



# Minutes

## September 14, 2017

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

The Metropolitan Planning Commission met in regular session on SEPTEMBER 14, 2017 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. Mac Goodwin
Mr. Herb Anders		Mr. Charles F. Lomax, Jr
Ms. Gayle Bustin		Mr. Chris Ooten
Ms. Laura Cole		Mr. Patrick Phillips
Mr. Art Clancy	A	Mr. Jeff Roth
Mr. Mike Crowder		Mr. Scott Smith
Ms. Elizabeth Eason	A	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 SEPTEMBER 14, 2017 AGENDA.**

THIS ITEM WAS APPROVED ON CONSENT.

**\* 3. APPROVAL OF AUGUST 10, 2017 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**

Arthur Seymour asked number 63 be postponed 30 days.

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**MOTION (CLANCY) AND SECOND (SMITH) WERE MADE TO POSTPONE ITEMS AS READ INCLUDING ITEM 63 FOR 30 DAYS UNTIL THE OCTOBER 12, 2017 MEETING. MOTION CARRIED 13-0. POSTPONED 30 DAYS.**

***WITHDRAWALS REQUIRING MPC ACTION***

**MOTION (CLANCY) AND SECOND (PHILLIPS) WERE MADE TO WITHDRAW ITEMS 26 & 47. MOTION CARRIED 13-0. WITHDRAWN.**

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

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

METROPOLITAN PLANNING COMMISSION 10-A-15-OA  
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.

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

WILSON RITCHIE 3-F-10-SC  
Request closure of Lecil Rd between Asheville Hwy. and N. Ruggles Ferry Pike, Council District 4.

WILLOW FORK - GRAHAM CORPORATION  
a. Concept Subdivision Plan 11-SJ-08-C  
Southeast side of Maynardville Hwy., southwest side of Quarry Rd., Commission District 7.

b. Use on Review 11-H-08-UR  
Proposed use: Retail subdivision in PC (Planned Commercial) & F (Floodway) District.

HARRISON SPRINGS - EAGLE BEND DEVELOPMENT  
a. Concept Subdivision Plan 4-SC-09-C  
Southeast side of Harrison Springs Ln., northeast of Schaeffer Rd., Commission District 6.

b. Use On Review 4-D-09-UR  
Proposed use: Detached dwellings in PR (Planned Residential) District.

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<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 South side of W. Governor John Sevier Hwy., east of Government Farm Rd., Commission District 9.	4-SD-16-C
b. USE ON REVIEW Proposed use: Detached Residential Subdivision, Apartments and Assisted Living Facility in PR (Planned Residential) District.	4-I-16-UR
<u>CREEKSTONE - RUFUS H. SMITH, JR. &amp; CO.</u>	
a. Concept Subdivision Plan North side Strawberry Plains Pike, east of Creekside Ln., Commission District 8.	1-SA-17-C
b. USE ON REVIEW Proposed use: Single family residential in PR (Planned Residential) up to 5 du/ac (pending) District.	1-B-17-UR
<u>CANTON HOLLOW WOODS - URBAN ENGINEERING, INC.</u>	
a. Concept Subdivision Plan Southwest side of Canton Hollow Rd., west of Edgewater Dr., Commission District 5.	1-SD-17-C
b. USE ON REVIEW Proposed use: Detached Residential Subdivision in PR (Planned Residential) District.	1-G-17-UR
<u>ANDES COURT - CORNERSTONE DEVELOPMENT, LLC</u>	
a. Concept Subdivision Plan Southwest side of Andes Rd, southeast of Ball Camp Pike, Commission District 6.	1-SF-17-C
b. USE ON REVIEW Proposed use: Detached residential in PR (Planned Residential) District.	1-J-17-UR
<b>U</b> <u><b>BEN H. MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1</b></u>	<b>2-SO-09-F</b>
Intersection of I-40 and McMillan Rd., Commission District 8.	
<u>HARDIGREE - HERRON ADDITION RESUBDIVISION OF LOT 9</u>	12-SJ-13-F
North side of West Gallaher Ferry Dr, west of Hardin Valley Rd, Commission District 6.	

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<u>RESUBDIVISION OF GEORGE HOSKINS PROPERTY</u> North side of N. Ruggles Ferry Pike, on a private right of way known as Rugby Lane, Commission District 8.	4-SE-14-F
<u>CHILHOWEE HILLS BAPTIST CHURCH RESUBDIVISION OF LOT 1</u> Northwest side of Asheville Hwy., north east of Macedonia Lane, Council District 6.	5-SH-15-F
<u>FAERBER PROPERTIES</u> Southeast side of Westland Dr, south of Pellissippi Parkway, Commission District 5.	7-SL-15-F
<u>HOOD PROPERTY</u> North side of Rhea Rd, southwest of Spangler Rd, Commission District 9.	7-SR-15-F
<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
<u>BEAU MONDE, PHASE 3, RESUBDIVISION OF LOT 261 AND ADDITIONAL ACREAGE</u> Northeast side of Clingmans Dome Dr, northwest side of Chimney Top Ln, Council District 6.	6-SF-16-F
<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>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).	10-F-15-SP
b. Rezoning From A (Agricultural) to CA (General Business).	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	2-A-17-SP

