

KNOXVILLE-KNOX COUNTY

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T E N N E S S E E

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Minutes

June 14, 2001

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

The Metropolitan Planning Commission met in regular session on June 14, 2001 at 1:30 p.m. in the Main Assembly Room, City/County Building, Knoxville, Tennessee. Members present at roll call were:

Mr. Philip French, Chair
Mr. Michael Brown
Mr. Charles Busler
Mr. Herbert Donaldson, Sr
Mr. Michael Edwards
Ms. Mamosa Foster

Ms. Ellen Fowler
Mr. Steven Lewis
Ms. Sara Rose
Mr. R. Larry Smith
Ms. Patsy Vittetoe
Mr. David Wolf

* Arrived late to the meeting.

** Left early in meeting.

Mr. Steve Wise, MPC Attorney, announced that the appeal process has been amended as of June 1, 2001. Subdivisions in Knox County, not in the City of Knoxville, will be appealed to Chancery Court rather than the legislative body. There will be no change in the process within the City on subdivision matters. In the County from June 1 on forward appeals of subdivisions in the County go directly to Chancery Court.

1. ROLL CALL

Mr. Buz Johnson called the role.

2 INVOCATION

Ms. Sara Rose gave the invocation.

3 PLEDGE OF ALLEGIANCE

Ms. Sara Rose led the Pledge of Allegiance.

Mr. Philip French announced that Commissioner Ellen Fowler's time on the Planning Commission expires with this month and presented her a plaque in recognition of her service as a Planning Commissioner.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED MAY 10, 2001

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE THE MINUTES OF THE PREVIOUS MEETING DATED MAY 10, 2001. MOTION CARRIED 12-0. MINUTES APPROVED.

5. APPROVAL OF AGENDA

Mr. Buz Johnson: Requested the agenda be amended to move two final plats to be heard at the same time with two concept plans. 10-SD-00-F SOUTHWOOD COMMERCIAL PARK will be heard with 10-SC-00-C SOUTHWOOD COMMERCIAL PARK and 6-SP-01-F HIDDEN GLEN UNIT 2, will be heard with 6-SP-01-C HIDDEN GLEN.

MOTION (ROSE) AND SECOND (SMITH) WERE MADE TO APPROVE THE AGENDA. MOTION CARRIED 12-0. AGENDA APPROVED.

6. REQUEST FOR POSTPONEMENTS, WITHDRAWALS AND TABLINGS

Items to be automatically Postponed	(Indicated with <u>P</u>)
Items to be voted on to be Postponed	(Indicated with <u>P</u>)
Items to be automatically Withdrawn	(Indicated with <u>W</u>)
Items to be voted on to be Withdrawn	(Indicated with <u>W</u>)
Items to be voted on to be Tabled	(Indicated with <u>T</u>)
Items to be voted on to be Untabled	(Indicated with <u>U</u>)
Items to be heard on Consent requiring a vote	(Indicated with <u>*</u>)

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 postponed to the July 12, 2001 MPC Meeting:

- | | | |
|-----------------|-------------------------|---|
| <u>P</u> | <u>6-SG-01-C</u> | <u>SCOTCH MEADOWS, UNIT 2</u>
Western end of Applecross Rd., north of E. Emory Rd., east of Tazewell Pike., Commission District 8. |
| <u>P</u> | <u>6-S-01-UR</u> | <u>EDWARD SANCHEZ</u>
Western end of Applecross Rd., north of E. Emory Rd., east of Tazewell Pike. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 21 100.01, Commission District 8, Northeast County Sector. |
| <u>P</u> | <u>6-SH-01-C</u> | <u>GROVE PARK</u>
West side of Maloneyville Rd., north of Washington Pike., Commission District 8. |
| <u>P</u> | <u>6-U-01-UR</u> | <u>WILLIAM J. FARNHAM</u>
West side of Maloneyville Rd., north of Washington Pike. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 40 126, Commission District 8, Northeast County Sector. |
| <u>P</u> | <u>6-SO-01-C</u> | <u>KRISTIN'S GATE</u>
West side of Cate Rd., north of W. Emory Rd., Commission District 6. |

- P** 6-W-01-UR NED FERGUSON, PLS
West side of Cate Rd., north of W. Emory Rd. Proposed use: Detached single-family subdivision and condominiums in PR (Planned Residential) District. Tax ID 66 90, 90.01, 90.02, 90.04,, 90.05, 132.18 & 066KG026. Commission District 6, Northwest County Sector.
- P** 6-SB-01-F MYRA DAVIS SUBDIVISION, RESUB OF LOT 4R1
Northwest side of Wells Dr, northeast of Brickyard Rd., Commission District 6.
- P** 6-SC-01-F REVISED PLAT OF A DIVISION OF A. L. JR., & JEAN S. REYNOLDS, TRACTS 1-3
Northwest side of E. Raccoon Valley Dr, east of Hill Rd., Commission District 8.
- P** 6-SD-01-F FLOYD LEDFORD FARM, RESUB OF LOTS 3R & 5R
North of Couch Mill Rd, east of Williams Bend Rd., Commission District 6.
- P** 6-SE-01-F ANNIE'S PLACE
South side of Wayne Dr, east side of Prosser Rd., Council District 4.
- P** 6-SI-01-F ANDERSON PROPERTY
West of Tazewell Pk, south of Fairview Rd., Commission District 8.
- P** 6-SM-01-F HIGHLANDS AT NORTHSORE
North side of S. Northshore Dr, southeast of Bluegrass Rd., Commission District 5.
- P** 6-SN-01-F MAJORS CROSSING
North side of E. Emory Rd, east side of Majors Rd., Commission District 8.
- P** 6-SO-01-F TERRAPIN STATION, UNIT 1
Northwest side of Lovell Rd, northeast of Gilbert Dr., Commission District 5.
- P** 6-SQ-01-F TECHNOLOGY CENTER PARK, RESUB. OF LOTS 1R-1, 6R, 25R & 26R
Northeast side of Innovation Dr, northwest side of Dutchtown Rd., Commission District 6.
- P** 6-SR-01-F TAYLOR HILLS
West side of Spring Hill Rd, north side of Buffat Mill Dr., Council District 4.
- P** 6-SW-01-F RICHLAND TOWERS ON SHARP'S RIDGE
Southeast of I-640/I-75 and east of I-75., Council District 1.
- P** 6-V1-01 RAY T. BURKHART PROPERTY
North of North National Dr, west of Pickel Ln., Commission District 8.
- P** 6-V5-01 TOMS SUBDIVISION OF MCKINNEY FARM, RESUB. OF LOT 19
Northwest side of Keith Av, southwest of Liberty St., Council District 3.

- P** 6-V8-01 BETHEL APOSTOLIC CHURCH
Northwest side of Douglas Av, southwest of Wallace St., Council District 6.
- P** 6-V9-01 W. L. CLAPPS FIRST ADDITION, RESUB OF LOTS 2 - 5 & PART OF 15
East side of Old Broadway, south of I-640., Council District 5.
- P** 6-O-01-RZ LEXINGTON-SIMMONS, LLC
South side Gilbert Dr., south of Live Oak Cir., Rezoning from A (Agricultural) to PR (Planned Residential) & CB (Business and Manufacturing). Tax ID 131 7,150,151, CB zone on 7, 150 & 151 south of creek. Commission District 5, Northwest County Sector.

POSTPONEMENTS – REQUIRING MPC ACTION – (Indicated with P)

Items to be postponed to the July 12, 2001 MPC Meeting:

- P** 5-B-01-OA Consideration of amendments to the *Knoxville Zoning Ordinance* regarding multiple tenant development signs, directory signs, master signage plans, and related sections.
- P** 5-SF-01-C MONTROSE COURT
West side of Red Bay Way, south of Nubbin Ridge Rd., Council District 2.
- P** 5-O-01-UR PINEOLA PARTNERSHIP
West side of Red Bay Way, south of Nubbin Ridge Rd. Proposed use: Detached single family subdivision in RP-1 (Planned Residential) District. Tax ID 133 F D 27, Council District 2, West City Sector.
- P** 3-SC-00-F RESUB. OF MCCARRELL PROPERTY
North side of Maloney Rd, northwest side of McCarrell Ln., Commission District 9.
- P** 6-SV-00-F COLONIAL PARK TOWNHOMES & TERRA PROPERTIES
Northwest side of Broome Rd, at Chadwick Dr., Council District 2.
- P** 8-SO-00-F DONNIE THOMAS
Southeast corner of the intersection of Bradshaw Gardens Dr. and Tillery Rd., Council District 3.
- P** 8-SP-00-F PROPERTY OF LYNN GIBBS, TRUSTEE
North side of Yarnell Rd, east of Marietta Church Rd., Commission District 6.
- P** 10-SB-00-F RESUB LOTS 37,38 & 39 MEADOWCREST SUBDIVISION, UNIT 1
North side of Windy Knoll Dr. & Fawnridge Ln., north of E. Emory Rd., Commission District 6.
- P** 11-SA-00-F MCKINNEY SUBDIVISION
Northeast side of Clear Springs Rd, northwest of Howell Rd., Commission District 8.
- P** 12-SM-00-F RESUB OF LOT 11, RUGGLES FERRY S/D

- South side of N. Ruggles Ferry Pk, west of Burris Rd., Commission District 8.
- P** 3-SB-01-F PROPERTY OF MARK & NANCY SATTERFIELD
West of Diggs Rd, south of Lovelace Rd., Commission District 6.
- P** 3-SR-01-F METLER COURT
Northwest side of Metler Dr., north of Clinton Hy., Council District 3.
- P** 5-SB-01-F CLEVELAND ESTATES
Northeast side of Bob Smith Ln, north of Ruggles Ferry Pk., Commission District 8.
- P** 5-SC-01-F MERINDA PLACE, PHASE 2
East side of McCloud Rd, north of Harrell Ln., Commission District 8.
- P** 5-SF-01-F NINE OAKS, UNIT 5
North end of Wispering Oaks Dr, west of Norris Fwy., Commission District 6.
- P** 5-SL-01-F LONG FARM, RESUB OF LOT 4
North side of Campbell Station Rd, south of Yarnell Rd., Commission District 6.
- P** 5-SN-01-F WAYNE LANCE PROPERTY
West side of Amherst Rd, north end of Chimney Sweep Dr., Comm. 3rd/Council 3rd.
- P** 5-SU-01-F HODGES SUBDIVISION
South of Kingston Pk, east of S. David Ln., Commission District 5.
- P** 6-SJ-01-F BILL SMITH PROPERTY
Southwest side of Noe Hill Ln, south of Asheville Hwy., Commission District 8.
- P** 6-SK-01-F RANDALL EUGENE & KATHY MAE CHAPMAN PROPERTY
West side of Pierre Marques St, northwest of San Marcos Dr., Commission District 8.
- P** 6-SV-01-F CANTON ESTATES (FORMERLY KNOWN AS "TRENT LANE ESTATES")
Northeast side of Trent Ln, north of Canton Hollow Rd., Commission District 5.
- P** 3-V7-00 SURVEY FOR HUGH ROGERS
North of Kimberlin Heights Rd, west of Sam Cruze Ln., Commission District 9.
- P** 3-V2-01 RESUB LOTS 1-6 PARK REALTY & TRUST CO. 2ND ADD. BEARDEN & LYON'S VIEW ADD
South side of Echo Dr, west side of Agnes Rd, north side of Walden Dr., Council District 2.

- P** 5-V3-01 LONSDALE LAND COMPANY'S ADDITION, PART OF LOTS 34 & 35
Southeast side of Massachusetts Av, southwest of Murphy Av., Council District 5.
- P** 3-R-01-RZ JAMES & REBECCA CROSSLAND
Northwest side S Northshore Dr., northeast side Wallace Rd., Rezoning from RA (Low Density Residential) to OA (Office Park). Tax ID 133 N A 32, 133 KA 3 Commission District 4, West City Sector. (Referred back to MPC by County Commission to consider PR (Planned Residential) zoning.)
- P** 5-B-01-UR E. DOYLE JOHNSON
East side of McCloud Rd., south of Blairwood Dr. Proposed use: Duplex development in RA (Low Density Residential) District. Tax ID 28 257.04, Commission District 6, North County Sector.
- P** 5-M-01-UR HEMPHILL CORPORATION AND TRITEL COMMUNICATIONS, INC.
East side of Alcoa Hwy., south of Mount Vernon Dr. Proposed use: 180 foot monopole telecommunications tower in CA (General Business) District. Tax ID 122 O J 002, Commission District 9, South County Sector.
- P** 5-Q-01-UR HUNTER DEVELOPMENT
West side of Dowell Springs Blvd., east side of Dick Lonas Rd., north of Middlebrook Pike. Proposed use: Shopping center in PC-1 (Retail and Office Park) & A-1 (General Agricultural) Districts. Tax ID 106 D A 8.09 & part of 9, Council District 3, Northwest County Sector.
- P** 6-R-01-UR NATIONAL WIRELESS CONSTRUCTION, LLC
South side of Town View Dr., across from Green Elementary School. Proposed use: 195' monopole telecommunications tower in O-1 (Office, Medical, and Related Services) District. Tax ID 95 H D 4.02, Council District 6, Central City Sector.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE JULY 12, 2001 MPC MEETING. MOTION CARRIED 12-0. POSTPONEMENTS APPROVED.

Items to be postponed to the August 9, 2001 MPC Meeting:

- P** 3-SG-01-F RESUB OF PT OF LOT 15 & PART OF 16 JOHN RICHARDS REVISED
(August 9, 01) 2ND WASHINGTON PIKE ADDT
North side of Washington Pk, east side of Glendale Rd., Council District 4.
- P** 6-V6-01 EDGEWOOD LAND & IMPROVEMENT CO., RESUB LOTS 5 & 6
(August 9, 01) North side of Hiawasse Av, east of Vineyard Pl., Council District 5.

Added or removed from postponement:

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE POSTPONEMENTS AS READ UNTIL THE AUGUST 9, 2001 MPC MEETING. MOTION CARRIED 12-0. 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-00-F** **PROPERTY OF WARREN G. & EDNA BROWNING**
North side of Pleasant Gap Rd, west of Hill Rd., Commission District 8.
- W** **4-V5-01** **SUBDIVISION OF THE WAGGONER PROPERTY**
Northwest side of Tazewell Pk, northeast of Ridgeview Rd., Commission District 8.
- W** **6-E-01-OB** Consideration of resolution authorizing MPC's Executive Director to execute documents related to a grant application in response to NASA Broad Agency Appeal BAA-01-OES-01, Opportunities for State, Local, Regional and Tribal Governments to Utilize NASA and Commercially Developed Data and Capabilities in Operations and Decision Support.

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

- U** **8-C-00-UR** **GOLDEN LIVING COMMUNITIES**
South side of Gleason Dr., east of Morrell Rd. Proposed use: Assisted living facility in RP-1 (Planned Residential) District. Tax ID 120 F B part 36.04, Council District 2, West City Sector.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE UNTABLING.
MOTION CARRIED 12-0. UNTABLING APPROVED.

WITHDRAWALS – REQUIRING MPC ACTION – (Indicated with W)

- W** **8-C-00-UR** **GOLDEN LIVING COMMUNITIES**
South side of Gleason Dr., east of Morrell Rd. Proposed use: Assisted living facility in RP-1 (Planned Residential) District. Tax ID 120 F B part 36.04, Council District 2, West City Sector.

MOTION (EDWARDS) AND SECOND (FOWLER) WERE MADE TO APPROVE
WITHDRAWALS MOTION CARRIED 12-0. WITHDRAWALS APPROVED.

REVIEW OF TABLED ITEMS

TABLED

- 5-B-99-AC** **JOE DIEHL -** Request closure of unnamed alley from southeast corner of Parcel 7 to Nineteenth St. CLT Map 094, City Block 10204, 1st Council District, Central City Sector.
- 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.
- 7-SB-99-C RIVER ISLAND SUBDIVISION
East side Kelly Ln., south side Kodak Rd. Commission District 8.
- 7-H-99-UR MSGG, LLC
East side Kelly Ln., south of Kodak Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. TAX ID 100 26.02 & PART 26. 99 100 & 101. Commission District 8, East County Sector.
- 2-SD-00-C GOODSON ON OLD RUTLEDGE PIKE
Southeast side of Old Rutledge Pk, northeast of Idumea Rd., Commission District 8.
- 12-SA-98-F BURLINGTON ADDITION
Southeast side Asheville Hy, northeast side Prosser Rd. Council District 6.
- 7-SEE-99-F RESUB 14,15,22.23, PART OF 16,17,18, BLOCK MM OF COLD SPRINGS ADDITION
Northwest side of Louise Av., southeast side of Martin Luther King, Jr. Av. Council District 6.
- 8-SQ-99-F VULCAN SUCCESS SYSTEMS, LLC
North side of Cumberland Av., east side of Alcoa Hy. Council District 6.
- 3-SJ-00-F PEMMBROOKE PLACE, PHASE 2
West of Dick Lonas Rd, northeast end of Remington Grove Ln., Council District 3.
- 8-SE-00-F RESUBDIVISION OF LOTS 5 & 6, SAM TOOLE S/D NO. 2
Northeast side of Lyndell Rd., southeast of Bonita Dr., Council District 4.
- 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) @ 1-5 du/ac. 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-N-01-RZ ENNIS MILLS
North and south sides of Millertown Pk., east of Washington Pike, Rezoning from R-1 (Single Family Residential) to O-1 (Office, Medical, and Related Services). Tax ID 59 M E 6,7, 59 LC 22, front 200 feet of parcels 59 MA 2, 3 Council District 4, East City Sector.
- 9-N-98-UR LEON LAWSON/WHITTLE SPRINGS DEVELOPMENT - North side Valley View Dr., northeast of Saylor Ct. Proposed use: multifamily residential development in an RP-1 (Planned Residential) District. Tax ID 70-AB-10 - 12, 15 – 18, 4th Council District, East City Sector.
- 11-G-99-UR CHURCH OF ASCENSION
South & east side Agnes Rd., south side Harley Dr. Proposed use: Church expansion in R-1 (Single Family Residential) District. TAX ID 121 G G 1,2,3,4. Council District 2, West City Sector.
- W** 8-C-00-UR GOLDEN LIVING COMMUNITIES
South side of Gleason Dr., east of Morrell Rd. Proposed use: Assisted living facility in RP-1 (Planned Residential) District. Tax ID 120 F B part 36.04, Council District 2, West City Sector.

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.

MR. MICHAEL EDWARDS RECUSES FROM DISCUSSION OR VOTING ON THESE CONSENT ITEMS.

MS. ELLEN FOWLER RECUSES FROM DISCUSSION OR VOTING ON THESE CONSENT ITEMS.

