

# AGENDA

## January 8, 2009

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

**Agenda Item No.**

**MPC File No.**

- 1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE
- \* 2. APPROVAL OF JANUARY 8, 2009 AGENDA
- \* 3. APPROVAL OF DECEMBER 11, 2008 MINUTES
- 4. POSTPONEMENTS, WITHDRAWALS, TABLINGS AND CONSENT ITEMS READ AND VOTED ON

Items to be automatically Postponed (Indicated with **P**)  
 Items to be voted on to be Postponed (Indicated with **P**)  
 Items to be automatically Withdrawn (Indicated with **W**)  
 Items to be voted on to be Withdrawn (Indicated with **W**)  
 Items to be voted on to be Tabled (Indicated with **T**)  
 Items to be voted on to be Untabled (Indicated with **U**)  
 Items to be heard on Consent requiring a vote (Indicated with **\***)  
 A list of Tabled items may be seen at the end of this Agenda.

**Items recommended for approval on consent are marked with (\*) and will be considered under one motion to approve at the beginning of the meeting. If you would like to discuss an item marked with (\*), approach the podium after the entire consent list is read and request that it be removed from the consent list.**

**Ordinance Amendments:**

- P 5. **METROPOLITAN PLANNING COMMISSION**

**11-A-07-OA**

Amendments to the City of Knoxville Zoning Ordinance creating a new R-4 (Residential/Office) District providing for a mix of such uses that are complementary in scale to adjacent residential neighborhoods.

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- P 6. METROPOLITAN PLANNING COMMISSION **8-A-08-OA****  
Amendment of the City of Knoxville Zoning Ordinance adding Section 4.1.2 (Cumberland Avenue District) to the proposed Article 4, Section 4 (Form Districts) to establish development regulations and standards for the area described in the Cumberland Avenue Corridor Plan. Council District 1.
- 7. METROPOLITAN PLANNING COMMISSION **10-A-08-OA****  
Amendment to the Knox County Zoning Ordinance to add landscape businesses as a use permitted on review in the Agricultural zone.

**Alley or Street Closures:**

None

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

- 8. METROPOLITAN PLANNING COMMISSION **1-A-09-OYP****  
Amendment to the City of Knoxville One Year Plan map, changing plan designations on certain interstates and other highway segments from OS (Open Space) to ROW (Major Rights of Way).

**Concepts/Uses on Review:**

- 9. TEAL CREEK, REVISED - LANDVIEW, LLC. **11-SE-08-C****  
**a. Concept Subdivision Plan**  
East side of Solway Rd., northwest of Gable Run Dr., Commission District 6.
- b. Use On Review **11-L-08-UR****  
Proposed use: Detached residential subdivision in PR (Planned Residential) District.
- P 10. WILLOW FORK - GRAHAM CORPORATION **11-SJ-08-C****  
(3/12/09) **a. Concept Subdivision Plan**  
Southeast side of Maynardville Hwy., southwest side of Quarry Rd., Commission District 7.
- P **11-H-08-UR****  
(3/12/09) **b. Use On Review**  
Proposed use: Retail subdivision in PC (Planned Commercial) & F (Floodway) District.

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- P 11. CATE ROAD DEVELOPMENT - CATE RD. DEVELOPMENT / WANIS RGHEBI**
- a. Concept Subdivision Plan** **1-SA-09-C**  
Northeast side of Cate Rd., north of E. Emory Rd., Commission District 6.
- P b. Use On Review** **1-F-09-UR**  
Proposed use: Detached residential subdivision in PR (Planned Residential) pending District.
- 12. WITHDRAWN PRIOR TO PUBLICATION** **1-SB-09-C**  
**1-A-09-UR**
- 13. CASCADE VILLAS, PHASE II - CASCADE FALLS, LLC**
- a. Concept Subdivision Plan** **1-SC-09-C**  
North side of Ball Camp Pike, across from Cascade Falls Ln., Commission District 6.
- b. Use On Review** **1-C-09-UR**  
Proposed use: Attached residential subdivision in PR (Planned Residential) District.
- 14. WORLD'S FAIR PARK, LOTS 8R-2 & 8R-3 (VICTORIAN HOUSES)** **1-SD-09-C**  
East side of Eleventh St., north side of Clinch Ave., Council District 1.

