The Metropolitan Planning Commission met in regular session on JUNE 11, 2015 at 1:30 p.m. in the Main Assembly Room, City/County Building, and Knoxville, Tennessee. Members:

Ms. Rebecca Longmire, Chair
Mr. Len Johnson
Mr. Herb Anders
Mr. Michael Kane
Mr. Bart Carey, Vice Chair
A Mr. Charles F. Lomax, Jr
Ms. Laura Cole
Mr. Jeff Roth
Mr. Art Clancy
Mr. Jack Sharp
Ms. Elizabeth Eason
Mr. Scott Smith
Mr. Mac Goodwin
Ms. Janice Tocher

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

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

2. **APPROVAL OF JUNE 11, 2015 AGENDA.**

   THIS ITEM WAS APPROVED ON CONSENT.

3. **APPROVAL OF MAY 11, 2015 MINUTES**

   THIS ITEM WAS APPROVED ON CONSENT.

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

   Automatic postponements read

   POSTPONEMENTS TO BE VOTED ON READ

   MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE POSTPONEMENTS AS READ FOR 30 DAYS UNTIL JULY 9, 2015. MOTION CARRIED 13-0. POSTPONEMENTS APPROVED.

   MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE POSTPONEMENTS AS READ FOR 60 DAYS UNTIL AUGUST 13, 2015. MOTION CARRIED 13-0. POSTPONEMENTS APPROVED.
Automatic Withdrawals Read

WITHDRAWALS REQUIRING MPC ACTION
None

REVIEW OF TABLED ITEMS

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

WILSON RITCHIE 3-F-10-SC

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

METROPOLITAN PLANNING COMMISSION 6-A-10-SAP

METROPOLITAN PLANNING COMMISSION 7-C-10-SP

Proposed use: Retail subdivision in PC (Planned Commercial) & F (Floodway) District.


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

b. Use On Review 4-D-09-UR

BEN H. MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1 2-SO-09-F

HARDIGREE - HERRON ADDITION RESUBDIVISION OF LOT 9 12-Sj-13-F
North side of West Gallaher Ferry Dr, west of Hardin Valley Rd, Commission District 6.
RESUBDIVISION OF GEORGE HOSKINS PROPERTY
North side of N. Ruggles Ferry Pike, on a private right of way known as Rugby Lane, Commission District 8.

CITY OF KNOXVILLE
South side Joe Lewis Rd., east of Maryville Pike, Council District 1. Rezoning from I-3 (General Industrial) to R-1 (Low Density Residential).

TANASI GIRL SCOUT COUNCIL, INC. (REVISED)
Southeast side Merchant Dr., east of Wilkerson Rd., Council District 5. Rezoning from A-1 (General Agricultural) & C-1 (Neighborhood Commercial) to RP-1 (Planned Residential).

908 DEVELOPMENT GROUP

- a. Central City Sector Plan Amendment
  From C (Commercial) to HDR (High Density Residential).

- b. One Year Plan Amendment
  From GC (General Commercial) to HDR (High Density Residential).

- c. Rezoning
  From C-3 (General Commercial) and I-4 (Heavy Industrial) to RP-3 (Planned Residential).

BUFFAT MILL ESTATES - CLAYTON BANK & TRUST

SOUTHLAND ENGINEERING

ITEMS REQUESTED TO BE UNTABLED OR TABLED

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO UNTABLE 908 DEVELOPMENT GROUP, 7-E-14-SP, 7-D-14-PA AND 7-F-14-RZ. MOTION CARRIED 13-0. ITEMS UNTABLED.

CONSENT ITEMS

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

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO HEAR THE CONSENT ITEMS AS READ. MOTION CARRIED 13-0.
MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE CONSENT ITEMS AS READ. MOTION CARRIED 13-0. APPROVED.

Ordinance Amendments:

5. METROPOLITAN PLANNING COMMISSION (Referred back to MPC by City Council) 10-B-13-OA

Amendments to the City of Knoxville zoning ordinance at Article II, definitions, and Article V, Section 10, regarding sign regulations.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend to City Council approval of the proposed amendments to the zoning ordinance as shown in Exhibit B (Sign Ordinance), as amended to include Exhibit C (Proposed Amendments).

Joyce Feld, 1540 Aquila Avenue, 37919. Here as President of Scenic Knoxville. I sent you some feedback already which I am sure you have all received and which I assume becomes part of the record. I would like to add one other item so that it becomes part of the record. This has to do with section 8.2.c under temporary signs subject to permanent requirements. I will just read you that section. It says “Each business may erect or post one attached and one detached temporary, on premise sign no more than four occasions during each calendar year, provided that the display of signs does not exceed fifteen days in duration for each occasion. Any sign posted for a longer period must meet the requirements for a permanent detached sign.” This is a change from the current ordinance which currently allows two temporary signs per year per business. They have to get a permit for it. This is an enforcement nightmare. Nobody really knows how long these things are up for now even with a permit. I have reported temporary signs in the past. The sign inspector goes out. They come down and then a couple of weeks later they go back up again. It is just like a wack-a-mole. This will make it even worse. Who is going to count? Who knows if it has been up for two weeks at a time or not? I think that this whole section should just be struck. Temporary signs they are really junky looking. People put up banners and stick them I think like in the ground. They really contribute a lot to sign clutter. I think we should just not allow these temporary signs and this section 8.2.c should be struck and all the following sections that pertain to it. Thank you.

John King: P.O. Box 2425 and somebody complained one time because we weren’t giving our home address. It is 3604 Blow Drive, Knoxville, TN 37920. I am here to suggest or request consideration of the Commission of a proposed amendment to the amended sign ordinance that you all have up for consideration and discussion today. I have a very specific and singular sort of interest that relates
to Tennova Hospital being built on Middlebrook Pike. In review of
the sign ordinance we feel that dealing with the subject that the
hospital is rather a specialized and different kind of utilization. What
I propose was adding this amendment to the amended sign
ordinance to add as section 15.5, Notwithstanding the above
provisions of section 15 or section 9.2 or any other section
providing otherwise than herein, sign location size, dimension,
height, lighting and or illumination, permissible content of signage,
setback requirements and any or all other requirements for
permitting such and as materials to be utilized for construction or
otherwise and its consequent appeal rights as provided in that
ordinance. Such use on review application shall contain a
development plan submission showing in to other require
documents under the use on review provision show the location
and intended use of the site with complete plans and specifications
showing the construction, methods of support and the materials
used. Such submitted application shall also include a detailed site
plan drawn to scale containing all of the information required by
provisions of section 15.1b 1 through 3 of this ordinance. Any
application for a use on review of an on premise hospital sign or
signs shall be decided within 120 days of the date of the application
and the applicant shall be provided with a written notice of approval
or denial. And I would further amend to make consistent as to the
provision for the granting of a sign permit I would propose to
amend further article V, I beg your pardon, article VII, section b.5
of the zoning ordinance to add the words “or sign permit” between
the words “building permit” and the word “shall” in Article VII,
section B.5 b & c. What that does is essentially say that for an on
premise sign for a hospital facility, which is a defined term in the
zoning ordinance, that approval process will be done by
Metropolitan Planning Commission and they will have the ability to
determine the size, the number, the height, every aspect of that
proposed sign submitted as a plan subject to the decision of this
body. If somebody is dissatisfied City Council can deal with it. If
you stop and think about it you can wind your way through the
zoning ordinance but you still have a lot of problems. For example
with a hospital you are going to have an emergency entrance that
has to be designated. You are going to have an emergency room
that has to be easily visible. You have other provision of services
such as out-patient surgery. Then you have got the general
hospital. Then you have doctor’s offices that are within the complex
that is being constructed. You have got all those entrance markings
and signage related to it. It seems a lot easier and perhaps more
project oriented to determine the signage on the basis of the same
sort of material that currently would be submitted to the sign
inspector, or building inspector. It would be the same sort of
information that would come to this body and you all make that
determination.

Longmire: Thank you. We have got you in the record.
King: Can I say two more things very quickly. There are other issues with respect to provisions of the ordinance as I read it that are contrary to state law that present a problem. They are a real problem over the nonconforming sign situation about how they, those nonconforming signs have to be treated and the deadline within which they have to be treated or otherwise they are illegal and have to come down. I don’t know that the community in general is aware of all those provisions. I think that produces a problem. That wasn’t my purpose today here to discuss those.

Longmire: Mr. Reynolds would you remind us why we are dealing with the sign ordinance again?

Mike Reynolds: Sure. Thank you Madame Chair. At the April 9th special called meeting by City Council they reviewed and approved the sign ordinance on first reading with several amendments to the ordinance. In doing that they also sent back three questions to staff and that is what we are addressing – those three questions. Those deal with bunting and other type of decorate flags, banner signs for neighborhoods, and attached signage within residential neighborhoods for non-residential uses.

