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

* 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 JULY 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 until the August 14, 2003 MPC Meeting:

- **P 7-SC-03-F**  
  LINDA HEMPHILL SUBDIVISION, RESUB LOT 1  
  North end of Vasco Humphrey Wy, northwest of E. Emory Rd., Commission District 8.

- **P 7-SD-03-F**  
  ROY MURPHY  
  East side of Andersonville Pk, north of Cabbage Dr., Commission District 8.

- **P 7-SG-03-F**  
  DELLE MEADE, UNIT 4  

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

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

- **P 7-V8-03**  
  EDGEWOOD LAND & IMPROVEMENT CO. SECOND ADDN, RESUB LOTS 7R & 13  

- **P 7-I-03-UR**  
  WALKER CONSTRUCTION  

- **P 7-M-03-UR**  
  RIVER CLUB PARTNERS, LP  

- **P 7-N-03-UR**  
  DANSON'S PLACE, INC.  

POSTPONEMENTS – REQUIRING MPC ACTION – (Indicated with P)

Items to be postponed until the August 14, 2003 MPC Meeting:

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

P 3-SI-03-C CARTER MILL

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

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

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

P 5-SH-03-F HENSLEY SUBDIVISION, RESUB OF LOT 1
West side of Asbury Rd, southwest of Archie Weigel Ln., Commission District 8.

P 6-SD-03-F ROY H. BROWN PROPERTY, RESUB OF LOT 10

P 6-SR-03-F SHARON D. TARWATER, RESUB OF LOTS 2 & 3
North side of Manis Rd, west of Mountain Laurel Rd., Commission District 8.

P 6-ST-03-F INSKIP TERRACE CONDOMINIUMS
North side of E. Inskip Dr, northeast of Elder Rd., Council District 5.

P 6-C-03-RZ JIM FREDERIKSEN (REVISED)
East side Kincaid St., north of Walker Blvd., Rezoning from R-2 (General Residential) to O-1 (Office, Medical, and Related Services) or O-3 (Office Park). Tax ID 69 L H 24, 25 and 26, Council District 5, East City Sector.

**Items to be postponed 90 days until the October 9, 2003 MPC Meeting:**

P 3-N-02-RZ CITY OF KNOXVILLE, BY MAYOR VICTOR ASHE
90 days to 10/9/03 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.

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE AUGUST 14, 2003 AND OCTOBER 9, 2003 MPC MEETINGS RESPECTIVELY. MOTION CARRIED 12-0. POSTPONEMENTS APPROVED.
Doug Campbell: On behalf of applicant. 5-SA-03-C, 5-D-03-UR Property on Ball Camp Pike Request Postponement. Also need to be removed from the Consent List.

MOTION (MASSEY) AND SECOND (SLACK) WERE MADE TO POSTPONE 5-SA-03-C and 5-B-03-UR UNTIL THE AUGUST 14, 2003 MPC MEETING. MOTION CARRIED 12-0. POSTPONED UNTIL THE AUGUST 14, 2003 MPC MEETING.

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  | 5-SL-03-F | EUGENE BRACKFIELD JR. PROPERTY, RESUB OF TRACT 3 |
| W  | 6-SB-03-F | THOMAS & GERALDINE MCMILLAN SUBDIVISION, RESUB OF LOT 2 |
| W  | 5-A-03-UR | MICHAEL BRADY, INC. |

WITHDRAWALS – REQUIRING MPC ACTION – (Indicated with W)

| W  | 7-A-03-OB | Consideration of amendments to the City of Knoxville FY 2004-2009 Capital Improvements Program and Budget. |

MOTION (MASSEY) AND SECOND (BENEFIELD) WERE MADE TO WITHDRAW 7-A-03-OB. MOTION CARRIED 12–0. 7-A-03-OB WITHDRAWN.

REVIEW OF TABLED ITEMS

TABLED

| 4-K-01-PA | MICHAEL MCCLAMROCH |
| 4-R-01-RZ | MICHAEL MCCLAMROCH |
| 1-SF-03-C | SEVIER MEADOWS |
| 1-H-03-UR | EAGLE BEND REALTY |
Residential) Districts. Tax ID 135 Part of 22.02, Commission District 9, South 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 Blvd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 21 100 & pt 100.01, Commission District 8, Northeast County Sector.

9-SH-02-C  MURDOCK CENTER DEVELOPMENT

9-Q-02-UR  BOOGER BEAR, LP

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

THIS ITEM WAS REMOVED FROM THE TABLE.

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

1-SB-03-F  ELNORA L. GRAY

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

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

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

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

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

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

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

MOTION (TEAGUE) AND SECOND (VITTETOE) WERE MADE TO REMOVE 6-SV-00-F FROM THE TABLE. MOTION CARRIED 12–0. 6-SV-00-F REMOVED FROM THE TABLE.

TABLINGS – (Indicated with T)

4-V-03-RZ  DON BREWER
Mr. Eric Brewer: 1300 Forest Road, 37919
On behalf of the applicant, request this be tabled.

MOTION (MASSEY) AND SECOND (SLACK) WERE MADE TO TABLE 4-V-03-RZ. MOTION CARRIED 12-0. 4-V-03-RZ TABLED.

7. CONSENT ITEMS

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

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

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO HEAR THE CONSENT ITEMS AS READ. MOTION CARRIED 12-0. THE FOLLOWING ITEMS WERE HEARD BY CONSENT.


*5. APPROVAL OF JULY 10, 2003 AGENDA

STREET CLOSURES

* 7-A-03-SC  THE UNIVERSITY OF TENNESSEE OFFICE OF REAL ESTATE ADMINISTRATION
Request closure of UT Drive between Andy Holt Ave. and Volunteer Blvd., CLT Map 108, Between City Block 10680 and 10690, Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve, subject to requested easements
* 7-B-03-SC  FREDA GROSS
Request closure of Hatcher St. between Lilac Ave. and unnamed alley north of Lilac Ave., CLT Map 83, Between City Block 13742 and 13801, Council District 6, East City Sector.

STAFF RECOMMENDATION: Approve, subject to any requested easements

* 7-C-03-SC  JAMES B. BEVINS, SR.
Request closure of one-foot portion of east side of Mitchell St. between north side of Washington Ave. and unnamed alley south, CLT Map 82, City Block 15401, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve, subject to requested easements

STREET NAME CHANGES

* 7-A-03-SNC  KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change Unnamed easement to 'Big Springs Way' between southeast of intersection of Smoky Row Road and J I Alexander Lane and deadend of unnamed easement, Commission District 8, East County Sector.

STAFF RECOMMENDATION: Approve Big Springs Way

* 7-B-03-SNC  KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change East Towne Road (west) to 'Fashions Crossing Road' between South Mall Road and Knoxville Center Drive, Council District 4, North City Sector.

STAFF RECOMMENDATION: Approve Fashions Crossing Road

* 7-C-03-SNC  KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change East Towne Road (East) to 'Shoppers Crossing Road' between South Mall Road and Knoxville Center Drive, Council District 4, North City Sector.

STAFF RECOMMENDATION: Approve Shoppers Crossing Road

PLAN AMENDMENTS/REZONINGS

* 7-C-03-PA  HOROCO, INC.
Northwest side W. Fifth Ave., southwest of N. Central St. Request One Year Plan Amendment from GC (General Commercial) to CBD (Central Business District). Tax ID 94 D M 20, 21, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve CBD (Central Business District)

* 7-D-03-RZ  HOROCO, INC.
Northwest side W. Fifth Ave., southwest of N. Central St. Rezoning from C-3 (General Commercial) to C-2 (Central Business District). Tax ID 94 D M 20, 21, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve C-2 (Central Business District)
* 7-D-03-PA  CITY OF KNOXVILLE
West side Pacific St., north of Atlantic Ave.  Request One Year Plan Amendment from GC (General Commercial) and F (Floodway) to OS (Open Space) and F (Floodway). Tax ID 69 M K 15.01, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve OS (Open Space) and F (Floodway)

* 6-K-03-RZ  CITY OF KNOXVILLE
West side Pacific St., north of Atlantic Ave.  Rezoning from O-1 (Office, Medical, and Related Services) / F-1 (Floodway) to OS-1 (Open Space Preservation) / F-1 (Floodway). Tax ID 69 M K 15.01, Council District 5, Central City Sector.

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

* 7-E-03-PA  KNOXVILLE LAND PARTNERS, LP
East side N. Gallaher View Rd., south of Broome Rd.  Request One Year Plan Amendment from O (Office) to MDR (Medium Density Residential). Tax ID 120 H B part of 27.01, map on file. Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve MDR (Medium Density Residential)

* 7-F-03-RZ  KNOXVILLE LAND PARTNERS, LP

STAFF RECOMMENDATION: Approve RP-1 (Planned Residential) at 1 to 12 dwelling units per acre

* 7-G-03-PA  BRANDY LOY
Southeast side Forest Ave., southwest of Twenty Second St. Request One Year Plan Amendment from LI (Light Industrial) to HDR (High Density Residential). Tax ID 94 N R 5, 6 and 12, Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve HDR (High Density Residential)

* 7-I-03-RZ  BRANDY LOY
Southeast side Forest Ave., southwest of Twenty Second St. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to RP-3 (Planned Residential). Tax ID 94 N R 5, 6 and 12, Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve RP-3 (Planned Residential) at a density of 24 to 45 dwelling units per acre

CONCEPTS/USES ON REVIEW
4-SB-03-C ROEFIELD

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) District. Tax ID 144 78.03 & 109, Commission District 5, Southwest County Sector.

THESE ITEMS WERE REMOVED FROM THE CONSENT LIST.

* 7-SA-03-C MEADOWS OF MILLERTOWN, UNIT 4
South end of Cedargreens Rd., south of Millertown Pike, Commission District 8.

STAFF RECOMMENDATION: Approve variance 1 and the concept plan subject to 9 conditions

* 7-C-03-UR SOUTHLAND GROUP, INC.

