The Metropolitan Planning Commission met in regular session on April 10, 2003 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. Stephen Lewis
Mr. Richard Graf, Vice Chair  Mr. Randy Massey
Mr. Rusty Baksa  Ms. Mary Parker Slack
Mr. Trey Benefield  ** Mr. Larry Smith
Ms. Mamosa Foster  Ms. Jean Teague
Mr. Philip French  Ms. Patsy Vittetoe
Mr. Herb Donaldson, Sr.  Mr. David Wolf
** Mr. Mark Jendrek

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

1. ROLL CALL

Ms. Vi Whitmire called the role.

2. INVOCATION

Mr. Dick Graf led the invocation.

3. PLEDGE OF ALLEGIANCE

Mr. Dick Graf led the Pledge of Allegiance.


This item was approved on consent.

5. APPROVAL OF APRIL 10, 2003 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 to the April 10, 2003 MPC Meeting:

- **P 4-SB-03-C** ROEFIELD

- **P 4-D-03-UR** WIDE HORIZON DEVELOPMENT
  North side of Bluegrass Rd., south side of Woodsboro Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) & PR (Planned Residential) pending District. Tax ID 144 78.03 & 109, Commission District 5, Southwest County Sector.

- **P 4-SB-03-F** THE ESTATES OF WELLSLEY PARK
  North side of Deane Hill Dr, east of Morrell Rd., Council District 2.

- **P 4-SH-03-F** SAMUEL E. DAVIS, SR.

- **P 4-SI-03-F** FALLING WATERS AT NORTHSHORE, RESUB OF LOTS 57 - 60
  Northwest side of Shady Hollow Ln, south of Shadow Ln., Commission District 4.

- **P 4-B-03-SP** DON MADDOX
  East side Concord Rd., south side Loop Rd. Request Southwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Tax ID 143 074, Commission District 5, Southwest County Sector.

- **P 4-I-03-RZ** DON MADDOX
  East side Concord Rd., south side Loop Rd. Rezoning from A (Agricultural) to CN (Neighborhood Commercial) or CA (General Business). Tax ID 143 074, Commission District 5, Southwest County Sector.

- **P 4-S-03-RZ** B. L. BALL
  Northwest side Dogwood Dr., southwest of Merriwood Dr., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 134 H E 0012, Commission District 4, West City Sector.

**POSTPONEMENTS –REQUIRING MPC ACTION– (Indicated with P)**

Items to be postponed until the May 8, 2003 MPC Meeting:

- **1-SF-03-C** SEVIER MEADOWS

- **1-H-03-UR** EAGLE BEND REALTY
  East side of Maryville Pike, north of Rudder Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) and RB (General Residential) Districts. Tax ID 135 Part of 22.02, Commission District 9, South County Sector.

THESE ITEMS WERE REMOVED FROM THE POSTPONEMENT LIST.
P 2-SH-03-C STOCKTON PLACE
North side of Stockton Dr., west of West Hills Rd., Council District 2.

P 2-P-03-UR DAVID REYNOLDS

P 3-SE-03-C PUBLIC STREET BETWEEN NICHOLS AVE. & E. GLENWOOD AVE.

P 3-SI-03-C CARTER MILL

P 3-H-03-UR CARTER MILL, G.P.

P 4-SD-03-C MAJORS LANDING
East side of Majors Rd., north of Majors Landing Ln., Commission District 8.

P 10-SF-02-F MYRON & GINA CLARKE

P 10-SG-02-F MILLER ADDITION, RESUB OF LOT 1 AND UNPLATTED PROPERTIES OF WILMA H. MILLER & JOE C. MILLER, JR.

P 3-SF-03-F MOSS CREEK VILLAS, UNIT 8
Northeast side of Moss Creek Rd, north of Boones Creek Ln., Council District 3.

P 4-V6-02 MCMULLEN ADDITION, LOT 6R
West side of S. Broadway, south side of World's Fair Park Dr., Council District 6.

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.

P 4-F-03-SP RUFUS SMITH, JR. & COMPANY
Northwest side Ball Camp Pike, southwest of Amherst Rd. Request Northwest County Sector Plan Amendment from Rural Residential and SP (Slope Protection) to LDR (Low Density Residential) and SP (Slope Protection). Tax ID 91 190, Commission District 6, Northwest County Sector.
MOTION (SLACK) AND SECOND (VITTETOE) WERE MADE TO APPROVE POSTPONEMENTS. MOTION CARRIED 15-0. POSTPONEMENTS APPROVED AS READ.

Mr. Greig Massey: Ask these be removed from the postponement list. To be heard at their regular place on the agenda.

MOTION (GRAF) AND SECOND (TEAGUE) WERE MADE TO PULL 1-SF-03-C SEVIER MEADOWS AND 1-H-03-UR EAGLE BEND REALTY FROM THE POSTPONEMENT LIST. MOTION CARRIED 15-0. 1-SF-03-C SEVIER MEADOWS AND 1-H-03-UR EAGLE BEND REALTY TO BE HEARD AT THEIR REGULAR PLACE ON THE AGENDA.

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 3-SJ-00-F PEMMBROOKE PLACE, PHASE 2
West of Dick Lonas Rd, northeast end of Remington Grove Ln., Council District 3.

W 12-SM-00-F RESUB OF LOT 11, RUGGLES FERRY S/D
South side of N. Ruggles Ferry Pk, west of Burris Rd., Commission District 8.

W 2-SH-03-F R. E. AULT, RESUB OF LOT 3
East side of Meadow View Rd, west side of Michael St., Council District 6.

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.

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

9-SH-02-C  MURDOCK CENTER DEVELOPMENT  

9-Q-02-UR  BOOGER BEAR, LP  
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.

6-SV-00-F  COLONIAL PARK TOWNHOMES & TERRA PROPERTIES  
Northwest side of Broome Rd., at Chadwick Dr., Council District 2.

9-SU-02-F  POTOMAC PLACE, PHASE 2, UNIT 2  

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

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,  

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.
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.

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

MOTION (BAKSA) AND SECOND (VITTETOE) WERE MADE TO HEAR THE CONSENT ITEMS. MOTION CARRIED 14-0-1. THE FOLLOWING ITEMS WERE HEARD BY CONSENT.

RIGHT OF WAY CLOSURES

* 4-A-03-AC SOUTH CENTRAL BROADCASTING CORP.
Request closure of Unnamed alleys between Freemason St and Davidson Ave., CLT Map 81, City Block 18080, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve, subject to any required easements.

STREET NAME CHANGES

4-A-03-SNC KNOX COUNTY EMERGENCY COMMUNICATION SYSTEM E-911
Change Unnamed Easement to 'Dearing Way' between Sam Lee Road and end of Joint Permanent Easement, Commission District 6, Northwest County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

* 4-B-03-SNC CITY OF KNOXVILLE
Change Hatter Road to 'Ben Atchley Street' between Kingston Pike and Homberg Drive, Council District 2, West City Sector.

STAFF RECOMMENDATION: Approve.

PLAN AMENDMENTS/REZONINGS

* 4-A-03-PA HICKEY, DONNELL, MCMahan
South side Nightingale Ln., west of Weisgarber Rd. Request One Year Plan Amendment from LDR (Low Density Residential) to O (Office). Tax ID 106 M C 14, 15, 16. Council District 2, Northwest City Sector.
STAFF RECOMMENDATION: Approve O (Office)

* 4-C-03-RZ  HICKEY, DONNELL, MCMAHAN

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

4-F-03-PA  CHIP STANLEY
North and south side Scottish Pike west of Cherokee Trail. Request One Year Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential). Tax ID 108 L A 19,25, 108LD004 (Map on file.) Council District 1, South City Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

4-AA-03-RZ  CHIP STANLEY

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

* 4-G-03-PA  CHIP STANLEY
North side Middlebrook Pike, east of Piney Grove Church Rd. Request One Year Plan Amendment from MDR (Medium Density Residential) to NC (Neighborhood Commercial). Tax ID 106 J D 32.04, Part of 32.01 zoned RP-1. Council District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve NC (Neighborhood Commercial)

* 4-Z-03-RZ  CHIP STANLEY

STAFF RECOMMENDATION: Approve C-1 (Neighborhood Commercial)

CONCEPTS/USES ON REVIEW

* 4-SA-03-C  RESUBDIVISION OF LOTS 7-11 BLOCK B IN J.C. WHITE’S ADDITION TO KNOXVILLE, TN
South side of Skyline Dr., west side of Cherry Hill Av., Council District 6.

STAFF RECOMMENDATION: Approve variance 1 and the concept plan for two lots subject to 7 conditions.

* 4-SE-03-C  EAGLE LANDING
North side of S. Northshore Dr., west side of Harvey Rd., Commission District 5.
* **4-I-03-UR**  
**W. C. DEVELOPMENT**  
North side of S. Northshore Dr., west side of Harvey Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 169 Part of 8, Commission District 5, Southwest County Sector.

**STAFF RECOMMENDATION:** Approve the concept plan subject to 9 conditions.

* **4-SF-03-C**  
**FRANKLIN CREEK (REVISED)**  
South side of Yarnell Rd., east of Carmichael Rd., Commission District 5.

**STAFF RECOMMENDATION:** Approve the concept plan subject to 2 conditions.

* **4-J-03-UR**  
**EAGLE BEND REALTY**  

**STAFF RECOMMENDATION:** Approve the concept plan subject to 15 conditions.

**FINAL SUBDIVISIONS**

* **2-SB-03-F**  
**PINE MARTIN RUN, UNIT 1**  
West side of Piney Grove Church Rd, south of Robinson Rd., Council District 3.

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

* **2-SI-03-F**  
**DOWELL SPRINGS, RESUB OF LOT 4**  

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

* **4-SA-03-F**  
**CLENDENEN WEST SUBDIVISION, RESUB OF LOTS 1 AND 2**  
East side of Vanosdale Rd, south of Buckingham Rd., Council District 2.

**STAFF RECOMMENDATION:** Approve final plat.

* **4-SC-03-F**  
**HANNAHS GROVE, UNIT 1**  
Southwest side of Norris Fwy, east side of Mayes Chapel Rd., Commission District 7.

**STAFF RECOMMENDATION:** Approve final plat.

* **4-SD-03-F**  
**BRYSON PLACE**

STAFF RECOMMENDATION: Approve final plat.

* 4-SE-03-F TROTTERS GAIT, UNIT 3 AND RESUB LOTS 40 & 41, UNIT 2
West end of Canter Ln, northwest of Tate Trotter Rd., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 4-SG-03-F GRAYBEAL CROSSING

STAFF RECOMMENDATION: Approve final plat.

* 4-SJ-03-F THE RESERVE OF HUNTERS RIDGE
East side of Stony Point Rd, northeast of Kays Ridge Ln., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 4-SK-03-F HIDDEN BRANCH, UNIT 2
Northwest side of Gamble Dr, northeast of E. Raccoon Valley Dr., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

* 4-SL-03-F WHALEY PLACE

STAFF RECOMMENDATION: Approve final plat.

* 4-SM-03-F LYDIA B. GOLDEN, RESUB OF LOT 5
Southwest side of Majors Rd, northwest of E. Emory Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

* 4-SN-03-F KIRKWOOD, UNIT 1
North side of Middlebrook Pk, east of West Forest Blvd., Council District 3.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 4-SO-03-F WALNOAKS, UNIT 7

STAFF RECOMMENDATION: Approve final plat.

* 4-SP-03-F JOHN AND GENEVA ANDERSON PROPERTY, RESUB OF LOTS 1, 2, 4 & 5
West end of Grospoint Dr, southwest of Calderwood Rd., Commission District 5.

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

* 4-SQ-03-F RESUBDIVISION OF C. BRYAN BLALOCK, A. SIDNEY BLALOCK AND JAMES D. BLALOCK PROPERTY
South side of Central Avenue Pk, west side of Merchant Dr., Council District 5.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 4-SR-03-F MARLIN PLACE
Southwest side of Fairlane Rd., southeast of W. Beaver Creek Dr., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.

* 4-SS-03-F MILLERS PLANTATION, UNIT 2
Southeast end of Gose Cove Ln., south east of Ball Rd., Commission District 6.

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

* 4-V1-03 THOMAS P. AND PAULA R. HAM
North side of Forestdale Ave, east of Maxwell St., Council District 4.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

* 4-V2-03 RESUBDIVISION PLAT OF TENNESSEE THEATER, BURWELL BUILDING AND LEICOH PARTNERS
South side of Clinch Ave, east side of S. Gay St., Council District 6.

STAFF RECOMMENDATION: Approve variances 1 – 4 and final plat.

* 4-V3-03 LONSDALE LAND COMPANY’S ADDITION, LOTS 4 - 6, BLOCK 19 & LOTS 6 - 10, PART II, BLOCK 26
South side of Delaware Av, east side of Sheridan St., Council District 5.

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

* 4-V4-03 WINFORD DALE SMITH
North side of Ball Camp Pk, west of Andes Rd., Commission District 6.

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

REZONINGS

* 4-B-03-RZ MAYOR VICTOR ASHE
North and south sides of W. Hill Ave. east of Henley St., including 614, 615 and 623 W. Hill Ave., Rezoning from R-3 (High Density Residential)/C-2 (Central Business District) to R-3 (High Density Residential)/H-1 (Historic Overlay) & C-2 (Central Business District)/H-1 (Historic Overlay) and design

STAFF RECOMMENDATION: Approve H-1 (Historic Overlay) and design guidelines.

* 4-E-03-RZ  CAREY HOOK
Northwest side Chambliss Ave., southwest of N. Forest Park Blvd., Rezoning from R-1 (Single Family Residential) to O-1 (Office, Medical, and Related Services). Tax ID 107 K H 34, Council District 2, West City Sector.

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

* 4-F-03-RZ  MAYOR VICTOR ASHE, CITY OF KNOXVILLE
Northwest corner of Gay St. and Union Ave., Rezoning from C-2 (Central Business District) to C-2 (Central Business District)/H-1 (Historic Overlay) and design guidelines. Tax ID 94 LE 9, 94LE9.01, 94LE9.02, 94LE9.03, 94LE9.04, 94LE9.05. Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve H-1 (Historic Overlay) and design guidelines.

* 4-G-03-RZ  CITY OF KNOXVILLE
East side Nobscot Rd., south of Sabre Dr., Rezoning from No Zone to R-1 (Single Family Residential). Tax ID 133 B D 5, Council District 2, West City Sector.

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

* 4-K-03-RZ  J. D. ROBISON
Southwest side Old Clinton Pike, southwest of Bell Campground Rd., Rezoning from A (Agricultural) and CA (General Business) to RB (General Residential). Tax ID 55 M A 019, (Portion zoned A and CA) Map on file. Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve RB (General Residential).

* 4-O-03-RZ  STAN JOHNSON
Northwest side E. Magnolia Ave., northeast side Milligan St., Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial). Tax ID 82 F C 25, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve C-4 (Highway and Arterial Commercial)

* 4-P-03-RZ  LOVELL ROAD PROPERTIES, LLC
Southeast side of Lovell Rd, northeast side of Pellissippi Pkwy., Rezoning from BP (Business and Technology)/TO (Technology Overlay) to CA (General Business)/TO (Technology Overlay). Tax ID 118 pt 70.05 (zoned BP/TO), Commission District 6, Northwest County Sector.
STAFF RECOMMENDATION: Approve CA/TO (General Business)/(Technology Overlay).

