



Minutes

December 11, 2003

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

The Metropolitan Planning Commission met in regular session on December 11, 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. Dick Graf, Vice Chair
Mr. Trey Benefield
Mr. Herbert Donaldson
Mr. Ray Evans
Mr. Philip French
Mr. Mark Jendrek

Mr. Chester Kilgore
Mr. Stephen Lewis
Mr. Randy Massey
Ms. Mary Parker Slack
Mr. Larry Smith
Mr. David Wolf

* Arrived late to the meeting.

** Left early in meeting.

Vice Chair, Dick Graf, presided over the meeting.

1. ROLL CALL

Ms. Vi Whitmire called the role.

2 INVOCATION

Mr. Randy Massey led the invocation.

3 PLEDGE OF ALLEGIANCE

Mr. Randy Massey led the Pledge of Allegiance.

Dave Hill presented a plaque to Patsy Vittetoe in appreciation of her service to the Commission.

*4. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED NOVEMBER 13, 2003.

THIS ITEM WAS APPROVED ON CONSENT.

*5. APPROVAL OF DECEMBER 11, 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 January 8, 2004 MPC Meeting:

- P** 12-SF-03-C CABOT RIDGE
East side of Harvey Rd., south side of Rockford Ln., Commission District 5.
- P** 12-J-03-UR GLENNARD HARRINGTON
East side of Harvey Rd., south side of Rockford Ln. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 169 021, Commission District 5, Southwest County Sector.
- P** 12-SA-03-F PROPERTY OF THOMAS J. & BETTY L. MARTIN
West side of W. Dick Ford Ln., just west of Chapman Hwy., Commission District 9.
- P** 12-SE-03-F MINERAL SPRINGS SUBDIVISION (FORMERLY HUBER HEIGHTS)
East side Foote Mineral Ln., northeast of Bakertown Rd., Council District 3.
- P** 12-SL-03-F CARROLL P. SELLERS
South side of Kodak Rd., east of Russell Rd., Commission District 8.
- P** 12-SM-03-F MCGUINNESS PROPERTY
Southwest side of Houser Rd., south of Lyons Bend Rd., Commission District 4.
- P** 12-SN-03-F NELSON PROPERTY, RESUBDIVISION OF PARCELS 2, 3 & 5
East side of E. Redbud Rd., south side of Old Sevierville Pike, Council District 1.
- P** 12-SO-03-F FRANKLIN CREEK
South side of Yarnell Rd., east of Carmichael Rd., Commission District 5.
- P** 12-SP-03-F BROOKSTONE
Southwest side of Old Clinton Pike, northwest end of Meredith Rd., Commission District 6.
- P** 12-SR-03-F MILLERS PLANTATION, UNIT 3
West end of Rhyne Cove Ln., west of Miller Creek Ln., south of Ball Rd., Commission District 6.
- P** 12-V1-03 THOMAS R. HAVASY PROPERTY
East side of Armstrong Ave., north side of Thompson Place, Council District 4.
- P** 12-V8-03 GAUT PROPERTY
Northwest side of Hinton Rd., southwest side of Ball Camp Pike., Council District 3.
- P** 12-L-03-UR CORNERSTONE CHURCH

Northeast side of Heritage Lake Blvd., southeast of Westland Dr., east of Pellissippi Pkwy. Proposed use: Church in PR (Planned Residential) District. Tax ID 144 30.05, Commission District 5, Southwest County Sector.

Mr. Dick Graf: The following cases under Section 17 Rezoning will be discussed separately by the Commission due to a mechanical failure to provide adequate mail notification to property owners located within 200 feet of the property proposed to be rezoned. The cases subject to late mail notification include:

<u>12-C-03-RZ</u>	<u>DISNEY JOINT VENTURE</u>
<u>12-E-03-RZ</u>	<u>OUR FATHER'S HOUSE</u>
<u>12-H-03-RZ</u>	<u>LYNN M. RHEA</u>
<u>12-J-03-RZ</u>	<u>EAGLE BEND REALTY</u>
<u>12-K-03-RZ</u>	<u>HOLROB INVESTMENTS</u>

Mr. Graf: Asking if the public wants these items heard or postponed due to notice problems.

Mr. Dave Hill: In terms of the notice requirements under the Administrative Rules and Procedures, there are three items required for notification. First is newspaper publication has to take place not less than 12 days prior to public hearing and this has been satisfied for these cases. A sign posting is also required no less than 12 days prior to public hearing and that requirement has been satisfied. Mail notification is required no less than 12 days prior to public hearing. We did have a computer error in generating the postcards. When the mistake was discovered, the postcards were mailed out late. The notification by mail requirement has not been satisfied. We did get calls saying they felt insufficient notice was provided. You have a handout which tells you about the late mail notices and whether you would like the items heard. Then Commissioners can vote on whether to postpone or waive the Administrative Procedures to Hear these cases.

Mr. Dick Graf: Asked if anyone wanted any of these items postponed.

MOTION (BROWN) AND SECOND (BENEFIELD) WERE MADE TO WAIVE ADMINISTRATIVE RULES REGARDING MAIL NOTIFICATION. MOTION CARRIED 13-0. ADMINISTRATIVE RULES REGARDING MAIL NOTIFICATION WAIVED.

POSTPONEMENTS –REQUIRING MPC ACTION– (Indicated with P)

Items to be postponed until the January 8, 2004 MPC Meeting:

- | | | |
|----------|-------------------|---|
| P | <u>1-SC-03-C</u> | <u>THE VILLAS OF WELLSLEY PARK</u>
East end of Gleason Dr., east of Morrell Rd., Council District 2. |
| P | <u>1-E-03-UR</u> | <u>BARGE WAGGONER SUMNER & CANNON, INC.</u>
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 | <u>11-SC-03-C</u> | <u>JOE HINTON ROAD SUBDIVISION</u>
East and west sides of Joe Hinton Rd., south side of Jenkins Rd., Commission District 5. |
| P | <u>11-K-03-UR</u> | <u>S & E PROPERTIES</u> |

East and west sides of Joe Hinton Rd., south side of Jenkins Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 105 Pt. 152, Commission District 5, Northwest County Sector.

- P** 9-SK-03-F ARBOR VISTA
Northwest side of Choto Rd., south of Whitten Ln., Commission District 5.
- P** 10-SE-03-F RALPH JOEL OWNBY PROPERTY
Northwest side of Twin Oak Ln., southwest Tazewell Pike, Commission District 8.
- P** 11-SM-03-F RALPH S. KERR
North side of Brackett Rd., east of Bell Rd., Commission District 8.
- P** 11-SN-03-F H. T. & EDITH ROACH ESTATE, RONALD E. & FAYE WEISGERBER & HARVEY M. WRIGHT
Southeast side of Wood Rd., east of Majors Rd., Commission District 8.
- P** 7-V3-03 41 NORTSHORE 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** 10-V3-03 BONNYMAN ESTATE LOT - 3A, BLOCK "A" WESTMORELAND HEIGHTS SUBDIVISION
North side of Sherwood Dr., east of Gate Head Rd., Council District 2.
- P** 10-V5-03 AMERISTEEL PROPERTY
Northwest side of Tennessee Ave., southeast side of Louisiana Ave., southwest side of Stonewall St., Council District 5.
- P** 11-V6-03 WILLIAMSBURG ADDITION, RESUBDIVISION OF ALL OR PARTS OF LOTS 17, 18, 23, 24, 29, 30, 33 & 34
South side of W. Hill Ave., west of Maplehurst Ct., Council District 6.
- P** 11-V8-03 1608 DICK LONAS RD. PROPERTY
East side of Dick Lonas Rd., south of Seaver Dr., Council District 3.
- P** 10-F-03-UR MICHAEL BRADY, INC.
Southwest side of Maloney Dr., northwest of Ginn Rd. Proposed use: Attached residential condominium project in RP-1 (Planned Residential) District. Tax ID 135 H A 007, Council District 1, South County Sector.

Items to be postponed until the February 12, 2004 MPC meeting:

- P** 10-V10-03 THE ETHANOL CORPORATION RESUBDIVISION PLAT
60 days to 2/12/04 North side of Asheville Hwy., west side of River Turn Rd., Council District 4.
- P** 12-V7-03 RESUBDIVISION OF BLAKEWOOD DEVELOPMENT AND E. L. DUNCAN BUILDERS, INC ADDITIONAL PROPERTY

60 days to 2/12/04 Northwest side of Schaad Rd., directly north of Hilda Ln., Commission District 6.

3-N-02-RZ CITY OF KNOXVILLE, BY MAYOR VICTOR ASHE
Mr. Arthur Seymour, Jr., 3-N-02-RZ Spoke to law department. Matter is on its way to resolution and request 30-day postponement to January 8, 2004.

MOTION (SMITH) AND SECOND (SLACK) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE JANUARY 8, AND FEBRUARY 12, 2004 MPC MEETING RESPECTIVELY INCLUDING 3-N-02-RZ CITY OF KNOXVILLE UNTIL THE JANUARY 8, 2004 MPC MEETING. MOTION CARRIED 13-0. POSTPONEMENTS APPROVED.

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 12-SC-03-F WILLIAM H. LEE ESTATE
Northeast side of Cannon Ln., south side of Asheville Hwy., Commission District 8.