STAFF RECOMMENDATION: Approve the plan for up to 43 detached single family dwellings on individual lots subject to 2 conditions

* 7-SB-03-C BRICKYARD HILLS, FUTURE UNITS

STAFF RECOMMENDATION: Approve variance 1 and the concept plan subject to 5 conditions

* 7-D-03-UR LUTTRELL DEVELOPMENT, LLC

STAFF RECOMMENDATION: Approve the plan for up to 61 detached single family dwellings on individual lots subject to 2 conditions

* 7-SE-03-C JOHNSON SUBDIVISION ON PLEASANT RIDGE ROAD

STAFF RECOMMENDATION: Approve variances 1-3 and the concept plan for 9 commercial/industrial lots subject to 6 conditions

FINAL SUBDIVISIONS

* 3-SF-03-F MOSS CREEK VILLAS, UNIT 8
Northeast side of Moss Creek Rd, north of Boones Creek Ln., Council District 3.
STAFF RECOMMENDATION Approve Final Plat

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

STAFF RECOMMENDATION Approve Final Plat

* 7-SA-03-F  JOE LEWIS SUBDIVISION OF H.T. THURMAN PROPERTY, RESUB OF LOT 4 & PART OF LOT 3
South end of Foster Ln, southeast of Maryville Pk., Commission District 9.

STAFF RECOMMENDATION Approve Final Plat

* 7-SB-03-F  FONTECCHIO LAKESIDE VILLAS
East side of Lake Ridge Dr, northeast of Spring St., Commission District 5.

STAFF RECOMMENDATION Approve Final Plat

* 7-SE-03-F  CROWN POINT PLAZA, RESUB OF LOT 3R-1
West side of Callahan Dr, north of Clinton Hwy., Commission District 6.

STAFF RECOMMENDATION Approve Final Plat

* 7-SF-03-F  PETREE FARM, RESUB OF LOTS 3 - 5 AND LOT 1 OF LEE MAYSHARK
South side of S. Northshore Dr, east of Audena Ln., Council District 2.

STAFF RECOMMENDATION Approve Final Plat

* 7-SH-03-F  THE OAKS AT RUDDER LANE
East side of Rudder Ln, west side of Wrights Ferry Rd., Commission District 4.

STAFF RECOMMENDATION Approve Final Plat

* 7-SI-03-F  SUMMER ROSE, UNIT 6
Southwest side of Murphy Rd, southeast of Tazewell Pk., Commission District 6.

STAFF RECOMMENDATION Approve Final Plat

* 7-SJ-03-F  SOLOMON PLACE, UNIT 2

STAFF RECOMMENDATION Approve Final Plat

* 7-SK-03-F  E. DOYLE JOHNSON PROPERTY, RESUBDIVISION
West side of McCloud Rd, west of Harrel Ln., Commission District 7.

STAFF RECOMMENDATION Approve Final Plat

* 7-SL-03-F  MONT RICHER, PHASE 2, UNIT 2
East end of Walkercrest Ln, northeast of Virginia Lee Ln., Commission District 7.
STAFF RECOMMENDATION Approve Final Plat

* 7-SM-03-F  MALLARD BAY, UNIT 4  
   East end of Mallard Bay Dr, south of Boyd Station Rd., Commission District 5.

STAFF RECOMMENDATION Approve Final Plat

* 7-SN-03-F  JUSTICE PROPERTY  
   East side of Foust Hollow Rd, northeast of Daniels Rd., Commission District 8.

STAFF RECOMMENDATION Approve Final Plat

* 7-SO-03-F  BROOKSHIRE, UNIT 4  
   South end of Brookshire Way, southeast of Gleason Dr., Commission District 5.

STAFF RECOMMENDATION Approve Final Plat

* 7-SP-03-F  THE LONG FARM, SOUTH PARCEL, RESUB OF LOT 4  
   Southeast of Yarnell Rd, northwest of Campbell Station Rd., Commission District 6.

STAFF RECOMMENDATION Approve variances 1-3 and Final Plat

* 7-SQ-03-F  HUNTERS CREEK  
   East side of Harvey Rd, south side of Bruce Smith Rd., Commission District 5.

STAFF RECOMMENDATION Approve Final Plat

* 7-SR-03-F  EVELYN I. SPANGLER PROPERTY  
   East side of Springlake Dr, north of E. Governor John Sevier Hwy., Commission District 9.

STAFF RECOMMENDATION Approve Final Plat

ONE LOT SUBDIVISIONS

* 6-V5-03  VILLA GARDENS REVISION, RESUB LOTS 318 AND 319  
   East side of Weston Rd, southeast of Garden Dr., Council District 4.

STAFF RECOMMENDATION Approve variance 1 and Final Plat

* 7-V1-03  HANNAH W., SWAN'S ADDN, RESUB OF LOTS 33 & 34  
   Southwest side of Deaderick Ave, northeast of College St., Council District 6.

STAFF RECOMMENDATION Approve variances 1 and 2 and Final Plat

* 7-V2-03  EARL DUNN  
   West side of Kodak Rd, southwest of Moulden Hollow Rd., Commission District 8.
STAFF RECOMMENDATION Approve variance 1 and Final Plat

* 7-V4-03  W.R. COOPER'S SECOND ADDITION, RESUB LOTS 5 & 6

STAFF RECOMMENDATION Approve variance 1 and Final Plat

* 7-V5-03  J.W. DEARMOND PROPERTY, RESUBDIVISION OF LOTS 2 - 4

STAFF RECOMMENDATION Approve variance 1 and Final Plat

* 7-V7-03  FRETZ & HAYES REVISION OF CHEROKEE GARDENS, REVISION OF LOT 21
South side of Scenic Dr, west side of Choctaw Rd., Council District 2.

STAFF RECOMMENDATION Approve variances 1 and 2 and Final Plat

* 7-V10-03  STATE STREET TEMPORARY PARKING LOT
South side of Commerce Ave, west side S. Central St, north side Union Ave., Council District 6.

STAFF RECOMMENDATION Approve variances 1-7 and Final Plat

* 7-V11-03  F. V. MCMILLIAN ESTATE, ANDERSON'S ADDITION TO NORTH KNOXVILLE, RESUB LOTS 14 - 18
Northwest side of E. Woodland Ave, northeast of N. Central St., Council District 5.

STAFF RECOMMENDATION Approve variance 1 and Final Plat

* 7-V12-03  POWELL PROFESSIONAL PARK
South side of Clinton Hwy, southeast of W. Beaver Creek Dr., Commission District 6.

STAFF RECOMMENDATION Approve variance 1 and Final Plat

REZONINGS

* 7-C-03-RZ  AMETCO, INC.
Southeast side Dutch Valley Dr., southwest of Plummer Rd., Rezoning from I-3 (General Industrial) to C-6 (General Commercial Park). Tax ID 69 J C
Portion of 24, Part zoned I-3 to a depth of 320’ from Dutch Valley Dr. Council District 5, North City Sector.

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

* 7-E-03-RZ  STACY DIXON
STAFF RECOMMENDATION: Approve C-6 (General Commercial Park).

* **7-G-03-RZ**  
S & E PROPERTIES  
North side Early Rd., southwest of Signal Point Rd., Rezoning from PR (Planned Residential) @ 1-2 du/ac to PR (Planned Residential) @ 1-2.02 du/ac. Tax ID 169 25.04, 25.09, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a maximum density of 2.02 units per acre (32 lots) with the same condition as the previous PR zoning of the site.

* **7-B-03-SP**  
CONI HEIDLE  
North side Hardin Valley Rd., east of Reagan Rd. Request Northwest County Sector Plan Amendment from TP (Technology Park) to LI (Light Industrial). Tax ID 104 16, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve LI (Light Industrial).

* **7-J-03-RZ**  
CONI HEIDLE  
North side Hardin Valley Rd., east of Reagan Rd. Rezoning from A (Agricultural) / F (Floodway) to LI (Light Industrial) / F (Floodway). Tax ID 104 16, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve LI (Light Industrial)/F (Floodway).

* **7-K-03-RZ**  
PAUL COCHRAN AND DONALD HOBBY  
South side E. Emory Rd., west of Tazewell Pike, Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 21 22, Commission District 8, Northeast County Sector.

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

**USES ON REVIEW**

* **7-A-03-UR**  
PARKER SHIFLETT & CO.  

STAFF RECOMMENDATION: Approve the plan for an office building containing up to 4576 square feet as shown on the development plan subject to 7 conditions.

* **7-B-03-UR**  
OUTBACK STEAKHOUSE  

STAFF RECOMMENDATION: Deny the proposed 120’ high pylon sign because it is not consistent with the PC and sign design standards and
Approve the 6,200 square foot restaurant containing up to 255 permanent seats as shown on the development plan subject to 7 conditions.

**7-H-03-UR**  KNOX COUNTY

East side of State St., west side of S. Central St., south side of Commerce Ave., and north side of Union Ave. Proposed use: Parking Lot in C-2 (Central Business District) & C-3 (General Commercial) District. Tax ID 95 I A 6-10, 16-22 & part of 11, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve the development plan for a commercial parking lot subject to 3 conditions.

**7-J-03-UR**  BRANDY LOY

South side of Forest Ave., between Twenty Second St. and S. Twenty Third St. Proposed use: Student Housing - 30 dwellings (120 bedrooms) in RP-3 (Planned Residential) and RP-3 (Planned Residential) Pending District. Tax ID 94 N R 1 - 12, Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 30 multi-family dwelling units (120 bedrooms) subject to 8 conditions.

Items added or removed from the consent list:

- 4-SB-03-C  ROEFIELD
- 4-D-03-UR  WIDE HORIZON DEVELOPMENT

Mr. Richard Lemay 10816 Kingston Pike 4-SB-03-C and 4-D-03-UR be removed from the consent list.

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO APPROVE ITEMS AS READ EXCLUDING 4-SB-03-C AND 4-D-03-UR. MOTION CARRIED 12-0. CONSENT ITEMS APPROVED AS READ EXCLUDING 4-SB-03-C AND 4-D-03-UR.