* 4-Q-03-RZ PAUL GARRON

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre.

4-R-03-RZ EDMUNDO SUMARRIVA
Northwest side Gilbert Dr., northeast of Twin Hill Ln., Rezoning from RA (Low Density Residential) to PR (Planned Residential). Tax ID 130 148, Commission District 5, Northwest County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

4-T-03-RZ WORLEY BUILDERS, INC.
Northeast and southwest side Cate Rd., north of W. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 66 099, Commission District 6, Northwest County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

* 4-W-03-RZ ROBERT F. AND MARY P. SLACK
South side Breda Dr., west of The Hague, Rezoning from A-1 (General Agricultural) and C-6 (General Commercial Park) to C-3 (General Commercial). Tax ID 69 O A Part of 26, Portions zoned C-6 and A-1, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial)

* 4-X-03-RZ S & E PROPERTIES
West side Schaeffer Rd., northeast side Pellissippi Parkway, northwest of Lovell Rd., Rezoning from CA (General Business)/TO (Technology Overlay) to CB (Business and Manufacturing)/TO (Technology Overlay). Tax ID 104 113.01, 118-003. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve CB (Business and Manufacturing)/TO (Technology Overlay)

* 4-BB-03-RZ DEON WILSON
Southeast side W. Emory Rd., northeast of Harrell Rd., Rezoning from PC (Planned Commercial) to RA (Low Density Residential). Tax ID 78 46.03, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve RA (Low Density Residential)

* 4-CC-03-RZ OAKLEIGH, G.P.
East side Amherst Rd., south of Bradley Lake Ln., Rezoning from I (Industrial) to PR (Planned Residential). Tax ID 92 085 (Part), Commission District 3, Northwest County Sector.
STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre.

* 4-DD-03-RZ  CITY OF KNOXVILLE
North side Larch Ave., north of Bishop St., Rezoning from R-2 (General Residential) to OS-1 (Open Space Preservation). Tax ID 80 L F 044, Council District 3, Central City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-EE-03-RZ  CITY OF KNOXVILLE
East side James White Parkway, southeast side Hall of Fame Dr., Rezoning from O-1 (Office, Medical, and Related Services) to OS-1 (Open Space Preservation). Tax ID 95 H D 002, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-FF-03-RZ  CITY OF KNOXVILLE
North side Edgewood Ave., southwest side Dempster St., south side Ocoee Trl., Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 69 M H 025, Council District 5, East City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-GG-03-RZ  CITY OF KNOXVILLE
Southeast side Moses Ave., southwest side Wallace St., Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 94 F S 002,003, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-HH-03-RZ  CITY OF KNOXVILLE
Southeast side Holston Hills Rd., northeast side Riverside Dr., Rezoning from A-1 (General Agricultural) to OS-1 (Open Space Preservation). Tax ID 83 004,096,015, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-II-03-RZ  CITY OF KNOXVILLE

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-JJ-03-RZ  CITY OF KNOXVILLE
Southwest side S. Elmwood St., southeast of Wimpole Ave., Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 82 L M 007,008, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-KK-03-RZ  CITY OF KNOXVILLE
Southeast side Connecticut Ave., northeast side Stonewall St., southwest side Bragg St., Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 81 P H 001, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-LL-03-RZ CITY OF KNOXVILLE
North side McClung Ave., west side South Haven Rd., Rezoning from R-2 (General Residential) to OS-1 (Open Space Preservation). Tax ID 109 C D 011,017, Council District 1, South City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-MM-03-RZ CITY OF KNOXVILLE

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-NN-03-RZ CITY OF KNOXVILLE

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-OO-03-RZ CITY OF KNOXVILLE
Southwest side Hedgeapple Ln., northeast side Chapman Hwy., Rezoning from R-1 (Single Family Residential) & C-3 (General Commercial) to OS-1 (Open Space Preservation). Tax ID 109 O A 008, Council District 1, South City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-PP-03-RZ CITY OF KNOXVILLE
North side Scottish Pike, west side L & N railroad right-of-way, Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 108 L A 001,002,003, Council District 1, South City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)

* 4-QQ-03-RZ CITY OF KNOXVILLE
North and south sides Sharps Ridge Memorial Park Dr., northeast side I-75, Rezoning from R-2 (General Residential) & A-1 (General Agricultural) to OS-1 (Open Space Preservation). Tax ID 81 B A 010, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve OS-1 (Open Space Preservation)
**4-RR-03-RZ** CITY OF KNOXVILLE  
Southeast side Skyline Dr., east side Beaman Lake Rd., north side Mays Rd.,  
Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 83 A F 027, Council District 6, East City Sector.

**STAFF RECOMMENDATION:** Approve OS-1 (Open Space Preservation)

**4-SS-03-RZ** DREW HARDIN  
West side Alcoa Hwy., south of Ginn Dr, Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial). Tax ID 135 H B 8.02, Council District 1, South County Sector.

**STAFF RECOMMENDATION:** Approve C-4 (Highway and Arterial Commercial).

### USES ON REVIEW

**4-F-03-UR** HARDIN VALLEY DEVELOPMENT VENTURE  
South side of Castaic Ln., south of Hardin Valley Rd. Proposed use: Professional and Business Offices in PC (Planned Commercial) / TO (Technology Overlay) District. Tax ID 103 119.04, Commission District 6, Northwest County Sector.

**STAFF RECOMMENDATION:** Approve the development plan for three additional office buildings with a total building area of 38,150 square feet, subject to 8 conditions.

**4-K-03-UR** KNOXVILLE MEETING ROOMS, INC.  

**THIS ITEM WAS REMOVED FROM THE CONSENT LIST.**

### OTHER BUSINESS

**4-A-03-OB** Consideration of request to locate an American Legion Post in an I-3 (General Industrial) zone.

**STAFF RECOMMENDATION:** Approve the request

**4-B-03-OB** Consideration of FY 2004-2009 City of Knoxville Capital Improvements Program and Budget.

**STAFF RECOMMENDATION:** Approve

**4-C-03-OB** Consideration of two-year extension for the Deane Hill Concept Plan (renamed the Estates at Wellsley Park) (3-SF-01-C).

**STAFF RECOMMENDATION:** Approve

**4-D-03-OB** Consideration of the *State of Preservation, 2003*, MPC’s report on preservation to the Mayor as required by the City Charter.
STAFF RECOMMENDATION: Approve.

4-A-03-SNC  KNOX COUNTY EMERGENCY COMMUNICATION SYSTEM E-911
Mr. Mark Hollas: Ask this item be removed from consent.

4-F-03-PA  CHIP STANLEY
4-AA-03-RZ  CHIP STANLEY
Ms. Martha Olsen: Request these be removed from the consent list.

4-T-03-RZ  WORLEY BUILDERS, INC.
Mr. Ron Worley: Verified this item was removed from the consent list.

4-R-03-RZ  EDMUNDO SUMARRIVA
Mr. Daniel Phillips: Request this item be removed from the consent list.

MOTION (GRAF) AND SECOND (BENEFIELD) WERE MADE TO APPROVE ITEMS AS READ. MOTION EXCLUDING 4-A-03-SNC E-911, 4-F-03-PA & 4-AA-03-RZ CHIP STANLEY, 4-R-03-RZ EDMUNDO SUMARRIVA, AND 4-T-03-RZ WORLEY BUILDERS, INC. CARRIED 14-0-1. CONSENT ITEMS APPROVED AS READ EXCLUDING 4-A-03-SNC E-911, 4-F-03-PA & 4-AA-03-RZ CHIP STANLEY, 4-R-03-RZ EDMUNDO SUMARRIVA, AND 4-T-03-RZ WORLEY BUILDERS, INC.

4-K-03-UR  KNOXVILLE MEETING ROOMS, INC.
Mr. James Missey: Asked for this item to be removed from the consent list and heard.

MOTION (SLACK) AND SECOND (VITTETOE) WERE MADE TO REMOVE 4-K-03-UR KNOXVILLE MEETING ROOMS, INC. FROM THE CONSENT LIST. MOTION CARRIED 15-0. REMOVED FROM CONSENT LIST.

8. ORDINANCE AMENDMENTS

ORDINANCE AMENDMENTS – OLD
None
ORDINANCE AMENDMENTS – NEW
None

9. STREET CLOSURES

STREET CLOSURES – OLD
None
STREET CLOSURES – NEW
None

10. ALLEY CLOSURES

ALLEY CLOSURES – OLD
None
ALLEY CLOSURES – NEW

* 4-A-03-AC  SOUTH CENTRAL BROADCASTING CORP.
Request closure of Unnamed alleys between Freemason St and Davidson Ave., CLT Map 81, City Block 18080, Council District 5, Central City Sector.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

11. STREET NAME CHANGES

STREET NAME CHANGES – OLD
None

STREET NAME CHANGES - NEW

4-A-03-SNC  KNOX COUNTY EMERGENCY COMMUNICATION SYSTEM E-911
Change Unnamed Easement to 'Dearing Way' between Sam Lee Road and end of Joint Permanent Easement, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve Dearing Way

Mr. Mark Hall: 11271 Sam Lee Road
Where they are trying to start Dearing Way is a two-way street. I saw on the map where Dearing Way is going to stop and there are 6-7 residents that still will have the same problem.

Mr. Ken Pruitt: Request came from emergency services. They chose not to extend the name all the way to the end of the easement that serves the last five lots. Up to five lots may be served off a joint permanent easement that is not built to county road standards and could be an unnamed easement. The last five lots meet the criteria of joint permanent easement. So they stop the proposed name of Dearing Way at the point shown on the map.

MOTION (GRAF) AND SECOND (BAKSA) WAS MADE TO AMEND THE AGENDA TO MOVE 4-A-03-SNC E-911 TO THE END OF THE AGENDA. MOTION CARRIED 15-0. AGENDA AMENDED.

4-B-03-SNC  CITY OF KNOXVILLE
Change Hatter Road to 'Ben Atchley Street' between Kingston Pike and Homberg Drive, Council District 2, West City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

12. SUBDIVISION NAME CHANGES

SUBDIVISION NAME CHANGES – OLD
None

SUBDIVISION NAME CHANGES - NEW
None

13. PLANS AND PLAN AMENDMENTS/REZONINGS

PLANS AND PLAN AMENDMENTS/REZONINGS – OLD
None

PLANS AND PLAN AMENDMENTS/REZONINGS - NEW
4-A-03-GP  METROPOLITAN PLANNING COMMISSION
Consideration of the KNOXVILLE-KNOX COUNTY GENERAL PLAN
UPDATE.

STAFF RECOMMENDATION: Approve.

Mr. Norman Whitaker: We have spent a couple of years with the process that involved a number
citizen workshops and citizen taskforces to update your long-range 30-year
plan for Knoxville and Knox County. The centerpiece of it is the Agenda for
Quality Growth with ten guiding principles for improving our economy and
quality of life over the next ten years. There is a short list of about fifteen
major projects to undertake that will be in our work program for the next 3
years. This gives you broad guidance on the major values and visions for the
community in making your short-range decisions. Recognized the project
team--Renee Davis, Team Leader, Buz Johnson, Mike Carberry, Jeff Welch,
Jeff Archer and other MPC staff--for their hard work on the plan. Asked for
approval to send on to Knoxville and Knox County for their adoption.

Ms. Susan Brown: Read from the Resolution.

MOTION (VITTETOE) AND SECOND (BAKSA) WERE MADE TO APPROVE STAFF
RECOMMENDATION. MOTION CARRIED 15-0. APPROVED.

* 4-A-03-PA  HICKEY, DONNELL, MCMANAHAN
South side Nightingale Ln., west of Weisgarber Rd. Request One Year Plan
Amendment from LDR (Low Density Residential) to O (Office). Tax ID 106 M

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-C-03-RZ  HICKEY, DONNELL, MCMANAHAN
South side Nightingale Ln., west of Weisgarber Rd. Rezoning from R-1E
(Single Family Exclusive Residential) to O-1 (Office, Medical, and Related
Services). Tax ID 106 M C 14,15, 16. Council District 2, Northwest City
Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-B-03-PA  MURPHY DEVELOPMENT, LLC
North side Delrose Dr., southwest of Riverside Rd. Request East City Sector
and One Year Plan Amendment from LDR (Low Density Residential) to MDR
(Medium Density Residential). Tax ID 82 M C 037, Council District 6, East
City Sector.

STAFF RECOMMENDATION: Deny MDR (Medium Density Residential).

Mr. Ken Pruitt: The request is for Planned Residential zoning at 6-12 units per acre and from
LDR to MDR. In looking at the surrounding development pattern, the
predominant land use is single family residential on detached lots. The long
range plans are for low density residential development. There is
considerable amount of traffic already on Delrose because of the quarry
operations and Forks of River truck traffic. Staff is in agreement with PR, but
we do feel that medium density at 6-12, which would place about 360
apartment units on the site, is too intense. We therefore recommended keeping the density at less than 6 units per acre.

Mr. Lewis Howard: 4800 Old Kingston Pike, On behalf of Murphy Development
We are cognizant of concerns about the density. It is not contemplated to be 360 units. It would be approximately 270 units on a thirty-acre tract. We are prepared to live with 10 units per acre for the development. This project involves an investment of approximately $17 million in the community and would generate over $100,000 a year in property taxes. The East Advisory Council Membership in a meeting last January listed 6 items they would like to see as projects in the east city sector. Number 3 on the list was affordable housing. That is what this is—low to moderate income housing. It is something the community has expressed a need for in this area. There is a golf course, and parks and those land uses will help offset the density created by this project. This project will have a clubhouse, swimming pool, a play area and walking trails, which will help offset the density. Some of the surrounding property is R-1, but to the south is the Vulcan Materials property which is a quarry. To the north is a construction site with commercial to the east. We do not feel this proposed use is out of character with the entire area. The development will consist of 2-3 bedroom apartment units and the amenities and will be constructed of about 60% brick. The developers, Murphy Developers, are Knoxville graduates and live here in the community. They have developed three other developments like this one in operation in Knox County. We feel like this will be an attractive, needed development for the area. We feel like the request at 10 units per acre is something we can live with instead of the 12 units per acre we asked for.

Ms. Elizabeth Henry: 2815 Riverside Drive
There has been a difficulty in getting a letter to commissioners. PASSED OUT A LETTER, WHICH BECOMES A PART OF THESE MINUTES. I am representing this neighborhood which is solidly R-1 with the majority of it owner occupied. We are proud of the fact that the Wee Course golf course is coming into the area. They have lived with Vulcan Materials and Armstrong Burnett demolition most of their lives. Where is there a golf course in the city with 300 apartments immediately adjacent to it? This project has been hurried through. The developers outbid another developer and community activity had to start over. There were two meetings with small groups, but never one with the immediate neighborhood that is most affected. Development at RP-1 at 1-6 puts even 180 units in the middle of R-1. Access would be to Delrose Drive, which is a collector street. It is two-lane, has no shoulders and no sidewalks. It is only 1 to 1.25 miles to Sarah Moore Greene Elementary School. Traffic count last year was over 2900. Access is possible to Brooks Road. That access is in the bottom of a deep dip. If any elementary school child were going out to Brooks Road, they would have to cross that busy street which had a traffic count of more than 5200 trips last year. The property across Delrose and east that is listed as R-2 is under the Marble Hill Condominiums which was zoned RB when it was County. When it was annexed by the City, RB was put on the land around under the condominiums, but the balance of over 100 acres was asked for and given R-1. Referred to the staff map. Just west of this property across Delrose, there are 3-4 houses in a row and Parcels 24-27 and 31--35 were RB and, when annexed, received R-1 zoning. We feel the City sees it as being an R-1 neighborhood. You have been given a petition with 164 signatures of
Mr. Herbert Donaldson: This is the third time in three years that I have been on this Commission that this is a situation where you have to vote with your heart or vote with the developer moving into an area that is so dear to these people out here. I was raised in that neighborhood and went to school and work there. This area is an area to have a place with a big yard and trees. I do not have a problem with a development, but do not want this density. I met with Town Hall East. Everybody knows the problems we are still having in east Knoxville. We are on the verge of opening a golf course out there. I have been actively involved in it. I had a call on the golf course this morning from Gatlinburg supporting this course. We are just getting ready to break ground in June. We have a lot to do in east Knoxville. We are trying to get our young people involved in something positive. Would like you to deny this project in this area of Knoxville.