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From LDR (Low Density Residential) to O (Office). b. Rezoning From PR (Planned Residential) to OB (Office, Medical, and Related Services).	2-A-17-RZ
<u>SHADY GLEN LLC</u> Northwest side Lovell Rd., northeast of Hickey Rd., Commission District 6. Rezoning from A (Agricultural) to PR (Planned Residential).	3-G-17-RZ
<u>BUFFAT MILL ESTATES - CLAYTON BANK &amp; TRUST</u> 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).	4-B-10-UR
<u>VERIZON WIRELESS (FAULK &amp; FOSTER REAL ESTATE INC.)</u> 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.	9-B-16-UR
<u>RALPH SMITH (PLS) FOR DISNEY JOINT VENTURE</u> 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.	2-B-17-UR
<u>MAC TOBLER</u> South side of Forestdale Ave, west of Woodmont Rd. Proposed use: Detached residential subdivision in RP-1 (Planned Residential) District. Council District 4.	5-A-17-UR

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

**MOTION (CLANCY) AND SECOND (SMIRH) WERE MADE TO UNTABLE 9-SO-09-F AS READ. MOTION CARRIED 13-0. ITEM UNTABLED**

**MOTION (CLANCY) AND SECOND (SMITH) WERE MADE TO TABLE ITEMS 24 AND 54 AS READ. MOTION CARRIED 13-0. TABLED**

**CONSENT ITEMS**

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

John King requested item 40 be removed from consent.

Steve Muffler, 3017 Gibbs Drive ask that item 29 be removed.

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Rachel Samulski, 1432 Harvey Rd request item 6 be removed for discussion.

Kimberly Davis, 1443 Broome Rd verified item 25 still on consent.

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO HEAR THE CONSENT ITEMS AS READ EXCEPT ITEMS 6, 29 AND 40. MOTION CARRIED 13-0.**

**MOTION (CLANCY) AND SECOND (LOMAX) WERE MADE TO APPROVE CONSENT ITEMS AS READ EXCEPT ITEMS 6, 29 AND 40. MOTION CARRIED 13-0. APPROVED.**

**Ordinance Amendments:**

**5. METROPOLITAN PLANNING COMMISSION**

**9-A-16-OA**

Amendments to the Knoxville-Knox County Minimum Subdivision Regulations.

STAFF RECOMMENDATION: Approve the amendments.

Tom Brechko

The subdivision regulations have been postponed multiple times for a year due to sidewalk ordinance standards. Primary issues which keep coming back to us are when sidewalks would be required and timing of when sidewalks would be installed during subdivision development process. Our issue is that postponing the regulations because of the sidewalk issue probably would not bring an agreement with the entire planning commission as to the approach to be taken. So we are recommending to look at the four subsections of the sidewalk standards: 1) required sidewalks improvements, 2) sidewalk design and construction, 3) timing of installation of sidewalks, and 4) alternative pedestrian circulation system. Staff recommends voting on each of the 4 sections then vote on the other parts of the subdivision regulations. If adopted recommending effective date of January 2, 2018, to allow time to do workshops and go over the changes to the subdivision regulations.

Scott Smith

How would Planning Commission be able to predict if a property is going to have the sidewalk requirement on it? We have required sidewalks due to a proposed greenway with no right of way acquired or any existing anything but we were going to require sidewalks because that was on a map somewhere. One of our goals is to preserve slopes and trees and sidewalks make for additional clearing and flattening which leads to consequences such as additional grading, moving trees, etc. There are no builders here today and feel like a lot

of people would have input. I missed the last sidewalk committee meeting for some reason. Ask for a 30 day postponement. We would like to see building community involved in commenting.

Gerald Green

Trying to keep the possibility of sidewalks in place and this gives a bit more direction when near existing sidewalks making a connection, would provide access to some type of pedestrian generating facility, providing some better standards to guide staff and Commission on recommending sidewalks. Evaluation would be on a case by case basis using conditions set forth in Option 1 so that staff, Commission and development community would know when we may recommend sidewalks. There is a great deal of information on sidewalks and the subdivision regulations on our web page.

Chair Longmire

We have had developers that state they do not know when sidewalks will be required in making their plans. If we require them automatically in all subdivisions that include more than 12 lots or can be expanded into more than 12 lots then that is the standards. There are options for developers to show whether feasible or not due to slopes or whatever.

Brechko

Initially we were requiring sidewalks in all subdivisions. Then we went through the process to come with standards for both City and County. City moved forward with sidewalk standards separate from the subdivision regulations utilizing the draft walkability ordinance staff had prepared and County decided not to participate in walkability ordinance. Redirected to having standards as set out in Option 1 and 2.

**MOTION (SMITH) AND SECOND (CLANCY) WERE MADE TO POSTPONE FOR 30 DAYS ALL OF AGENDA ITEM 5.**

Upon roll call the Planning Commission voted as follows:

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

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Longmire no

**MOTION CARRIED 7-6. POSTPONED.**

Scott Smith

County did not have desire to have sidewalks mandatory in the County. Then it has come back that we are putting in the subdivision regulations. Industry understood that this was not going to be heard until January. Will contact home builders and let them know this is coming up for a vote on sidewalks.

Chris Ooten

I offered to go and meet with highway director about some of their pavement width standards so we could look at reduced pavement requirements and let those monies be used for sidewalks. I would have a lot of more confidence in this conversation if we could know that were keyed up. If we knew that was coming would be stronger for this.

