

The Planning Commission met in regular session on December 8, 2022 at 1:30 p.m. in the Main Assembly room of the City County Building.

Item No.

File No.

1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Karyn Adams	**Ms. Nancy Barger	Ms. Tamara Boyer
Mr. Louis Browning	Mr. Logan Higgins	Mr. Tim Hill, Chair
Mr. John Huber	*Mr. Richard Levenson	Ms. Amy Midis
Mr. Chris Ooten, Vice Chair	A Ms. Marité Pérez	Mr. Patrick Phillips
Mr. Jeff Roth	Mr. Nathaniel Shelso	A Mr. Eddie Smith

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

Commissioners Higgins and Boyer arrived prior to any votes

2. APPROVAL OF DECEMBER 8, 2022 AGENDA

APPROVED ON CONSENT

3. APPROVAL OF NOVEMBER 10, 2022 MINUTES

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APPROVED ON CONSENT

4. POSTPONEMENTS, WITHDRAWALS, TABLINGS AND CONSENT ITEMS READ AND VOTED ON

A. AUTOMATIC POSTPONEMENTS READ

B. POSTPONEMENTS TO BE VOTED ON READ

Postponements for 30 days:

1. MOTION (PHILLIPS) AND SECOND (OOTEN) WERE MADE TO POSTPONE ITEMS AS READ FOR 30 DAYS UNTIL THE JANUARY 12, 2023 MEETING.

MOTION CARRIED UNANIMOUSLY 12-0. POSTPONED 30 DAYS

C. WITHDRAWALS READ

1. MOTION (PHILLIPS) AND SECOND (OOTEN) WERE MADE TO WITHDRAW ITEM AS READ.

MOTION CARRIED UNANIMOUSLY 12-0. WITHDRAWN

D. TABLED ITEMS READ

None

1. **ROBERT W. MONDAY**
0 Mount Vernon Drive / Parcel ID 122 O J 005, Commission District 9. (Tabled date 1/13/2022)
 - A. **SOUTH COUNTY SECTOR PLAN AMENDMENT** **12-A-21-SP**
From LDR (Low Density Residential) to MU-SD, SCo-3 (Mixed Use Special District, Alcoa Highway Small Area).
 - B. **REZONING** **12-G-21-RZ**
From RB (General Residential) and RA (Low Density Residential) to SC (Shopping Center).
2. **WESLEY HICKS** **1-F-22-UR**
7506 Gibbs Road / Parcel ID 21 08703. Proposed use: Indoor storage in A (Agricultural) District. Commission District 8. (Tabled date 2/10/2022)

Item No.**File No.**

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| 3. THE BECKHAM PROPERTY
1629 Maplegreen Lane / Parcel ID 154 035, Commission District 4. (Tabled date 2/10/2022) | 12-SC-21-F |
| 4. HUBER PROPERTIES, LLC
1817 and 0 Francis Road, 0 Old Amherst Road and 0 Helmbolt Road / Parcel ID 106 C A 02301, 00401, 004 and 001, Council District 3. (Tabled date 3/10/2022) | |
| A. Northwest County Sector Plan Amendment
From LDR (Low Density Residential) to MDR/O (Medium Density Residential/Office). | 10-L-21-SP |
| B. ONE YEAR PLAN AMENDMENT
From LDR (Low Density Residential) to MDR/O (Medium Density Residential/Office). | 10-I-21-PA |
| C. REZONING
From AG (Agricultural) to RN-5 (General Residential Neighborhood). | 10-R-21-RZ |
| 5. 5117 LONAS DRIVE SUBDIVISION
5117 Lonas Drive / Parcel ID 107 G B 006, Council District 2. (Tabled date 6/9/2022) | 4-SB-22-C |
| 6. TERRY E. ROMANS
0 Swaggerty Road / Parcel ID 126 13602, Commission District 9. (Tabled date 7/14/2022) | |
| A. SOUTH COUNTY SECTOR PLAN AMENDMENT
From AG (Agricultural) to RR (Rural Residential). | 5-A-22-SP |
| B. REZONING
From A (Agricultural) to PR (Planned Residential) up to 3 du/ac. | 5-A-22-RZ |
| 7. FINAL PLAT OF FORD SUBDIVISION, RESUBDIVISION OF LOT 3R3 AND PART OF 3
326 and 324 West Ford Valley Road / Parcel ID 123 M D 003 and 123 M E 008, Commission District 9 and City Council District 1. (Tabled date 8.11.2022) | 7-SE-22-F |
| 8. DKLEVY
0 Old Weisgarber Road / Parcel ID 106 K C 01705, Council District 2. (Tabled date 10/6/2022) | |

Item No.**File No.**

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| <p>A. NORTHWEST CITY SECTOR PLAN AMENDMENT
From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).</p> | <p>7-H-22-SP</p> |
| <hr/> | |
| <p>B. ONE YEAR PLAN AMENDMENT
From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).</p> | <p>7-C-22-PA</p> |
| <hr/> | |
| <p>C. REZONING
From AG (Agricultural), HP (Hillside Protection Overlay) and F (Floodplain Overlay) to RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay) and F (Floodplain Overlay).</p> | <p>7-P-22-RZ</p> |
| <hr/> | |
| <p>9. GABRIEL W. RATCLIFFE
2031 and 2033 Piney Grove Church Road / Parcel ID 106 A A 00902, Council District 3. Rezoning from RN-1 (Single-Family Residential Neighborhood) to AG (Agricultural). (Tabled date 11/10/2022)</p> | <p>11-A-22-RZ</p> |

E. CONSENT ITEMS READ

Commissioner Browning recused himself from the Consent vote.