8. ORDINANCE AMENDMENTS

**ORDINANCE AMENDMENTS – OLD**
None

**ORDINANCE AMENDMENTS – NEW**
None

9. STREET CLOSURES

**STREET CLOSURES – OLD**
None

**STREET CLOSURES – NEW**

**7-A-03-SC**  THE UNIVERSITY OF TENNESSEE OFFICE OF REAL ESTATE ADMINISTRATION

Request closure of UT Drive between Andy Holt Ave. and Volunteer Blvd., CLT Map 108, Between City Block 10680 and 10690, Council District 1, Central City Sector.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-B-03-SC FREDGA GROSS
Request closure of Hatcher St. between Lilac Ave. and unnamed alley north of Lilac Ave., CLT Map 83, Between City Block 13742 and 13801, Council District 6, East City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-C-03-SC JAMES B. BEVINS, SR.
Request closure of one-foot portion of east side of Mitchell St. between north side of Washington Ave. and unnamed alley south, CLT Map 82, City Block 15401, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

### 10. ALLEY CLOSURES

#### ALLEY CLOSURES – OLD
None

#### ALLEY CLOSURES – NEW
None

### 11. STREET NAME CHANGES

#### STREET NAME CHANGES – OLD
None

#### STREET NAME CHANGES - NEW

* 7-A-03-SNC KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change Unnamed easement to ' Big Springs Way ' between southeast of intersection of Smoky Row Road and J I Alexander Lane and deadend of unnamed easement, Commission District 8, East County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-B-03-SNC KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change East Towne Road (west) to ' Fashions Crossing Road ' between South Mall Road and Knoxville Center Drive, Council District 4, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-C-03-SNC KNOX COUNTY EMERGENCY COMMUNICATIONS (E-911)
Change East Towne Road (East) to ' Shoppers Crossing Road ' between South Mall Road and Knoxville Center Drive, Council District 4, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

### 12. SUBDIVISION NAME CHANGES
13. PLANS AND PLAN AMENDMENTS/REZONINGS

**PLANS AND PLAN AMENDMENTS/REZONINGS - OLD**
None

**PLANS AND PLAN AMENDMENTS/REZONINGS - NEW**

**7-A-03-PA SHEB PHILLIPS**
South side Pembroke Ave., west of N. Broadway. Request One Year Plan Amendment from LDR (Low Density Residential) to GC (General Commercial). Tax ID 69 I J 11, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve O (Office).

Mr. Doug Grey: 124 North Winston Road
We agree with staff recommendation.

MOTION (GRAF) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. O (OFFICE) APPROVED.

**7-A-03-RZ SHEB PHILLIPS**
South side Pembroke Ave., west of N. Broadway. Rezoning from R-2 (General Residential) to C-3 (General Commercial). Tax ID 69 I J 011, Council District 5, Central City Sector.

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

MOTION (GRAF) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. O-1 (OFFICE, MEDICAL, AND RELATED SERVICES) APPROVED.

**7-B-03-PA CHESTER COCHRAN**
North side Dutch Valley Dr., east of Bruhin Rd. Request One Year Plan Amendment from NC (Neighborhood Commercial) & MDR (Medium Density Residential) to GC (General Commercial) & O (Office). Tax ID 69 J A 11,12,13, Map on file. Council District 5, North City Sector.

STAFF RECOMMENDATION: Approve GC (General Commercial) & O (Office).

Mr. Chip Stanley: Attorney for the application, 914 22nd Street, Knoxville

Ms. Charlotte Davis: 104 Crawford Road, representing Fountain City Town Hall
Ask that you deny this request. What is the driving need for commercial in this area? South side of Dutch Valley is almost totally commercial. An effort
has been made to keep commercial from the north side to protect the residential areas immediately to the north. There are residential properties along Bruhin that would be adjacent to this property. If commercial development begins on the north side, there will be a domino effect as on the south side. If there has to be commercial rezoning, please let it stay at the neighborhood commercial level or at least C-6 which is more neighborhood friendly than C-3.

Mr. Stanley: In contrast with the present zoning along the north side of Dutch Valley, there is an extensive amount of commercial in R-2, which is multi-family. We are asking primarily for an area for office uses. Office use is a higher and better use and offers a buffer between this commercial and the remaining residential areas. The office backs up to Inskip Swimming Pool which is fenced and heavily vegetated along the residential. There is already C-4 adjacent to this. We are asking for rezoning for a high quality office use. My client has built offices further to the west on Dutch Valley Road. Ask that you approve staff recommendation.

Mr. Larry Smith: What is the client going to do with that?

Mr. Stanley: We are talking about offices that would be rented out. There will not be any warehousing or goods stocked for use by the tenants. It will be strictly for offices.

Mr. Smith: The spot next to them is relatively new homes.

Mr. Buz Johnson: It has been our practice to treat office and medium density residential interchangeably because of their impacts. You already have apartments to the east that form a good line. We will be changing a lot of that parcel from MDR to office. We do not see any extension beyond what is being proposed now. It is extending a little bit. We have a good stopping point there by the existing development to the east.

Mr. Smith: Do you anticipate going commercial to the east of the church?

Mr. Ken Pruitt: To the north is a City Park. There are three dwellings on the east side of Bruhin that we anticipate eventually going to office or some type of commercial use if this is approved as staff has recommended. Basically we are finishing a commercial node around the intersection of Bruhin Road, North Central and Dutch Valley in a manner that is already established. They are buffering their own commercial request with office on the east end of the property that will be adjacent to the established medium density residential housing. The plan supports office uses along the north side of Dutch Valley going to the northeast and commercial and industrial is already established on the south side along the interstate.

MOTION (SMITH) AND SECOND (SLACK) WERE MADE TO APPROVE GC (GENERAL COMMERCIAL) AND O (OFFICE) MOTION CARRIED 12-0. GC (GENERAL COMMERCIAL) AND O (OFFICE) APPROVED.

7-B-03-RZ CHESTER COCHRAN
North side Dutch Valley Dr., east of Bruhin Rd. Rezoning from C-1 (Neighborhood Commercial) & R-2 (General Residential) to C-3 (General

STAFF RECOMMENDATION: Approve C-3 (General Commercial) & O-1 (Office, Medical, and Related Services).

MOTION (BENEFIELD) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. C-3 (GENERAL COMMERCIAL) & O-1 (OFFICE, MEDICAL, AND RELATED SERVICES) APPROVED.

* 7-C-03-PA  HOROCO, INC.
Northwest side W. Fifth Ave., southwest of N. Central St. Request One Year Plan Amendment from GC (General Commercial) to CBD (Central Business District). Tax ID 94 D M 20, 21, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-D-03-RZ  HOROCO, INC.
Northwest side W. Fifth Ave., southwest of N. Central St. Rezoning from C-3 (General Commercial) to C-2 (Central Business District). Tax ID 94 D M 20, 21, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-D-03-PA  CITY OF KNOXVILLE
West side Pacific St., north of Atlantic Ave. Request One Year Plan Amendment from GC (General Commercial) and F (Floodway) to OS (Open Space) and F (Floodway). Tax ID 69 M K 15.01, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 6-K-03-RZ  CITY OF KNOXVILLE
West side Pacific St., north of Atlantic Ave. Rezoning from O-1 (Office, Medical, and Related Services) / F-1 (Floodway) to OS-1 (Open Space Preservation) / F-1 (Floodway). Tax ID 69 M K 15.01, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-E-03-PA  KNOXVILLE LAND PARTNERS, LP
East side N. Gallaher View Rd., south of Broome Rd. Request One Year Plan Amendment from O (Office) to MDR (Medium Density Residential). Tax ID 120 H B part of 27.01, map on file. Council District 2, Northwest City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-F-03-RZ  KNOXVILLE LAND PARTNERS, LP
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

7-A-03-SP  U.S. REALTY INVESTMENT CORPORATION
Southeast side Gleason Dr., west side S. Gallaher View Rd. Request Southwest County Sector Plan Amendment from MDR (Medium Density Residential) to C (Commercial). Tax ID 120 P A 12.01, Commission District 5, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Deny C (Commercial)

Ms. Bonnie Curtiss: This is not an appropriate land use for the site due to development constraints such as irregular shape, unsafe access, topography and drainage. Commercial uses are more appropriate along the commercial corridors and nodes of Kingston Pike. Staff’s position is that commercial should not be extended into the established residential neighborhoods and should not extend beyond the existing neighborhood commercial site.

Mr. Jerry Glenn: 1637 Downtown West Boulevard
We were approached about this site some time ago. It has some constraints. We retained Campbell Engineering to study the surface hydrology. We took the individual site and the area drainage basin, which includes some 50 acres. We checked with codes to make sure we had adequate setbacks for ingress and egress. Read from materials WHICH WERE PASSED OUT AT THE MEETING AND BECOME A PART OF THESE MINUTES. It is our desire to build a self-service car wash, which will require much less complicated land use. The biggest hindrance to the development has been the fact that off-site surface water flows through the property during rainstorms. Engineers have a way to combat this problem. Directly across the street is a convenience store service station. Their solution was to build up the site and bypass the drainage. It made the site usable, but did not help anybody down stream. Our site includes a detention system for on-site water as well as a separate detention system for off-site water. At no cost to the public, this company will install approximately 300 linear feet of drains with a meter discharge orifice. This capacity is 150% of the present discharge on the property and will significantly improve downstream flooding. Our site will provide sheet-feed bypass with a wide area discharge for off-site water. There is no other use of this property that will allow it to be utilized to any significant capacity. Habitable buildings, which we are allowed to build, would be subject to flooding, erosions of footings and foundations. With our plan, no one would be using the property when the danger of flooding would be the highest. It is your job to exercise prudent judgement in how you let individuals use their property. You approved the property across the street to build a car wash. As a condition of approval, we will restrict this site to car wash use only. We will submit approved engineering for on-site and off-site water as presented. No permits could be issued until all codes and engineering departments have been satisfied. Ask that you approve this.

Mr. James Lowe: 15 Canberra Drive
SUBMITTED PICTURES WHICH BECOME A PART OF THESE MINUTES
President of Palisades Board of Directors directly adjacent to this. Pictures show present use with the vegetation and grass and trees which slow the water down. We are still having problem with runoff. Second picture is the wing walls which are supposed to handle this problem. Picture No. 3 is of the
existing collapsed pipe and what has washed out around it. On down Palisades you can see how the water has eroded and eaten through the asphalt, which has collapsed. With this nature of this business, you are talking about increasing the runoff. Another factor in our opposition is the traffic count on that intersection. Number 5 is MPC’s 2002 traffic count at that intersection and it clearly shows that the traffic is increasing every year. Number 6 is the average daily traffic count, which shows 18,908 cars at that intersection, with the peak flow at 5:00 p.m. which is 1647 cars per hour.

MR. PHILIP FRENCH ARRIVED AT THE MEETING AT THIS TIME.

Mr. James Winchester: 40 Canberra Drive, Palisades Condominiums
There is a self-service car wash on Gleason about .04 of a mile east of this intersection. Gleason Road is narrow and two-lane with no shoulders. There are more and more housing development being constructed along the one-mile stretch of Gleason from Gallaher View to Ebenezer increasing the traffic.