W 7-M-03-UR RIVER CLUB PARTNERS, LP
North and south side of River Club Way, northeast of Charter Oak Way
Proposed use: Detached single-family dwelling on individual lot and revision to common area in PR (Planned Residential) & A (Agricultural) District. Tax ID 156 P A 16, 16.01 & 166AA040, Commission District 4, Southwest County Sector.

WITHDRAWALS – REQUIRING MPC ACTION – (Indicated with W)

None

REVIEW OF TABLED ITEMS

TABLED

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

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

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

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
Northwest side of Dutchtown Rd., east of Simmons Rd., Commission District 6.
- 9-Q-02-UR BOOGER BEAR, LP
Northwest side of Dutchtown Rd., east of Simmons Rd. Proposed use: Office/warehouse development in PC (Planned Commercial) & TO (Technology Overlay) District. Tax ID 118 Pt. 173.20, Commission District 6, Northwest County Sector.
- 9-SU-02-F POTOMAC PLACE, PHASE 2, UNIT 2
North end of Presidential Ln, north of Beaver Ridge Rd., Commission District 6.
- 1-SB-03-F ELNORA L. GRAY
Southeast side of W. Copeland Dr, northeast of Brickyard Rd., Commission District 6.
- 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.
- 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.
- 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.

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

None

TABLINGS – (Indicated with T)

None

7. CONSENT ITEMS

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

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

*4. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED NOVEMBER 13, 2003

*5. APPROVAL OF DECEMBER 11, 2003 AGENDA

ORDINANCE AMENDMENTS

- * 12-A-03-OA METROPOLITAN PLANNING COMMISSION
Amendments to the Knoxville Zoning Ordinance allow for staff approval of some provisions of Certificates of Appropriateness.

STAFF RECOMMENDATION: Approve.

- * 12-B-03-OA METROPOLITAN PLANNING COMMISSION
Amendments to the Knox County Zoning Ordinance to clarify the title of the Knox County Board of Zoning Appeals.

STAFF RECOMMENDATION: Approve.

STREET CLOSURES

- * 10-A-03-SC RICHARD LYNCH
Request closure of southern portion of Middlebrook Pike 50' south of centerline between Loraine St approximately 376.4 ' and west property line of parcel 13, CLT Map 94, City Block 23800, Council District 3, Central City Sector.

STAFF RECOMMENDATION: Approve, subject to any required easements and 5 conditions.

SUBDIVISION NAME CHANGE

- * 12-A-03-SDNC TIMBER OUTLETS INVESTMENTS, LLC
Change Timberlake, Unit 4 to 'Harbor Cove @ Timberlake, Unit 1'. Northwest of Harbor Cove Drive, northeast of Surfside Shores Lane. Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve.

CONCEPTS/USES ON REVIEW - NEW

- * 12-SA-03-C MENDONHALL ESTATES
 East & west sides of Bishop Rd., south of Tate Trotter Rd., Commission District 7.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 12 conditions.
- * 12-D-03-UR PRESTIGE DEVELOPMENT
 East and west sides of Bishop Rd., south of Tate Trotter Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) Pending District. Tax ID 47 064, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 66 detached single family dwellings on individual lots subject to 2 conditions.
- * 12-SB-03-C THE RESERVE OF HUNTERS RIDGE
 East side of Stony Point Rd., northeast of Kays Ridge Ln., Commission District 8.

STAFF RECOMMENDATION: Approve the concept plan subject to 8 conditions.
- * 12-SC-03-C LANCASTER RIDGE
 East side of Steele Rd., north of Hardin Valley Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-4 and the concept plan subject to 10 conditions.
- * 12-H-03-UR B & J ENTERPRISES
 East side of Steele Rd., north of Hardin Valley Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 103 058, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 89 detached single family dwellings on individual lots subject to 2 conditions.
- * 12-SD-03-C MOSS CREEK
 North side of Moss Creek Ln., north of Pleasant Ridge Rd., Council District 3.

STAFF RECOMMENDATION: Approve the concept plan subject to 10 conditions.
- * 12-G-03-UR MOSS CREEK VILLAS, LLC
 North side of Moss Creek Ln., north of Pleasant Ridge Rd. Proposed use: Attached and detached single family subdivision in RP-1 (Planned Residential) District. Tax ID 80 H C 052, Council District 3, Northwest City Sector.

STAFF RECOMMENDATION: Approve the plan for up to 48 attached and 2 detached single family dwellings on individual lots, with the total dwellings for the development being increased to 216, subject to 4 conditions.

FINAL AND ONE LOT SUBDIVISIONS

- * 10-SA-03-F BLAKELY PROPERTY
South side of Rosie Ln., east of Wooddale Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.
- * 11-SO-03-F RONNIE & NANCY L. OLIVER
North side of Gamble Dr., southwest side of Hidden Branch Ln., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SB-03-F JIM MILLER
East side of Rush Miller Rd., south of Thorn Grove Pike., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SD-03-F EDDIE PETTY PROPERTY
East side of Cooper Rd., north of I-40, Commission District 8.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SF-03-F EAST POINTE, LOT 3 & 7
Southeast of Strawberry Plains Pike, west of Huckleberry Springs Rd., north side of I-40, Council District 4.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SG-03-F BELMONT PARK, RESUBDIVISION OF LOTS 2 - 8 & COMMON AREA
West of Secretariat Blvd., north and south side of Belmont Park Ln., Commission District 6.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SH-03-F FOX VUE SUBDIVISION
Northwest side of George Williams Rd., northeast of I-140., Commission District 5.

STAFF RECOMMENDATION: Approve final plat.
- * 12-SI-03-F TWIN CREEK, UNIT 3
North end of Brooken Creek Ln, north of Tipton Station Rd., Commission District 9.

STAFF RECOMMENDATION: variance 1 and final plat.

- * 12-SJ-03-F WRENS CREEK, UNIT 2, RESUBDIVISION OF LOTS 24, 25, 26 & 27
Northeast side of Pelsor Ln., northwest of Ghiradelli Rd., Commission District 7.

STAFF RECOMMENDATION: Approve final plat.

- * 12-SK-03-F SELLERS PROPERTY
North side of Kodak Rd., east of Russell Rd., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

- * 12-SQ-03-F PROPERTY OF M. A. SCHUBERT, JR.
Southeast side of S. Northshore Dr., north of Bickerstaff Blvd., Commission District 4.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 12-SS-03-F ANTEELAH SUBDIVISION, RESUBDIVISION OF LOT 21R2
East side of Anteelah Trail, south of Kingston Pike, Council District 2.

STAFF RECOMMENDATION: Approve final plat.

- * 12-ST-03-F KIM V. & KIM D. HOLDEN PROPERTY, RESUBDIVISION OF PART OF LOT
1
Northwest side of Strong Rd., northeast of Dockery Dr., Commission District 8.

STAFF RECOMMENDATION: Approve final plat.

- * 12-SU-03-F WALKER SPRINGS COMPANY (FORMERLY JOHN R. FISER, TRUSTEE)
Southwest side of Gallaher View Rd, southeast of Broome Rd., Council District 2, Commission District 3 & 5.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 11-V2-03 METRON N.A.
North side of Kingston Pike, east of Alcoa Hwy, Council District 1.

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

- * 12-V2-03 KOTSIANAS PROPERTY RESUBDIVISION
South side of Kingston Pike, east side of Albunda Dr., Council District 2.

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

- * 12-V3-03 CLOTWORTHY & KINZELS ADDITION, RESUBDIVISION OF LOTS 4, 5, 6,
7, 8 & 16
Southeast side of Middlebrook Pike, southwest side of Clyde St., Council District 6.

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

- * 12-V4-03 SAMUEL J. FURROW PROPERTY

North side of W. Main St., south side of Cumberland Ave., west side of Walnut St., and east side of Locust St., Council District 6.

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

- * 12-V5-03 FORT SANDERS ADDITION, RESUBDIVISION OF LOTS 5 & 6R
North side of Clinch Ave., west side of Twenty Second St., Council District 1.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 12-V6-03 ROBERT DEWAYNE HAMILTON & MELANIE L. HAMILTON PROPERTY
North side of Ball Camp Pike, north of Western Ave., Council District 3.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 12-V9-03 RESUBDIVISION OF LOT 30, EMERALD COURT SUBDIVISION & THE CLARENCE SAM & ARIZELLA D. SMITH PROPERTY
Northwest side of W. Beaver Creek Dr., northeast side of Emerald Heath Rd., Commission District 6.

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

- * 12-V11-03 LOT 2R-R1-R2, WIMBLEDON PARK
Northwest side of Lonas Dr., east side of East Weisgarber Rd., Council District 2.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 12-V12-03 JEWEL TOWE PROPERTY
East side of Nickle Rd., south of Nickle Ln., Council District 3.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

- * 12-V13-03 AMBRISTER & BALLARDS SOUTHLAND PARK ADDITION
Southeast side Ave. B, southeast side Plum St., Council District 1.

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

- * 12-V14-03 GOODY'S FAMILY CLOTHING, RESUB. TRACT 2
South side Parkside Drive, west side Wakefield Rd., Council District 2.

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

- * 12-V15-03 TOMMY GIBSON SUBDIVISION
North side Chapman Highway, east side E. Circle Drive, Commission District 9.

STAFF RECOMMENDATION: Approve variance 1 and final plat.