Commissioner Levenson joined the meeting at 1:40 PM.

David Thompson, 8005 Pedigo Road, Knoxville, TN 37938 requested that Item #34 be removed from the consent list.

Commissioner Higgins requested that Item #6 be removed from the consent list.

Commissioner Shelso requested that Item #7 be removed from the consent list.

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| <p>1. MOTION (PHILLIPS) AND SECOND (ROTH) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ WITH THE EXCEPTION OF ITEMS #6, #7 AND #34.</p> |
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MOTION CARRIED UNANIMOUSLY 12-0. APPROVED

Item No.**File No.****CITY OF KNOXVILLE****LEVEL 1 HILLSIDE PROTECTION (HP) OVERLAY CERTIFICATES OF APPROPRIATENESS**

There were no Level 1 Certificates of Appropriateness issued since the November 10, 2022 Planning Commission meeting.

ALLEY OR STREET CLOSURES**5. EAST TENNESSEE CHILDREN’S HOSPITAL****10-A-22-SC**

Request closure of a section of South Twenty First Street between Clinch Avenue and White Avenue, Council District 1.

Speaking today:

Taylor Forrester, 1111 N. Northshore, Ste S700, Knoxville, TN 37919

1. STAFF RECOMMENDATION

Deny closure of the right-of-way for S. Twenty First Street between Clinch Avenue and White Avenue due to traffic volume and layout of the adjacent streets in this busy area of the neighborhood.

2. MOTION (PHILLIPS) AND SECOND (OOTEN) WERE MADE TO POSTPONE FOR 30 DAYS UNTIL THE JANUARY 12, 2023 PLANNING COMMISSION MEETING AT THE REQUEST OF THE APPLICANT.

MOTION CARRIED UNANIMOUSLY 13-0. POSTPONED 30 DAYS.

6. JON CLARK**12-A-22-AC**

Request closure of Java Alley between the southeast corner of parcel 094EG013 to the southeast corner of parcel 094EG01201, Council District 6.

Speaking today:

Jon Clark, 114 W. Jackson Ave., Knoxville, TN 37902

1. STAFF RECOMMENDATION

Item No.**File No.**

Approve the closure of Java Alley, a 10-ft alley off S Central St between parcels 094EG013,094EG01201, 094EG014, and 094EG015 from S Central St to the alley's western terminus, subject to any required easements, since it is not needed for access and staff has received no objections.

2. **MOTION (PHILLIPS) AND SECOND (BARGER) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED UNANIMOUSLY 13-0. APPROVED

7. HOUSE TO HOME RENOVATION AND CONSTRUCTION, LLC

12-A-22-SC

Request closure of Boggs Ave. between Atchley Street and Sam Houston Street, Council District 1.

Speaking today:

Beverly Linkous, 154 Carrie Reagan Ln., Knoxville, TN 37920

1. **STAFF RECOMMENDATION**

Approve closure of portion of Boggs Avenue that runs between Atchley Street to Sam Houston Street subject to any required easements, and because staff has received no objections.

2. **MOTION (SHELSON) AND SECOND (ADAMS) WERE MADE TO DENY THE CLOSURE REQUEST.**

MOTION FAILED 4-9 (NO OOTEN, BOYER, PHILLIPS, HUBER, HIGGINS, LEVENSON, ROTH, BARGER, HILL)

3. **MOTION (PHILLIPS) AND SECOND (HIGGINS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED 10-3 (NO BROWNING, MIDIS, SHELSON). APPROVED

8. JOSEPH PARKS ON BEHALF OF SAINT PAUL DEV PARTNERS LLC

12-B-22-SC

Request closure of a sliver of West Blount Avenue between the southwest corner of the intersection with Saint Paul Street to the southeast corner of parcel 109AA005 as shown on proposed plat, Council District 1.

Item No.**File No.****1. STAFF RECOMMENDATION**

Approve closure of a sliver of West Blount Avenue from the southwest corner of the intersection with Saint Paul Street to the southeast corner of parcel 109AA005, subject to any required easements, and to four conditions.

APPROVED ON CONSENT EARLIER IN THE MEETING

STREET NAME CHANGES

None

PLANS, STUDIES, REPORTS

None

HILLSIDE PROTECTION (HP) OVERLAY CERTIFICATES OF APPROPRIATENESS

None

PLAN AMENDMENTS (NO ASSOCIATED REZONINGS)

None

REZONINGS AND PLAN AMENDMENT/REZONINGS**9. JASON BALES AND EDDIE BALES (REVISED)****10-C-22-RZ**

2742 Hancock Street and 302 North Avenue / Parcel ID 081CM01903 and 081CM01902, Council District 5. Rezoning from I-G (General Industrial) and IH (Infill Housing Overlay) to I-MU (Industrial Mixed-Use) and IH (Infill Housing Overlay).