Longmire: So basically we are dealing with three issues and everything will go back to City Council. Is that correct?

Reynolds. Yes.

Art Clancy: I understand your amendment and I could make a motion out of it, don’t think I couldn’t. But I don’t think it’s… I understand that from your point of view or from your client’s point of view that is probably the best thing to do. From our standpoint it would seem to me like we make a sign ordinance. For crying out loud we are three questions away from getting it down after almost four years. Seems like in your instance that specific you could go to BZA get variances on your signs and still get what you need and we don’t have to make an ordinance that is so specific and so pinpoint that we cause another whole set of problems by doing it. I know the ordinance isn’t perfect. I think that we all know that. I think that you can accomplish what you need in your specific instance by going to BZA and getting variances for your signs and accomplish the same thing without us having to go through the process of amending this amendment. That is all I need to say.

King: Excuse me. Just a quick response. If indeed BZA continues as they have historically done and entertained those requests for variances, then you may well be right on that part. It would be really clear if it were part of the ordinance.

Longmire: It would but as I understand City Council had a very lengthy meeting dealing with everything coming up and they specifically asked us three questions to deal with and that is really all that we need to be dealing with.
Clancy: That being said I would like to make a motion that we approve the amendments per staff recommendation that City Council approval of the proposed amendments as shown in Exhibit B as amended to include Exhibit C.

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

Longmire: Ms. Feld I understand your all’s concern but City Council has the last word on this and that is really...

Feld: Tennova will fall under a master sign plan. I am virtually certain that the Tennova Development will fall under a master signage that will be reviewed and approved by MPC anyway. And other hospitals have managed to, like Fort Sanders is a good example of that. They also I know they were able to get variances before the BZA for some of their signage. But it will be part of a master signage plan.

**P 6. KNOXVILLE CITY COUNCIL (Referred back to MPC by Council) (8-13-15) Amendments to the City of Knoxville zoning ordinance regarding pet services.**

**THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.**

**Alley or Street Closures:**

* 7. CITY OF KNOXVILLE 6-A-15-AC

Request closure of Unnamed alley between northern right-of-way line of W. Depot Ave. and southern right-of-way line of unnamed alley being contiguous to the northern line of parcel 094EF021, Council District 6.

**STAFF RECOMMENDATION: Approve**

**THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 8. KENN DAVIN 6-B-15-AC

Request closure of Unnamed alley between Randolph Street and northwest corner of parcel 095AM014, Council District 6.

**STAFF RECOMMENDATION: Approve**

**THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

**Street or Subdivision Name Changes:**

Change Riley Dr to 'Charles Newman Dr' between Renford Rd. and Hollywood Rd., Council District 2.

**STAFF RECOMMENDATION:** Approve Charles Newman Drive.

Tony Capiello, 3004 Kingston Pike here in Knoxville. I am president of Vintage Development Corporation. We own the property that basically aligns probably two thirds of this alley way known as Riley Drive. We have an address of 514 or 516 Renford Road. However our only access to the building is through Riley Drive. This is a warehouse office building. All the houses that are on Sutherland Drive have access I suppose to the back of this alley way. But all of them are fenced and not used. We are really the only occupant user of this alley way. This was an unnamed alley way for quite some time. In recent years, I am not sure of the exact date, it was changed to Riley Drive. That caused some consternation to our tenant. To rename it again...All the UPS, the FedEx, all the delivery services to this building know this is Riley Drive. It would cause us a bit of confusion and it is a little intrusive to our use of the property. I appreciate what Mr. Williams is proposing. It is always a noble thing to honor a member of a community. However I think there are other ways to honor members of the community other than simply naming streets after them. What that does in my opinion is it changes a lot of times roads and alley ways need to be altered, changed and perhaps even closed. It changes a logical request into an emotional request when you name it after an individual. Along Kingston Pike we are getting ready to do a development. What we are doing is at the request of Councilman Grieve is to put little circular monuments in the sidewalk honoring different people and businesses. Something of that nature or even a statue is a better use of honoring a person than causing this confusion. We are opposed to this change of name.

David Williams, 505 Hollywood Drive. I tried many times to communicate with Mr. Capiello. January and February I mailed him a first class letter explaining the situation. I talked to his office staff on two occasions explaining everything. I discussed this with MPC staff. In March I sent him a certified letter which he refused to reply to. These six properties that border on Riley Drive none use Riley Drive as a street or mailing address. Mr. Capiello has a mail box at 516 Renford. The UPS drivers and so forth they all use the Renford address. They use 505 Hollywood for me and the four addresses on Sutherland. Mr. Capiello did not do the neighborly thing to get in touch with me or answer any of my correspondence or we could have discussed this. This does not harm his building at all. Riley Drive goes back a number of years when Hollywood Drive was originally Pond Gap Road in 1954. Mr. Capiello has only owned the property since 2005. I would like to educate him on the history of the neighborhood. I understand his Dad lived in Bearden for a long time so I can understand that he probably feels very strongly about Bearden. This is the first
time I have a chance to meet with Mr. Capiello. I would like to discuss a few things. I don’t think any of his objections hold any water. This is going to enhance his business. I will mention this. If he is so concerned about the street and so forth, a previous tenant continually blocked that street for hours at a time loading and unloading. Apparently the concept of a parking lot in front of a loading dock was foreign to those people. I called the police many times. Now we have one way street signs. Riley Drive was named such for a long time. When Hollywood Hills subdivision came into being they had a theme of like Lamoure Road for Dorothy Lamoure. She never lived in the community. Autry Way for Gene Autry. He never lived in the community. So Riley, the Life of Riley, he never lived in the community. But my great granddad did and we seek to honor him on that. We appreciate the MPC staff recommending this street approval. If he has, Mr. Capiello, if he has other ways to honor the history of Pond Gap I can certainly put him to work and I would be glad to talk to him. But what he mentioned is really irrelevant to the deal. This is not going to change anybody’s correspondence or anything. The street mailing address is going to stay the same. We are just going to honor a leading citizen of the community. Thank you.

MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-2 (EASON, JOHNSON). APPROVED.

Plans, Studies, Reports:
None

Concepts/ Uses on Review:

10. **BEALS CREEK - ERIC MOSELEY**
   a. **Concept Subdivision Plan**
   Northeast side of Mourfield Rd., southeast of Westland Dr., Commission District 5.

   **STAFF RECOMMENDATION:** Approve variances 1-5 and the Concept Plan subject to 13 conditions:

   COMMISSIONER SCOTT SMITH RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.

   Arthur Seymour Jr. 550 West Main Avenue. I am here on behalf of the applicant. We have an agreement. We have given a revised condition to Mr. Kelly. He has the only copy of the written agreement. If we could amend the conditions of the approval, I think we are all in agreement.

   Wayne Kline, 617 Main Street on behalf of the opposition. We have entered into a settlement agreement which we are going to ask you to make a condition to this property. The settlement
agreement has two exhibits to: one is your concept plan here today and this report and the second is a map that shows an area that is going to be designated by restrictive deed as a common area that will protect the trees and vegetation by the very terms of the settlement agreement. We are asking that this body adopt the settlement agreement and its exhibits as a condition to approval. Then we would step down

Longmire: Mr. Kelly has a copy of that agreement? Is that correct. He has the only copy. You like Mr. Kelly better than the rest of us do you.

Murmuring and laughing from Commission.

Jeff Roth: Is that proper to vote on something we haven’t seen yet?

Kline: There is a great deal of trust here.

Seymour: We were marking it up right before the meeting.

Elizabeth Eason: I don’t think we have a map do we that shows where that protection area is going to be located? I would like to see that protection area. I understand there is a large portion of this is in slope protection and it looks like a lot of grading is happening here. Is this the area you are talking about?

Seymour: I have at least one copy. I will hand it up to you if that is alright. I am sorry we were working on this...

Longmire: Using the map we do have with the lots on it is there some way you can explain.

Kline: I can madam. If you take a look at lots 31 through 36 you will see a shaded area... well you have to look below. There you area. You have to look kind of at the area that has the circled numbers of lots. Lots 31, 32, 33, 34 and 36. If you come down below the roadway that is going to be built for approximately 125 feet, there will a straight line across there that protects all of those slopes and all the vegetation and all of the trees on those slopes. The only thing it allows is enough room for them to use graders to build their road.

Eason. I see the area now. I have a follow up question. I understand from the grading plan that there is a drainage swell that is going to be installed through the middle of that property. I would think that installation of a drainage swell would cause some grading to need to happen in that location.

Seymour: We have put a provision in the agreement that we are going to ask Knox County Engineering if we can relocate that drainage swell outside the protected area. We have not
had a chance to talk to them yet about that. We would ask that that be relocated.

Eason: I would think that we would want to include that protection for that, not to have a drainage swell cut through the protected area because apparently it is shown that way.

