

- AP**..... Automatically Postponed
- P**.....Vote on to be Postponed
- W**..... Vote on to be Withdrawn
- T** (*A list of Tabled items may be seen at the end of this Agenda*) Vote on to be Tabled
- U** Vote on to be Untabled
- C**..... Heard on Consent requiring a vote

Items recommended for approval on consent are marked with a C 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 a C, you must be present at the meeting and request that it be removed immediately following the reading of the list by the Chair. The consent list will be posted by noon on Wednesday before the meeting.

For information regarding any agenda item, please visit our web site at knoxplanning.org/agenda. If you are not an applicant and you are interested in speaking during the meeting about a specific agenda item, visit knoxplanning.org/act no later than Thursday at 9:00 a.m. before the meeting to submit your request.

Item No.			File No.
1.		ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE	
2.	C	APPROVAL OF MAY 11, 2023 AGENDA	
3.	C	APPROVAL OF APRIL 13, 2023 MINUTES	
4.		POSTPONEMENTS, WITHDRAWALS, TABLINGS AND CONSENT ITEMS READ AND VOTED ON	

Item No.

File No.

City of Knoxville

LEVEL 1 HILLSIDE PROTECTION (HP) OVERLAY CERTIFICATES OF APPROPRIATENESS

None

ALLEY OR STREET CLOSURES

- 5. C** **CHEROKEE COUNTRY CLUB** **5-A-23-SC**
Request closure of Opal Ave. between its intersection with Gore Road and its eastern terminus, Council District 2.

STREET NAME CHANGES

None

PLANS, STUDIES, REPORTS

None

LEVEL 2 HILLSIDE PROTECTION (HP) OVERLAY CERTIFICATES OF APPROPRIATENESS

None

PLAN AMENDMENTS (NO ASSOCIATED REZONINGS)

None

REZONINGS AND PLAN AMENDMENT/REZONINGS

- 6.** **CRESCENT BEND DEVELOPMENT LLC** **4-M-23-RZ**
0 Central Avenue Pike / Parcel ID 068 078, Council District 5. Rezoning from AG (General Agricultural) and HP (Hillside Protection Overlay) to RN-6 (Multi-Family Residential Neighborhood) and HP (Hillside Protection Overlay).

- 6.1 C** **LAND DEVELOPMENT SOLUTIONS** **5-F-23-RZ**
0 Sherrill Boulevard and 517 Frank Gardner Lane / Parcel ID 119 01862 and 01846 (part of), Council District 2. Rezoning from C-G-2 (General Commercial) to O (Office).

Item No.**File No.****CONCEPT PLANS**

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| 7. | BUFFAT MILL ESTATES
5233 McIntyre Road and O Monte Vista Road / Parcel ID 060 P A 025 and 02501, Council District 4. | 2-SB-23-C |
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| 8. | JW CONSTRUCTION ON CEDAR LANE
0 and 1607 Cedar Lane / Parcel ID 058 I H 03402 and 03401, Council District 4. | 4-SB-23-C |
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| 9. | AP SHANNON HILLS SUBDIVISION
(30 days) 4900 Shannon Lane / Parcel ID 059 B A 035, Council District 4. | 5-SA-23-C |

SPECIAL USES

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| 10. | TACO BELL OF AMERICA, LLC (ROBERT SULLIVAN)
5613 Kingston Pike / Parcel ID 121 B B 035. Proposed use: Restaurant with drive-through in C-G-1 (General Commercial) District. Council District 2. | 4-D-23-SU |
| <hr/> | | |
| 11. | W HOLLY JANNEY
5412 Lonas Drive / Parcel ID 107 I B 01901. Proposed use: Existing duplex in RN-1 (Single-Family Residential Neighborhood) District. Council District 2. | 5-A-23-SU |
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| 12. | C MARY KATHERINE WORMSLEY / HATCHER-HILL PROPERTIES, LLC (FKA CRAIG REYNOLDS)
6502 Kingston Pike / Parcel ID 121 A C 00401. Proposed use: Drive-thru for Freddy's Frozen Custard in C-G-1 (General Commercial) District. Council District 2. | 5-B-23-SU |

Item No.**File No.**

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| 13. C | ROBIN SOUTH
1503 East Magnolia Avenue / Parcel ID 082 P L 022.
Proposed use: Drive-thru for existing bank branch in C-G-2 (General Commercial) District. Council District 6. | 5-C-23-SU |
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- | | | |
|--------------|--|------------------|
| 14. C | KRISTINE N. MOODY
2303 Washington Avenue / Parcel ID 082 J V 022. Proposed use: Market Garden in RN-2 (Single-Family Residential Neighborhood) District. Council District 6. | 5-D-23-SU |
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| 15. C | TYLER STINNETT
0 Saint James Avenue / Parcel ID 109 D B 024. Proposed use: Duplex in RN-2 (Single-Family Residential Neighborhood) District. Council District 1. | 5-E-23-SU |
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- | | | |
|--------------|---|------------------|
| 16. C | CARBON RIVERS, INC.
2635 Western Avenue / Parcel ID 094 A A 03101. Proposed use: Outdoor storage yard, secondary use in I-MU (Industrial Mixed-Use) District. Council District 5. | 5-F-23-SU |
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FINAL SUBDIVISIONS*None***PLANNED DEVELOPMENT***None*

Item No.