1. STAFF RECOMMENDATION

Approve I-MU (Industrial Mixed-Use) and IH (Infill Housing Overlay) zoning because it is consistent with surrounding development and the sector plan.

APPROVED ON CONSENT EARLIER IN THE MEETING

Item No.**File No.****10. RICH DADS, INC.****12-B-22-RZ**

901 Metler Drive / Parcel ID 068JB023, Council District 5. Rezoning from RN-1 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) to RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay).

Speaking today:

Hani Joseph, 2004 Radiance Dr., Knoxville, TN 37912

1. STAFF RECOMMENDATION

Approve RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) zoning because it is consistent with the sector plan and surrounding development.

2. MOTION (ROTH) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.

MOTION CARRIED UNANIMOUSLY 13-0. APPROVED

11. TYLER WOLFE**12-F-22-RZ**

6310 Foote Mineral Lane / Parcel ID 092 066, Council District 3. Rezoning from AG (General Agricultural) to RN-1 (Single-Family Residential Neighborhood).

1. STAFF RECOMMENDATION

Approve RN-1 (Single-Family Residential Neighborhood) zoning because it is consistent with the sector plan and surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

12. ANTONIO HUTCHINSON**12-G-22-RZ**

2909 Brooks Avenue / Parcel ID 082MB028, Council District 6. Rezoning from RN-1 (Single-Family Residential Neighborhood) to RN-2 (Single-Family Residential Neighborhood).

1. STAFF RECOMMENDATION

Item No.**File No.**

Approve RN-2 (Single-Family Residential Neighborhood) zoning because it is consistent with the surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

13. CAFE INTERNATIONAL LLC

12-K-22-RZ

2990 Rifle Range Drive / Parcel ID 048 K A 018 (part of), Council District 4. Rezoning from RN-1 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) to RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay).

Speaking today:

Randy Guignard, 5408 Fountain Gate Rd, Knoxville, TN 37918

1. STAFF RECOMMENDATION

Approve RN-2 (Single-Family Residential Neighborhood) zoning for a portion of parcel 048KA018 as shown in Exhibit B because it is consistent with the sector plan, topographic conditions and surrounding development. HP (Hillside Protection Overlay) zoning will remain for the entire parcel.

2. MOTION (PHILLIPS) AND SECOND (ROTH) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.

MOTION CARRIED UNANIMOUSLY 13-0. APPROVED

CONCEPT PLANS

None

SPECIAL USES

14. MARK FARLEY

12-A-22-SU

6900 Seaver Drive / Parcel ID 106 C C 01301. Proposed use: Duplex in RN-1 (Single-Family Residential Neighborhood) District. Council District 3.

1. STAFF RECOMMENDATION

Approve the request for a duplex in the RN-1 zoning district, subject to 2 conditions.

Item No.**File No.****APPROVED ON CONSENT EARLIER IN THE MEETING**

15. DAYDRED VASQUEZ**12-B-22-SU**

1115 and 1117 Henrietta Drive / Parcel ID 069 A E 022. Proposed use: Duplex in RN-1 (Single-Family Residential Neighborhood) District. Council District 5.

1. STAFF RECOMMENDATION

Approve the request for a duplex, subject to 2 conditions.

APPROVED ON CONSENT EARLIER IN THE MEETING

16. MIKE STEVENS HOMES, INC**12-C-22-SU**

9433 and 9437 Horizon Drive / Parcel ID 154 F C 028, 029. Proposed use: Increase maximum lot size from 4,500 SF to 6,099 SF for lots 163 and 164 in RN-3(c) (General Residential Neighborhood) and HP (Hillside Protection Overlay) District. Council District 2.

1. STAFF RECOMMENDATION

Approve the request to amend the previously approved planned district to increase the maximum lot size from 4,500 sqft to 6,100 sqft for the subject property, subject to 1 condition.

APPROVED ON CONSENT EARLIER IN THE MEETING**FINAL SUBDIVISIONS***None***PLANNED DEVELOPMENT***None*

Item No.**File No.****ORDINANCE AMENDMENTS**

17. KNOXVILLE-KNOX COUNTY PLANNING**12-A-22-OA**

Consideration of amendments to the Knoxville City Code, Appendix B - Zoning Code, Article 15, Section 15.2 (A) and Table 15-2, and Article 16, Section 16.12(A)(4)(a)(i), to add to the notice provisions a requirement to post signs for notice of variance applications as well as appeals of the Zoning Administrator's interpretations and decisions to be heard by the Board of Zoning Appeals.

1. STAFF RECOMMENDATION

Staff recommends approval of amendments to the Knoxville City Code, Appendix B- Zoning Code, Article 15, Section 15.2 (a) and Table 15-2 to require the posting of notices for variances to be heard by the Board of Zoning Appeals and appeals of the Zoning Administrator's decision to the Board of Zoning Appeals.

Staff also recommends approval of amendments to the Knoxville City Code, Appendix B- Zoning Code, Article 16, Section 16.12(A)(4)(a)(i) to require the posting of notices for appeals of decision by the Zoning Administrator or Director of Plans Review and Building Inspections to the Board of Zoning Appeals.