REZONINGS

- * 12-F-03-RZ CITY OF KNOXVILLE

North and south sides Callahan Dr., southwest of I -75 North, northeast of Clinton Hwy., Rezoning from No Zone to C-4 (Highway and Arterial Commercial), C-6 (General Commercial Park), I-2 (Restricted Manufacturing and Warehousing), A-1 (General Agricultural) and/or R-2 (General Residential). Tax ID 67 244, Per City of Knoxville annexation plan of service 10-6-03.AX (Revised). Council District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve A-1, R-2, C-4, C-6 and O-1 as shown on the staff report map.

- * 12-G-03-RZ CITY OF KNOXVILLE
Southwest side Luscombe Dr., and Southern Railroad ROW, Rezoning from No Zone to R-1 (Single Family Residential). Tax ID 133 G C 24-28, 133BE1,12,16, and railroad right-of-way (Revised). Council District 2, West City Sector.

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

- * 12-L-03-RZ WILLARD SCARBO FAMILY, LP
Northeast side Central Avenue Pike, northwest of Dante Rd., Rezoning from RB (General Residential) to CA (General Business). Tax ID 57 O A 013, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve CA (General Business)

- * 12-N-03-RZ HOSPITALITY PANTRIES, INC./ JIM WRIGHT, PRESIDENT
Southeast side W. Scott Ave., northeast side Branner St., Rezoning from I-2 (Restricted Manufacturing and Warehousing) to C-3 (General Commercial). Tax ID 81 N F 13,17, Council District 4, Central City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial)

- * 12-O-03-RZ HOUSING CAPITAL, INC.
Southwest side Pipkin Ln., northwest of Fox Rd., Rezoning from R-1 (Single Family Residential) to RP-1 (Planned Residential). Tax ID 143 110, Council District 2, Southwest County Sector.

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

USES ON REVIEW

- * 9-C-03-UR BAILEY INTERNATIONAL CORPORATION
Northwest side of Centerpoint Bv., west of Pellissippi Pkwy. Proposed use: Office / manufacturing / distribution in BP (Business and Technology) & TO (Technology Overlay) District. Tax ID 118 16.08 & 16.09, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the request for a 43,599 square foot office development as shown on the development plan subject to 9 conditions

- * 12-B-03-UR PARKWAY PROPERTIES

Southeast side of Lovell Rd., south of Schaeffer Rd. Proposed use: Self-service storage facility in CA (General Business) & TO (Technology Overlay) District. Tax ID 118 13 & 70.05, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the request for a self-service storage facility with up to 115,464 square feet of storage space as shown on the development plan subject to 10 conditions.

* 12-C-03-UR

FAITH PROMISE CHURCH

Southeast side Faith Promise Lane, northeast of Pellissippi Parkway. Proposed use: Church expansion in BP (Business and Technology Park)/TO (Technology Overlay) & OB (Office, Medical & Related Services)/TO District. Tax ID 89 222.01 - 02, 222.18 - 19, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the request for the church expansion as shown on the development plan subject to 9 conditions.

* 12-E-03-UR

CHAPMAN CERTIFIED PROPERTIES, LP

North side Chapman Hwy., northwest side E. Norton Rd. Proposed use: Master signage plan in C-4 (Highway and Arterial Commercial) District. Tax ID 137 189,191,192, 192.01,193, Council District 1, South County Sector.

STAFF RECOMMENDATION: Approve the development directory sign as a master signage plan in the C-4 zoning district, subject to 3 conditions.

* 12-F-03-UR

GREG CAMPBELL

North and south sides Grand Ave., north and south sides Forest Ave., west of Twentieth St. Proposed use: High density student housing in RP-3 (Planned Residential) District. Tax ID 94 O D 6-13,14.01,15, 094NA1-9,9.01,10-21,21.01,22-29 and 094NB001 and 094NR1-12 (Map on file). Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve the development plan for high density student housing in the RP-3 zoning district, subject to 8 conditions.

* 12-K-03-UR

HUBER PROPERTIES

East side Foote Mineral Ln., northeast of Bakertown Rd. Proposed use: Detached single family dwelling in RP-1 (Planned Residential) District. Tax ID 92 part of 65, Council District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for an additional single-family dwelling in the RP-1 zoning district, subject to 4 conditions.

* 12-M-03-UR

MICHAEL BRADY, INC. - PAUL ANASTASIO

North side Chapman Hwy., southeast of Nixon Rd. Proposed use: Credit union in SC (Shopping Center) and C-4 (Highway & Arterial Commercial) District. Tax ID 137 185.05, Commission District 9, South County Sector.

STAFF RECOMMENDATION: Approve the development plan in the SC and C-4 zoning districts, subject to 4 conditions.

MOTION (MASSEY) AND SECOND (SMITH) WERE MADE TO APPROVE ITEMS AS READ.
MOTION CARRIED 13-0. CONSENT ITEMS APPROVED AS READ.

8. ORDINANCE AMENDMENTS

ORDINANCE AMENDMENTS – OLD

11-B-03-OA METROPOLITAN PLANNING COMMISSION
Amendments to MPC's Minimum Subdivision Regulations regarding plat appeals, requirements for plat submission, and other related sections.

STAFF RECOMMENDATION: Approve.

Mr. Buz Johnson: We have been looking at these amendments the past several months to clarify the appeal process for all of the plats and more specifically the administrative plats approved by MPC staff. You have a final version, which incorporates language that clarifies at what point in time the appeal can be initiated. We will split the first three sentences into one-sentence paragraphs to further clarify and make it easy to understand. We will also be looking at procedural changes, possibly to the Administrative Rules and Procedures with regard to notification that we are reviewing administrative plats. Right now there is no requirement to notify anyone. We will be looking at postcards, something on the website, or putting something in your packages; one or all of these hopefully in January. This would provide information to people that would not normally know about them.

MOTION (BROWN) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. APPROVED.

ORDINANCE AMENDMENTS – NEW

* 12-A-03-OA METROPOLITAN PLANNING COMMISSION
Amendments to the Knoxville Zoning Ordinance allowing for staff approval of some provisions of Certificates of Appropriateness.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 12-B-03-OA METROPOLITAN PLANNING COMMISSION
Amendments to the Knox County Zoning Ordinance to clarify the title of the Knox County Board of Zoning Appeals.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

9. STREET CLOSURES

STREET CLOSURES – OLD

* 10-A-03-SC RICHARD LYNCH
Request closure of southern portion of Middlebrook Pike 50' south of centerline between Loraine St approximately 376.4' and west property line of parcel 13, CLT Map 94, City Block 23800, Council District 3, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

STREET CLOSURES - NEW

None

10. ALLEY CLOSURES

ALLEY CLOSURES – OLD

None

ALLEY CLOSURES – NEW

None

11. STREET NAME CHANGES

STREET NAME CHANGES – OLD

None

STREET NAME CHANGES - NEW

None

12. SUBDIVISION NAME CHANGES

SUBDIVISION NAME CHANGES – OLD

None

SUBDIVISION NAME CHANGES – NEW

- * 12-A-03-SDNC TIMBER OUTLETS INVESTMENTS, LLC
Change Timberlake, Unit 4 to 'Harbor Cove @ Timberlake, Unit 1'. Northwest of Harbor Cove Drive, northeast of Surfside Shores Lane. Commission District 7, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

13. PLANS AND PLAN AMENDMENTS/REZONINGS

PLANS AND PLAN AMENDMENTS/REZONINGS - OLD

None

PLANS AND PLAN AMENDMENTS/REZONINGS – NEW

- 12-C-03-SP METROPOLITAN PLANNING COMMISSION
Update of the Northwest City Sector Plan.

STAFF RECOMMENDATION: Approve.

DICK GRAF READ THE RESOLUTION INTO THE RECORD.

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

Ms. Susan Brown: Thanked Renee Davis and noted letter from the Lonas Drive Community Association commending Ms. Davis for her hard work on this plan.

Ms. Renee Davis: Pointed out changes about when traffic counts were taken and slightly changing a sidewalk route on Leslie that had to be realigned, which were agreed to by the neighborhood.

Mr. Chester Kilgore: Asked about the number of residences in the sector, the involvement by the neighborhood, and if the neighborhood meetings were attended by many people.

Ms. Davis: The population is about 27,000 people from the 2000 census. It is hard to know. We put the information on the web site and they could follow it from there. We have a mailing list with about 40 names of leaders of neighborhood groups who then pass the information to their members. We had meetings at Northwest Middle School and Bearden Middle School, which were fairly well attended.

MOTION CARRIED 13-0. APPROVED.

12-B-03-SP WITHDRAWN PRIOR TO PUBLICATION

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.

10-SD-03-C STOCKTON PLACE
North side of Stockton Dr., west of West Hills Rd., Council District 2.

STAFF RECOMMENDATION: Approve the concept plan subject to 12 conditions.