Green

MPC will have contact with the Homebuilders and notify them and try to set up a meeting with Commissioner Ooten and Ms. Pionke.

**6. MPC**

**5-B-17-OA**

Amendments to the Knox County Zoning Ordinance to create a new Agricultural Preservation zoning district.

STAFF RECOMMENDATION: Approve the amendments.

Rachel Samulski, 1431 Harvey Road, family farm

Concern is a lot of farmers in ag community can be involved in this to help make it better. Voluntary is used in memo but do not see in ordinance.

Mike Brusseau

The new zone will not be forced on anyone but just the people that voluntarily request it. This implements a recommendation of the East Knox Community Plan which was to provide an option to help preserve agricultural land. This is for long term farming with an extra layer of protection for later. As far as State Law aware of Right to Farm act that exempts true agriculture from any review. If someone makes that case to us, then will not be required. State Law overrides any local ordinance. We emailed to 40 plus addresses that we knew of.

Laura Cole

I will help with contacts such as Neal Denton.



**MOTION (COLE) AND SECOND (LOMAX) WERE MADE TO POSTPONE 30 DAYS UNTIL OCTOBER 12, 2107. MOTION CARRIED 13-0. POSTPONED.**

**7. MPC**

**8-A-17-OA**

Amendments to the Knoxville Zoning Ordinance regarding wireless communication facilities that replaces the existing Article V, Section 20 - Commercial telecommunications facilities with Article V, Section 20 - Wireless Communication Facilities (WCF).

STAFF RECOMMENDATION: Approve the amendments to Article V, Section 20; Article V, Section 5; thirty-two zoning districts within Article IV, and rescinding the adoption of the Wireless Communications Facilities Plan.

Matt Harris, 211 Commerce Street, Nashville, Council for Verizon Wireless with Jacob Gibson.

We go on record to ask for additional consideration on the ordinances. Section D32 of the City Ordinance also applying to the County Ordinance ask that monopole and tower height be reconsidered for certain circumstances. Recommend lattice or guided tower for some. Higher could be appealed as Level 2 and go to Planning Commission. D.h1 setback requirements of 110% might be relaxed if it is a collapsing tower with letters from a structural engineer.

D.k stealth design concern is unclear as to latitude for staff to identify circumstances under which staff requires stealth such as tree or flagpole.

E. Summary of development standards has a 125 height limitation even if in office, industrial if within 250 feet of residentially zoned area. Want that to be removed to recognize use of property.

H.3 Level 2 review procedures – remove “characters or other features” or give greater clarity what these could be.

I. Ask that materials or standards be laid out so industry would know additional criteria to get an approval. Could add a reasonableness clause to avoid arbitrary decisions.

I.2 Demonstrating no existing towers to use – want qualified what other buildings or structures would need to be demonstrated. Intent is to show the structures that would be considered candidate and not all structures within a set area and would be tedious such as one story buildings.

N. 30 day notify change in ownership or use – ask for 90 days.

Jeff Archer

Most of these comments were received back in the May and June time. Some communities do look at a break point for setback. Staff thinks 110% is best approach. If a new tower is coming in there is a new requirement for a pre-application meeting. A lot of details can be

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hammered out in pre-application meeting. Now we can map the existing towers and surrounding structures in proposed service areas.

Art Clancy

Bigger towers and less public safety is not what we need. Cell tower companies need to do more due diligence. Hope we would not put up any towers designed to fail in their structure.

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

**8. MPC**

**8-B-17-OA**

Amendments to the Knox County Zoning Ordinance regarding standards for wireless communication facilities that replaces the existing Article 4, Section 4.92 - Standards for commercial telecommunications facilities with Article 4, Section 4.92 – Standards for Wireless Communication Facilities (WCF).

STAFF RECOMMENDATION: Approve the amendments to Article 3, Section 3.20; Article 4, Section 4.92; twenty-two zoning districts within Article 5, and rescinding the adoption of the Wireless Communications Facilities Plan.

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

**P 9. KNOXVILLE HISTORIC ZONING COMMISSION**

**9-A-17-OA**

(10-12-17) Update of Historic District Design Guidelines for existing Edgewood-Park City Historic District Zoning Overlay (H-1).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 10. METROPOLITAN PLANNING COMMISSION**

**9-L-17-RZ**

(10-12-17) E. Glenwood Ave. from I-40 to Spruce St.; Washington Ave. from the Standard Knitting Mill Complex to N. Chestnut St.; Jefferson, Woodbine, and E. Fifth Ave. and from the Standard Knitting Mill Complex to N. Cherry St., Council District 6. Rezoning from multiple zoning districts to multiple zoning districts with H-1 (Historic Overlay) and Design Guidelines.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**Alley or Street Closures:**

**\* 11 OBSIDIAN DEVELOPMENT**

**9-A-17-SC**

Request closure of Blackstock Ave between west R-O-W line of N.

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Seventeenth Street and northeast corner of parcel 094KQ004, Council District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

**12. METROPOLITAN PLANNING COMMISSION**

**7-A-17-CP**

East Knox Community Plan. Commission District 8 and Council District 4.

STAFF RECOMMENDATION: Approve the East Knox Community Plan updating the East County Sector Plan and amending the Knoxville-Knox County General Plan 2033.