APPROVED ON CONSENT EARLIER IN THE MEETING

OTHER BUSINESS

None

KNOX COUNTY**STREET NAME CHANGES**

None

PLANS, STUDIES, REPORTS

Heard with City requests.

PLAN AMENDMENTS (NO ASSOCIATED REZONINGS)

None

Item No.**File No.****REZONINGS AND PLAN AMENDMENT/REZONINGS****18. JOHN BOLTON**

0, 6702, and 6706 Ridgeview Road / Parcel ID 030 15201, 15307 and 15308, Commission District 8.

Speaking today:

John Bolton, 5421 Great Lakes Dr., S Evansville, IN 47715

Kevin Murphy, 4508 Murphy Rd., Knoxville, TN 37918

Mark Sinclair, 6710 Ridgeview Rd., Knoxville, TN 37918

Dr. Nancy Scott, 6653 Ridgeview Rd, Knoxville, TN, 37918

A. NORTHEAST COUNTY SECTOR PLAN AMENDMENT**12-D-22-SP**

From AG (Agricultural) and HP (Hillside Protection) to RR (Rural Residential) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Approve the sector plan amendment to RR (Rural Residential) and HP (Hillside Protection) because it is consistent with the surrounding development.

2. MOTION (PHILLIPS) AND SECOND (LEVENSON) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**MOTION CARRIED UNANIMOUSLY 13-0. APPROVED****B. REZONING****12-A-22-RZ**

From A (Agricultural) to PR (Planned Residential) up to 2 du/ac.

1. STAFF RECOMMENDATION

Approve the PR (Planned Residential) zone up to 1 du/ac because it is consistent with the surrounding development.

2. MOTION (PHILLIPS) AND SECOND (ADAMS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**MOTION CARRIED 9-4 (NO BOYER, HUBER, BROWNING, ROTH). APPROVED**

Item No.**File No.****19. DENNIS BAGGETT****12-C-22-RZ**

4710 Messer Lane / Parcel ID 078 11203, Commission District 6.
Rezoning from A (Agricultural) to RA (Low Density Residential).

1. STAFF RECOMMENDATION

Approve the RA (Low Density Residential) zone because it is consistent with the surrounding development and sector plan.

APPROVED ON CONSENT EARLIER IN THE MEETING

20. KENNETH W. CANTRELL

0 Tazewell Pike / Parcel ID 039 201, Commission District 8.

Speaking today:

Kenneth W. Cantrell, 6639 Tazewell Pike, Knoxville, TN 37918

Kevin Murphy, 4508 Murphy Rd., Knoxville, TN 37918

A. NORTHEAST COUNTY SECTOR PLAN AMENDMENT**12-A-22-SP**

From AG (Agricultural) and SP (Stream Protection) to NC (Neighborhood Commercial) and SP (Stream Protection).

1. STAFF RECOMMENDATION

Deny the sector plan amendment to NC (Neighborhood Commercial) because it not consistent with the location criteria and is within a rural area.

2. MOTION (PHILLIPS) AND SECOND (ADAMS) WERE MADE TO DENY PER STAFF RECOMMENDATION.

MOTION CARRIED 11-2 (NO BOYER, BROWNING). DENIED

B. REZONING**12-D-22-RZ**

From A (Agricultural) to CN (Neighborhood Commercial).

1. STAFF RECOMMENDATION

Deny the CN (Neighborhood Commercial) zone because it is not consistent with the surrounding development.

Item No.**File No.**

2. **MOTION (PHILLIPS) AND SECOND (ADAMS) WERE MADE TO DENY PER STAFF RECOMMENDATION.**

MOTION CARRIED 11-2 (NO BOYER, BROWNING). DENIED

21. BENJAMIN C. MULLINS**12-E-22-RZ**

1461, 1481 & 1501 Maryville Pike / Parcel ID 122 L A 001, 003, 002, Commission District 9. Rezoning from CB (Business and Manufacturing) to T (Transition).

1. **STAFF RECOMMENDATION**

Postpone for 30-days to the January 12, 2023 Planning Commission meeting as requested by the applicant.

POSTPONED 30 DAYS EARLIER IN THE MEETING

22. BENJAMIN MULLINS**12-H-22-RZ**

0 North Gallaher View Road / Parcel ID 119 L A 00116, Commission District 3. Rezoning from CA (General Business) to CB (Business and Manufacturing).

1. **STAFF RECOMMENDATION**

Approve the CB (Business and Manufacturing) zone because it is consistent with the surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

23. BENJAMIN MULLINS**12-I-22-RZ**

2110 Keller Bend Road / Parcel ID 155 00901, Commission District 4. Rezoning from F (Floodway) and OA (Office Park) to F (Floodway), OB (Office, Medical, and Related Services) and OB/F (Office, Medical, and Related Services/Floodway).

Speaking today:

Benjamin Mullins, 550 W. Main St., Ste 500, Knoxville, TN 37902
Patra Bonham Rule, 2825 Keller Bend Road, Knoxville, TN 37922

1. **STAFF RECOMMENDATION**

Item No.**File No.**

Approve the F (Floodway) zone for the area below the 813 contour, the OB/F (Office, Medical, and Related Services/Floodway) zones for the area between the 813 contour and the current OA (Office Park) zoning boundary, and the OB (Office, Medical, and Related Services) zone for the remainder of the property, as shown in Exhibit A, because it is consistent with the surrounding development.

