

# AGENDA

## October 9, 2008

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 OCTOBER 9, 2008 AGENDA
- \* 3. APPROVAL OF SEPTEMBER 11, 2008 MINUTES
- 4. POSTPONEMENTS, WITHDRAWALS, TABLINGS AND CONSENT ITEMS READ AND VOTED ON

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Items to be automatically Withdrawn	(Indicated with	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Items to be voted on to be Withdrawn	(Indicated with	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

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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| <b>13.</b>   | <b><u>DOGWOOD COVE</u></b><br>Northwest side of Dogwood Drive, northeast of Wright's Ferry,<br>Commission District 4.                                    | <b>8-SV-08-F</b>  |
| <b>14.</b>   | <b><u>JOHNSTONE UNIT 2</u></b><br>At the terminus of Calvert Lane, west of Havenstone Lane,<br>Commission District 7.                                    | <b>8-SZ-08-F</b>  |
| <b>P 15.</b> | <b><u>FINAL PLAT OF HAYNES PROPERTY</u></b><br>Northeast side of Ridgewood Rd., northeast of Edonia Dr., Council<br>District 4.                          | <b>8-SGG-08-F</b> |
| <b>16.</b>   | <b><u>MANIS PROPERTY</u></b><br>Southeast intersection of Dutchtown Rd and Manis Ln, Commission<br>District 5.   | <b>9-SA-08-F</b>  |
| <b>17.</b>   | <b><u>CHARLES MCDANIEL ESTATE</u></b><br>Southwest side of Boruff Rd, northwest of Chauvin Ln, Commission<br>District 8.                                 | <b>9-SB-08-F</b>  |
| <b>18.</b>   | <b><u>WILDWOOD GARDENS PHASE IV</u></b><br>Liverpool Lane at Remagen Lane, Commission District 9.  | <b>9-SH-08-F</b>  |
| <b>19.</b>   | <b><u>COGDILL PROPERTY</u></b><br>North side of Sevierville Pike, north end of Basilfield Dr,<br>Commission District 9.                                  | <b>9-SJ-08-F</b>  |
| <b>20.</b>   | <b><u>PART REALTY &amp; TRUST COMPANY RESUBDIVISION</u></b><br>Northshore Drive at B Drive, Council District 2.  | <b>9-SP-08-F</b>  |
| <b>21.</b>   | <b><u>MAXWELLS ADDITION RESUBDIVISION OF LOTS 20-22</u></b><br>Intersection of W. 5th Avenue and N. Broadway, Council District 6.                        | <b>10-SA-08-F</b> |
| <b>P 22</b>  | <b><u>JAMES &amp; LOUISE KIYKENDALL PROPERTY</u></b><br>Southwest side of Foust Hollow Road, north of Daniels Road,<br>Commission District 8.            | <b>10-SB-08-F</b> |
| <b>23.</b>   | <b><u>LOYSTON HILLS UNIT 3</u></b><br>West side of Old Maynardville Pike, south of Loyston Road,<br>Commission District 8.                               | <b>10-SC-08-F</b> |
| <b>24.</b>   | <b><u>DIXIE MEADOWS 2ND ADDITION RESUBDIVISION OF<br/>LOTS 9, 12, 17-20</u></b><br>North side of Kingston Pike, east of Carr Street, Council District 2. | <b>10-SD-08-F</b> |

