

# Draft Minutes

## March 8, 2018

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

The Metropolitan Planning Commission met in regular session on MARCH 8, 2018 at 1:30 p.m. in the Main Assembly Room, City/County Building, and Knoxville, Tennessee. Members:

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

Ms. Rebecca Longmire, Chair  
 Mr. Herb Anders  
 Ms. Gayle Bustin  
 Ms. Laura Cole  
 Mr. Art Clancy  
 Mr. Mike Crowder  
 Ms. Elizabeth Eason

\* \*

Mr. Mac Goodwin  
 Mr. Charles F. Lomax, Jr  
 Mr. Chris Ooten  
 Mr. Patrick Phillips  
 Mr. Jeff Roth  
 Mr. Scott Smith  
 Mr. Charles Thomas  
 Ms. Janice Tocher

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

### Agenda Item No.

### MPC File No.

### \* 2. APPROVAL OF MARCH 8, 2018 AGENDA.

THIS ITEM WAS APPROVED ON CONSENT.

### \* 3. APPROVAL OF FEBRUARY 8, 2018 MINUTES

THIS ITEM WAS APPROVED ON CONSENT.

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

Automatic postponements read

### POSTPONEMENTS TO BE VOTED ON READ

**MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO POSTPONE ITEMS 30 DAYS AS READ UNTIL THE APRIL 12, 2018 MEETING. MOTION CARRIED 15-0. POSTPONED 30 DAYS.**

Agenda Item No.

MPC File No.

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO POSTPONE ITEM 90 DAYS AS READ UNTIL THE JUNE 14, 2018 MEETING. MOTION CARRIED 15-0. POSTPONED 30 DAYS.**

***WITHDRAWALS REQUIRING MPC ACTION***

None

**Tabled Items** (Actions to untable items are heard under Agenda Item 4)

<u>KNOXVILLE CITY COUNCIL (REVISED)</u> Amendments to the City of Knoxville Zoning Ordinance regarding definitions, appropriate zone districts and development standards for various group living facilities.	12-B-13-OA
<u>METROPOLITAN PLANNING COMMISSION</u> Amendments to the City of Knoxville Zoning Ordinance regarding creating a mixed use zoning district for properties located in the area defined by the Bearden Village Opportunities Plan.	10-A-15-OA
<u>TREVOR HILL</u> Request closure of Forest Ave between eastern edge of Twelfth St. right-of-way and southwestern edge of World's Fair Park Dr. right-of-way, Council District 1.	11-A-14-SC
<u>WILSON RITCHIE</u> Request closure of Lecil Rd between Asheville Hwy. and N. Ruggles Ferry Pike, Council District 4.	3-F-10-SC
<u>HARRISON SPRINGS - EAGLE BEND DEVELOPMENT</u> a. Concept Subdivision Plan Southeast side of Harrison Springs Ln., northeast of Schaeffer Rd., Commission District 6.	4-SC-09-C
b. Use On Review Proposed use: Detached dwellings in PR (Planned Residential) District.	4-D-09-UR
<u>VILLAS AT MALLARD BAY - HUBER PROPERTIES, LLC</u> a. Concept Subdivision Plan Northeast side of Harvey Rd., south side of Raby Way, Commission District 5.	7-SC-15-C
b. USE ON REVIEW Proposed use: Detached residential subdivision in PR (Planned Residential) pending District.	7-H-15-UR
<u>GREEN BRIAR RETIREMENT COMMUNITY - JAMES LORD, GLEN GLAFENHEIN, MARGARET AVERY</u> a. Concept Subdivision Plan	4-SD-16-C

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MPC File No.

South side of W. Governor John Sevier Hwy., east of Government Farm Rd., Commission District 9.

b. USE ON REVIEW

4-I-16-UR

Proposed use: Detached Residential Subdivision, Apartments and Assisted Living Facility in PR (Planned Residential) District.

CREEKSTONE - RUFUS H. SMITH, JR. & CO.

a. Concept Subdivision Plan

1-SA-17-C

North side Strawberry Plains Pike, east of Creekside Ln., Commission District 8.

b. USE ON REVIEW

1-B-17-UR

Proposed use: Single family residential in PR (Planned Residential) up to 5 du/ac (pending) District.

CANTON HOLLOW WOODS - URBAN ENGINEERING, INC.

a. Concept Subdivision Plan

1-SD-17-C

Southwest side of Canton Hollow Rd., west of Edgewater Dr., Commission District 5.

b. USE ON REVIEW

1-G-17-UR

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

ANDES COURT - CORNERSTONE DEVELOPMENT, LLC

a. Concept Subdivision Plan

1-SF-17-C

Southwest side of Andes Rd, southeast of Ball Camp Pike, Commission District 6.

b. USE ON REVIEW

1-J-17-UR

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

HARDIGREE - HERRON ADDITION RESUBDIVISION OF LOT 9

12-SJ-13-F

North side of West Gallaher Ferry Dr, west of Hardin Valley Rd, Commission District 6.