**Final Subdivisions:**

- 15. JOHNSTONE UNIT 2** **8-SZ-08-F**  
At the terminus of Calvert Lane, west of Havenstone Lane, Commission District 7.
- 16. FINAL PLAT OF HAYNES PROPERTY** **8-SGG-08-F**  
Northeast side of Ridgewood Rd., northeast of Edonia Dr., Council District 4.
- 17. HARDIN VALLEY CROWN CENTER RESUBDIVISION OF LOTS 3 & 4** **11-SO-08-F**  
South side of Hardin Valley Road between Schaeffer and Iron Gate, Commission District 6.
- 18. LECONTE VISTA** **11-SP-08-F**  
Kelly Lane near intersection of Kodak Road, Commission District 8.

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| <b>19.</b> <b><u>HART PROPERTY</u></b><br>East side of S. Molly Bright Rd, south side of Asheville Hwy.,<br>Commission District 8.                               | <b>12-SH-08-F</b> |
| <b>20.</b> <b><u>ROBERT &amp; SHARON MORTON PROPERTY</u></b><br>South side of Callahan Drive, south of Keck Road, Council District<br>3.                         | <b>12-SN-08-F</b> |
| <b>21</b> <b><u>WEST JACKSON STREET ADDITION RESUBDIVISION OF<br/>LOTS 17-23</u></b><br>N. Broadway at Jackson Avenue, Council District 6.                       | <b>1-SA-09-F</b>  |
| <b>22.</b> <b><u>MEADOWCREST, UNIT 1, RESUBDIVISION OF LOTS 37-39</u></b><br>North intersection of Fawnridge Lane and Windy Knoll Dr.,<br>Commission District 6. | <b>1-SB-09-F</b>  |
| <b>23.</b> <b><u>RONALD BEELER PROPERTY</u></b><br>Northeast side of Beelertown Road, northwest of Irwin Road,<br>Commission District 6.                         | <b>1-SC-09-F</b>  |
| <b>24.</b> <b><u>FLORA LONG PROPERTY</u></b><br>Southwest side of Tooles Bend, south of Inlet Dr., Commission<br>District 4.                                     | <b>1-SD-09-F</b>  |
| <b>25.</b> <b><u>EASTPORT SCHOOL</u></b><br>Corner of Bethel Ave. and McConnel St., Council District 6.  | <b>1-SE-09-F</b>  |
| <b>26.</b> <b><u>GATE LANE OFFICE DEVELOPMENT</u></b><br>North side of Nightingale Lane, west side of Gate Lane, Council<br>District 2.                          | <b>1-SF-09-F</b>  |
| <b>27.</b> <b><u>TERRA VISTA RESUBDIVISION OF LOTS 24-28</u></b><br>At the terminus of Shining Star Way, south of Oak Ridge Hwy.,<br>Commission District 6.      | <b>1-SG-09-F</b>  |
| <b>28.</b> <b><u>GILBERT HILLS</u></b><br>Gilbert Dr, west of Misty Springs Rd., Commission District 6.  | <b>1-SH-09-F</b>  |
| <b>29.</b> <b><u>BISHOPS COURT RESUBDIVISION OF LOTS 57-60</u></b><br>Southwest side of Bishops View Lane, north of Snyder Rd.,<br>Commission District 5.        | <b>1-SI-09-F</b>  |
| <b>30.</b> <b><u>FORT SANDERS ADDITION RESUBDIVISION OF LOTS 1-2</u></b><br>North side of Laurel Ave., southwest of Twenty-third St., Council<br>District 1.     | <b>1-SJ-09-F</b>  |

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- 31. GLENARD HARRINGTON & FURROW FAMILY PARTNERSHIP LP PROPERTY** **1-SK-09-F**  
North side of I-40, southeast side of Cogdill Rd., Council District 2.
- 32. J A UMBARGER PROPERTY RESUBDIVISION OF LOT 11R** **1-SL-09-F**  
Southeast side of Baldwin Ave., southeast of McCarty Ave., Council District 1.

