Pleased to be able to see grading plan and to see the limited disturbance areas.

Clancy

Inappropriate to require traffic impact study at this point, should have been done at our last meeting.

Cole called for the question.

Cindy Pionke

You could estimate the second phase and do one traffic study to cover both phases. It would be in the developer's best interest to cover the 74 units today as well as the maximum of what it is zoned for on the additional acreage. The next property owners would have to do a traffic study including the first 74 lots assuming that is the only access point for the additional property.

Upon roll call the Planning Commission voted as follows:

- Tocher yes
- Thomas yes
- Smith no
- Phillips no
- Lomax yes
- Goodwin yes
- Eason no
- Crowder no
- Cole yes
- Clancy no
- Anders no
- Longmire no

**Motion failed 5-7.**

**MOTION (PHILLIPS) AND (CLANCY) WERE MADE TO APPROVE CONCEPT PLAN SUBJECT TO 12 CONDITIONS PER STAFF RECOMMENDATION. MOTION CARRIED 10-2 (COLE AND TOCHER-NO) APPROVED.**

**b. USE ON REVIEW**

**4-K-17-UR**

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

Agenda Item No.

MPC File No.

STAFF RECOMMENDATION: Approve the Development Plan for up to 74 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25' for Lots 9-20 and 44-53, subject to 1 condition.

**MOTION (PHILLIPS) AND SECOND (CLANCY) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 11-1 (Cole-no). APPROVED.**

Tom Brechko and Charles Thomas commended Mr. Smith for the changes in the design.

Motion was made to approve item 13a at this time.)  
A BREAK WAS TAKEN AT THIS TIME 3:13 PM.

- \* **15. VINING MILL - HOMESTEAD LAND HOLDINGS, LLC** **5-SA-17-C**
  - a. Concept Subdivision Plan**  
Southeast side of Hardin Valley Rd., east side of Marietta Church Rd.,  
Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-16 and the Concept Plan subject to 13 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **b. USE ON REVIEW** **5-B-17-UR**  
Proposed use: Detached Residential Subdivision in PR (Planned Residential) & PR pending District.

STAFF RECOMMENDATION: Approve the Development Plan for up to 192 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25', subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **16. KILGORE PROPERTIES** **5-SB-17-C**  
South side W. Ford Valley Rd., west of Stonecrest Ln., Council District 1,  
Commission District 9.

STAFF RECOMMENDATION: Approve the Concept Plan subject to 7 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 17. MAITLAND WOODS - HGA, LLC** **5-SC-17-C**
  - a. Concept Subdivision Plan**

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Northwest terminus Altacrest Ln., northwest of Ancient Oak Ln.,  
Commission District 3.

STAFF RECOMMENDATION: Approve variances 1-3 and the Concept  
Plan subject to 7 conditions.

David Harbin, 4334 Papermill Dr. Knoxville.  
Water pump station has been installed.  
Re-approval of old concept plan with same size lots and built in same  
manner that is there now.

Chris Rorex, 2529 Ancient Oak Lane, with Homeowners Association of  
Maitland Woods  
Issue is traffic.  
Entire subdivision exists out Sands Road to Bakertown. There is a stop  
sign and a slope. Cars and school buses run off the road. County needs  
to reconfigure or plow it in the winter.  
Possibly extend Altacrest Lane to the top of the hill to connect with  
Ancient Oak as shown in the prior plan.  
Booster pump has very little effect on homes at the top of hill. Want  
assurance that addition is not going to ruin water pressure.  
Invite developer to join our HOA. Would like to know in advance what  
expenses to anticipate for HOA and allow HOA to sign off on final plat.

Doug Hodge, 232 Springwater Lane, one of developers  
Secondary access not feasible at this time due to slope. We will look at  
it and meet with HOA and show findings.  
Met with utility district and water pressure is sufficient according to  
them. We will have recalibration and address that issue.  
We will be a part of the HOA. Additional maintenance is the storm water  
has to be upgraded and requires period maintenance of structures.  
Will meet on site next week and communicate with HOA.

Dan Kelly  
This is a separate unit to the subdivision whether it is to part of same  
organization is always up for debate.  
Stormwater goes to a detention basin which is located in the other  
phase and makes sense to come together and become one association.