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| <b>25.</b> | <b><u>CAMPBELL'S POINT PHASE 3 RESUBDIVISION OF LOTS 25-31</u></b><br>Intersection of Campbell's Point Lane and Milledge Lane, Commission District 8.                      | <b>10-SE-08-F</b> |
| <b>26.</b> | <b><u>LOYSTON HILLS UNIT 2</u></b><br>Southeast side of Old Maynardville Pike, south of Loyston Road, Commission District 8.   | <b>10-SF-08-F</b> |
| <b>27.</b> | <b><u>MICHAEL E. &amp; PATRICIA A. STINNETT PROPERTY RESUBDIVISION OF LOT 3</u></b><br>South side of N. Wooddale Road at terminus of Mary Lay Lane, Commission District 8. | <b>10-SG-08-F</b> |
| <b>28.</b> | <b><u>CARL &amp; NANCY SIMMONS PROPERTY</u></b><br>Southeast side of E. Inskip Drive, southwest of Bruhin Road, Council District 5.  | <b>10-SH-08-F</b> |
| <b>29.</b> | <b><u>CITYVIEW AT RIVERWALK RESUBDIVISION OF LOTS 1-4</u></b><br>North side of W. Blount Avenue, west of Chapman Highway, Council District 1.                              | <b>10-SI-08-F</b> |
| <b>30.</b> | <b><u>BOYD HAYNES PROPERTY RESUBDIVISION OF LOTS 1-3</u></b><br>West side of Roberts Road, south side of McGinnis Road, Commission District 8.                             | <b>10-SJ-08-F</b> |
| <b>31.</b> | <b><u>THE PARK AT BABELAY UNIT 3</u></b><br>North of Babelay Road, east of Happy Acres Road, Commission District 8.  | <b>10-SK-08-F</b> |
| <b>32.</b> | <b><u>HUDSON PROPERTY</u></b><br>North of terminus of Faddis Lane, northwest of Atkins Road, Commission District 8.  | <b>10-SL-08-F</b> |
| <b>33.</b> | <b><u>ROOMS TO GO LOT 1</u></b><br>North side of Kingston Pike, east of N. Gallaher View, Council District 2.  | <b>10-SM-08-F</b> |
| <b>34.</b> | <b><u>COUCH MILLER RESUBDIVISION OF LOTS 1 &amp; 2</u></b><br>North side of Couch Mill Road, east side of George Miller Lane, Commission District 5.                       | <b>10-SN-08-F</b> |
| <b>35.</b> | <b><u>DAVIS-MOORE PROPERTY</u></b><br>East side of Woods-Smith Road, south side of Cougar Drive, Council District 3.   | <b>10-SO-08-F</b> |

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| <b>36.</b>   | <b><u>ELY PARK PHASE I</u></b><br>South of Millertown Pike, east of Ellistown Road, Commission District 8.                                   | <b>10-SP-08-F</b> |
| <b>P 37.</b> | <b><u>DAVIN AND STURM RESUBDIVISION OF LOT 1R2</u></b><br>South side of Kingston Pike, south of Walker Springs, Council District 2.          | <b>10-SQ-08-F</b> |
| <b>38.</b>   | <b><u>LONSDALE HOMES</u></b><br>Southeast of Texas Avenue and southwest of Sherman Street, Council District 5.                               | <b>10-SR-08-F</b> |
| <b>39.</b>   | <b><u>THE SHOPS AT MURPHY ROAD LOT 4</u></b><br>Southeast side of Washington Pike at Murphy Road, Council District 4.                        | <b>10-SS-08-F</b> |
| <b>W 40.</b> | <b><u>THOMAS GRAY BRANDON PROPERTY</u></b><br>South side of S. Northshore Drive at Forest Brook Road, Council District 2.                    | <b>10-ST-08-F</b> |
| <b>41.</b>   | <b><u>CONTINUUM COURTYARDS</u></b><br>Northwest side of E. Inskip Drive at intersection of Elder Road, Council District 5.                   | <b>10-SU-08-F</b> |
| <b>42.</b>   | <b><u>SHANNONDALE RETIREMENT CENTER</u></b><br>Intersection of Middlebrook Pike and Vanosdale Road, southwest quadrant., Council District 2. | <b>10-SV-08-F</b> |
| <b>43.</b>   | <b><u>DENNIS MAYHEW, SR. PROPERTY</u></b><br>Northeast side of Old Clinton Pike, northwest of W. Emory Road, Commission District 6.          | <b>10-SW-08-F</b> |
| <b>44.</b>   | <b><u>RICE FARM</u></b><br>At terminus of Rogers Island Road, northwest of Chandler Road, Commission District 5.                             | <b>10-SX-08-F</b> |