Seymour: There is a provision in the agreement subject to Knox County Engineering’s approval we will put it out of that area.

Art Clancy: In the agreement that Mr. Kelly has in his hand?

Michael Kane: I was just wondering if staff needed more time to review this if there was a way we could move this to the end of the agenda so maybe we could have staff look at this a little bit more so they can comment on it. I know we have some questions here. If that would be helpful.

Longmire: It’s Mr. Kelly’s case. Do you have anything to say now Mr. Kelly or would you like a little extra time?

Kelly: This is an issue that if you recall the matter was postponed two months ago with the idea of the two sides getting together. There was discussion even prior to the meeting two months ago about preserving this portion of the site. They have now gotten together and come up with a written agreement about what specific portion of the site is to be preserved. It is in the same general character and area that was discussed two months ago. I think from that standpoint staff is prepared to support the addition of an additional condition to the approval basically which will establish this non-disturbance area and require that it be part of the final plat. With regard to relocating of the drainage swale, as Mr. Seymour said I was handed this at 1:25 this afternoon. I don’t know from an engineering standpoint whether or not… In essence what they are talking about doing is moving the drainage adjacent to the road as opposed to up on the site. I don’t know from an engineering standpoint whether that will work or not. The general concept of this remaining as a non-disturb area is something that we would be very comfortable with.

Longmire: But it is all dependent upon engineering. I don’t suppose you recall in detail?

Cindy Pionke: County Engineering. Unfortunately I have no idea if the drainage can be relocated or not. We would definitely be in favor of that if that could work out. Our recommendation would be to go ahead and approve what they have agreed to and we will deal with it when they turn in their design plan showing the relocated drainage to make sure that it does work..

Kelly: This is the concept plan where we are in the process right
now. The actual final engineering and all that stuff is done through the design plan process which is the next element of the subdivision development process as it goes through the platting process. I think if you adopt it as is today and then the actual engineering itself if it cannot be completed as discussed here in the agreement I think they have a concept plan which they... If they can't do it the way they are proposing to do it, they are back to a point where they can't do the concept plan the way it was approved so they are back to the concept plan again.

Longmire: That would be approving the concept plan subject to 14 conditions. I will say gentlemen it is a very awkward thing not to have the information in time. I realize that you all were working on a deadline but it would be I think much better for the rest of the Commissioners and me if we had this information sooner. Not that we don't trust Mr. Kelly.

Seymour: He made the suggestion that got it resolved.

Kane: I just want to make sure that there isn't anybody in the audience who has any objection to potentially adding this unseen, but generally explained condition. It is not like we have even had it read. I am not opposed to approving it with this additional condition. I just want to make sure that everybody in the audience who may have come down is comfortable with it and we do not have another concern.

Bart Carey: This is a little bit irregular. When I visited this property and looked at it, what this proposed change is makes all kinds of sense. I think it is a win win. I think it is probably going to enhance the value of these lots to have a wooded backdrop. There is already to my knowledge, there is a natural swale there seems like that is going to be carrying this water. Anytime we can leave land undisturbed it sure improves the runoff situation. We have heard from engineering. We have heard from Dan Kelly and both parties are agreeable to this. I think I support this concept plan. Which is what it is is a concept plan. It is going to come back to us.

Art Clancy: I would like to make a motion that we approve variances 1 through 5 because the site’s topography restricts compliance with the subdivision regulations and proposed variances will not create a traffic hazard.

**MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE STAFF RECOMMENDATION TO APPROVE VARIANCES 1-5. MOTION CARRIED 12-0-1. APPROVED.**

Clancy: Motion to approve the concept plan subject to 14 conditions the written stipulations being the 14th.
MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE STAFF RECOMMENDATION VARIANCES 1-5. MOTION CARRIED 12-0-1. APPROVED.

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE CONCEPT PLAN SUBJECT TO 14 CONDITIONS WITH THE AGREEMENT BEING THE 14TH MOTION CARRIED 12-0-1. APPROVED.

b. USE ON REVIEW

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

STAFF RECOMMENDATION: Approve the development plan for up 54 detached single family dwellings on individual lots and approve the peripheral boundary setback reduction as shown subject to 1 conditions.

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

Longmire: I would reiterate it is very uncomfortable approving things that we really haven’t had a chance to study. So it would behoove you to do better.

Seymour: I will apologize. Mr. Woodall has been out of town. I know I have. I don’t know whether you have or not. Getting everybody together on it was difficult on it plus a looming deadline always helps parties reach a resolution. As Samuel Johnson said “Nothing quite focuses the mind like the knowledge that one will be hung in a fortnight. We diligently worked on it.

Longmire: I am sure you did. It is just not a comfortable thing.

Final Subdivisions:

P 11. CHILHOWEE HILLS BAPTIST CHURCH RESUBDIVISION OF LOT 1
Northwest side of Asheville Hwy., north east of Macedonia Lane, Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 12. U. T. CHEROKEE FARMS

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.
* 13. **HIDDEN MEADOWS, PHASE II, UNIT 3**  
   6-SA-15-F  
   South side of Garrison Drive, east of Gray Hendrix Road, Commission District 6.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 14. **ELKINS PROPERTY**  
   6-SB-15-F  
   Southwest side of Jim Wolfe Road, southeast of intersection of Clement Road, Commission District 8.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 15. **BLACK FOREST**  
   6-SC-15-F  
   North side of Black Road, northeast side of N Campbell Station Road, Commission District 6.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 16. **WILDWOOD GARDENS RESUBDIVISION OF LOTS 7-10**  
   6-SD-15-F  
   Southwest side of Liverpool Lane, east of Remagen Lane, Commission District 9.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 17. **BRENDA CASSELL PROPERTY**  
   6-SE-15-F  
   North side of Thorn Grove Pike, northeast of Cooper Road, Commission District 8.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 18. **SANDERS/OHLGREN PROPERTY**  
   6-SF-15-F  
   Intersection of W Jackson Avenue and Broadway, Council District 6.  
   
   **STAFF RECOMMENDATION:** Approve  
   
   **THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.**

* 19. **EFFICIENT ENERGY OF TENNESSEE**  
   6-SG-15-F  
   North side of Old Callahan Drive, northwest of Callahan Road, Council District 3.
Rezonings and Plan Amendment/ Rezonings:

20. **COMFORT HOTEL LLC**
    North side Kingston Pike, east side Montvue Rd., Council District 2. Rezoning from C-4 (Highway and Arterial Commercial) to O-3 (Office Park).
    
    STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE O-3 (Office Park) zoning.

21. **J. DANIEL SMITH (SMITH VENTURES, LLC)**
    
    STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-2 (Central Business District) / D-1 (Downtown Design Overlay).

22. **STEVEN E AND GEORGE ANNE CLABOUGH**
    South side Middlebrook Pike, east of Liberty St., Council District 3. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to C-6 (General Commercial Park).
    
    STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.

23. **LINDA FLYNN**
    
    STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE RA (Low Density Residential) zoning.

24. **BAYLESS E. BILES III**
    Southeast side W. Beaver Creek Dr., northeast side Martingale Dr., Commission District 6. Rezoning from A (Agricultural) to PR...
(Planned Residential).

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

Bayless Biles 3908 West Beaver Creek Drive, Powell, TN 37849. It is okay if he goes first.

Gordon White: 7251 Martingale Drive, Powell 37849. I represent the residents of Meadow Lark Estates. I guess I will go backwards in lieu of the time it takes and hope that I can get all this worked in. I have a petition to deny rezoning about 15 people. There are only 10 houses in Meadow Lark Estates. I have been there 45 years. I grew up with the grass. The effort is to put duplexes. The last two homes sold in there where $190,000 and $170,000 and they had one other that was remodeled probably in excess of $200,000. We strongly object. Many of the reasons we object is we don't want duplexes in our single family residential. All our lots are one half acre or larger and all of our square footage is bigger than he proposes to build. He is 500 square foot smaller than the smallest structure in our subdivision. We have Levi Field, Powell Ball Park in our subdivision. I have a letter from Randall Duckett who is the director of Levi Field. I would like to share some parking situations with you. The number of stalls they have is 400. The number of spring sports per test is 650. These are individual. You multiply that times a mom or dad or a grandparent times two, three, and four and you have got an awful lot of traffic. In the fall they are 500 when they have their sports two or three times a year there are more than 800 to 1000 cars in that subdivision. It has a small outlet on West Beaver Creek Drive. It has no way to handle the capacity of the cars that will be involved if this duplex goes through. We have restrictions that have been in place for a number of years and I will be glad to give you a copy if anybody wants it. An outline of our protective covenants and it is restricted to the size of every lot in the subdivision. It is restricted to the size of the house. It is restricted for the front setback, for the rear setback and for the sides. None of these duplexes convey, convert to that. None of them meet that criteria. The number that I think it is like 131 with the new development that think may increase to. Our traffic problem has become extremely impossible. When there are cars coming to the ballpark, Knox County didn't exactly do us right when they put a ballpark in the back part of our subdivision. Our developer, Claude Castleberry became sick and eventually died of a heart attack. He couldn't develop the entire part. We just recently this past week dedicated New Powell Boulevard on Clinton Highway which has been under way for the last several years. That will further compact traffic because it is a short cut from North Knoxville all the way to West Knoxville. It is an easy way to go. West Beaver Creek is going to be under siege something like we have never seen.
Longmire: You have one minute Mr. White, one minute.