RESUBDIVISION OF GEORGE HOSKINS PROPERTY

4-SE-14-F

North side of N. Ruggles Ferry Pike, on a private right of way known as Rugby Lane, Commission District 8.

CHILHOWEE HILLS BAPTIST CHURCH RESUBDIVISION OF LOT 1

5-SH-15-F

Northwest side of Asheville Hwy., north east of Macedonia Lane, Council District 6.

**U**

**FAERBER PROPERTIES**

**7-SL-15-F**

Southeast side of Westland Dr, south of Pellissippi Parkway, Commission District 5.

HOOD PROPERTY

7-SR-15-F

North side of Rhea Rd, southwest of Spangler Rd, Commission District 9.

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MPC File No.

	<u>FINAL PLAT OF THE JERRY SHARP PROPERTY</u> At the terminus of Goldfinch Ave and the east side of Ellis St, Council District 1.	9-SA-15-F
<b>U</b>	<b><u>BEAU MONDE, PHASE 3, RESUBDIVISION OF LOT 261 AND ADDITIONAL ACREAGE</u></b> Northeast side of Clingmans Dome Dr, northwest side of Chimney Top Ln, Council District 6.	<b>6-SF-16-F</b>
	<u>TARYN'S NEST</u> East side of Cate Road at the intersection Cateland Lane, Commission District 6.	2-SG-17-F
	<u>FOREST HOMES</u> South side of Forestdale Ave, west of Woodmont Rd, Council District 4.	5-SA-17-F
	<u>HARBOR CREST</u> East of S Northshore Drive off an un-named easement, Commission District 5.	9-SD-17-F
	<u>SHIPES ADDTION TO MASCOT RESUBDIVISION OF LOTS 13-16</u> Intersection of Shipetown Road and C Drive, Commission District 8.	1-SI-18-F
	<u>TANASI GIRL SCOUT COUNCIL, INC. (REVISED)</u> Southeast side Merchant Dr., east of Wilkerson Rd., Council District 5. Rezoning from A-1 (General Agricultural) & C-1 (Neighborhood Commercial) to RP-1 (Planned Residential).	4-J-14-RZ
	<u>GUSTO DEVELOPMENT, LLC</u> Southeast side Ball Camp Pike, northeast of Middlebrook Pike, Commission District 6. a. Northwest County Sector Plan Amendment From LDR (Low Density Residential) to C (Commercial). b. Rezoning From A (Agricultural) to CA (General Business).	10-F-15-SP 10-Q-15-RZ
	<u>SOUTHEAST COMMERCIAL, LLC</u> Northeast side Zion Ln., northwest of Ball Rd., Commission District 6. a. Northwest County Sector Plan Amendment From LDR (Low Density Residential) to O (Office). b. Rezoning From PR (Planned Residential) to OB (Office, Medical, and Related Services).	2-A-17-SP 2-A-17-RZ
	<u>SHADY GLEN LLC</u>	3-G-17-RZ

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MPC File No.

Northwest side Lovell Rd., northeast of Hickey Rd., Commission District 6.  
Rezoning from A (Agricultural) to PR (Planned Residential).

BUFFAT MILL ESTATES - CLAYTON BANK & TRUST

4-B-10-UR

South side of Buffat Mill Rd., north side of McIntyre Rd., Council District 4. Proposed use: Detached dwellings in RP-1 (Planned Residential) District (part pending).

VERIZON WIRELESS (FAULK & FOSTER REAL ESTATE INC.)

9-B-16-UR

North side Holston Dr, southeast side Martin Luther King Jr. Ave, south side Asheville Hwy. Proposed use: Commercial Telecommunications Facilities in C-3 (General Commercial) District. Council District 6.

RALPH SMITH (PLS) FOR DISNEY JOINT VENTURE

2-B-17-UR

East side of Cate Rd., directly east of Cateland Ln. Proposed use: 5 duplexes (10 dwelling units) in RA (Low Density Residential) and RA (Low Density Residential) pending District. Commission District 6.

MAC TOBLER

5-A-17-UR

South side of Forestdale Ave, west of Woodmont Rd. Proposed use: Detached residential subdivision in RP-1 (Planned Residential) District. Council District 4.

G.M. PROPERTIES

6-H-17-UR

Northwest side of Garden Dr, west of Jacksboro Pike. Proposed use: 4-plex in R-1A (Low Density Residential) District. Council District 4.

AARON PENNINGTON

8-E-17-UR

Southeast side of Deane Hill Dr., south end of Gerald R. Ford St. Proposed use: Mixed use building (residential and non-residential) in C-3 (General Commercial) District. Council District 2.