Amy Brooks

Discussed the process and participation in the plan. Approximately 180 people participated in the 3 public meetings. Knox County funded and directed MPC to come up with a community plan to protect the character of the area in East Knox County. Recommendations

- Embrace and apply the land use development concept,
- Design and deploy a community discussion forum,
- Develop new zoning tools for
  - Agricultural zoning
  - Rural residential zoning,
  - Protecting the French Broad River Corridor,
  - Directing development to rural crossroads and development corridors,
  - Maintaining the rural experience through rural corridors, and
  - The Midway interchange
- Promote and enjoy the area.

Bob Wolfenbarger, 8416 Kodak Road 37914

People of Midway and Thorngrove communities have been trying to protect this area for 20 years.

We have the French Broad Corridor Study.

Appears Midway and Thorngrove communities were left out of the initial steering committee stage. We were unaware of a meeting called Ice Cream Social and left out of process initially.

This plan initiated as part of the zoning conditions for the Midway Road Industrial Park. Seems to encourage infrastructure development that would promote urban sprawl.

Feel like this study did not fully involve us.

Do not feel like it was a broad inclusive public process and there was any additional information gleaned that would protect our area.

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

**Concepts/Uses On Review:**

**13. ARBOR BROOK - DK DEVELOPMENT**

**a. Concept Subdivision Plan**

**8-SA-17-C**

North side of Beaver Ridge Rd., west of Windcrest Rd, Commission District 6.

STAFF RECOMMENDATION: Approve variances 1 & 2 and the Concept Plan subject to 8 conditions.

Danny Kirby, 255 N Peters Road, 37923

Asking to reduce peripheral setback from 35 down to 20 feet.

Would grade back because lots slope up on north side and would cut down to use the lots on south side of road.

The request was if we cleared trees would plant back a tree buffer.

Darla Sparks, 6816 Tempest Lane, 37931

Lowered setback got my attention.

Asked for a vegetative buffer of existing vegetation in the subdivision.

Ask for 15 foot front yard setback and realize BZA has to do that.

Have an example of the buffer plan and request added to record (submitted to Tom.)

Brooks Finley, 4730 Clairson Dr.

Also ask for buffer since backs up to a bunch of homes on Clairson.

Wetlands need to be preserved.

Gypsy Finley

Oppose because of traffic when come off Beaver Ridge they fly. More cars would overcrowd this.

Kirby

Pulling homes closer to the road would benefit everybody on peripheral setbacks.

Geo Services has done a study and we will meet all TDEC and Knox County requirements and try to stay out of the wet land area which are expensive.

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As far as traffic County Engineering would know that.

Beth Eason

Can we base our approval on setback approval from BZA?

Steve Wise

Have latitude to impose conditions on front setback. No guarantee 15 front setback variance would be approved.

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

**MOTION (CLANCY) AND SECOND (EASON) WERE MADE TO APPROVE PER STAFF RECOMMENDATION ADDING CONDITION NO. 9 OF A 25 FOOT TYPE II VEGETATIVE BUFFER ON THE NORTH SIDE. MOTION CARRIED 13-0. APPROVED.**

**b. USE ON REVIEW**

**8-I-17-UR**

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

STAFF RECOMMENDATION: Approve the development plan for up to 20 detached dwellings on individual lots and a reduction of the peripheral setback from 35' to 20' along the eastern and northern boundary lines subject to 1 condition.

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

**P 14. FIVE POINTS, PHASE 3**

**8-SB-17-C**

(10-12-17) Southeast side of Martin Luther King Jr. Blvd., southwest side of McConnell St., northwest side of Kenner Ave., and northeast side of S. Kyle St., Council District 6.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P 15. AVIAN FOREST - IRON FORGE, LLC**

**9-SA-17-C**

(10-12-17) **a. Concept Subdivision Plan**  
Southeast side of E. Raccoon Valley Dr., southwest of Raccoon Woods Rd., Commission District 7.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**P b. USE ON REVIEW**

**9-D-17-UR**

(10-12-17) Proposed use: Detached residential subdivision in PR (Planned Residential)

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District.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **16. WOODSON TRAIL - BRIAR ROCK PARTNER, LLC** **9-SB-17-C**
  - a. Concept Subdivision Plan**  
East of terminus of Creek Bank Ln., east of Chimney Rock Ln., Council District 1.

STAFF RECOMMENDATION: Approve the concept plan subject to 6 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **b. USE ON REVIEW** **9-F-17-UR**  
Proposed use: Detached residential subdivision in RP-1 (Planned Residential) District.

STAFF RECOMMENDATION: Approve the request for up to 30 detached dwellings on individual lots subject to 1 condition.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **17. THE WOODS AT CHOTO - BALL HOMES, LLC** **9-SC-17-C**
  - a. Concept Subdivision Plan**  
South side Choto Rd, southeast of S. Northshore Dr., Commission District 5.

STAFF RECOMMENDATION: Approve variances 1-6 and the Concept Plan subject to 7 conditions.

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

- \* **b. USE ON REVIEW** **9-I-17-UR**  
Proposed use: Detached residential neighborhood in PR (Planned Residential) District.

STAFF RECOMMENDATION: Approve the Development Plan for up to 89 detached dwellings on individual lots, subject to 1 condition.