White: I have a zoning. I have a petition here for you to see and I have got 4 pages to go through. I would be tickled to death to walk through them. We are restricted to the size of the lot build on. We are restricted to the size of the house. We are even restricted we have in our covenants a three person panel that has the opportunity to look at any proposed buildings and vote whether to accept, deny the type of structure, the size of the structure or the use of the structure before it goes into our subdivision. We have been lying quietly in the Powell area and paying our taxes and trying to be good citizens. We don't feel like this is in our best interests. This will reduce the amount of price of our houses in our subdivision significantly. None of the duplexes he is going to build come anywhere near the cost of one house in our subdivision. We not with arms, but with hands say no thank you. It is not in our best interest. I don't think it will be anyone's best interest. A bus does not depart down Martingale.

Longmire: Would you like to make the petition and everything part of the record? If you will give those to Mr. Reynolds. Right here sir. We will make sure they are part of the record. I thank you for your comments.

Bayless Edward Biles III, 3908 W Beaver Creek, Powell 37849. I am simply seeking the opportunity to build on my property. I want to work with the neighbors because I live on the property. My son plays baseball and football in the park there. I don't have any intentions of moving. Nor do I have any intentions of decreasing the value of the homes in that area. The expected appraisal on a duplex that I am building 2200 square feet would be $240,000. That is well above the last sales I believe. Nonetheless my point is I do want to work with the neighbors. We don't have to build duplexes. We can build single family homes. I am seeking the opportunity to actually do that. I believe use on review would more specifically address the types of dwellings that we would be building there. I also need to rebut to some of the things he said here. If we take 600 stalls in the sports park, let's just say I had 7 units and I had 14 cars is what I figured. That is only a 2 percent increase in volume of traffic. The duplexes that I propose have two car garages attached to them. His comment on West Emory Road, the new bridge, this development is not on West Beaver Creek. So I do know how the traffic flow on West Beaver Creek impacts this development. I guess the last thing that I would like to say is I am trying to do this responsibly. I am trying to do it the right way. I walked the neighborhood. I handed out a site plan and a floor plan. Introduced myself to everyone that was home. I have talked to most of them. It went very well. Everybody was honest and up front. I didn't get one call. No one tried to work with me except Mr. Daniel Mathus here who has been kind enough to tell me his opinion. I am just seeking the
opportunity to work with them.

Longmire: I have a question. We do have a unit floor plan in our packet. It does not look like a subdivision, I mean a duplex.

Biles: That is actually what you have is half of it. It would be two of those together.

Longmire: Like garage to garage?

Biles: The garages would be spread apart on either side.

Michael Kane: I want to understand a couple of things. Mr. White indicated that this property I think is within the covenants of their subdivision. Is that correct or not correct? Mr. Biles.

Biles: Lot 5 is the only lot on my property that we are seeking rezoning from Agricultural to PR. I believe that part of that lot 5 by a legal description done in a survey of the plat map in 1962 shows approximately one acre of the 2.31 acres that could possibly be under a private deed restriction. The deed and the covenants were developed in 1962 subject to 25 year before they are allowed to be changed and can only be changed upon the majority approval of the homeowners there.

Kane: So part of your lot is within this covenant and part of it is not.

Biles: That is correct.

Kane: I am looking at the map that is on our screen. I think maybe in our packet too. It appears that there was a proposed street that I guess was it adjacent to your property, is that correct? For future development I guess. So part of your lot essentially would have been was already identified for subdivision I guess is what I am trying to figure out.

Biles: I sent a copy of the...

Kane: It is blue. Sorry. It says future road and there is part of the lot. I guess I don’t know if that is a consequence. It looks like in the early ideas that part of this lot may be access from another street which never got developed. Is that correct?

Biles: Yes.

Kane: Okay.

Longmire: That was in 1966.

Kane: I am a little concerned at the density of the 5 dwelling units per acre. It is like we have gone to the maximum. We talk
about, we don't really talk about what the other developed within this particular neighborhood, what it is being developed at. I am assuming it sounds like it has been developed out at about 3 dwelling units per acre.

Longmire: Well if you look at the recommendation it says the adjacent property to the north and east is zoned RB which allows attached residential development.

Kane: Yeah but that is not within this neighborhood. That is an adjacent neighborhood that is on the back side. So we don't know what the street where this lot is what it has been developed at. It doesn't say. Mr. Brusseau do you happen to know that answer?

Brusseau: I did not do a calculation of the developed density. As Ms. Longmire said the fact that there is RB zoning right next door weighed heavily on the recommendation for the 5 units per acre. That could be developed with duplexes.

Kane: But we are not accessing it through that development.

Brusseau: Three lots just north of this site are zoned RB and accessed from the same street. From Martingale.

Kane: Oh the three lots. Oh I see what you are saying. The three lots from this up to West Beaver Creek.

Brusseau: The fact that there is also to the east is 16 units per acre, multiple condo developments. Those are on a different street. The PR at 5 restricts a lot more than the RB would and it also requires the plan review. Keep in mind you are not approving duplexes all you are giving them is the opportunity to submit a plan at up to five units per acre if this is approved.

Kane: Is the rest of the zoning in the neighborhood under agriculture?

Brusseau: Yes sir.

Bart Carey: Does the ball park area also fall within the covenants and restrictions? Does anybody know that?

White: Did not understand that.

Carey: The ball park was originally part of this development? Is that right?

White: Well the ball park came in about 5 to 7 years after Mr. Castleberry developed Meadow Lark Estates. He had ill health and passed away. Bless his heart. The subdivision right now is classified for two houses per acre.
Carey: My question is is the ball park, was it originally part of this subdivision?

White: Yes

Carey: It obviously does not comply with the restrictions I don’t think either then does it?

White: I didn’t understand your...

Longmire: That is okay. That is alright.

White: At my age a few things don’t work like they used too including the hearing.

Carey: I am right there with you brother. I think I am getting my hands around this. I just wanted to understand the ballpark follows the same restrictions as the rest of the subdivision.

White: Yes. There is no street there where he is proposing now. He will have to build a road.

Carey: We don’t really involve ourselves with these deed restrictions. That is another... We can hear them but we don’t enter that into our situation.

Art Clancy: I would like to make a motion that we recommend that County Commission approve PR Planned Residential zoning at a density at up to five dwelling units per acre.

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

Janice Tocher: I was just curious about the zoning the RB zoning that we were just discussing. Is that also part of the subdivision. The one that is just to the north of the property.

Longmire: Yes.

Biles: No it is not. I have a plat map from Stan Hines that I sent to Mike Brusseau yesterday. The lots 1, 2, 3 and 4 that I own were never part of that property. I also have the deeds that go back prior to the development of that subdivision showing such.

White: They were part of that property.

Longmire: They may have been part of the property but may not be part of the subdivision. There is a difference there.

Scott Smith: I just wanted to ask Mr. Biles. This map right here this shows all the work you want to do, right?
Biles: Yes that's proposed. Yes sir.

Smith: So you have got three duplexes and one house?

Biles: Yes just like a little PUD like what she Ms. Longmire…

Smith: That is 7 units though. Why are we needing 5 units per acre on 2.3 acres?

Biles: I do not need five units per acre sir. That was just something that was you know…

White: He has got three more acres to develop adjacent to it.

Longmire: Right now Mr. White we are just dealing with this one okay. We have a motion and a second to approve per staff request PR zoning at a density of up to 5 dwelling units per acre. Now all we are doing is the zoning. He will have to come back with other plans. Right now it is just zoning. Okay.

White: You have to remember to divide that square footage by two that he gave you.

Longmire: Well it is just the zoning. He hasn't given us anything about duplexes.

White: We really don't need duplexes in there.

Longmire: I understand that Mr. White, but right now we are dealing only with zoning. It is with the Commission now sir unless someone wants to hear another comment.

Laura Cole: I want to hear it.

Longmire: All right sir you may speak.

Daniel Mathus, 7301 Martingale Drive. I think the big issue is here is that Mr. Biles wants to access through our development. So we are asking that his development fall under our restrictions. All the houses on our street have a minimum size of a half-acre lot. If his duplexes he is trying to put two residences on 5000 less square feet on his development. So all of our houses on our street if you look at them they are at least 2000 square feet, some of them 16. If he is putting these duplexes in then he is trying to do 1100 square foot homes and that doesn't even fit within our neighborhood there. We want to make sure that anything that is built is comparable to our neighborhood and that if fits within what is around it.