Ms. Judy Winchester: 40 Canberra Drive, 37923
We are concerned about the extra traffic. I have asked myself what would this corner be good for. I think it should be community property with work to control the water. It would make a nice little pocket park.

Mr. Dick Graf: The applicant has proposed a use that is as low an impact for generating traffic as he can have. If they are going to retain water on the property coming from offsite, they are probably going to improve the intersection rather than hurt it.

Ms. Curtiss: There are development constraints. The extension into the existing established residential neighborhood with commercial and position based on policy, we feel it should not extend further than the neighborhood commercial site.

Ms. Susan Brown: Asked the applicant if he purchased this separately? Did you own the former property and this is a remnant?

Mr. Glenn: They purchased it as it was. Their anticipation was to build apartments and/or an office building. Since we made our study, we did not recommend that. We are looking for something that did not involve habitably square footage where persons would actually be living there. We feel like we had to deal with off-site water anyway that was not our water, and we thought what a gesture to the community and neighbors downstream than for us to build a community detention pond. I do not think any other developer in Knoxville has done that. We will alleviate most of the drainage problems just to show our good will to the neighbors. We are not required to retain the off-site water, but we are going to do it anyway.

Ms. Brown: While I think it is a difficult piece of property to develop with some constraints, the buyer was probably aware of that when they purchased it. It appears that staff believes this would be an encroachment into the residential area.

MOTION (MASSEY) AND SECOND (TEAGUE) WERE MADE TO APPROVE STAFF RECOMMENDATION.
Upon roll call vote the Planning Commission voted as follows:

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

MOTION CARRIED 9-4.  C (COMMERCIAL) DENIED.

7-F-03-PA  U.S. REALTY INVESTMENT CORPORATION
Southeast side Gleason Dr., west side S. Gallaher View Rd.  Request One Year Plan Amendment from MDR (Medium Density Residential) to GC (General Commercial). Tax ID 120 P A 12.01, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Deny GC (General Commercial).

Mr. Jerry Glen: We still contend we have the highest and best use. We believe given time we will show the citizens that we are improving their community at our expense. We believe you would even support us. We are not trying to deceive anybody. Ask that you use prudent judgement and grant us our request.

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0.  GC (GENERAL COMMERCIAL) DENIED.

7-H-03-RZ  U.S. REALTY INVESTMENT CORPORATION
Southeast side Gleason Dr., west side S. Gallaher View Rd.  Rezoning from RP-1 (Planned Residential) and RB (General Residential) to C-3 (General Commercial) and CA (General Business). Tax ID 120 P A 12.01, Council District 2 & Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Deny C-3 (General Commercial) and Deny CA (General Business).

MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0.  C-3 (GENERAL COMMERCIAL) AND CA (GENERAL BUSINESS) DENIED.

*  7-G-03-PA  BRANDY LOY
Southeast side Forest Ave., southwest of Twenty Second St. Request One Year Plan Amendment from LI (Light Industrial) to HDR (High Density Residential). Tax ID 94 N R 5, 6 and 12, Council District 1, Central City Sector.
MPC Minutes July 10, 2003

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-I-03-RZ  BRANDY LOY
Southeast side Forest Ave., southwest of Twenty Second St. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to RP-3 (Planned Residential). Tax ID 94 N R 5, 6 and 12, Council District 1, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

7-H-03-PA  GEORGE KRIEPS
North side Kingston Pike, north of Towanda Trl. Request One Year Plan Amendment from LDR (Low Density Residential) to O (Office). Tax ID 107 L A 017, Council District 2, West City Sector.

STAFF RECOMMENDATION: Deny O (Office).

Mr. Ken Pruitt: This property has been in residential use and has had a home occupation approved as part of its history. Applicant is now seeking office and O-1 zoning. In looking at surrounding land uses, it is the opinion of staff that the continued use of the property fronting along this section of Kingston Pike is the highest and best use and has been historically supported by the community over the years.

Mr. George Krieps: PASSED OUT PHOTOGRAPHS WHICH BECOME A PART OF THESE MINUTES.
What staff described as a single-family dwelling is not real. This is a commercial area near Western Plaza. There are 6 lanes and power lines. House is 2500 square feet. We are talking about office with professionals. You cannot turn into the street now. It is not attractive to single family homes. Montessori School is a business with employees, payroll and people in and out all day. The City changed this part by increasing the size of the road. Time has changed it. Its best and highest use is O-1. In the back on the north they have only sold 3 to 4 lots in three years. There are 32 lots there. They also back up to Green Hills Grill. They have trains to the north and student housing. Next door there is a slum. It has 2 used garages and they rent it to college kids. If codes went in there, they would close it down. Front yard has two power poles. Only Sequoyah Hills Association can pull this off.

Mr. Jim Bletner: 3819 Glenfield Drive, Representing Sequoyah Hills/Kingston Pike Neighborhood Association
Many houses are listed on the Historic Register. It is a scenic highway designated by the State of Tennessee because its residential character has been there several hundred years. The Taylor House and Dulan Gallery are both back in residential use. That applauds the efforts we have had. There will be a buyer for this property. Mr. Krieps bought it under this current designation. Maybe he needs to lower his price to sell it. We have a lot of concern in this area. When we were before this body before, Mr. Kelly pointed out this is a tough place to get in and out of and, in order for that property to be successful, they would need to have an exit onto Kingston Pike for that development to take the traffic away. They have recently got it and sales may increase. Everybody I talk to say they do not want it because of the traffic. SUBMITTED A COPY OF AN ARTICLE, WHICH BECOMES A
PART OF THESE MINUTES. This is an ad last winter. They advertised it as
an Art School. That has been almost 6 months. I do not know if the Art
School is operating. That is an issue for Codes. If this changes to O-1 it
would be permitted to put a private school in there which would greatly
increase the traffic flow. It could be a lawyer’s office. Those are issues to be
addressed by home occupations. To open it up and change the zoning, we
do not think that is appropriate. Ask you deny request.

Mr. Allen Weigel: Lacey and Mosely, Attorney on behalf of Ray and Wanda Lacey, Steve
Mosely and Brown and Mosely LLC, in opposition
Seems to be misinformation. I have a lot in there and others have lots. There
are 3 houses going to start in there within the next few weeks. There have
been a number of lots sold. The Sequoyah Gardens development is just to
the east from where they propose to make this change from residential to
commercial. I understand Mr. Kreips’ position when he says that this is a
commercial area already. If you go west that is commercial, but if you go
east, that is truly an attractive residential corridor. Rezoning does allow for
more commercial development along this longest corridor. Mr. Lacey and his
wife live in the McDonald House to the east of the proposed rezoning. The
Barber McMurray Architects developed that house. Mr. Lacey developed the
Sequoyah Gardens, which is behind this millennium show house. This
development is going to be a garden community with French and European
homes that are consistent with this beautiful residential corridor. I represent
probably millions of dollars in investment in improving this corridor. With
regard to the community as a whole, Knoxville is looking at doing
revitalization. Part of overall revitalization has to have some attractive
residential community next to the downtown area to help redevelop an area.

Mr. Kreips: As far as the school, that was a temporary thing and it is not there. I would
like to put a proviso on the zoning that the structure stays the way it is and
cannot be torn down or altered. I am sympathetic to Sequoyah Hills
Association, Sequoyah Gardens and do not intend to affect their ability to sell
property. Construction changed the whole nature of that property. You can
see by power lines and the bus stop in front of the property the best use for it.

Mr. Larry Smith; Is this an historic area where he is talking about?

Mr. Pruitt: There is not any historic in the area.

MOTION (GRAF) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF
RECOMMENDATION. MOTION CARRIED 12-1. O (OFFICE) DENIED.

SUBDIVISIONS
14. CONCEPTS/USES ON REVIEW

CONCEPTS/USES ON REVIEW - OLD

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 3-SI-03-C CARTER MILL

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

4-SB-03-C ROEFIELD

STAFF RECOMMENDATION: Approve variances 1-3 and the concept plan subject to 12 conditions

Mr. Bill McSpadden: 1601 Third Creek Road
We have had the opportunity to meet with Wayne Kline of the Homeowners Association. SUBMITTED E-MAIL AND CORRESPONDENCE HE HAD REGARDING THE STUDY WHICH BECOMES A PART OF THESE MINUTES. I think we have come to an agreement on several things. There are two items I would like to address. One was the 5-foot sidewalk requirement throughout the neighborhood. We have discussed this with a representative of Roefield. I think they are in agreement. We would like to propose a 4-feet sidewalk on both sides instead of 5 feet on one side. That would permit better access for the community pool in the back. Another provision that staff has asked is that we put another crossing road between the two main thoroughfares. This is a landlocked subdivision. There is only one entrance and exist through Roefield Unit 1 and Roefield Village. We bought property on Bluegrass Road to at one point access Bluegrass and we agreed to make it a one way in and make improvements to Westland Drive. We have agreed to traffic calming devices, which will slow the traffic down a bit. Mr. LeMay, our engineer, indicated that by constructing the crossover that would create additional drainage issues that might impact downstream. Plus the gradient is about 10% and creates high side road lots and low side road lots. Ask that those two conditions change. Do not make us put the road cutting through. Condition number 5 refers to the crossover and we want to delete that.

Mr. Dan Kelly: We have made the recommendation for the additional crossover for two reasons. One reason is the two roads are approximately ½ mile in length.
The one on the right side is 2300 feet and the one on the left is longer. We are given the opportunity to improve circulation in the subdivision where you would not have to go all the way around if going to someone else’s house on the other side. Secondly as far as a safety factor it would increase alternatives for emergency vehicle access within the development. With regard to the 10% grade, this whole side has a number with a 9-11% grade. This would be similar to the other roads in there. With regard to the drainage issue, I do not know if I can address if creating this crossover would create a problem. I have not looked at that that carefully.

MOTION (BENEFIELD) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH THE CHANGE IN CONDITION NO. 3 TO SIDEWALKS ON BOTH SIDES ONLY 4 FEET WIDE

Mr. Dan Kelly: Reason we ask for 5 feet sidewalks is that is an ADA requirement.

Ms. Cindy Pionke: If you install sidewalks, they have to be 5 feet because of ADA requirements.