MOTION (VITTETOE) AND SECOND (ROSE) WERE MADE TO HEAR THE FOLLOWING ITEMS BY CONSENT EXCLUDING 6-SE-01-C SOUTHLAND GROUP, INC. ON BALL ROAD, 6-L-01-UR SOUTHLAND GROUP, INC., 6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT, & 6-I-01-UR ROY BAXTER. MOTION CARRIED 10-0-2. THE FOLLOWING ITEMS EXCLUDING 6-SE-01-C SOUTHLAND GROUP, INC. ON BALL ROAD, 6-L-01-UR SOUTHLAND GROUP, INC., 6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT, & 6-I-01-UR ROY BAXTER WERE HEARD BY CONSENT.

ORDINANCE AMENDMENTS

- * 6-A-01-OA Consideration of amendments to the *Knoxville Zoning Ordinance* allowing churches in the Office zones.

STAFF RECOMMENDATION: Approve.

STREETS/ALLEY CLOSURES

- * 6-B-01-SC TERRY & MICHAEL FANCHER
Request closure of Lovell Rd. (eastern portion) between east side of Lovell Rd. and west side of parcel 29 north and Simmons Rd. realignment (Map on file), CLT Map 131, City Block 46108, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Approve the right-of-way closure for the reduced area as approved by TDOT subject to any required easements.

- * 6-A-01-AC CITY OF KNOXVILLE DEPT. OF DEVELOPMENT
Request closure of Unnamed Alley between Westview Ave. and Deadend, CLT Map 94, City Block 22064 & 22120, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Approve.

STREET NAME CHANGES

- * 6-A-01-SNC DAVID NOVOSELLER
Change Unnamed street to ' Pebblepass Road ' between Oak Ridge Highway and Deadend, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve Pebblepass Road

- * 6-B-01-SNC KNOX COUNTY EMERGENCY COMMUNICATIONS -E911
Change Unnamed easement to ' Kelley Farm Way ' between Snyder Road south and Deadend, Commission District 5, Northwest County Sector.

STAFF RECOMMENDATION: Approve Kelley Farm Way

CONCEPTS/USES ON REVIEW

- * 6-SB-01-C CHOTO CREEK
South side of the intersection of Choto Rd. and S. Northshore Dr., Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-3 and the concept plan subject to 11 conditions.

- * 6-J-01-UR TREY BENEFIELD
South side of the intersection of Choto Rd. and S. Northshore Dr. Proposed use: Detached single-family PR (Planned Residential) Pending District. Tax ID 162 65, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 20 detached single-family dwellings on individual lots subject to 2 conditions.

- * 6-SE-01-C SOUTHLAND GROUP, INC. ON BALL ROAD

Southeast side of Ball Rd., southwest of Johnson Rd., Commission District 6.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

- * 6-L-01-UR SOUTHLAND GROUP, INC.
Southeast side of Ball Rd., southwest of Johnson Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) Pending District. Tax ID 78 269, Commission District 6, Northwest County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

- * 6-SI-01-C BRICKYARD HILL
West side Brickyard Rd., northwest of Wells Dr., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-3 and the concept plan subject to 6 conditions.

- * 6-M-01-UR LUTTRELL DEVELOPMENT, LLC
West side Brickyard Rd., northwest of Wells Dr. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 56 G A Pt. 17, Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 42 detached single-family dwellings on individual lots subject to 2 conditions.

- * 6-SJ-01-C ATLEE FIELDS
East side of Meadow Chase Ln., north of Hickory Knoll Ln., Commission District 6.

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

- * 6-N-01-UR SCHUBERT BUILDERS / SCHAAD PROPERTIES
East side of Meadow Chase Ln., north of Hickory Knoll Ln. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 104 192.01 pt. &, 105 045 pt. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 44 detached single-family dwellings on individual lots subject to 2 conditions.

- * 6-SM-01-C WRENS CREEK, UNIT 2
Northeast side of Hurst Lane, southeast of E. Beaver Creek Dr., at the southern end of Ghiradelli Rd., Commission District 6.

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

- * 6-O-01-UR TRANTANELLA CONSTRUCTION COMPANY
Northeast side of Hurst Lane, southeast of E. Beaver Creek Dr., at the southern end of Ghiradelli Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) & PR (Planned Residential)

Pending District. Tax ID 47 221 & 226.01, &, 047MB026-045. Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 30 detached single-family dwellings on individual lots subject to 2 conditions.

FINAL SUBDIVISIONS

- * 5-SM-00-F OVERLOOK ESTATES UNIT 8 & RESUB LOT 4 OVERLOOK ESTATES UNIT 2
West end of Jade Tree Ln, southwest of Joshua Rd., Commission District 8.

STAFF RECOMMENDATION: Approve variance 1 and the final plat.
- * 2-SD-01-F BRIARTON SUBDIVISION
South side of Strawberry Plains Pk, west of Wayland Rd., Commission District 8.

STAFF RECOMMENDATION: Approve variances 1 & 2 and the final plat.
- * 3-SP-01-F ALL ELEVEN, LLC
Northwest side of Schaad Rd, south of Clinton Hwy., Council District 3.

STAFF RECOMMENDATION: Approve variances 1-3 and the final plat.
- * 4-SA-01-F FRAKAY ESTATES
North side of Jim Armstrong Rd, east side of Holston River Dr., Commission District 8.

STAFF RECOMMENDATION: Approve the final plat.
- * 4-SB-01-F JAMES CASH SUBDIVISION
Northeast end of Sands Ln, north of Bakertown Rd., Commission District 6.

STAFF RECOMMENDATION: Approve the final plat.
- * 4-SG-01-F MCCAIN WOODS
Southeast side of McKamey Rd, east side of Cain Rd., Council District 3.

STAFF RECOMMENDATION: Approve the final plat.
- * 4-SBB-01-F RICHARDS BAKERTOWN SUBDIVISION, RESUB OF LOT 4
Southwest side of Bakertown Rd, southeast side of Bert Newman Ln., Commission District 6.

STAFF RECOMMENDATION: Approve the final plat.
- * 5-SE-01-F SUBDIVISION OF KENNETH WALKER PROPERTY
South side of Dan McBee Rd, southeast of Longmire Rd., Commission District 8.

STAFF RECOMMENDATION: Approve the final plat.

- * 5-SI-01-F PROPERTY OF CRAIG G. ROSS, JR.
Southeast side of Washington Pk, northeast of Alice Bell Rd., Council District 4.

STAFF RECOMMENDATION: Approve the final plat.

- * 5-SM-01-F BAYOU BEND
East side of S. Northshore Dr, north of Choto Rd., Commission District 5.

STAFF RECOMMENDATION: Approve the final plat.

- * 5-SP-01-F ANDOVER COURT
North side of Westland Dr, west of Hamilton Ridge Ln., Commission District 5.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SA-01-F SURVEY FOR REECE MILLS
Northeast side of Rustic Ln, northwest of E. Emory Rd., Commission District 8.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SF-01-F J S B PROPERTY
South side of Valgro Rd, east of Sevierville Pk., Commission District 9.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SG-01-F WEST LONSDALE ADDITION, RESUB LOTS 376 - 378
North side of Violet Av, east side of Chillicothe St., Council District 3.

STAFF RECOMMENDATION: Approve variance 1 and the final plat.

- * 6-SH-01-F SUBDIVISION OF ALCY J. HURST FARM
East side of Ellistown Rd., south of Washington Pk., north of Millertown Pk., Commission District 8.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SL-01-F FOX LANDING, RESUB. OF LOTS 14R, 15, 16, 25 & 26
Southeast end of Fox Landing Ln, southeast of Rising Mist Ln., Commission District 5.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SS-01-F ATLEE FIELDS, UNIT 2
Northeast end of Meadow Chase Ln, northeast of Hickory Knoll Ln., Commission District 6.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-ST-01-F HARDIN VALLEY COMMERCIAL PARK, UNIT 2
Southeast side of Hardin Valley Rd, southwest side of Pellissippi Pkwy.,
Commission District 6.

STAFF RECOMMENDATION: Approve the final plat.

- * 6-SX-01-F R. F. SARACENI PROPERTY
Southwest side of Cogdill Rd, northeast side of Lexington Dr., Commission
District 6.

STAFF RECOMMENDATION: Approve the final plat.

ONE LOT SUBDIVISIONS

- * 6-V2-01 NORTHWEST PARK
West side of Bradshaw Rd, south of Pleasant Ridge Rd., Council District 3.

STAFF RECOMMENDATION: Approve variances 1-2 and the final plat.

- * 6-V3-01 FORT SANDERS, BLOCK D, RESUB. OF LOTS 1 - 3, 6R & 7 - 9
North side of White Ave, west side of Twenty-Second St., Council District 1.

STAFF RECOMMENDATION: Approve variance 1 and the final plat.

- * 6-V4-01 TUSCANY GARDENS, LOT 16 - REVISED
Northeast side of Verona Ln, northwest of Tuscany Gardens Dr.,
Commission District 6.

STAFF RECOMMENDATION: Approve variance 1 and the final plat.

- * 6-V7-01 WEST LONSDALE ADDITION, BLOCK 2, LOT 52R
North side of Montgomery Av, west of Pleasant Ridge Rd., Council District
3.

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

REZONINGS

- * 6-A-01-RZ PAMELA C. YOUNGQUIST
West side Central Avenue Pike, north of Dante Rd., Rezoning from RB
(General Residential) & A (Agricultural) to OA (Office Park). Tax ID 57 77,
Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve OA (Office Park).

- * 6-B-01-RZ CHARLOTTE VALENTINE/SANDRA GHEEN
South side Lonas Dr. southwest of Coleman Rd., Rezoning from R-1 (Single
Family Residential) to R-1A (Low Density Residential). Tax ID 107 G E 9,
Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve R-1A (Low Density Residential).

- * 6-C-01-RZ WAYNE WILSON
West side of Parkside Dr, northwest of Plum Creek Dr., Rezoning from PC (Planned Commercial) to CA (General Business). Tax ID 131 J A 023, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business)

- * 6-D-01-RZ ELIJAH AND SHIRLEY M. TURPIN
Southeast side Bell Rd., southeast side Brackett Rd., Rezoning from I (Industrial) to RA (Low Density Residential). Tax ID 20 100.11, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve RA (Low Density Residential).

- * 6-E-01-RZ GARY HOWE
Northeast side Bayless Ln., southeast of W Beaver Creek Dr., Rezoning from A (Agricultural) to RA (Low Density Residential). Tax ID 67 34.01, Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve RA (Low Density Residential)

- * 6-F-01-RZ HISTORIC MARKET SQUARE ASSOCIATION
East and west side Market Square, south side Wall Ave., north side Union Ave, including public right-of-way of Market Square., Rezoning from C-2 (Central Business) to C-2 (Central Business)/H-1(Historic Overlay) including Design Guidelines. Tax ID 94 L E 1,30-45, 094LF2-19. Council District 1, Central City Sector.

STAFF RECOMMENDATION: Approve C-2 (Central Business)/H-1 (Historic Overlay) and design guidelines.

- * 6-I-01-RZ PETE JANNEY
Southwest side Central Avenue Pike, south of Elyria Dr., Rezoning from R-2 (General Residential) to C-3 (General Commercial). Tax ID 68 L C 21, Council District 5, North City Sector.

STAFF RECOMMENDATION: Approve C-3 (General Commercial).

- * 6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT
Southwest side Bell Road, southeast of E. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 29 118, Commission District 7, North County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

- * 6-M-01-RZ ARTHUR SEYMOUR, JR.
North side Parkside Dr. south side I-40/75, west of Lovell Rd., Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial).

Tax ID 131 29 (PART), Map on file showing Lot 1R-1. Council District 2, Southwest County Sector.

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

- * 6-P-01-RZ TRACY WEBB DBA RWSW LAND GROUP
South side Westland Dr., east of Mourfield Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 144 64, Commission District 5, Southwest County Sector.

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

- * 6-Q-01-RZ CITY OF KNOXVILLE
East side Suburban Rd., south of Kingston Pike, Rezoning from No Zone to O-3 (Office Park). Tax ID 119 M D 23, Council District 2, Southwest County Sector.

STAFF RECOMMENDATION: Approve O-3 (Office Park).

USES ON REVIEW

- * 5-G-01-UR DON MORTON (REVISED)
Northwest side of Gleason Dr., west of Highfield Rd. Proposed use: Addition of two single-family dwellings in rear in PR (Planned Residential) District. Tax ID 132 D F 34.01, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the development plan subject to 4 conditions.

- * 6-A-01-UR FRED BERRY
South side of W. Adair Dr., west of N. Broadway. Proposed use: Mausoleum in existing cemetery in R-1 (Single Family Residential) & O-1 (Office, Medical and Related Services) District. Tax ID 58 N D 047, Council District 4, North City Sector.

STAFF RECOMMENDATION: Approve the request to permit the construction of an additional mausoleum as shown on the development subject to 4 conditions.

- * 6-B-01-UR FRED BERRY
South side of Tazewell Pike, east of Jacksboro Pike. Proposed use: Mausoleum in existing cemetery in R-1 (Single Family Residential) District. Tax ID 59 I A 010, Council District 4, North City Sector.

STAFF RECOMMENDATION: Approve the request to permit the construction of an additional mausoleum as shown on the development plan subject to 4 conditions.

- * 6-D-01-UR JOHN & BOB MCCALLIE
Northeast side of Cogdill Rd., south side of Yellow Pine Ln. Proposed use: Office / Warehouse development in PC (Planned Commercial) & TO (Technology Overlay) District. Tax ID 131 073.11, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan to permit construction of up to 14,960 square feet of office/warehouse as shown on the development plan subject to 5 conditions.

- * 6-G-01-UR JOURNAL BROADCAST GROUP
West side of Amherst Rd., south side of Ridan Dr. Proposed use: 110' radio transmission tower in I-3 (General Industrial) District. Tax ID 106 D A 2.01, Council District 3, Northwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for a 110' lattice microwave tower subject to 8 conditions.

- 6-I-01-UR ROY BAXTER
South side of W. Governor John Sevier Hwy., west side of Old Maryville Pike Proposed use: Veterinary clinic in the CA (General Business) zone. Tax ID 147 C C 001, Commission District 9, South County Sector.

THIS ITEM WAS REMOVED FROM THE CONSENT LIST.

- * 6-P-01-UR SOREY CONSTRUCTION CO.
East side of Hart Rd., north side of S. Northshore Dr. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 154 66.01, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for up to 26 detached single-family condominiums as shown subject to 12 conditions.

- * 6-V-01-UR ADRIANE E. & ROBERT H. DOBBINS
South side of Kingsdale Dr., west of Noragate Rd. Proposed use: Accounting and computer programming office in R-1 (Single Family Residential) District. Tax ID 133 G A 005, Council District 2, West City Sector.

STAFF RECOMMENDATION: Approve the request for an accounting and computer programming office at this location subject to 4 conditions.

- * 6-EE-01-UR CITY OF KNOXVILLE - PARKS AND RECREATION DEPT.
Northwest side of Shamrock Ave., southwest of Kenyon St. Proposed use: Public park/ballfield in R-2 (General Residential) District. Tax ID 81 C K 41 & 42, Council District 5, Central City Sector.

STAFF RECOMMENDATION: Approve the development plan subject to 5 conditions.

OTHER BUSINESS

- * 6-A-01-OB Consideration of one-year extension of Concept Plan for Overlook Estates, Unit 8, 6-SD-99-C.

STAFF RECOMMENDATION: Approve the extension.

- * 6-B-01-OB Consideration of two-year extension of Concept Plan for Whittington Creek Residential Development, Phase 8 (Hillshire, 106 Lots) 7-SA-99-C

STAFF RECOMMENDATION: Approve the extension.

- * 6-C-01-OB Consideration of amendments to MPC FY 2000/2001 Budget.

EXECUTIVE COMMITTEE RECOMMENDATION: Approve.

- * 6-D-01-OB Consideration of amendments to MPC Employee Handbook

EXECUTIVE COMMITTEE RECOMMENDATION: Approve.

Items added or removed from the Consent List:

6-SE-01-C	SOUTHLAND GROUP, INC. ON BALL ROAD
6-L-01-UR	SOUTHLAND GROUP, INC.
Mr. David Harbin	Requested 6-SE-01-C and 6-L-01-UR SOUTHLAND GROUP INC. be removed from the consent list.

6-J-01-RZ	JERRY WHEELER/WHEELER DEVELOPMENT
Opposition	Requested this item be removed from consent.

6-I-01-UR	ROY BAXTER
Opposition	Requested this be removed from the consent list.

MOTION (DONALDSON) AND SECOND (M BROWN) WERE MADE TO APPROVE ITEMS AS READ EXCLUDING 6-SE-01-C SOUTHLAND GROUP, INC. ON BALL ROAD, 6-L-01-UR SOUTHLAND GROUP, INC., 6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT, & 6-I-01-UR ROY BAXTER. MOTION CARRIED 10-0-2. ITEMS APPROVED AS READ EXCLUDING 6-SE-01-C SOUTHLAND GROUP, INC. ON BALL ROAD, 6-L-01-UR SOUTHLAND GROUP, INC., 6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT, & 6-I-01-UR ROY BAXTER.

8. ORDINANCE AMENDMENTS

Ordinance Amendments recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

ORDINANCE AMENDMENTS - OLD

- P 5-B-01-OA Consideration of amendments to the *Knoxville Zoning Ordinance* regarding multiple tenant development signs, directory signs, master signage plans, and related sections.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

ORDINANCE AMENDMENTS - NEW

- * 6-A-01-OA Consideration of amendments to the *Knoxville Zoning Ordinance* allowing churches in the Office zones.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

9. STREET CLOSURES

Street Closures recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

STREET CLOSURES - OLD

None

STREET CLOSURES - NEW

- 6-A-01-SC **SMITHWOOD PARTNERSHIP**
Request closure of Tazewell Pike between northeast side parcel 41.01 and pavement of Tazewell Pike (Portion 8' x 86'), CLT Map 58, City Block 34440, Council District 4, North City Sector.

STAFF RECOMMENDATION: Deny

Mr. Ken Pruitt: This matter is the result of a one lot subdivision that was filed several months ago in which this right-of-way dedication was made by the property owner. Upon sale of the property he discovered that dedication had been made and he was unaware of that. He is asking to have it closed to regain this portion of his property back. The State of Tennessee, one of the parties in ownership along with the City, has objected to this portion of the right-of-way being closed. It is the position of staff that if a City, County, or State owner of the property objects, we do not recommend approval.

Mr. Rob Sanders: Land Air Surveying, 1717 Dry Gap Pike, representing the landowner. HANDED OUT MATERIALS WHICH BECOME A PART OF THESE MINUTES. This is a scaled down version of what was attached to our right-of-way closure request. The reason no one noticed that half of what my client bought already had a right-of-way dedication is because the plat was lost somewhere in the recording process. That was at no fault of ours that we did not know any part of it had already been dedicated. On the sheet you have just left of the hatched in area is what we have come to agreement with the City of Knoxville on changing the right-of-way width. The City had originally asked for 25 feet from the centerline of Tazewell Pike. They have agreed to reduce that to 17 feet. All we are asking for as close is to square up the front of the property. We talked with TDOT and they have not made any kind of decision. Their first response is if we own it we are not giving it back.