Tocher: We were provided with the covenant and I understand from Commissioner Carey that it is not our job to adhere to the
covenants but we do consider them. Oh we are not supposed to even consider covenants?

Longmire: No we can't do that.

Tocher: So is it just then it becomes a legal issue between the developer and the subdivision, the community. Okay.

Longmire: We are dealing only with zoning. We are not dealing with him building… Very quickly and that is all.

Mathus. If we allow Mr. Biles you all pass this zoning it opens the door for him to do whatever he wants.

Longmire: No he has to come back before us. You will a chance, when he brings it back you will have a chance to deal with that then. I do have a motion. No Mr. White. I have a motion and a second to approve per staff recommendation PR Planned Residential zoning at a density of up to 5 dwelling units per acre. That doesn't necessarily mean he does five that is just the most he could ever do.

**MOTION CARRIED 12-1 (KANE). APPROVED.**

Longmire: If the people from the subdivision would like to speak to Mr. Brusseau after the meeting and find out the next step, I am sure he would be happy to help.

White: The only thing I wanted to say was our restrictions have not eroded and gone away. They were for 25 years and 10 year extension.

Longmire: Mr. White restrictions are a legal thing. We can't deal with restrictions. So for the next step after the meeting Mr. Brusseau would be thrilled to talk to you all about it.

White: Thank you for your time.

Clancy: If the neighborhood would like to talk to Mr. Biles would be a good idea.

Longmire: Talking to Mr. Biles would be a wonderful idea too. We always encourage developers and stuff to talk. Thank you all for coming and I appreciate your input.

25. **HUBER PROPERTIES**  
Northeast side Harvey Rd., north of Mallard Bay Dr., Commission District 5. Rezoning from A (Agricultural) to PR (Planned Residential).

**STAFF RECOMMENDATION: Approve PR (Planned Residential) at**
a density up to 3.5 du/ac.

John Huber: I will defer.

Wayne Kline, 617 Main Street, Knoxville, 37902. Here on behalf of the opposition who are my clients: the Mallard Bay Homeowners Association, greater than a major of the homeowners in Herons Point because we couldn’t contact all of them and we didn’t get a response. I do not want to misrepresent that I represent all of them and concerned homeowners in Jefferson Park Subdivision, Montgomery Cove, the Woods at Montgomery Cove, Willow Cove, The Livery at Harvey Road and Peachtree Farms. There are many people here today in opposition to this applicants proposal If you are here in opposition please stand up. (about 40 people stood in opposition)

Chair Longmire: I would like to assure you all that we got everyone of your emails and telephone calls and read them.

Kline: All the opposition Commissioners are opposed to the density requested by your applicant, the density recommended by staff as well. Of course staff has reduced the density if PR zoning is approved to 3.5 dwelling units per acre. What we are here to talk about are two things. That is too dense still. The development and use of surrounding land in this area is either agricultural subdivisions with houses on large lots, single family residences on larger tracts of acreage or planned residential single family residences averaged between 1 to 2.4 dwelling units per acre. The community believes the zoning plans approved by you the Commission and adopted by Knox County Commission our legislative body should protect the community from incompatible high density uses. Staff recognizes and recommends a lower density than requested, but it is not low enough. I say it is not low enough for a number of reasons. You have got emails and letters galore in this case and I am not going to go through every reason that each homeowner gave you, but the staff recommends compatibility as well as your General Plan and your subdivision plans. I have outlined in my letter to you all the nature of the requirements by the General Plan as well as the subdivision regulations, Article 5.13.01 says “each planned unit development shall be compatible with the surrounding or adjacent zones.” You all discussed at your agenda meeting on Tuesday that you don’t use land under water for the purpose of density. But in this case what you have is a very dense potential development that needs to be addressed at this level, the density level after you have done the rezoning which we assume you are going to zone from agricultural to PR. I am not going to sit here and tell you you shouldn’t. That is foolish. But the staff is recommending a lower density and we are asking that you make that density compatible with the surrounding community. The community surrounding this area is the community to the south. To the north you have railroad tracks that are parallel to Boyds Ridge. Above that you have folks
that are distant. This is not an isolated community as your staff has told you. Not from the folks that I represent. This recommended density according to your staff is slightly higher than prevailing zoning densities in the area. That is what we are asking from you. Is when you consider density don’t make it slightly higher but make it compatible with densities in the surrounding area. Now that is important. But there is a more important or as important of our opposition. That is this on page 2 of your staff recommendation under comments it says the staff is recommending the condition because currently the applicant does not have the ability to provide legal access to the proposed development. Staff is of the opinion that the property should not be rezoned unless it is certain that sufficient legal access to the site can be provided. Now your applicant provided you a letter and we assumed that the letter was correct until we started digging. We did start digging with First Utility District this week. Your applicant has given you a letter that says I have got a tentative agreement with them. So we went to First Utility District and we talked to Mr. Robert Barnett who is with the engineering department and we talked with Mr. Troy Wedekind today. I asked him to give engineering, your engineering department, an email or correspondence or something.

Longmire: Mr. Kline I am going to give you two more minutes that I will add to Mr. Huber’s time. That is it.

Kline: I will be as brief as I can. What is happening is there is no tentative agreement. There is no agreement at all. In fact First Utility District just received a proposal from your applicant just this week. Without knowing what road, what access, what ingress and egress is going to be here, you should not, this commission should not speak on density, zoning and you shouldn’t approve anything until you know, as your staff has told you, that you are certain that sufficient legal access to the site can be provided. There is no verbal agreement representation. I am sorry to call Mr. Huber out. It is true that there is no tentative agreement. I would ask that you postpone this until you understand what you need. Then we can deal with the merits of the density.

Longmire: Thank you. You actually just used a minute so you get an additional minute.

John Huber, 213 Fox Road, with Huber Properties. Can we have the slide please? Yea. Very good. What we brought before you today is a request for 4 units an acre. It is on totally technically it is on 16.3 acres. You can’t count anything below the 820 line which is the high water line for emergency spillway for the TVA system on the lake. So we don’t count anything below that. There is about 6 acres that is below that. Of that 6 acres there is probably 3 and ½ acres that is where the normal pool between the 820 line and where the normal pool is of the lake. Your staff has recommended 3.5 units per acre which I am very comfortable with. We didn’t
know when we made the application if or how many units we would be able to get on the property that type thing. Once the survey came through and we located the 820 line that enabled us to design it and we came up with 34 which is going to be on your agenda for next month's consideration. As you can see here as Mr. Kline pointed out each planned unit development shall be compatible with the surrounding or adjacent joins. Such compatibility shall be determined by the Planning Commission by review of the development plans. It clearly states that they recommend it. PR is an appropriate zone for the residential development of this site and is consistent with sector plan for this property. PR zoning with the recommended density will be a reasonable use of this property. A little background on that too if you go to the next slide. The southwest sector plan has continued to be one of the fastest growing, outside Hardin Valley. This area and Hardin Valley are two of the fastest growing sectors in Knox County. The Knoxville Chamber of Commerce is expecting between the year 2013 and 2018 that over 20,000 people are going to be moving to Knoxville. We have got to house these folks. This is a net number. People move out. People move in. We are going to have 20,000 more people. We have got to put them somewhere and we are running out of land. If you go to the next slide it clearly shows that this area as well as the area before Mallard Bay is in planned growth. If you look at what the growth plan calls for Tennessee Public Chapter 1101 growth plan for Knoxville-Knox County and Farragut 4.1 “The purpose of the planned growth area designation rare to encourage reasonably compact pattern of development and offer a wide range of housing sources. If you look at the next slide it does talk about the densities. We are slightly higher than Mallard Bay. We are very close to Herons Point and Bayview which border Mallard Bay as well. Herons Point is 1 to 3 units. Bayview West is 1 to 3.02. Mallard Bay is 2.4, Thorngate is 2.67, Jefferson Park around the corner is 2.5. The reason I bring some of this up, if you go to the next slide again, is really more about a visual density. We have got about 3.5 acres that is below the 820 line and above where the lake is. So we have got about 3.5 acres there. If you were to actually take that 3.5 acres that you can visually see all the time and add it back in and divide is out by our 34 units, you really only get 2.5 units an acre. If you are looking at it, it is going to appear as 2.5 units an acre. Now we can’t count anything, we can’t count that 3.5 acres in the density because of TVA, but visually it should be that. If you look... if you go back one slide. If you look at Heron’s Point, that is 3 units an acre. If you look at Bayview West it is 3.02 units per acre and that has zero property under the 820. So that is developed. Bayview is developed at 3.02 units an acre. What we are asking for is 3.5 above the 820 line but visually you will be able to see it and make it look a lot bigger. If you go back to the visual density slide. The lake lots in Mallard Bay, the first lake lots when you first come in directly across the cove, the ones that will be looking at this development, they have an average depth. If you take all of them from the front lot line to the lake,
just from the 813 line to the lake to the water where the water always is in the summer they are about 180 feet deep. If you take our proposed development from the front lot lines down to the water, they are about 232 feet deep. They are about 52 feet deeper on each one. Now granted they are narrower. I mean these lots are more narrow than the ones in Montgomery Cove but they are deeper. If you go to the next one, we just dropped a few, we overlaid our subdivision on an aerial and tried to show some of the distances between backs of houses. The closest one that I have seen estimated the back of the house in Mallard Bay to the back of the house in the proposed subdivision is 325 feet away. The most looks to be about 525 feet away. And this is juxtaposed too. Ones inside Mallard Bay where they back up to each other in a normal subdivision way of 110 feet. Inside the subdivision they are backing up to each other at 110 feet. Where we are we are anywhere from 325 to 525 feet away. I have been hearing a lot of concerns about the property values too so we did some research on that. We just pulled up the CRS tax records and just did data gathering on that. Herron’s Point averages from the tax perspective of $212,000. Amberwood and Peachtree is $288. Mallard Bay is $715,000. Bayview is $243,000. Thorngate $316,000. Woods of Montgomery Cove is $772,000 and so on. My point on bringing this up is that what we are proposing is certainly not low dollar housing number 1. It fits right in between. There’s $200,000 houses and there’s higher ones.