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

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**Final Subdivisions:**

- \* **18. WILLIAM S. AND HANNA J. CUMMINGS PROPERTY** **9-SF-16-F**  
Bob Cummings Rd due east of W. Marine Rd., Commission District 9.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **19. THE TIMBERS** **7-SH-17-F**  
North side of Hurst Ln, east of E Beaver Creek Dr., Commission District 7.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 20. KILMORE PROPERTIES** **8-SJ-17-F**  
(10-12-17) South side of W Ford Valley Road, west of Stonecress Lane, Council District 1.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **21. ROY H BROWN S/D RESUBDIVISION OF LOT 49** **9-SA-17-F**  
Southwest side of Greer Road, southeast of Brown Drive, Commission District 7.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **22. JANEIL'S FIELDS** **9-SB-17-F**  
Northwest side of Greenwell Drive, east of Pedigo Road, Commission District 7.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **23. COLD SPRINGS ADDITION** **9-SC-17-F**  
Northwest side of Parkview Avenue, northeast of N Harrison Street, Council District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- T 24. HARBOR CREST** **9-SD-17-F**

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East of S Northshore Drive off an un-named easement, Commission District 5.

THIS ITEM WAS TABLED EARLIER IN THE MEETING.

- \* **25. BEN H MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1 9-SE-17-F**  
East side of Hobby Lane, South of I-40, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- W 26. RALPH TEAGUE PROPERTY, RESUBDIVISION OF LOTS 1 & 2 9-SF-17-F**  
North side of Teague Way, northwest of Greenwell Drive, Commission District 7.

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

File Number not assigned

9-SG-17-F

- \* **27. LKM PROPERTIES AT W EMORY ROAD AND CLINTON HIGHWAY RESUBDIVISION OF LOTS 1-3 9-SH-17-F**  
At the intersection of W Emory Road and Clinton Highway, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **28. HICKORY CREST, PHASE II 9-SI-17-F**  
North side of Hickory Creek Road, east of Lovelace Road, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- 29. GIBBS & MALONEY'S ADDITION TO FOUNTAIN CITY, RESUBDIVISION OF LOTS 1 & 3 9-SJ-17-F**  
At the intersection of Gibbs Drive and N Broadway, Council District 4.

STAFF RECOMMENDATION: Approve.

David Harbin, 4334 Papermill Dr., surveyor  
Plat meets all the requirements for finals.  
This subdivision did not create any of the variances for the garage and retainer wall in the front which are reasonable.



Steve Muffler, 3017 Gibbs Drive for Gibbs Drive Historic Neighborhood Association.

Ask for 30 day postponement to look at this.

Like to see a plan and see what variances are.

Plan is to subdivide into two lots and face one of the lots on Broadway.

In direct contradiction to 100 year old deed restrictions about lots facing Gibbs Drive as held up by appellant court two years ago.

Beth Eason

Spoke about the significant older house that marks entrance to the neighborhood.

Harbin

The house is remaining in place.

Robert A Whaley, 2805 Gibbs Drive, Owner

No one wants to live on Broadway.

More marketable if divided.

Muffler

Subdivision of this property puts our neighborhood in jeopardy.

Concern lots may be used for commercial purposes or a used car lot.

Wise

Final plats are required to be approved if they meet all of the requirements of the minimum subdivision regulations.

In this instance they don't because they ask for two variances they do not meet the minimum subdivision regulations.

Gerald Green

Variances are considered on the basis of the individual cases. Any questions regarding the subdivision in general or the variance and its impact on the approval is justification for denial.

**MOTION (EASON) AND SECOND (BUSTIN) WERE MADE TO DENY.**

Harbin asked for direction on what to correct on the plat and pointed out Commissioners had granted variances in the past for such structures.

Tom Brechko

The way this is being subdivided, the existing house has access off of Gibbs but the other lot shows no access easement across the lot with the house on it. Would at least need to address the access issue.

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**MOTION CARRIED 10-3. (ANDERS, PHILLIPS, SCOTT-NO) DENIED.**

- \* **30. RHYNE & PATTON** **9-SK-17-F**  
North side of Callahan Drive, west of I-75, Council District 3.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **31. JONES AND SUSONG ADDITION TO KNOXVILLE** **9-SL-17-F**  
At the intersection of N Central Avenue and W Quincy Avenue, Council District 2.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **32. LOVELL POINTE LLC** **9-SM-17-F**  
Northeast side of Lovell Road, south of I-40, Council District 2.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **33. MY SIX KIDS PROPERTY** **9-SN-17-F**  
North side of Sunflower Drive, at Kramer Way, Council District 2.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **34. BOYD'S GROUP PROPERTIES, LLC** **9-SO-17-F**  
East side of S Central Street, south of Jackson Avenue intersection, Council District 6.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **35. G C HUTSON RESUBDIVISION OF LOT 2 & P/O LOT 1** **9-SP-17-F**  
East side of Lindsay Place, north of Kingston pike, Council District 2.  
STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **36. LOVELL COVE** **9-SQ-17-F**

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North side of Yarnell Road, northwest of Lovell Road, Commission District 6.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **37. EDWARDS PLACE** **9-SR-17-F**  
 Northeast side of Edwards Place Blvd., east of Thompson School Road, Commission District 8.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **38. GROVER & MARGERY HUGHES PROPERTY** **9-SS-17-F**  
 South side of Clinton Highway at the intersection of Murray Drive, Council District 3.