Mr. Larry Smith: You mentioned on the density that it would be 270 units on 30 acres. That comes out to 9 dwelling units per acre. Can you live with 9 units per acre? What have you done to meet with the homeowners to show them what you want to do?

Mr. Howard: Both Mr. Murphys have met with members of the Mount Zion Church as well as the Board of Directors of Town Hall East. Both are opposed to any development beyond 1 unit per acre. We could live with 9 units per acre.

MOTION (VITTETOE) AND SECOND (LEWIS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. MDR (MEDIUM DENSITY RESIDENTIAL) DENIED.

4-J-03-RZ  MURPHY DEVELOPMENT, LLC
North side Delrose Dr., southwest of Riverside Rd. Rezoning from R-1 (Single Family Residential) to RP-1 (Planned Residential). Tax ID 82 MC 037, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve RP-1 (Planned Residential) at a density of up to 6 dwellings per acre.

MOTION (DONALDSON) AND SECOND (MASSEY) WERE MADE TO DENY RP-1 (PLANNED RESIDENTIAL).

Upon roll call vote the Planning Commission voted as follows:

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<th>Name</th>
<th>Vote</th>
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<tr>
<td>BAKSA</td>
<td>YES</td>
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<td>BENEFIELD</td>
<td>NO</td>
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<td>DONALDSON</td>
<td>YES</td>
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<td>FOSTER</td>
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<td>FRENCH</td>
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<td>GRAF</td>
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<td>JENDREK</td>
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<td>LEWIS</td>
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<td>MASSEY</td>
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SLACK NO
SMITH NO
TEAGUE YES
VITTETOE YES
WOLF YES
BROWN NO

MOTION CARRIED 8-7. RP-1 (PLANNED RESIDENTIAL) DENIED.

4-C-03-PA DON BREWER
Northeast side Yankee St., northwest of Asheville Hwy. Request One Year Plan Amendment from LDR (Low Density Residential) to GC (General Commercial). Tax ID 71 P A 22, 27, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve GC (General Commercial) for Parcel 22 only as amended by the applicant.

Mr. Norman Whitaker: He has dropped half of his land out of the application and that was the parcel that would have created a commercial tract across from a residence. That was staff's main objection. With this change, staff does not oppose either the plan amendment or the rezoning.

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION AS AMENDED. MOTION CARRIED 15-0. GC (GENERAL COMMERCIAL) APPROVED FOR PARCEL 22 ONLY.

4-M-03-RZ DON BREWER
Northeast side Yankee St., northwest of Asheville Hwy. Rezoning from R-1A (Low Density Residential) to C-3 (General Commercial). Tax ID 71 P A 22, 27, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial) for Parcel 22 only as amended by the applicant.

Mr. Norman Whitaker: He has dropped half of his land out of the application and that was the parcel that would have created a commercial tract across from a residence. That was staff's main objection. With this change, staff does not oppose either the plan amendment or the rezoning.

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION AS AMENDED. MOTION CARRIED 15-0. C-3 (GENERAL COMMERCIAL) APPROVED FOR PARCEL 22 ONLY.

4-D-03-PA O'REILLY AUTOMOTIVE, INC.
East side Lemon St., north side E. Glenwood Ave. Request One Year Plan Amendment from LDR (Low Density Residential) to GC (General Commercial). Tax ID 82 G H 2, 3, 8, 23 and 30, and a portion of closed Nichols Ave (Parts shown as LDR and zoned R-1A) Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve GC (General Commercial) for parcels 2, 3, and 8 and Deny GC for parcels 23 and 30.

Mr. Michael Brusseau: To the north of this site are offices, warehouses and retail space for O'Reilly Auto Park. Parking for the business is currently located on part of the subject project, which is zoned residential. That is portion of what is being requested now. This parking was approved in 1980 as a use on review and is legal. Staff is recommending approval of GC and C-3 for the area that is
Currently parking, which are parcels 2, 3, and 8. Staff is denying Commercial for 23 and 30, which feel is an intrusion into the adjacent neighborhood.

Mr. Jim Crownover: 419 North Market Street, Chattanooga, Consulting Engineers for O’Reilly
We are trying to tear up an existing drive and replace with one that meets City standards. To meet the engineering criteria, we have to shift the drive to be able to accommodate at least a 45-foot curve radius and to do this we would encroach into parcel 23 on Glenwood Drive. The City has requested that we rebuild this drive. We are now in the situation if we rebuild it we create a lot on Glenwood that does not meet the zoning of R-1A. We would like to know what our alternatives are if we move this road, what we can do with the parcel which they now own.

Ms. Susan Brown: Staff if recommending approval for parcels 2, 3 and 8, but not 23 and 30. Are you saying you need both 23 and 30 to make your project work?

Mr. Crownover: Unless there is some option for 23 which creates a narrow lot. Parcel 30 does not have any effect on what they would like to do. It is just part of their property which fronts on Glenwood and they would like all of their property rezoned.

Mr. Bill Seaver: Representative of O’Reilly Automotive
We are just trying to abide by the guidelines of the City of Knoxville and MPC. Parcel 30 is not in any kind of plans. We were instructed to consolidate all the property we own into one plot for rezoning. That is the purpose of applying for that. As well as for Parcel 23, the road right beside of that is our own private driveway. To help in the area, we are committing to spend the money to bring that driveway up to City standards as well as a turn around and dedicate it back to the City as part of this project so there is an in and out for that area.

Mr. Michael Brusseau: My understanding all along was that lot 8 would be too small under the residential zoning, but under C-3 it would be acceptable. I was not aware of an issue on lot 23 and am not sure how much the project will take from lot 23.

Mr. Seaver: To the best of our estimation it is going to consume about half of the lot due to the requirements of the width, the bank and slope. By the engineering drawing, it is going to consume about half of that lot. The existing drive will have to be moved to the west. We did not want to create an illegal lot.

Mr. Whitaker: We propose leaving Parcels 23 and 30 zoned residential. We will try to get clarification on the lot width issue on lot 23. I think the subdivision ordinance would allow you to do that dedication without your lot becoming illegal or non-conforming.

Mr. Seaver: We will be fine with that.

Mr. Dwight Guinn: 1249 Monroe Street in the Park Ridge community
The Park Ridge Community Organization opposes this rezoning and resubdivision. We appreciate staff’s recommendation to not include lots 23 and 30. Our main problem with the rest of this application is the fact that these parcels were approved for use on review parking in 1980. Since 1980 neither the former or current owners have bothered to bring it up to the off
street parking requirements, which require a buffer, paving and landscaping. These parcels have been used since 1980 without meeting any of these requirements. We do not think that illegal land use should be rewarded with rezonings until the land use is brought up to current standards.

Mr. Seaver: In December 2001 I filed an application to begin all this process. We have been working on that since then. I cannot talk about the previous owners. We are trying to do what we need to do to comply with this Commission and the City and we will continue to do so.

Mr. Rusty Baksa: Think staff has a good recommendation. It seems like they can work with it.

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

Mr. Steven Lewis: Was there a requirement about the buffering on the parking lots?

Mr. Whitaker: That is a provision that is not longer in the Zoning Ordinance. One reason it was removed is because parking lots were being approved at MPC subject to a number of landscaping and buffer conditions in residential areas and there was no way the City could follow up on those. The use on review for parking in residential zones was removed by City Council from the zoning code about 8-9 years ago. The C-3 zoning will clearly make the parking lots legal. Asked staff what City could do with the use on review of 1980.

Mr. Lewis: If we were approving it for a use on review today, would we not normally ask for some type of buffer?

Mr. Ken Pruitt: There are additional setbacks for parking. They have to meet the same setbacks as adjacent residential buildings. In 1980 there was a requirement that parking in a more restrictive zone, office or residential, you would put an opaque fence around the parking lot and access only from the commercial area. They complied with the accessing only from the commercial area, but apparently never put the opaque fence around the remaining part of the property.

MOTION CARRIED 15-0. GC (GENERAL COMMERCIAL) APPROVED FOR PARCELS 2, 3, AND 8 AND DENIED FOR PARCELS 23 AND 30.

4-U-03-RZ O'REILLY AUTOMOTIVE, INC.
East side Lemon St., north side E. Glenwood Ave. Rezoning from R-1A (Low Density Residential) to C-3 (General Commercial). Tax ID 82 G H 2, 3, 8, 23 and 30, and a portion of closed Nichols Ave (Parts shown as LDR and zoned R-1A) Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial) for parcels 2, 3, and 8 and DENY C-3 for parcels 23 and 30.

Mr. Rusty Baksa: Do you intend to improve the parking area?

Mr. Seaver: At this time, no.
Mr. Larry Smith: Asked the applicant if they would consider being a good neighbor in putting some sort of shrubbery and buffer zone for the residents around the parking lot?

Mr. Seaver: Sure, we can do that. I just need an idea as to what is required as far as a fence or shrubbery.

Mr. Trey Benefield: Think we should add this as a requirement and not a suggestion.

Mr. Tom Brechko: One of the items that was postponed today was the concept plan for the creation of that right-of-way. One reason they went through the process of rezoning was that under the single family district, one of the lots created does not meeting the R-1A standards. Under C-3 there is not a minimum lot size requirement. As we look at the concept plans we can look at placing conditions on access and buffering.

Mr. Whitaker: If the applicant is agreeable to that, we can work the landscaping out at the concept plan stage.

Ms. Susan Brown: Your project will be reviewed again by staff. They are suggesting that at that point in time the discussion take place about landscaping this particular area.

Mr. Jean Teague: Are there plans to improve the parking area in the concept plans? That seems to be one of the things that has gone on for many years that needs to be taken care of.

Mr. Brechko: When we reviewed the concept plan, we addressed the parking to be redesigned. We have not received revised plans. Part of this is still working with the City on getting the final alignment of the roadway before we can work on the details of the parking lot. The concept plan has been postponed until next month.

MOTION (BAKSA) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. C-3 (GENERAL COMMERCIAL) APPROVED FOR PARCELS 2, 3, AND 8 AND DENIED FOR PARCELS 23 AND 30.

STAFF RECOMMENDATION: Approve HDR (High Density Residential) and O (Office).

MOTION (SLACK) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. HDR (HIGH DENSITY RESIDENTIAL) AND O (OFFICE) APPROVED.
4-Y-03-RZ  GREGORY S. CAMPBELL
North and south sides Grand Ave., southwest side Twenty Second St., north and south sides Forest Ave., southwest and northeast sides S. Twenty Third St. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to RP-3 (Planned Residential) and O-2 (Civic and Institutional). Tax ID 94 O D 7-13,14.01,15, 94NA1-6, 19-29 94NR1-4, 7-12 (Map on file.) Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve RP-3 (Planned Residential) at 24 to 45 units per acre and O-2 (Civic and Institutional)

MOTION (SLACK) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. RP-3 (PLANNED RESIDENTIAL) APPROVED AT A DENSITY OF 24 TO 45 UNITS PER ACRE AND O-2 (CIVIC AND INSTITUTIONAL) APPROVED.

4-F-03-PA  CHIP STANLEY
North and south side Scottish Pike west of Cherokee Trail. Request One Year Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential). Tax ID 108 L A 19,25, 108LD004 (Map on file.) Council District 1, South City Sector.

STAFF RECOMMENDATION: Approve MDR (Medium Density Residential).

Mr. Chip Stanley: 5312 Whitehorse Road
This is redevelopment of an underutilized area along the Tennessee River following your South Sector Plan recommendations. With the exception of one Commissioner, all of you voted for approval for this development and this sector plan last fall and City Council approved this utilization of this under-utilized area. It is back here because we acquired three additional small tracts to allow us to balance the development and have more open space and buffer between single family and single entrance condominium. We are squaring up our borders and including one small 300 square foot parcel at the southwest.

Ms. Martha Olsen: 904 Lester Road and own property on 2809 Scottish Pike
Main concern is the density and that I feel you are not aware of the topography. I was glad to hear about the buffer. The project that he got approved last fall he said was 42 to 45 units. Yet the rezoning at 12 units per acre would make a possible 60 units. I gave a letter to you all. Particularly lot 4, they are really steep. I do not feel they are appropriate for 6 to 12 units per acre. Ask you to lower the density to 1-6 units per acre on those. This is already going to be a big impact on the neighborhood with 45 units. I am concerned about this getting out of hand and becoming now 72 units. That would be more units being built at one time than have existed there for 80 years. Lots 2 & 3 are already rezoned.

Mr. Dick Graf: One reason for the Planned Residential zone is to combine parcels and put a little higher density on the part that is usable. The part that is not usable will be left vacant or developed at a low density. It probably cannot handle 12 units to the acre. When it is combined with the whole, it makes for a nicer project. You can use a pretty rough piece of property and work with it and probably not use the density that it is approved for.
MOTION (GRAF) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. MDR (MEDIUM DENSITY RESIDENTIAL) APPROVED.

4-AA-03-RZ CHIP STANLEY

STAFF RECOMMENDATION: Approve RP-1 (Planned Residential) at a density of 6 to 12 units per acre.

MOTION (GRAF) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. RP-1 (PLANNED RESIDENTIAL) AT A DENSITY OF 6 TO 12 UNITS PER ACRE APPROVED.

* 4-G-03-PA CHIP STANLEY
North side Middlebrook Pike, east of Pinney Grove Church Rd. Request One Year Plan Amendment from MDR (Medium Density Residential) to NC (Neighborhood Commercial). Tax ID 106 J D 32.04, Part of 32.01 zoned RP-1. Council District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-Z-03-RZ CHIP STANLEY

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

14. CONCEPTS/USES ON REVIEW

CONCEPTS/USES ON REVIEW - OLD

1-SF-03-C SEVIER MEADOWS

1-H-03-UR EAGLE BEND REALTY
East side of Maryville Pike, north of Rudder Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) and RB (General Residential) Districts. Tax ID 135 Part of 22.02, Commission District 9, South County Sector.

STAFF RECOMMENDATION: Postpone until the May 8, 2003 MPC Meeting.