Mr. Dan Kelly: When we first received the plan and even over the years I have worked with MPC, I have met with numerous people in dealing with this piece of property. They have been alerted to the issues involved in dealing with this particular piece of property and chose not to pursue it. This applicant is very serious in pursuing development of this property. Originally the plan showed a number of dwellings with poor access to the site. He has since purchased additional property, which improved his access situation. By presetting the plan with

access that meets the standards, we were prepared to pursue the review process in regard to drainage and other issues. We knew it was going to generate a lot of interest in the community. In dealing with the applicant and his engineer, have tried to make every attempt to make sure the plan can be developed according to the regulations of the City of Knoxville on drainage, the Subdivision Regulations, and zoning regulations of the City of Knoxville, In reviewing the plan, we knew there were numerous easements that cross the property—TVA has power line easements, KUB has power line easements and natural gas line and there is a sanitary sewer line that crosses the property--and they all have an impact as to how the development is laid out. We asked applicant to go to KUB, TVA and City Engineering and get approval and you have that in the package. We also have Tennessee Department of Environment regarding questions about a blueline stream. Plan you have is for 12 lots with 11 new dwellings and one existing dwelling. There will be discussion regarding compatibility with West Hills community. This is coming in at approximately 2.3 units per acre and the remainder of West Hills is developed somewhere around 2 units per acre. Issue of whether 2.33 is compatible with another development which is 2 units per acre will be discussed. On the other side is a group of quadraplexes and duplexes, which adjoin this site also. This development is going to be sandwiched between homes in West Hills and duplexes and quadraplexes. We recommend approval because it meets the subdivision regulations and no variances are required. The use on review portion, 12 dwellings on greater than 5 acres. We believe that is compatible with the neighborhood.

Mr. Arthur Seymour, Jr.: On behalf of the applicant with Richard LeMay and Chris Headrick who will be doing the homes
 HANDED OUT MATERIALS WHICH BECOMES A PART OF THESE MINUTES. A good portion of the property is zoned at PR at 1-6 units per acre. We are asking that that portion of the property be developed at 2.33 units per acre, less than half of what is approved. Approval of concept does not give approval to go ahead with work. It gives the go ahead to go toward final approvals with regulatory agencies. Mr. Reynolds, LeMay and Headrick have worked long and hard on this project. Mr. Reynolds bought property on Stockton Drive. He can now place the houses on a public street. There has been much work with TVA, KUB, City Engineering and TDEC. That job is not over. If he receives approval to go ahead, he will go back to these agencies and work out a grading permit so he can proceed ahead and plat these lots. Density if you utilize all the property is less than 2 units per acre. Just to the west is a development with 4 units per acre. The other residences are developed at 2 units per acre. We think it is consistent with the development that already occurred. Plan meets the sector plan for the area. City Council last year adopted a resolution requesting this body to develop policies and plan to prevent urban sprawl. Pursuant to that this Commission adopted the General Plan 2003 adopted in May 2003 by City Council and County. More developers are going to be asked to use up land within the City and not gobble-up the County. It is a difficult project with lots of hurdles. This particular developer is willing to meet those. Ask approval.

Mr. Wayne Kline: Hodges, Dougherty, Carson, Representing the West Hills Community Association
 HANDED OUT A PACKAGE WHICH BECOMES A PART OF THESE MINUTES. The homeowners association has not been talked to. Pursuit of

this develop does not meet the requirements and policies of the Northwest City Sector Plan in terms of drainage and the character of the neighborhood. We heard earlier the density of the duplexes and quadrplexes are to somehow be considered. There is a huge power line and buffer between this area and the area proposed to be developed. The houses are on half acre lots and have been here for a very long time. These are the houses that need to be considered for the purpose of the question as to whether it meets the character of the neighborhood. It is not compatible with the character. The proposed lots are very small. You would be able to develop with similar lots and that would put it at about 1 dwelling unit per acre. That would be appropriate. The most appropriate consideration is, although the technological requirements have been met, no one has looked at it as a watershed. This area has been before this Council and City Council and turned down both times because the water flows through here. I have pictures of the flooding that occurs. This is a huge watershed issue, this what has caused flooding and this is what has happened over the past 30 years. You have pictures that show Mr. Bill Norton's house flooded. Urge that if development is going to take place, there should be no more than 5 units placed on this area with appropriate attention to detention basins and flooding.

Ms. Pauline Bayne: 7209 Stockton Drive

We have lived here 26 years. We are eye witnesses to the flooding over and over again. A few years ago there was a large rain and we went out to see what was happening. In the field immediately behind our house, there was a 10 foot wide fast-running stream at least 18 inches deep that was carrying cement blocks with it. The whole area that was inundated was 60 feet wide. We can see at least three directions where the water comes into that property. There is no way that we can say that by cutting down trees and covering part of that property with homes that you will not be increasing the flooding potential which already happens all of the time. You may know about the Kinslo drainage concrete way that the City erected. That is immediately downstream from this property. For more than 30 years, the City of Knoxville has a lot of problems in remedying flooding situations that are due to the contour of the land. We do not believe the City of Knoxville will come to our aid when we are flooded again.

Mr. Seymour:

They want a different standard of development for Mr. Reynolds than for them. They say Mr. Reynolds should only have one unit per acre and they have 2 units per acre. They are complaining about current problems. The City of Knoxville will require this applicant to protect runoff so that he does not increase the speed and aggravate the problem. They are complaining about existing problems. This developer has asked Engineering to look at his drainage plans and drainage calculations and City Engineering says this will work. They have a letter in your package. City Engineering regulates these engineering issues. I do not think Mr. Kline nor I are qualified to make a determination. Ask approval.

Mr. Kline:

We walked to the top of the hill and found that water stands on it. Once they take this down, we are going to have a flooding problem. Homeowners want to know who is going to help them with their flooding problems. Without looking at this from a watershed issue and only looking at this from a technological viewpoint, does not address the flooding problems that will

occur on this property. ABOUT 10 PEOPLE RAISED THEIR HANDS AS ADJACENT HOMEOWNERS. These people will be swimming upstream.

Mr. David McGinley: City Engineering

Before we approve the plan, we will ask Richard to look at the existing watershed as it is and to examine that in the 100-year storm to make sure no houses are impacted any greater than they are today. The detention pond they are proposing is on the other side of the ditch line. Detention pond as designed today meets the minimum standards of the City except the 1-year storm and that is just a minor orifice modification they can do to fix that. It does detain the 100-year storm at a greater rate than is required.

Mr. Susan Brown: If you build 5 houses verses 10 new houses, will they put the same level of drainage in on the property?

Mr. McGinley: The detention pond would be smaller to accommodate 5 houses.

Mr. Larry Smith: Asked about 100-year storm.

Mr. McGinley: Engineers have to design detention ponds based on the 1-year storm, 2-year, 5-year, 10-year and 100-year. Those rates are found for the existing conditions. After they are developed, they are required to release no more runoff than after they did anything. The rates are based on historical data based on statistical probability of it happening in those time frames.

Mr. Trey Benefield: I feel this is an appropriate land use. These pictures are very convincing that the drainage is a concern. Since they already have legitimate drainage concerns, do we have the ability on this project to increase the size of the basin to help this problem?

Mr. LeMay: To increase the size of the drainage basin would not be of significant impact, but it also would not be a significant improvement for the downstream area. Their flooding they are showing in these pictures is coming from upstream. It has nothing to do with our project today or in the future. We looked at trying to detain that entire watershed as it comes through there. It is just not a viable option and will generate more downstream problems than help.

Mr. Philip French: Is there currently water flowing across the property being proposed for development and is it flowing across the area where the houses will be built?

Mr. LeMay: Yes, water flows across the property. No we are not putting houses where the water flows across the property. We are not disturbing the current drainage system that is coming through the property. A portion of that is a blue line stream on the eastern most extremities of the property. The only thing we are doing with that ditch line is putting a culvert in it so it will pass the water under our proposed street back into the current channel. We are not disturbing the current channel at all.

Mr. Chester Kilgore: Why has this property not been developed with the others around it?

Mr. Kelly: It is not the best piece of property, but it can be developed depending on how you develop it. The history is at one time the neighborhood was going to potentially own the property and have it as an amenities area for the

neighborhood and nothing ever happened. And the property was sold and resold and now today we have someone that is trying to develop it under the regulations of Knoxville.

- Mr. John Bynon: 224 West Hills Road
Since March of 1958 I have lived in West Hills. At that time the community was interested in a recreational area with swimming pool and had a option on this property. YMCA developed with a pool better than we could finance. We lost contact with the property owner who moved. Property on the other side was developed before there was any planning in West Hills. That developer had an option for this side we are talking about today. After his experience on developing the other side, this side has laid there all these years after deciding it was not suitable for development. With the flooding and the watershed, I think it still remains that way.
- Mr. LeMay: I have worked on this property with more than one developer. A quick answer to why no one has developed it is there was no access that would meet City requirements. This developer purchased a lot for access and no other developer was ready to do that.
- Ms. Susan Brown: Density question raised today, is it important?
- Mr. Kelly: Plan meets the requirements of the sector plan and one year plan which are the documents we use to decide on compatibility and land uses.
- Mr. Ray Evans: I am concerned about the density. Mr. Seymour mentioned 2 units per acre for the surrounding area. There is quite a bit of this property that will not be developed. It seems a lower density than 12 would be more in line with the community.
- Mr. Seymour: If you look at the total development, it is slightly under two units per acre, 1.98, which is certainly consistent. Other lots have unusable parts, setbacks, utility easements, front yards, etc. This is consistent with single family houses developed in the area.
- Mr. Graf: The property is zoned RP-1 which allows for clustering to work around these problems. It looks like they have worked around a lot of problems to come to 11 or 12 units.
- Mr. Benefield: I agree. I do not think they need to decrease the density and spread it out to the area. Infill is probably the appropriate concept for development. My only problem is with the seriousness of the drainage. I have to trust that this will be taken care of by City Engineering.