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO  
APPROVE VARIANCES 1-3 AND APPROVE CONCEPT PLAN  
SUBJECT TO 7 CONDITIONS PER STAFF RECOMMENDATION.  
MOTION CARRIED 12-0. APPROVED.**

**b. USE ON REVIEW**

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

**5-F-17-UR**

STAFF RECOMMENDATION: Approve the Development Plan for up to 28 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25' along the boundary of lots 85-88 subject to 1 condition.

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

**P 18. VERTEX DEVELOPMENT ON LOBETTI ROAD - VERTEX DEVELOPMENT**  
(6-8-17)

**a. Concept Subdivision Plan**

Southwest side of Lobetti Rd., northwest of Ball Camp Pike., Commission District 6.

**5-SD-17-C**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P b. USE ON REVIEW**  
(6-8-17) Proposed use: Detached Residential Subdivision in PR (Planned Residential) (k) & PR Pending District.

**5-G-17-UR**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**W 19. HISTORIC MIDDLEBROOK**  
East side of Ed Shouse Dr, north side of Middlebrook Pike, west side of I-640/I-75, Council District 6.

**5-SE-17-C**

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

**20. AUTUMN WALK - B AND B BUILDERS**

**a. Concept Subdivision Plan**

Northeast side of Dry Gap Pk., southeast of Autumn Path Lane. Commission District 7.

**5-SF-17-C**

STAFF RECOMMENDATION: POSTPONE until the June 8, 2017 MPC meeting as recommended by staff.

**MOTION (CLANCY) AND SECOND (SMITH) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. POSTPONED**

**b. USE ON REVIEW**

Proposed use: Attached residential development in PR (Planned Residential) District.

**5-H-17-UR**



Agenda Item No.

MPC File No.

STAFF RECOMMENDATION: POSTPONE until the June 8, 2017 MPC meeting as recommended by staff.

**MOTION (CLANCY) AND SECOND (SMITH) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. POSTPONED.**

**Final Subdivisions:**

**P 21. FIVE OAKS OUTLET CENTERS, INC. 10-SP-16-F**  
(6-8-17) At the northern intersection of N Broadway and Tazewell Pike, Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 22. AUTUMN WALK 1-SK-17-F**  
(6-8-17) Northeast side of Dry Gap Pike, southeast side of Autumn Path Way, Commission District 7.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**W 23. LAKEVIEW LANDING 2-SF-17-F**  
South side of S Northshore Dr at Nolina Rd, Commission District 4.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

**\* 24. NICK SHAFFER PROPERTY 4-SE-17-F**  
North side of E Oklahoma Avenue, southwest of W Glenwood Avenue, Council District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**\* 25. NATURE'S BEST ORGANICS 4-SO-17-F**  
South side of Fillmore Avenue, west side of Proctor Street, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**P 26. FOREST HOMES 5-SA-17-F**  
(6-8-17) South side of Forestdale Ave, west of Woodmont Rd, Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

Agenda Item No.

MPC File No.

- \* **27. CLEAR SPRINGS BAPTIST CHURCH** **5-SB-17-F**  
Northeast side of Thompson School Rd, south of Wood Rd, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **28. HERNANDEZ PROPERTY** **5-SC-17-F**  
At the intersection of Edgewood Ave and Fairview St, Council District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **29. DRUMMOND PROPERTY RESUBDIVISION** **5-SD-17-F**  
Northwest side of Bell Rd, northeast of Meadow Rue Trail, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **30. D & B DAVIS ESTATES** **5-SE-17-F**  
North side of Rutledge Pike, northeast of Idumea Rd, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **31. HARRISON SPRINGS** **5-SF-17-F**  
North side of Boulder Springs Ln, northeast side of Schaeffer Rd, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **32. THE COVE AT KELLER BEND** **5-SG-17-F**  
Southeast side of Keller Bend Rd, west of Tedford Ln, Commission District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Agenda Item No.

MPC File No.

- \* **33. HORNE PROPERTIES RESUBDIVISION OF LOT A** **5-SH-17-F**  
North side of Chapman Hwy, east side of E Ford Valley Rd, Council District 1.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **34. TURNING LEAF TRAILS, RESUBDIVISION OF LOT 16R** **5-SI-17-F**  
West side of Settlers Cove Ln, South side of Mystic Ridge Rd, Commission District 5.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

### **Rezoning and Plan Amendments:**

- W 35. FIRST BAPTIST CHURCH CONCORD AS SUCCESSOR BY MERGER TO WESTLAKE BAPTIST CHURCH**  
North side Westland Dr., east side I-140, Council District 2.  
**a. Southwest County Sector Plan Amendment** **7-D-15-SP**  
From PI (Public Institutional) & SLPA (Slope Protection Area) to C (Commercial) & SLPA (Slope Protection Area).