**Rezoning and Plan Amendment/Rezoning:**

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| <b>45.</b> | <b><u>CITY OF KNOXVILLE</u></b><br>East side of Sherlake Ln., west side of Hayfield Rd., south of Parkside Dr., Council District 2. Rezoning from No Zone to C-6 (General Commercial Park). | <b>3-R-02-RZ</b> |
| <b>46.</b> | <b><u>ROBERT PRYOR</u></b><br>Southwest side Pennell Ln., northwest of Oak Ridge Hwy., Commission District 6.<br><b>a. Northwest County Sector Plan Amendment</b>                           | <b>7-A-08-SP</b> |

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MPC File No.

From LDR (Low Density Residential) & STPA (Stream Protection Area) to C (Commercial) & STPA (Stream Protection Area).

**b. Rezoning**

**7-H-08-RZ**

From RA (Low Density Residential) to CA (General Business).

**47. JAMES R. GENTRY (REVISED)**

Northwest and southeast sides Ball Camp Pike, northeast of Bakertown Rd., Commission District 6.

**a. Northwest County Sector Plan Amendment**

**8-A-08-SP**

From LDR (Low Density Residential) to C (Commercial) and MDR (Medium Density Residential).

**b. Rezoning**

**8-C-08-RZ**

From A (Agricultural) & RA (Low Density Residential) to PC (Planned Commercial) & PR (Planned Residential).

**48. 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).

**49. VICTOR JERNIGAN**

North side Thorngrove Pike, east side Atchley Ln., Commission District 8.

**a. East County Sector Plan Amendment**

**8-D-08-SP**

From A/RR (Agricultural/Rural Residential) & PP/OS (Public Parks & Open Space) to LDR (Low Density Residential).

**b. Rezoning**

**8-H-08-RZ**

From A (Agricultural) to PR (Planned Residential).

**P 50. 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.

Agenda Item No.

MPC File No.

- 51. RECI / RUSS LEWIS**  
North side Middlebrook Pike, west of Keith Ave., Council District 3.  
**a. One Year Plan Amendment** **10-A-08-PA**  
From O (Office) to GC (General Commercial).  
**b. Rezoning** **10-A-08-RZ**  
From R-2 (General Residential) to C-3 (General Commercial).
- 52. MIDDLEBROOK PIKE UNITED METHODIST CHURCH**  
Southeast side Middlebrook Pike, east of Vanosdale Rd., Council District 2.  
**a. One Year Plan Amendment** **10-B-08-PA**  
From LDR (Low Density Residential) (R-1E) to LDR (Low Density Residential).  
**b. Rezoning** **10-B-08-RZ**  
From R-1E (Low Density Exclusive Residential) to R-1 (Low Density Residential).
- 53. PAUL TRAUSCH**  
Northwest side Essary Dr., southwest of Glenhaven Rd., Council District 4.  
**a. One Year Plan Amendment** **10-C-08-PA**  
From MDR (Medium Density Residential) to O (Office).  
**b. Rezoning** **10-C-08-RZ**  
From R-2 (General Residential) to O-1 (Office, Medical, and Related Services).
- 54. KNOXVILLE HABITAT FOR HUMANITY INC.**  
Southeast side Linden Ave., east of Nash Rd., Council District 6.  
**a. One Year Plan Amendment** **10-D-08-PA**  
From GC (General Commercial) to LDR (Low Density Residential).  
**b. Rezoning** **10-D-08-RZ**  
From C-3 (General Commercial) to R-1 (Low Density Residential).
- 55. KENT AND STEVE COPELAND**  
Northwest side Hillwood Dr., north of Dexter Ln., Council District  
**a. One Year Plan Amendment and South City Sector Plan** **10-E-08-PA**  
From MDR (Medium Density Residential), SWMUD-2 (South Waterfront Mixed Use District 2) & SLPA (Slope Protection Area) to HDR (High Density Residential) & SLPA (Slope Protection Area).  
**b. Rezoning** **10-E-08-RZ**  
From C-3 (General Commercial) to R-3 (High Density Residential).