Mr. Greig Massey: 5004 Spring Creek Road
I want you to be aware that all the sewage, all the new lines and all the new connection will come right through Woodson Road. SHOWED A MAP OF THE AREA WITH COLOR CODING SHOWING KUB PUMP STATIONS. (Stated KUB would rather that he did not make copies of it and send it out, so he did not.) The combined capacity of these three pumping stations is 1250
gallons per minute when they are operating at maximum capacity, which would be in a situation where you have rain or some I and I in the line. Woodson Drive is currently only capable of 400 gpm. My last correspondence with KUB was last week with Dwayne Frye. Mr. Larry Fleming explained what was going to be done and that is not what Mr. Frye explained was going to be done. Lamar Dunn and Associates are doing the drawings for whatever is going to happen down there. Consider every new connection in the south county right now as a liability for my neighborhood.

SUBMITTED INFORMATION FROM SAVE SPRING CREEK WHICH BECOMES A PART OF THESE MINUTES.

MOTION (BROWN) AND SECOND (BAKSA) WAS MADE TO POSTPONE 1-SF-03-C SEVIER MEADOWS AND 1-H-03-UR EAGLE BEND REALITY UNTIL THE MAY 8, 2003 MPC MEETING. MOTION CARRIED 15-0. POSTPONED UNTIL THE MAY 8, 2003 MPC MEETING

**P 2-SH-03-C** STOCKTON PLACE
North side of Stockton Dr., west of West Hills Rd., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 2-P-03-UR** DAVID REYNOLDS

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 3-SE-03-C** PUBLIC STREET BETWEEN NICHOLS AVE. & E. GLENWOOD AVE.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**3-SH-03-C** NOVA ON E. COPELAND DRIVE
Northwest and southeast sides of E. Copeland Dr., northwest of Heiskell Rd., Commission Districts 6 & 7.

STAFF RECOMMENDATION: APPROVE variances 1-9, DENY variance 10 and APPROVE the concept plan subject to 11 conditions.

Mr. David Harbin: Ask approval.

Mr. Marty Merrick: 147 East Copeland Drive
I have six items to address as far as traffic. There are a lot of blind hills, curves, and a very narrow road. Concerned about location of entrances being not outside of the 300-foot sight distance of a blind hill. There is a very bad blind curve at the intersection of Copeland and Heiskell. Drainage on the south side of Copeland Road is a concern. I am concerned that water is going to be gushing down the street that is proposed into a neighbor who lives on the south side of the road, particularly during construction. Another question is about sewage. I think everyone is on septic now. I do not know if that ground is capable of perking for 71 units. I do not know if that has been looked at. Another issue is the increased noise during construction and
lighting once in place. Knox County’s rating is one of the worst in the country with regard to urban sprawl and this is just another examples of what puts us on that list.

Mr. Tom Brechko: The surveyor was able to get sight distance, but County Engineering has questioned whether they can achieve that. One of the conditions we have added to this recommendation is that prior to the design plan they would have to certify they can achieve sight distance. Concern was the north side of the road access, because of the grade coming off the property, that they may actually drop down too far. County Engineering can respond on the drainage. I know they have looked at the possibility of diverting drainage on the south side across the road to the north side. David Harbin can tell you what they have worked out on the sewer.

Mr. Harbin: We are in contact with Hallsdale Powell right now to prepare plans for sewer system. Sewer is in the area and we plan to be on the sewer system.

Ms. Cindy Pionke: County Engineering In regard to street lights, the County does not maintain any for subdivisions. That hopefully will not be an issue. For the portion of the subdivision on the south side of Copeland, my understanding is that the drainage is going to be routed to the sinkhole and then cross Copeland Road and run through the system that is on the north side and then enter a drainage way. That should not be a problem. At this point we do not have the calculations on that.

Mr. Graf: Staff has recommended approval of the concept plan with 9 variances and the use on review with 11 conditions. They cover the sewer and drainage. If it is approved it is subject to there being sewer available. If it is not available, they cannot go through with this. With these things in mind I recommend we approve.

MOTION (GRAF) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. VARIANCES 1-9 APPROVED, VARIANCE 10 DENIED AND CONCEPT PLAN APPROVED.


STAFF RECOMMENDATION: Approve the development plan for up to 71 detached single family dwellings on individual lots subject to 2 conditions.

MOTION (GRAF) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. DEVELOPMENT PLAN APPROVED.


THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.
P 3-H-03-UR CARTER MILL, G.P.
North side of Carter Mill Rd., south side of Drakewood Rd., south of
Strawberry Plains Pk. Proposed use: Detached single family subdivision in
PR (Planned Residential) & CA (General Business) Districts. Tax ID 74 pt.
001, 62 260.02 Commission District 8, East County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

CONCEPTS/USES ON REVIEW - NEW

* 4-SA-03-C RESUBDIVISION OF LOTS 7-11 BLOCK B IN J.C. WHITE'S ADDITION TO
KNOXVILLE, TN
South side of Skyline Dr., west side of Cherry Hill Av., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 4-SB-03-C ROEFIELD
North side of Bluegrass Rd., south side of Woodsboro Rd., Commission
District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 4-D-03-UR WIDE HORIZON DEVELOPMENT
North side of Bluegrass Rd., south side of Woodsboro Rd. Proposed use:
Detached single family subdivision in PR (Planned Residential) & PR
(Planned Residential) pending District. Tax ID 144 78.03 & 109, Commission
District 5, Southwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

4-SC-03-C SILVERLAKE SUBDIVISION
Northwest side of Harvey Rd., southwest of Amber Glades Ln., Commission
District 5.

STAFF RECOMMENDATION: Approve variances 1-8 and the concept plan
subject to 11 conditions.

MR. TREY BENEFIELD RECUSED FROM DISCUSSION OR VOTING ON THESE ITEMS AND
LEFT THE MEETING AT THIS TIME.

Mr. Robert Campbell: 7523 Taggart Lane
Ask approval according to staff recommendation.

Dr. Kathleen Sales: 12725 Tanglewood Drive
We met with the developers. They were willing to negotiate on privacy
screens. There were issues unresolved. Main one concerns the presence of
planned unit development in an area adjoining the 5-acre lots in the
Tanglewood Subdivision. These will be on 70 to 75 foot lots. It seems to us it
would be better, since this is a transitional development between a higher
density and lower density area, if the puds were eliminated and one-half
acres lots were put in the place or relocated adjacent to Anglewood or Walnut
Grove where the density would not be of such difference.
Mr. Rick Maples:  12719 Tanglewood Drive
Representing a group of concerned citizens in the Tanglewood, Choto, Harvey Road area.
We are not in opposition to the 131 lots that were already passed. The PUD housing on 75-foot lots we are very much in opposition to. Plat shows basically 17 lots and two drainage detention ponds that adjoin only 4 lots that are 5-acre or more tracts on Tanglewood Drive. We feel this is not very conducive to the area. It is a very rural area. We are not in opposition to Mr. Smith and Duncan as far as development, we are opposed to the zero lot line homes and feel this will set a precedent. About 15 years ago there were no developments between Harvey Road and Concord Park. Now there are 15 developments out there. If they try to relocate the zero lot lines elsewhere on the 81 acres, that may be workable.

Ms. Caroline Erickson: 12713 Tanglewood Drive
I own parcel adjacent. My horse barn and corrals are adjacent to the backyard of the proposed condominiums. I am very concerned about potential conflict with future condominium neighbors over the inevitable odor and flies associated with my livestock. By adjoining 5-acres parcels with zero lot line housing you are setting up the potential with conflict with future neighbors. I am requesting that the Commission require a more reasonable transition between existing large lots and the high-density clusters by increasing setbacks from existing property lines or moving the condominium cluster to interior of the Silverlake development.

Ms. Susan Brown: It appears that surrounding neighbors are not opposed to the development. They are opposed to the zero lot lines or placement of where the lot lines are on your 81 acres. Is there a reason you did not build the zero lot lines development in the center of your development so they would have a little more similar development adjacent to their tracts?

Mr. Campbell The primary reason they are where they are at is due to topography. The property with bigger lots are at different locations around the property. Zero lot line is a misnomer. These are going to be detached houses with setbacks between them. This is not a condominium where you have houses detached that spread out. Asked for zero lot line on the concept because a couple of the houses are in curves. You start getting close at the front of the house and we are trying to keep from asking for 1 foot variances. For the most part the houses will be 10 to 15 feet apart. It made more sense to have it at the beginning of the development along with the topography as a separate piece and the rest of the development seemed to flow better.

Ms. Brown: Could it be built on other parts of the 81 acres?

Mr. Campbell: It would be extremely difficult because of the way everything is presently laid out. It would be difficult to pick them up and move. There is a wet weather stream right beside this. She mentioned an extra buffer. We are 35 feet on the peripheral. The rear of the units has 20 more feet for about 50 feet off the property line if not more. That is as restricted in Agricultural zoning.

Mr. Rusty Baksa: Asked about the difference in compatibly with 5-acres lots and relatively small lots adjacent to those. These folks have made good points, particularly about the live stock. Will this be a conflict later on?
Mr. Whitaker: The land layout makes sense. The higher density units are closer to the entrance and the major road within their development. Do not think staff considered the livestock issue with the adjacent 5-acre lots. The 5 acres lots provide some buffer in them. The overall density of the development is about 1.6 dwelling units. If we were trying to improve the situation without moving the smaller lot part of the development, we would suggest looking at the buffer area and what could go in as far as landscaping.

Ms. Brown: Asked density of the cluster area.

Mr. Campbell: Do not know. Lots at Amberwood are 90 feet wide and we are 75 feet wide. They are about 75 by 150 lots. Density is probably about 3 units per acre.

Ms. Brown: Dan, are there other such developments in this area?

Mr. Dan Kelly: As you come under the railroad pass there is a development that has lots of similar size to these. The 75 to 80 foot lot width is a standard lot we are seeing now for detached single-family subdivisions. We approve subdivisions every month that adjoin 50-acre tracts with 75 foot wide lots. You have the same relationship to rural verses urban where you have a working farm adjoining a subdivision in a number of instances. In this case we went one beyond and required a landscape buffer be placed between these single-family homes and the 5-acre tracts recognizing the potential zero lot lines. Once you get it developed, I do not know that it will look any different than any other single-family subdivision.

Mr. Larry Smith: Mr. Duncan, did you meet with the homeowners and show them what this would look like?

Mr. Duncan: My partner Greg Smith and the real estate agent met with about 10 to 12 people in a meeting of the neighborhood.

Mr. Don Duncan: 4929 Brown Gap Road
We purchased this property from Dr. John Montgomery who has a beautiful home on the property valued at $1.5 million with 5 acres. We hired Mike Furson, a landscape architect and land planner, to layout this property. We have to keep in mind we have to sell this house. That is one reason we are doing ½ acre and over lots leading down to the PUD units. These PUD units are going to be $300,000 to $350,000 with no vinyl siding, but all masonry. I am doing a similar thing in Plantation Springs where we are doing attached condos and detached PUD houses. Majority of people who buy PUD are retired or near, with less kids. A landscaping company will maintain all yards so they look uniform and very detailed. We feel this is the right mix for the property.

Mr. Dick Graf: If look at topo maps you will see why the PUDs are where they are. That is the flattest ground. This sits back off the road. You are not going to see it driving by. A 75-foot lot these days is not squeezing it in there.

MOTION (GRAF) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION.
Ms. Jean Teague: What guarantees this is the type of clientele you are going to have? Would you consider 1-acre lots?

Mr. Duncan: Based on what we have done recently and the research of the agent with Coldwell Banker. We have run number every way and feel like this is the best plan. The house will be subdivided into a tract of 5.2 acres.

MOTION CARRIED 11-3-1. CONCEPT PLAN APPROVED.

4-E-03-UR DON DUNCAN

STAFF RECOMMENDATION: Approve the development plan for up to 131 detached single family dwellings on individual lots subject to 5 conditions.

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

MOTION (GRAF) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED11-3-1. DEVELOPMENT PLAN APPROVED.

P 4-SD-03-C MAJORS LANDING
East side of Majors Rd., north of Majors Landing Ln., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 4-SE-03-C EAGLE LANDING
North side of S. Northshore Dr., west side of Harvey Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-I-03-UR W. C. DEVELOPMENT
North side of S. Northshore Dr., west side of Harvey Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 169 Part of 8, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SF-03-C FRANKLIN CREEK (REVISED)
South side of Yarnell Rd., east of Carmichael Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-J-03-UR EAGLE BEND REALTY

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.
15. FINAL SUBDIVISIONS

FINAL SUBDIVISIONS - OLD

W 3-SJ-00-F PEMMBROOKE PLACE, PHASE 2
West of Dick Lonas Rd, northeast end of Remington Grove Ln., Council District 3.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

W 12-SM-00-F RESUB OF LOT 11, RUGGLES FERRY S/D
South side of N. Ruggles Ferry Pk, west of Burris Rd., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

P 10-SF-02-F MYRON & GINA CLARKE

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 10-SG-02-F MILLER ADDITION, RESUB OF LOT 1 AND UNPLATTED PROPERTIES OF WILMA H. MILLER & JOE C. MILLER, JR.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 2-SB-03-F PINE MARTIN RUN, UNIT 1
West side of Piney Grove Church Rd, south of Robinson Rd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

W 2-SH-03-F R. E. AULT, RESUB OF LOT 3
East side of Meadow View Rd, west side of Michael St., Council District 6.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

* 2-SI-03-F DOWELL SPRINGS, RESUB OF LOT 4

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

MR. TREY BENEFIELD RETURNED TO THE MEETING AT THIS TIME.

3-SB-03-F ATLEE FIELDS, UNIT 3, RESUB OF LOT 2
North side of Abbey Mist Ln, west of Atlee Summit Ln., Commission District 6.

STAFF RECOMMENDATION: Deny final plat.
Mr. Whitaker: The applicant has submitted all their materials now. The last thing to be submitted was a geotechnical study, which is fairly complicated. Recommend approval with 9-day waiver so we can take it off the agenda and they can record it.

MOTION (BAKSA) 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 15-0. ARTICLE 6, SECTION 1, OF MPC’S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS WAIVED.

MOTION (BAKSA) AND SECOND (GRAF) WERE MADE TO APPROVE FINAL PLAT. MOTION CARRIED 15-0. FINAL PLAT APPROVED.

P 3-SF-03-F MOSS CREEK VILLAS, UNIT 8
Northeast side of Moss Creek Rd, north of Boones Creek Ln., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

A BREAK WAS TAKEN FROM 3:20 P.M. TO 3:23. P.M.