Mr. Philip French: We have a letter in our packet dated May 24 where they are objecting to the closure.

Mr. Sanders: We are aware of that. We met with them after that. They were non-committal, but did say they appreciated us telling them what was going on.

Mr. Larry Smith: You are saying the City is letting you reduce that from 25 feet to 17 feet?

Mr. Sanders: Half the lot they are letting us reduce from 25 feet to 17 feet.

Mr. Smith: Do you have this in the form of a letter from the City?

Mr. Whitaker: Procedurally on street closures we look for 100 percent agreement from the affected utilities and the right-of-way owners. Our recommendation to deny is consistent with that practice. If the State says they do not want the right-of-way abandoned, we are going to recommend against it. The final decision is up to City Council ultimately. We think the best recommendation we can give you is to turn it down until the State relinquishes their desire to keep that.

Mr. Smith: Will it make a difference with the reduction from 25 foot to 17 foot in your decision?

Mr. Whitaker: No, we would want to hear the Highway Department recommend that that strip be closed.

Ms. Ellen Fowler: Do we need to postpone this so you can go back to the State and see if you cannot get a letter?

Mr. Sanders: I think my client would rather have it denied here and try on appeal.

MOTION (FOWLER) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. STREET CLOSURE DENIED.

* 6-B-01-SC TERRY & MICHAEL FANCHER
Request closure of Lovell Rd. (eastern portion) between east side of Lovell Rd. and west side of parcel 29 north and Simmons Rd. realignment (Map on file), CLT Map 131, City Block 46108, Council District 2, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

10. ALLEY CLOSURES

Alley Closures recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

ALLEY CLOSURES - OLD

None

ALLEY CLOSURES - NEW

- * 6-A-01-AC CITY OF KNOXVILLE DEPT. OF DEVELOPMENT
Request closure of Unnamed Alley between Westview Ave. and Deadend, CLT Map 94, City Block 22064 & 22120, Council District 6, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

11. STREET NAME CHANGES

Street Name Changes recommended for approval on consent are marked (). They will be considered under Item 7 by one motion to approve.*

STREET NAME CHANGES - OLD**STREET NAME CHANGES - NEW**

- * 6-A-01-SNC DAVID NOVOSELLER
Change Unnamed street to ' Pebblepass Road ' between Oak Ridge Highway and Deadend, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-B-01-SNC KNOX COUNTY EMERGENCY COMMUNICATIONS -E911
Change Unnamed easement to ' Kelley Farm Way ' between Snyder Road south and Deadend, Commission District 5, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

2. SUBDIVISION NAME CHANGES

Subdivision Name Changes recommended for approval on consent are marked (). They will be considered under Item 7 by one motion to approve.*

SUBDIVISION NAME CHANGES - OLD

None

SUBDIVISION NAME CHANGES - NEW

None

13. PLANS AND PLAN AMENDMENTS/REZONINGS

Plans and Plan Amendments/Rezoning recommended for approval on consent are marked (). They will be considered under Item 7 by one motion to approve.*

PLANS AND PLAN AMENDMENTS/REZONINGS - OLD

4-H-01-PAGREG SMITH

North end of Tomache Dr., north of Mendosa Dr., south of Middlebrook Pike. Request One Year Plan amendment from LI (Light Industrial) & LDR (Low Density Residential) to LDR (Low Density Residential). Tax ID 107 B A 5, Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve LDR (Low Density Residential).

Mr. Tom Brusseau: The only access to the site is from Tomache Drive, a local street in the subdivision. The sector plan recommends the northern portion of the site for slope protection. It has estimated slopes of 16% to 22%. The applicant has requested a density of 5.9 units per acre. Because of the sole access through an existing lower density neighborhood and because of the slope issues, we think a decreased density is more appropriate. Staff is recommending eliminating the existing 100 foot wide R-1 buffer strip, approving the LDR plan designation and RP-1 zoning at 1-2 units per acre.

Mr. John King: P.O. Box 2425
We requested 5.9 units per acre. Staff has recommended approval of our zoning at a density of 1-2 dwelling units per acre. We would like to have up to 3 dwelling units per acre. The history is Mr. Hensley in the early 80's was a developer and proposed a development. He got right up to the stages of getting it done and he had 50 some odd lots and then it died. In the late 80's two sisters inherited the property and they got Jim Kite to rezone it to industrial. These ladies are in their 80's and would like to sell it. We have a proposal to develop it and the recommendation is for Planned Residential at 1-2. We would like 3 if possible.

Mr. Lewis Crossley: 1111 Northshore Drive, Represent a group of homeowners in Farview Hills Subdivision
I do not purport to speak for all the residents in that subdivision. Part of the history not set forth is that in 1989 when the property was rezoned to I-2, a set of deed restrictions was placed down by the current owners agreeing that there would be a 150' buffer strip between the neighborhood and the proposed industrial use land. The deed restriction prohibits any construction or deforestation of that area at any time it is zoned anything other than R-1. Also in those deed restrictions is a prohibition of ingress and egress to the property across the buffer, which would effectively mean If zoned anything other than R-1 there could be no ingress or egress either by an extension of Tomache or through any other lot in that subdivision. The residents of the subdivision would prefer residential development as opposed to industrial zoning, we want to put this on the record to be sure that you are aware of deed restriction that prohibit this. SUBMITTED A COPY OF THE DEED RESTRICTIONS WHICH BECAME A PART OF THESE MINUTES. About 10 people stood in opposition.

Mr. John King: We are aware of the deed restrictions. We have to contend with those whatever we do. We either have to get their agreement or comply with them. They like other deed restrictions are limited in duration. We ask for rezoning with the increased density to 3 units per acre.

Ms. Patsy Vittetoe: Asked density of Farview Hills Subdivision.

Mr. King: MPC indicated the surrounding density in the neighborhood is about 2 units per acre. There is a Sunflower Apartments involved also. One of the people involved on behalf of the applicant is in fact a neighborhood resident living there.

Ms. Sara Rose: Asked Mr. Crossley if his comments were more related to ingress and egress and deed restrictions and not the density. I think we can agreed with LDR.

MOTION (ROSE) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. LDR (LOW DENSITY RESIDENTIAL) APPROVED.

4-M-01-RZ

GREG SMITH

North end of Tomache Dr., north of Mendosa Dr., south of Middlebrook Pike. Rezoning from I-2 (Restricted Manufacturing and Warehousing) & R-1 (Single Family Residential) to RP-1 (Planned Residential). Tax ID 107 B A 5, Council District 2, Northwest City Sector.

STAFF RECOMMENDATION: Approve RP-1 (Planned Residential) at a density of 1-2 dwelling units per acre.

MOTION (ROSE) AND SECOND (EDWARDS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. RP-1 (PLANNED RESIDENTIAL) APPROVED.

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

5-A-01-SAP

Consideration of the Callahan Drive/Schaad Road Corridor Study and related amendments to the Northwest City, Northwest County and North County Sector Plans.

STAFF RECOMMENDATION: Approve the Callahan Drive/Schaad Road Corridor Plan and the related amendments to the Northwest City, Northwest County and North City Sector Plans.

Ms. Renee Davis: Looked at an area along the Callahan Drive/Schaad Road Corridor from I-75 west to Oak Ridge Highway. All property owners were notified in writing of the land use plan and over 200 people participated in two public meetings where we looked at alternatives for the border. Because of highway improvements we proposed some changes from very low density residential and agricultural to more intensive uses along portions of the corridor. Commercial uses are proposed at the intersection of I-75 and at Clinton Highway. Along Callahan from I-75 west to the old Callahan intersection we propose light industrial. We propose office and medium density residential uses along both the old and new portion of Callahan from Campbell Lane

west to the existing commercial corridor. Plan recommends mixed use and low density residential near Oak Ridge Highway. It proposes open space, slope protection areas and stream protection areas. Plan states that access management techniques should be used including creation of a local access road in the light industrial corridor along Callahan. It also includes design guidelines to be used in plans as development takes place. Thanked staff members and residents that helped with the plan. Request your approval.

Mr. Charles Busler: They did a great job as far as the plan. One of the discussions we have had was to see if we could not do some things to limit some of the curbcuts. I notice a lot of this property is long and narrow. How does this effect the development of some of these pieces of property about setback rules, etc.?

Mr. Norman Whitaker: Some parcels were originally rural, agricultural parcels and not designed as commercial or industrial. They would require variances in some cases in order to fit an industrial or distribution building on the site. The side yard setbacks would create the biggest problem. We would support the variances if they could not combine with another parcel or subdivide the parcels. Long range we propose an access road, which would open up more property in the area to development and control the curbcut intersections with Callahan.

Mr. Busler: Are we still going to be able to deal with property on a site by site basis?

Mr. Whitaker: This gives you the support to justify zoning in the future. It changes the comprehensive plan to support light industrial distribution and in some places mixed use and commercial development. This does not change any zoning. You have one case today in this corridor. Next month you have a substantial size request for light industrial that will be consistent with this plan. To change the use of the property if it hasn't already been rezoned, would require a separate action by MPC and later County Commission.

MOTION (VITTETOE) AND SECOND (WOLF) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. CALLAHAN DRIVE/SCHAAD ROAD CORRIDOR PLAN AND RELATED AMENDMENTS TO THE NORTHWEST CITY, NORTHWEST COUNTY AND NORTH CITY SECTOR PLANS APPROVED.

Mr. Philip French read the Callahan Drive/Schaad Road Corridor Plan resolution.

PLANS AND PLAN AMENDMENTS/REZONINGS - NEW

None

SUBDIVISIONS

14. CONCEPTS/USES ON REVIEW

Subdivision Concepts/Uses on Review recommended for approval on consent are marked (). They will be considered under Item 7 by one motion to approve.*

CONCEPTS/USES ON REVIEW – OLD

10-SC-00-C SOUTHWOOD COMMERCIAL PARK

North side of W. Governor John Sevier Hwy., east side of Maryville Pike.,
Commission District 9.

STAFF RECOMMENDATION: Deny the concept plan

- Mr. Dan Kelly: This proposed development has been around since 1990. It was graded extensively and has been left barren since 1995. The roads and utilities are in and ready to finish the subdivision, but they have not done so for years. We ask that they finish this work before the concept plan is completed. This time around it has been on your agenda since last October. There is a letter in your package noting the items yet to be done. They are working on the deceleration lane. Based on a recent visit to the site, that is the only thing that appears to have occurred. We are recommending the matter be denied. The effect of the denial is they can come back at any time after this and reapply. However it would be in their best interest to wait until they get the work done before they reapply.
- Mr. George Harb: 1216 Bobhead Road, Louisville, TN
We have done just about everything the County asked us to do on this subdivision. Dan's letter said the deceleration lanes need striping. Those have been striped, Dan. The detention basin needs some repair. I guess the storm sewer has been opened and approved by Dennis Irwin. The only thing he asked for was the grass and some did not come up. We need to look after this. Also the detention basin needs to be rip rapped. We promise to do that. The most important thing is the decel lanes have been striped and the storm sewage system has been opened.
- Mr. Todd Shelton: 3111 Foster Lane, right off Maryville Pike just downstream.
We have normally turned up with other community members, but we have been here since October and I am representing our community today. Support MPC decision. We suffer off site water drainage and red mud coming off the site when it rains. There were promises made to deal with this migration of water. It has taken courts and what not to get what little work they have done. We do not trust their ability to do something after they have been approved. We would like this denied.
- Ms. Cindy Pionkee: County Engineering and Public Works
I have Dennis' letter and some items have been competed, but most of them still need some work. The deceleration lanes were finished yesterday at 5:00 p.m. However the backfilling of about 100 feet of the curb has not occurred at the decel lane. Item 2, the detention basin still needs work. Item 3, the storm sewer pipe has been cleared, but they managed to damage the pipe so that needs to be repaired. Item 4 has been completed. In terms of item 5, roughly one-quarter of the site still needs grass established on it.
- Mr. Michael Edwards: Would you be comfortable with 30 days give them time to complete the remaining items with the exception of getting the grass growing in the middle of summer?

Ms. Cindy Pionkee: With the exception of the grass, probably. Within 30 days, yes. But we have a track record that we are dealing with. Because a quarter of the site is not done and it has been lingering so long, I would still be concerned about erosion problems, especially in light of the neighborhood problems that have been stated. We are dealing with an exception here.

Mr. Edwards: Is the County saying that until grass is established, which would probably be late fall, that this concept plan should not be approved?

Ms. Cindy Pionkee: Yes sir.

Mr. Mike Brown: It has been pending for a long time. I agree with the young lady that you have to have a stopping place and make him get the work done.

MOTION (M. BROWN) AND SECOND (LEWIS) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. CONCEPT PLAN DENIED.

10-SD-00-F SOUTHWOOD COMMERCIAL PARK, UNIT 2
North side of W. Governor John Sevier Hwy, east of Old Maryville Pike.,
Commission District 9.

STAFF RECOMMENDATION: Deny final plat based on the denial of the concept plan.

MOTION (M BROWN) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. FINAL PLAT DENIED.

1-SF-01-C ANDREWS CROSSING SUB. (FORMERLY DAVID TRANTANELLA ON GRAY HENDRIX RD.)
Southeast side of Gray Hendrix Rd., southwest of Tsawasi Rd., Commission District 6.

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

MOTION (ROSE) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. CONCEPT PLAN APPROVED.

1-I-01-UR TRANTANELLA CONSTRUCTION CO.
Southeast side of Gray Hendrix Rd., southwest of Tsawasi Rd. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 90 165, 165.01 & 165.02, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a maximum of 23 detached single family dwellings on individual lots subject to 2 conditions.

MOTION (ROSE) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

5-SD-01-C SOUTHLAND GROUP, INC. ON CATE ROAD

West side of Cate Rd., north of W. Emory Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1 & 2 and the concept plan subject to 11 conditions.

- Mr. David Harbin: 4334 Papermill Drive on behalf of the applicant
Ask you approve according to staff recommendation. We have had some discussion with the neighborhood community. We agreed to put a 25-foot landscape buffer behind one of the houses here. We will gladly put that buffer there for additional screening between our development and his exiting condominium.
- Ms. Missy Ogen: Registered Civil Engineer, 7610 Pelleau Road Representing Cate Road
Recognized staff's recommendation to widen Cate Road to Emory Road. Subdivision plat did not show the details of widening the road. There are 4-5 power poles. I am not sure how he can afford to widen the road. There are 77 houses on Cate Road. The road is 17 feet wide with no centerline and no edge line. In a 4-year period there were 15 wrecks with 10 people sent to the hospital. Concerned that they cannot widen the road.
- Mr. Harbin: We will be developing the road-widening project, developing plans. One of the conditions of approval is that we have these plans approved by the Knox County Engineering Department prior to any construction within the subdivision. We are aware telephone poles are close to the road and we will relocate them.
- Mr. Norman Whitaker: To clarify that condition, it states that the final plat will not be approved until those road improvements are done. Without the final plat they cannot sell lots or receive building permits.

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

- Mr. Tom Brechko: There is one issue I need to point out. There is a triangular piece of property that used to be a part of the Villas of Barrington which is a little over two acres. That property was subdivided, but still a part of it. The two villas are 25 feet away and would not meet the 35-foot setback requirement. One way to handle that is with the following condition, WHICH BECOMES A PART OF THESE MINUTES. Read the condition. They would have to ensure the villas do not become nonconforming by this action. Before they could get final approval they would have to get approve from the Planning Commission for a reduction in the 35-foot setback or revise the property boundary between the two.

- Mr. David Harbin: That is acceptable to us.

- Mr. Brechko: Add this condition to the Use on Review.

MOTION CARRIED 12-0. CONCEPT PLAN APPROVED.

5-J-01-URSOUTHLAND GROUP, INC.

West side of Cate Rd., north of W. Emory Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 66 K G 026 &, Map 66, Parcels 90.02, 132.18 & part of 90.05. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 27 detached single-family dwellings on individual lots, with a reduction of the peripheral setback to the distances as shown on the approved concept plan (with revision date of 5-28-01), subject to 3 conditions.

MOTION (SMITH) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH THE ADDITIONAL CONDITION READ ABOVE. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED AS AMENDED.

P 5-SF-01-CMONTROSE COURT

West side of Red Bay Way, south of Nubbin Ridge Rd., Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 5-O-01-URPINEOLA PARTNERSHIP

West side of Red Bay Way, south of Nubbin Ridge Rd. Proposed use: Detached single family subdivision in RP-1 (Planned Residential) District. Tax ID 133 F D 27, Council District 2, West City Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

CONCEPTS/USES ON REVIEW - NEW6-SA-01-CSTOWERS HOLSTON SHORES

East and north sides of Graves Rd., north of Ruggles Ferry Pk., Commission District 8.

STAFF RECOMMENDATION: Postpone until the July 12, 2001 MPC Meeting.

MOTION (SMITH) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. POSTPONED UNTIL THE JULY 12, 2001 MPC MEETING.

***** 6-SB-01-CCHOTO CREEK

South side of the intersection of Choto Rd. and S. Northshore Dr., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

***** 6-J-01-URTREY BENEFIELD

South side of the intersection of Choto Rd. and S. Northshore Dr. Proposed use: Detached single-family PR (Planned Residential) Pending District. Tax ID 162 65, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-SC-01-C

GREG SMITH ON KELLER BEND ROAD

East side of Keller Bend Rd., south of Tedford Dr., Commission District 5.

Mr. Tom Brechko: Staff recommendation of denial is based on the fact that the lots along Fort Loudon Lake do not meet the minimum requirements of 1 acre. Staff's position is that the acre of land for these lots has to be above the lake level. There are approximately 5 lots that a portion of the area is covered by water. We contacted TVA to determine the lake levels. And they identified 807 to 809 is the bottom pool level in the winter. It is our position that those 5 lots do not have the minimum acre requirement for land area.

Mr. John King: In view of what Mr. Wise reported about the change in laws, I would like to find out what that does to procedures with respect to plans or ask that this be moved to the end of the Concept Section of the agenda. If you have a denial of a concept plan and you appealed and went to the legislative body and they acted, there was a process that corrected a deficiency noted by that body and you came back here for resubmission of your plan thereafter. What does the change do with respect to that?

Mr. Steve Wise: MPC Attorney
Knox County was the only county in the State that had a legislative appeal of subdivisions. About 15 years ago an act was enacted, which was population specific, allowing Knox County only, excluding Farragut, appeals to go to the legislative body. That has held in place. House Bill 1703 was signed by the Governor on April 21 and it took effect June 1, 2001. The appeal process in the County has gone away. We now act like the other 94 state counties. If there is an objection to a decision made by this body, it will be heard by Chancery Court.