Agenda Item No.

MPC File No.

- 56. CASEY & DANIEL COLLINS**  
North side Division St., northeast of Cox St., Council District 6.
- a. One Year Plan Amendment** **10-F-08-PA**  
From LI (Light Industrial) to MDR (Medium Density Residential).
- b. Rezoning** **10-F-08-RZ**  
From I-3 (General Industrial) to R-2 (General Residential).
- 57. FALCONNIER DESIGN CO.**  
South side Smith School Rd., southeast and northwest sides Will Merritt Rd., northwest side North Doane Ln., south of I-40, Commission District 8.
- a. East County Sector Plan Amendment** **10-A-08-SP**  
From A/RR (Agricultural/Rural Residential), SLPA (Slope Protection Area) & STPA (Stream Protection Area) to LDR (Low Density Residential), SLPA (Slope Protection Area) & STPA (Stream Protection Area).
- b. Rezoning** **10-G-08-RZ**  
From A (Agricultural) to PR (Planned Residential).
- 58. RITCHIE DEVELOPMENT PARTNERSHIP**  
North side Asheville Hwy., east side Lecil Rd., south side N. Ruggles Ferry Pike, Commission District 8.
- a. East County Sector Plan Amendment** **10-B-08-SP**  
From PDA (Planned Development Area) to C (Commercial).
- b. Rezoning** **10-H-08-RZ**  
From A (Agricultural) & RA (Low Density Residential) to CA (General Business).
- 59. NOLAN PROPERTIES, LLC**  
North side Old Callahan Dr., northwest of Callahan Dr., Council District 3.
- a. One Year Plan Amendment** **10-G-08-PA**  
From O (Office) to GC (General Commercial).
- b. Rezoning** **10-I-08-RZ**  
From O-1 (Office, Medical, and Related Services) to C-4 (Highway and Arterial Commercial).

**Uses on Review:**

- 60. BYRD & COOPER ARCHITECTS BARRY BYRD** **8-E-08-UR**  
Southeast side of Old Maynardville Pike, southeast of Cline Rd. Proposed use: Dog kennel in A (Agricultural) District. Commission District 8.

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| <b>61.</b>   | <b><u>ALBERTO &amp; GINNER MONROY</u></b><br>Southwest side of N. Cherry St., northwest side of Jefferson Ave.<br>Proposed use: Restaurant in C-1 (Neighborhood Commercial) District. Council District 6.   | <b>9-A-08-UR</b>  |
| <b>P 62.</b> | <b><u>DUTCHTOWN DEVELOPMENT PARTNERS</u></b><br>Northeast side of Oak Ridge Hwy., southeast of Jim Jones Ln.<br>Proposed use: 39,000 sq. ft. office/warehouse building in PC (Planned Commercial) District. Commission District 6.                                      | <b>10-A-08-UR</b> |
| <b>63.</b>   | <b><u>CORNERSTONE CHURCH OF KNOXVILLE, INC.</u></b><br>Northeast side of Heritage Lake Blvd., southeast of Lake Heritage Way<br>Proposed use: Parking expansion for existing church in PR (Planned Residential) District. Commission District 5.                        | <b>10-B-08-UR</b> |
| <b>64.</b>   | <b><u>JIM DICKSON</u></b><br>Northwest side of S. Northshore Dr., southwest side of Charlottesville Blvd.<br>Proposed use: YMCA facility in PR (Planned Residential) District. Commission District 5.   | <b>10-C-08-UR</b> |
| <b>65.</b>   | <b><u>PAULA STEPHENS</u></b><br>Southwest side of S. Peters Rd., northwest of Tyrone Dr.<br>Proposed use: Day care facility for up to 50 children in OA (Office Park) District. Commission District 5.  | <b>10-D-08-UR</b> |
| <b>66.</b>   | <b><u>UNITED ACOUSTICAL</u></b><br>North side of Neal Dr., northeast of Tice Ln.<br>Proposed use: 5,000 sq. ft. office/warehouse building in PC (Planned Commercial) District. Commission District 7.   | <b>10-E-08-UR</b> |
| <b>67.</b>   | <b><u>JOHNSON ARCHITECTURE, INC.</u></b><br>Northwest terminus of Electric Ave., southwest of Cogdill Rd.<br>Proposed use: Parking lot expansion for existing commercial business in PC (Planned Commercial) / TO (Technology Overlay) District. Commission District 6. | <b>10-F-08-UR</b> |
| <b>P 68.</b> | <b><u>CHESSER-KENNEDY COMMUNITIES</u></b><br>Northeast side of Cherokee Trail, west of Edington Rd.<br>Proposed use: Attached residential dwellings in RP-1 (Planned Residential) District. Council District 1.   | <b>10-G-08-UR</b> |
| <b>69.</b>   | <b><u>JOHN A. MURPHY</u></b><br>North of terminus of Horseshoe Bend Ln., northeast of Pellissippi Pkwy.<br>Proposed use: 10,000 sq. ft. commercial building in BP (Business and Technology) / TO (Technology Overlay) and F (Floodway) District. Commission District 6. | <b>10-H-08-UR</b> |