FINAL SUBDIVISIONS - NEW

* 4-SA-03-F CLENDENEN WEST SUBDIVISION, RESUB OF LOTS 1 AND 2
East side of Vanosdale Rd, south of Buckingham Rd., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 4-SB-03-F THE ESTATES OF WELLSLEY PARK
North side of Deane Hill Dr, east of Morrell Rd., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 4-SC-03-F HANNAHS GROVE, UNIT 1
Southwest side of Norris Fwy, east side of Mayes Chapel Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SD-03-F BRYSON PLACE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SE-03-F TROTTERS GAIT, UNIT 3 AND RESUB LOTS 40 & 41, UNIT 2
West end of Canter Ln, northwest of Tate Trotter Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-SF-03-F WITHDRAWN PRIOR TO PUBLICATION
* 4-SG-03-F  GRAYBEAL CROSSING

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 4-SH-03-F  SAMUEL E. DAVIS, SR.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 4-SI-03-F  FALLING WATERS AT NORTHSHORE, RESUB OF LOTS 57 - 60
  Northwest side of Shady Hollow Ln, south of Shadow Ln., Commission District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 4-SJ-03-F  THE RESERVE OF HUNTERS RIDGE
  East side of Stony Point Rd, northeast of Kays Ridge Ln., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SK-03-F  HIDDEN BRANCH, UNIT 2
  Northwest side of Gamble Dr, northeast of E. Raccoon Valley Dr., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SL-03-F  WHALEY PLACE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SM-03-F  LYDIA B. GOLDEN, RESUB OF LOT 5
  Southwest side of Majors Rd, northwest of E. Emory Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SN-03-F  KIRKWOOD, UNIT 1
  North side of Middlebrook Pk, east of West Forest Blvd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SO-03-F  WALNOAKS, UNIT 7

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.
* 4-SP-03-F  JOHN AND GENEVA ANDERSON PROPERTY, RESUB OF LOTS 1, 2, 4 & 5  
West end of Grospoint Dr, southwest of Calderwood Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SQ-03-F  RESUBDIVISION OF C. BRYAN BLALOCK, A. SIDNEY BLALOCK AND JAMES D. BLALOCK PROPERTY  
South side of Central Avenue Pk, west side of Merchant Dr., Council District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SR-03-F  MARLIN PLACE  
Southwest side of Fairlane Rd., southeast of W. Beaver Creek Dr., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SS-03-F  MILLERS PLANTATION, UNIT 2  
Southeast end of Gose Cove Ln., south east of Ball Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

16. ONE LOT SUBDIVISIONS

**ONE LOT SUBDIVISIONS - OLD**

P 4-V6-02  MCMULLEN ADDITION, LOT 6R  
West side of S. Broadway, south side of World's Fair Park Dr., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**ONE LOT SUBDIVISIONS - NEW**

* 4-V1-03  THOMAS P. AND PAULA R. HAM  
North side of Forestdale Ave, east of Maxwell St., Council District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-V2-03  RESUBDIVISION PLAT OF TENNESSEE THEATER, BURWELL BUILDING AND LEICOH PARTNERS  
South side of Clinch Ave, east side of S. Gay St., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-V3-03  LONSDALE LAND COMPANY'S ADDITION, LOTS 4 - 6, BLOCK 19 & LOTS 6 - 10, PART II, BLOCK 26  
South side of Delaware Av, east side of Sheridan St., Council District 5.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-V4-03  WINFORD DALE SMITH
  North side of Ball Camp Pk, west of Andes Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

17. REZONINGS

REZONINGS - OLD

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.

1-I-03-RZ  CANNON & CANNON, INC. (REVISED)
Southwest of Pipkin Ln., west of Fox Rd, west of I-140. Rezoning from A-1 (General Agricultural) to RP-1 (Planned Residential) (City Council referred back to MPC to consider RP-1 zoning). Tax ID 143 107. Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Approve RP-1 (Planned Residential) at a density of 1 to 3 dwelling units per acre.

MOTION (BAKSA) AND SECOND (GRAF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0.

MOTION (BAKSA) AND SECOND (GRAF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. RP-1 (PLANNED RESIDENTIAL) AT A DENSITY OF 1 TO 3 DWELLING UNITS PER ACRE APPROVED.

3-A-03-RZ  JIM FOURAKER

STAFF RECOMMENDATION: Approve C-1 (Neighborhood Commercial) subject to 5 conditions.

Mr. Jim Fouraker: Applicant
The first condition, can that be changed to putting the fence where the property line is?

Mr. Whitaker: The Planning Commission can do that. Our attorney’s advice on conditional zoning is you need to decide what you are going to do and do it and not do it as the result of negotiations with the applicant. I know that is difficult and that is why we do not use conditional zoning a whole lot.

Mr. Rusty Baksa: What is difference between what he is asking and what we have?
Mr. Ken Pruitt: The rational is there is already an existing fence that is actually inside the C-1 property line closer to the existing commercial buildings. My intent was to keep the applicant from having to relocate the old fencing to be able to put this opaque fence in at the property line. If it is his intent to put it at the property line, the fence would at any location.

Mr. Fouraker: I request the hours be changed from the requested 7:00 a.m. to 8:00 p.m. to 7:00 a.m. to 11:00 p.m.

Mr. Arch Ramsey: 1400 Kenesaw Avenue, 32 G Apt., President of the Board of Directors for Hamilton House
You have a submission by Hamilton House and the Kingston Pike Sequoyah Hills Association. We oppose the rezoning. Quoted from the letter which is part of the package “The failure to agree upon a written agreement is primary reason for opposition . . . Possibly more intensive . . . protect from further intrusions . . .” We would take issue with the latest request to extend the hours of operation to 11:00 p.m. We did do a survey of our residents and majority thought such a store was neither needed nor desired. Mr. Bletner informed me that he had similar concerns from the Kingston Pike Sequoyah Hills Association. We are concerned that if these conditions are approved are the conditions enforceable and who will enforce the conditions. Also concerned about how the parking problems, which we think violate codes, would be enforced in the future.

Ms. Bee Deselm: 1400 Kenesaw Avenue, Apt. 21B
I endorse what Mr. Ramsey said. Concerned about expansion of R-2 zone. Think it was there to protect us from further expansion of the commercial area. Agree the conditions staff stated would be helpful. Do not agree with the 11:00 p.m. because most of us are not very young in the area. They need to come up to code for the whole area if they add this on.

Mr. Pruitt: The practice of the City has been that with a new application for building permits for expansion, the entire property be brought into compliance with the codes.

Ms. DeSelm: Request you not rezone the new area.

Mr. Fouraker: The change to 11:00 p.m. is for the future. Gas stations are going out and this would probably turn into a convenience store in the future. I do not want to limit the hours too much for the future. I do not want it to show up on the deed.

Mr. Whitaker: Conditional zoning is something until a couple of years ago we were advised you could not do in Tennessee. There have since been court cases where cities were upheld with conditional zoning approvals. There is a very limited track record of any problems or success of enforcing conditional zoning in Knoxville. Conditions would be part of the zoning and would be enforced like any other zoning provision. These restrictions could be enforced by the City. As far as the written agreement the neighborhood was talking about, there is probably no enforcement of that as far as MPC or the City unless there were deed restrictions that made it very clear who could enforce this.
Ms. Brown: I want to understand the position of the neighborhood associations. You would rather see R-2 than C-1 with these 5 conditions developed by staff?

Ms. DeSelm: That is correct.

Mr. Fouraker: We are now operating from 7:00 a.m. to 6:00 p.m.

MOTION (TEAGUE) AND SECOND (SMITH) WERE MADE TO DENY C-1 (GENERAL COMMERCIAL).

Mr. Graf: Could he convert this to a store if the gas pumps where not there?

Mr. Whitaker: Yes, that is a permitted use in the C-1 zone. Does he have any retail on it now? Will he have any kind of legal nonconforming status that will let him introduce a store?

Mr. Pruitt: His present R-2 portion of the site has gas tanks buried in a portion and a small portion used for parking. He does not have a legal nonconforming status to allow him a store. The City may allow him to continue to use the present parking area.

Upon roll call vote the Planning Commission voted as follows:

BENEFIELD NO
DONALDSON NO
FOSTER YES
FRENCH NO
GRAF NO
JENDREK NO
LEWIS YES
MASSEY NO
SLACK NO
SMITH YES
TEAGUE YES
VITTETOE NO
WOLF NO
BAKSA NO
BROWN YES

MOTION FAILED 10-5.

MOTION (BENEFIELD) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-4. C-1 (NEIGHBORHOOD COMMERCIAL) SUBJECT TO 5 CONDITIONS APPROVED.

3-E-03-RZ ATB INVESTMENTS, L.P.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 2 dwelling units per acre.
Mr. Ken Pruitt: This was postponed last month. In the interim we talked with surrounding neighborhoods and revised our recommendation for the density from 1-3 to 1-2 units per acre after some consultation with the Engineering Department to resolve drainage issues. The Sector Plan will support a density of 1-5. Surrounding density falls closer to the 1-2 recommended by staff.

Mr. Allen Butler: 10221 Sandpiper Lane
Proposing to increase density 1-3 to put in a planned community I think would be of benefit to all in the area. Currently divided into 22 lots. I want a planned community with less than 33 homes. It is in keeping with the long term stated plans of Knox County. I read the three letters of complaint, which dealt with drainage issue and decrease in property values. I have owned the site for less than a month and the drainage issues have been present for over a decade. I brought my civil engineer, Nathan, with me. We will improve the drainage rather than impact it in a negative way. The homes in the neighborhood will come in at around a half million dollar range. Rather than diminishing the value of properties around this, it should improve the property value. This is an old concept. It is the way communities were built up until 80 years ago, such as in Charleston, New Orleans, and Alexandria, Virginia. The way things were done before suburban sprawl became a part of our vernacular.

Mr. Bill Sevier: 10500 River Ridge, Kinser Farms
You have a packet from me with pictures. Discussed the pictures and overflowing. The water cannot even get through the 5 foot diameter entry pipe. It is backing up and threatening homes and destroying trees. Packet includes signatures from most of the residents of Kinser Farms. We are not against the development of the property. We can probably live with the 1-2 density. This water issue is a major issue. This is a bridge farm between other communities. We have had neighbors that had to put in their own drainage pipes to control the water off other farms. The speed of the water is faster because more pipes are being added to the community. All the property around here is roughly 1 house per acre. We could probably live with 1 to 2 houses per acre. 1 to 3 and 1 to 4 causes more runoff. I have a neighbor who already has a sinkhole coming off this farm. I work with people in civil engineering. I know it will not get any slower, but more destructive.

Mr. Nathan Selvis: Consulting Engineer for the owner.
Have results of the archaeological study. Showed and discussed a colored map with the drainage areas. We are going to reduce the drainage areas that go to the easement that runs behind the houses. We will go through a detention facility.

Ms. Susan Brown: Can the drainage be solved if they are at a density or 1 to 2 units per acre or more?

Mr. Ken Pruitt: Mr. LeCamera of County Engineering has met with the applicant several times and looked at different scenarios for development of this property. The most current plan takes the drainage that now is split between the property, some going to northeast and some to the southwest, and pulls it all over to the north side of the property which will not impact the adjoining subdivision. Current zoning of RA would allow a development with 10,000 square foot
minimum lot size on sewer and through the subdivision development stage you would have review of the drainage plan that might maintain the same drainage basins. PR zoning would require your review of the drainage plan and would provide more community input to all those issues than under the current zoning.

Mr. Ed Phelps: 10521 Sandpiper Lane
I have lived there since 1967. Property to change is completely surrounded by houses of 1-2 per acre. On the corner of Northshore and my property, every time it rains there is water that stands on the property they are wanting to develop. They have not presented to any of the neighbors what they plan to do. I would like to see what they plan to do. I am not opposed to 1-2 per acre. I would appreciate it if they would get together with the other home owners and show us how they are going to correct this problem and what they propose to build.

Mr. Dick Graf: We are getting ahead of the rezoning in talking about the development plan rather than is this suitable for development of residential houses at 1-2 or 1-4. When they come back with the development plan, they do not have to improve what is there, but they cannot add to the problems. If they cannot get that they cannot get the development plan approved.

MOTION (GRAF) AND SECOND (TEAGUE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0-1. PR (PLANNED RESIDENTIAL) APPROVED.

Ms. Cindy Pionke: Northshore Drive is a State route and any improvements that have to be made along Northshore will have to have the approval of the Tennessee Department of Transportation.

MOTION (GRAF) AND SECOND (LEWIS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0-1. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1 TO 2 DWELLING UNITS PER ACRE APPROVED.

REZONINGS - NEW

4-A-03-RZ NUMBER NOT ASSIGNED

* 4-B-03-RZ MAYOR VICTOR ASHE
North and south sides of W. Hill Ave. east of Henley St., including 614, 615 and 623 W. Hill Ave., Rezoning from R-3 (High Density Residential)/C-2 (Central Business District) to R-3 (High Density Residential)/H-1 (Historic Overlay) & C-2 (Central Business District)/H-1 (Historic Overlay) and design guidelines. Tax ID 94 M D 016, 94MD014, 94MD030. Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-A-03-SP CARL WALLACE
Northwest side Grant Rd., southwest of Three Points Rd., northwest of Rutledge Pike. Request Northeast County Sector Plan Amendment from LDR (Low Density Residential) and C (Commercial) to I (Industrial). Tax ID 41 248, 250, Commission District 8, Northeast County Sector.
STAFF RECOMMENDATION: Approve I (Industrial) to the depth from Rutledge Pike of the present CA zoning and Deny Industrial for the northern half of the property.

Mr. Arthur Seymour, Jr.: Main Avenue for applicant
This was originally filed for industrial zoning in an area mixed with industrial property around it and mixed commercial in the area. The applicant originally requested industrial for the whole site. He owns the property to the west. Staff has recommended rezoning the front part industrial and leaving the back part as it is which is already CB zoning. Applicant concurs with that request. In the past violations existed and have been permitted at that site. Mr. Wallace bought the property in 1991. He is asking for the zoning to meet what has been in existence. I know you received a complaint about a roofing company to the east. That is property Mr. Wallace has under option, which he does not own at this time. He has met with the Eight District Commissioner and has discussed removal of the roofing operation from the property, operation of the trucking company on the front and possibly a later downzoning to agricultural or low density residential to the back to act as a buffer. I have seen a letter that said their quality of life would be downgraded if this was rezoned. There is a structure to the east of the property that is not used as a house and I doubt if it could be. It appears to be empty. This isolates industrial to the front where it has existed for a number of years, where it is across the street from industrial and immediately to the east. We feel this request is reasonable and should be approved.

Mr. Gary Holland: Holland Law Offices, 108A Durwood Road
SUBMITTED A PACKET WHICH BECOMES A PART OF THESE MINUTES AND SHOWED A BOARD OF PHOTOGRAPHS. The zoning on parcel 248 was obtained about a year ago. Staff recommendation was to approve CB. You Commissioners denied that based on the presentation made by the community at that time. It was appealed to County Commission and Commissioner McMillan placed certain restrictions upon this. These people are not supposed to be operating the roofing company that is currently being operated there. It was passed specifically with the instructions that there would be no tractor trailer trucks on the road there. They use the road to unload with a forklift all the building materials that go on that property. We understand he is going to stop that condition. What brought him here to start with was that County Codes closed him down. These businesses have no business license. In the packet is a letter from the Staff attorney and the State of Tennessee asking Attorney General Randy Nichols to prosecute Mr. Barrett for the unlicensed roofing contracting going on. Local zoning and codes enforcement departments have come out and obtained affidavits as to the continuous grandfathering truck usage of tract 250. One of the affidavits was signed by a lady that was dead two years before this was signed. This is a low density area. They have not complied with the usage granted and have not done what they promised Commissioner McMillan they were going to do. When you present a false affidavit, you have stepped over the line. There are adjacent property owners in the audience who have had to clean up things off of their property that Mr. Wallace has put on it. Ms. Tippitt has had to run his trucks off her property because they are parking there. Every one of the tracts with homes around it are occupied by people who pay taxes on homes which range from $100,000 to $150,000 to Knox County every year.
Mr. Seymour: Mr. Wallace is the owner and not the operator of this property. A roofing company owns the tract to the east and he does not own that but has an option on that property. He has an option, if he gets it rezoned, to sell to a trucking company. Mr. Wallace can cure the complaints here to a large extent if he can obtain this other piece of property and turn around and sell it.