Longmire: You are running out of time.

Huber: Okay. There has also been some questions about the cove if you have got that cove slide. The cove itself I figured it out is 450 acres in that cove back there. That large cove. Everybody talks about the traffic and the boat traffic in there. I am sure it is. I boat. I have gone back in there too. It is really the people coming in from the Tennessee River back there to enjoy the cove. It is not necessarily all the traffic from the people in the cove.

Longmire: Your time is up. I have a question. Would you please address the concern that Mr. Kline stated about the First Knox Utility District.

Huber: Yes can you pull that letter up? I don’t appreciate being called out by Mr. Kline because his statements are very inaccurate. I might even ask Mr. Pionke to comment.

Pionke: I can read the email that I got from First Utility District.

Huber: That would be perfect.

Pionke: I receive this today at 12:05 pm. Final decision may be in a couple of weeks. We still have a couple of things to kick around then get all concerned in house to comment. Final positive decision will have to be board action no sooner than mid-July.
Huber: That is one of the emails. Do you the other one Jordan? I have another email that Mr. Wedekind sent to the folks over in Mallard Bay. If I could read that one if you don’t mind. Mr. Largent which is over here, he is president of the HOA over there. He contacted First Utility with a question. “Mr. Largent. I am corresponding with you in response to your email correspondence with Mr. Burnett of my department. It is my understanding that you are the president of Mallard Bay HOA and contacting us on their behalf. This response will hopefully clarify our position with Mr. Huber in regards to access to the Raby tract referenced above. As with most residential developments in our district Mr. Huber approached with regards to the water and sewer infrastructure availability and for the feasibility of extension to the development of the Raby tract referenced above. From our mapping information it was determined that it could be feasible for him to engage engineering services to design water and sewer plants for the subdivision of the property. He then asked if First Utility would consider assisting with the improvement of access to the property because it doesn’t have a real good access right now. The property is currently limited to a 25 foot access to Harvey Road and borders an elevated railroad to the north single residential lots accessing Harvey Road by the private drive, Raby Way and Willow Cove embayment to the east, a fully developed commercial lot and the First Utility lot to the west; and Mallard Bay Homeowners Association parcel to the south of the Raby tract. After understanding the limited adequate development access to the tract we agreed to do a preliminary assessment for the feasibility of a 50 foot access of our property. From that favorable initial assessment Mr. Huber was instructed to pursue an engineering layout of the proposed access for our consideration and thorough review. This layout was received June 6. Our review has started and comments will be compiled. After resolution of comments, staff will have a recommendation in pursuing Mr. Huber’s request. This is the status as of today.

Longmire: Alright would you care to make that part of the record?

Huber: It is part of your record already. You know the...

Longmire: Your time is up sir. Mr. Kline you still have a minute if you wish to use it.

Kline: I would like to say a lot of Mr. Huber’s discussion dealt with areas under water. The Knoxville-Knox County General Plan 2033 11.2 page 68 and the Southwest Plan and development appendix A at 11.2 page 38 day “The density for residential development will be based upon the amount of usable acreage excluding areas which under water, in floodways and have steep slopes. Mr. Dave Largent of the Mallard Bay Homeowners Association has been named here by Mr. Huber. He had the conversation with Mr. Robinson. I would defer the rest of my time and ask him to talk
Longmire: He really won't have much time so I will give him another minute and Mr. Huber you will have another minute.

Dave Largent 12619 Mallard Bay Drive, Knoxville, TN. On Tuesday of this week I reached out to Robert Burnett who is with the engineering department for First Knox Utility District and asked him if in fact the utility company had granted any sort of permission or had a verbal agreement with access crossing the road from Mr. Huber's development. He told me absolutely not that the only verbal agreement they had was they would consider his request. There was no other agreement in place whatsoever to provide him with any sort of access across that property that is owned by the Utility Company. I understand today that our attorney has also had a conversation with the utility department and they told him the same thing that they just received his request in writing on June 6 and had not had a chance to review it and they would review it and they would give us an opportunity to talk to them as well.

Longmire: I understand that is what was read in Mr. Huber's letter. So you all agree on what was said. Thank you.

Art Clancy: Madam Chair that has no bearing on the zoning.

Longmire: I understand that I am giving people a chance to say.

Brusseau: I just wanted to point out that staff is recommending approval but we are also recommending a condition that that agreement be worked out and officially approved by FUD’s board prior to County Commission and if it is not at that point that County Commission should either postpone or deny the request.

Longmire: As Commissioner Clancy said this really has no bearing on what we are doing. I was giving them a chance to speak to each other because apparently they don't normally.

Clancy: I have got a couple of questions and a comment. I think that whatever First Utility District does does not have any bearing on our decision for zoning right now. It is kind of like the last one. We are proposing a zoning and our staff's recommendation is up to 3.5 dwelling units per acre. That doesn't mean that when the concept comes in that it is going to be that. That doesn't mean that we are going to approve a concept plan at 3.5. I would really like to see if Mr. Huber could possibly make his lake front lots a little bigger and charge more for them and maybe even push the density up a little more on the back side of the road. That is something that has to be engineered out. He has got a good engineer that will probably figure something out about that. When you are dealing with these neighbors who are passionate about
their property would be a good idea. It has been my experience that Mr. Huber would be happy to talk with the neighborhood although not really agree with them. I think 3.5 dwelling units per acre is reasonable for the zoning. I think it is probably a good figure for the use of this piece of property. It is a tough piece. They all are. Whether he gets access from First Utility District or not has no bearing on that. At some point it needs to be developed somehow. I would like to see it developed with a little bit bigger property. But bring me something at 3.5 that looks good and I would like to look out the back of my house and see possibly. My other comment is this. If you live in Mallard Bay and I have friends, people that I consider friends that live right there and will look at this. If you live in Mallard Bay and you say okay my mom owns that piece of property. She is a retired school teacher. My Dad left her the piece of property. She is getting to be about 85 years old and needs to find a place to live other than where she is. We are trying to figure out how she does that on social security. Nobody in any of these subdivisions has apparently has offered the owner of this property anything for the property so that they could keep it agricultural. Mr. Huber made the offer. You are looking at an offer that seems reasonable. I don’t know what it is but my point is owning a piece of property and trying to get the most value from it is important from our standpoint. But from our standpoint it is the best use. The best use might in this case seems to be something that is developable. It takes somebody that is creative to get a development on that. He is going to have to be even more creative to get a concept plan though which is where the neighborhood needs to work with him on that. They can help. They can influence that a great deal. He just wants to try to develop and make money on the development. He is not trying to ruin people’s view sheds. There is always that deal that if you bought your piece of property because it had a great view, you should purchase the view shed with it because it is going to change. So I would like to make a motion that we recommend that County Commission approve PR planned residential zoning at a density of up to 3.5 dwelling units per acre.

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE STAFF RECOMMENDATION OF PR PLANNED RESIDENTIAL ZONING AT A DENSITY OF UP TO 3.5 DWELLING UNITS PER ACRE.

Longmire: Okay the condition… Does the condition need to be added to it about the adequate documentation from First Utility.

Clancy: I don’t care. Bring it when they come with the concept plan.