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- W b. One Year Plan Amendment** **7-C-15-PA**  
From P (Public Institution) to GC (General Commercial).

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- W c. Rezoning** **7-G-15-RZ**  
From RP-1 (Planned Residential) to SC-1 (Neighborhood Shopping Center).

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- P 36. SHADY GLEN LLC** **3-G-17-RZ**  
Northwest side Lovell Rd., northeast of Hickey Rd., Commission District 6.  
Rezoning from A (Agricultural) to PR (Planned Residential).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **37. ECG MARTIN MILL LP** **4-D-17-SP**  
Northeast side E. Martin Mill Pike, northwest side Lippencott St., Council District 1.  
**a. South City Sector Plan Amendment**

Agenda Item No.

MPC File No.

From MDR (Medium Density Residential) and MU-SD (Mixed Use Special District) (SC-4) to HDR (High Density Residential).

STAFF RECOMMENDATION: ADOPT RESOLUTION #4-D-17-SP, amending the South City Sector Plan to HDR (High Density Residential), and recommend the Knoxville City Council also approve the sector plan amendment.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **b. One Year Plan Amendment** **4-B-17-PA**  
From SWMUD-2 (South Waterfront Mixed Use District II) to HDR (High Density Residential).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE HDR (High Density Residential) One Year Plan designation.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **c. Rezoning** **4-D-17-RZ**  
From C-4 (Highway and Arterial Commercial) to RP-2 (Planned Residential).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE RP-2 (Planned Residential) zoning at the requested density of up to 30 du/ac, subject to 1 condition.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**38. RANDY ALLEN**  
Northwest side Tazewell Pike, southwest of Fieldcrest Ln. Council District 4.

**a. North City Sector Plan Amendment** **4-F-17-SP**  
From LDR (Low Density Residential) to O (Office).

STAFF RECOMMENDATION: Deny O (Office) sector plan designation.

Applicant was not present.

Jamie Rowe, 4215 Tazewell Pike, Tazewell Pike/Beverly Station Neighborhood  
We want to be on record against this rezoning in case it is appealed to City Council.  
That is to be a transition zone.  
Next door was zoned Office years ago and it is up for sale now. Stuck with that zoning.

Agenda Item No.

MPC File No.

Cathy Manning, 404 Oak Park Drive, representing the neighbors in Metcalf Subdivision

This lot is in our residential subdivision and would like for it to stay residential.

Carlene Malone, 6051 Fountain Road, Fountain City Town Hall  
Here in opposition.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. DENIED.**

**b. One Year Plan Amendment**

**4-C-17-PA**

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

STAFF RECOMMENDATION: Deny O (Office) one year plan designation.

**MOTION (LOMAX) AND SECOND (THOMAS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. DENIED.**

**c. Rezoning**

**4-E-17-RZ**

From R-1 (Low Density Residential) to O-1 (Office, Medical, and Related Services).

STAFF RECOMMENDATION: Deny the rezoning to O-1 (Office, Medical & Related Services), consistent with the denial recommendations for the associated plan amendments.

**MOTION (LOMAX) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 12-0. DENIED.**

**39. MADDOX PROPERTY MANAGEMENT & SALES. INC. STEVEN K. MADDOX**

South side Oak Ridge Hwy., west side Schaad Rd., Commission District 6.

**a. Northwest County Sector Plan Amendment**

**5-A-17-SP**

From MU-SD (Mixed Use Special District) (NW-Co-10) to GC (General Commercial).

STAFF RECOMMENDATION: ADOPT RESOLUTION # 5-A-17-SP, amending the Northwest County Sector Plan to GC (General Commercial) for the area depicted on the attached 'MPC Staff Recommendation' map and recommend that County Commission also adopt the SP amendment.

Agenda Item No.

MPC File No.

Frank Scott, own property west of this property  
Water runoff from this property is a problem.  
Property used for fill dirt with tree stumps and everything buried in there. They did not tamp the ground until the very last 6-8 months.  
Concerned about privacy. Question 30 foot berm.