**Rezoning and Plan Amendment/Rezoning:**

- 33. PROPERTIES DIVERSIFIED, INC.**  
Northeast side Central Avenue Pike, northwest side I-75, Commission District 6.
- a. North County Sector Plan Amendment** **8-B-08-SP**  
From LDR (Low Density Residential) to C (Commercial).
- b. Rezoning** **8-E-08-RZ**  
From RB (General Residential) to CB (Business and Manufacturing).
- P 34. METROPOLITAN PLANNING COMMISSION/CITY OF KNOXVILLE** **8-O-08-RZ**  
Area generally described from White Avenue to Lake Avenue between CSX Railroad Corridor and Seventeenth Street (See Map), Council District 1. Rezoning from C-3 (General Commercial), C-7 (Pedestrian Commercial), O-1 (Office, Medical & Related Services), O-2 (Civic & Institutional) and R-2 (General Residential) to Cumberland Avenue Form District.
- 35. JOHN KING (REVISED)** **11-B-08-RZ**  
Southwest side Edington Rd., northeast side Wells Rd., northwest side Willoughby Rd., Commission District 9. Rezoning from RA (Low Density Residential) to PR (Planned Residential).
- 36. CONTINENTAL 253 FUND, LLC (REVISED)**
- a. Northwest County Sector Plan Amendment** **11-B-08-SP**  
From TP (Technology Park), LDR (Low Density Residential) & SLPA (Slope Protection Area) to MDR (Medium Density Residential) & SLPA (Slope Protection Area).
- b. Rezoning** **11-F-08-RZ**  
From PC (Planned Commercial) / TO (Technology Overlay) & BP (Business and Technology) / TO (Technology Overlay) to PR (Planned Residential) / TO (Technology Overlay).

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- 37. TIM WALLER - WALLER CONSTRUCTION** **12-B-08-RZ**  
North and south sides Mynatt Rd., west of Bowling Ln., Commission District 7. Rezoning from A (Agricultural) to PR (Planned Residential).
- 38. THOMAS TIMM**  
Southeast side E. Oldham Ave., northeast of N. Central St., Council District 5.  
**a. One Year Plan Amendment** **1-A-09-PA**  
From LDR (Low Density Residential) to GC (General Commercial).  
**b. Rezoning** **1-A-09-RZ**  
From R-2 (General Residential) / IH-1 (Infill Housing Overlay) to C-3 (General Commercial) / IH-1 (Infill Housing Overlay).
- 39. WITHDRAWN PRIOR TO PUBLICATION** **1-B-09-PA**  
**1-B-09-RZ**
- 40. JANICE LOVEDAY**  
North side W. Governor John Sevier hwy., west of Maryville Pike, Council District 1.  
**a. One Year Plan Amendment** **1-C-09-PA**  
From O (Office) to GC (General Commercial).  
**b. Rezoning** **1-C-09-RZ**  
From O-1 (Office, Medical, and Related Services) to C-3 (General Commercial).
- 41. BLUE SKY INVESTMENTS**  
Southeast side Lovell Rd. southwest side Hickey Rd., Commission District 6.  
**a. Northwest County Sector Plan Amendment** **1-A-09-SP**  
From LDR (Low Density Residential) to C (Commercial).  
**b. Rezoning** **1-D-09-RZ**  
From RA (Low Density Residential) to CA (General Business).
- P 42. THREE HUGHS PROPERTIES, LLC**  
Northwest side E. Inskip Dr., northeast of Rowan Rd., Council District 5.  
**a. One Year Plan Amendment** **1-D-09-PA**  
From LDR (Low Density Residential) to O (Office).  
**b. Rezoning** **1-E-09-RZ**  
From R-2 (General Residential) to O-1 (Office, Medical & Related Services).