***ITEMS REQUESTED TO BE UNTABLED OR TABLED***

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO UNTABLE FAERBER PROPERTIES 7-SL-15-F AND BEAU MONDE, PHASE 3, RESUBDIVISION OF LOT 261 AND ADDITIONAL ACREAGE 6-SF-16-F. MOTION CARRIED 15-0. ITEMS UNTABLED.**

**CONSENT ITEMS**

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

COMMISSIONERS SMITH AND OOTEN RECUSED FROM VOTING ON THE CONSENT LIST.

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MPC File No.

**MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO HEAR THE CONSENT ITEMS AS READ. MOTION CARRIED 13-0-2.**

**MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO APPROVE CONSENT ITEMS AS READ MOTION CARRIED 13-0-2. APPROVED.**

**Ordinance Amendments:**

None

**Alley or Street Closures:**

None

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

**5. METROPOLITAN PLANNING COMMISSION**

**3-A-18-OYP**

One Year Plan Update 2018.

STAFF RECOMMENDATION: Approve.

Jeff Archer: Presented a Power Point presentation on the staff changes and updates and to show mapping tools.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 15-0. APPROVED.**

**Concepts/Uses On Review:**

**\* 6. CORNERSTONE COVE - STEVE BETHEL**

**12-SD-17-C**

**a. Concept Subdivision Plan**

Southeast side of Raby Way, northeast side of Harvey Rd.,  
Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-6 and the concept plan subject to 12 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**\* b. USE ON REVIEW**

**3-D-18-UR**

Proposed use: Detached Residential Subdivision in PR (Planned Residential), F (Floodway) and PR pending District.

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STAFF RECOMMENDATION: Approve the request for up to 7 detached dwellings and reduction of the peripheral boundary setback along the eastern boundary of lot #7 from 35' to 15' as shown on the concept plan subject to 2 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 7. RESUBDIVISION LOT 8, NORTHSORE TOWN CENTER**  
(4-12-18) East side Thunderhead Rd, north side Boardwalk Blvd., Council District 2.

**1-SE-18-C**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**8. COWARD MILL SUBDIVISION - HARDIN VALLEY LAND PARTNERS**

**a. Concept Subdivision Plan**

Northwest side of Coward Mill Rd., northeast side of Pellissippi Parkway., Commission District 6.

**3-SA-18-C**

STAFF RECOMMENDATION: POSTPONE the concept plan application until the April 12, 2018 MPC meeting as recommended by staff.

Tom Brechko

Recommend postponement due to:

- Knox County proposed road plans being accelerated
- TDOT eliminating or modifying median cuts on Pellissippi Parkway
- Two different plans submitted pending which route chosen
- Revised traffic impact study submitted late
- Stream still being evaluated by applicant and to be included on the plans once evaluated
- Need to allow time to be done correctly.

Dwight VanderVate, County Engineering

TPO is undertaking a corridor study of the Hardin Valley area.

Cherahala extension coming up faster than usual in capital program.

Preferred alignment on the eastern end of the property.

Explosive population in the area.

Concerned about the applicant's ability to develop faster than our ability to construct infrastructure.

Possible limitation on the number of building permits to be issued to let Mr. Bittle move forward somewhat.

Would like to be in design and right-of-way acquisition FY 2018 and construction by July 2019 to be opened by late 2019 or early 2020.

John King, PO Box 2325

Ask that you not postpone.

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County has identified where the road is going to go and will take traffic off Coward Mill at Hardin Valley.

Willing to go forward limiting number of building permits issued at this time and remainder issued whenever the County says the road construction is substantially complete. Talked about limiting the number of permits to no greater than 35.

Stream is a wet weather conveyance. That will be dealt with by engineering as we go forward with engineering plans.

Steve Wise limiting permits or ability to ask for final plat is a tool within your authority when waiting on infrastructure. Note that in past this was based upon staff recommendation and County recommendation based upon analysis.

Aaron Goin, Faith Promise Church

Concern is the road connecting to Faith Promise Lane will put more traffic with 4,000 to 5,000 people entering or leaving at the same time. Issue about closing Horseshoe Bend at Pellissippi which is our only exit now and would send every car across our property to exit.

Debora Pettit, 10451 Laurel Point Lane, representing 200 to 250 homeowners in the area.

Unanswered questions.

Need expert to look at the stream.

Main thing is traffic and the proposed project impacting traffic more.

Randy Wolfe own property to east

Stream originates across the road under Coward Mill Road and runs through my property with a spring that runs when have a lot of water. Two sinkholes on this property as big as this room.

Cindy Pionke

Shared plans with applicant and concern by the church regarding the number of people increasing and heading south toward Hardin Valley.