Steve Maddox, 13190 Ray Sail Way, 37932  
Met with staff and Director and worked out conditions.  
History of going overboard on screening and berming.  
Some soils were suspect but we had them removed. Soil testing is standard procedure.

Gerald Green  
Condition number 2 "Locations requiring such perimeter screening area shall include the southwest property lines of parcels 33.01 and 33.02 and the southeast property line of parcel 33.02 adjacent to Ball Camp Pike..." rest of sentence is deleted do not want to block potential development from the street for visibility of the businesses.

Janice Tocher  
Concerned that sector plan has been changed so quickly after 2016 sector plan adoption.

Brusseau  
Appropriate location for commercial at intersection of two arterial streets.  
Need for commercial services for the population there.  
Schaad was designed for limited access. Want to avoid commercial up and down Schaad Road.  
By limiting commercial at this location and limiting it south and gives us basis to deny potential future requests.  
Why the sector plan did not show this as commercial was because of the abundance of spot commercial zoning along Oak Ridge Highway and Schaad and Clinton Highway which have been there for years and many of which are undeveloped.

Chair Longmire  
Reasoning for changing the sector plan is the improvement of intersection of Schaad Road and Oak Ridge Highway and appropriateness of commercial development for that area.

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

**b. Rezoning**  
From A (Agricultural) to CA (General Business).

**5-A-17-RZ**

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE CA (General Business) zoning for the area depicted on the attached 'MPC Staff Recommendation' map, subject to 4 conditions.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION ELIMINATING THE LAST PHRASE OF CONDITION 2. MOTION CARRIED 12-0. APPROVED AS MODIFIED .**

- \* **40. MARSH-DON, LLC**  
East side N. Campbell Station Rd., south of El Rancho Trail, Commission District 6.

- a. Northwest County Sector Plan Amendment**  
From AG (Agricultural) to LDR (Low Density Residential).

**5-B-17-SP**

STAFF RECOMMENDATION: ADOPT RESOLUTION #5-B-17-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **b. Rezoning**  
From RA (Low Density Residential) to PR (Planned Residential).

**5-B-17-RZ**

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2 du/ac, as requested.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 41. BILLY EVANS**  
Southeast side E. Raccoon Valley Dr., southwest of Raccoon Woods Rd., Commission District 7.

- a. North County Sector Plan Amendment**  
From AG (Agricultural) to LDR (Low Density Residential).

**5-C-17-SP**

STAFF RECOMMENDATION: ADOPT RESOLUTION #5-C-17-SP, amending the North County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment.

Chair Longmire  
Noted reason for adopted sector plan as is just for 5 acres of a 37 acre tract. The remainder of the tract is already designated LDR. This is a minor extension of LDR from the northeast.

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

**b. Rezoning**

**5-C-17-RZ**

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

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3.5 du/ac (Applicant requested 5 du/ac), subject to one condition.

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

\* **42. THOMAS BROOKS**

West side S. Peters Rd., south of Kingston Pike, Commission District 3.

**a. Southwest County Sector Plan Amendment**

**5-D-17-SP**

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

STAFF RECOMMENDATION: ADOPT RESOLUTION #5-D-17-SP, amending the Southwest County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment..

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **b. Rezoning**

**5-D-17-RZ**

From OA (Office Park) to RAE (Exclusive Residential).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE RAE (Exclusive Residential) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **43. BRIAN HANN**

**5-E-17-RZ**

Northwest side Worlds Fair Park Dr., southwest side Oak Ave., Commission District 6. Rezoning from I-3 (General Industrial) to C-2 (Central Business District).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-2 (Central Business) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **44. DARREN F. GREEN**

**5-F-17-RZ**



Agenda Item No.

MPC File No.

Northwest side E. Beaver Creek Dr., southwest of Rhyne Ln., Commission District 7. Rezoning from RA (Low Density Residential) to PR (Planned Residential).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2 du/ac. (Applicant requested 4 du/ac).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **45. WEST LONSDALE BAPTIST CHURCH** **5-G-17-RZ**  
East side Dayton St., south of Western Ave., Council District 3. Rezoning from R-1A (Low Density Residential) to R-2 (General Residential).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE R-2 (General Residential) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **46. JAMES C. TOMICZEK** **5-H-17-RZ**  
Southeast side Papermill Dr., northeast of Weisgarber Rd., Council District 2. Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-4 (Highway & Arterial Commercial) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **47. RICK WILKINSON** **5-I-17-RZ**  
South side Nubbin Ridge Rd., east of Wallace Rd., Commission District 4. Rezoning from RA (Low Density Residential) to PR (Planned Residential).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac, as requested.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Uses on Review:**

- P 48. CHEROKEE FARM DEVELOPMENT CORPORATION** **5-C-16-UR**  
North and south side of Momentum Way, west of Accelerator Way. Proposed use: Amendments to the Cherokee Farm Master Plan and Development Guidelines in BP-1 (Business and Technology Park) District. Council District 1.