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- 43. WANIS RGHEBI** **1-F-09-RZ**  
Northeast side Cate Rd., southeast of Lexi Landing Dr., Commission District 6. Rezoning from A (Agricultural) to PR (Planned Residential).
- 44. ARMAND MARCUS SANDERSON** **1-B-09-SP**  
South side Ball Camp Pike, southwest of Fitzgerald Rd., Commission District 6.  
**a. Northwest County Sector Plan Amendment**  
From LDR (Low Density Residential) to LDR (Low Density Residential) & C (Commercial).  
**b. Rezoning** **1-G-09-RZ**  
From A (Agricultural) to PR (Planned Residential) & CA (General Business).
- 45. KEITH POPE/ BILLY MULLINS** **1-H-09-RZ**  
South side Division St., east side Cary St., Council District 6. Rezoning from I-2 (Restricted Manufacturing and Warehousing) to C-3 (General Commercial).
- 46. ASSOCIATED GENERAL CONTRACTORS OF AMERICA, KNOXVILLE BRANCH** **1-I-09-RZ**  
Northwest side Morris Ave., northeast side McClain St., Council District 3. Rezoning from I-3 (General Industrial) to C-6 (General Commercial Park).
- 47. DAY SPRING BAPTIST CHURCH** **1-J-09-RZ**  
Northwest side W. Oldham Ave., northeast side McSpadden St., Council District 5. Rezoning from C-3 (General Commercial) to O-1 (Office, Medical, and Related Services).
- 48. STEVE YOUNG- ODLE AND YOUNG ARCHITECTS** **1-K-09-RZ**  
Northeast side Pleasant Ridge Rd., south of Sycamore Dr., Council District 3. Rezoning from I-1 (Planned Industrial Park) to I-2 (Restricted Manufacturing and Warehousing).
- 49. TOM TATE** **1-E-09-PA**  
North side Osprey Point Ln., south of S. Northshore Dr. Council District 2. One Year Plan Amendment from OS (Open Space) to O (Office).

**Uses on Review:**

- 50. SAMUEL ANDREW JOHNSON** **12-D-08-UR**  
Northwest side of Judith Dr., north of Grandin Dr. Proposed use: Duplex in R-1 (Low Density Residential) District. Council District 1.

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| <b>51.</b> | <b><u>WITHDRAWN PRIOR TO PUBLICATION</u></b>  | <b>1-B-09-UR</b> |
| <b>52.</b> | <b><u>ODLE &amp; YOUNG ARCHITECTS</u></b><br>Northeast side of Pleasant Ridge Rd., south of Sycamore Dr.<br>Proposed use: Waste facility for food processing business in I-1<br>(Planned Industrial Park) District. Council District 3.   | <b>1-D-09-UR</b> |
| <b>53.</b> | <b><u>MIDDLEBROOK PIKE UNITED METHODIST CHURCH<br/>(FORMERLY JASON HUNT)</u></b><br>South side of Middlebrook Pike, east side of Vanosdale Rd. Proposed<br>use: Church parking expansion in R-1 (Low Density Residential) /<br>R-1E (Low Density Exclusive Residential) District. Council District 2. | <b>1-E-09-UR</b> |
| <b>54.</b> | <b><u>FORTRESS CORPORATION</u></b><br>South side of Kingston Pike, west side of Pellissippi Parkway.<br>Proposed use: Expansion of professional office and out patient<br>surgery in PC (Planned Commercial) District. Commission District  | <b>1-G-09-UR</b> |

**Other Business:**

- |            |   |                  |
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| <b>55.</b> | <b><u>Consideration of extension of the concept plan for Cagle<br/>Property Subdivision (2-SG-07-C).</u></b>                        | <b>1-A-09-OB</b> |
| <b>56.</b> | <b><u>Consideration of extension of the concept plan for Sonoma<br/>Park, corner of Valley View and Knox Lane (12-SG-06-C).</u></b> | <b>1-B-09-OB</b> |

**Adjournment**

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

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| <u>KNOX COUNTY ZONING ORDINANCE AMENDMENT</u><br>Definitions and development standards for adult oriented<br>establishments, including, but not limited to, bookstores and<br>motion picture theaters, and changes to related sections | <b>10-A-04-OA</b> |
| <u>KNOX COUNTY SCHOOLS</u><br>Request closure of Frazier St. between E. Magnolia Avenue and E.<br>Fifth Avenue, Council District 4.  | <b>1-C-08-SC</b>  |
| <u>HABITAT FOR HUMANITY</u><br>Request closure of Evans St between Bonny Avenue and south to<br>terminus at parcel 081PC003, Council District 1.   | <b>3-A-08-SC</b>  |
| <u>LAKEVIEW POINT</u><br>West side of Fredonia Rd., north of Merchant Dr., Council District 3.   | <b>1-SC-05-C</b>  |