Mr. Pruitt: CB part was zoned CB over Planning Commission objection. The business on the CA portion is in noncompliance with County Codes and they have been issued a stop-work order to move or bring themselves into compliance. CA and CB is result of that. The owner has an agreement to sell to the present operation and for that operation to have an area to expand onto. If this request is denied the present business would be required to relocate as directed by the County Courts.

Mr. Benefield: I agree that this industrial activity is not compatible with the rural and residential neighborhood in the area.

MOTION (BENEFIELD) AND SECOND (SMITH) WERE MADE TO DENY I (INDUSTRIAL).

Ms. Julia Tippet: 2418 Grant Road
Oppose the rezoning. Ever since this business has been there it has been costly. It has cost her $3,600 to clean up the area due to this type of business that is there. What is to make this legal? Mr. Wallace is his own judge.

Mr. Seymour: Mr. Wallace is the owner and is not operating a trucking company on this property.

MOTION CARRIED 15-0. I (INDUSTRIAL) DENIED.

4-D-03-RZ CARL WALLACE
Northwest side Grant Rd., southwest of Three Points Rd., northwest of Rutledge Pike. Rezoning from CB (Business and Manufacturing) and CA (General Business) to I (Industrial). Tax ID 41 248, 250, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve I (Industrial) for the southern portion of the site based on the Sector Plan Amendment.

MOTION (BENEFIELD) AND SECOND (BAKSA) WERE MADE TO DENY I (INDUSTRIAL)MOTION CARRIED 15-0. I (INDUSTRIAL) DENIED.

4-E-03-RZ CAREY HOOK
Northwest side Chambliss Ave., southwest of N. Forest Park Blvd., Rezoning from R-1 (Single Family Residential) to O-1 (Office, Medical, and Related Services). Tax ID 107 K H 34, Council District 2, West City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-F-03-RZ MAYOR VICTOR ASHE, CITY OF KNOXVILLE
Northwest corner of Gay St. and Union Ave., Rezoning from C-2 (Central Business District) to C-2 (Central Business District)/H-1 (Historic Overlay)

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-G-03-RZ CITY OF KNOXVILLE
East side Nobscot Rd., south of Sabre Dr., Rezoning from No Zone to R-1 (Single Family Residential). Tax ID 133 B D 5, Council District 2, West City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-H-03-RZ RAVI AND PEGGY SOOD

STAFF RECOMMENDATION: Approve CA (General Business)

Mr. Raj Sood: 2728 Sood Road, representing applicants, my parents

Ms. Paula Gamble: 7442 Oak Ridge Highway
Earlier I spoke to you of my hypothetical concerns. They have now come to pass. I was concerned about the potential drainage because my property is below Mr. Sood’s property. When he filled in his property, he also filled in my property. There used to be a slope on mine to keep the water from the driveway, but now the water ponds on my driveway. I contacted the Department of Engineering and they instructed him to do three things. One was clean out ditches and clean out the culverts. Department of Engineering told me Mr. Sood had two excuses. One was that he did not have to comply and one was that the ditch was half on his property. He could not remember where the opening of the culvert was. Ask him to repair damage he has already done. Second thing is when here before he seemed to consider my driveway for his construction. MPC directions were access to the construction of the drainage easement, grading, transportation of materials and moving of construction equipment will be made through the applicant’s parcel. He disregarded that and went down my property. Possibly because it had been raining and his property was just a big mud hole. It all went down my property—18-wheelers, backhoes, ditch winches. I informed MPC about that violation. Ask him not to do that and this time find some way to enforce your regulations. The mini-storage looks fine. I just object to what he has done to my property. Would like these fixed before doing anything further.

Mr. Sood; All drainage is designed from perimeter of buildings to the interior of the property away from Ms. Gamble. She complained of some culvert inverts. I myself hand dug to find them. I never found them. I instructed Knox County Engineering to ask her to locate those with some kind of flagging and we will be glad to go back out and try to excavate those. I never heard from Engineering. We have limited the drainage. I never saw the culvert inverts. I believe they were buried long before I got the property. As far as Ms. Gamble’s road, this road is a joint permanent easement used by three properties since World War II. This road leads to a 25 acre farm owned by Mr. James Carter. The reason we used it is because my construction company
did work for Mr. Carter in addition to this project. He gave us permission to use this easement to access his property. It is the only access to Mr. Carter’s property and his normal access. We did not use it to construct the self-storage facility. Facility meets the needs of the Karns community. We currently have 150 customers. It is low impact. Neighbors to the rear and west have no objection. Use on review approval is required for self-storage facilities so staff will have additional input into this project.

Ms. Susan Brown: Asked County Engineering if they were familiar with the violations.

Ms. Cindy Pionke: This is the first I have heard about the violations and cannot address them.

Ms. Susan Brown: Asked if this would have to come back before MPC.

Mr. Whitaker: Yes. At that time you can attach any reasonable conditions of approval. If there are concerns about compliance with those concerns, one thing you can do is require a bond to be posted to assure compliance. Otherwise it is a violation of the zoning ordinance and can be pursued by the County Codes Department.

Ms. Gamble: His assertion about the drainage being fixed is totally false. It is not fixed. I dug 5 minutes and found both openings of the culvert. He has not fixed it.

Mr. Whitaker: When property was rezoned, the County Commission attached a number of conditions to the rezoning. These included no increase in the rate of runoff, some landscaping and other limitations on operation of his site.

Mr. Rusty Baksa: The whole rezoning went against what we proposed. She does not talk like she has concern about mini-warehouses, but concern about the development and how it occurred. Maybe some things need to be corrected. I think we need to get answer to these.

MOTION (BAKSA) AND (SMITH) WERE MADE TO POSTPONE UNTIL THE MAY 8, 2003 MPC MEETING.

Ms. Susan Brown: Ms. Pionke can report back on whether there are violations and if they have been corrected.

Mr. Sood: These are not zoning issues and I do not think it necessary to postpone this. The only remaining issue is the culvert is blocked. It was a matter of not knowing where they are and lack of communications.

Mr. Philip French: I believe initial request came before us in 1998. If problems have not been resolved in this amount of time, it needs to be resolved.

Mr. Rusty Baksa: Can they bring in their use on review plans next month when we hear this rezoning?

Mr. Whitaker: Our practice is to not put the use on review on the agenda until the month following your action on the zoning.

Mr. Dick Graf: If this is not postponed I will move to deny it. A lot of our decisions are based on track record and how they do things. If we are looking at something that is
causing problems, that enters into the equation when you make the decision
that, no we should not do this.

MOTION CARRIED 15-0. POSTPONED UNTIL THE MAY 8, 2003 MPC MEETING.

P   4-B-03-SP   DON MADDOX
East side Concord Rd., south side Loop Rd. Request Southwest County
Sector Plan Amendment from LDR (Low Density Residential) to C
(Commercial). Tax ID 143 074, Commission District 5, Southwest County
Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P   4-I-03-RZ   DON MADDOX
East side Concord Rd., south side Loop Rd. Rezoning from A (Agricultural)
to CN (Neighborhood Commercial) or CA (General Business). Tax ID 143
074, Commission District 5, Southwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*   4-K-03-RZ   J. D. ROBISON
Southwest side Old Clinton Pike, southwest of Bell Campground Rd.,
Rezoning from A (Agricultural) and CA (General Business) to RB (General
Commission District 6, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-C-03-SP   ALLEN W. BLEVINS
East side Cogdill Rd., north of Kingston Pike. Request Southwest County
Sector Plan Amendment from LDR (Low Density Residential) to O (Office).
Tax ID 131 113, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve O (Office)

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

Ms. Lisa Gameltoft: 901 Scenic Drive, one of the two applicants
Urge approval of staff recommendation including advice on parking which is
well advised. This is a property bordered by intense commercial and office
development. It is sandwiched between residential and commercial uses.
We think the law firm use we propose is the ideal buffer zone use for this
property. We are a small law firm with at most 2-4 attorneys. Attorneys would
be using existing residence. We would be adding additional landscaping and
removing the outbuilding. Should have a very minimal impact on this
neighborhood. We want to be located in a residential building. We are an
estate planning and probate practice. Most of our clients have never seen an
attorney before and have just lost a spouse or other family member. Coming
to a residence is very non-threatening way to interact with an attorney for the
first time. We think that such a residence would be non-threatening to our
clients and in turn our clients would be non-threatening to this neighborhood.
Urge you approve staff recommendation.
Mr. Steve McGhee: 122 Cogdill Road

Oppose this rezoning. This is presently a residential area. I cannot see a law office in a residential area for these reasons. Within a ½ mile of this area are tons of signs of office space for lease. Why an office building has to move into a residential neighborhood is beyond me. Area has always been encircled by commercial, and we have never had a problem with that. I disagree that office zoning provides a buffer. I think the existing residential offers a perfect buffer. I do not want to see them all turning into office. Also within 3 houses of this there are 1700 new homes valued from $160,000 to $190,000. Do not think these people bought these houses with the goal of converting them to OA or OB. I want to stop any further encroachment.

Ms. Gameltoft: It is my understanding that the neighborhood to the north of where we are looking to acquire this property is subject to restriction of property. They do not include this property.

Mr. Brusseau: The planned commercial to the east are mostly office uses. They are zoned for Planned Commercial.

Ms. Brown: In terms of a buffer between the residential area, are suggesting that in the future this is probably where the line stops. Any concerns about placing office on this particular property?

Mr. Brusseau: No concern with this property. If multi applications came in with office requests, it would just be an extension of that transition zone. I think if one property such as this came in north, we would probably oppose that.

Mr. Larry Smith: I think that is not going to be too intrusive.

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

Ms. Teague: A lot of these homes were here before a lot of these offices on the back of the property were built. At the other end of this street is an attorney’s office. Next to that property that came before MPC for rezoning because County Commission approved some zoning behind it for a motel. I see a law office at one end plus some more property rezoned. I see a domino effect and it is going to destroy this neighborhood. That should be considered.

MOTION CARRIED 13-1-1. O (OFFICE) APPROVED.

4-L-03-RZ ALLEN W. BLEVINS
East side Cogdill Rd., north of Kingston Pike. Rezoning from A (Agricultural) to OB (Office, Medical, and Related Services). Tax ID 131 113, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve OA (Office Park) subject to the condition: No parking shall be located to the north of the structure or within the 25 foot front building setback area.

MR. TREY BENEFIELD RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM
MOTION (SMITH) AND SECOND (BAKSA) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-1-1. OA (OFFICE PARK) SUBJECT TO ONE CONDITION APPROVED.

4-D-03-SP  SOUTHEAST DEVELOPMENT PROPERTIES, LLC
East side Lyons Bend Rd., south of Tara Hill Dr. Request Southwest County Sector Plan from Rural Residential to LDR (Low Density Residential). Tax ID 146 30.01, Commission District 4, Southwest County Sector.

STAFF RECOMMENDATION: Approve LDR (Low Density Residential) at a maximum density of 1.5 units per acre.

4-N-03-RZ  SOUTHEAST DEVELOPMENT PROPERTIES, LLC
East side Lyons Bend Rd., south of Tara Hill Dr. Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 146 30.01, Commission District 4, Southwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 1.5 dwelling units per acre.

Mr. Arthur Seymour, Jr., Main Avenue, on behalf of application
This is on 57 acres owned by Ms. Warren. She proposes to sell her property for a subdivision, a process that has been going on at a very fast rate. The opposition seeks Planned Residential at 1 dwelling unit per acre, which would be 57 units. The applicant originally requested 1.5 dwelling units per acre. We have submitted a proposed concept plan for later consider that would enable us to drop the request to 1.3 dwellings per acre. The actual density as you measure it out now is 1.27 dwelling units per acre. Normally a builder asks for slightly over what is needed to cover any unexpected areas. We can drop this to 1.3 units per acre. Applicant proposes 66 units and 1 du/ac would be 57 units. The issue is over 11 units. I had further told a representative of the applicant that not only would we drop to 1.3 then after the subdivision was platted and recorded, we will come back and ask for the density be lowered to the actual density built. If you look at the property adjacent to this it is zoned RA. Technically you can get about 4 units per acre. There are condominiums to the west with a density well over what my client is asking. The density issue only gives him the right to ask for up to 1.3 units per acre. It does not guarantee that density. The question is: is PR an appropriate zone and is 1.3 appropriate density?

Mr. John King: P.O. Box 2425, representing 5 families, Olerds, Freeman, Lane, Myers, McDonna Family
I first request postponement. I was retained yesterday. There are traffic-related issues that have an impact on the density issues that ought to be looked at before rezoning. They just recently filed their plans and identified where they propose to access this property. I think there are sight distance issues that need engineering expertise. Signs went up during Spring vacation and a number of people were not home at that time. Ask for a 30-day postponement.

Ms. Swanee Sexton: 5404 Heathford Drive, representing the Riverbend Peninsula Homeowners Association, about 100 people stood in opposition
We too ask for a 30-day extension. We do not think the road study and impact of this project has been thoroughly looked at. We live down curvy, windy roads. We are designated rural residential. We have had less than a week to meet and come to a consensus on this. We passed a motion to hire an engineer. We have not had time to come with funding and complete that study. I think they are impressed with how many people we have here today and how dear this is to us. Ask for a 30-day extension.

Mr. David Long: 5516 Brownatkin Drive
I am here at the request of Ms. Sexton and other members of the association. They are scared because they have not had time to evaluate and they are not used to this process. They are scared that they may not adequately present to you. I ask that a traffic study and other developments that are under option and about to be started be looked at. I appreciate that MPC tries to take the emergency out of these matters.

Mr. Ken Pruitt: Under the current zoning, a residential subdivision can have 1-acre and larger lots. Planned residential zoning affords the community more input into the design than the existing agricultural zone. The development proposal, location and appearance would not be a part of the review except minimum lots.

Mr. Randy Massey: You have a plan for 66 units. Is that 1.1 unit per acre? LeMay says it is 1.15 units per acre.

MOTION (TEAGUE) AND SECOND (SLACK) WERE MADE TO POSTPONE 30 DAYS UNTIL MAY 8, 2003 MPC MEETING.

Mr. Seymour: We are opposed to the postponement. Had a meeting earlier at Ms. Warner’s and she had sent out a notice earlier informing them of the request. I think this is just a stalling tactic. I do not know if the opposition will agree with 1 unit per acre. There are a lot of people out there that told me they do not care. Staff has requested the traffic study in connection with the use on review, which will be back before you all at a later date. That is the appropriate time to decide.

Mr. Alfred Harb: 2313 Cofield Road
I only found out about this a couple of days ago. She provided a letter, which did not get in all the neighbor’s mailboxes, that this was a density of 1.5 homes per acre. The density rather than being as represented consists of lots with 150-foot frontage by 180 foot deep. They are utilizing total acreage for a pretext for getting the density down. Basically we will have houses on 1/2 acre. This road is the worst area for an exit from a subdivision. It is a dip with two steeps sides with blind curves.

Upon roll call vote the Planning Commission voted as follows:

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MASSEY  NO
SLACK    YES
SMITH    YES
TEAGUE   YES
VITTETOE NO
WOLF     NO
BAKSA    YES
BENEFIELD YES
BROWN    NO

MOTION CARRIED 8-7. POSTPONED UNTIL THE MAY 8, 2003 MPC MEETING.