Option parallel to Pellissippi to close to church.

Makes sense to get further away from Pellissippi Parkway to east.

Going to continue discussions and have not met with Development Corporation yet.

Art Clancy

We approve plans based on engineering studies and we expect the concept to look close to what we approve.

Do not like to make decisions based on two different plans.

Gerald Green

National Wetlands Inventory identifies streams.



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Usually water runs year round and not just during wet weather events.  
And stream buffer could have significant impact on lot layout.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO  
POSTPONE CONCEPT AND USE ON REVIEW FOR 30 DAYS.  
MOTION CARRIED 15-0. POSTPONED UNTIL APRIL 12, 2018.**

**b. USE ON REVIEW**

**3-B-18-UR**

Proposed use: Detached Residential Subdivision in PR (Planned Residential) TO (Technology Overlay) District.

STAFF RECOMMENDATION: POSTPONE the use on review application  
until the April 12, 2018 MPC meeting as recommended by staff.

**9. SEVIER MEADOWS - SCOTT DAVIS**

**3-SB-18-C**

**a. Concept Subdivision Plan**

Northeast side of Maryville Pike, north of Rudder Rd., Commission District 9.

STAFF RECOMMENDATION: Approve variance 1 and the Concept Plan  
subject to 8 conditions.

Joe Levitt, 825 N Central St, 37917, Lawyer representing Daras Garden across Maryville Pike,  
Main concern is the drainage into Knob Creek from this property. Showed a FEMA map and topo map on the screen of Knob Creek and how water will flow toward Daras Garden and effect IC King Park.

Rick Webster, 2715 Maryville Pike  
A new parking lot is going in for IC King Park which would contribute more to flooding issue.  
Debris is buried under this property and people concerned about what that is.  
Residents have not had time to check out this project.

Bedros Bozdogan, on behalf of Susan and Nathan Rothchild family who owns Dara's Garden. (Handed out photos)  
Property takes on water with substantial rains.  
The hill is manmade from fill dirt and other materials have been buried there throughout the years and needs to be examined.  
Concern with traffic.  
Site line with traffic coming in out of this new neighborhood.  
Would affect our property and our business and clients adversely.  
Home dates to 1841 and we would like to protect that house.

Scott Davis, PO Box 11315, Knoxville, 37939  
Zoned in 2002 with no opposition.

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Proposing single family residential at density equal to or lower than zoned.

Sign was put up two days before the required date and then found in a ditch.

Tom Brechko

We found error in map which currently shows zoned PR at up to 3 du/ac but was rezoned to PR at 1-4 du/ac in 2002. We are changing now.

They have to submit a detailed stormwater plan before they can go forward.

Janice Tocher

Concerns about materials that might be in the landfill.

We need to protect potential homeowners.

Environmental studies should be done.

Support Dara's Gardens and the work they have done in the area.

Stream concerns me and the damage water might do.

Developer needs to talk to the community.

**MOTION (TOCHER) AND SECOND (THOMAS) WERE MADE TO POSTPONE 30 DAYS.**

Art Clancy & Jeff Roth

Staff has addressed concerns with condition number 4 on the demolition landfill and its remediation and condition number 5 hydrology they have to meet all requirements of Knox County Engineering.

They cannot put any runoff on the surrounding properties than is already there and could help the situation.

Engineering decides what is right.

Laura Cole

We have heard these measures are not always successful.

To say because we put controls on the property there will never be more water than should be released is optimistic at best.

We are developing more difficult property and being more about runoff concerns.

People want to know the process and who is going to determine whether or not that fill is contaminated?

Cindy Pionke

Engineering Public Works does not regulate asbestos, etc. but a GeoTech study to discuss the stability of the fill.

Environmental concerns would be Tennessee Department of Environment and Conservation.

Stormwater has been in touch with TDEC and are aware we are discussing this property.

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Call Stormwater Department on stream testing.

Davis

Doing remediation work.

Have done core drilling and appears to be asphalt and brick that came from tearing down Young High.

Have to get a permit from TDEC and that is my responsibility.

Very common to find something buried on property.

Today it is whether or not the conceptual plan is appropriate for the area and compatible with zoning.

Green

May learn more about remediation process during postponement.

May give staff chance to be more aware of what is currently there.

Tom Brechko

Neighbors had indicated that dumping had been on both sides of the creek and Mr. Davis not doing anything on the north side of the street. Possibly other neighbors could provide information to Mr. Davis about additional materials.

Variance is vertical curve of the road and not sight distance.

Scott Davis

As a developer it is common to find something buried on development sites.

We spend thousands of dollars to make the soil to where buyers can build a house on there.

We have to cut out the bad materials and sometimes put in GeoTech fabric whatever it takes to make sure that is compactable.

GeoTech comes in and does studies and compaction tests on lot to make sure can put a road on it.