<u>Agenda Item No.</u>	MPC File No.
<u>ROSEBAY PLACE</u> East side of Rosebay Rd., south of Garden Dr., Council District 4.	8-SB-05-C
<u>BUTLER HOMES ON GLEASON DR. - BUTLER HOMES &amp; CONSTRUCTION</u> a. Concept Subdivision Plan Northwest side of Gleason Dr., north of Ashton Ct., Commission District 5.	1-SG-08-C
b. Use On Review Proposed use: Attached residential subdivision in PR (Planned Residential) District.	1-J-08-UR
<u>WILLIAM H. HARRELL PROPERTY, RESUBDIVISION OF LOT 1R</u> Southeast side of Buffat Mill Rd., Council District 4.	1-SF-04-F
<u>HATAUB SUBDIVISION</u> West side of Hickory Creek Rd., north of Everett Rd., Commission District 6.	6-SY-05-F
<u>HILL PROPERTY</u> Northwest side of Greenwell Rd., northeast of Pedigo Rd., Commission District 7.	4-SG-06-F
<u>EMORY PLACE</u> Northwest side of E. Emory Rd, southwest of Bishop Rd, Commission District 6.	4-SX-06-F
<u>VARNELL PROPERTY ON DERRIS DRIVE</u> North side of Derris Drive, East of Wrights Ferry Road, Commission District 4.	5-SP-06-F
<u>PROPERTY OF J. RONALD SCHOOLCRAFT, JR.</u> Southeast side of Northshore Drive, southwest of Terrace Woods Way, Council District 2.	7-SU-06-F
<u>BEACON PARK PHASE I</u> South end of Chandler Road at Rogers Island Road, Commission District 5.	11-SQ-07-F
<u>DEWAYNE WHITT PROPERTY</u> North side of Wood Road, northeast of Majors Road, Commission District 8.	11-SW-07-F
<u>NATALIE ROBINSON PROPERTY</u> Northeast end of Nighbert Lane, northeast of Choto Road, Commission District 5.	12-SQ-07-F

<u>Agenda Item No.</u>	MPC File No.
<u>HENRY DAVENPORT FARM RESUBDIVISION OF PART OF LOT 18</u> South side of Woodlawn Pike, east of Southwood Drive, Council District 1.	8-SB-08-F
<u>ISAIAHS LANDING RESUBDIVISION</u> South side of S. Mall Road, south of East Towne Road, Council District 4.	8-SR-08-F
<u>DAVIN AND STURM RESUBDIVISION OF LOT 1R2</u> South side of Kingston Pike, south of Walker Springs, Council District 2.	10-SQ-08-F
<u>NORMAN SHAW</u> Northwest side Asheville Hwy., southwest of Grata Rd. One Year Plan Amendment from LDR (Low Density Residential) to O (Office). Council District 6.	4-H-06-PA
<u>OLIVER A. SMITH</u> Northeast side Lake Heritage Way, southwest side I-140, southeast of Westland Dr., Commission District 5.	
a. Southwest County Sector Plan Amendment From LDR (Low Density Residential) to O (Office).	6-H-06-SP
b. Rezoning From PR (Planned Residential) and CA (General Business) to OB (Office, Medical, and Related Services).	6-S-06-RZ
<u>FLENNIKEN HOUSING, L.P.</u> Northeast side Flenniken Ave., southeast side Maryville Pike, northwest of Martin Mill Pike, Council District 1. Rezoning from C-3 (General Commercial) to O-1 (Office, Medical, and Related Services).	7-L-08-RZ
<u>VICTOR JERNIGAN</u> North side Thorngrove Pike, east side Atchley Ln., Commission District 8.	
a. East County Sector Plan Amendment From A/RR (Agricultural/Rural Residential) & PP/OS (Public Parks & Open Space) to LDR (Low Density Residential).	8-D-08-SP
b. Rezoning From A (Agricultural) to PR (Planned Residential).	8-H-08-RZ
<u>SHERRILL HILL COMMERCIAL</u> South side of Kingston Pike at Market Place Blvd. Proposed use: Commercial Development in PC-1 (k) (Retail & Office Park), PC-1/H-1 (k) (Historic Overlay) District. Council District 2.	11-E-07-UR

Agenda Item No.

MPC File No.

REVEIZ CUSTOM HOMES, LLC

North side of Hardin Valley Rd., west of Westcott Blvd. Proposed use: Mixed Commercial Development in PC (Planned Commercial) District. Commission District 6.

11-J-07-UR

LISA HOSKINS

Northwest side of Merchant Dr., northeast side of Scenicwood Rd. Proposed use: Afterschool day care facility and family life center in R-1 (Low Density Residential) & R-2 (General Residential) District. Council District 5.

4-F-08-UR