Mr. King: If you deal with it here and you are turned down your only option is to appeal that or turn around and submit another plan? You go from here to Chancery Court, but then could turn around and submit another plan. I would like for this matter to put to the end of the concept plan agenda and talk with my client.

Chair agreed to move this item to the end of the concept/use on review section of the agenda.

6-SD-01-C

WITHDRAWN PRIOR TO PUBLICATION

6-SE-01-C

SOUTHLAND GROUP, INC. ON BALL ROAD

Southeast side of Ball Rd., southwest of Johnson Rd., Commission District 6.

STAFF RECOMMENDATION: Approve variances 1-6 and the concept plan subject to 8 conditions.

Mr. David Harbin: 4334 Papermill Drive
We would like condition no. 3 to be modified. It is basically the flood insurance study must be approved by FEMA. We ask that it be approved by

the Knox County Department of Engineering and Public Works instead. I have talked to that Department and they agreed.

Mr. Tom Brechko: Department of Engineering and Public Works and MPC staff do not have a problem with that request.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION WITH CONDITION NO. 3 CHANGED TO COUNTY ENGINEERING INSTEAD OF FEMA. MOTION CARRIED 12-0. CONCEPT PLAN APPROVED AS AMENDED.

6-L-01-UR SOUTHLAND GROUP, INC.
Southeast side of Ball Rd., southwest of Johnson Rd. Proposed use:
Detached single-family subdivision in PR (Planned Residential) Pending
District. Tax ID 78 269, Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve the development plan for up to 57
detached single-family dwellings on individual lots subject to 2 conditions.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-SF-01-C VALLEYTOWN VILLAGE
North side LaVillas Dr., north of Valley View Dr., Council District 4.

STAFF RECOMMENDATION: Postpone until the July 12, 2001 MPC
meeting.

Ms. Margaret Seagraves: Unit 302 of Valleytown Condominium Association.
HANDED OUT MATERIALS WHICH BECOME A PART OF THESE
MINUTES. Read objections and questions from the handout. Ask you to
deny approval until all questions and concerns are answered. Ask that he
quit using the Valleytown name immediately.

Mr. Phil French: I think the reason staff is recommending postponement is to answer a lot of
the questions you brought up today. I think it is appropriate so we can
answer the questions.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. POSTPONED UNTIL THE JULY 12, 2001 MPC MEETING.

6-T-01-UR HUGH NEIL / JOHN CARLTON
North side LaVillas Dr., north of Valley View Dr. Proposed use: Attached
residential development in RP-1 (Planned Residential) District. Tax ID 59 O
B 9, Council District 4, East City Sector.

STAFF RECOMMENDATION: Postpone until the July 12, 2001 MPC
meeting.

MOTION () AND SECOND () WERE MADE TO APPROVE STAFF RECOMMENDATION.
MOTION CARRIED 12-0. POSTPONED UNTIL THE JULY 12, 2001 MPC MEETING.

- P** 6-SG-01-C SCOTCH MEADOWS, UNIT 2
Western end of Applecross Rd., north of E. Emory Rd., east of Tazewell Pike, Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 6-S-01-UR EDWARD SANCHEZ
Western end of Applecross Rd., north of E. Emory Rd., east of Tazewell Pike. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 21 100.01, Commission District 8, Northeast County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 6-SH-01-C GROVE PARK
West side of Maloneyville Rd., north of Washington Pike., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 6-U-01-UR WILLIAM J. FARNHAM
West side of Maloneyville Rd., north of Washington Pike. Proposed use: Detached single-family subdivision in PR (Planned Residential) District. Tax ID 40 126, Commission District 8, Northeast County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 6-SI-01-C BRICKYARD HILL
West side Brickyard Rd., northwest of Wells Dr., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-M-01-UR LUTTRELL DEVELOPMENT, LLC
West side Brickyard Rd., northwest of Wells Dr. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 56 G A Pt. 17, Commission District 6, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-SJ-01-C ATLEE FIELDS
East side of Meadow Chase Ln., north of Hickory Knoll Ln., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-N-01-UR SCHUBERT BUILDERS / SCHAAD PROPERTIES
East side of Meadow Chase Ln., north of Hickory Knoll Ln. Proposed use: Detached single family subdivision in PR (Planned Residential) District. Tax ID 104 192.01 pt. &, 105 045 pt. Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-SK-01-C PERSHING HILL - REVISED

Northwest side of S. Northshore Dr., northeast side of Pandora Rd.,
Commission District 4.

STAFF RECOMMENDATION: Approve the Concept Plan for 24 detached
single-family lots subject to 8 conditions.

Ms. Faye Haynes: 1124 Timbergrove Drive

Our subdivision backs up on this subdivision. 24 lots seem like a lot. There are 15 houses in our subdivision down that same street. Would like to make sure our subdivision is not going to connect to this subdivision in any way.

Mr. Tom Brechko: Access is off of Pandora with no connection to your subdivision. They added an acre to the rear of the property and extended lot lines. All access is by Pandora only with no connection to any other subdivision around the property.

MOTION (DONALDSON) AND SECOND (FOWLER) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. CONCEPT PLAN APPROVED.

6-SL-01-C SENTINEL BUILDERS ON LOOP RD.

East side Loop Rd., east of Olive Rd., Commission District 5.

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

Mr. Dan Kelly:

You are dealing with a concept subdivision plan and the use on review for each of the duplexes as requested by the applicant. To approve the concept plan have need to grant a variance on the right-of-way dedication from 30 feet to 25 feet. If you chose to you can approve the concept plan and deal with the use on reviews individually or as a group. That would create a concept plan and if you turn down the duplexes, they could put a detached single family house on each one of the lots.

For the use on the reviews for the duplexes, they have requested permission to put a duplex on each of these lots. Staff looked at the current development pattern in the area. Two sites have homes backing into it. There are single family dwellings along the north and we recommended significant screening along that edge of the development. Loop Road is classified as a collector street and is only about 16 feet wide. We typically do not recommend approval of significant developments on a 16-foot wide street. However based on the buildout of this development, you are probably looking at around 100 trips per day to be added to the road and we thought that was fairly low. There are 1-3 ways out of the site and feel that traffic will be spread out over a number of different ways to get in and out of the area and reduce the impact. Staff recommended approval of the duplexes. There are a couple of lots that have a depression on the property. Currently drainage from about 9 acres flows into that depression. If the depression

turns out to be a sinkhole, they will lose those two lots. If the depression is manmade, they would have to maintain the existing stormwater storage on the property. Then we would look at the design see if it will accommodate the number of units they propose. The access is proposed via a shared driveway that would have I think two cuts to Loop Road. We are asking the surveyor to certify the sight distance at each location. We believe once the site is cleared the sight distance will not be an issue and we eliminated a number of driveway cuts in that area. We recommend approval.

Mr. Rick Mixon: 401 Forest Park Blvd, 37919 Architect for the project.
Thanked MPC for their careful evaluation of project and agree with recommendations and conditions.

Mr. Robert Gleason: 628 Loop Road

That area in front of my house the road is only 15 feet wide. People with boats and watercrafts frequent Loop Road. I do not think 14 units should be there. That is a potential of 28 cars. Do not think it is safe for the children. What are the conditions being put forth? The first time we were aware of this was when the sign went up. The children that play in the neighborhood will not be safe if you add more cars in the area. Cars come about 3 feet onto to my property because it is not wide enough for two cars. Are the units going to be sold or are they rentals? Request that deny approval. Would like to see a copy of the conditions you stated. Many of the other residents up and down the road do not think it is a good idea.

Mr. Mike Brown: Concern I have is the variance from 30 foot down to 25 foot when you already have a 15-16 foot road. Usually go in to curb to widen. What are they going to do if it is has already built on?

Mr. Kelly: Typically 25 feet from center is what you would have on a normal subdivision type street. Within that right-of-way width you would expect to have a pavement width of up to 26 feet if the right-of-way were 50 feet wide. That would leave room for utilities to locate in the right-of-way. Given the perspective of road improvements in the near future, the County recommended that the 25 feet would be an appropriate amount of right-of-way as opposed to the 30 feet. In a 30-foot right-of-way you would be looking for a 32-foot wide street. That would probably be just as dangerous as a very narrow street based on the speed that people would go.

Mr. Charles Busler; With new houses going in there, if we approve the duplexes we get 2 curb cuts. If we do not approve the duplexes, we could have as many as 7 driveways onto Loop Road.

MOTION (BUSLER) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. CONCEPT PLAN APPROVED.

6-X-01-UR

SENTINEL BUILDERS, INC.

East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B PT. 14, (Lot 7) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 8 conditions.

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-Y-01-UR SENTINEL BUILDERS, INC.
East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B PT. 14, (Lot 6) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 7 conditions.

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-Z-01-UR SENTINEL BUILDERS, INC.
East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B Pt. 14, (Lot 5) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 7 conditions.

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-AA-01-UR SENTINEL BUILDERS, INC.
East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B Pt. 14, (Lot 4) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 9 conditions.

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-BB-01-UR SENTINEL BUILDERS, INC.
East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B Pt. 14, (Lot 3). Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 9 conditions.

MOTION (BUSLER) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-CC-01-UR SENTINEL BUILDERS, INC.

East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B Pt. 14, (Lot 2) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 8 conditions.

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

6-DD-01-UR SENTINEL BUILDERS, INC.

East side of Loop Rd., east of Olive Rd. Proposed use: Duplex in RA (Low Density Residential) District. Tax ID 143 O B Pt. 14, (Lot 1) Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve the plan for a duplex on this lot subject to 8 conditions.

MOTION (BUSLER) AND SECOND (VITTETOE) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

* 6-SM-01-C WRENS CREEK, UNIT 2

Northeast side of Hurst Lane, southeast of E. Beaver Creek Dr., at the southern end of Ghiradelli Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 6-O-01-UR TRANTANELLA CONSTRUCTION COMPANY

Northeast side of Hurst Lane, southeast of E. Beaver Creek Dr., at the southern end of Ghiradelli Rd. Proposed use: Detached single-family subdivision in PR (Planned Residential) & PR (Planned Residential) Pending District. Tax ID 47 221 & 226.01, &, 047MB026-045. Commission District 6, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-SN-01-C WITHDRAWN PRIOR TO PUBLICATION

P 6-SO-01-C KRISTIN'S GATE

West side of Cate Rd., north of W. Emory Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-W-01-UR NED FERGUSON, PLS

West side of Cate Rd., north of W. Emory Rd. Proposed use: Detached single-family subdivision and condominiums in PR (Planned Residential) District. Tax ID 66 90, 90.01, 90.02, 90.04,, 90.05, 132.18 & 066KG026. Commission District 6, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

6-SP-01-CHIDDEN GLEN

Southeast side of George Williams Dr., east of Pellissippi Parkway.,
Commission District 5.

STAFF RECOMMENDATION: Deny the applicant's request to remove the concept plan condition (#5) that requires that prior to final plat approval, the applicant provide documentation that verifies that the adjoining lots will not be landlocked by the proposed subdivision.

Mr. Tom Brechko: This subdivision was approved over a year ago with a condition that the applicant provide documentation that there was legal means of access to the properties. When the plan came in there was a road that crossed over the property and provided driveway access to some adjoining lots. It was because of that we thought they needed to clarify the access issue. When the applicant applied for the final plat for the subdivision, we required that they remove lots from the area where this easement was. They submitted a plat and got it approved for all but 5 of their original requested lots. Since that time the applicant entered into a consent agreement with adjoining property owners to the east of the property where they were going to eliminate that road across the property and they actually built a gravel drive to serve those lots. Apparently where the joint permanent easement was created to serve the lots in the back portion and was approved by the Planning Commission in 1999, one of the signers was not the authorized person to sign for that easement. The applicant filed a lawsuit on that issue and the judge ruled it was not appropriate and released that easement. Now the lots on the east side do not have any legal means of access. They have a physical access, but not a legal one. Also in the past several weeks the applicant prepared a joint permanent easement document to create an easement where that new road has been cut in and prepared a maintenance agreement. That has been supplied to the attorney for the property owners and sent out to the property owners for signatures and approvals. We think we should allow that course to occur before we remove the condition.

Mr. Lewis Howard: 4800 Old Kingston Pike, representing applicant.

Prior to Cove Creek buying this property the only legal access easement that was recorded was across the Beacher/Mayfield property in 1992. In 1999 the property owners in the back recorded a joint permanent easement off an existing easement. They did not own the property when they recorded that easement nor did they get the consent of the then owners of the property to record the easement. When Cove Creek bought all the subdivision, they entered into a consent agreement with all of these property owners to construct a roadway from this portion of their existing legal easement to this portion of the illegal easement recorded in 1999. We put a berm across the old easement drive and connected the utilities and developed the property. These folks then refused to remove this easement after we had entered into that agreement. Cove Creek then filed a lawsuit, which was resolved by this easement being deleted. We have surveyed the easement for them and prepared a joint permanent easement for them and a maintenance agreement for them and provided that to their attorney about 4 1/2 weeks ago. The attorney has not had any contact with them nor had he sent the documents to them but would do so today. We are asking MPC

to go ahead and remove that condition that was prior to final plat approval that we provide sufficient documentation that these people have legal access or that these lots are not landlocked. They never had legal access to the back properties. We would like the condition removed so that we may have these five lots available. We have had an agreement to have them sold for over a year, but have been unable to do anything because of litigation and this access easement problem. This developer is not in a position to force these people to sign the documents because they would not release the agreement in the first place, which leads us to believe this may never happen. They do have access to their property. The back 25-foot piece is also a recorded joint permanent easement. The only portion not recorded is the road we cut for them. We ask for approval.

Mr. Philip French: Asked about where the potentially landlocked parcels are.

Mr. Howard: They were landlocked when we acquired this property when the original 67 lots were approved. They were landlocked because they had an unrecorded access to their property. By virtue of recording this easement and this part that they should not have recorded, they have no landlocked parcels at this time. They have access across this road to all of these lots. The only technicality is this portion of it is not recorded and not part of a joint permanent easement because they have not entered into one nor signed the documents I provided to them earlier. Apparently, from what their attorney told me this morning, they are not even aware of it because he had not sent them the documents yet.

Mr. Charles Busler: Is he saying they do have legal access and not make it landlocked?

Mr. Norman Whitaker: They have taken steps to give the opportunity for legal access to the property owners. The property owners have not taken advantage of that opportunity yet.

Mr. Busler: If this was recorded now, what would staff's recommendation be?

Mr. Whitaker: If this was recorded now, we would say they do not need the action proposed today because they have met the requirements of the concept plan and you would be free to approve a final plat.

Mr. Busler: Mr. Howard has prepared all the documents, and their lawyer has done nothing. They have not signed off on them.

Mr. Howard: They are all family members that own this property. If they sign off and record the documents, the property will not be landlocked.

Mr. Busler: Asked if any opposition was present. Mr. Whitaker stated he understood they were all out of town.

Mr. Howard: They do have access and have been using that access for about a year. In order for them to sell their property, they will have to come to some agreement among themselves with respect to access.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE APPLICANT'S REQUEST. MOTION CARRIED 12-0. CONCEPT PLAN CONDITION NO. 5 REMOVED AND CONCEPT PLAN APPROVED.

6-SP-01-F HIDDEN GLEN, UNIT 2
East side of Hidden Glen Ln, south of George Williams Rd., Commission District 5.

STAFF RECOMMENDATION: Deny final plat based on denial of concept plan.

MOTION (SMITH) AND SECOND (VITTETOE) WERE MADE TO APPROVE THE FINAL PLAT. MOTION CARRIED 12-0. FINAL PLAT APPROVED.

6-SC-01-C GREG SMITH ON KELLER BEND ROAD
East side of Keller Bend Rd., south of Tedford Dr., Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-11 and Deny the concept plan.

Mr. John King: Ask that this item be postponed for 30 days while we figure out what the appeal process does to us.

MOTION (M BROWN) AND SECOND (ROSE) WERE MADE TO POSTPONE UNTIL THE JULY 12, 2001 MPC MEETING. MOTION CARRIED 12-0. POSTPONED UNTIL THE JULY 12, 2001 MPC MEETING.

A BREAK WAS TAKEN FROM 3:27 P.M. TO 3:45 P.M.

15. FINAL SUBDIVISIONS

Final and One Lot Subdivisions recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

FINAL SUBDIVISIONS - OLD

P 3-SC-00-F RESUB. OF MCCARRELL PROPERTY
North side of Maloney Rd, northwest side of McCarrell Ln., Commission District 9.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 5-SM-00-F OVERLOOK ESTATES UNIT 8 & RESUB LOT 4 OVERLOOK ESTATES UNIT 2
West end of Jade Tree Ln, southwest of Joshua Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 8-SO-00-F DONNIE THOMAS
Southeast corner of the intersection of Bradshaw Gardens Dr. and Tillery Rd., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 8-SP-00-F PROPERTY OF LYNN GIBBS, TRUSTEE
North side of Yarnell Rd, east of Marietta Church Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 10-SB-00-F RESUB LOTS 37,38 & 39 MEADOWCREST SUBDIVISION, UNIT 1
North side of Windy Knoll Dr. & Fawnridge Ln., north of E. Emory Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- 10-SD-00-F SOUTHWOOD COMMERCIAL PARK, UNIT 2
North side of W. Governor John Sevier Hwy, east of Old Maryville Pike., Commission District 9.

THIS ITEM WAS HEARD EARLIER WITH 10-SC-00-C SOUTHWOOD COMMERCIAL PARK.

- P** 11-SA-00-F MCKINNEY SUBDIVISION
Northeast side of Clear Springs Rd, northwest of Howell Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- W** 12-SC-00-F PROPERTY OF WARREN G. & EDNA BROWNING
North side of Pleasant Gap Rd, west of Hill Rd., Commission District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- 12-SF-00-F BRACKFIELD & ASSOCIATES, LLC
Southwest side of Hembolt Rd, southeast side of Creekhead Dr., Council District 2.

STAFF RECOMMENDATION: Deny final plat.

Mr. Chip Stanley: 5312 White Horse Road, Attorney for applicant
We would like to address the matter and find out the purpose for denial.

Mr. Tom Brechko: The reason for denial is that items required for meeting condition of concept plan approval and for having a recordable plat were not all submitted at the corrections deadline. The main issue is that at the concept plan stage it was identified that there was some potential drainage issues because of a blueline stream. City Engineering had required that they submit an on-site detention plan. The applicant had an engineer prepare a drainage analysis

that identified there was a minimal increase in runoff as a result of the development. Engineering is still requiring that they have an on-site detention drainage plan, which has not been submitted to them. The applicant did not feel they need to do the detention because of the minimum increase of runoff. Second reason is that the plat did not identify all the access drives for the property. One specific condition was that on lot one, that they identify the location as far from the intersection of Hembolt and Creekhead and that it meet the sight distance requirement.