These lots are about 200 feet deep backing up to Old Maryville Pike.

Chose to move our entrance away from being right across from Dara's Garden entrance.

Legacy Parks is going to enhance IC King Park and talking about walking trail all the way up Knob Creek.

Janice Tocher

Asking for postponement so developer can talk with Dara's Garden and people in the community to come up with ways to make this development compatible and not take away from the beauty.

Would like to see buffering and trees and creativity.

Concern about variance to sight distance with Maryville Pike being twisty and narrow.

Pat Phillips

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Think applicant is making due diligence and 30 days will not do anything.

Phil Knight, live on top of the hill William Henderson home off Rudder Road.

Landfill went in late 70's or early 80's.

East Tennessee Packing Company filled it for a month to 6 weeks with metal and whatever at the back of my house.

Roth

Do not think we should be making judgements about someone's private property being developed within the zoning regulations and rules we have set forth.

Mr. Davis took on a lot of responsibility knowing there was dumping there since Federal laws are involved in discovering hazardous waste.

Upon roll call the Planning Commission voted as follows:

Anders no

Bustin yes

Clancy no

Cole yes

Crowder no

Eason yes

Godwin yes

Lomax yes

Ooten no

Phillips no

Roth no

Smith no

Tomas yes

Tocher yes

Longmire no

Motion Failed 8-7

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE VARIANCE PER STAFF RECOMMENDATION. MOTION CARRIED 9-6. APPROVED.**

(Vote count opposite from above except Commissioner Eason kept her yes.)

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE CONCEPT PLAN PER STAFF RECOMMENDATION. MOTION CARRIED 9-6. APPROVED.**

(Vote count opposite from above except Commissioner Eason kept her yes.)

**b. USE ON REVIEW**

**3-C-18-UR**

Proposed use: Detached Residential Subdivision in RB (General Residential) & PR (Planned Residential) District.

STAFF RECOMMENDATION: Approve the Development Plan for up to 69 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25' along the southern property line, subject to 1 condition.

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 9-6. APPROVED.**

(Vote count opposite from above except Commissioner Eason kept her yes.)

\* **10. KING PROPERTIES - JOHN KING**

**a. Concept Subdivision Plan**

Southeast side Rather Rd, east of George Light Rd., Commission District 6.

**3-SC-18-C**

STAFF RECOMMENDATION: Approve variances 1-2 and the Concept Plan subject to 7 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

\* **b. USE ON REVIEW**

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

**3-E-18-UR**

STAFF RECOMMENDATION: Approve the Development Plan for up to 24 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25', subject to 1 condition.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Final Subdivisions:**

**P 11. TIMOTHY NEAL PROPERTY ASHEVILLE HIGHWAY**

(4-12-18) North side of Asheville Hwy., west of Neals Landing Road, Commission District 8.

**2-SJ-18-F**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 12. GOODISON PARK PHASE II**

(4-12-18) North side of George Light Road, west of Pellissippi Parkway, Commission District 6.

**2-SK-18-F**

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 13. HARDIN VALLEY WEST**

**2-SL-18-F**

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MPC File No.

(4-12-18) Northwest side of Hardin Valley Road, southwest of Conners Creek Circle, Commission District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **14. FORT SANDERS PARKWEST MEDICAL CENTER RESUBDIVISION** **3-SA-18-F**  
Between Sherrill Blvd, Park 40 North, and Park West Blvd., Council District 2 & County Commission District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **15. DANNY L & JANE E ANDERSON PROPERTY RESUBDIVISION OF LOT 1** **3-SB-18-F**  
Southeast terminus of Cox Lane, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **16. W. M. MCNEELY ADDITION RESUB OF PART OF LOT 6** **3-SC-18-F**  
Southwest side of Citrus St, north of Cecil Ave, Council District 4.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **17. THE PARK AT BABELAY, RESUBDIVISION OF THE COMMON AREA** **3-SD-18-F**  
Pond Run Way at Park Shadow Way, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **18. MOUNTAIN VIEW AUDITORIUM URBAN RENEWAL AREA RESUBDIVISION** **3-SE-18-F**  
West side of Patton Street, north side of E Summit Hill Drive, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **19. EDGEWOOD LAND AND IMPROVEMENT COMPANY** **3-SF-18-F**

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MPC File No.