2. **MOTION (PHILLIPS) AND SECOND (SHELSON) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED 11-2 (NO BARGER, OOTEN). APPROVED

24. BO CROSS

1100 North Campbell Station Road / Parcel ID 130 088, Commission District 6.

A. NORTHWEST COUNTY SECTOR PLAN AMENDMENT

12-B-22-SP

From AG (Agricultural) to LDR (Low Density Residential).

1. **STAFF RECOMMENDATION**

Approve the sector plan amendment to LDR (Low Density Residential) because it is consistent with the development in the area.

APPROVED ON CONSENT EARLIER IN THE MEETING

B. REZONING

12-J-22-RZ

From A (Agricultural) to RA (Low Density Residential).

1. **STAFF RECOMMENDATION**

Approve the RA (Low Density Residential) zone because it is consistent with the surrounding area.

APPROVED ON CONSENT EARLIER IN THE MEETING

Item No.**File No.****25. DAVID CHEBAN****12-L-22-RZ**

7701 Jenkins Road / Parcel ID 105 142, Commission District 3. Rezoning from A (Agricultural) and RA (Low Density Residential) to PR (Planned Residential) up to 5 du/ac.

Speaking today:

David Harbin, 4334 Papermill Dr., Knoxville, TN 37909

Danny Yoder, 7528 Jenkins Rd., Knoxville, TN 37931

Glenn Pfennigwerth, 7700 Jenkins Rd., Knoxville, TN 37931

Jennifer Long, 7531 Jenkins Rd., Knoxville, TN 37931

James Cooper, 7709 Jenkins Rd., Knoxville, TN 37931

David Cheban, 5331 Cain Road, Knoxville, TN 37931

1. STAFF RECOMMENDATION

Approve the PR (Planned Residential) zone at a density up to 4 du/ac because it is consistent with the sector plan and surrounding development.

2. MOTION (PHILLIPS) AND SECOND (HUBER) WERE MADE TO APPROVE THE PR (PLANNED RESIDENTIAL) ZONE AT A DENSITY UP TO 4.2 DU/AC BECAUSE IT IS CONSISTENT WITH THE SECTOR PLAN AND SURROUNDING DEVELOPMENT.

MOTION CARRIED UNANIMOUSLY 13-0. APPROVED

The Commission took a 10 minute break at 3:16 PM, reconvening at 3:26 PM

Commissioner Barger left the meeting at 3:24 PM

26. MESANA INVESTMENTS, LLC**12-M-22-RZ**

504 Fox Road / Parcel ID 143 11201, Commission District 3. Rezoning from A (Agricultural) to PR (Planned Residential) up to 4 du/ac.

1. STAFF RECOMMENDATION

Approve the PR (Planned Residential) zone at a density up to 4 du/ac because it is consistent with the sector plan and surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

27. DANIEL LEVY

9502 and 9432 Middlebrook Pike / Parcel ID 104 21301, 105 047,
Commission District 3.

A. NORTHWEST COUNTY SECTOR PLAN AMENDMENT**12-C-22-SP**

From LDR (Low Density Residential) and HP (Hillside Protection) to
MDR (Medium Density Residential) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Approve the sector plan amendment to MDR (Medium
Density Residential) and HP (Hillside Protection) because it
is consistent with development in the area and location
criteria for the MDR designation.

APPROVED ON CONSENT EARLIER IN THE MEETING**B. REZONING****12-N-22-RZ**

From A (Agricultural) and PR (Planned Residential) up to 4 du/ac to
PR (Planned Residential) up to 12 du/ac.

1. STAFF RECOMMENDATION

Approve the PR (Planned Residential) zone at a density up
to 12 du/ac because it is consistent with surrounding
development.

APPROVED ON CONSENT EARLIER IN THE MEETING**28. JOEL A CANNON III****12-O-22-RZ**

8308 Pedigo Road / Parcel ID 037 10202 (part of), Commission District
7. Rezoning from A (Agricultural) to RA (Low Density Residential).

1. STAFF RECOMMENDATION

Deny the RA (Low Density Residential) zone because it is not
consistent with the Growth Policy Plan.

POSTPONED 30 DAYS EARLIER IN THE MEETING

29. SHAWN SMITH**12-P-22-RZ**

0 High Meadow Drive / Parcel ID 118 I F 00201, Commission District 3.
Rezoning from RA (Low Density Residential), TO (Technology Overlay),
and PC (Planned Commercial) to PR (Planned Residential) up to 4 du/ac
and TO (Technology Overlay).

Speaking today:

Shawn Smith, 9051 Executive Park Dr. Ste. 201, Knoxville, TN 37923

1. STAFF RECOMMENDATION

Approve the PR/TO (Planned Residential/Technology Overlay) zone with up to 4 du/ac because it is consistent with the Northwest County Sector Plan's MU-SD, NWCO-4 land use classification.

1. MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.

MOTION CARRIED UNANIMOUSLY 12-0. APPROVED

CONCEPTS AND DEVELOPMENT PLANS

30. FAIRVIEW ROAD SUBDIVISION (REVISED)

Speaking today:

Scott Davis, P.O. Box 11315, Knoxville, TN 37939

Joseph Haddad, 7828 Beeler Farms Ln., Knoxville, TN 37918

Kevin Murphy, 4508 Murphy Rd., Knoxville, TN 37918

A. CONCEPT SUBDIVISION PLAN**11-SA-22-C**

0 Fairview Road and 0 Beeler Road / Parcel ID 021 04603 (part of)
and 021 18803, Commission District 8.

1. STAFF RECOMMENDATION

Approve the requested variances and alternative design standard based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works.

Approve the Concept Plan subject to 11 conditions.

Item No.**File No.**

2. **MOTION (ROTH) AND SECOND (HUBER) WERE MADE TO APPROVE VARIANCES AND ALTERNATIVE DESIGN STANDARD PER STAFF RECOMMENDATION.**

MOTION CARRIED UNANIMOUSLY 12-0. APPROVED

3. **MOTION (ROTH) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE CONCEPT PLAN PER STAFF RECOMMENDATION, AMENDING EXISTING CONDITION #6 TO INCLUDE A SOUTH STUB OUT.**

MOTION CARRIED 10-2 (NO HIGGINS, ADAMS). APPROVED

B. DEVELOPMENT PLAN**11-A-22-DP**

Proposed use: Detached residential subdivision in PR (Planned Residential) and F (Floodway) Districts.

1. **STAFF RECOMMENDATION**

Approve the development plan for a residential subdivision with up to 128 detached dwellings and a reduction of the 35-ft peripheral setback to 25-ft for lots 207-212, as shown on the plan, subject to 1 condition.

2. **MOTION (ROTH) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED 10-2 (NO HIGGINS, ADAMS). APPROVED

31. SCOTT CAMPBELL SUBDIVISION**A. CONCEPT SUBDIVISION PLAN****12-SA-22-C**

0 E Governor John Sevier Highway / Parcel ID 124 M A 010, Commission District 9.

1. **STAFF RECOMMENDATION**

Postpone the concept plan until the January 12, 2023 Planning Commission meeting as recommended by staff.

POSTPONED 30 DAYS EARLIER IN THE MEETING

B. DEVELOPMENT PLAN**12-A-22-DP**

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

1. STAFF RECOMMENDATION

Postpone the development plan until the January 12, 2023 Planning Commission meeting as recommended by staff.

POSTPONED 30 DAYS EARLIER IN THE MEETING

32. FOX ROAD SUBDIVISION**A. CONCEPT SUBDIVISION PLAN****12-SB-22-C**

Speaking today:

Scott Davis, PO Box 11315, Knoxville, TN 37939

Phillip Royer, 322 Triplett Lane, Knoxville, TN 37922

Victoria Gillenwater, 307 Triplett Ln., Knoxville, TN 37922

0 and 504 Fox Rd / Parcel ID 143 112, and 11201, Commission District 3.

1. STAFF RECOMMENDATION

Approve variance #1 & 2 and the alternative design standards based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works and the City of Knoxville Department of Engineering. [REVISED 12/6/2022]

Approve variance #3 subject to providing justification for the intersection grade using AASHTO standards during the design plan phase with review and approval by the City of Knoxville Department of Engineering. [REVISED 12/6/2022]

Approve the Concept Plan subject to 9 conditions.

2. MOTION (HUBER) AND SECOND (PHILLIPS) WERE MADE TO APPROVE VARIANCES 1 & 2 AND ALTERNATIVE DESIGN STANDARDS PER STAFF RECOMMENDATION.

MOTION CARRIED 11-1 (NO MIDIS). APPROVED

3. MOTION (HUBER) AND SECOND (PHILLIPS) WERE MADE TO APPROVE VARIANCE 3 PER STAFF RECOMMENDATION.

Item No.**File No.****MOTION CARRIED 11-1 (NO MIDIS). APPROVED**

4. **MOTION (HUBER) AND SECOND (PHILLIPS) WERE MADE TO APPROVE CONCEPT PLAN PER STAFF RECOMMENDATION.**

MOTION CARRIED 10-2 (NO MIDIS, SHELSO). APPROVED**B. DEVELOPMENT PLAN****12-B-22-DP**

Proposed use: Detached residential subdivision in A (Agricultural) and PR (Planned Residential) Districts.

1. **STAFF RECOMMENDATION**
Approve the development plan for a residential subdivision with up to 90 detached dwellings, subject to 1 condition.
2. **MOTION (HUBER) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED 10-2 (NO MIDIS, SHELSO). APPROVED**33. THE PRESERVE AT WHITES CREEK****A. CONCEPT SUBDIVISION PLAN****12-SC-22-C**

Speaking today:

Randy Guignard, 5408 Fountain Gate Rd, Knoxville, TN 37918

Charles Taylor, 4801 Tazewell Pk., Knoxville, TN 37918

4760 Beverly Road and 0 New Beverly Baptist Church Road / Parcel ID0 59 00201 and 002, Commission District 8.

1. **STAFF RECOMMENDATION**
Postpone the concept plan until the January 12, 2023 Planning Commission meeting as recommended by staff.
2. **MOTION (ROTH) AND SECOND (PHILLIPS) WERE MADE TO POSTPONE THE CONCEPT PLAN 60 DAYS TO THE FEBRUARY 9, 2022 PLANNING COMMISSION MEETING.**

MOTION CARRIED UNANIMOUSLY 12-0. POSTPONED 60 DAYS.