Mr. McSpadden: We would prefer to do just one side, if it is a 5 foot width. Sloping lots and gradients make it difficult to have that much sidewalk. I think that would be a problem for both sides. I recommend we go with staff recommendation under those circumstances.

BENEFIELD MODIFIED HIS MOTION AND SECOND (VITTETOE) TO APPROVE STAFF RECOMMENDATION WITH NO CHANGES.

Mr. Philip French: Sometimes we get strangled by regulations. Where is the crossover coming in?

Mr. Kelly: At approximately the midway point.

MOTION CARRIED 13-0. CONCEPT PLAN APPROVED.

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) District. Tax ID 144 78.03 & 109, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 148 detached single family dwellings on individual lots subject to 2 conditions

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

5-SA-03-C RUFUS H. SMITH JR. & COMPANY ON BALL CAMP PIKE
North side of Ball Camp Pike, southwest of Amherst Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

5-B-03-UR RUFUS H. SMITH JR. & COMPANY
North side of Ball Camp Pike, southwest of Amherst Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) Pending District. Tax ID 91 190, Commission District 6, Northwest County Sector.
THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

CONCEPTS/USES ON REVIEW - NEW

* 7-SA-03-C  MEADOWS OF MILLERTOWN, UNIT 4
South end of Cedargreens Rd., south of Millertown Pike, Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-C-03-UR  SOUTHLAND GROUP, INC.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SB-03-C  BRICKYARD HILLS, FUTURE UNITS

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-D-03-UR  LUTTRELL DEVELOPMENT, LLC

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

7-SC-03-C  MOSS CREEK VILLAS, UNIT 9

STAFF RECOMMENDATION: Approve variance 1 and the concept plan subject to 10 conditions.

Mr. David Harbin: Batson, Himes, Norvell and Poe, 4334 Papermill Drive
We agree with staff recommendation.

Charles: Cosigner for daughter Cary Goodnee who lives at 6031 Ridgegarden Road
My biggest concern is the amount of development as far as runoff. Behind my daughter’s house they propose to put in a drainage ditch. If the Planning Commission okays this, I would like to see them put up a six foot fence so children cannot play in the ditch. Afraid of water sitting there and have problem with rats like they did in Oak Ridge.

Ms. Marisa Asp: 59681 Park Lane, Pleasant Ridge Estates.
My home backs up to the property. Have pictures of flooding to submit. WHICH BECOME A PART OF THESE MINUTES.
I own the water retention pond for Pleasant Ridge. As you can see from the pictures that is about all the water we can hold. Concerned construction
would be 25 feet from my property line. I am at very lowest point in there and concerned about runoff. Secondly concerned about 50-feet tall trees and would like to preserve them. Concerned about how they are going to knock down dead trees and concerned about damages to property. Seems to be a native wetland with a lot of wildlife and would like to preserve some of that.

Mr. Harbin: This is a concept plan we are getting reapproved. The original plan expired. This plan has been in existence for a good ten years now. As for the drainage, we will do the detention basin as required by City Engineering. The rate will not be increased. As per the RP zone, we are allowed to go within 25 feet of the property line. However there is a stipulation in the plan that if we can’t leave the natural vegetation next to these units, we will put a landscape buffer back up. Believe neighbors are protected that they will not be right on top of our units. Unfortunately we will have to tear down trees to build subdivisions. I do not like that any more than anyone else. We will try to minimize that as much as possible. A lot of vegetation will have to go. Urge you to approve staff recommendation.

Mr. Buz Johnson: This is the concept plan stage. It is actually the first level of intense review that takes place with these kinds of developments. Final means of addressing the drainage will come in the next step where actual detail is looked at. Design plans are approved part of the approval process for final plats. If the required reviews and requirements are not satisfied then the design plan will not move forward. There are still final steps that get more detailed and that is basically where they are addressed.

MOTION (SMITH) AND SECOND (GRAF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. CONCEPT PLAN APPROVED.

7-E-03-UR MOSS CREEK VILLAS, LLC

STAFF RECOMMENDATION: Approve the plan for up to 41 attached and 8 detached single family dwellings on individual lots, with the total dwellings for the development being increased to 215 (7 unit increase), subject to 3 conditions.

MOTION (SMITH) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED.

7-SD-03-C RUFUS SMITH’S COMMERCIAL TRACT - STRAWBERRY PLAINS PIKE

STAFF RECOMMENDATION: Approve variances 1-7, Deny variance 8, and Approve the concept plan subject to 9 conditions.

Mr. Arthur Seymour, Jr. Attorney on behalf of applicant.
We have discussed with staff and County Engineering a slight change in variance 8, which I think makes it agreeable now, and the reduction in one condition.

Mr. Tom Brechko: There are three changes to the staff report we would like to amend. The first is on variance 8 that the variance be granted from 70 feet to 60 feet. Condition No. 3 deals with access to Strawberry Plains Pike. At the end of that condition add "except for Lot 1, which may be considered for access to Strawberry Plains Pike at the design plan phase of the subdivision". The last change is under condition 5. "Detailed plans for the design responsibility of costs associated with the road improvements to Strawberry Plains Pike and to relocate Huckleberry Springs Road and access to lot one shall be worked out between the Knoxville Department of Engineering, Knox County Department of Engineering and Public Works, MPC staff and the developer during the design plan of the subdivision.

MOTION (SMITH) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION AS MODIFIED. MOTION CARRIED 13-0. CONCEPT PLAN APPROVED AS MODIFIED.

7-F-03-UR SOUTHLAND GROUP, INC.

STAFF RECOMMENDATION: Approve the plan for up to 11 commercial lots, subject to 3 conditions.

MOTION (SMITH) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED.

* 7-SE-03-C JOHNSON SUBDIVISION ON PLEASANT RIDGE ROAD

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

7-SG-03-C DUNCAN WOODS

STAFF RECOMMENDATION: Approve variances 1-6 and the concept plan subject to 9 conditions.

MOTION (MASSEY) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. CONCEPT PLAN APPROVED.

7-G-03-UR S & E PROPERTIES
STAFF RECOMMENDATION: Approve the development plan for up to 37 detached single family dwellings on individual lots subject to 3 conditions.

MOTION (SLACK) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED.

7-SH-03-C FOX ROAD SUBDIVISION
West side of Fox Rd., north of Tan Rara Dr., Council District 2.

STAFF RECOMMENDATION: Approve variances 1-5 and the concept plan subject to 11 conditions.

Mr. John Schoonmaker: 144 Tan Rara Drive  Tan Rara Homeowners Association
This property is one of three parcels full of trees. The trees have been there since Knox County first started. The community of Tan Rara, as well as Lovell Hills, was concerned because of the topography that the developer would do a complete deforestation of 76 acres to make it a buildable site. Scott Smith assured us that his intent is to only remove the trees for the roads. That is the reason for the higher grading variances they are asking for. If they plan to leave most of the trees to make it a sellable lot, then we are happy. Plus that would reduce a lot of the drainage issues when you totally clear cut the property. Thanked Mr. Kelly for his help and efforts.

MOTION (MASSEY) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. CONCEPT PLAN APPROVED.

7-K-03-UR S & E PROPERTIES
West side of Fox Rd., north of Tan Rara Dr. Proposed use: Detached single family subdivision in RP-1 (Planned Residential) pending District. Tax ID 143 107, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 136 detached single family dwellings on individual lots subject to 3 conditions.

MOTION (MASSEY) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED.

7-SI-03-C GRAYHAWK LANDING

STAFF RECOMMENDATION: Postpone until the August 14, 2003 MPC meeting.

Mr. Dan Kelly:
Staff is recommending postponement because we are involved in an effort to try to get the intersection of Beaver Ridge Road and Oak Ridge Highway improved. It comes at an odd angle, which creates a dangerous situation. There has been previous discussion with Ingles, which owns the CA property just to the east of this site and indicated a willingness to participate in the realignment of this intersection. State of Tennessee also has to be willing to participate as well as Knox County. Would like to have time to sit down and talk with the participants in this proposed improvement to see if we are going to be able to get this intersection approved. The applicant has offered some
right-of-way. We do not know what the plan is going to be for the intersection. Therefore we ask for 30 days to try to come to some conclusion. Also have letter from the County Commissioner that represents the Sixth District. The rezoning is pending before County Commission. He has said he would like to see the intersection improvements be done before the residential development occurs. Staff is trying to work toward resolution.

Mr. John King: Postponement would put him past time to get what he needs to get done this fall. The proposal includes a buffer border around the part that is commercial zoning to the southeast corner. We have a planting to go around two borders. If we get postponed, we will get into time of year we cannot do that. Survival of plantings of this nature is not as good in the spring as if we get them in in the fall. I spent a lot of time in talking with various people involved with this intersection question. I have the express interest on the part of everybody concerned except the State, and the State’s problem is a traffic light. My client has expressed willingness to give to the County a sufficient amount of frontage across his property as right-of-way to straighten out Beaver Ridge as it goes across the front of his property to tie it into the Ingles property. Then to go southward to square up that intersection. Just about 30 minutes ago I spoke with Ingles representative and he has expressed to me interest in pursuing the object of squaring up that intersection. His only point is to say, yes we have an interest, but I need to know the whole story. Talked to Bruce Wuethrich and he has expressed willingness from his standpoint in either acquiring or obtaining necessary property on the other side of Oak Ridge Highway to make it square up to a T intersection. I talked to both County Commissioners from the district and they said what I am trying to do is what they want to see done. They are most interested in a favorable situation. We cannot speak for the State, but Wuethrich has expressed willingness to participate. I have pushed this road, but do not have anything in writing. We would like to go forward. We are late in the month getting approved on the rezoning.

Ms. Susan Brown: An alternative staff recommendation has been prepared if the Planning Commission decides to go forward. Does this revised recommendation cover the issues and concerns of the two Commissioners as it relates to the road realignment and intersection?

Mr. Kelly: It covers the condition regarding road realignment. There is some discussion in their letter regarding the advancement of the residential development being done prior to the road realignment. We would potentially be able to get the right-of-way as part of the recommendation.

Mr. Philip French: If staff can recommend approval and they can get agreement with the applicant, I would like to see it go forward. Timing means a lot this time of year.