**RESUBDIVISION**

At the intersection of Washington Avenue and Mitchell Street,  
Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Rezoning and Plan Amendments:**

**P 20. FORT SANDERS PARTNERS**

**2-D-18-RZ**

(4-12-18) Northwest side N. Broadway, south of Curtis Ln., Council District 4.  
Rezoning from C-6 (General Commercial Park) with conditions to C-6  
(General Commercial Park).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**\* 21. JOHNNY LEWIS EM JELLINEK CENTER**

**3-A-18-RZ**

Southeast side Hinton Ave., southwest of N. Central St., Council District  
4. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to  
O-1 (Office, Medical, and Related Services).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE  
O-1 (Office, Medical, and Related Services) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**\* 22. HARDIN VALLEY FARM DEVELOPMENT, INC.**

**3-B-18-RZ**

East side Sam Lee Rd., southwest of Solway Rd., Commission District  
6. Rezoning from PR/TO (Planned Residential/ Technology Overlay) at  
up to 2.5 du/ac to PR/TO (Planned Residential/ Technology Overlay) at  
up to 3 du/ac.

STAFF RECOMMENDATION: RECOMMEND that County Commission  
APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning  
at the increased density of up to 3 du/ac.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**23. BRYAN PETETT**

**3-C-18-RZ**

Northwest side McCloud Rd., southwest of Medaris Dr., Commission  
District 7. Rezoning from A (Agricultural) to PR (Planned Residential).

STAFF RECOMMENDATION: Approve RECOMMEND that County  
Commission APPROVE PR (Planned Residential) zoning at a density of  
up to 3 du/ac. (requested 5)

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Tom Holinbeck, 7827 Stillbrook Lane 37938

Concern is density. Wondered why density of Stillbrook not considered in density comparison.

If entrance to be put across from entrance to Stillbrook Lane, would like a 4 way traffic control to be put there to slow down traffic.

Ask for traffic study all the way down McCloud Road and where Andersonville and Hill Road intersect. Promised traffic light and still none.

Mike Brusseau

Used other developments zoned PR to compare density and this is RA. Density for Stillbrook is about 2.5 units per acre.

At recommended density a traffic study would be required.

Cindy Pionke, County Engineering

This FY year consultant working out intersection improvements at Hill, McCloud and Andersonville Pike.

Public hearings late this spring or early summer to share our thoughts for construction.

Construction money applied for fiscal year starting July 1.

Ask for sidewalks when in the parental responsibility zone.

Our project at McCloud Road intersection with Hill and Andersonville will be putting sidewalks in at the intersection.

James Butler, Sue Maniez, 7915 Micah

Micah was not considered in density for comparable properties.

Concern is traffic and accidents occurring. Rural Metro turned over trying to turn into McCloud.

Ann Victoria, 4317 McCloud Road

Would like condition for parental responsibility zone.

This property is in the middle of three schools.

Walking to school have to walk in the grass.

Would like a sidewalk on both sides of McCloud Road at the intersection as a condition.

Donald Framster, 4410 Mary Louis Lane

Submitted memo and represent Henderson Place Homeowners Association.

Issues are some kind of buffer protecting our property when the subdivision goes in.

Brian Petett 124 N Winston

Went to neighborhood meeting to resolve some issues, but traffic not able to be addressed yet.



Agenda Item No.

MPC File No.

Requested 5 units per acre and I need possibly 3.5 units per acre but survey not completed yet for total acreage. Maximum will not exceed 132 units.

Intend to leave a large buffer in the back and power line forms a large separation.

Dennis Fox, own Fruit and Berry Patch

Would probably lighten traffic impact with subdivision versus Fruit and Berry Patch.

**MOTION (PHILLIPS) AND SECOND (SMITH) WERE MADE TO APPROVE PR PLANNED RESIDENTIAL AT A DENSITY UP TO 3.5 DWELLING UNITS PER ACRE. MOTION CARRIED 15-0. APPROVED.**

A BREAK WAS TAKEN AT THIS TIME.

**MOTION (PHILLIPS) AND SECOND (CLANCY) WERE MADE TO AMEND THE AGENDA TO HEAR ITEM 31 AT THIS TIME. MOTION CARRIED 15-0. AGENDA AMENDED.**

- 31. Reconsideration of Section 3.05 A.2 of the Knoxville-Knox County Minimum Subdivision Regulations regarding sidewalk policy.**

**2-B-18-OB**

**MOTION (TOCHER) AND (THOMAS) WERE MADE TO REQUIRE SIDEWALKS IN ALL KNOX COUNTY SUBDIVISIONS ALONG WITH A PROVISION THAT ALTERNATIVE PEDESTRIAN SYSTEMS MAY BE CONSIDERED AND APPROVED AS NEEDED.**

Gerald Green

This is to reaffirm our earlier motion and implementation would be postponed to February 2019 to allow completion of Sidewalk Master Plan by Knox County, completion of the accessibility ADA assessment by Knox County, allow MPC staff working with Engineering staff to establish a list of criteria for waivers to this standard and MPC staff and some Commissioners to work with Engineering to allow a reduction in pavement widths when sidewalks required.

Scott Smith

Problem I had was blanket statement that every single subdivision will have sidewalks and we know that is not the case.