Item No.**File No.****B. DEVELOPMENT PLAN****12-C-22-DP**

Proposed use: Attached and detached residential subdivision in PR (Planned Residential) and F (Floodway) District.

1. STAFF RECOMMENDATION

Postpone the development plan until the January 12, 2023 Planning Commission meeting as recommended by staff.

2. MOTION (ROTH) AND SECOND (PHILLIPS) WERE MADE TO POSTPONE THE DEVELOPMENT PLAN 60 DAYS TO THE FEBRUARY 9, 2022 PLANNING COMMISSION MEETING.

MOTION CARRIED UNANIMOUSLY 12-0. POSTPONED 60 DAYS.

34. COPPER BRANCH PLACE**A. CONCEPT SUBDIVISION PLAN****12-SD-22-C**

Speaking today:

Steve Hall, 3127 Tee Ln., Knoxville, TN 37918

David Thompson, 8005 Pedigo Road, Knoxville, TN

0 Greenwell Drive / Parcel ID 047 057, Commission District 7.

1. STAFF RECOMMENDATION

Approve the Concept Plan subject to 6 conditions.

2. MOTION (HIGGINS) AND SECOND (OOTEN) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.

MOTION CARRIED UNANIMOUSLY 12-0. APPROVED

B. DEVELOPMENT PLAN**12-D-22-DP**

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

1. STAFF RECOMMENDATION

Approve the development plan for up to 14 attached houses on individual lots, subject to 2 conditions.

Item No.**File No.**

2. **MOTION (OOTEN) AND SECOND (HIGGINS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION.**

MOTION CARRIED UNANIMOUSLY 12-0. APPROVED

USES ON REVIEW

35. GARY BEST

12-A-22-UR

7521 Thunder Lane / Parcel ID 47 J A 003. Proposed use: Allowance to exceed the maximum height standard in the OB zone in OB (Office, Medical, and Related Services) District. Commission District 7.

1. **STAFF RECOMMENDATION**

Approve the request to increase the maximum height standard in the OB zone from 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element as proposed in the attached plans, subject to 3 conditions.

APPROVED ON CONSENT EARLIER IN THE MEETING

36. DANIEL LEVY

12-B-22-UR

875 Cornerstone Drive / Parcel ID 131 069. Proposed use: Multi-dwelling development in OB (Office, Medical, and Related Services) and TO (Technology Overlay) Districts. Commission District 3.

1. **STAFF RECOMMENDATION**

APPROVE the request for a multifamily development with 318 dwelling units as shown on the site development plan, subject to 9 conditions.

APPROVED ON CONSENT EARLIER IN THE MEETING

FINAL SUBDIVISIONS

None

PLANNED DEVELOPMENT

37. SMITHBILT HOMES**11-A-22-PD**

4515, 4714 and 4720 West Emory Road / Parcel ID 066 121, 122 and 12201 Proposed use: Planned development with residential and non-residential uses A (Agricultural) and F (Floodway) Districts. Commission District 6.

Speaking today:

Josh Sanderson, 4909 Ball Road, Knoxville, TN 37931

Julie McBee Fritts, 7511 Carpenter Ln., Knoxville, TN 37931

Kevin Murphy, 4508 Murphy Rd., Knoxville, TN 37918

Joseph Mack, 2447 Sutherland Dr., Knoxville, TN 37919

1. STAFF RECOMMENDATION

Postpone the Belltown preliminary plan until the January 12, 2023 Planning Commission meeting

2. MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE BELLTOWN PRELIMINARY PLAN, INCLUDING THE REQUESTED EXCEPTIONS TO THE A (AGRICULTURAL) ZONE DIMENSIONAL STANDARDS AND PERMITTED USES, SUBJECT TO CONDITIONS 1-8 AS PROPOSED BY STAFF, MODIFYING CONDITION #1 AND ADDING CONDITIONS 9-11:

1) Submitting a Design Plan application for review and approval by the Planning staff. The Design Plan shall include additional details regarding the required road improvements and the pedestrian facilities across and along W. Emory Road.

2) Partnering with Knox County to implement the recommended improvements to the W. Emory Road and Clinton Highway intersection by providing funding commensurate to the projected 2030 traffic volumes added to this intersection by the development as outlined in the Bell Farms (Belltown) Master Plan Traffic Impact Study (CDM Smith, 9/21/2022), and as revised and approved by Planning Commission staff and Knox County Engineering and Public Works. The Traffic Impact Study must be revised to be consistent with the maximum allowed development intensity in Section 7.2. (Proposed Density) of the Belltown preliminary plan (revised 12/5/2022) and, if applicable, condition #4 and to provide design details for the westbound receiving lane on W. Emory Road at the Clinton Highway intersection. The details regarding the shared costs of the improvements for this intersection shall be worked out with Knox County Engineering and Public Works during the design plan phase for the first phase of this

Item No.**File No.**

development. The Traffic Impact Study must be revised before the Concept Plan application is submitted.