Agenda Item No.

MPC File No.

**70. FAITH PROMISE CHURCH**

**10-I-08-UR**

Northeast side of Pellissippi Pkwy., southeast of Horseshoe Bend Ln.  
Proposed use: Church expansion in BP (Business and Technology) /  
TO (Technology Overlay) District. Commission District 6.

**Other Business:**

**71. Consideration of Use Determination for a drive-thru express car wash at 513 North Cedar Bluff in the CN (Neighborhood Commercial) district.**

**10-A-08-OB**

**72. Consideration of Concept Plan extension for Shannon Valley Condominium (7-SH-06-C).**

**10-B-08-OB**

**73. Consideration of Fiscal Year 2008-09 Budget Transfer of \$28,000 Professional Services from FHWA grant to RTPC grant.**

**10-C-08-OB**

**Adjournment**

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

KNOX COUNTY ZONING ORDINANCE AMENDMENT

10-A-04-OA

Definitions and development standards for adult oriented establishments, including, but not limited to, bookstores and motion picture theaters, and changes to related sections

KNOX COUNTY SCHOOLS

1-C-08-SC

Request closure of Frazier St. between E. Magnolia Avenue and E. Fifth Avenue, Council District 4.

HABITAT FOR HUMANITY

3-A-08-SC

Request closure of Evans St between Bonny Avenue and south to terminus at parcel 081PC003, Council District 1.

LAKEVIEW POINT

1-SC-05-C

West side of Fredonia Rd., north of Merchant Dr., Council District 3.

ROSEBAY PLACE

8-SB-05-C

East side of Rosebay Rd., south of Garden Dr., Council District 4.

BUTLER HOMES ON GLEASON DR. - BUTLER HOMES & CONSTRUCTION

1-SG-08-C

a. Concept Subdivision Plan

Northwest side of Gleason Dr., north of Ashton Ct., Commission District 5.

<u>Agenda Item No.</u>	<u>MPC File No.</u>
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
<b>U</b> <u>COPPERLEAF</u> Northeast side of Heiskell Rd, northwest of E. Copeland Dr, Commission District 7.	9-SO-07-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>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

Agenda Item No.

MPC File No.

OLIVER A. SMITH

Northeast side Lake Heritage Way, southwest side I-140, southeast of Westland Dr., Commission District 5.

a. Southwest County Sector Plan Amendment

6-H-06-SP

From LDR (Low Density Residential) to O (Office).

b. Rezoning

6-S-06-RZ

From PR (Planned Residential) and CA (General Business) to OB (Office, Medical, and Related Services).

FLENNIKEN HOUSING, L.P.

7-L-08-RZ

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).

SHERRILL HILL COMMERCIAL

11-E-07-UR

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.

REVEIZ CUSTOM HOMES, LLC

11-J-07-UR

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

LISA HOSKINS

4-F-08-UR

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.