I think we can do this a better way and have language more similar to the staff recommended option in October that we did not approve.

Steve Wise, MPC attorney

Agenda Item No.

MPC File No.

The purpose for this is to remove any possibility of procedural error in the prior adoption.

I have opined repeatedly that the procedure was perfectly valid.

This is an expeditious resolution in everyone's mind that the appropriate procedure is being followed.

If this is passed procedurally in a way that satisfies their assessment of the propriety then the litigation will go away.

Art Clancy

Voting on this is not going to undo requiring sidewalks in every subdivision.

Oppose any motion that puts regulations on private sector before Knox County and public sector comes up with a solution for their end of connection and walkability.

This is just going to make it to where staff can analyze on a case by case basis.

This will not repeal what we did last time.

Jeff Roth

We hardly ever do not approve subdivisions in parental responsibility zones.

Chair Longmire

We are asking for sidewalks in subdivisions and not along every road in Knox County. It a start for connectivity.

There have been occasion we did not require sidewalks because developer said there would not be any children there.

This is done in response to developers saying they need to hear about requirements ahead of time.

Scott Smith

I want to improve what we did last time.

Upon roll call vote the Planning Commission voted as follows:

Anders	no
Bustin	yes
Clancy	no
Cole	no
Crowder	yes
Eason	yes
Goodwin	yes
Lomax	yes
Ooten	no
Phillips	yes
Roth	no
Smith	no
Thomas	yes

Agenda Item No.

MPC File No.

Tocher yes

Longmire yes

**MOTION PASSED 9-6. REAFFIRMED.**

**MOTION (PHILLIPS) AND SECOND (TOCHER) WERE MADE TO MAKE EFFECTIVE IN FEBRUARY 2019. MOTION PASSED 9-6. REAFFIRMED.**

Citizen asked if there was a waiver if not ready for reviews by the February 2019 date.

Gerald Green

We will do everything in our power to have all the criteria for waivers working with Engineering and Public Works to allow consideration of reduction in pavement width; and if we are not moving in a good direction by December, I will report back to this Commission.

Laura Cole

Would like to see the data and studies before we make decisions.

Jeff Roth

Might have been more prudent say the demand for sidewalks expires in February 2019 if we do not have a comprehensive policy. If we do not do anything, we are going to get sidewalks in every subdivision in Knox County.

Charles Thomas

As a commission we are going to be reasonable and look at each situation and not require something not needed.

COMMISSIONER PAT PHILLIPS LEFT THE MEETING AT THIS TIME.

**24. RANDY GUIGNARD**

Northeast side Beverly Rd., south of Oakland Dr., Commission District 2.

**a. North City Sector Plan Amendment**

From AG (Agricultural), SLPA (Slope Protection Area) & STPA (Stream Protection Area) to LDR (Low Density Residential), SLPA (Slope Protection Area) & STPA (Stream Protection Area).

**3-A-18-SP**

STAFF RECOMMENDATION: DENY the requested LDR (Low Density Residential), SLPA (Slope Protection), and STPA (Stream Protection) sector plan designation.

Randy Guignard, 5408 Fountaingate Boulevard

Would like 2.75 units per acre and feel like we can be responsible with it at 160 units.

Agenda Item No.

MPC File No.

We lose another 3 acres to railroad.  
Flood zone will be made into greenway.  
We did a concept plan and some property on slope analysis about 6 acres going down into the 15 to 25% zone.  
We looked at 62 foot wide lots.

James McMillan, 4715 McCampbell Drive  
Support MPC staff recommendation  
Property has many problems for development.

Mike Brusseau  
North Sector Plan shows this property as Agricultural because of how rough it is.  
Do not have information to be able to recommend any more.

Art Clancy  
Would recommend a higher density to be more creative in the concept plan to make it more acceptable. That is where we are going to look for creativity, greenways, buffers, and hillside regulations.

Elizabeth Eason  
Appreciate working with Legacy Parks, greenway, floodway and hilltop.  
Strongly like to see slope protection in our guidelines for no more than 20% disturbance in slopes over 25%.

Scott Smith  
Have to build a road at 30% slope adjoining a floodway 2000 feet back to the area you are developing and do not see how can afford that.

Longmire  
We would look at if it is appropriate for the community and the land and people.  
Industrial zoning is concerning.  
Reason obvious error or omission in plan.

**MOTION (CLANCY) AND SECOND (ANDERS) WERE MADE TO APPROVE LDR LOW DENSITY RESIDENTIAL, SLPA SLOPE PROTECTION AREA, AND STPA STREAM PROTECTION AREA.**

Upon roll call the Planning Commission voted as follows:

Tocher	no
Thomas	yes
Smith	no
Roth	yes
Ooten	yes
Lomax	yes
Goodwin	no

Agenda Item No.