MOTION (BENEFIELD) AND (FRENCH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-1. APPROVED.

10-G-03-UR

DAVID REYNOLDS

North side of Stockton Dr., west of West Hills Rd. Proposed use: Detached single family subdivision in RP-1 (Planned Residential) & R-1E (Single Family Exclusive Residential) District. Tax ID 106 N J 13 & 15.01, Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve the plan for up to 12 detached single family dwellings on individual lots subject to 2 conditions.

MOTION (BENEFIELD) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 10-3. APPROVED.

- P** 11-SC-03-C JOE HINTON ROAD SUBDIVISION
East and west sides of Joe Hinton Rd., south side of Jenkins Rd.,
Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 11-K-03-UR S & E PROPERTIES
East and west sides of Joe Hinton Rd., south side of Jenkins Rd. Proposed
use: Detached single family subdivision in PR (Planned Residential) District.
Tax ID 105 Pt. 152, Commission District 5, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

CONCEPTS/USES ON REVIEW - NEW

- * 12-SA-03-C MENDONHALL ESTATES
East & west sides of Bishop Rd., south of Tate Trotter Rd., Commission
District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-D-03-UR PRESTIGE DEVELOPMENT
East and west sides of Bishop Rd., south of Tate Trotter Rd. Proposed use:
Detached single family subdivision in PR (Planned Residential) Pending
District. Tax ID 47 064, Commission District 7, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SB-03-C THE RESERVE OF HUNTERS RIDGE
East side of Stony Point Rd., northeast of Kays Ridge Ln., Commission
District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SC-03-C LANCASTER RIDGE
East side of Steele Rd., north of Hardin Valley Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-H-03-UR B & J ENTERPRISES
East side of Steele Rd., north of Hardin Valley Rd. Proposed use: Detached
single family subdivision in PR (Planned Residential) District. Tax ID 103
058, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SD-03-C MOSS CREEK
North side of Moss Creek Ln., north of Pleasant Ridge Rd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-G-03-UR MOSS CREEK VILLAS, LLC
North side of Moss Creek Ln., north of Pleasant Ridge Rd. Proposed use: Attached and detached single family subdivision in RP-1 (Planned Residential) District. Tax ID 80 H C 052, Council District 3, Northwest City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 12-SE-03-C KENSINGTON
North side of S. Northshore Dr., west side of Bickerstaff Bv., Commission District 4.

STAFF RECOMMENDATION: Approve variance 1 and the concept plan subject to 8 conditions.

Mr. Richard LeMay: 108 Kingston Pike, representing developer

Ms. Deborah Vanmeter: 8700 Darion Court, Kensington Subdivision

Member of Kensington Homeowners Association and speaking for neighborhoods of Whittington Creek, Lyons Crossing, Dunbarton Oaks, Rudder Lane, Tools Bend, Saint Ives, and Rudder Bend. Last night we met with Alex Shubert and his associates and we resigned that this acreage will be developed down at the front entrance of Kensington. Glad to see that this is in keeping with our current type and style of homes already there. We would like to have less than the proposed 34 homes because there is no green space along the roads in Kensington. Ask that first two lots along Bickerstaff Boulevard be reserved for green space and not be developed. We have been promised by Alex Shubert that the deed restrictions will be the same as the current restrictions in the new section of Kensington. He has promised 3200 sq. ft. minimum for homes and above ground walls veneer brick. A new deed restriction that will be added that will make membership to the chartered new homeowners association to be mandatory as long as 50% are members. Expecting to see in deed restriction. As far as traffic, we will have more than 70 vehicles additionally coming and going. Bickerstaff is the only entrance to the new Kensington. Currently difficult to make left turn off Bickerstaff onto to Northshore heading west and also off Northshore into Kensington Subdivision. We feel a left turn lane is warranted. Staff has recommended that and a traffic study will be done. We hope this will be put in by the developers. With construction coming and going, this is the only access road and we are concerned about the safety issues. We request an additional construction entrance be set up on Northshore. We feel construction coming and going directly on this road verses coming into our subdivision would be beneficial. Feel there is room to put this on the west end of our current entrance fence which would have some distance prior to the major street bends of Northshore at Tools Bend area.

- Mr. LeMay: She is correct that Mr. Shubert has agreed to place same restrictions as on units 2-8 of current development. He agrees with 50% homeowner participation and all of this will be mandatory. We will put in a turn lane based on the termination of the traffic engineering study, which is currently being done. The one item I do have a problem with is construction entrance off Northshore Drive. If we enter with standard construction entrance off the existing county road would be much safer than bringing traffic off Northshore and across a creek. They would have to use access to property that is very steep in areas.
- Mr. Graf: Were several of those subdivision restrictions and not deed restrictions. What else does Mr. LeMay need to address?
- Ms. Vanmeter: I would appreciate if he would address the issue of reserving some of these entrance lots along Bickerstaff as green space. There is no recreational area set up by the developers in Kensington. They never intended to and do not plan to with this new section being developed.
- Mr. LeMay: We do object to dedicating those two lots. Those lots are larger and I will look to see if there is some way to increase width of those lots so there is more apparent greenspace. We will be glad to do that. We do not wish to do that and sacrifice a lot.
- M. Brown: You said if the turn lane is required through the traffic study you will build it. I assume the counter of that, if it is not required, you will not put one in?
- Mr. LeMay: That is correct. My current inclination is it will be required as a center left turn lane.
- Ms. Brown: In terms of my traveling this area, I think it is needed for safety. I feel strongly about that in terms of approval of this plan.
- Mr. Evans: Would the developer be interested in selling the 2 lots in Bickerstaff to the Association? There is no question that a center turn lane east bound is required. Make motion to approve with condition that center turn lane be included.
- MOTION (EVANS) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION.WITH THE REQUIREMENT OF A CENTER TURN LANE.**
- Mr. Mark Romano: 1749 St. Petersburg Road in Woodington Creek
On behalf of few neighbors, we request they keep a natural tree line between Woodington Creek subdivision and this proposed property. There are plenty of trees there.
- Ms. Vanmeter: Right now there is a nice wooded area. If the lots are left uncleared to the back, that would be helpful.
- Mr. Graft: I do not think we need to get into designing the entrance today.
- Mr. Kelly: The motion is that they will approve with the addition of a left turn lane.

- Mr. LeMay: These lots are deeper than average subdivision lot. We anticipated leaving most of the foliage within the 35 foot periphery boundary.
- Ms. Brown: I think it is important for their next planning stage to at least be aware of those concerns.
- Mr. LeMay: Initial report is that a left turn will probably be required. All safety issues will not be solved with the installation of a left turn lane. There is a lot more involved with a traffic engineering study than counting cars and counting movements in and out of the subdivision. You have to look at the speed, curves, sight distance. It could be that might not be the best way to solve the intersection problem. I would suggest we let the traffic engineer make that decision and we will do whatever he says for us to do.
- Mr. Graf: Wouldn't that be a condition on the use on review rather than a concept condition?
- Mr. Kelly: It can be either as long as the condition is in there and you say what you want to see in there. I agree with Richard LeMay in that there is going to have to be a traffic study done before construction of a left turn lane. Study will define the necessary length of the turn lane and necessary design work will be part of the traffic study. You have a bridge and curve and other things that need to be looked at. Based on the existing traffic on Northshore Drive and the number of dwellings located in Kensington, it is pretty black and white that a left turn lane is going to be required. Question is from an engineering standpoint, can it actually be done.
- Mr. French: I agree that they hire these traffic engineers to tell them to do and what is as safe as possible. Our motion said specifically that it be required.
- Mr. Ray Evans: I did make a motion it had to be required. The design and length would be in accordance with traffic study. The concern I have that this be a close call issue and that somehow the recommendation is there does not need to be a left turn lane. The traffic is very bad in that area. There are areas on Northshore you have a mile backup of traffic. You could easily see the same thing here.
- Ms. Brown: I agree with this. This will be coming back before us as a final plat. If the engineering study shows that a turn lane is not needed, we can discuss it at the final plat stage.
- Mr. Evans: I would agree with that.
- Mr. Graf: Item 3 would change to take out the word, if warranted.
- Mr. Evans: The idea is if this comes back, we can view this at that time.
- Ms. Brown: I believe I heard from Mr. French, we need to add an extra clause of "let the Engineers do their job."

Upon roll call vote the Planning Commission voted as follows:

BENEFIELD NO

DONALDSON	YES
EVANS	YES
FRENCH	NO
JENDREK	NO
KILGORE	YES
LEWIS	YES
MASSEY	YES
SLACK	NO
SMITH	NO
WOLF	YES
BROWN	NO
GRAF	NO

MOTION FAILED 7-6.

MOTION (BROWN) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH CONDITIONS AS NOTED, BUT FOR THE RECORD THAT A FULL REPORT BY STAFF WILL BE GIVEN TO THE COMMISSION UNDER THE FINAL PLAT TIME WHEN IT IS BACK BEFORE US IF A TURN LANE IS NOT REQUESTED AT THAT POINT, WE CAN DEBATE IT AGAIN. MOTION APPROVED 13-0. APPROVED AS MODIFIED.

12-I-03-UR M.A. SCHUBERT, JR.