3) Amending Section 13. (Project Phasing) to clarify that the developer will provide funding toward the improvements at the W. Emory Road and Clinton Highway intersection commensurate to the projected 2030 traffic volumes added to this intersection per the revised Traffic Impact Study.

4) Amending Section 7.2. (Proposed Density) to state that there shall be no more than 1,200 residential dwelling units in the areas designated single family, townhouse, and multi-family, and to clarify that each residential area shall not to exceed the maximum density as presented in Section 7.2. (Proposed Density) and Section 7.3. (Proposed Land Use Map) of the Belltown preliminary plan (revised 12/5/2022).

5) Deeding the approximate 40-acre public park to Legacy Parks Foundation, or another non-profit of similar focus that is approved by Knox County, before the Final Plat for the first phase of the Belltown development is certified for recording. The public park is described in Section 14. (Public Park) and shown in Section 7.3. (Proposed Land Use Map) in the Belltown preliminary plan (revised 12/5/2022).

6) Meeting all applicable requirements of Knox County Engineering and Public Works.

7) Meeting all applicable requirements of Knox County Parks and Recreation regarding the public park as described in Section 14. (Public Park) and shown in Section 7.3. (Proposed Land Use Map) in the Belltown preliminary plan (revised 12/5/2022).

8) Meeting all applicable requirements and obtaining all necessary permits from the Tennessee Department of Transportation.

9. Adding a master signage package to the proposal for Planning staff and Codes Administration and Enforcement - Knox County.

10. Adding a master sidewalk/pedestrian access plan as part of the TDOT design plan stage to be part of the design plan approval to be submitted to Knox County Engineering and Public Works.

11. Add construction of amenities to the phasing plan [Section 13, Exhibit L] for the north (separately) and south sides of the development.

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3. COMMISSIONER OOTEN AMENDED HIS MOTION TO LEAVE CONDITION #1 AS WRITTEN BY STAFF “SUBMITTING A CONCEPT PLAN APPLICATION FOR REVIEW AND APPROVAL BY THE PLANNING COMMISSION. THE CONCEPT PLAN SHALL INCLUDE ADDITIONAL DETAILS REGARDING THE REQUIRED ROAD IMPROVEMENTS AND THE PEDESTRIAN FACILITIES ACROSS AND ALONG W. EMORY ROAD”, AND ADDED THAT PLANNING STAFF IS TO BE A PART OF THE DESIGN PLAN REVIEW PROCESS ALONG WITH KNOX COUNTY ENGINEERING AND PUBLIC WORKS, KNOX COUNTY PARKS AND RECREATION AND TDOT TO OVERSEE THE ADDITIONAL ITEMS AS OUTLINED [CONDITIONS #9, 10 AND 11], AS WELL AS WORKING WITH THE DEVELOPER. COMMISSIONER PHILLIPS SECONDED THE AMENDED MOTION.
4. COMMISSIONER OOTEN FURTHER AMENDED HIS MOTION TO AMEND CONDITION #9 THAT A MASTER SIGNAGE PACKAGE FOR THE SOUTH SIDE IS TO BE SUBMITTED AS A SEPARATE USE ON REVIEW. COMMISSIONER PHILLIPS AGAIN SECONDED THE AMENDED MOTION.

MOTION CARRIED 11-1 (NO SHELSO). APPROVED

ORDINANCE AMENDMENTS

38. KNOXVILLE-KNOX COUNTY PLANNING

11-C-22-OA

Consideration of an amendment to the Knox County Code, Appendix A, Zoning, Article 5, Zone Regulations, Section 5.31 and 5.32, to add drive-through facilities and arts and fitness studios as permissible uses in the CA (General Commercial) and CB (Business and Manufacturing) zones, and add multifamily developments, townhouses, and above ground dwellings to be permissible as uses on review in the CA and CB zones.

1. STAFF RECOMMENDATION

Staff recommends postponement of this item for 30 days to be heard at the January 12, 2023 Planning Commission meeting.

POSTPONED 30 DAYS EARLIER IN THE MEETING

OTHER BUSINESS

**39. KNOXVILLE-KNOX COUNTY
PLANNING**

12-A-22-OB

Consideration of an amendment to the FY 22-23 Knoxville-Knox County Planning budget.

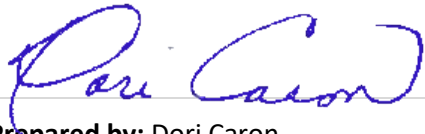
1. STAFF RECOMMENDATION

The Knoxville-Knox County Planning Commission Executive Committee recommends approval of a FY 2023 budget amendment in the amount of \$250,000 to undertake a Regional Roadway Safety Plan.

APPROVED ON CONSENT EARLIER IN THE MEETING

ADJOURNMENT

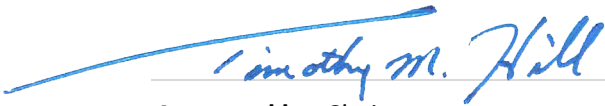
THERE BEING NO FURTHER BUSINESS, THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION MEETING WAS ADJOURNED IN ORDER at 6:00 P.M.



Prepared by: Dori Caron



Approved by: Secretary for the Commission



Approved by: Chair

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