* 4-O-03-RZ  STAN JOHNSON
Northwest side E. Magnolia Ave., northeast side Milligan St., Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial). Tax ID 82 F C 25, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-P-03-RZ  LOVELL ROAD PROPERTIES, LLC
Southeast side of Lovell Rd, northeast side of Pellissippi Pkwy., Rezoning from BP (Business and Technology)/TO (Technology Overlay) to CA (General Business)/TO (Technology Overlay). Tax ID 118 pt 70.05 (zoned BP/TO), Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-Q-03-RZ  PAUL GARRON

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-R-03-RZ  EDMUNDO SUMARRIVA
Northwest side Gilbert Dr., northeast of Twin Hill Ln., Rezoning from RA (Low Density Residential) to PR (Planned Residential). Tax ID 130 148, Commission District 5, Northwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre.

MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 15-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1 TO 3 DWELLING UNITS PER ACRE APPROVED.

MR. MARK JENDREK LEFT THE MEETING AT THIS TIME.
4-S-03-RZ  B. L. BALL
Northwest side Dogwood Dr., southwest of Merriwood Dr., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 134 H E 0012, Commission District 4, West City Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

4-T-03-RZ  WORLEY BUILDERS, INC.
Northeast and southwest side Cate Rd., north of W. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 66 099, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1 to 3 dwelling units per acre.

Mr. Ron Worley: 6620 Lamybranch Lane, applicant
After looking at this decided that PR at 1-3 would not be sufficient. I will need 3.5 units per acre. HANDED OUT COMMENTS AND MAP WHICH BECOME A PART OF THESE MINUTES.
Discussed from the handout the current density of surrounding properties at 1-3 and 1-5 density. Described offsite improvements and costs included in handout. Mailed letters to residents on Cate Road from Emory Road to just beyond this property and have had no comments. I ask you to raise this from 3 to 3.5 density.

Mr. Dick Graf:  
Asked about when the road would be widened by Knox County Engineering.

Mr. Worley:  
I do not know. It says no more than 1 dwelling unit per acre until it is widened. I will participate in widening the road as part of the improvement costs. I have met with Leo LeCamera, County Engineering, and I understand I have to widen it two feet and get right-of-way easements. I need more density to make the improvements needed.

MOTION (BAKSA) AND SECOND (SMITH) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL). MOTION CARRIED 14-0. PR PLANNED RESIDENTIAL APPROVED.

MOTION (BAKSA) AND SECOND (SMITH) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL). MOTION CARRIED 14-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1 TO 3.5 DWELLING UNITS PER ACRE APPROVED.

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.

STAFF RECOMMENDATION: Approve C-3 (General Commercial)

Mr. Ken Pruitt:  
Mr. Brewer has requested postponement by a letter submitted.
MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO POSTPONE UNTIL THE MAY 8, 2003 MPC MEETING. MOTION CARRIED 14-0. POSTPONED UNTIL THE MAY 8, 2003 MPC MEETING.

* 4-W-03-RZ ROBERT F. AND MARY P. SLACK
South side Breda Dr., west of The Hague, Rezoning from A-1 (General Agricultural) and C-6 (General Commercial Park) to C-3 (General Commercial). Tax ID 69 O A Part of 26, Portions zoned C-6 and A-1, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-X-03-RZ S & E PROPERTIES
West side Schaeffer Rd., northeast side Pellissipipki Parkway, northwest of Lovell Rd., Rezoning from CA (General Business)/TO (Technology Overlay) to CB (Business and Manufacturing)/TO (Technology Overlay). Tax ID 104 113.01, 118-003. Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-BB-03-RZ DEON WILSON
Southeast side W. Emory Rd., northeast of Harrell Rd., Rezoning from PC (Planned Commercial) to RA (Low Density Residential). Tax ID 78 46.03, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-CC-03-RZ OAKLEIGH, G.P.
East side Amherst Rd., south of Bradley Lake Ln., Rezoning from I (Industrial) to PR (Planned Residential). Tax ID 92 085 (Part), Commission District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-DD-03-RZ CITY OF KNOXVILLE
North side Larch Ave., north of Bishop St., Rezoning from R-2 (General Residential) to OS-1 (Open Space Preservation). Tax ID 80 L F 044, Council District 3, Central City Sector

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-EE-03-RZ CITY OF KNOXVILLE
East side James White Parkway, southeast side Hall of Fame Dr., Rezoning from O-1 (Office, Medical, and Related Services) to OS-1 (Open Space Preservation). Tax ID 95 H D 002, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-FF-03-RZ CITY OF KNOXVILLE
North side Edgewood Ave., southwest side Dempster St., south side Ocoee Trl., Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 69 M H 025, Council District 5, East City Sector.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-GG-03-RZ  CITY OF KNOXVILLE
Southeast side Moses Ave., southwest side Wallace St., Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 94 F S 002,003, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-HH-03-RZ  CITY OF KNOXVILLE
Southeast side Holston Hills Rd., northeast side Riverside Dr., Rezoning from A-1 (General Agricultural) to OS-1 (Open Space Preservation). Tax ID 83 004,096,015, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-II-03-RZ  CITY OF KNOXVILLE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-JJ-03-RZ  CITY OF KNOXVILLE
Southwest side S. Elmwood St., southeast side Wimpole Ave., Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 82 L M 007,008, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-KK-03-RZ  CITY OF KNOXVILLE
Southeast side Connecticut Ave., northeast side Stonewall St., southwest side Bragg St., Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 81 P H 001, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-LL-03-RZ  CITY OF KNOXVILLE
North side McClung Ave., west side South Haven Rd., Rezoning from R-2 (General Residential) to OS-1 (Open Space Preservation). Tax ID 109 C D 011,017, Council District 1, South City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-MM-03-RZ  CITY OF KNOXVILLE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.
* 4-NN-03-RZ  CITY OF KNOXVILLE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-OO-03-RZ  CITY OF KNOXVILLE
Southwest side Hedgeapple Ln., northeast side Chapman Hwy., Rezoning from R-1 (Single Family Residential) & C-3 (General Commercial) to OS-1 (Open Space Preservation). Tax ID 109 O A 008, Council District 1, South City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-PP-03-RZ  CITY OF KNOXVILLE
North side Scottish Pike, west side L & N railroad right-of-way, Rezoning from R-1A (Low Density Residential) to OS-1 (Open Space Preservation). Tax ID 108 L A 001,002,003, Council District 1, South City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-QQ-03-RZ  CITY OF KNOXVILLE
North and south sides Sharps Ridge Memorial Park Dr., northeast side I-75, Rezoning from R-2 (General Residential) & A-1 (General Agricultural) to OS-1 (Open Space Preservation). Tax ID 81 B A 010, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-RR-03-RZ  CITY OF KNOXVILLE
Southeast side Skyline Dr., east side Beaman Lake Rd., north side Mays Rd., Rezoning from R-1 (Single Family Residential) to OS-1 (Open Space Preservation). Tax ID 83 A F 027, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-SS-03-RZ  DREW HARDIN
West side Alcoa Hwy., south of Ginn Dr, Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial). Tax ID 135 H B 8.02, Council District 1, South County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-E-03-SP  CROSSROADS PROPERTIES, LLC
Southeast side Tazewell Pike, south of Maloneyville Rd. Request Northeast County Sector Plan Amendment from Agricultural / Rural Residential to Commercial. Tax ID 30 90, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve C (Commercial) limited to CR zoning.

Mr. Michael Brusseau: CR and NC are the only commercial zones that can be requested within the rural area of the Grown Plan. The CA can no longer be requested. CR
zone allows more limited commercial uses than CA and has design standards more appropriate for rural settings. Due to other more intense CA zoning on adjacent parcels, staff feels CR is appropriate.

Mr. John Valiant: Representing Crossroads Property, Inc., 1650 Plaza Tower, 37929
It will have to come back before this body for you to review the plans that will be submitted. This recommendation is consistent with the sector plan and the Growth Plan. There are existing commercial properties speckled around this. Ask approval.

Mr. Shane Carpenter: 7027 Tazewell Pike
HANDED OUT MATERIALS WHICH BECOME A PART OF THESE MINUTES.
The petition has 51 signatures and there was not a single person in favor of this. This was turned down in 1998. The only thing that is different now is we have about 300 new houses going up right behind us now. The two commercial properties they refer to are a mom and pop grocery that has been there forever. According to the sector plan, nothing west of Fairview Road is supposed to be commercial. It is a dangerous stretch of road and very hard to see at that spot. County approved widening the road at Harbison Crossroad because there were so many accidents there. Where I am at they do not slow down. As far as what is going in there, I have heard storage buildings and that he plans to sell it. I understand that just about anything could go in that zone.

Ms. Lisa Starbuck: 6229 Babelay Road
President of NEPKA Northeast Knox Preservation Association
ABOUT 8 PEOPLE STOOD IN OPPOSITION.
Northeast Knox Sector Plan is currently under review and we have been participating in the plans. There are no plans for increased commercial development on this part of Tazewell Pike. The comment about it is in compliance with the Sector Plan is not correct. The very last line of staff report talks about several commercial spot zonings in this area and that staff anticipates more in the future. It seems that we are going to ignore the Sector Plan and encourage commercial zoning in this area of Tazewell Pike.

Mr. Ralph Howard: 7032 Tazewell Pike
The speed limit there is not adhered to by at least 10 miles per hour over. It is about a 3-second interval from the time the traffic comes around the curve to this project. I guarantee there will be fatalities if this commercial goes in. I am building a $150,000 home and do not want commercial.

Ms. Grace Ellis: 2617 Howell Road. Own property on Stair Drive and my daughter lives there.
If he gets it zoned for commercial and says he is going to put storage buildings on it, is he going to store his potty-chairs? If we change it to commercial, he is going to tell us he can put anything in there. There is a bus stop right in there. You do not want things like this on a road where the cars fly by and accidents happen.

Mr. Valiant: Most of these concerns are not concerns for the zoning stage. In documents we have received from MPC, it states commercial is consistent with the policies of the Growth Policy Plan. It also said that the recommended sector
plan amendment to commercial is limited to CR zoning. The zoning is consistent with the Northeast County Sector Plan.

Ms. Susan Brown: Asked about the CR zoning and if it is more limited than GC or CA.

Mr. Brusseau: For a mini-storage facility that was proposed initially on this application, that would require a use on review. A convenience store, gas station or some sort of office use does not require use on review. It has greater setbacks and landscaping standards. It also includes an administrative site plan review that is done by the Codes Department and does not come before the Planning Commission. It is somewhat more restrictive in uses, but a lot more restrictive as far as development standards than CA is.

Mr. Philip French: Could it be used for outdoor storage purposes such as the storage of portable toilet facilities?

Mr. Valiant: That is not part of the proposed use of this facility. It is mini-storage units for people to rent at a price per unit per month. There will be nothing stored there that has to do with Patterson Brothers’ other businesses. Under my proposal we would be back before you at the use on review stage.

Mr. Graf: This is spot zoning. This is residential with not much commercial around it. If it did conform to the sector plan, we would not be asked to be changing the sector plan.

Mr. Larry Smith: This is a very fast, bad curve. I have been to the sector plan meetings and want to support their position.

Mr. Howard: We are not concerned with usage. We are concerned with it being commercial. We do not want commercial.

MOTION (SMITH) AND SECOND (GRAF) WERE MADE TO DENY C (COMMERCIAL). MOTION CARRIED 14-0. C (COMMERCIAL) DENIED

4-TT-03-RZ CROSSROADS PROPERTIES, LLC
Southeast side Tazewell Pike, south of Maloneyville Rd. Rezoning from A (Agricultural) to CR (Rural Commercial). Tax ID 30 90, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve CR (Rural Commercial).

MOTION (SMITH) AND SECOND (GRAF) WERE MADE TO DENY CR (RURAL COMMERCIAL). MOTION CARRIED 14-0. CR (RURAL COMMERCIAL) DENIED.

BREAK WAS TAKEN FROM 4:28 P.M. TO 5:35 P.M.

P 4-F-03-SP RUFUS SMITH, JR. & COMPANY
Northwest side Ball Camp Pike, southwest of Amherst Rd. Request Northwest County Sector Plan Amendment from Rural Residential and SP (Slope Protection) to LDR (Low Density Residential) and SP (Slope Protection). Tax ID 91 190, Commission District 6, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.
4-UU-03-RZ  RUFUS SMITH, JR. & COMPANY  
Northwest side Ball Camp Pike, southwest of Amherst Rd.  Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 91 190, Commission District 6, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

18. USES ON REVIEW

USES ON REVIEW - OLD

9-S-02-UR  THE WILLIAMS COMPANY  
Northwest side George Williams Rd., east and west sides of Confederate Dr.  Proposed use: Multi-family apartments and townhouse units in PR (Planned Residential) District (On referral from County BZA.). Tax ID 132 42.02, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the following 12 conditions to the development plan for 180 multi-family apartments and 18 townhouse units approved by the Knox County Board of Zoning and Appeals on December 12, 2002.

Mr. Tom Brechko: MPC recommended denial of a 207 unit apartment complex and that action was appealed to the Board of Zoning Appeals. At the BZA meeting they requested that the 18-unit apartment building on the northwest side of Confederate Road be changed to a 9 unit townhouse and that a landscape buffer be incorporated into the plans. Basically they approved a 198-unit development. BZA sent it back to MPC to attach conditions. We have received a preliminary drainage plan we did not have previously. Staff is now recommending 12 conditions. Some of the major items are: having TDEC investigate potential sinkholes, geotechnical studies to be done before construction, and requirements for detailed engineering design for retaining walls. The issue came up about traffic control. We discussed this with County Engineering and are recommending an additional condition that no construction traffic related to the development this project be allowed to go through Statesview and Cedar Bluff Subdivisions, but diverted to George Williams or out Fox or Peters.

Mr. Arthur Seymour Jr.: In agreement with the conditions described.

Mr. Wayne Kline: Hodges Daughter Carson, 17 Main Street  
I represent 880 people that are residents of Statesview, Wedgewood Hills, Cedar Bluff, Carlton Manor, Millstone Village and 20 homeowners on George Williams Road. When Mr. Brechko wrote a letter asking for a response, there was a postponement. When this preliminary grading plan came out, we want our engineer to review it and we would like time to look at these conditions and come back and address these conditions with the Planning Commission. There is an area where a 50-foot cut will be made and if there is a landslide, their homes could come down into the development. Request 30-day postponement to address these issues.
Mr. Seymour: The grading plan is required by Knox County Engineering for their review. It is public record and will be available for review. It is a condition that we submit grading plan to Knox County Engineering. Prior two postponements were at the request of staff, because we had to submit additional documents to this body. He has submitted them and it is before this body today. Mr. Kline has already sued, challenging the actions of the Knox County Board of Zoning Appeals. They are going to fight this any way they can. I think we will be back in the same posture with just more people here in opposition.

Mr. Phil French: Do you understand our charge from the BZA?

Mr. Kline: They charge this body with providing recommendations on the use on review. What occurs to us is that the safety of grading, traffic and drainage needs to be addressed. I can address it now. The way we address these issues is through this process. I do not have a process beyond this to object to his grading plans. If this body requires that more restrictions be placed on these plans, they have the right to do that. I would like the opportunity to present that information.