North side of S. Northshore Dr., west side of Bickerstaff Bv. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 145 32.03, Commission District 4, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 34 detached single family dwellings on individual lots subject to 2 conditions

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

P 12-SF-03-C CABOT RIDGE

East side of Harvey Rd., south side of Rockford Ln., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 12-J-03-UR GLENNARD HARRINGTON

East side of Harvey Rd., south side of Rockford Ln. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 169 021, Commission District 5, Southwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

15. FINAL SUBDIVISIONS

FINAL SUBDIVISIONS - OLD

P 9-SK-03-F ARBOR VISTA

Northwest side of Choto Rd., south of Whitten Ln., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 10-SA-03-F BLAKELY PROPERTY
South side of Rosie Ln., east of Wooddale Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 11-SM-03-F RALPH S. KERR
North side of Brackett Rd., east of Bell Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 11-SO-03-F RONNIE & NANCY L. OLIVER
North side of Gamble Dr., southwest side of Hidden Branch Ln., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

FINAL SUBDIVISIONS - NEW

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 12-SB-03-F JIM MILLER
East side of Rush Miller Rd., south of Thorn Grove Pike., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- W** 12-SC-03-F WILLIAM H. LEE ESTATE
Northeast side of Cannon Ln., south side of Asheville Hwy., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- * 12-SD-03-F EDDIE PETTY PROPERTY
East side of Cooper Rd., north of I-40, Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 12-SE-03-F MINERAL SPRINGS SUBDIVISION (FORMERLY HUBER HEIGHTS)
East side Foote Mineral Ln., northeast of Bakertown Rd., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 12-SF-03-F EAST POINTE, LOT 3 & 7
Southeast of Strawberry Plains Pike, west of Huckleberry Springs Rd., north side of I-40, Council District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SG-03-F BELMONT PARK, RESUBDIVISION OF LOTS 2 - 8 & COMMON AREA
West of Secretariat Blvd., north and south side of Belmont Park Ln.,
Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SH-03-F FOX VUE SUBDIVISION
Northwest side of George Williams Rd., northeast of I-140., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SI-03-F TWIN CREEK, UNIT 3
North end of Brooken Creek Ln, north of Tipton Station Rd., Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SJ-03-F WRENS CREEK, UNIT 2, RESUBDIVISION OF LOTS 24, 25, 26 & 27
Northeast side of Pelsor Ln., northwest of Ghiradelli Rd., Commission District 7.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-SK-03-F SELLERS PROPERTY
North side of Kodak Rd., east of Russell Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 12-SL-03-F CARROLL P. SELLERS
South side of Kodak Rd., east of Russell Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 12-SM-03-F MCGUINNESS PROPERTY
Southwest side of Houser Rd., south of Lyons Bend Rd., Commission District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 12-SN-03-F NELSON PROPERTY, RESUBDIVISION OF PARCELS 2, 3 & 5

East side of E. Redbud Rd., south side of Old Sevierville Pike, Council District 1.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 12-SP-03-F BROOKSTONE
Southwest side of Old Clinton Pike, northwest end of Meredith Rd.,
Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 12-SQ-03-F PROPERTY OF M. A. SCHUBERT, JR.
Southeast side of S. Northshore Dr., north of Bickerstaff Blvd., Commission
District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 12-SR-03-F MILLERS PLANTATION, UNIT 3
West end of Rhyne Cove Ln., west of Miller Creek Ln., south of Ball Rd.,
Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 12-SS-03-F ANTEELAH SUBDIVISION, RESUBDIVISION OF LOT 21R2
East side of Anteelah Trail, south of Kingston Pike, Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 12-ST-03-F KIM V. & KIM D. HOLDEN PROPERTY, RESUBDIVISION OF PART OF LOT
1
Northwest side of Strong Rd., northeast of Dockery Dr., Commission District
8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 12-SU-03-F WALKER SPRINGS COMPANY (FORMERLY JOHN R. FISER, TRUSTEE)
Southwest side of Gallaher View Rd, southeast of Broome Rd., Council
District 2, Commission District 3 & 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

16. ONE LOT SUBDIVISIONS

ONE LOT SUBDIVISIONS - OLD

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 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.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 10-V10-03 THE ETHANOL CORPORATION RESUBDIVISION PLAT
60 days to 2/12/04 North side of Asheville Hwy., west side of River Turn Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 11-V2-03 METRON N.A.
North side of Kingston Pike, east of Alcoa Hwy, Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 11-V8-03 1608 DICK LONAS RD. PROPERTY
East side of Dick Lonas Rd., south of Seaver Dr., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

ONE LOT SUBDIVISIONS - NEW

- P 12-V1-03 THOMAS R. HAVASY PROPERTY
East side of Armstrong Ave., north side of Thompson Place, Council District 4.

- * 12-V2-03 KOTSIANAS PROPERTY RESUBDIVISION
South side of Kingston Pike, east side of Albunda Dr., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V3-03 CLOTWORTHY & KINZELS ADDITION, RESUBDIVISION OF LOTS 4, 5, 6, 7, 8 & 16
Southeast side of Middlebrook Pike, southwest side of Clyde St., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V4-03 SAMUEL J. FURROW PROPERTY
North side of W. Main St., south side of Cumberland Ave., west side of Walnut St., and east side of Locust St., Council District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V5-03 FORT SANDERS ADDITION, RESUBDIVISION OF LOTS 5 & 6R
North side of Clinch Ave., west side of Twenty Second St., Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V6-03 ROBERT DEWAYNE HAMILTON & MELANIE L. HAMILTON PROPERTY
North side of Ball Camp Pike, north of Western Ave., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 12-V7-03 RESUBDIVISION OF BLAKEWOOD DEVELOPMENT AND E. L. DUNCAN BUILDERS, INC ADDITIONAL PROPERTY
60 days to 2/12/04 Northwest side of Schaad Rd., directly north of Hilda Ln., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 12-V8-03 GAUT PROPERTY
Northwest side of Hinton Rd., southwest side of Ball Camp Pike., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 12-V9-03 RESUBDIVISION OF LOT 30, EMERALD COURT SUBDIVISION & THE CLARENCE SAM & ARIZELLA D. SMITH PROPERTY
Northwest side of W. Beaver Creek Dr., northeast side of Emerald Heath Rd.,

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 12-V10-03 LOT 9R, BLOCK B, W. F. MORRIS HEIRS ADDITION
North side of Morris Ave., east of Liberty St., Council District 3.

STAFF RECOMMENDATION: Approve variance 1 and Deny final plat.

Mr. Tom Brechko: This plat includes right-of-way closures that were reviewed by the Planning Staff at the November meeting. At the time of corrections deadline the right-

of-way closures had not been approved by City Council. They were approved this week by City Council. The plat is now complete fore recording.

MOTION (BROWN) AND SECOND (BENEFIELD) WERE MADE TO WAIVE ARTICLE 6, SECTION 1, OF MPC'S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS AND APPROVE STAFF RECOMMENDATION. MOTION CARRIED . ARTICLE 6, SECTION 1, OF MPC'S ADMINISTRATIVE RULES AND PROCEDURES AND SECTION 44-22 OF THE MINIMUM SUBDIVISION REGULATIONS WAIVED AND FINAL PLAT APPROVED.

- * 12-V11-03 LOT 2R-R1-R2, WIMBLEDON PARK
Northwest side of Lonas Dr., east side of East Weisgarber Rd., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V12-03 JEWEL TOWE PROPERTY
East side of Nickle Rd., south of Nickle Ln., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V13-03 AMBRISTER & BALLARDS SOUTHLAND PARK ADDITION
Southeast side Ave. B, southeast side Plum St., Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V14-03 GOODY'S FAMILY CLOTHING, RESUB. TRACT 2
South side Parkside Drive, west side Wakefield Rd., Council District 2.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-V15-03 TOMMY GIBSON SUBDIVISION
North side Chapman Highway, east side E. Circle Drive, Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

17. REZONINGS

REZONINGS – OLD

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

REZONINGS - NEW

12-A-03-RZ JOHN & RHONDA DUNN

Southeast side Karnes Dr., southeast of Lett Rd., Rezoning from A (Agricultural) to RA (Low Density Residential). Tax ID 13 025, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve RA (Low Density Residential).

Ms. Wanda McMurray: 7741 Karnes Road

Our road will not hold any more traffic. It is on a hill. We have had the fire department almost turn over because the road is so narrow. I do not object to the subdivision. I do object to not having the road to carry the proper people. With school traffic in the morning, cannot get out of my driveway. Our requirement when we bought our property is one acre for each residential.

Ms. Brown: This is the rezoning and not the plan phase.

MOTION (MASSEY) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. RA (LOW DENSITY RESIDENTIAL) APPROVED.

12-B-03-RZ WITHDRAWN PRIOR TO PUBLICATION12-C-03-RZ DISNEY JOINT VENTURE

Northwest side McCloud Rd., southwest of Gray Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 28 22701, Commission District 7, North County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1-5 dwelling units per acre.

Mr. Dennis MacMahan: 4719 McCloud Road, 37938

I am not here in opposition to development. I do have a problem with the zoning that would allow 5 units per acre on a road that has 8-ft traffic lanes and no shoulders. The property has a creek and I suspect the creek is going to take some consideration and may make the density higher. The surrounding area has residences that are on larger than that size lots. I have problems with traffic. With the density of the housing and the type road, I think site lines are going to be problems with the hills and valley and curves. I saw this yesterday and have not had time to do preparation. McCloud is a through road for several subdivisions to get to Maynardville Highway. In some places the edge of the blacktop drops off 8 feet from the center lane. A less dense development would be less of a problem. I have lost three mailboxes in the last 14 months to traffic.