STAFF RECOMMENDATION: Approve.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

### **Rezoning and Plan Amendments:**

- 39. KNOX COUNTY COMMISSION**  
 Southeast side Hardin Valley Rd., southeast of Steele Rd., Commission District 6.  
**a. Northwest County Sector Plan Amendment** **9-B-17-SP**  
 From RR (Rural Residential) to LDR (Low Density Residential).

STAFF RECOMMENDATION: DENY LDR (Low Density Residential) sector plan designation.

Arthur Seymour Jr, 550 W Main Ave, on behalf of the applicant.  
 Passed out a plan to Commission.  
 Proposal would allow 144 attached units with the same foot print and road structure that previously approved concept plan had.  
 Ask for planned residential at up to 5 dwelling units per acre.  
 Hardin Valley Road has been updated and four schools.  
 Knox County Law Director has stated Growth Policy Plan is not in effect.  
 Access is not an issue. Applicant owns property next to it for access.

Don Hubbard, 2128 N Campbell Station Road, 37932  
 Support staff recommendation to deny the higher density.  
 Topography for that many houses is unacceptable with runoff from clear cuts and grading.

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Additional houses and people will contribute to congestion and traffic. Access on Hardin Valley dumps traffic right down in front of the school.

Leo LeCamera, County Engineering  
Plan for 62 lots was approved contingent upon getting a grading easement on the property to the west but that did not get finished.

Tom Brechko  
Access is out of alignment and working with property owners on the southwest side to get additional property for alignment. A traffic impact study would be required and might require a third lane with right turn lane out and dedicated left turn lane in their own access.

Gayle Bustin noted increased from 62 units to 144 units with approximately 2 to 3 or 4 people in them.

Pat Philips made a motion to deny based on topography and lack of any changes in the sector.

**MOTION (PHILLIPS) AND SECOND (BUSTIN) WERE MADE TO APPROVE PER STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED**

**H.E. BITTLE III**

**b. Rezoning**

**6-G-17-RZ**

From PR (Planned Residential) at 1-2 du/ac to PR (Planned Residential) at up to 5 du/ac.

STAFF RECOMMENDATION: Approve DENY the requested increase in PR density, consistent with the denial recommendation on the associated sector plan amendment.

**MOTION (PHILLIPS) AND SECOND (CLANCY) WERE MADE TO DENY PER STAFF RECOMMENDATION. MOTION CARRIED 13-0. DENIED.**

**40. CLEAR WATER PARTNERS, LLC**

**7-D-17-RZ**

Southeast side Carmichael Rd., southeast of Valley Vista Rd, southwest of Pellissippi Pkwy., Commission District 6. Rezoning from BP (Business and Technology) / TO (Technology Overlay) to OB (Office, Medical, and Related Services) / TO (Technology Overlay).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning, subject to two conditions.

John Huber, PO Box 23038, 37933

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Asking for OB for apartment units and fall back of office and concern is density and use on review process.

Described the area surrounding this property and showed a proposed site plan by a power point presentation (scanned copy on file).

Have a reforestation plan for 25% of property and buffer plan.

John King

Ask for OB with no use on review.

Could suggest OB and leave condition 1 and replace condition 2 with "The maximum residential density of 12 dwelling units per acre is the permitted density by right in the OB zone and no higher density shall be permitted by way of a use on review application or otherwise. The residential density for this rezoning shall therefore be 12 dwelling units per acre." This eliminates possibility someone could come in later with more density than 12 dwelling units per acre and assure we could do a 12 dwelling unit per acre development removing density as issue under use on review.

Beth Eason

Use on Review is important to see what actually doing in this strip of hillside and ridgetop property.

If we say he can exactly 12 dwelling units per acre, then would be taking away tool to protect the hillside and steep slopes.

Mike Brusseau

Sector plan specifically addressed this property considering how steep it is with 16 acres of the 25 acres are over 25% slope.

Sector plan says site suitable for office development but must be subject to and use on review approval.

Clancy asked if more retaining walls would be used on the slopes.

Huber

No retaining walls planned.

Goal is to put trees back close to where they were with reforestation and provide needed housing in the area.

Property to the bottom of us is owned by The Development Corporation and we are talking with Todd Napier on the grading.

We are working with the Hillside plan.

Need 12 units of density just to make it work.

Have between 4,000 to 5,000 linear feet of sidewalks proposed.

Chris Ooten

Read from John King's note on condition no. 2 "The maximum residential density of 12 dwelling units per acre is the permitted density by right in the OB zone and no higher density shall be permitted by

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way of a use on review application or otherwise. The residential density for this rezoning shall thus be 12 dwelling units per acre.”

**MOTION (OOTEN) AND SECOND (CLANCY) WERE MADE TO APPROVE PER STAFF RECOMMENDATION SUBSTITUTING FOR CONDITION 2 “THE MAXIMUM RESIDENTIAL DENSITY OF 12 DWELLING UNITS PER ACRE IS THE PERMITTED DENSITY BY RIGHT IN THE OB ZONE AND NO HIGHER DENSITY SHALL BE PERMITTED BY WAY OF A USE ON REVIEW APPLICATION OR OTHERWISE. MOTION CARRIED 12-1. (EASON-NO). APPROVED.**