Mr. Kelly: Our recommendation is to postpone the item. We are trying to resolve an issue that has been identified. Someone has even gone as far as to draw up a little preliminary plan as to how it could potentially be done. My understanding is that plan in the package was actually generated by one of the engineers at TDOT. We feel that two to three weeks would be a period to work out the road. As Mr. King said, the zoning is up at County Commission and if the Commissioners feel that strongly about it, they could hold the
rezoning which would in effect hold the actions you are making today. We are a planning body and we are trying to do a little planning here as far as the intersection.

MOTION (FRENCH) AND SECOND (SMITH) WERE MADE TO APPROVE CONCEPT PLAN SUBJECT TO 11 CONDITIONS. MOTION CARRIED 13-0. CONCEPT PLAN APPROVED.

7-L-03-UR   LANDVIEW

STAFF RECOMMENDATION: Postpone until the August 14, 2003 MPC meeting.

MOTION (FRENCH) AND SECOND (SMITH) WERE MADE TO APPROVE DEVELOPMENT PLAN SUBJECT TO 3 CONDITIONS. MOTION CARRIED 13-0. DEVELOPMENT PLAN APPROVED.

7-SJ-03-C   WITHDRAWN PRIOR TO PUBLICATION

A BREAK WAS TAKEN FROM 3:14 P.M. TO 3:34 P.M.

15. FINAL SUBDIVISIONS

FINAL SUBDIVISIONS - OLD

* 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 APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 5-SH-03-F   HENSLEY SUBDIVISION, RESUB OF LOT 1
West side of Asbury Rd, southwest of Archie Weigel Ln., Commission District 8.
THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**W 5-SL-03-F**
EUGENE BRACKFIELD JR. PROPERTY, RESUB OF TRACT 3
South side of Asheville Hwy, west of Patty Rd., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

**W 6-SB-03-F**
THOMAS & GERALDINE MCMILLAN SUBDIVISION, RESUB OF LOT 2
West side of Sleepy Hollow Wy, north of Babelay Rd., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

**P 6-SD-03-F**
ROY H. BROWN PROPERTY, RESUB OF LOT 10

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**6-SE-03-F**
TAYLOR ADAM KERLEY

STAFF RECOMMENDATION: Deny variance 1 and Deny final plat.

Mr. Jack Piper: Attorney on behalf of the applicant, 603 West Main Street
We gave you a packet of information. Seeking a variance so that he can have a sixth home on a joint permanent easement without bringing the specifications of the roadway up to the standards of a subdivision for six or more lots. Photographs you have show the characteristics of the joint permanent easement quality for variances. The map attached to the application shows the property that Mr. Kerley is buying is at the terminus of a current joint permanent easement. His property is just to the west of the Knoxville Municipal Golf Course. This would increase use of the easement by just one home. The easement is currently 11 foot in width. You mentioned safety concerns and I do not believe this is the case. There are very adequate site distances from all points on the joint permanent easements. It is very well maintained. There is considerable shoulder. It is moved and kept neat. There is no difficulty with cars passing. It is also a 50-foot wide right-of-way that has been granted. There is no opposition. Because we have had to do a joint permanent easement and maintenance agreement, all of those who have use of this joint permanent easement have signed off and are in support of this. We ask that the commission grant this variance. MPC has recommended against it because it does not meet their standards and they recommend against it as a matter of course. I do not think this is a case where there are safety concerns and the level of traffic on the road. Mr. Adam Kerley is in fact living in his Dad’s home right now. It is not going to increase the level of traffic on the road. Exercising your sound judgement, we believe you will grant the variance. If we did not have the ability to ask for this variance, then you would not need to make a judgement and there would be no point in us being here. If it were supposed to be across the board every time if you have six lots then you do not have the right to have six lots with this type of service, then there would no reason to have this process. The property that is to be purchased by Mr. Kerley, assuming that this variance is
granted, is at the very rear of this joint permanent easement. Toward the rear is a large ridge and this property is on the base of the ridge. There could not be any more requests to add to this easement.

Ms. Susan Brown: Do other family members live along the road?

Mr. Piper: Yes, Mr. Kerley lives there and he has a daughter and son that live there on four Kerley home sites. Then there are a couple of other properties that use the easement.

Mr. Trey Benefield: Asked if there were any opposition to the file and no one answered. I agree that this will be a minimal impact on the community. Often times when there are standard rules, we look at what happens if the property transfers. Even if the property transfers, it is still zoned to be residential so it continues to be a minimal impact.

MOTION (BENEFIELD) AND SECOND (SMITH) WERE MADE TO APPROVE VARIANCE. 1 MOTION CARRIED 13-0. VARIANCE 1 APPROVED.

MOTION (VITETTOE) AND SECOND (SMITH) WERE MADE TO APPROVE FINAL PLAT. MOTION CARRIED 13-0. FINAL PLAT APPROVED.

6-SH-03-F GENEVA GRAVES
South side of E. Emory Rd, east side of Boruff Rd., Commission District 8.

STAFF RECOMMENDATION: Deny final plat.

Ms. Bonnie Curtiss: This denial is based on an incomplete plat. We did receive a revised plat, but still missing the related approval from the Health Department and the Law Department for a new joint permanent easement that is being proposed.

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

P 6-SR-03-F SHARON D. TARWATER, RESUB OF LOTS 2 & 3
North side of Manis Rd, west of Mountain Laurel Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-ST-03-F INSKIP TERRACE CONDOMINIUMS
North side of E. Inskip Dr, northeast of Elder Rd., Council District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

FINAL SUBDIVISIONS - NEW

* 7-SA-03-F JOE LEWIS SUBDIVISION OF H.T. THURMAN PROPERTY, RESUB OF LOT 4 & PART OF LOT 3
South end of Foster Ln, southeast of Maryville Pk., Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SB-03-F FONTECCHIO LAKESIDE VILLAS
East side of Lake Ridge Dr, northeast of Spring St., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P  7-SC-03-F  LINDA HEMPHILL SUBDIVISION, RESUB LOT 1
North end of Vasco Humphrey Wy, northwest of E. Emory Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P  7-SD-03-F  ROY MURPHY
East side of Andersonville Pk, north of Cabbage Dr., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*  7-SE-03-F  CROWN POINT PLAZA, RESUB OF LOT 3R-1
West side of Callahan Dr, north of Clinton Hwy., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*  7-SF-03-F  PETREE FARM, RESUB OF LOTS 3 - 5 AND LOT 1 OF LEE MAYSHARK
South side of S. Northshore Dr, east of Audena Ln., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P  7-SG-03-F  DELLE MEADE, UNIT 4

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

*  7-SH-03-F  THE OAKS AT RUDDER LANE
East side of Rudder Ln, west side of Wrights Ferry Rd., Commission District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*  7-SI-03-F  SUMMER ROSE, UNIT 6
Southwest side of Murphy Rd, southeast of Tazewell Pk., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*  7-SJ-03-F  SOLOMON PLACE, UNIT 2

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

*  7-SK-03-F  E. DOYLE JOHNSON PROPERTY, RESUBDIVISION
West side of McCloud Rd, west of Harrel Ln., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.
* 7-SL-03-F  MONT RICHER, PHASE 2, UNIT 2  
East end of Walkercrest Ln, northeast of Virginia Lee Ln., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SM-03-F  MALLARD BAY, UNIT 4  
East end of Mallard Bay Dr, south of Boyd Station Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SN-03-F  JUSTICE PROPERTY  
East side of Foust Hollow Rd, northeast of Daniels Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SO-03-F  BROOKSHIRE, UNIT 4  
South end of Brookshire Way, southeast of Gleason Dr., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SP-03-F  THE LONG FARM, SOUTH PARCEL, RESUB OF LOT 4  
Southeast of Yarnell Rd, northwest of Campbell Station Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SQ-03-F  HUNTERS CREEK  
East side of Harvey Rd, south side of Bruce Smith Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-SR-03-F  EVELYN I. SPANGLER PROPERTY  
East side of Springlake Dr, north of E. Governor John Sevier Hwy., Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

16. ONE LOT SUBDIVISIONS

   ONE LOT SUBDIVISIONS - OLD

* 6-V5-03  VILLA GARDENS REVISION, RESUB LOTS 318 AND 319  
East side of Weston Rd, southeast of Garden Dr., Council District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

   ONE LOT SUBDIVISIONS - NEW

* 7-V1-03  HANNAH W. SWAN'S ADDN, RESUB OF LOTS 33 & 34
Southwest side of Deaderick Ave, northeast of College St., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-V2-03  EARL DUNN
West side of Kodak Rd, southwest of Moulden Hollow Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 7-V4-03  W.R. COOPER'S SECOND ADDITION, RESUB LOTS 5 & 6

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-V5-03  J.W. DEARMOND PROPERTY, RESUBDIVISION OF LOTS 2 - 4

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 7-V7-03  FRETZ & HAYES REVISION OF CHEROKEE GARDENS, REVISION OF LOT 21
South side of Scenic Dr, west side of Choctaw Rd., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 7-V8-03  EDGEWOOD LAND & IMPROVEMENT CO. SECOND ADDN, RESUB LOTS 7R & 13

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

7-V9-03  BILL AND CAROLYN ROBERTS
West side of Wood Rd, south of Walter Rd., Commission District 8.

STAFF RECOMMENDATION: Approve variance 1 and Deny final plat.

Ms. Bonnie Curtiss: Since the deadline they have submitted a plat that conforms with the minimum subdivision regulations and any other requirements identified.

Mr. Bill Roberts: 7517 Wood Road
It is my understanding that someone dropped the ball on the paperwork. All of that has been satisfied now and ask approval.

**MOTION (FRENCH) AND SECOND (SMITH) WERE MADE TO WAIVE ARTICLE 6, SECTION 1, OF MPC’S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS. MOTION CARRIED 13-0. ARTICLE 6, SECTION 1, OF MPC’S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS WAIVED.**

**MOTION (FRENCH) AND SECOND (SMITH) WERE MADE TO APPROVE VARIANCE 1 AND FINAL PLAT. MOTION CARRIED 13-0. VARIANCE 1 APPROVED AND FINAL PLAT APPROVED.**

* 7-V10-03  STATE STREET TEMPORARY PARKING LOT  
South side of Commerce Ave, west side S. Central St, north side Union Ave., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-V11-03  F. V. MCMILLIAN ESTATE, ANDERSON'S ADDITION TO NORTH KNOXVILLE, RESUB LOTS 14 - 18  
Northwest side of E. Woodland Ave, northeast of N. Central St., Council District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-V12-03  POWELL PROFESSIONAL PARK  
South side of Clinton Hwy, southeast of W. Beaver Creek Dr., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

CHAIRMAN BROWN CONGRATULATED BONNIE CURTISS ON HER LEAVING TO A NEW POSITION.