Brusseau: I would just say subject to one condition if you wish to include that. I hate to differ with Mr. Clancy but staff does feel pretty strongly that unless we know there is adequate access that we would rather not see the property zoned at all. That is why
that condition was added.

Clancy: I will include the condition in my motion.

Johnson: I will second that amendment.

Bart Carey: We had a little discussion in agenda review. I am not sure I was clear about this. My understanding is that the property below the 820 that is wooded that deforestation is controlled by TVA is that correct?

Huber: That is correct.

Carey: I have known this property for years. That little island that sticks out there off Mallard Bay we used to camp out there and everything was a farm back then 40 years ago. When you walk on this property, and I accessed it basically through the proposed right of way on foot, there is a forested screen. There is foliage, trees and shrubs that basically block the view below the 820 on a large part of this property from the adjacent property. You get on out there to the very end and the lake lots there are like 4 or 5 lots at the end that are not screened. It seems like there is a natural buffer there. The railroad tracks are certainly a buffer on the north. It does not seem as imposing as … After hearing all the emails I wanted to go out and take a look personally. It just doesn’t seem like quite as a big an issue as I was feeling it was going to be from all the opposition. I drove all through Mallard Bay and that is a wonderful. That is a well done, first class subdivision. It is on a more conventional layout. This piece of property is irregular in shape. It is very elongated. There is a trend in Knox County to go to smaller lots. We see it in every development we listen to now. Frontages have gone from conventional 100 or 75 feet down to 60 or 65 feet. That is just the way of the world right now, at least in Knox County. It appears that this again has to come back to us for a concept. I think would comply with what we are looking for in land use for this area.

Janice Tocher: There was a lot of emails with regards to the issues about the single lane underpass under the railroad. I have not hear anything about how that might be addressed. In looking at the map of where this area is it seems like there is some more property that can be developed out there in this area but the roadway does not appear to be built to handle the capacity. I know that was a lot of people’s concerns. I was wondering if Ms. Pionke, this is county right.

Pionke: It is county but it is also bordering the Town of Farragut. At this point there are no plans to do anything to make improvement to the railroad underpass. We do recognize that it is a major bottleneck in terms of what happens out in West Knox County but at this point it would be a very expensive project to do something. It would take a long time because anytime a railroad
is involved those are long projects.

Longmire: Well and it’s not the only one in Knox County. There are several one lane underpasses that deal with the railroad. We have a motion and a second to recommend that the County Commission approve PR Planned Residential zoning at a density of up to 3.5 dwelling units per acre and the one condition is adequate documentation from First Knox Utility District.

**MOTION CARRIED -13-0. APPROVED.**

**Uses on Review**

* 26. **COLONEL J. D. EDDLEMON & HENRY J. BRIGHT, III**

**STAFF RECOMMENDATION:** Approve the request for an office/research and development facility with approximately 3,072 square feet and a maintenance/storage building with approximately 1,200 square feet as shown on the development plan subject to 9 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 27. **BRACKFIELD - ASSOCIATES, GP**
Southwest side of Tice Ln., southeast side of Neal Dr. Proposed use: Self storage facility in PC (Planned Commercial) District. Commission District 7.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 28. **BRANCH TOWERS**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 29. **BRANCH TOWERS**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 30. **PARTNERS V, LLC**
Northwest side of Lovell Rd., southeast side of Yarnell Rd., northeast side of Mercury Dr. Proposed use: Commercial
development and proposed grading plan in PC (Planned Commercial) / TO (Technology Overlay) & PR (Planned Residential) / TO (Technology Overlay) District. Commission District 6.

STAFF RECOMMENDATION: Approve the request for a grading plan and a development plan for commercial space containing approximately 24,400 sq. ft. subject to 12 conditions.

Arthur Seymour Jr. 550 Main Street, Knoxville, 37902. Here on behalf of Partners V LLC.

Longmire: I am going to let Mr. Brechko present but is there opposition?

Tom Brechko: Madam Chair, members of the Board. This request was generated from a desire of the property owner to regrade this property that is zoned both planned commercial and planned residential. It is basically a property that is the result of the relocation of Yarnell Road when they realigned the intersection. A State project. The way the property was proposed to be graded in creating a larger commercial tract with access to Lovell Road created issues or concerns from TDOT and County Engineering and MPC staff regarding what the access would be to these properties especially for the commercial property. The applicant had submitted a development plan for the commercial portion of the property. It had about 24000 square feet. We spent well and there was a postponement from last month because we were still trying to address issues on access to Yarnell Road. Through the discussions and meetings with the applicant they came up with a new design for their access to Yarnell that was acceptable to staff. When we got the revised plans for that change there was a change between the plan we had for the May meeting and the one that was submitted back in that eliminated a proposed sidewalk that staff had requested that would provide access from the existing sidewalk at Lovell Crossing apartments which are across Yarnell Road up to the existing sidewalks along Lovell Road. During the discussions I think that the applicant had with County Engineering and also with staff during the development review process, it was identified that this commercial development would be neighborhood serving that in part would be serving the apartments over there on the other side of Yarnell Road. There are I believe over 270 some apartments in there. They actually have an extensive sidewalk network within that development that you can see on the aerial that comes out to Yarnell Road. What we were requesting in a condition and you have a letter from Mr. Seymour that he submitted yesterday and it is in your packet objecting to that condition that we were proposing a crosswalk identified at the entrance to the development on Yarnell Road and then a sidewalk extension that goes up along Yarnell Road to the Weigels store where the existing sidewalk from the Lovell Road redevelopment is already in place. That is about 400 feet of sidewalk. We are
requesting a 7 foot wide sidewalk. There is an existing shoulder there that is graded out already. You can see actually in the photographs here the gravel on the side of the road. So it wouldn’t actually take a lot of grading to put the sidewalk in place. It would require that a curb be put in place in that area and that type of detail would be worked out with the County. In Mr. Seymour’s letter he identified that staff’s condition would require approval from the entity that owns the apartment which involves HUD as far as getting approval. I had pointed out I believe at the agenda review meeting on Tuesday that what staff is requesting that entire area is within public right of way and would not require any approval from the apartment property owners. The condition is that sidewalk and also under condition 4 there is a request for them to provide a revised plan that shows the sidewalk connections from the Lovell Road sidewalk into the commercial development with crosswalks tying into the two proposed commercial establishments. So that way everyone this large apartment complex would have sidewalk extensions by just providing this corner for the sidewalk that would get them up to the commercial area and the sidewalks that are along Lovell Road. It is staff’s recommendation to approve it with the 12 conditions.

Seymour: The opposition went first.

Brechko: By the way he told us we could try to work this out ahead of time and I told him if he went along with our recommendation we would be okay.

Seymour: Thank you. I am here with Jeff Beckett and I am going to give him a piece of my time. He is with Cannon and Cannon Engineering and has looked at the property. I sent a letter and I am not going to reiterate that but I think, and you all may be able to correct me, I have asked MPC staff has there ever been an occasion when a developer was asked to install a sidewalk across the street from his or her development. I have no memory of that ever occurring. Staff member I talked to did had not either. I could be wrong. You all may remember one but this is a first time I have heard of it.

Longmire: How exciting to be first Mr. Seymour.

Seymour: Well generally we do not oppose onsite or access to a turn lane or things like that. Here we have a sidewalk Partners being required by condition 4 to build a sidewalk across the street from its development and as Mr. Beckett will explain to you in a moment that does in fact encroach on the Lovell Crossing Apartments. Now you are looking at a plain view of this property. Yes if you look at a plain view there is room to put a sidewalk in there but actually as you go from the apartments towards the Weigels on Lovell Road you are going up hill and you are making a curve that goes to your right. Mr. Watkins and his contractor have looked at this to put the sidewalk required by condition 4 in
there would require encroachment on the Lovell Hills Apartments because of the slope that would go from the sidewalk down. At the point of the curb the sidewalk would be well above the apartments. The apartments are encumbered by a mortgage, and I cited the requisite provision in there that requires any construction on the property and that includes real property, the buildings and everything be approved by HUD. Getting HUD approval is a lengthy process. They can be arbitrary. They can say yes or no. But that may be a condition that is impossible to perform. If I could just give Mr. Beckett a minute to explain what the construction of the sidewalk contains.

Jeff Beckett with Cannon and Cannon, 8550 Kingston Pike. Mr. Seymour explained it pretty well. The owner went out to the site with the contractor and looked at the side slopes of Yarnell Road. The concern is if you construct the sidewalk in the shoulder area you would have a curb section to protect pedestrians from any traffic and when you build that up the side slopes of that sidewalk would extend down. The sidewalk itself would fit within the right of way and the shoulder area but this would be more filling in and creating a shoulder and a side slope tied in. Yea that pretty much is what the contractor and the developer reviewed out in the field.

Longmire: I am sorry did you give your name and address

Beckett: Sure did.

Longmire: I just blanked out there for a minute. I am sorry.