Mr. Jerry Disney: 5708 Glenland Drive, Powell

We are requesting 1-5, but our density will not be near the 200 that would allow. We going to have home lots 100 feet wide and 150 feet deep. The density would not be 200. We would be about less than 3 density. We plan on condominiums on part of the land and upscale homes between \$175,000 and \$225,000. We would have around 104 to 108 total units.

Mr. Trey Benefield: Would you have a problem with 3 units per acre?

Mr. Disney: The condominiums would be denser than that. (Mr. Benefield pointed out the density was over the whole project.) We could handle that then. We are going to have 54 condominiums and 56 homes. We requested 1-5 because all the land around there is zoned that.

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

Mr. Philip French: A density of 1-5 includes 1-3. 1-5 does not mean 5. I am not sure why we deal with that right now.

MOTION (BENEFIELD) AND SECOND (EVANS) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE. MOTION CARRIED 13-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE APPROVED.

12-D-03-RZ WITHDRAWN PRIOR TO PUBLICATION

12-E-03-RZ OUR FATHER'S HOUSE

Southeast side Maryville Pike, north side Apache Trail, Rezoning from SC (Shopping Center) to OB (Office, Medical, and Related Services). Tax ID 147 075.02, Commission District 9, South County Sector.

STAFF RECOMMENDATION: Approve OB (Office, Medical, and Related Services).

Mr. Brian Uwers: Dollar and Uwers Architects, 1910 Ailor Avenue
Like to change zoning to allow for a church because of setback requirements.

MOTION (BROWN) AND SECOND (SLACK) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. OB (OFFICE, MEDICAL, AND RELATED SERVICES) APPROVED.

* 12-F-03-RZ CITY OF KNOXVILLE

North and south sides Callahan Dr., southwest of I -75 North, northeast of Clinton Hwy., Rezoning from No Zone to C-4 (Highway and Arterial Commercial), C-6 (General Commercial Park), I-2 (Restricted Manufacturing and Warehousing), A-1 (General Agricultural) and/or R-2 (General Residential). Tax ID 67 244, Per City of Knoxville annexation plan of service 10-6-03.AX (Revised). Council District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 12-G-03-RZ CITY OF KNOXVILLE

Southwest side Luscombe Dr., and Southern Railroad ROW, Rezoning from No Zone to R-1 (Single Family Residential). Tax ID 133 G C 24-28, 133BE1,12,16, and railroad right-of-way (Revised). Council District 2, West City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

12-H-03-RZ LYNN M. RHEA

North side Kingston Pike, east of Lovell Rd., Rezoning from A (Agricultural) to CA (General Business). Tax ID 131 51 (Portion zoned A), Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business).

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

12-A-03-SP FUAD REVEIZ

Northeast side Reagan Dr., southeast side Coward Mill Rd. Request Northwest County Sector Plan Amendment from LI (Light Industrial) to LDR (Low Density Residential). Tax ID 90 75.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny LDR (Low Density Residential).

Mr. Michael Brusseau: Basis for denial is to stick with the designation of the recently updated Northwest County Sector Plan. The area is designated for light industrial development. Staff feels a residential subdivision will hinder chances for future industrial development in that area. Areas designated as industrial should be preserved as such. The Development Corporation of Knox County provided a letter expressing concern also due to the limited land available for industrial uses. Staff feels there are other properties to the west that are designated for low density residential.

Mr. Fuad Reveiz: 1231 Arborbrook Drive, 37922
I had a chance to meet with a lot of folks that will be directly impacted by this decision. I received overwhelming support from everyone that lives in that area.

Mr. Jack Williams: 2621 Reagan Road
We met with developer yesterday and had unanimous support of his concept and believe he will follow through with it. As far as lack of industrial property, 100 acres were rezoned light industrial within a quarter of a mile of this property that has not been sold. This property is not contiguous to industrial or commercial property. It does not have railroad frontage. The rezoning of this property is supported by the Karns Community Club. Think this would be an asset to our community and ask that you approve the rezoning.

Mr. Benefield: Does this require TTCCA review?

Mr. Johnson: No

Mr. Jim Harrison Development Corporation of Knox County
We are not singling out this development. Our concern is we have a plan for industrial. As a homeowner do you want industrial or residential right next door? We are concerned about the precedent of allowing residential pockets in industrial planned properties. When we have an industrial user come in, we will be having residents battling the industrial user. Then we will not be able to get the zoning needed. We have very limited industrial property in Knox County. We need to conserve as much industrial property as possible.

Mr. French: Asked the Development Corporation how long will we hold landowners hostage until future industry comes in. Mr. Harrison replied he did not know. They have specifically said that they would not be in opposition to this change if we as a Planning Commission and the Knox County Commission could ensure a future need for such industrial use around this property. Would you as a homeowner oppose that industrial use?

Mr. Williams: We have plenty of industrial use in that area. We have over 500 acres set aside by Development Corporation along with the 100 acres for light industrial. We are a low density neighborhood. A new home was just built, and if you had invested in a new home, you would not want to see industrial. It is not connected to any industrial. Development Corporation has not spent money. They own property right beside me. The whole neighborhood are the ones that are pockets being taken over by light industrial, commercial and industrial development.

Ms. Brown: We have to look at the demands of the private sector. As a planning body we all go through General Plan and Sector Plan reviews. It is important to reserve all types of land for all types of development in this community. That is what planning is. There does have to be a balanced approach when looking not only at specific sites, but also in general the community needs. I think we all know there are economic development needs as well as residential needs.

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

Upon roll call vote the Planning Commission voted as follows:

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

MOTION CARRIED 8-5. LDR (LOW DENSITY RESIDENTIAL) DENIED.

12-I-03-RZ

FUAD REVEIZ

Northeast side Reagan Dr., southeast side Coward Mill Rd. Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 90 75.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny PR (Planned Residential).

MOTION (BROWN) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0. PR (PLANNED RESIDENTIAL) DENIED.

12-J-03-RZ EAGLE BEND REALTY

Southwest side Thompson Rd., northeast of Schaeffer Rd., Rezoning from A (Agricultural) / TO (Technology Overlay) to PR (Planned Residential) / TO (Technology Overlay). Tax ID 104 106.01, 138, 138.01, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential)/TO (Technology Overlay) at a density of 1-3 dwelling units per acre.

Mr. Jim Fleming: 2128 Thompson Road
Representing property owners on Thompson Road
We are not in opposition to development. We would like a discussion by the developer about plans for access road and to describe the plan for utilities for this area.

Mr. Scott Davis: P.O. Box 11315, 37919
Each of those items will be addressed through the concept plan process.

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

MOTION (SMITH) AND SECOND (EVANS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 13-0 PR (PLANNED RESIDENTIAL)/TO (TECHNOLOGY OVERLAY) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE APPROVED.

MS. MARY SLACK LEFT THE MEETING AT THIS TIME.

12-K-03-RZ HOLROB INVESTMENTS

Northeast side Fox Rd., southeast of Kingston Pike, Rezoning from RA (Low Density Residential) and A (Agricultural) to PR (Planned Residential). Tax ID 143 111.01, 131-165. Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1-4 dwelling units per acre.

Mr. John Schoonmaker: 10044 Tan Rara Drive
Not opposed to the rezoning, but to the density.

Mr. John Gillenwater: 307 Triplett Lane
I am concerned about the number of units and the type of units. Asked to speak on behalf of Dr. Black and Dr. Cross who own property on top of the hill adjoining the property proposed for rezoning. We all share the same concerns about the type of units being put there. We all have substantial houses and that might devalue our property.

Mr. Skip Murray: 9145 Wesley Place, Partner in Holrob
Staff recommended 4 units per acre. Our conceptual plan now provides for 35 residential lots which is approximately 2.9 units per acre. We were concerned about the density as well and tried to create a plan that will help shape these lots with the topography of this property. As far as prices, we are not at the

stage for discussion of the type of house for these lots. We feel like the target market is possibly from \$175,000 to \$250,000.

Mr. Susan Brown: The density of the surrounding area looks like it is in the range of 1-3.

Mr. Brusseau: Yes, Hidden Glen is about 3 units per acre. Tan Rara is no more than 2 units per acre.

Mr. Schoonmaker: HANDED OUT MATERIALS, WHICH BECOME A PART OF THESE MINUTES.

The handout shows the density of all subdivisions in a geographical area of the Fox/George Williams Road Corridor. If Holrob gets approval for 5 dwelling units per acre and the concept is only 2.9 units, then they sell that before it is finished, the next person can put in a project of 5 dwelling units per acre. It just fits in with the rest of the community. Some of these you just approved this year at 1-3 dwelling units per acre.

MOTION (SMITH) AND SECOND (BROWN) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (SMITH) AND SECOND (BROWN) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE. MOTION CARRIED 12-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE APPROVED.

* 12-L-03-RZ WILLARD SCARBO FAMILY, LP
Northeast side Central Avenue Pike, northwest of Dante Rd., Rezoning from RB (General Residential) to CA (General Business). Tax ID 57 O A 013, Commission District 7, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

12-M-03-RZ HUBER PROPERTIES, LLC
Northeast side Sands Rd., northeast of Bakertown Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 91 Part of 272 & 273 and all of 274. Commission District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve PR (Planned Residential) at a density of 1-4 dwelling units per acre.