**17. REZONINGS**

**REZONINGS - OLD**

**P  3-N-02-RZ**  CITY OF KNOXVILLE, BY MAYOR VICTOR ASHE  
90 days to 10/9/03 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.

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

5-C-03-SP  PAUL G. HIBBEN, JR. (REVISED)
Southeast side Maynardville Pike, northeast of Old Maynardville Pike
Request North County Sector Plan Amendment from LDR (Low Density Residential) and STP (Stream Protection) to C (Commercial) and STP (Stream Protection). Tax ID 29 20, 21, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve C (Commercial) and STP (Stream Protection).

Mr. Robert Campbell: We are fine with what staff recommended. PC will be suitable zoning. Bonnie we are sorry to see you go.

Mr. Larry Smith: We have worked long and hard on this with you and Mr. Hibben. I am glad to see that we have this worked out.

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. C (COMMERCIAL) AND STP (STREAM PROTECTION) APPROVED.

5-B-03-RZ  PAUL G. HIBBEN, JR. (REVISED)
Southeast side Maynardville Pike, northeast of Old Maynardville Pike
Rezoning from A (Agricultural) and F (Floodway) to CB (Business and Manufacturing) and F (Floodway). Tax ID 29 20, 21, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve PC (Planned Commercial) and F (Floodway).

MOTION (SMITH) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. PC (PLANNED COMMERCIAL) AND F (FLOODWAY) APPROVED.

6-A-03-RZ  HORN OF PLENTY - MIKE TRAGESSER
South side Middlebrook Pike, east of Old Cedar Bluff Rd., Rezoning from RA (Low Density Residential) to CA (General Business). Tax ID 105 O G 013, Commission District 5, Northwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business).

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

6-C-03-RZ  JIM FREDERIKSEN (REVISED)
East side Kincaid St., north of Walker Blvd., Rezoning from R-2 (General Residential) to O-1 (Office, Medical, and Related Services) or O-3 (Office Park). Tax ID 69 L H 24, 25 and 26, Council District 5, East City Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

6-D-03-RZ  WALKER CONSTRUCTION
North and south sides McMillan Station Rd., southeast of Rutledge Pike,  
Rezoning from RB (General Residential) to I (Industrial). Tax ID 51 107.12  
(part zoned RB), Commission District 8, Northeast County Sector.  

STAFF RECOMMENDATION: Approve I (Industrial). 

MR. LARRY SMITH RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM. 

Mr. Arthur Seymour, Jr.: On behalf of applicant, Franz McConnell and Seymour  
My client is a construction demolition service. This request will be followed by  
a use on review for an expansion of this landfill. This is basically the old City  
landfill property, which has never been closed by the State of Tennessee. My  
client entered into an agreement with the City that provides that we will  
remediate the old City landfill so that it can be approved for closure by TDEC  
and in turn use that area to place a construction and demolition landfill over it.  
Mr. Beverly our engineer is here. There are residents from Ellistown Road  
who have been in discussion with our clients. PASSED OUT A MAP WHICH  
BECOMES A PART OF THESE MINUTES. Closest residences are on  
Ellistown Road to the east. The existing landfill is presently permitted and  
under use. Limits of old landfill are shown. Area we are seeking RB to  
Industrial rezoning on is a portion of that area. We propose to place a  
greenway easement as a non-disturbance area. Mr. Walker is in agreement  
with doing that. They would be the beneficiaries of the greenway easement.  
I initially discussed changing to Open Space from Agricultural. Mr. Kelly said  
Agricultural has all the protection you need. We are asking for a rezoning  
which would give us the right to come back next month and ask for an  
expansion of the permitted area for the construction demolition landfill.  
Hopefully what has come out of several meetings with residents on Ellistown  
Road will result in agreement on the conservation easement by next month.  
Part of agreement the landfill services has is that that mobile home park will  
be removed from the property. There is a hazard because there is some  
methane gas leaking that is part of our remediation with the City. This was  
originally permitted I believe in 1995. 

Mr. James Frompton: 1317 Ellistown Road. Representing people on Ellistown Road adjoining the  
landfill  
We are here not to voice opposition, but to reiterate what we understand. We  
understand the greenway is to be a permanent, or as permanent as we can  
legally make it, area that will not only protect homes, but also the water  
supply. We have a creek that flows to the water supply. They have come  
come back with something we think is approvable. If everything goes as said, we  
want to make sure that this portion of today's meeting is a bigger part of  
something else. 

Ms. Susan Brown: I assume you will continue to meet with area residents and communicate  
before you come back for your use on review. 

Mr. Arthur Seymour, Jr. We need to request an amendment to our use on review. I will prepare  
a document and present it to the homeowners for their review and comments  
and have for next month. 

Mr. Trey Benefield: What is the vegetative cover of the greenway buffer?
Mr. Seymour: It is basically grass. There is a good stand of trees there. There is a non-disturbance provision for the trees.

Mr. John McDaniel: 7904 Millertown Pike

Asked if Planning Commissioners had seen the site. (Five of them had seen the site.) It is hard to explain the mess it is in. This expansion will be the fifth landfill. I do not think many of you would want to live here. I do not think many would recommend a landfill beside a water treatment plant. I asked John Farmer if they had extended the first landfill and he said no. Then he said different. Where he had extended this landfill he covered up a lot of bedrock, which the engineers said was not suitable for a landfill. I have a letter back from 1979 to Mayor Tyree from J. M. Appleby, Division of Solid Waste, Knox County Health Department. His report said a lot of the area was not suitable and all the area that was suitable was taken up. Read from letter which basically said expansion into this area is not possible...activities in this lower geological formation presents a high potential of groundwater contamination due to activities in this area. Also have a letter talking about contamination of water. Water is already contaminated. This letter is to Mr. Elmoe Lynn, Division of Water Quality, State of Tennessee, Nashville. He said in testing the water they found the water had a high level of ROD and COD which deletes the river's oxygen supply and high harm concentrates 3 times of the EPA amount to be acceptable. Also says there is a high concentration of high manganese which is not removed by conventional treatment of domestic water. It also says it has a brown stain, etc. It says it will cause disease and cancer of the liver. It is going into the drinking water because we have had a runoff from the old City landfill for 10 to 15 years. It goes down the hill to Lag Creek. Then you have a cave in the creek and the water is going in this cave underground and coming out in the river about 250 feet above the intake where we get our water supply. They are picking up the manganese and not able to get the manganese out of the water supply. If they want to correct problem, they are going to have to fill the cave and drill holes in the present old City landfill and do away with the methane gas. They admit it is there. When they drill those holes in the landfill and start dumping, how are they going to dump around the pipes with that gas escaping. Once they get it rezoned, I am in doubt if they are going to do what they say they are going to do. I suspect the greenway is a ditch around the landfill. I asked if he ditched the water out of Lag Creek where would it go. He told me he guessed it was going in the river.

Mr. Seymour: Problems he refers to result from the fact that the landfill has never been closed correctly. Most of his comments are about the existence of the old City landfill. Part of the package you will have next month is the contract between Construction Demolition Landfill Services and City of Knoxville where we agree to correct the problems Mr. McDaniels is referring to. We have to correct the problems before we can put the demolition waste over that. I think what he is complaining about, we will accomplish. We are required to correct the methane gas.

Mr. Phil French: Has the State approved the mediation process?

Mr. Seymour: There were plans submitted to the State in 1999 and that will have to be approved by the State before we can put waste over that. State will have to
approve the mediation process and also approve the permitting of the new facility.

MOTION (DONALDSON) AND SECOND (MASSEY) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0-1. I (INDUSTRIAL) APPROVED.

7-C-03-SP  GARRON LAND SURVEYING
Southeast side Neal Dr, northeast side Fraker Rd. Request North County Sector Plan Amendment from O (Office) to MDR (Medium Density Residential). Tax ID 38 N B 001, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve MU (Mixed Uses) limited to Office and Medium Density Residential.

Mr. Buz Johnson: At the last meeting there was a request to rezone OB for this property located at the intersection of Neal Drive and Fraker Road. At the last meeting there was discussion about confusion of the intent of the zoning. Current Sector Plan shows the property proposed for office development. The current zoning of the plan is Planned Commercial. When applicant came in last month, at my advice to eliminate one step he would have to go through, he asked for OB zoning. It was just to make the process easier on his part. Initial confusion was recommending office and he wanted residential on the site. In agenda review we discussed looking at our notification process and how people know what is really going on. We did identify on the notification cards that apartment development was being proposed. There was some discussion at the last meeting to have the applicant revise his request. He did so and asked for MDR on the plan amendment. He did not revise the request to office. Staff recommended Mixed Use to allow consideration of office or medium density residential and help with our recommendation for OB zoning. We were trying to allow as much flexibility for you to make the decision on how to deal with this proposal. Staff's position is you can recommend solely planned residential instead of OB zoning. Another option is to deny the request. Under the current zoning, the applicant could come in under Planned Residential with a fairly intense development. Office or Medium Density Residential provides a good transition between commercial and lower intensity residential uses. He does have two potential means of access by Neal Drive or Fraker Road.

Mr. Paul Garron: Garron Land Surveying, 4525 Bucknell Road, 37938
I am requesting this on behalf of Byron Cooper, who is hopefully the developer. I am aware there is a lot of opposition to this project. People were getting bad information. I hear there was a letter saying this was going to be low income housing. That is not true. These apartments are Townhouses that will rent for $550 to $700 per month. This letter implied that apartment dwellers would be dregs to society; and that is not true. A traffic study will be done and engineering will be done. All of these problems will be addressed before we can proceed with this project. MPC things this is a good transition area. SUBMITTED MATERIALS WHICH BECOME A PART OF THESE MINUTES.