Longmire: Yes Mr. Beckett I am sorry.

Seymour: So in effect condition 4 is a condition that Partners V cannot control. I submit that imposing a condition that is not within the purview of the developer to control is an illegal condition and would be certainly unfair to Partners V. We would ask that that condition be removed. Otherwise we are fine with all the conditions. As stated by Mr. Brechko this started simply as a project to grade the commercial site there. Behind the commercial site will be some residential units; 10 or 12 I believe Mr. Beckett, residential units. This pad is being designed for something like a Walgreens, CVS drugstore, or something of that size. I don't think we have a tenant signed up yet but that is what this site will be used for.

Longmire: So nothing that would support pedestrian traffic coming from the apartments.
Seymour: I am not going to say yes or no to that. I simply don’t know. The Burger King across the street had no requirement like this.

Longmire: Like I said it is always good to be first. Thank you Mr. Seymour.

Seymour: Well we don’t want to be first.

Brechko: Does the opposition have some time left? Mr. Seymour is raising issues about the problem on that side of the road and being across from their property. During discussion that staff had and we discussed this with the applicant’s engineer, we have also talked about the issue of having the sidewalk on their side of Yarnell Road that would provide access from the residential portion of the property up to this commercial property. In our discussions I think there are more obstacles putting it on their side. One that would be twice, at least twice as long if not longer than that to provide adequate access. Because of some of the issues with the grade out there and drainage it would probably require changes to their plan that would shift some of the development or their grading away from Yamell Road to be able to get that in there. It also provided an issue of having probably a midblock crossing the sidewalk from the apartments. You can see where the existing sidewalks in the apartments is right out there at Yarnell. To cross at that midpoint with a curb we felt it wasn’t safe and that this was the most logical way to provide that access connection. By plans that were submitted for the apartment development, there is a 70 foot right of way through there that gets a little wider as you get up to the Weigels store. In that picture that was on there of the showing the shoulder, that pole from the information that we had on the documents that were submitted previously for the apartment development there is about 20 feet from that pole to the edge of pavement. That appears from the information they had to all be in the public right of way. I have discussed this with engineering and I think it is our feeling that they could fit this within the public right of way. If we find that there is an issue that as you get closer to the Weigels that just regular grading may create a problem they can look at a small retaining, I mean there are different ways they can look at staying within the public right of way. If there is an issue that we find through the process that they can’t make it work and would need that approval that condition, the recommendation is that the sidewalk would not have to be installed until the commercial development goes forward and they are looking for a certificate of occupancy that as you get close to the Weigels look as a small different ways to look at staying within the public right of way sidewalks would not have to be installed until the commercial development and looking at certificate of occupancy. It doesn’t require that sidewalk to be put in place prior to doing any grading out there. One other thing that if the Planning Commission were in agreement with the applicant, part of condition 4 deals with the
sidewalks from Lovell Road to their proposed buildings in the commercial development providing the connections and the crosswalks. Only the first part deals with the sidewalk on the other side of Yarnell Road. Providing connection for the crosswalk. Only the first part deals with the...

Seymour: We don't have any objection to that.

Elizabeth Eason: I was going to say that it seems logical to me that we have existing sidewalks that stop and that having a connection to a retail would be of benefit to the retail and for the apartment complexes. If it's a shorter distance and easier to do that on the other side of the road than on your own property that seems like it would be of benefit too to have that option, certainly if you can stay within the right of way as has been described.

Scott Smith: I was kind of thinking all this intersection is relatively new. That Weigels is relatively new. I don't know why this guy across the street would have to build a sidewalk from Weigels to the apartments that he doesn't own. Just seems strange to me. It would be a nice thing to have. I just don't know that it should be the burden of the guy that is trying to get a grading permit right know in light of the fact that they just built that intersection and they just built the Weigels. I don't know why it would not have been factored in at that time.

Michael Kane: What I hear is that we need a sidewalk on one side of the street or the other. Maybe the condition is that there be a sidewalk and it could be on one side of the street or the other. Let the applicant decide which way he wants to go.

Longmire: That is reasonable to me. I want sidewalks on both sides.

Kane: Isn't that what I heard? Did you say that you could put the sidewalk on the applicant's side?

Brechko: We had talked about it. It is just more complications.

Kane: Well and that is up to him to decide whether or not which way is more advantageous to him. Sounds to me like we think it could be reasonably done in the right of way. Would be a better option to me to provide that for the applicant.

Brechko: I know that there may be some little details to it. The ownership Partners V and one of the principles in Partners V is the same owner that developed the apartments, or at least the last portion of the apartments that adjoin Yarnell. They have a different corporation name or entity for that. The application for the apartments was Ron Watkins and it is the same one that is part of the Partners V. So it is not a totally different owner.
Anders: which came first apartments or Weigels?

Seymour: Apartments came first.

Anders: Why wasn’t Weigels a part of that sidewalk on that and required to provide some as access to their property from those residents at the apartment?

Brechko: The sidewalks that are actually out there on Lovell Road and come around the corner at Weigels were installed by the state as part of the improvement project for that intersection. Again when we had our discussion with the applicant and when he also had talked previously to the County part of their discussion I don’t know if you want to call it pitch was that this is a neighborhood serving commercial development we are proposing. It would part serve the apartments. The applicant owns or is part owners of both those properties. It was a short extension to provide, well part of our concern and discussion about access was the vehicular turn of people coming from the apartments and vehicles coming up turning into the development and then trying to turn out coming back onto Yarnell when all we were dealing with was a short section of sidewalk that could be put in the public right of way to connect the two.

Clancy: We did not require the apartments to put the sidewalk up Lovell Road at the time. We have an opportunity to fix that right now. I make a motion that we approve the request for a grading plan and development plan for commercial space containing approximately 24,400 square feet subject to the 12 conditions.

MOTION (CLANCY) AND SECOND (JOHNSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. SUBJECT TO 12 CONDITIONS. MOTION CARRIED 12-1. (Anders). APPROVED.

Longmire: I will say this having been traveling lately. Even the smallest towns I have been to sidewalks have been a lifesaving thing. If you are walking on Yarnell Road a sidewalk and a guard dog would be good options there too.

Anders: I am not against the sidewalks I guess where I have the real problem is with the development.

* 31. **JESSE HURLEY**
North and south sides of Cascade Meadows Way, west and south sides of Teras Point Way. Proposed use: Reduction of the periphery boundary setback from 35’ to 15’ for specified lots in PR (Planned Residential) District. Commission District 7.

STAFF RECOMMENDATION: Approve the request to reduce the peripheral boundary setback from 35’ to 25’ for lots 1, 2, 6, 13-15
& 20-24 and approve the reduction from 35' to 15' for lots 4 and 17 as shown on the site plan subject to 1 condition

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 32. **DAMON A. FALCONNIER, NCARB**

   West side of Harriett Tubman St., south of McCalla Av. Proposed use: Child day care center in C-6 (General Commercial Park) District. Council District 6.

   STAFF RECOMMENDATION: Approve the request for a child day care center to serve up to 74 children as shown on the site plan with 4 conditions

   THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 33. **JOSEPH R CANDLISH**


   STAFF RECOMMENDATION: Approve the development plan for a bed and breakfast inn with up to two guest rooms in the R-1A/H-1 zoning districts, subject to 4 conditions:

   THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 34. **BRANDON BARRETT**


   STAFF RECOMMENDATION: Approve the request for a 90 seat restaurant containing approximately 3,847 square feet of floor area as shown on the development plan, subject to 7 conditions

   THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 35. **FLAGSHIP GROUP, INC.**


   STAFF RECOMMENDATION: Approve the request for an office and light manufacturing facility of approximately 22,000 square feet as shown on the development plan subject to 7 conditions.

   THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 36. **CYNTHIA DAVIS LISA EPPS**

STAFF RECOMMENDATION: Approve the request for the applicant to provide an in home child care facility for up to 12 children at this location subject to the following 10 conditions

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 37. BRANCH TOWERS 6-G-15-UR

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 38. LAND DEVELOPMENT SOLUTIONS 6-H-15-UR

STAFF RECOMMENDATION: Approve the request for the relocation of the emergency power facility as shown on the site plan subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 39. KNOXVILLE HABITAT FOR HUMANITY 6-I-15-UR

STAFF RECOMMENDATION: Approve the request to reduce the minimum required front yard setback to 15 ft. for lots 4-7 as shown on the plan subject to 3 conditions

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Other Business:

* 40. Consideration of MPC’s FY 2015-2016 Budget. 5-B-15-OB

EXECUTIVE COMMITTEE RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

Adjournment
MOTION (CLANCY) WAS MADE TO ADJOURN.

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 3:30 p.m.

Prepared by: Betty Jo Mahan

Approved by: Secretary for the Commission

Approved by: Rebecca Longmire, Chair

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