- \* **41. JAMES NOLES** **9-A-17-RZ**  
Northwest end Ancient Oak Ln., northwest of Airtree Ln., Commission District 3. Rezoning from PR (Planned Residential) to A (Agricultural).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE A (Agricultural) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **42. T & Y PROPERTIES DBA LANCE CUNNINGHAM FORD** **9-B-17-RZ**  
Northeast side Hero Rd., northeast of Rickard Dr., Council District 5. Rezoning from R-1 (Low Density Residential) to C-4 (Highway and Arterial Commercial).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-4 (Highway & Arterial Commercial) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **43. GEORGIA L. WALKER** **9-C-17-RZ**  
Northwest side Rickard Dr., southwest side Hero Rd., Council District 5. Rezoning from R-1 (Low Density Residential) to C-6 (General Commercial Park).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE C-6 (General Commercial Park) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **44. ALICE KACHELRIES** **9-D-17-RZ**  
Southeast side Creekhead Dr., west of Helmbolt Rd., Council District 3. Rezoning from A-1 (General Agricultural) to R-1 (Low Density Residential).

STAFF RECOMMENDATION: Approve RECOMMEND that City Council APPROVE R-1 (Low Density Residential) zoning.

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THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **45. FMS AD VENTURES** **9-E-17-RZ**  
 Northwest side Harvey Dr., southwest of Jacksboro Pike, Council District 4. Rezoning from R-1 (Low Density Residential) to R-1A (Low Density Residential).

STAFF RECOMMENDATION: RECOMMEND that City Council APPROVE R-1A (Low Density Residential) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **46. SOUTHERN HOMES & FARMS, LLC** **9-F-17-RZ**  
 Northeast side French Broad Ln., southeast of Asbury Cemetery Rd., Commission District 8. Rezoning from A (Agricultural) to RA (Low Density Residential).

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

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- W 47. JOHN H. KERR** **9-G-17-RZ**  
 Northwest end of Ford Pl., east of McCormick St., west side James White Pkwy., Council District 1. Rezoning from R-2 (General Residential) to RP-1 (Planned Residential).

THIS ITEM WAS WITHDRAWN EARLIER IN THE MEETING.

- \* **48. TURNER HOMES, LLC** **9-H-17-RZ**  
 North side George Light Rd., west side Pellissippi Pkwy., Commission District 6. Rezoning from A (Agricultural) / TO (Technology Overlay) to PR (Planned Residential) / TO (Technology Overlay).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 4 du/ac, as requested.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **49. HONEY BADGER PROPERTIES** **9-A-17-SP**  
 Northeast side Chapman Hwy., northeast side E. Circle Dr. Commission District 9.  
 a. South County Sector Plan Amendment From LDR (Low Density Residential) to GC (General Commercial).

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STAFF RECOMMENDATION: ADOPT RESOLUTION #9-A-17-SP, amending the South County Sector Plan to GC (General Commercial) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **b. Rezoning** **9-I-17-RZ**  
From A (Agricultural) to CA (General Business).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE CA (General Business) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **50. BENCHMARK ASSOCIATES, INC.** **9-J-17-RZ**  
Northeast side Staffordshire Blvd., northwest of W. Emory Rd., Commission District 7. Rezoning from CB (Business and Manufacturing) to A (Agricultural).

STAFF RECOMMENDATION: RECOMMEND that County Commission APPROVE A (Agricultural) zoning.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 51. IDEAL ENGINEERING** **9-K-17-RZ**  
(10-12-17) Northwest side E, Emory Rd., northeast of Fortner Ln., Commission District 7. Rezoning from RA (Low Density Residential) to PR (Planned Residential).

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**Uses on Review:**

- \* **52. CHEROKEE FARM DEVELOPMENT CORPORATION** **5-C-16-UR**  
North and south side of Momentum Way, west of Accelerator Way. Proposed use: Amendments to the Cherokee Farm Master Plan and Development Guidelines in BP-1 (Business and Technology Park) District. Council District 1.

STAFF RECOMMENDATION: Approve the proposed amendments to the approved Master Plan and Development Guidelines for the Cherokee Farm Innovation Campus subject to 9 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **53. R2R STUDIO, LLC JESSALYN FRISKE** **2-D-17-UR**



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Northeast of Valgro Rd, west of Sevierville Pike. Proposed use: Indoor/Outdoor Paintball & Airsoft Ranges in A (Agricultural) pending District. Commission District 9.

STAFF RECOMMENDATION: Approve the request for a 5.39 acre outdoor and approx. 50,000 square foot indoor paintball/airsoft range in the Agricultural zone, as shown on the attached plans, subject to 8 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**T 54. 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.

THIS ITEM WAS TABLED EARLIER IN THE MEETING.

**P 55. AARON PENNINGTON **8-E-17-UR****

(10-12-17) 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) & C-3 pending District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**\* 56. LANNY COPE **9-A-17-UR****

Northeast side of Oak Ridge Hwy., southeast of Jim Jones Ln. Proposed use: Commercial tree service and mulching facility in PC (Planned Commercial) District. Commission District 6.

STAFF RECOMMENDATION: Approve the request for a commercial tree service and mulching facility with a proposed office and shop building containing approximately 11,000 square feet as shown on the development plan subject to 10 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**\* 57. BLUEMONT GROUP, LLC **9-B-17-UR****

Southwest side of Western Ave., west of Shoppers Ln. Proposed use: Dunkin Donuts in SC-1 (Neighborhood Shopping Center) District. Council District 3.