Mr. Whitaker: You are saying the City Engineering Department says a detention basin is needed on this property. The applicant says they will not provide that? It is unapprovable without the City Engineering Department approving the drainage design. The second issue involves access points that are supposed to be identified. As of yet they have not all been identified.

Mr. Stanley: I understood from City Engineering and the surveyor that the sight distance in question on the survey and plat were resolved. That the sole issue that remained unresolved was the detention. If we have survey problems, I would ask this be postponed for 30 days to make sure the survey problems are resolved. Those matters can be resolved and resubmitted. Under the City stormwater ordinance that was passed in June of 1997, specifically the stormwater ordinance exempts from detention basins, the requirement of detention system for storm water runoff, subdivisions of less than 5 acres, this is a 4-acre tract, or of more than 5 lots and this is 4 lots, and any development with impervious surface. On June 5 in a letter to Sam Parnell I asked them to provide us with the authority to require this detention system since it is in conflict with the stormwater runoff ordinance. To date we have not received that authority. We maintain with respect to the detention that we are not required to provide that. As to the concerns about the blueline, we have submitted and the City has of record the State of Tennessee did not find a blueline creek. It is actually a wet weather runoff creek. This is a subdivision that has one existing house on it and 3 additional lots. The problem with the detention system is that the City annexed this property not too long ago. This is a cover for the City. City has acknowledges and hasn't established that they have the legal right to require stormwater detention system as a basis for approving this subdivision. We are willing to go to City Council on it. We want to go on the one issue on whether or not legally we are exempted from that stormwater requirement. If you postpone it for 30 days we can get the surveyor items in. Until someone provides us the legal authority to provide a detention system, that is outside the law. They cannot put the finger on the authority to support their position. But for these other conditions, which I had no knowledge of prior to coming today, we would ask you to approve it. I understand that these items were submitted after the deadline, but still acceptable. Ask that you postpone this 30 days so we can get the other conditions shaped up and go forward.

Mr. Philip French: We cannot postpone a final plat at the meeting. A denial will allow for you to come back next month with a small resubmission fee if you come back in 90 days. If you want to postpone a final plat you have to request that prior to the meeting.

Mr. Whitaker pointed out there was a \$25 resubmission fee.

Mr. Stanley: If denial is based on these other conditions, I would like to have them in writing also. I assume there is a written document, which specifies these other conditions aside from the detention basin.

Mr. Brechko: Part of that is the concept plan conditions about the identification of the access drives. The only thing showing on the plat was the existing drives, not the proposed drives.

Mr. Stanley: My question is how does the applicant determine what has to be done to satisfy the plat?

Mr. Brechko: We identified those issues in the previous letter that went out as far as the deficiencies. On the issue of identifying the proposed access drive, that was not included on the revised plat. The only certification of sight distance was for the existing access drives, which are not for all the properties. The statement on the certification of sight distance is not on all the access drives to the proposed lots and it does not show any proposed driveways for a couple of the lots. It is only showing existing driveways.

Mr. Whitaker: I think we could save time by providing that information to the applicant in writing and referring the applicant to the zoning and subdivision regulations.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. FINAL PLAT DENIED.

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

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 2-SD-01-F BRIARTON SUBDIVISION
South side of Strawberry Plains Pk, west of Wayland Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 3-SB-01-F PROPERTY OF MARK & NANCY SATTERFIELD
West of Diggs Rd, south of Lovelace Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 3-SG-01-F RESUB OF PT OF LOT 15 & PART OF 16 JOHN RICHARDS REVISED 2ND
(August 9, 01) WASHINGTON PIKE ADDT
North side of Washington Pk, east side of Glendale Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 3-SP-01-F ALL ELEVEN, LLC
Northwest side of Schaad Rd, south of Clinton Hwy., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 3-SR-01-F METLER COURT
Northwest side of Metler Dr., north of Clinton Hy., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 4-SA-01-F FRAKAY ESTATES
North side of Jim Armstrong Rd, east side of Holston River Dr., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 4-SB-01-F JAMES CASH SUBDIVISION
Northeast end of Sands Ln, north of Bakertown Rd., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 4-SG-01-F MCCAIN WOODS
Southeast side of McKamey Rd, east side of Cain Rd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 4-SBB-01-F RICHARDS BAKERTOWN SUBDIVISION, RESUB OF LOT 4
Southwest side of Bakertown Rd, southeast side of Bert Newman Ln., Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 5-SA-01-F SUBDIVISION OF FRED W. DIXON PROPERTY
West side of Heiskell Rd, northeast of W. Raccoon Valley Rd., Commission District 6.

Ms. Bonnie Curtiss: Staff's denial is based on denial of 4 variances for standards for joint permanent easements. This application is two parcels of land with a proposed subdivision into 3 lots. Proposed access for the lots is via a joint permanent easement to follow the existing driveway. The maximum grade of the joint permanent easement as it exists is 19%. The max allowable grade for a joint permanent easement is 12%. A joint public easement at public road standards with approvals by Knox County and the Planning Commission could only be approved with an increased grade at max to 15%. The existing grade is too steep for a gravel road for erosion and safe traction. The site distance is required to meet 400 feet minimum by the speed limit. The existing site distance is only 40 feet to the south and 60 feet to the north. Minimum site distance is needed to maintain safe egress from the public easement onto the public road.

Mr. Scott Umstead: 311 Lynnwood Drive, Representing applicant

The joint permanent easement is an existing driveway that has served the two structures on the existing property. The area that is 19% slope is concrete where it comes off the main road. The sight distance was measured at 15 feet off the pavement, as the Minimum Subdivision Regulations require. If you move up to 7.5 feet from pavement you sight distance increases up to 150 feet and could increase more with grade work or vegetation removal.

Ms. Kathy Jet: P.O; Box 388 Heiskill Road, Daughter of Fred Dixon
We have used this driveway all my life and since the late 1940's. There has never been an accident coming onto the road. There is no other place to put this driveway. We have no problems getting up the driveway. My husband maintains the driveway with a tractor and we keep it graveled.

Mr. Charles Busler; Why were you subdividing this lot?

Ms. Jet: My dad purchased the property. He wanted each one of the children to have a lot. I have a home on there and my brother already has a home. He wanted to subdivide it between his children.

Mr. Busler: How big is the lot he is subdividing?

Ms. Jet: It is 19.3 acres to be divided three ways. One has a little over 5 acres, one has a little over 7 acres and one has a little over 6 acres.

Mr. Busler: Do we have any one from the County to talk about the grade?

Ms. Jet: We concreted the very steep part and the rest is gravel.

Mr. Philip French: Right now there are two lots using the driveway. We are adding lot no 1 to the easement?

Ms. Jet: Yes, we are only adding one more house to the driveway. It is all family.

Mr. Busler: Are you thinking about cutting the vegetation back for the site distance?
How far down?

Ms. Jet: Yes, right in front of the driveway on the banks.

MOTION (BUSLER) AND SECOND (FOWLER) WERE MADE TO APPROVE VARIANCES AND FINAL PLAT. MOTION CARRIED 12-0. VARIANCES AND FINAL PLAT APPROVED.

P 5-SB-01-F CLEVELAND ESTATES
Northeast side of Bob Smith Ln, north of Ruggles Ferry Pk., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 5-SC-01-F MERINDA PLACE, PHASE 2
East side of McCloud Rd, north of Harrell Ln., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 5-SE-01-F SUBDIVISION OF KENNETH WALKER PROPERTY
South side of Dan McBee Rd, southeast of Longmire Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 5-SF-01-F NINE OAKS, UNIT 5
North end of Wispering Oaks Dr, west of Norris Fwy., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 5-SI-01-F PROPERTY OF CRAIG G. ROSS, JR.
Southeast side of Washington Pk, northeast of Alice Bell Rd., Council District 4.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 5-SL-01-F LONG FARM, RESUB OF LOT 4
North side of Campbell Station Rd, south of Yarnell Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 5-SM-01-F BAYOU BEND
East side of S. Northshore Dr, north of Choto Rd., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 5-SN-01-F WAYNE LANCE PROPERTY
West side of Amherst Rd, north end of Chimney Sweep Dr., Comm. 3rd/Council 3rd.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 5-SP-01-F ANDOVER COURT
North side of Westland Dr, west of Hamilton Ridge Ln., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 5-SU-01-F HODGES SUBDIVISION
South of Kingston Pk, east of S. David Ln., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

FINAL SUBDIVISIONS - NEW

- * 6-SA-01-F SURVEY FOR REECE MILLS

Northeast side of Rustic Ln, northwest of E. Emory Rd., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 6-SB-01-F MYRA DAVIS SUBDIVISION, RESUB OF LOT 4R1
Northwest side of Wells Dr, northeast of Brickyard Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SC-01-F REVISED PLAT OF A DIVISION OF A. L. JR., & JEAN S. REYNOLDS,
TRACTS 1-3
Northwest side of E. Raccoon Valley Dr, east of Hill Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SD-01-F FLOYD LEDFORD FARM, RESUB OF LOTS 3R & 5R
North of Couch Mill Rd, east of Williams Bend Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SE-01-F ANNIE'S PLACE
South side of Wayne Dr, east side of Prosser Rd., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 6-SF-01-F J S B PROPERTY
South side of Valgro Rd, east of Sevierville Pk., Commission District 9.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 6-SG-01-F WEST LONSDALE ADDITION, RESUB LOTS 376 - 378
North side of Violet Av, east side of Chillicothe St., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 6-SH-01-F SUBDIVISION OF ALCY J. HURST FARM
East side of Ellistown Rd., south of Washington Pk., north of Millertown Pk., Commission District 8.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 6-SI-01-F ANDERSON PROPERTY
West of Tazewell Pk, south of Fairview Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SJ-01-F BILL SMITH PROPERTY

Southwest side of Noe Hill Ln, south of Asheville Hwy., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SK-01-F RANDALL EUGENE & KATHY MAE CHAPMAN PROPERTY
West side of Pierre Marques St, northwest of San Marcos Dr., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 6-SL-01-F FOX LANDING, RESUB. OF LOTS 14R, 15, 16, 25 & 26
Southeast end of Fox Landing Ln, southeast of Rising Mist Ln., Commission District 5.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 6-SM-01-F HIGHLANDS AT NORTSHORE
North side of S. Northshore Dr, southeast of Bluegrass Rd., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SN-01-F MAJORS CROSSING
North side of E. Emory Rd, east side of Majors Rd., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SO-01-F TERRAPIN STATION, UNIT 1
Northwest side of Lovell Rd, northeast of Gilbert Dr., Commission District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

6-SP-01-F HIDDEN GLEN, UNIT 2
East side of Hidden Glen Ln, south of George Williams Rd., Commission District 5.

THIS ITEM WAS HEARD EARLIER WITH 6-SP-01-C HIDDEN GLEN.

P 6-SQ-01-F TECHNOLOGY CENTER PARK, RESUB. OF LOTS 1R-1, 6R, 25R & 26R
Northeast side of Innovation Dr, northwest side of Dutchtown Rd., Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-SR-01-F TAYLOR HILLS
West side of Spring Hill Rd, north side of Buffat Mill Dr., Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 6-SS-01-F ATLEE FIELDS, UNIT 2

Northeast end of Meadow Chase Ln, northeast of Hickory Knoll Ln.,
Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-ST-01-F HARDIN VALLEY COMMERCIAL PARK, UNIT 2
Southeast side of Hardin Valley Rd, southwest side of Pellissippi Pkwy.,
Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 6-SU-01-F RUFUS SMITH HOUSING FOUNDATION, RESUB.OF LOTS 1-4
Southeast side of Tazewell Pk, southwest of Beverly Rd., Council District 4.

STAFF RECOMMENDATION: Approve final plat.

Mr. David Harbin: The condition requested by staff is okay with our client. Urge you to
approve it.

Mr. Dan Brewer: 4105 Tazewell Pike
We do not have any opposition to the plat if it has the note that was
mentioned. We want to enter a record for the record from Fountain City
Town Hall. HANDED OUT A LETTER WHICH BECOMES A PART OF
THESE MINUTES.

MOTION (FOWLER) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF
RECOMMENDATION. MOTION CARRIED 12-0. FINAL PLAT APPROVED.

- P 6-SV-01-F CANTON ESTATES (FORMERLY KNOWN AS "TRENT LANE ESTATES"
Northeast side of Trent Ln, north of Canton Hollow Rd., Commission District
5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P 6-SW-01-F RICHLAND TOWERS ON SHARP'S RIDGE
Southeast of I-640/I-75 and east of I-75., Council District 1.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 6-SX-01-F R. F. SARACENI PROPERTY
Southwest side of Cogdill Rd, northeast side of Lexington Dr., Commission
District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

16. ONE LOT SUBDIVISIONS

ONE LOT SUBDIVISIONS - OLD

- P 3-V7-00 SURVEY FOR HUGH ROGERS

North of Kimberlin Heights Rd, west of Sam Cruze Ln., Commission District 9.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- P** 3-V2-01 RESUB LOTS 1-6 PARK REALTY & TRUST CO. 2ND ADD. BEARDEN & LYON'S VIEW ADD
South side of Echo Dr, west side of Agnes Rd, north side of Walden Dr.,
Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- W** 4-V5-01 SUBDIVISION OF THE WAGGONER PROPERTY
Northwest side of Tazewell Pk, northeast of Ridgeview Rd., Commission
District 8.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- P** 5-V3-01 LONSDALE LAND COMPANY'S ADDITION, PART OF LOTS 34 & 35
Southeast side of Massachusetts Av, southwest of Murphy Av., Council
District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

ONE LOT SUBDIVISIONS - NEW

- P** 6-V1-01 RAY T. BURKHART PROPERTY
North of North National Dr, west of Pickel Ln., Commission District 8.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- * 6-V2-01 NORTHWEST PARK
West side of Bradshaw Rd, south of Pleasant Ridge Rd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-V3-01 FORT SANDERS, BLOCK D, RESUB. OF LOTS 1 - 3, 6R & 7 - 9
North side of White Ave, west side of Twenty-Second St., Council District 1.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-V4-01 TUSCANY GARDENS, LOT 16 - REVISED
Northeast side of Verona Ln, northwest of Tuscany Gardens Dr.,
Commission District 6.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P** 6-V5-01 TOMS SUBDIVISION OF MCKINNEY FARM, RESUB. OF LOT 19
Northwest side of Keith Av, southwest of Liberty St., Council District 3.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-V6-01 EDGEWOOD LAND & IMPROVEMENT CO., RESUB LOTS 5 & 6
(August 9, 01) North side of Hiawasse Ave, east of Vineyard Pl., Council District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 6-V7-01 WEST LONSDALE ADDITION, BLOCK 2, LOT 52R
North side of Montgomery Av, west of Pleasant Ridge Rd., Council District 3.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 6-V8-01 BETHEL APOSTOLIC CHURCH
Northwest side of Douglas Av, southwest of Wallace St., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 6-V9-01 W. L. CLAPPS FIRST ADDITION, RESUB OF LOTS 2 - 5 & PART OF 15
East side of Old Broadway, south of I-640., Council District 5.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

6-V10-01 WITHDRAWN PRIOR TO PUBLICATION

17. REZONINGS

Rezoning recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

REZONINGS - OLD

8-K-00-RZ HARLIE NORRIS- North side Callahan Dr., northeast of Clinton Hwy.
Rezoning from A (Agricultural) to CB (Business and Manufacturing). Tax ID 67 246. Commission District 6, North County Sector.

STAFF RECOMMENDATION: Approve LI (Light Industrial) for the site up to 1,000 feet from Callahan Drive.

Mr. Ralph Teague: We are requesting CB because this lot is 160 foot wide on the front and about 5.1 acres. The back part of it you can use about 600 to 700 foot before it goes up a steep grade. If you make it LI, because of the setback requirements, we cannot do the plan we were interested in doing it on the project. We knew today was the day you came back with the plan for the Callahan Road Corridor. We have been waiting over a year. Mr. Norris has lived there several years. It is right in front of one of the crossovers on Callahan Road. It is a good place for some development property. His present house is only about 5 foot from the setback of the new road. He is not interested in repairing his home at his age at this time. We have someone interested in purchasing it. If we use Light Industrial zoning, we have to have 50-foot setbacks to either side with only 60 foot for a building in

the middle. By the time you put in parking that would allow for only a 2- foot building. None of the neighbors have opposition. Ask for CB.

Mr. Ken Pruitt: Staff does support light industrial zoning. The constraint on the property with light industrial zoning would be a 60-foot buildable envelope. The 50 feet on either side of the building could be used for loading parking. He would be able to building within the 60 feet. Staff would support variances in the light industrial zoning for that area designated for such uses. Something comparable to what would be permitted if the entire area designated for light industrial use was zoned in that manner, which would allow him to go to a side yard setback equal to what the adjoining property is. We feel that would be appropriate and a good use.

Mr. Norman Whitaker: As far as the differences in CB and LI, the LI zone allow a wide range of light industrial warehouse distribution and even some retail uses. CB zone allows all of that. It allows warehousing and light manufacturing uses. CB also allows a wide range of retail, commercial strip, billboards, and commercial signage. We think LI permits the proposed use of the property. It would require variances if built while the other adjacent properties are still zoned Agriculture. You will have a large rezoning on your agenda next month by an applicant that wants to do something that is consistent with the plan. We recommend you uphold the concept of an employment corridor and not rezone it CB for commercial uses.

Mr. Larry Smith; Are you saying you can work out variances he can use?

Mr. Whitaker: County Board of Zoning Appeals can approve variances when the required setbacks do not leave a reasonable use of the property. They are pretty lenient about approving variances.

Mr. Teague: Showed a small picture of the intended use as an office/warehousing building. We are not trying to put retail, signs and that sort of thing. We want a nice office space with warehousing and probably little or no manufacturing.

Mr. Whitaker: That is a fine looking development proposal. How would you tell the next person that comes along that we are not going to approve CB for you after you have started a checkerboard pattern of CB contrary to the plan just adopted.

Mr. Teague: The only thing with LI is we will not be able to comply with setbacks with Agricultural on both sides of us.

Mr. Whitaker: You would have to have a variance from the Board of Zoning Appeals in order to build the setbacks you need. BZA gives variances to dimension requirements such as setbacks, lot coverage or height. Is there a requirement that puts limits on the type of variances on setbacks?

Mr. Pruitt: No sir. It provides presently for a 50-foot setback adjacent to the Agricultural zoning. What you would be asking for is a variance from 50 feet down to whatever dimension you need to get that structure on your parcel.