Agenda Item No.

MPC File No.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **49. NANA'S HOUSE LEARNING CENTER** **3-I-17-UR**  
North side of E. Magnolia Ave., west of Austin St. Proposed use: Daycare center in O-1 (Office, Medical, and Related Services) District. Council District 6.

STAFF RECOMMENDATION: APPROVE the request for a child day care center with a maximum enrollment of up to 16 children at this location subject to 5 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **50. FRED LONG CONSTRUCTION CONCEPTS** **4-I-17-UR**  
Northwest side of Westland Dr, northeast of Vicar Ln. Proposed use: Attached and detached residential dwellings in PR (Planned Residential) 1-8 du/ac District. Commission District 4.

STAFF RECOMMENDATION: Approve the Development Plan for the 21 unit multi-dwelling development and the reduction of the peripheral setback from 35' to 25' along the northeast development boundary, subject to 5 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 51. MAC TOBLER** **5-A-17-UR**  
(6-8-17) South side of Forestdale Ave, west of Woodmont Rd. Proposed use: Detached residential subdivision in RP-1 (Planned Residential) District. Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **52. GEORGES BRANDAN** **5-C-17-UR**  
North side of Cedarpark Ln., east of Park Village Rd. Proposed use: Multi-dwelling units (8 units in 2 buildings) in PR (Planned Residential) District. Commission District 3.

STAFF RECOMMENDATION: APPROVE the request for up to 8 dwellings in two buildings as shown on the site plan subject to 4 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **53. STEVE YOUNG - ODLE & YOUNG ARCHITECTS, INC.** **5-D-17-UR**  
Northwest side of Norman Jack Ln., northwest of E. Emory Rd. Proposed use: Rural Metro Station in PC (Planned Commercial) & A (Agricultural) District. Commission District 7.

Agenda Item No.

MPC File No.

STAFF RECOMMENDATION: APPROVE the development plan for a new Rural Metro Fire Station with four truck bays in a building with approximately 5,872 sq. ft., subject to 6 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 54. MARK GRAHAM ENGINEERING CONSULTANTS, LLC **5-E-17-UR****  
 Southeast side of W. Governor John Sevier Hwy., southeast side of Alcoa Hwy. Proposed use: Church Expansion in RP-1 (Planned Residential) District. Council District 1.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- 55. BENCHMARK ASSOCIATES, INC. **5-I-17-UR****  
 East and west sides of Festival Ln, north of Dutchtown Rd. Proposed use: Peripheral setback reduction from 25' to 20' and front setback reduction from 20' to 15' in PR (Planned Residential) District. Commission District 3.

SCOTT SMITH RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

STAFF RECOMMENDATION: APPROVE the request of 15-foot front setback along Festival Ln. for lots 1-4 & 47-49, and reduction of peripheral setback as requested from 25' to 20', subject to 2 conditions. DENY the request for 15-foot front setback for lot 50.

Richard Groves, 1193 Oakhaven Road, Property backs up to lots 48-50. Numerous requests to Knox County Stormwater, owner and developer not answered calls. Stormwater runoff has been backing up into my property and not running off as originally designed. Requested that be addressed.

Benny Mormon, Benchmark Associates, 10308 Hardin Valley Road  
 Talked to a design engineer. Design plan calls for the drive to be removed and a drain put there.  
 Goal is to work with him and get that area addressed.  
 Working with Houston Homes on this setback issue but will work with design engineer to see if plans were followed.  
 Homes do not fit on these front four lots which is reason for request.  
 Lot 50 will be challenging to build on with a detention facility on that lot.

**MOTION (CLANCY) AND SECOND (ANDERS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 11-0-1. APPROVED.**

Agenda Item No.

MPC File No.