STAFF RECOMMENDATION: Approve the development plan for a small restaurant with approximately 1,686 square feet including two drive-up stations for the drive-through window, subject to 7 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

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- \* **58. ROMANS ENGINEERING TERRY ROMANS** **9-C-17-UR**  
Southeast side E. Governor John Sevier Hwy, east of Burnett Creek Rd.  
Proposed use: Office/warehouse in PC (Planned Commercial) District.  
Commission District 9.

STAFF RECOMMENDATION: Approve the Development Plan for an office/warehouse building of approximately 9,000 square feet, subject to 6 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- P 59. FELLOWSHIP CHURCH** **9-E-17-UR**  
(10-12-17) West side Broome Rd, south of Middlebrook Pike Proposed use: Driveway connection to Broome Road for church in R-1 (Low Density Residential) District. Council District 2.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

- \* **60. URBAN ENGINEERING, INC** **9-G-17-UR**  
Southeast side of Lovell Rd., southwest side of Pellissippi Parkway.  
Proposed use: Church parking lot and building expansion in BP (Business and Technology) / TO (Technology Overlay) District. Commission District 6.

STAFF RECOMMENDATION: Approve the request for an expansion to the church parking lot and a building expansion for a storage area of approximately 580 square feet as shown on the development plan subject to 5 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **61. WEST LONSDALE BAPTIST CHURCH** **9-H-17-UR**  
East side Dayton St, south of Western Ave. Proposed use: Medical Clinic in R-2 (General Residential) District. Council District 3.

STAFF RECOMMENDATION: Approve the development plan for an approximate 1,400 sq ft medical clinic, subject to the following 3 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

- \* **62 SHERRILL HILL II, LLC** **9-J-17-UR**  
South side of Kingston Pike, west of Moss Grove Blvd. Proposed use: Commercial center in PC-1 (Retail and Office Park) (k) District. Council District 2.

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STAFF RECOMMENDATION: Approve the development plan for an additional mixed commercial building of approximately 2400 square feet for a total building area on this site of approximately 10,850 square feet, subject to 7 conditions.

THIS ITEM WAS APPROVED ON CONSENT EARLIER IN THE MEETING.

**63. C. HUNTER NELSON**

**9-K-17-UR**

Northeast side E. Martin Mill Pike, north side Lippencott St. Proposed use: Multi family residential development in RP-2 (Planned Residential) District. Council District 1.

THIS ITEM WAS POSTPONED EARLIER IN THE MEETING.

**Other Business:**

**64. Consideration of two-year concept plan extension for Cambridge Shores. Commission District 5. – 10-SD-15-C**

**9-A-17-OB**

STAFF RECOMMENDATION: Approve the two-extension of the concept plan for Cambridge Shores until October 2019.

Arthur Seymour Jr, 550 W Main Avenue for Ball Homes  
Ball Homes is putting in the infrastructure right now and anticipates finishing in November.

Ball Homes is fully compliant with the concept plan development plan for the property and have been working with the County.  
One year would be enough of an extension to complete the plan.

Chair Longmire suggested leaving it at a two year extension.

Elizabeth Wright, 10652 Sandpiper Lane, 37922 with several members of community.  
Asking for denial until all of our concerns have been addressed.

Rexanna Johnson, 10642 Sandpiper Lane  
Fear we have not properly articulated the issues we have.  
Question if our backyards have been considered.

Margaret Moore, 10612 Sandpiper Lane  
Detention basin has created a tremendous problem for my lot. Drains into my property which stays wet.  
Would like to see the geo tech study completed before this extension is awarded.  
Seems as if her problems are not being considered as a result of this concept plan and development.

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Rick Emmert, 10620 Sandpiper Lane  
Water runs out into a ditch and into Margaret's garage and her property. It does not run into the utility easement hardly at all. Drainage ditch is filled with rif raft and mud came out down the ditch through the middle of it.  
Ball Homes did try to fix the aesthetics but not the problem of the ditch. Bee hives have died out due to too much moisture.  
Submitted photos of the property.  
Retention pond is too steep to mow and full of mud with cracks.  
Mosquitos are very bad in the area.

Ryan Hickey, 1914 Pinnacle Point Way, Ball Homes  
Extension was filed for the final plat to be recorded.  
We have all intention of finishing by end of November.  
Met with Leo LeCamera, Dwight Van de Vate, and County engineers and are in compliance.  
Active construction site with work ongoing.

Laura Cole  
Project needs to move forward so problems do not sit any longer.  
Contact elected officials and take them pictures so they understand your conditions.

Leo LeCamera  
Detention pond is directed into the drainage easement. Does not stay in drainage easement because work done prior to this coming online. Dwight Van de Vate has hired an outside engineering firm to look at drainage issues and he is proposing remedies for the drainage to get through this subdivision and the one below to the lake.  
Reason is Ball Homes is here is when pulled permit it was 19 months into the two year window. They have only been working since May 2017 that is why extension requested.

Art Clancy  
Some of the remedies put into the plan may help the drainage issue.

Chair Longmire  
Suggested they call County Engineering and call Health Department on mosquitos.

Johnson  
Pond size is not the issue it is the number of houses and clearing and grading. Slopes are excessive and that is root of problem and should not have allows that many homes on this property.

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

## **Adjournment**

**MOTION (CLANCY) WERE MADE TO ADJOURN.**

There being no further business, the Metropolitan Planning Commission meeting was adjourned in order at 4:52 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.