Mr. Huber: 1401 Randall Park Drive, 37922

MS. MARY SLACK RETURNED TO THE MEETING AT THIS TIME.
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In May I came through with a rezoning request. I heard through the grapevine that they did not like what I was proposing, which was an attached condominium. We were going to change the sector plan and ask for 12 units per acre. Once I found that out I tried to postpone it to get with the neighbors. I never really got with the neighbors and this was denied. Since then I have met with and called them 8 meetings. They told us they did not want condos, we redid it single family detached. There is a substandard road coming onto Sands Road, which is substandard about 15 feet wide. I have already looked at widening the road. I was planning on running new utilities to access the

property and make it more safe. There is a 90-degree turn on Sands and we are going to try to decrease the turn to make it safer. Where Sands Lane meets Bakertown Road is dangerous. I spoke with Bruce Wuethrich and he is going to take down the right-of-way hill to increase sight distance. We are going to put in a nice single family detached development that will improve property values in the area.

Mr. Doug Sexton: 2711 Sands Lane

We have seen farms and pasture develop into developments This has increased traffic accidents and crime. In August of 1993 you denied rezoning for the trailer park. High density will make the neighborhood unsafe. We understand he has an option to acquire more property in our community. That will just add more development in our area. Access to this parcel is developed to be directly accessed to Bakertown Road which would preserve the existing residential character of Sands Road, which has about 1 residence per acre. Safety is our main concern. Sands empties into Bakertown at a 90-degree turn. Feel it is an injustice to suffer through the construction and live with the increased traffic hazards while Holrob Properties profits. On the meetings he had setup, one he sent notices just days ahead of time. The road is as narrow as 11 feet in some areas and no more than 14 feet in most areas. To limit zoning to no more than 1 to 2 dwelling units per acre would be acceptable compromise. Mr. Huber has said he could not make any money at that rate. This parcel is at a higher elevation than properties adjacent. There is a big potential for drainage problems. Storm retention ponds would probably just add to an already existing insect problem.

Ms. Tonya Shockely: 2718 Sands Road

We bought property because it was not in a high-congested area. This is a deadend. The children that have to catch the bus will be catching on a blind curve. It is dangerous to make a right or left turn onto that one lane road. We have people driving fast already. My house sets maybe 45 feet from the road. When he widens this road, it will be 20 feet from my front door. Where will my children play? When I voiced my concerns, I was told that this is progress. You are talking 44 houses at 2 cars per house with visitors. You cannot pass on this road now.

Mr. Keith Alwood: 2627 Sands Road

I own the property he is talking about cutting down to make access to the property. Nobody has talked to me about it. I do not want my front yard torn up.

Mr. Huber:

I did meet with Tonya at these meetings. I set up a public a meeting at the library and nobody bothered to show up. The house does sit close to the road. There is enough right of way. If anyone had bothered to come to the meetings, the plan shows the widening on the other side of the road intentionally. I have worked with these folks and been available for any comments and tried to work with them as much as possible. Mr. Sexton brought up access off Bakertown Road and Ms. Pionke with County Engineering said it is not a viable access and cannot be done.

Ms. Janice Garrett: 2720 Sands Road

He said he would widen the road 5 feet. Five feet will not allow two cars to pass. In that one curve it is 11.5 feet wide. Two cars could not pass even

adding the 5 feet. It just does not fit in the community putting that many houses in there. He is talking about putting holding ponds across the street and I am already eat up with mosquitoes. We have no problem with flooding now and he says we might have potential flooding problems.

Mr. Pruitt: I understand there has been discussion about widening Sands from Bakertown back to the entrance of this development, which would accommodate additional traffic brought on by this development and would bring the road up to a 20 foot pavement width. Remainder of Sands to the deadend would continue to be no improvements and continue to be 13 feet width.

Mr. Ray Evans: This is just rezoning and widening roads and all that will come back before this body. I suggest you keep in touch with that. That is the appropriate time to discuss all those issues.

MOTION (SMITH) AND SECOND (WOLF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 11-2. PR (PLANNED RESIDENTIAL) APPROVED.

MOTION (LEWIS) AND SECOND (SMITH) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE.

Mr. Huber: We need 1-4 units per acre the way it comes out. It is actually just over 3 units per acre. Right now we are looking at 44 maybe 45 on 14.5 to 15 acres. If you calculate it out, it comes out to 3.2 which makes it not workable at 3 units per acre. The sector plan shows up to 5. It is still a low density situation. Ask that you go by staff recommendation.

Upon roll call vote the Planning commission voted as follows:

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

MOTION CARRIED 7-6. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-3 DWELLING UNITS PER ACRE APPROVED.

* 12-N-03-RZ HOSPITALITY PANTRIES, INC./ JIM WRIGHT, PRESIDENT
Southeast side W. Scott Ave., northeast side Branner St., Rezoning from I-2 (Restricted Manufacturing and Warehousing) to C-3 (General Commercial).
Tax ID 81 N F 13,17, Council District 4, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-O-03-RZ HOUSING CAPITAL, INC.
Southwest side Pipkin Ln., northwest of Fox Rd., Rezoning from R-1 (Single Family Residential) to RP-1 (Planned Residential). Tax ID 143 110, Council District 2, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

18. USES ON REVIEW

USES ON REVIEW - OLD

- W** 7-M-03-UR RIVER CLUB PARTNERS, LP
North and south side of River Club Way, northeast of Charter Oak Way
Proposed use: Detached single-family dwelling on individual lot and revision to common area in PR (Planned Residential) & A (Agricultural) District. Tax ID 156 P A 16, 16.01 & 166AA040, Commission District 4, Southwest County Sector.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- * 9-C-03-UR BAILEY INTERNATIONAL CORPORATION
Northwest side of Centerpoint Bv., west of Pellissippi Pkwy. Proposed use: Office / manufacturing / distribution in BP (Business and Technology) & TO (Technology Overlay) District. Tax ID 118 16.08 & 16.09, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 10-F-03-UR MICHAEL BRADY, INC.
Southwest side of Maloney Dr., northwest of Ginn Rd. Proposed use: Attached residential condominium project in RP-1 (Planned Residential) District. Tax ID 135 H A 007, Council District 1, South County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

USES ON REVIEW - NEW

- 12-A-03-UR WITHDRAWN PRIOR TO PUBLICATION
- * 12-B-03-UR PARKWAY PROPERTIES
Southeast side of Lovell Rd., south of Schaeffer Rd. Proposed use: Self-service storage facility in CA (General Business) & TO (Technology Overlay) District. Tax ID 118 13 & 70.05, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-C-03-UR FAITH PROMISE CHURCH
Southeast side Faith Promise Lane, northeast of Pellissippi Parkway.
Proposed use: Church expansion in BP (Business and Technology Park)/TO (Technology Overlay) & OB (Office, Medical & Related Services)/TO District.

Tax ID 89 222.01 - 02, 222.18 - 19, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-E-03-UR CHAPMAN CERTIFIED PROPERTIES, LP
North side Chapman Hwy., northwest side E. Norton Rd. Proposed use: Master signage plan in C-4 (Highway and Arterial Commercial) District. Tax ID 137 189,191,192, 192.01,193, Council District 1, South County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-F-03-UR GREG CAMPBELL
North and south sides Grand Ave., north and south sides Forest Ave., west of Twentieth St. Proposed use: High density student housing in RP-3 (Planned Residential) District. Tax ID 94 O D 6-13,14.01,15, 094NA1-9,9.01,10-21,21.01,22-29 and 094NB001 and 094NR1-12 (Map on file). Council District 1, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 12-K-03-UR HUBER PROPERTIES
East side Foote Mineral Ln., northeast of Bakertown Rd. Proposed use: Detached single family dwelling in RP-1 (Planned Residential) District. Tax ID 92 part of 65, Council District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 12-L-03-UR CORNERSTONE CHURCH
Northeast side of Heritage Lake Blvd., southeast of Westland Dr., east of Pellissippi Pkwy. Proposed use: Church in PR (Planned Residential) District. Tax ID 144 30.05, Commission District 5, Southwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 12-M-03-UR MICHAEL BRADY, INC. - PAUL ANASTASIO
North side Chapman Hwy., southeast of Nixon Rd. Proposed use: Credit union in SC (Shopping Center) and C-4 (Highway & Arterial Commercial) District. Tax ID 137 185.05, Commission District 9, South County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

19. OTHER BUSINESS

OTHER BUSINESS – OLD

None

OTHER BUSINESS - NEW

12-A-03-OB Consideration of election of MPC Officers for Calendar Year 2004.

RECOMMENDATION: Approve Susan Brown for Chair and Randy Massey for Vice Chair

Mr. Philip French: Announced nominees for office.

MOTION (FRENCH) AND SECOND (BENEFIELD) WERE MADE TO ELECT OFFICERS BY ACCLAMATION. MOTION CARRIED 13-0. OFFICERS ELECTED.

MOTION (MASSEY) WAS MADE TO ADJOURN

CHAIR ADJOURNED THE MEETING.

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 4:13 p.m.

Prepared by: Betty Jo Lamb

Approved by: Vi W. Whitmire, Administrative Services Manager

Approved by: David M. Hill, Executive Director

Approved by: Susan Brown, Chair

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