Mr. French: If this is postponed, I would like to see that you have gotten together conditions that you have agreed to already. We do not need to hash out conditions at this meeting. I would hope that you will come to some conclusion on what conditions need to be before us.

Mr. Dick Graf: If you look at the staff recommendation, it calls for a detailed grading plan to be submitted to Knox County Engineering before grading and providing detailed engineering plan for their review. They could both come in here with engineering plans and it would not make a difference to us. They are lawyers and most of us are not engineers. Staff has done what was requested of them.

MOTION (GRAF) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-1. DEVELOPMENT PLAN APPROVED.

USES ON REVIEW - NEW

4-A-03-UR WITHDRAWN PRIOR TO PUBLICATION
4-B-03-UR WITHDRAWN PRIOR TO PUBLICATION
4-C-03-UR GARY MEEK
Northwest side of Maynardville Hwy., northwest of Old MaynardvillePk. Proposed use: Self storage facility in CA (General Business) District. Tax ID 28 264.03, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve the request for a self-storage facility at this location subject to 9 conditions.

Mr. Gary Meek: I am satisfied with staff recommendation and conditions.

Mr. Tom Sweet: 7540 Old Maynardville Pike.
I own two parcels in between that. They are using my driveway to haul the stuff in and out. They need to get their own driveway. I do not think it suitable. They are going to build containers for storage.

Mr. Dan Kelly: This is an application for a self-storage facility. The plan shows the typical self-storage unit type construction. The development of the property should occur according to the way shown on the plan. There are a number of storage trailers on the property now that I presume will be removed when the self-storage is built. They are not what is being approved today. There are mobile homes on each side of the property. The plan meets the requirements for a self-storage facility. The self-storage we have on there now is not what we are approving.

Mr. Meek: These are temporary units leased for storage. It is not our intent to use those. They will be removed.

MOTION (SMITH) AND SECOND (WOLF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 14-0. DEVELOPMENT PLAN APPROVED.

* 4-F-03-UR HARDIN VALLEY DEVELOPMENT VENTURE
South side of Castaic Ln., south of Hardin Valley Rd. Proposed use: Professional and Business Offices in PC (Planned Commercial) / TO (Technology Overlay) District. Tax ID 103 119.04, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

4-G-03-UR DEVELOPMENT SERVICES GROUP, INC.
West side of Eleventh St., north side of White Ave., east side of Twelfth St., south side of alley. Proposed use: 150 Room Hotel in O-1 (Office, Medical, and Related Services) Pending District. Tax ID 94 M G Parcels 17-24, Council District 1, Central City Sector.

STAFF RECOMMENDATION: Deny the request for a 136 room hotel at this location in the O-1 (Office, Medical, and Related Services) pending district because it does not comply with the use on review development standards.

MR. RUSTY BAKSA RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

Mr. Tom Brechko: This request was reduced down to 136 rooms. The second floor hotel rooms were modified and, in place of rooms, they put additional meeting space. Part of the change in providing meeting space is that applicant is working with UT to provide a hotel that is also a training facility for their program. They did not reduce the floor area or mass of the building. Also a small restaurant is proposed on main level. The main issue is the amount of variances the applicant is requesting. Asking for a variance on front yard setback from 25 to most cases zero; rear setback on the alley from 30 feet to zero; maximum lot coverage is 35%; they are proposing 95% maximum coverage; maximum height is 45 feet; they are proposing 90 feet height; and asking for variance on the wall sign permitted on the O-1 district. Staff’s position is the type of hotel they are asking for is allowed in Central Business District in downtown Knoxville across Eleventh Street to the east and not in the Fort Sanders Neighborhood. Although the variances will go before the Board of Zoning
Appeals, note that the variance criteria says “shall be minimal adjustment” and they are asking for the maximum. Impact analysis shows that to make this project work they are requesting that White Avenue be changed to two ways in the block in front of the hotel. Staff is concerned this is needed for hotel traffic circulation, but having White two way and then one way in the next block would be confusing to motorists. There was a question about sight distance. They have made a modification to plan to improve access and sight distance. We met with them several times about concerns. We discussed the concern about the scale for the neighborhood. The applicant did reduce the number of rooms for parking requirements. Discussed parking garage UT built is just south and massive. That project did not require any review by the City. There are 5 stories at the White Avenue façade. This project should be a transition from this garage to the residential. The scale is not appropriate for the area.

Mr. Arthur Seymour, Jr.: On behalf of Mr. Gary Prosterman
This application was down zoned from O-2 to O-1 last month. This is next to the UT parking garage. Up White Avenue three blocks away is a 12 story building that is student housing and numerous other buildings. Introduced Mr. Prosterman and his efforts to work with all parties.

Mr. Gary Prosterman: 4036 S Galloway Drive, Memphis, TN
I have deep Knoxville roots. We have been looking for a site to do something in the UT area for years. It is very hard. When we found this site not in the NC-1 zone, that was not zoned residential and that we do not have to assemble properties, we thought this was what was needed. PASSED OUT A RENDERNING AND MATERIALS WHICH BECOME A PART OF THESE MINUTES. We designed it to be compatible with the NC-1 guidelines. It looks like a large-scale bed and breakfast. We know other planners that feel this is a very appropriate use. Eleventh Street is already commercial with mid-rise developments. We were told by individuals from the Development Department that this area was for high density uses and which is why it was excluded from the NC-1 overlay. Seem to have consistency with some of staff’s recommendations because you have zero setbacks throughout Fort Sanders and 100% lot coverage throughout Fort Sanders. It seems to me that the rules may be changing. We received good input from MPC staff and the Fort Sanders Neighborhood and appreciate that. It is much more pedestrian friendly than it was. One half of the building is underground parking. We used landscape berm along White Avenue side. If you did not factor in the parking structure and you treat it as a plaza, which we believe is the appropriate way to treat it, we have 46% lot coverage. We have a 50-foot front yard setback and 25-foot side yard setback and 15 feet from the rear. The owners of those properties are in favor. They were here but had to leave.

Dr. Nancy Stair: UT Department of Consumer Services Management, Hotel/Restaurant Administration Program at UT, Jessie Harris Building, 1205 Cumberland Ave. From an academic point of view we are excited about having a hotel of this stature in our neighborhood. We do not have a hotel on the UT campus. We have a relationship with hotels throughout Knoxville. On a day-to-day basis we do not have a close working relationship because of proximity issues and transporting the students. To have a hotel within the block to have on-site training and interaction will facilitate the education of our students. I endorse the project.
Mr. Randall Deford: 1511 Laurel Avenue, President Historic Fort Sanders Neighborhood Association

HANDED OUT A UT RESOLUTION WHICH BECOMES A PART OF THESE MINUTES

You just received a UT resolution which supports our neighborhood and is consistent with our view on this project. We have a proven track record of working with developers. We believe this hotel is bad for Fort Sanders and the City of Knoxville because it does not fit in with the approved Fort Sanders Neighborhood plan. Hotel is not an approved use of that area. If we had a small hotel that fit within the parameters of zoning, it might be different. This is totally out of scale and character. The variances are so incredible that they make a mockery of zoning. It is an attempt to zone property something that it is not. All the setbacks would vary to 0 and height would be doubled what is allowed. This would be twice the height of the garage on White Avenue. Traffic will be greatly impacted. The 15 story parking garage is going to overwhelm 11th and 12th Streets already. Changes they made are not important enough to make this project fit. This type of development needs to be encouraged in the Central Business Improvement District. We are attempting to revitalize downtown. Every hotel and restaurant needs to be downtown to walk from convention center to hotel to restaurants. Since this is outside the CBID, we will not be able to take advantage of sales tax to help pay off the convention center debt. Urban Land Institute recommended this site and all sites along 11th Street be high-quality housing. Do not confuse UT Department endorsement of plan as for the UT endorsement. It is not. Bad past policy and projects, are not an excuse for future ones. Each project that we do and you look at, you are responsible for improving Knoxville. Ask that you deny this use on review.

Mr. Chip Stanley: I am not opposed to this or as an advocate. I own property on White Avenue. I have seen a tremendous change from downtown. I worked with Mr. DeFord and have a great deal of investment in this area. It is rare we have an opportunity for a business person to invest this type of money in our community. The positive impact it will have on our community will be appreciated down the road. The one business I own on Cumberland Avenue employees 37 people and had a payroll in excess of $600,000 per year. Businesses on Cumberland Avenue are leaving. If we do not support them with demand and opportunities, then we may as well all move west. This is good for the City of Knoxville and good for Cumberland Avenue. There is a need for people coming to the University on business to have a place to stay. Encourage you to consider this and work with the variances. We will not have this opportunity every day to keep the lights on in the inner city and Cumberland Avenue.

Mr. Randy Massey: How many square feet is your hotel?

Mr. Prosterman: 78,000 square feet

Mr. DeFord: On the White Avenue side it is about 50 feet or 5 stories.

Mr. Massey: You are talking about the UT garage from the topo and not structure.
Mr. French: Do you suggest this property should be used for high quality housing and who is going to do that?

Mr. DeFord: Yes, there are developers out there doing that now.

Mr. Larry Smith: I see this as a nice concept. They have met with the neighborhood association several times. We get our mind set that everyone is going to come to the convention center. There are a lot of fine businesses on Cumberland Avenue also. Are you part of Hilton?

Mr. Prosterman: This would be a Hilton Garden Unit, which is a relatively new product. It is a business class hotel. This is 100% private funds.

Mr. Graf: With that in mind, I agree that it is a good idea. We have people come in here and do not want to do it on their own and ask the City and County for money and tax breaks. Apparently there is a demand for this.

Mr. Trey Benefield: I agree it is a beautiful drawing and Mr. Prosterman is doing quality. We need to think more about the strategy of our community. Fort Sanders has put a lot of work in their community and defined what they want. Downtown is also putting a lot of effort on the Knoxville business development. This would go against both of those areas. Downtown is gaining some momentum. This would compete with that momentum. It would compete with getting the appropriate Convention Center hotel. As a planning strategy it poses some difficulty.

Mr. Smith: I like what is going on with UT and the class work.

Mr. DeFord: City people representing downtown are also in opposition. You cannot have a right project in the wrong place. This is a small-scale hotel in terms of major hotels. Those same students could walk across the viaduct to get the same experience or additional. It is not for this spot.

Ms. Carol Johnson: 3924 Beverly Place, property owner
I rent to UT students. We are not considering tearing down the buildings. Other hotels around the UT area such as the Dale Avenue Holiday Inn and the University Inn are not even in business anymore. Sheraton Inn has stepped down to Holiday Inn. I may be able to relocate my house and am working with MPC to do that. Think you have to think about the hotels that have been in the area already for a while. How much academic opportunity are the students going to have since it is not a full service hotel?

Mr. John Schmidt: Son of property owner
It is student housing. The quality of housing is reflected by the fact that it has been rented to students for 40 years. We could have quite as easily put in cheap student housing. I appreciate downtown, but that is not a reason to stop development in other parts of downtown. A privately-owned project would be good for the area.

Mr. Smith: You said you wanted to have space for meeting spaces and that is good. You take a risk in the area. The worst case scenario is you have housing for UT students right there. He is doing all of this out of pocket.
MOTION (SMITH) AND SECOND (GRAF) WERE MADE TO APPROVE DEVELOPMENT PLAN. MOTION CARRIED 12-2. DEVELOPMENT PLAN APPROVED

4-H-03-UR  WALTER J.D. CODY

STAFF RECOMMENDATION: Deny the request for a home occupation for a skin care service because the applicant’s request does not meet the standards as identified in Article 5, Section 12, of the Knoxville Zoning Ordinance.

Ms. Shawn Cody: 201 Carta Road
I do not understand why I was not approved. I lost my job and decided I need to keep this in the east part of town so people do not have to go west for this service. Should I have added on first and then applied? I do not understand the roofing issue.

Ms. Susan Brown:  What is the O-1 area? Have you discussed this with your neighbors?

Ms. Cody: They do not have a problem with it and are glad not to have to go west.

Mr. French: If the structural change had been made before they applied, would that have been an issue?

Mr. Kelly: It would not have been an issue. But we have to take that into account at this point.

Ms. Cody: I can do without the retail sales. This service just needs to be in the area.

MOTION (FRENCH) AND SECOND (BAKSA) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH THE CONDITION THAT NO RETAIL SALES. MOTION CARRIED 13–1. DEVELOPMENT PLAN APPROVED.

4-K-03-UR  KNOXVILLE MEETING ROOMS, INC.

STAFF RECOMMENDATION: Approve the request for a church at this location as shown on the development plan subject to 10 conditions.

Mr. Craig Rochett: Knoxville Meeting Rooms, Inc., on behalf of owners
We agreed with all recommendations staff requested. No. 6 says class A buffer along the western portion. Opposition is concerned about no privacy on the east side. We would not object to putting it on the east side.

Mr. James Missy: 2709 Allyson Road
Representing Mr. Woods and Mr. Pratt
When you come off our property it goes down. If we do not get a private fence between us and this, you are going to be looking at this off your porch.
We have no problems as long as they put up a privacy fence. If they put trees, we would be dead before they would be of use.

Mr. Roshett: They are asking for 8 foot fence.

Mr. Dan Kelly: The construction is going to be on 1 1.5 acre for church. Fountain Park Boulevard could be extended and remainder of property could be used for residential. Looking at 8 foot fence in someone’s back door. I do not know if that will satisfy the screening over years.

MR. LARRY SMITH LEFT THE MEETING FOR THE DAY.

Mr. Whitaker: You might consider a 6 foot screen.

Mr. Missy: You are talking that they might be able to put houses on the other lots. We do not want to be looking at them either.

MOTION (FRENCH) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION ADDING A 6 FOOT MINIMUM FENCE. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED ADDING A 6-FOOT MINIMUM FENCE.

At the Street Name Change portion of the agenda there was some discussion and motion to move this item to the end of the Agenda.

4-A-03-SNC KNOX COUNTY EMERGENCY COMMUNICATION SYSTEM E-911
ChangeUnnamedEasementto‘DearingWay’betweenSamLeeRoadandendofJointPermanentEasement,CommissionDistrict6,NorthwestCountySector.

STAFF RECOMMENDATION: Approve Dearing Way

Mr. Pruitt: He had a problem with the name going all the way to the end of the joint permanent easement. I believe he understands now.

Mr. Whitaker: We can send him a letter explaining.

MOTION (FRENCH) AND SECOND (BAKSA) WERE MADE TO APPROVE DEARING WAY. MOTION CARRIED 13-0. APPROVED.

19. OTHER BUSINESS

OTHER BUSINESS – OLD
None

OTHER BUSINESS - NEW

* 4-A-03-OB Consideration of request to locate an American Legion Post in an I-3 (General Industrial) zone.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-B-03-OB Consideration of FY 2004-2009 City of Knoxville Capital Improvements Program and Budget.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-C-03-OB Consideration of two-year extension for the Deane Hill Concept Plan (renamed the Estates at Wellsley Park) (3-SF-01-C).

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 4-D-03-OB Consideration of the *State of Preservation, 2003*, MPC’s report on preservation to the Mayor as required by the City Charter.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

MOTION (SUSAN BROWN) WAS MADE TO ADJOURN.

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There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 6:48 p.m.

Prepared by: Betty Jo Lamb

Approved by: Vi W. Whitmire, Administrative Services Manager

Approved by: Norman Whitaker, Executive Director

Approved by: Susan Brown, Chair

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