- Mr. Busler: Even if he asks for a variance, what we do now would not guarantee that he would get that variance for his property.
- Mr. Whitaker: If you do what they are asking, you will guarantee a continued commercial strip and be ignoring the Callahan Plan we just completed. What they want to do may work with variances. If not, they can come back and ask for zoning again.
- Mr. Teague: This was filed last year in June. I think it is time to deal with this. There have been other properties zoned CB in the meantime in the same area. It is 5 acres.
- Mr. Whitaker: The reason for the postponement was that staff denied CB.
- Mr. Mike Brown: Mr. Norris is luckier than others in this area when you look at these strips. There may have to be consolidation before some lots are zoned. There is no commercial anywhere near this piece of property. I think we ought to stick with the corridor plan.
- Mr. Michael Edwards: We are not rezoning the corridor. It is going to be hard to assemble land to match the study. You are trying to balance staying true to the plan we adopted and also recognize that individuals have the right to try to market their property. What Norman said is they could present their proposal in the industrial to the BZA. If it is turned down, then we could look at their request again. While it is a great plan it is not a rezoning for the whole area. If you are a property owner you have to be in a position to take some sort of action. We think there is a way to be true to the plan and make it work through BZA. We still have that option to revisit their original request.
- Mr. Brown: Each property owner has to understand that due to location, size and many factors, we are limited to what can be done with a property. We have set some limits. I do not think we would pass this commercial before the plan.
- Mr. Edwards: His use is compatible with what we adopted. In order to implement the plan we are going to have to have people coming to us in parcels asking for flips to zonings. The use is compatible if he gets his variances. Should they decide not to, then he can come back to us and we can revisit it then.
- Mr. Whitaker: We will find a way, if it is turned down at BZA, without charging him a fee. We can reconsider the action today or just put it on the agenda without charging a fee for it.
- Mr. Teague: Can we go to BZA and get those setbacks reduced prior to having our development plan? We are talking about 3-4 months to go to BZA. If LI we have to wait 60 days to go to County Commission, then apply for a building permit for another 30 days, then to BZA. If BZA turns us down then we have to come back here again. Then we have to go back before County Commission again. You are talking about another year.
- Mr. Whitaker: In the LI zone you do not have to come back to us with a development plan. You could not get a building permit tomorrow because it is zoned

Agriculture. We could help you expedite with the County. I do not see a one-year delay in the difference between LI or CB. Staff has considered just about anything for this area. The reason for not recommending CB is, aside from a good zone for warehousing, it allows strip commercial uses and signage that goes with this. We would like to avoid creating a commercial strip. We would like to create an employment park type setting.

Mr. Teague: We agree with you. We would not put up signs. We would add conditions, but I do not think we can add conditions to this.

MOTION (SMITH) AND SECOND (FOWLER) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 9-3. LI (LIGHT INDUSTRIAL) APPROVED UP TO 1,000 FEET FROM CALLAHAN DRIVE.

P 3-R-01-RZ JAMES & REBECCA CROSSLAND-Northwest side S Northshore Dr., northeast side Wallace Rd., Rezoning from RA (Low Density Residential) to OA (Office Park). Tax ID 133 N A 32, 133 KA 3 Commission District 4, West City Sector. (Referred back to MPC by County Commission to consider PR (Planned Residential) zoning.)

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

4-K-01-RZ CAROL MORENO
West side Middlebrook Pike, southeast of Bob Kirby Rd., Rezoning from A (Agricultural) to CA (General Business). Tax ID 104 213, part (Map on file.) Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Deny CA (General Business).

Mr. Norman Jackson; Representing Ms. Moreno, Beaver Creek Road

I am assuming this was denied on the basis that it violates the sector plan or general plan of the area out there. Ms. Moreno and husband have operated a nursery on 20 acres for 9 years now. It is zoned Agricultural. In Agricultural they have a right to put up a roadside stand and sell their products off the property. They cannot sell mulch, topsoil, and fertilizer to go with their product. This is the reason they are here. Someone had the idea that you could sell 25%. That turned out not to be true. We have an ongoing business and the expansion as far as sales is negligible. We are not trying to create a dealership. I understand to change it from Agricultural to CA is quite a move. That area is going to develop and develop. There are no full service nurseries in the area. If you go to get a product, you need materials to grow it with. I have a rendering that Mr. Benefield did and he will pass a reduced copy around. **HANDED OUT COPIES WHICH BECOME A PART OF THESE MINUTES.** This property is 1/2 mile west of the commercial zone now and 400 to 500 feet east of already commercially zoned property. Asking for a natural expansion of this area. The proposed widening of Middlebrook Pike is going to take 1.8 acres and only going to leave less than 3 acres.

Mr. Michael Edwards: There are possibly two avenues - amending the zoning ordinance for the use on review or this may be a candidate for conditional zoning.

- Mr. Whitaker: To amend the zoning ordinance for a use on review would take some time. You could act on a use on review after approving the zoning ordinance amendment. It would be the end of the summer before finishing. Conditional zoning we assume you have to have a private State Act to authorize conditional zoning in a Tennessee community. There is case law our attorney has studied that involves conditional zoning. Our attorney feels you have the authority to practice conditional zoning. If you approve as a conditional rezoning, what you would want to do is approve conditional CA with the conditions that they have to build according to this plan and limit the use of the property to the purposes they say they are going to use it for. If this were a commercial area you would not have to have as many conditions. This is not an area designated as commercial in the land use plan. The plan recommends large but compact concentrations of commercial at major thoroughfare intersections, which this is not.
- Mr. Edwards: My suggestion would be that is going to be an avenue that we may want to consider. Any one of those should have a great deal of thought from staff. Sometime we really need to make a decision on whether we want to go there.
- Mr. Whitaker: What we are going to do is write up as a procedural documents, send it to other offices for review and then submit it to you for review with their comments. The problem with allowing a certain amount of retail sales at nurseries in an agricultural zone is not way out of character for other uses in the Agricultural zone. I think that would be a reasonable change to consider for the ordinance. The problem with that approach is that it would take a few months procedurally. I believe CA is the most restrictive zone that would allow them to do what they want to do. What is the situation with the 25% of retail sales?
- Mr. Pruitt: We had discussion with Mr. Wuethrich in County Engineering, they initially spoke positive to it. On direct response from the applicant for a written statement they would only give them that allowed them to sell the product created on the property. I think they were concerned about setting a precedent which would open upon a wider range than what we are discussing.
- Mr. Mike Brown: If we do zone this CA with conditional zoning and 5 years they decide to discontinue the nursery business, then it goes back to agricultural? The only thing that could go in there would be a business doing the same thing?
- Mr. Whitaker: Yes, if we did conditional zoning approved by County Commission. What type of hardship would it be to wait for a process to get a code amendment that allows you to get approval of what you want to do.
- Mr. Jackson: It would not be a problem because there is a road-widening project. We made our plans for after the road was widened.
- Mr. Whitaker: We can postpone this and staff will bring back an amendment to the zoning ordinance that would allow retail sales in a nursery as a use on review

approvable in the Agricultural zone. That would have to be on the July MPC agenda, County Commission would not get it until August and you can come back with a use on review.

Mr. Jackson: This is not something we can do overnight anyway.

MOTION (BROWN) AND SECOND (DONALDSON) WERE MADE TO POSTPONE 60 DAYS TO THE AUGUST 9, 2001 MPC MEETING. MOTION CARRIED 12-0. POSTPONED UNTIL THE AUGUST 9, 2001 MPC MEETING.

Mr. Busler: If we do a use on review and the individual that owns the business decides they no longer want to be in the business, does the business go away with the individual?

Mr. Whitaker: The use on review goes with the property and not with the owner. In the County, I am not aware of an expiration time for a use on review.

5-G-01-RZ

JOHN K. KING

West side Pellissippi Parkway, north side George Light Rd., Rezoning from A (Agricultural) & TO (Technology Overlay) to PC (Planned Commercial) & TO (Technology Overlay). Tax ID 89 123.01, 123.06, 130 & 131 (Parts zoned A/TO) Map on file. Commission District 6, Northwest County Sector.

STAFF RECOMMENDATION: Approve PC (Planned Commercial) & TO (Technology Overlay).

Mr. John King: P.O. Box 2425, Knoxville, TN

This request is dealing with a part of a piece of property. The western most portion was rezoned to PC about a year ago. We are asking now to rezone the remainder that is Agricultural in the Technology Overlay. If it stays as it is, access will come off Solway and that is not as usable as access off George Light Road. Sometime ago you undertook a study of this area and were presented with some options. Ultimately the option adopted on the Northwest Sector Plan designates this site as being appropriate for light industrial or PC. Ask for approval

Mr. Steve Roth: Baker Donaldson Bearman & Caldwell, Solway Residential Association
In opposition to this request. Last month we asked for a 30-day postponement to allow TTCDA to give their voice on this matter. They voted 5 to 1 in opposition to providing a certificate of appropriateness for this request. In this same meeting a matter was brought up about amending the Comprehensive Development Plan to allow this development. This development as proposed is not in keeping with the comprehensive Development Plan for the Technology Corridor. The TTCDA responded by a 4 to 1 vote against amending the Comprehensive Development Plan of the Technology Corridor. The people responsible for overseeing the appropriate development of the technology corridor have spoken. No fewer than 3 times within the last 13 months this body has been faced with various requests for Certificates of Appropriateness on this property. Every time they have voted no. They do not think this development in CB or PC zones is appropriate. That aside, we think this request is bad policy. The roads are not large

enough to handle truck traffic generated by this development, over 400 truck trips per day. This area is also adjacent to a large Solway Park. About 10 people stood in opposition.

Mr. John Schoonmaker: Council of West Knox County Homeowners Association
Opposed to the rezoning to planned commercial. We were pleased that TTCDA overwhelmingly turned this Certificate of Appropriateness down. We urge the MPC Commissioners vote to deny this rezoning.

Mr. Buz Johnson: We were asked to look at the Technology Corridor Comprehensive Development Plan and the Sector Plan differences to see how they relate. TTCDA can adopt and maintain a comprehensive development plan for the area designated as Technology Overlay. The Planning Commission can also participate as a part of that process in adopting and amending the Technology Corridor Comprehensive Development Plan. MPC staff, as far as the Sector Plan and the piece of the Sector Plan which is also the Technology Corridor Development Plan, feel that they are one and the same. Last Monday TTCDA recommended against a plan change that you adopted in 2000 and recommended against the Certificate of Appropriateness for rezoning to PC & TO.

Mr. Philip French: Asked Mr. Roth what he thinks is appropriate zoning.

Mr. Roth: I suggest that it is Business Park. The parcel outside the technology corridor PC was not an option for. But this parcel it is inside the technology corridor. This Commission has the ability to review a site plan, look it over and make changes as needed. That objective would work just as well with BP zoning as PC zoning. The only project that is being advocated for this parcel, PC does not cut it. The applicable question is not does this give them what they want. The question is whether it is good policy and whether it makes sense from a zoning perspective?

Mr. King: Corrected Mr. Roth in that the vote at TTCDA was 4-1, not 5-1. The request to amend TTCDA's Comprehensive Development Plan came from MPC staff. As part of that discussion they spent a considerable amount of time talking about they have a generalized study or process to deal with the entirety of the Comprehensive Development Plan. The fact that Buz told them that study was under way and would be coming within the next 3 months, they voted not to amend their Comprehensive Development Plan to this limited extent for this piece of property. There is nothing about the Comprehensive Development Plan of the TTCDA that trumps this body and its own sector plan and its own actions. It is clear that the view of this body and legislative body was that BP was proposed. It is not asked for and was not put upon that portion within the park. If you look at the southern portion of the property on the eastern side, it was a farm. Then you are left with a third of it in the hands of a third property owner. If you cannot get all these tied together this is no proposed use or potential development that is going to be occurring on the two southern-most pieces of the property. They do not serve any purpose or function. The only way to properly develop this property is to put it all together under a planned zoning classification. The issue about the truck trips was from a long time ago when they were talking

about CB and a different development. You are going to have an impact study, traffic, oversight of this property, put conditions on, etc. This is just an opportunity for us to put this piece of property into some type of development.

Mr. Mike Brown: The piece to the west zoned PC, about 40 acres we did a few months ago, is that part of your client's parcel?

Mr. King: Northern portion of shaded is owned by the same person that owns the part that is already zoned PC. Yes you have three property owners for the whole 80 acres. There is already pressure to take portions or all of the part already zoned PC. If you do that, you end up with access it off Solway Road.

Mr. Charles Busler; The kind of restrictions we put on the TO it boggles my mind that someone would want to develop in that area. We want to protect the neighborhood and area. We also want a development that would increase the economy in the area. We can do in PC zoning what we can do in BP zoning. It would give us an opportunity to bring in a development that we might not be able to under BP. Still under PC we have controls to demand of the developer better access without causing traffic problems.

MOTION (BUSLER) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. PC (PLANNED COMMERCIAL) & TO (TECHNOLOGY OVERLAY) APPROVED.

REZONINGS - NEW

- * 6-A-01-RZ PAMELA C. YOUNGQUIST
West side Central Avenue Pike, north of Dante Rd., Rezoning from RB (General Residential) & A (Agricultural) to OA (Office Park). Tax ID 57 77, Commission District 6, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-B-01-RZ CHARLOTTE VALENTINE/SANDRA GHEEN
South side Lonas Dr. southwest of Coleman Rd., Rezoning from R-1 (Single Family Residential) to R-1A (Low Density Residential). Tax ID 107 G E 9, Council District 2, Northwest City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-C-01-RZ WAYNE WILSON
West side of Parkside Dr, northwest of Plum Creek Dr., Rezoning from PC (Planned Commercial) to CA (General Business). Tax ID 131 J A 023, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-D-01-RZ ELIJAH AND SHIRLEY M. TURPIN

Southeast side Bell Rd., southeast side Brackett Rd., Rezoning from I (Industrial) to RA (Low Density Residential). Tax ID 20 100.11, Commission District 8, Northeast County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-E-01-RZ GARY HOWE
Northeast side Bayless Ln., southeast of W Beaver Creek Dr., Rezoning from A (Agricultural) to RA (Low Density Residential). Tax ID 67 34.01, Commission District 6, North County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-F-01-RZ HISTORIC MARKET SQUARE ASSOCIATION
East and west side Market Square, south side Wall Ave., north side Union Ave, including public right-of-way of Market Square., Rezoning from C-2 (Central Business) to C-2 (Central Business)/H-1(Historic Overlay) including Design Guidelines. Tax ID 94 L E 1,30-45, 094LF2-19. Council District 1, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 6-G-01-RZ JUDY SHELTON DAVIS
East side of Ebenezer Rd., north of S. Northshore Dr., Rezoning from A (Agricultural) & F (Floodway) to CA (General Business) & F (Floodway). Tax ID 155 H A 004, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve CA (General Business) & F (Floodway).

Ms. Judy Shelton Davis: I wrote each of you a letter to maximize the potential of the property that belongs to my mother because she has extensive care. I was born and raised in this community and would not do anything to disrupt the area. My mother needs income and Art Scapes wants to lease this piece of land. They need it as they do not have adequate parking for their facility on the corner of Northshore and Ebenezer. They wish to put trees and mulch on it. We would allow a gravel lot. Want to get income for my mother without changing the property substantially.

Mr. Donald L. Jones: 1900 Ebenezer Road
This property is right next to my home, which I just completely removed in 1994. I know the person they are talking about for this property and he made a total mess when he moved off Topside Road. I do not want it next to my home.

MOTION (EDWARDS) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Upon Roll Call Vote the Planning Commission voted as follows:

M. BROWN	NO
BUSLER	NO

DONALDSON	YES
EDWARDS	YES
FOSTER	YES
FOWLER	YES
LEWIS	YES
ROSE	YES
SMITH	YES
VITTETOE	YES
WOLF	YES
FRENCH	NO

MOTION CARRIED 9-3. CA (GENERAL BUSINESS) AND F (FLOODWAY) APPROVED.

6-H-01-RZ WITHDRAWN PRIOR TO PUBLICATION

* 6-I-01-RZ PETE JANNEY
Southwest side Central Avenue Pike, south of Elyria Dr., Rezoning from R-2 (General Residential) to C-3 (General Commercial). Tax ID 68 L C 21, Council District 5, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-J-01-RZ JERRY WHEELER/WHEELER DEVELOPMENT
Southwest side Bell Road, southeast of E. Emory Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 29 118, Commission District 7, North County Sector.

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

Mr. Jerry Wheeler: 105105 Kingston Pike
I am here with the owners and request you approve staff recommendation.

Mr. Jim Holbert 7405 Bell Road
My objection is to the drainage. The south corner of my property has a lot of crawfish holes that water continually runs out of in wet weather. Sewer is inadequate. It overflows 600 yards south of my house 4-5 times a year. What effect can this have on it?

Ms. Linda Blazier: 7319 Bell Rod
Concern is the same. The elevation of the land and contour with the drainage. There is quite a bit of rain that comes down my property on the southwest side. There are some problems with the sewer system with Hallsdale Powell Utility. Just June 2 the workers were there checking out the manhole with raw sewage coming out. I think they need to check into it.

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

MOTION (BUSLER) AND SECOND (SMITH) WERE MADE TO APPROVE PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-5 DWELLING UNITS PER ACRE. MOTION CARRIED 12-0. PR (PLANNED RESIDENTIAL) AT A DENSITY OF 1-5 DWELLING UNITS PER ACRE.

6-K-01-RZ

PAUL M. HEBENSTREIT

Southwest side of Suburban Rd., south of Kingston Pk., Rezoning from RAE (Single Family Exclusive) to OA (Office Park). Tax ID 119 M C 004, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Deny OA (Office Park).

Mr. Paul Hebenstreit: 120 Sandwood Road, an adjacent subdivision to this location.

I do not know of any objection from the homeowners in Suburban Hills. One person said it would be landscaped and kept up and much better regulated than a house. Site plan shows I am going to use a modified house plan which would fit in with the residential and commercial buildings. I have a very small practice in west Knoxville with a major of patients in the same zip code where this office will be placed. I only see about 10 patients a day. There would be practically no increased traffic. This being virtually the first lot in the subdivision, there would be no traffic that would progress further into the subdivision. The building would only be about 100 yards off Kingston Pike. My office would be open Monday through Thursday, 8:00 a.m. to 5:00 p.m. The adjacent property, which was rezoned commercial in 1978, also has a dental office on it and is adjacent to four other residential lot. In rezoning this lot to a commercial lot would reduce the impact of just having 3 residential lots around it. The houses that are next to the this block are at a higher elevation creating a natural boundary between it and this location. The only concern the homeowners expressed to me was about the signage. I already plan to keep it consistent with everything else along there. Request approval of rezoning.

Mr. Rick Sampson: 301 Suburban Road, Vice President of Homeowners Association for Suburban Hills representing 305 homes.