Mr. Jeff Egan: 6829 Cocheese Drive, representing Halls residents opposed to the zoning
ABOUT 20 PEOPLE STOOD IN OPPOSITION.
We are not opposed to progress. We have issues with rezoning to medium density residential. The number one concern is traffic and congestion. They are using access to Maynardville Highway and Cunningham to get to Halls. MPC anticipates with this complex it would generate approximately 891 vehicle trips per day. This is in addition to a new convenience center located on Neal Road. Neal Road is 0.7 of a mile off Maynardville Highway that intersects with Fraker. There are already 48 businesses that utilize Neal Road as an entrance and exit including commercial, customers and everyday commuting. Fraker is only 0.3 of mile as it intersects into Cunningham Road at a severe blind spot. Neal Road to Fraker Road is a well-know short cut to avoid congestion of Maynardville Highway. At the intersection of Neal Road and Fraker, Fraker Road ends at Fraker Farm. There is a private easement which goes through Beaver Ridge Subdivision, through Beaver Brook Drive and exits at Cunningham Drive. These are all single family residential areas.

Second concern is safety. Neal Road is a narrow windy road which has led to accidents. There are no sidewalks. That is all zoned commercial at this point. Heavy commercial vehicles for 48 businesses travel this road which is already a concern for current residents. Concern for residents especially with the fact that convenience center is just opened. There are residential concerns with traffic and small children in the area. There would be safety issues with that complex with the heavy commercial traffic. Per MPC report, site may be limited due to environmental constraints. Approximately 1/3 of the rear property is located on Hines Creek Floodway. Potential affect this would have on future zoning changes and residential development area in addition to properties zoned agricultural is a big concern. Original request was for OB and then amended to the 99-unit apartment complex. We are not opposed to commercial development on Neal Road. Third, no conceptual design plans have been submitted that any of us has seen. Commercial brings businesses, jobs and income for our community. We oppose MDR because it will affect the safety and well being of the community. This issue is about putting 75 to 100 families on a 5-acre tract in a congested commercial area increasing traffic and safety issues.

Mr. Larry Smith: The developer does fantastic work. This week a real estate agent went up and down Neal and passed out a survey. Up and down Neal Road it is all commercial except two, and they are selling out commercial. The survey asked about support for residential. The ones I talked to were against it. We are up to a road count of 800 cars per day and the convenience center has just opened. I heard Mr. Egan say something about an additional 800. That will be 1600 cars per day. Most people will go the Fraker Road entrance to go to the convenience center. They are using the center pretty heavy. It is a bad idea in that location.

MOTION (SMITH) AND SECOND (DONALDSON) WERE MADE TO DENY. MOTION CARRIED 13-0. MEDIUM DENSITY RESIDENTIAL DENIED.

6-E-03-RZ GARRON LAND SURVEYING (REVISED) Southeast side Neal Dr., northeast side Fraker Rd., Rezoning from PC (Planned Commercial) to OB (Office, Medical, and Related Services). Tax ID 38 N B 1, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve OB (Office, Medical, and Related Services).
MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO DENY OB (OFFICE, MEDICAL, AND RELATED SERVICES). MOTION CARRIED 13-0. OB (OFFICE, MEDICAL, AND RELATED SERVICES) DENIED.

REZONINGS – NEW

* 7-C-03-RZ  AMETCO, INC.
Southeast side Dutch Valley Dr., southwest of Plummer Rd., Rezoning from I-3 (General Industrial) to C-6 (General Commercial Park). Tax ID 69 J C Portion of 24, Part zoned I-3 to a depth of 320’ from Dutch Valley Dr. Council District 5, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-E-03-RZ  STACY DIXON

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-G-03-RZ  S & E PROPERTIES
North side Early Rd., southwest of Signal Point Rd., Rezoning from PR (Planned Residential) @ 1-2 du/ac to PR (Planned Residential) @ 1-2.02 du/ac. Tax ID 169 25.04, 25.09, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-B-03-SP  CONI HEIDLE
North side Hardin Valley Rd., east of Reagan Rd. Request Northwest County Sector Plan Amendment from TP (Technology Park) to LI (Light Industrial). Tax ID 104 16, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-J-03-RZ  CONI HEIDLE
North side Hardin Valley Rd., east of Reagan Rd. Rezoning from A (Agricultural) / F (Floodway) to LI (Light Industrial) / F (Floodway). Tax ID 104 16, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-K-03-RZ  PAUL COCHRAN AND DONALD HOBBY
South side E. Emory Rd., west of Tazewell Pike, Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 21 22, Commission District 8, Northeast County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

7-D-03-SP  J. ED CAMPBELL
North and west side Sam Lee Rd., south of Beaver Creek, southwest of Solway Rd. Request Northwest County Sector Plan Amendment from Rural Residential to LDR (Low Density Residential). Tax ID 103 72, Portion west of Sam Lee Rd. Commission District 6, Northwest County Sector.

**STAFF RECOMMENDATION:** Postpone until the October 9, 2003 MPC meeting.

Mr. Ed Campbell: I am not in agreement with the postponement. I can sympathize with the desires to wait for a decision on the Orange Route that may impact this property.

Mr. Buz Johnson: This case was difficult to reach a conclusion on because it potentially could include the location of the Orange Route of the Beltway. Besides that this case has a lot going for it. It is shown as rural in the sector plan, which is why he is requesting the plan amendment to Low Density Residential. In our forthcoming update of the sector plan we are already looking at this as Low Density Residential. This is also in the Rural Area of the Growth Policy Plan. His request for 1-3 dwelling units per acre required certain stipulations to allow that request to go through in the Rural area. All those requirements are satisfied. The issue is this is such a major project that if at all possible we would like a little time to see how far this project may or may not go. Once it is determined if this is the place for the corridor, more specific design will then take place. It will have an impact one way or another on how a development project can be designed on this property. As to whether we will get a decision in 90 days, I cannot say. At that time we will revisit our decision and look at conditions at that stage if we need to move forward for a recommendation. So that we do not omit the possibility that if this is a good alignment location, it be allowed to go through. It is also to the advantage of the developer so that people that buy lots will know exactly what they are getting into in terms of location of the roadway. If it were any other lesser road project, we might feel better about recommending approval now.

Ms. Susan Brown: Why 90 days?

Mr. Johnson: The State is looking at a variety of projects. The University of Tennessee is helping them assess public opinion. We even thought about requesting 6 months. I came down on the shorter side. They already have some public opinion and additional input. Within that time they may have something to tell us what is going to take place.

Mr. Campbell: As far as 3 months verses 6 months, we appreciate the shorter. We are just as eager to a get a decision on the Orange Route ourselves. One reason we did not wait ourselves is we have an offer to purchase some adjacent property about 300 acres total. Ultimately it will be in the neighborhood of a $10 to $12 million purchase price. The time frame for this segment probably is at best six years away if we did it in the stages we are talking about doing. Whether we wait 3 or 6 months does not affect us there. It affects the contract. This particular buyer is a rather large developer and they are on a very strict time line. It is the adjacent piece. Whether they take the first piece depends on whether they will be able to take this piece. They are planning on turning dirt on some nearby property a year from now. They need to start now and identify their property now. That is the only reason we paid a double fee
to go ahead and hear this. If I thought waiting 30 to 90 days would answer questions that would help us, I would wait. If they came out and said they were going to put the road through this property, it changes our contract anyway. Whatever we decide here today is not going to decide whether we do or do not development the property. What is going to decide it is where they decide to put the road. How long do you put it off? I talked to several people at TDOT and State and the word I get is that right now it is unequivocally dead. The Governor, pending the outcome of the UT task force, might resurrect it. The lines they draw on the maps that dissect this property are within a ½ mile range of where they expect the road to be. It is no closer than that. This is the last phase and will not be done with the first phase. We are talking, best scenario, years before we know for sure. They have done no engineering whatsoever on this route. This road has been on the books for a long time. Our planning is going to outrun the 90 days anyway.

Ms. Brown: If the Orange Route were not an issue, would staff recommend approval of this change? And if the Orange Route were put here, would you recommend approval?

Mr. Johnson: More than likely, yes. It would just give us a better certainty as to how he can lay out his development. Yes, this request is appropriate for that area.

Mr. Randy Massey: I do not think in 90 days that they will know anything from TDOT. I have waited on them for 11 months before. Somebody is paying interest in design. I do not think you would know the design in a year. I appreciate your dilemma.

MOTION (GRAF) AND SECOND (MASSEY) WERE MADE TO APPROVE LOW DENSITY RESIDENTIAL.

Mr. John Farenstein: 11205 Sam Lee Road

Ed’s property borders my property on two sides. I would like MPC to consider Mr. Campbell’s request based on your normal planning process rather than on the uncertainty and problems with the TDOT road project. They have asked UT to review the problems they are having. It does not seem reasonable to deny Mr. Campbell his request due to problems with TDOT.

Ms. Susan Brown: For the record, this is a rezoning request and will be coming back before the body for a concept plan approval.

MOTION CARRIED 13-0. LDR (LOW DENSITY RESIDENTIAL) APPROVED.

7-L-03-RZ J. ED CAMPBELL

North and west side Sam Lee Rd., south of Beaver Creek, southwest of Solway Rd. Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 103 72, Portion west of Sam Lee Rd. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Postpone until the October 9, 2003 MPC meeting.

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

18. USES ON REVIEW

USES ON REVIEW – OLD

W  5-A-03-UR  MICHAEL BRADY, INC.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

USES ON REVIEW - NEW

* 7-A-03-UR  PARKER SHIFLETT & CO.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-B-03-UR  OUTBACK STEAKHOUSE

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 7-H-03-UR  KNOX COUNTY
East side of State St., west side of S. Central St., south side of Commerce Ave., and north side of Union Ave. Proposed use: Parking Lot in C-2 (Central Business District) & C-3 (General Commercial) District. Tax ID 95 I A 6-10, 16-22 & part of 11, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P  7-I-03-UR  WALKER CONSTRUCTION

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 7-J-03-UR  BRANDY LOY
South side of Forest Ave., between Twenty Second St. and S. Twenty Third St. Proposed use: Student Housing - 30 dwellings (120 bedrooms) in RP-3 (Planned Residential) and RP-3 (Planned Residential) Pending District. Tax ID 94 N R 1 - 12, Council District 1, Central City Sector.
THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

RIVER CLUB PARTNERS, LP

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

DANSON'S PLACE, INC.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

OTHER BUSINESS - NEW

Consideration of amendments to the City of Knoxville FY 2004-2009 Capital Improvements Program and Budget.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

CHAIR ADJOURNED THE MEETING.

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 4:28 p.m.

Prepared by: Betty Jo Lamb

Approved by: Vi W. Whitmire, Administrative Services Manager

Approved by: Buz Johnson, Interim Executive Director

Approved by: Susan Brown, Chair

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