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Eason yes  
Crowder yes  
Cole no  
Clancy yes  
Bustin no  
Ander yes  
Longmire yes

**MOTION CARRIED 9-5. LDR APPROVED.**

**b. Rezoning**

**3-D-18-RZ**

From RB (General Residential), I (Industrial) and F (Floodway) to PR (Planned Residential) & F (Floodway).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) & F (Floodway) zoning at a density of up to 1 du/ac. (Applicant requested 5 du/ac.).

**MOTION (CLANCY) AND SECOND (ROTH) WERE MADE TO APPROVE PR PLANNED RESIDENTIAL AT 2.75 DWELLING UNITS PER ACRE. MOTION CARRIED 9-5. APPROVED.**

**Uses on Review:**

**25. HUBER PROPERTIES**

**12-C-17-UR**

Southeast side of S. Northshore Dr., northeast of Choto Rd. Proposed use: Self Service Storage Facility in CN (Neighborhood Commercial) (k) District. Commission District 5.

STAFF RECOMMENDATION: Approve the development plan for up to 10,000 square feet of mixed use commercial/office space, a 30,650 square foot self-service storage facility, and the revised parking lot for the previously approved veterinary clinic, subject to 8 condition.

Randy Wolf, 12213 Warrior Trail, my business is on Coward Mill Road and longtime homeowners president.

We did not want commercial development in Choto.

What is out there is different from what was originally proposed.

Do not need self-storage place there.

Robert Elliott, 2013 Signalpoint Road, Bluffpoint subdivision

Been in warehouse business for 30 years and it is commercial use.

Many types of small businesses' use them to work out of to store inventory, tools and equipment and operate out of those.

This will devalue property in that area.

Proud of warehouses but do not want in my neighborhood.

John King, PO Box 2325

Agenda Item No.

MPC File No.

Study says there is a need for 51,000 square feet of storage to serve and area within a 2 mile radius with no competitors.  
Conditions call for landscaping and certain exterior.

John Huber, PO 23038, 37933  
Neighborhood commercial puts lots of restrictions on everything.  
Putting brick and stucco facing Northshore Drive.  
Not allowed to have outdoor storage which is more industrial type use.  
If store carpet they pull it out, measure it and operate out of buildings.  
Met with 12 neighborhood folks and fire department and they were satisfied.

**MOTION (LOMAX) AND SECOND (GOODWIN) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 14-0. APPROVED.**

**P 26. HARBWHITE PROPERTIES**

**1-A-18-UR**

(4-12-18) Southwest side of Bridgewater Rd., north side of I40/I75. Proposed use: Amend the previously granted Use on Review Condition #2. (3-J-15-UR / 3-12-2015) in PC-1 (Retail and Office Park) District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 27. STUART ANDERSON**

**2-B-18-UR**

(4-12-18) North side Boardwalk Blvd, west side Town Center Blvd. Proposed use: Medical office in PC-1(k) (Retail and Office Park) District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 28. B & B VENTURES LLC**

**2-D-18-UR**

(4-12-18) East side of Keller Bend Rd., northeast of Citadel Ln. Proposed use: Rural Retreat in A (Agricultural) District. Commission District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 29. TERRY ROMANS - ROMANS ENGINEERING**

**2-E-18-UR**

(6-14-18) South side of Washington Pike at the intersection of Murphy Rd. and Washington Pike. Proposed use: Self-Service Storage Facility in C-4 (Highway and Arterial Commercial) (k) District. Council District 4.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**\* 30. GREEN RIVER**

**3-A-18-UR**

North end of Festival Ln., southeast side of Bob Gray Rd. Proposed use: Increase total dwelling units from 101 to 102 for Dutchtown

Agenda Item No.

MPC File No.

Woods Subdivision in PR (Planned Residential) District. Commission District 3.

STAFF RECOMMENDATION: Approve the revised Development Plan for up to 102 detached dwelling units on individual lots for Dutchtown Woods Subdivision, subject to 1 condition.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

## **Other Business:**

- 31. Reconsideration of Section 3.05 A.2 of the Knoxville-Knox County Minimum Subdivision Regulations regarding sidewalk policy. 2-B-18-OB**

This item was heard earlier in the meeting after Agenda Item # 23.

- \* 32. Consideration of amendments to MPC's Employee Handbook. 3-A-18-OB**

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* 33. Consideration of two-year extension of concept plan for Dorchester - 3-SE-16-C. 3-B-18-OB**

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

## **Adjournment**

### **MOTION (COLE) AND (CLANCY) WERE MADE TO ADJOURN.**

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 4:54 p.m.:

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Prepared by: Betty Jo Mahan

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Approved by: Secretary for the Commission

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Approved by: Rebecca Longmire, Chair

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