We are opposed because of increased traffic on Suburban Road. This lot is first lot coming into our subdivision. We do not want that lot turned into commercial. That sets a bad pattern for others turning their lots into commercial businesses. Plat I saw showed a parking lot fronting Suburban Road, which we do not like. We recently had a traffic study done by the Traffic Department, which showed we currently have people going through our subdivision already at 55 mph in a 25 mph zone. We do not need any more traffic. Health Schuler is going to be building a new office at the bottom of the road also, which will increase our traffic. We get a lot of traffic coming through the subdivision already from the car dealers. There are 3 buildings that are commercial at the bottom of the hill. The second house next to this property is higher in elevation. The third house just recently burned which makes this person with a house burned next to him and someone wanting commercial on the other side. His property value is going down. This property has been vacant since the subdivision started in 1960.

Ms. Sara Rose: Every once in a while you have to draw a line and say this is the beginning of a subdivision. I can see the continuing encroachment right down that road and for that reason I am against the rezoning.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Mr. Michael Edwards: The office park at the entrance to Suburban Hills works great. It is a great buffer between Kingston Pike and Suburban Hills. I am like Ms. Rose. When you enter this area that lot is clearly in the residential portion.

MOTION CARRIED 12-0. OA (OFFICE PARK) DENIED.

6-L-01-RZ RALPH SMITH/NED FERGUSON

North side Keck Rd., east of Lacy Rd., Rezoning from A (Agricultural) to RA (Low Density Residential). Tax ID 68 H B 14, Commission District 6, Northwest City Sector.

STAFF RECOMMENDATION: Approve RA (Low Density Residential).

Mr. Ned Ferguson: Professional Land Systems, 5516 Walwood Drive
Ask approval.

Mr. John C. Hibb: 6510 Keck Road, Teacher in Knox County School system
Represent 101 people on a rezoning petition to deny this rezoning, WHICH BECOMES A PART OF THESE MINUTES. We think we will see a decrease in our property value. You can see 101 tax payers and residents do not want it rezoned. Our main concern is the safety in this area. The road in front of my house is 14 feet wide. If you are going to pass, you must pull over to pass safely. I have some pictures TO SUBMIT, WHICH BECOME A PART OF THESE MINUTES. Keck Road is a rural setting. One of my neighbors has lost 3 of the mirrors on his truck due to the narrowness of this road. There will be about 24 or more people driving in and out. People walk Keck Road for exercise. Number one concern is the safety of the children. They play in the road and ride bicycles. Keck Road is less than 100 yards from Callahan Road where a 15-year-old was hit by a car going to the mailbox and died. ABOUT 12 PEOPLE STOOD IN OPPOSITION.

Mr. Ferguson: This rezoning request is in character with the area. Mr. Trasher, the owner, came with me today and he has numerous pictures up and down this road. This is a 1.8 acre tract. This is not going to be 10 to 20 more dwelling units. The most we can get out of this resubdivision would be 3 to 4 lots. He wants to make a little income for himself by subdividing his property.

Mr. Steve Thrasher: 7928 Titan Way, Powell, TN
I also made pictures up and down Callahan Road. There are trailers and a man running a commercial business on the corner with tractor trailers. I want to build a residential property for me to live in on the back of the property. If I do any additional building it would be no more than two duplexes. I want to take a piece of property that is run down and clean it up and make something productive out of it. It will increase the surrounding

property value and the tax base. Directly behind me is a big power company that is probably industrial. There are two duplexes on the property. Part of the opposition lives in my duplex. They are scared I am going to put in a trailer park or apartment complex back there. I am not going to do that.

MOTION (SMITH) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 9-3. RA (LOW DENSITY RESIDENTIAL) APPROVED.

- * 6-M-01-RZ ARTHUR SEYMOUR, JR.
North side Parkside Dr. south side I-40/75, west of Lovell Rd., Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial). Tax ID 131 29 (PART), Map on file showing Lot 1R-1. Council District 2, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 6-N-01-RZ TRACY WEBB
Northeast side Palestine Ln., southeast side I-40/75, Rezoning from A (Agricultural) to PC (Planned Commercial). Tax ID 141 75,76,77,78,79, Commission District 5, Southwest County Sector.

STAFF RECOMMENDATION: Approve PC (Planned Commercial) for parcels 75-78. Deny PC for parcel 79.

- Mr. John Valiant: 625 Gay Street, Attorney representing Mr. Webb
PASSED OUT A MAP OF THE SITE WHICH BECOMES A PART OF THESE MINUTES. The southern portion of this 50-acre tract of land, parcel 79 they want to deny, abuts the Town of Farragut. There is another tract of land next to this that is at the same slope abutting the same town and the same subdivision. We do not see why this particular tract of land should be denied. If however, this body adopts MPC staff recommendation, we ask you to look at the map handed out that in essence has been divided. Ask that instead of denying a 50+ acre tract because the southern 14 acres might be moderately too steep, as that you zone the northernmost, about 36 acres of parcel 79, PC along with the rest of it. We do not see why that particular portion of that tract should not be zoned when the one next to it is PC also.
- Mr. Whitaker: We do have a letter from Saddle Ridge Homeowners Association and from the Town of Farragut expressing this same concern about parcel 79.
- Mr. Larry Smith: How does staff think about what he is wanting to do now?
- Mr. Whitaker: We recommend you not rezone parcel 79.
- Mr. Valiant: That is the major portion of this whole thing. Because of a small portion of parcel 79, which staff may feel is too steep, I do not see why you have to kill the whole project. The majority of that is level with the rest and is appropriate for rezoning.

Mr. Whitaker: Staff's recommendation is just the opposite, that the majority of parcel 79 is characterized by moderate to steep slopes which would not be suitable for commercial development. That is the basis of our recommendation.

Ms. Sara Rose: Parcel 73 is PC right next to it. Is it too steep too? Did we miss that one?

Mr. Whitaker: We made the recommendation that it is not good smaller parcel to the west. Think you have a letter from the Town of Farragut point out this property is quite some distance from Watt Lane and Palestine Lane. The sector plan proposes low density residential and slope protection on the steep part of this site. Creating a commercial development on this site would involve a very extensive amount of grading. How the other parcel was rezoned PC and how long it has been there, I do not know.

Mr. Michael Edwards: It has not developed in a highly populated residential area for some reason. The I-140 and I-75 has a lot to do with it. I think PC made sense before and this makes sense now. It is likely going to require a buffer which we can accomplish in PC between that and the neighborhood. Other than that we are looking at an interstate site. It makes sense to me as a commercial site.

MOTION (EDWARDS) AND SECOND (BUSLER) WERE MADE TO APPROVE PC (PLANNED COMMERCIAL) FOR THE ENTIRE SITE.

Mr. Charles Busler: Under PC you can require some slope protection on how they develop the property under the concept plan?

Mr. Whitaker: Typically when people have PC and they submit a concept plan they are going to show utilizing the vast majority of the site except for a little bit around the edges. The best way to require slope protection is not rezone it.

MOTION CARRIED 11-1. PC (PLANNED COMMERCIAL) APPROVED FOR PARCELS 75-79.

P 6-O-01-RZ LEXINGTON-SIMMONS, LLC
 South side Gilbert Dr., south of Live Oak Cir., Rezoning from A (Agricultural) to PR (Planned Residential) & CB (Business and Manufacturing). Tax ID 131 7,150,151, CB zone on 7, 150 & 151 south of creek. Commission District 5, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

* 6-P-01-RZ TRACY WEBB DBA RWSW LAND GROUP
 South side Westland Dr., east of Mourfield Rd., Rezoning from A (Agricultural) to PR (Planned Residential). Tax ID 144 64, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

* 6-Q-01-RZ CITY OF KNOXVILLE

East side Suburban Rd., south of Kingston Pike, Rezoning from No Zone to O-3 (Office Park). Tax ID 119 M D 23, Council District 2, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

18. USES ON REVIEW

Uses on Review recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

USES ON REVIEW - OLD

4-D-01-UR

MARVIN SHAFER

North side of Jenkins Rd., east of Summer Spring Blvd. Proposed use: Single and multi-family residential development in PR (Planned Residential) District. Tax ID 105 145,145.01,145.02,145.03, 145.04,192, Commission District 5, Northwest County Sector.

STAFF RECOMMENDATION: Approve the development plan subject to 5 conditions.

Mr. David Harbin: 4334 Papermill Drive, on behalf of the applicant and the engineer. We are asking that you approve according to staff recommendation.

Mr. Dan Thomas: 7508 Jenkins Drive
There are several deficiencies with this plan. There is the lack of parking area. There are no cul-de-sacs. Have to use somebody's driveway to turnaround. On the west side the setback needs to extend to 45 feet to protect the tree line and help the drainage problems. Main problem is it is only 200 foot wide. Trying to bring in three streets there, one street with two perpendicular spurs. There is not enough room to iron out all the problems. They started with 15 feet between houses and now they are down to 6 feet between houses. You would think that would be an aesthetic and safety concern. Urge you to reject this.

MR. LARRY SMITH LEFT THE MEETING AT THIS TIME.
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Mr. Michael Brusseau: Six feet is the minimum requirement for separation between buildings according to Codes. There are some that are right at six feet at the narrower portion.

Mr. Kelly: In this case, since they are not on lots there would not be a side yard setback. It is difficult to say you have to go beyond what the building code would require. I would say it is not our usual practice.

Mr. Whitaker: Some opposition has been because it is an unconventional product. These are houses that are being retained in one large property for rental purposes.

MOTION (BUSLER) AND SECOND (LEWIS) WERE MADE TO APPROVE STAFF RECOMMENDATION.

Upon roll call vote the Planning Commission voted as follows:

M. BROWN	NO
BUSLER	YES
DONALDSON	NO
EDWARDS	YES
FOSTER	YES
FOWLER	NO
LEWIS	NO
ROSE	NO
SMITH	OUT
VITTETOE	NO
WOLF	YES
FRENCH	YES

MOTION FAILED 6-5.

MR. LARRY SMITH RETURNED TO THE MEETING AT THIS TIME.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO DENY THE DEVELOPMENT PLAN. MOTION CARRIED 9-3. DEVELOPMENT PLAN DENIED.

P 5-B-01-UR E. DOYLE JOHNSON
East side of McCloud Rd., south of Blairwood Dr. Proposed use: Duplex development in RA (Low Density Residential) District. Tax ID 28 257.04, Commission District 6, North County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 5-G-01-UR DON MORTON (REVISED)
Northwest side of Gleason Dr., west of Highfield Rd. Proposed use: Addition of two single-family dwellings in rear in PR (Planned Residential) District. Tax ID 132 D F 34.01, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

P 5-M-01-UR HEMPHILL CORPORATION AND TRITEL COMMUNICATIONS, INC.
East side of Alcoa Hwy., south of Mount Vernon Dr. Proposed use: 180 foot monopole telecommunications tower in CA (General Business) District. Tax ID 122 O J 002, Commission District 9, South County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

P 5-Q-01-UR HUNTER DEVELOPMENT
West side of Dowell Springs Blvd., east side of Dick Lonas Rd., north of Middlebrook Pike. Proposed use: Shopping center in PC-1 (Retail and Office Park) & A-1 (General Agricultural) Districts. Tax ID 106 D A 8.09 & part of 9, Council District 3, Northwest County Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

USES ON REVIEW - NEW

- * 6-A-01-UR FRED BERRY
South side of W. Adair Dr., west of N. Broadway. Proposed use: Mausoleum in existing cemetery in R-1 (Single Family Residential) & O-1 (Office, Medical and Related Services) District. Tax ID 58 N D 047, Council District 4, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-B-01-UR FRED BERRY
South side of Tazewell Pike, east of Jacksboro Pike. Proposed use: Mausoleum in existing cemetery in R-1 (Single Family Residential) District. Tax ID 59 I A 010, Council District 4, North City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 6-C-01-UR GENERAL SHALE PRODUCTS CORP.
North side of Millertown Pike, east of Harris Rd. Proposed use: Mining and mineral extraction expansion (Total site area 107 acres -- expansion area 48 acres) in A (Agricultural) District. Tax ID 50 210 & 217, Commission District 8, Northeast County Sector.

STAFF RECOMMENDATION: Approve the request to expand the existing mining operation as shown on the development plan and limit the new area to be mined to the 24.72 acres permitted by the State of Tennessee, subject to 9 conditions

Mr. Dan Kelly: General Shale has 107 acres at this location. They are presently located on a 60 acre portion of the site. They are proposing to add a 47 acre tract to the property. Of that 47 acres they are adding to the mining site, the State has issued a mining permit for 24.72 acres. That is what they are asking the Planning Commission to consider the same. In reviewing the plan we looked at standards for the setbacks for excavation, access, hours of operation, etc. They have lead us to believe they will comply with all recommendations of the zoning ordinance. They have a NPDES water quality permit. There is a monitoring process that goes with the permit. They have an air quality permit with standards to meet in order to continue to operate. The issue comes down to the location for the use to occur. Staff believes the expansion of this facility at this location will not cause much impact. The impact of the existing area is already there. The expansion will operate just as they have in the past. We do not expect the operation to get anymore intense than it is now. There is no additional traffic impact. Mining operations are set forth in the Zoning Ordinance with standards they have to meet. This is where the raw materials are and that is why General Shale picked this location. Recommend approval.

Mr. John King: On behalf of applicant

Mr. Cecil B. Meek Jr: Attorney, 1902 Riverview Tower, 900 S Gay Street, On behalf of community opposition.

I also happen to be a resident of 6825 Millertown Pike approximately 1/2 mile from General Shale. This operation is moving toward my direction. This is a very significant matter to this community. This is a big time operation. It is not just a minor expansion. General Shale purchased approximately 100 additional acres. They had it on 60 acres at one time. They are going to permit a portion at a time. We want the same opportunity that General Shale has had to present our side of this issue for this community. It affects the community in a big way. We would like the opportunity to develop our position and present it to you. We ask that this matter be postponed to the next MPC meeting date.

Mr. King: I know the community knows about General Shale and understand the community periodically calls MPC to see if General Shale has filed another application there. We filed this application on time and they have had a good amount of time to know that this project was ongoing. I got a letter from Mr. Meek faxed to my office dated June 8 that pointed that the use on review scheduled for hearing on June 14 does not allow the community adequate time to properly prepare and asked me if I would agree to a postponement. I informed Mr. Meek I could not do that. General Shale is out of materials and needs to go forward today. If I thought the postponement was to discuss some problem or issue that would be different. This postponement is to build a larger crowd to try to oppose this. Urge you not to postpone.

Mr. Phil French If we postpone it 30 days, what is the probability that you will come back and be able to support what General Shale wants to do?

Mr. Meek: I say it would be very doubtful that we would be able to support their position. This is an operation that the court declared a long time that it is a nuisance. We should have the same opportunity. There is an issue we want to investigate. That is based on an aerial photograph I have here. It is our opinion that, in 1995 General Shale sought an extension of its permit of its old site by 3 acres on the Harbin property. It went to the State and got a permit. It has not, to my knowledge, ever come to the County, MPC and the County Commission to get a permit until this application. This aerial photograph tells us General Shale has been operating on this 3 acres. We think that is very material. We cannot get on the property; they do not allow anyone on the property. The aerial photograph shows a different story. We do not think staff has considered a lot of things. I think that our position will be that of opposition when we come back.

Mr. Larry Smith: I got a phone call from Mr. King earlier this week and he explained it. I appreciate what General Shale has meant to the community. With the comments that Mr. Meek has, I strongly believe we need to postpone to see if we could hold a community meeting and that you would notify us as Commissioners that we would like to attend to and see if we can iron out some of this.

MOTION (SMITH) AND SECOND (EDWARDS) WERE MADE TO POSTPONE UNTIL JULY 12, 2001 MPC MEETING.

Mr. Edwards: Mr. King says since 1960 General Shale has been a factor in the community. It is not going to hurt for them to wait 30 days to see if they can be a neighbor in the community. A mining operation is an incredibly aggressive function. Nothing is going to be hurt by encouraging both parties to see what they can agree on.

MOTION CARRIED 10-2. POSTPONED UNTIL THE JULY 12, 2001 MPC MEETING.

* 6-D-01-UR JOHN & BOB MCCALLIE
Northeast side of Cogdill Rd., south side of Yellow Pine Ln. Proposed use: Office / Warehouse development in PC (Planned Commercial) & TO (Technology Overlay) District. Tax ID 131 073.11, Commission District 6, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-E-01-UR DESIGN INNOVATIONS
Northwest side of Douglas Ave., northeast of Dora St. Proposed use: Expansion of existing church in R-1A (Low Density Residential) District. Tax ID 94 F N 10, 11, 12 & 13, Council District 6, Central City Sector.

STAFF RECOMMENDATION: Deny the development plan for an expansion of the existing church on this site.

Mr. Farris Eid: Design Innovations Architects, 1803 West Clinch Avenue.
I have with me the pastor at Bethel Apostolic. Bethel Apostolic is an inner city church in Mechanicsville established in 1970. We have asked for a use on review because we are adding one more lot to the property and doing a one lot subdivision and have to do a use on review. We are proposing an expansion onto the existing building. The property was added for the simple reason of expanding the church. That property was sold from the City of Knoxville to Bethel Apostolic to add onto the church and parking. The Community Development Department of the City owns the property immediately west of us which has two residential units on it. They are our neighbor and are not opposing our plans. MPC staff has recommended denial of our proposed use on review. HANDED OUT REBUTTAL ON THE DIFFERENT ITEMS MPC IS BASING ITS DENIAL ON, WHICH BECOMES A PART OF THESE MINUTES. There is also a letter from the City of Knoxville to Norman Whitaker in support of the project. Also in that letter you will note that KCDC had discussions with the City and they are in support of our expansion and the use on review. The church is needed in the community and we feel like we have the support of everyone involved to do what we need to do.

Mr. Phil French: We have a letter from the City of Knoxville saying they support the request. This came to us after staff's recommendation.

Mr. Norman Whitaker: Our objection is based on the size of the expansion relative to the lot it is going on.

Mr. Mike Brown: There are a lot of reductions and setbacks here. Do you have to have an expansion that big?

Mr. Eid: The existing facility is serving about 120 people. The proposed expansion, based on 24" per person, will only take then up to 179 people. What is happening now is the church and fellowship hall are all in the same space. We are adding a sanctuary to be a separate element than the existing building. We are adding more square footage, but not doubling the occupancy. The building is already right there. As far as the side yard setback, we are lining up with the existing building, we are not going out any further, yet that has to be a requested setback. We are taking the parking back and creating a landscape buffer improving what we have now with the variance. We only have about 18 parking spaces legally. We are providing 37 spaces parking. If look at the parking ratio we are improving the situation. All of those items are required because of the zoning. You are looking at a piece of property that has never been developed. This is an inner city property that has certain limitations on it.

Ms. Sara Rose: I think we should approve based on the support garnered from the City of Knoxville and I think they are doing something good.