- P 56. DIXON GREENWOOD 5-J-17-UR**  
(7-13-17) North side of Lyons View Pike, east of Lyons Head Dr. Proposed use: Professional offices in O-1 (Office, Medical, and Related Services) District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING

- \* **57. LAND DEVELOPMENT SOLUTIONS 5-K-17-UR**  
North side of N. Peters Rd., east of N. Cedar Bluff Rd. Proposed use: Wine and Liquor Store in PC-2 (Retail and Distribution Park) District. Council District 2.

STAFF RECOMMENDATION: Approve the request for a wine and liquor store with approximately 26,630 square feet as shown on the development plan, subject to 10 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

### **Other Business:**

- \* **58. Consideration of City of Knoxville FY 2018-2023 Capital Improvements Program. 4-A-17-OB**

Staff Recommendation: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **59. Consideration of amendments to MPC's Administrative Rules and Procedures regarding Article II, Public Notice Signs; Article XI, Order of Meeting and Discussion of Debate; and removing Appendix F, Records Management Policy. 5-A-17-OB**

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 60. Consideration of amendments to MPC By-Laws, Article IX, Rules of Order. 5-B-17-OB**

STAFF RECOMMENDATION: Approve.

Dan Kelly  
Pointed out to Commission they were not following Roberts Rules. Commission felt could not follow Roberts Rules to the T and come up with alternative language.

Agenda Item No.

MPC File No.

In the 40 years I have been coming to these meetings, never saw Commission have a parliamentary problem that kept them from taking action.

Amendment was to say Roberts may apply as opposed to shall apply.

Carlene Malone, 6051 Fountain Road.

This says if not in by-laws will get it somewhere else but does not say where.

Means you will make up rules as you go.

Public bodies must have rules to conduct a meeting and the rules must be known and available to the public.

Solution is not to abandon a widely adopted set of rules which provide maximum debate from the maximum number of people.

Roberts says you can supplement with your own set of rules.

Ask that you maintain and follow Roberts Rules.

Steve Wise, MPC Attorney

There have been questions from the public about rules.

Our operating rules do not purport with Roberts and meetings work very well.

If we try to use Roberts Rules, no one could speak at the podium. The only people that could speak would be the 15 Commissioners.

Roberts Rules are not designed for quasi-judicial body.

Chairs develop the rules as they see needs.

Chair Longmire

Roberts Rules limit the number of times a person speaks.

Want all to be able to speak and Commissioners get to say what they want to say regardless of time.

Malone

Roberts Rules says you are free to make up your own rules.

Charles Lomax

In absence of official parliamentarian who acts to govern us?

Wise

Under Roberts Rules the parliamentarian is one of the body who can be selected to check rules.

Our practice has been that the Chair controls the rules.

Charles Thomas

Chair Longmire runs these meetings very well.

One problem we have had is when there is a motion and then decide to postpone then we have to vote on the first motion just to get a postponement.

Agenda Item No.

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Beth Eason  
Suggested documenting our rules we follow.

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

Scott Smith  
Think we should leave it the way the language is.

Wise  
There is an absence of formalized rules therefore if we default to Roberts Rules there is no long public input.  
Another solution would be to delete any reference to Roberts Rules because we are never in compliance and cannot be and carryout the responsibilities of this body.  
At this point be honest with ourselves that we cannot and do not follow Roberts Rules.

Gerald Green  
Citizens were concerned that we were not following Roberts Rules when our bylaws say in the absence of other rules we shall follow Roberts.

Cole  
Leave it the way it is and clarify our rules.  
Takes away guidance without replacing it. Concern we are freefalling.

Upon roll call the Planning Commission voted as follows:

- Anders yes
- Clancy yes
- Cole no
- Crowder yes
- Eason no
- Goodwin yes
- Lomax yes
- Phillips yes
- Smith no
- Thomas no
- Tocher yes
- Longmire yes

**MOTION CARRIED 8-4. APPROVED.**

**\* 61. Consideration of MPC's Public Records Management Policy. 5-C-17-OB**

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Agenda Item No.

MPC File No.

\* **62. Consideration of MPC's Open Data Policy.**

**5-D-17-OB**

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

## **Adjournment**

### **MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO ADJOURN.**

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 4:39 p.m.

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Prepared by: Betty Jo Mahan

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Approved by: Secretary for the Commission

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Approved by: Rebecca Longmire, Chair

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