MOTION (ROSE) AND SECOND (EDWARDS) WERE MADE TO APPROVE DEVELOPMENT PLAN.

Mr. Michael Brusseau: Read a list of 6 conditions to be placed on the approval, WHICH BECOMES A PART OF THESE MINUTES.

Mr. Eid: We have no problem with that. We will meet these conditions.

MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED WITH ADDED CONDITIONS.

6-F-01-UR EAST TENNESSEE CHILDREN'S HOSPITAL
North side of White Ave., west of Twenty Second St. Proposed use:
Commercial parking garage in O-1 (Office, Medical, and Related Services)
District. Tax ID 108 C B 32.01, 35, 36 & 37, Council District 1, Central
City Sector.

STAFF RECOMMENDATION: Approve the development plan for the
parking garage, subject to 7 conditions.

MS. ELLEN FOWLER RECUSED FROM DISCUSSION OR VOTING ON THIS ITEM.
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Mr. Tom Brechko: The variances have already been approved by the Board of Zoning Appeals. The applicant received a building permit for the foundation subject to their own risk. Staff recommendation for approval has one primary condition that has created the most problem for the applicant and that is the condition that the garage not exceed 4 stories in height. This condition is based on the fact that there is an existing single family neighborhood north of this site. Staff's concern in having a garage that is up to 75 feet in height and 500 feet in length that backs up to residential homes and basically creates a wall that for a couple of homes is only 50 feet back of the homes. Staff recommends

they reduce to 45 feet in high. Since this is an office zone it should act more as a transition zone for the commercial zone south. Also identified an additional variance needed because at some ends there is only 32 feet clearance instead of the 39 foot clearance required. Granting this variance to reduce would make more traffic problems with cars sticking out in the isles.

Mr. Rudy McKinley: Vice President and Chief Operation Officer, East Tennessee Children's Hospital, 2018 Clinch Avenue

We are only here to only take issue with the height restriction. I will point out why this is a very significant problem for us with what we have planned to do. I wrote in a letter to you that we have significant growth. We have become the pediatric center in East Tennessee by the State. Our growth has been better than 20% in emergency patient services. Total visits for this year will be around 110,000 visits to the hospital for inpatient, outpatient and emergency. Of that number 50,000 will be our emergency room visits this year. The plan we are submitting adds in excess of 90,000 square feet to the facility, adding 7 floors in the front quadrant and an additional floor at White Avenue. Discussed the expansion plans for the hospital. We have existing employee parking where this expansion is proposed. There were over 120 parking spaces dislocated because of that expansion. We have over 1100 of our 1315 employees that are here on a daily basis. As we grow we need to provide parking for employees. We did meet with the residents on April 26 and they concurred with our request realizing the full height of what we propose for the garage. On the elevations, the 75 foot request is on the railroad track end. Any adjacent residences do not realize the full effect of the height.

Mr. Michael Edwards: Fort Sanders is a very complicated, prominent place. We did an historic overlay and the residents, institutions and hospitals came together and understood they are a neighborhood. The reason this area was not in the historic overlay because it was understood that this area is a hospital corridor. They anticipated there was going to be growth over the years. What is driving this is that UT is phasing out of the pediatric care and Children's Hospital is going to have to grow. They have to work in phases. The garage is a product of existing employees and future employees. This growth has to occur.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION EXCLUDING CONDITION NO. 3 AS PER THE PLAN THEY SUBMITTED WITH VARIANCES. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED.

* 6-G-01-UR JOURNAL BROADCAST GROUP
West side of Amherst Rd., south side of Ridan Dr. Proposed use: 110' radio transmission tower in I-3 (General Industrial) District. Tax ID 106 D A 2.01, Council District 3, Northwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-H-01-UR WITHDRAWN PRIOR TO PUBLICATION

6-I-01-URROY BAXTER

South side of W. Governor John Sevier Hwy., west side of Old Maryville Pike Proposed use: Veterinary clinic in the CA (General Business) zone. Tax ID 147 C C 001, Commission District 9, South County Sector.

STAFF RECOMMENDATION: Approve the development plan subject to 4 conditions.

Ms. Michael Hoffstead: 3113 Topside Road.

Our property does not touch, but it is close enough that the noise is heard at our house. We are not opposed to a veterinary clinic but opposed to outdoor runs for boarding dogs. We do not want to come home and hear dogs and have our property value go down. Maybe a restriction could be made that the veterinary hospital cannot have outdoor runs for multiple dogs.

Mr. Roy Baxter:

3309 Hunter Hills, Sevierville

All the kennels will be inside for boarding dogs, or any other animals. The only outside activity would be one fenced in area to take the dogs out for walks and move around. No animals will be kenneled outside.

Mr. Mike Brown:

This backs up to the fire department? Are you okay with the condition that no outside dog runs or dogs left out overnight?

Mr. Baxter:

Yes.

MOTION (ROSE) AND SECOND (FOWLER) WERE MADE TO APPROVE DEVELOPMENT PLAN WITH ADDITION OF CONDITION OF NOT OUTSIDE DOG RUNS OR DOGS LEFT OUT OVERNIGHT. MOTION CARRIED 12-0. DEVELOPMENT PLAN APPROVED AS AMENDED.

6-K-01-URBALLOON CAPERS GIFTS & THINGS

South side of Lavender Ln., east of Ridgedale Rd. Proposed use: Balloon and gift delivery (professional decorating) in R-1 (Single Family Residential) District. Tax ID 79 K B 017, Council District 3, Northwest City Sector.

STAFF RECOMMENDATION: Approve the request for balloon and gift delivery at this location subject to 5 conditions.

Ms. Sheryl Snyder: 7116 Lavender Lane

Thank you for recommendation to approve. There was one stipulation that my delivery vehicle would have to be put off site. I have no where to keep it. It has no more intrusion than a RV or a boat in a yard or back yard. We are proposing to build an 8-foot fence in the next few weeks where the delivery vehicles will be parked.

Mr. Philip French:

I think the condition says to store if off premise or to remove the painting that reflects advertising. So there is an alternative to parking it off site.

- Ms. Snyder: The whole point of having the advertisement on that is when you are making a delivery to have the advertising on it. We spent quite a bit of money to get that done.
- Mr. Mike Brown: Could you not use magnetic signs that you could take off when you park it.
- Mr. Whitaker: Let me clarify staff's position on that one particular issue. This is a residential zoning district. There is supposed to be a very limited ability to have home businesses in a residential area. A home occupation should be undetectable to the rest of the neighborhood. It is essentially a rolling billboard. It changes the residential character of the neighborhood. There is some issue we need to get into as to whether there is any use of accessory buildings on this site in the business. The Zoning Ordinance prohibits accessory buildings on your property to be used as part of the business. If you are storing anything or using any storage buildings or sheds on the site in your business, that is a violation of the home occupation ordinance. It is our understanding you had an off site storage facility that you use.
- Ms. Snyder: We have rented two storage buildings at the Western Avenue Mini-storage. We have one storage shed that brought some things from the business that we were storing there, but it is not business-related stuff. We have a storage shed that we are storing things in, but it is not for our business.
- Mr. Edwards: Is this something like a drive-home vehicle. Whether it be people who are plumbers who drive their trucks home and Ace Plumbing Company is written on the side and they are parking it in the front yard or a Knox County Sheriff's department?
- Mr. Philip French: Do your subdivision regulations disallow RV's or personal vehicles that are used off premises?
- Ms. Snyder: I do not know anything about that.
- Mr. Dave Shapiro: 4909 Mandalay Road, Representing about 2/3 of the households in the Ridgedale Road neighborhood that includes Mandalay Road and Lavender Lane. About 9 people stood in opposition. We had a larger number at 1:30 which dwindled a bit.
We recognize that there are clear provisions for a home occupation even in a low density residential area like ours. However, those are subject to strict regulations and should be more or less undetectable. We believe the applicant is currently in violation and would be in violation in the future even if the use on review were approved with regard to Article 5, Section 12, paragraph A.3 & 4, "There shall be no change in the outside of the building or premises nor outdoor storage of anything or other visible evidence of the conduct of such home occupation other than one sign not exceeding 2 square feet in area, non illuminated and lying flat against the wall of the principle building." And "No home occupation shall be conducted in any accessory building." SUBMITTED PETITION AND PHOTOGRAPHS WHICH BECOME A PART OF THESE MINUTES.
I numbered the photographs. The first photograph shows a view of the property from the street showing the truck. I do not think an 8-foot fence

would cover the truck. It is certainly significantly larger than a typical plumbing truck. It does have a rather large sign on the side. Additionally, I am not sure when I saw the truck move last. You see it coming in and out of the neighborhood and all of our acquaintances mention it when they come in and out as well. It is certainly not an invisible home occupation. Photographs 2 & 3 show the back yard area shows trash and that it is unkempt. Felled trees, weeds, looks like outdoor storage of tables. There is an area under the deck where there are upended tables and I think that would also count as outside storage. Number 4 you can see the storage shed.

Mr. French: Are you aware of any inventory stored outside?

Mr. Shapiro: I do not live directly next to it. It is not really our place to snoop around someone else's property. I am given to believe there is material stored in the shed or under the deck. I do not know it for a fact. The truck is outside storage in itself.

Mr. French: I think you have tried to give us that impression today. Our concern is that she is in compliance with a home office occupation. One of those things we would be concerned about is whether there is outside storage. If that is the case, she is in violation. We cannot do anything about the yard.

Mr. Buz Johnson: The comment regarding the truck. I think the Zoning Ordinance allows someone to bring home one work vehicle. There are restrictions on size. In this case because it is a home occupation, you should not have a home occupation where you can tell something is going on there. The truck the way it is painted and positioned is really like an additional advertisement that really is not permitted through the regulations. She can only have that one small sign. That is why we included that condition.

MOTION (EDWARDS) AND SECOND (ROSE) WERE MADE TO APPROVE STAFF RECOMMENDATION

Mr. Shapiro: You said there were 5 conditions. What are they?

Mr. French: Read the conditions from the Staff Report.

MOTION CARRIED 11-1. DEVELOPMENT PLAN APPROVED.

* 6-P-01-UR SOREY CONSTRUCTION CO.
East side of Hart Rd., north side of S. Northshore Dr. Proposed use:
Detached single family subdivision in PR (Planned Residential) District. Tax
ID 154 66.01, Commission District 5, Southwest County Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

6-Q-01-UR LOUIS LAPOLLA JR.
Southeast side of Marconi Dr., south of Westmere Dr. Proposed use: Office
for home repairs business and approval of house as a duplex in R-1 (Single

Family Residential) District. Tax ID 106 G E 009, Council District 2, Northwest County Sector.

STAFF RECOMMENDATION: Deny the request for approval of a duplex at this location and Approve the request for an office for a home repairs business at this location subject to 5 conditions.

Mr. Michael Brusseau: This is an unusual request in that there are two separate uses being asked for approval. One is a home occupation and one is a duplex. The home occupation is an office for a home repairs business. It has been reported to staff that at times multiple vehicles associated with the business are parked on and off site. Other than that we feel it meets the requirements for approval. We have recommend approval of that with the condition that only one vehicle associated with the business can be there at one time.

As for the duplex, after receiving a complaint City Codes deemed the rear addition to the home on the back to be a duplex and referred them to MPC for use on review approval. The City Inspections Bureau reports that a permit was issued for construction of the rear addition, but not for a duplex. This is a correction to the staff report. It states no driveway permit was issued for the second driveway that serves the rear addition. We have since found out there was a driveway permit issued. The reason for it was stated for accessing a boat and a camper in the back yard. We feel the second driveway and second curbcut on Marconi Drive are inconsistent with the surrounding properties. We feel that the driveway also serves as a parking area for the duplex. Site does not meet any of the requirements of the City's One Year Plan for approval of a duplex. We also feel that it is incompatible with the surrounding single family neighborhood. Staff is recommending denial of the duplex and approval of the home office.

Mr. Louis Lapolla: 1532 Marconi Drive

I only have one vehicle; a half-ton pickup truck that has my company name on it. For 12 years I have always had my office in my home. I never have any customer come to me; I go to them. As far as the truck, it was told to me I could not have anything over a 26,000 pound truck. Before I got the half-ton pickup truck I have now, I had a Ford Cargo Van. The front of the home has no signs on it, it never has. As far as the duplex. It is not a duplex. When I put my plans in I met with the plumbing inspector, I met with the electrical inspector and at that time I was told we could not have a duplex. I said I am not trying to do a duplex. How this duplex business came about was a neighbor complained because we built an addition. We built an addition for my daughter and grandchildren to live close by. The electrical inspector told me we had to change the meter from a 200 amp to a 400 amp and put her own subpanel and that would be under the code of the City. He checked it, called KUB and they put in a meter. This was a year and one half ago. I did what they told me and got all my permits. They knew we were putting in a kitchen. It is attached to the back of my house. Should they ever move, I would be willing to sign anything that it will not get rented. It is for them. When I got the permits, this was not considered a duplex. The neighbors have gotten all upset and passed petitions around for everybody to sign. Some asked me why I was planning on changing it to R-2 and I said

I was not. I am happy with the way it is. On the other driveway, I made a plan and brought it up to the City and they approved it with the driveway coming from the street on the other side so my daughter could use it to get to her entrance. All of the sudden we learned we are not allowed to have that. I brought the permit up there and showed them. I made another drawing that maybe I could attach to my original driveway as a circular drive and come across the yard and curve around the yard so I can still get to the back of the yard to my fishing boat.

Mr. Phil French: Since you are saying it is not a duplex, you do not have a problem with staff denying the duplex use on review.

Mr. Lapolla: Not at all. I did not want it in the first place. I paid \$185 to come up and tell you I do not want what they don't want. I even told the lady next door that I was willing to sign the petition.

Mr. Brian Townsend 1100 Bladehill Drive. Representing the majority of the homeowners in the West Town Estates Subdivision and my father who lives adjacent to this. Concur with the staff recommendation to disapprove the duplex. In your packet we have included a plea from the homeowners. There were 101 people that signed the petition asking to disapprove the duplex. Also in non-concurrence with the staff recommendation, would like to see denial of the home office occupation as well. Attachment No. 7 in the package I provided showed pictures of the property. You will count 4 vehicles and 3 trailers for a total of 7 vehicles parked. The neighbors have tolerated his home office and construction for a long time. My mother was not the one that called MPC. That was another homeowner in the subdivision. Once we saw the use on review sign we organized everything. At times there are have been more than 9 vehicles on the property at one time. I know there is not shop on the site. It is our belief that there is quite a bit of equipment stored inside the garage. The vehicles on the property are never stored in the garage. We think that is because of lack of space. They do some construction work in the carport at times, usually during inclement weather, usually once or twice a month. Some business is being performed on the lot. The building permit to put the addition on the back was requested for 728 feet and they added essentially 1200 feet. The Building Inspector's office told us there has never been a final inspection. The inspector went out and all the work was closed off so they could not get access to the building. The Building Inspector's office required Mr. Lapolla to provide an engineer letter and pier and column posting and foundation, and that has not been done. The concern is the original permit was for an open deck on the back and they came back in to ask to close it in to make an addition. I was informed by the office of Building Permits that 5 building permits were issued and only 1 has had a final inspection. Four out of the 5 have been closed either due to time or the fact that the work was closed up. Mr. Lapolla knows the procedures. We feel he might have known what he was doing when he let those lapse or closed them off so they could not be inspected. We have seen his letter he submitted to MPC where he says there is not a duplex at that address. There are many people in the subdivision that provide housing for their siblings in times of need. I do not know of any others that need two kitchens, two washer dryer hookups, two living room, two separate bathrooms,

separate entrances, separate driveways that bring trash cans to the driveway on separate corners. It is our opinion that this is a duplex.

Mr. Phil French: What type of work do you do that your office is in your home?

Mr. Lapolla: We do commercial and residential repairs. I have a table saw and a radial arm saw which I use to fix cabinets. I do not have another storage building out back. My truck stays under the carport. On the carport, it is usually a couple of saw horses where I am painting or gluing something together. As far as 9 vehicles, I do not know where they got that from. My wife has a van, I have a pickup truck and my daughter has a van. My son visits and has a van. My son-in-law has a pickup truck. My brother-in-law and sister-in-law have a green van. They came in last night to visit.

Mr. Whitaker: We are recommending approval of the office operation only. That would not include doing repairs or construction work related to your business on your property. You have to do that at the place where you are contracted or a commercial place.

MOTION (ROSE) AND SECOND (DONALDSON) WERE MADE TO APPROVE STAFF RECOMMENDATION. MOTION CARRIED 12-0. DUPLEX DENIED AND OFFICE FOR A HOME REPAIRS BUSINESS APPROVED.

P 6-R-01-UR NATIONAL WIRELESS CONSTRUCTION, LLC
 South side of Town View Dr., across from Green Elementary School.
 Proposed use: 195' monopole telecommunications tower in O-1 (Office,
 Medical, and Related Services) District. Tax ID 95 H D 4.02, Council District
 6, Central City Sector.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

***** 6-V-01-UR ADRIANE E. & ROBERT H. DOBBINS
 South side of Kingsdale Dr., west of Noragate Rd. Proposed use:
 Accounting and computer programming office in R-1 (Single Family
 Residential) District. Tax ID 133 G A 005, Council District 2, West City
 Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

***** 6-EE-01-UR CITY OF KNOXVILLE - PARKS AND RECREATION DEPT.
 Northwest side of Shamrock Ave., southwest of Kenyon St. Proposed use:
 Public park/ballfield in R-2 (General Residential) District. Tax ID 81 C K 41 &
 42, Council District 5, Central City Sector.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

19. OTHER BUSINESS

Other Business items recommended for approval on consent are marked (*). They will be considered under Item 7 by one motion to approve.

OTHER BUSINESS - OLD

None

OTHER BUSINESS - NEW

- * 6-A-01-OB Consideration of one-year extension of Concept Plan for Overlook Estates, Unit 8, 6-SD-99-C.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-B-01-OB Consideration of two-year extension of Concept Plan for Whittington Creek Residential Development, Phase 8 (Hillshire, 106 Lots) 7-SA-99-C

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-C-01-OB Consideration of amendments to MPC FY 2000/2001 Budget.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- * 6-D-01-OB Consideration of amendments to MPC Employee Handbook.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- W** 6-E-01-OB Consideration of resolution authorizing MPC's Executive Director to execute documents related to a grant application in response to NASA Broad Agency Appeal BAA-01-OES-01, Opportunities for State, Local, Regional and Tribal Governments to Utilize NASA and Commercially Developed Data and Capabilities in Operations and Decision Support.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

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

Prepared by: Betty Jo Lamb

Approved by: Vi W. Whitmire, Administrative Services Manager

Approved by: Norman Whitaker, Executive Director

Approved by: Philip French, Chair

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