File No.

ORDINANCE AMENDMENTS

17. C **CITY OF KNOXVILLE** **5-A-23-OA**
 Consideration of an amendment to the Knoxville City Code, Appendix B, Zoning Code, Article 11.1. B., Off-Street Parking, Applicability, clarifying when a parking lot addition, improvement, or change in use would necessitate compliance with the Parking Lot Ordinance and Article 11.1.C, removing this section from the ordinance. All Districts.

18. C **CITY OF KNOXVILLE** **5-B-23-OA**
 Consideration of an amendment to the Knoxville City Code, Appendix B, Zoning Code, Article 12.5, Parking Lot Perimeter Landscape Yard, and Article 12.6, Interior Parking Lot Landscape Yard, deleting language regarding parking lot expansion or improvements. All Districts.

OTHER BUSINESS

19. C **CITY OF KNOXVILLE** **5-A-23-OB**
 Consideration of approval of the FY 2024-2029 Knoxville Capital Improvements Program including the FY 2024 Capital Improvements Budget.

Knox County

STREET NAME CHANGES

None

PLANS, STUDIES, REPORTS

Heard with City requests.

PLAN AMENDMENTS (NO ASSOCIATED REZONINGS)

None

REZONINGS AND PLAN AMENDMENT/REZONINGS

20. C **SHELLYE MILBOCKER** **5-A-23-RZ**
 2509 Norris Lane / Parcel ID 051 042 (part of), Commission District 8. Rezoning from A (Agricultural) to RA (Low Density Residential).

21. **KAREL POLEDNIK JR. AND OLGA POLEDNIK** **5-B-23-RZ**
 7828 Griffith Road / Parcel ID 028 181, Commission District 7. Rezoning from A (Agricultural) to RA (Low Density Residential).

22. C **DC FOUNDATIONS, INC.** **5-C-23-RZ**
 6789 Oak Ridge Highway / Parcel ID 079 04901, Commission District 6. Rezoning from A (Agricultural) to OB (Office, Medical, and Related Services).

23. C **HOMESTEAD LAND HOLDINGS, LLC**
 7642 Old Clinton Pike / Parcel ID 067 A B 01303, Commission District 7.

A. NORTH COUNTY SECTOR PLAN AMENDMENT **5-A-23-SP**
 From LDR (Low Density Residential) to MDR (Medium Density Residential).

B. REZONING **5-D-23-RZ**
 From A (Agricultural) and RB (General Residential) to PR (Planned Residential) up to 6 du/ac.

Item No.

File No.

24.	RON WORLEY 0 Brownvue Road / Parcel ID 091 014, Commission District 6. Rezoning from A (Agricultural) to RA (Low Density Residential).	5-E-23-RZ
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25. PLEASE SEE ITEM 6.1 UNDER THE CITY OF KNOXVILLE

CONCEPT AND DEVELOPMENT PLANS

26. C	BRAKEBILL ROAD SUBDIVISION	
	A. CONCEPT SUBDIVISION PLAN 521 Brakebill Road / Parcel ID 072 267, Commission District 8.	5-SB-23-C

B. DEVELOPMENT PLAN Proposed use: Attached residential subdivision in PR (Planned Residential) District.	5-A-23-DP
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27. C	SPARKS MEADOW	
	A. CONCEPT SUBDIVISION PLAN 6917 Ball Road / Parcel ID 091 07709, Commission District 6.	5-SC-23-C

B. DEVELOPMENT PLAN Proposed use: Detached residential subdivision in PR (Planned Residential) District.	5-C-23-DP
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28.	BELLTOWN 4515, 4714 and 4720 West Emory Road / Parcel ID 066 121, 122 and 12201, Commission District 6.	5-SD-23-C
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Item No.

File No.

DEVELOPMENT PLANS

29. AP **DKLEVY ARCHITECTURE AND DESIGN** **5-B-23-DP**
 (30 days) 9432 and 9502 Middlebrook Pike / Parcel ID 105 047 and
 104 21301. Proposed use: 128-unit multifamily
 development in PR (Planned Residential) up to 12 du/ac
 District. Commission District 3.

USES ON REVIEW

30. **CLAY COUNCILL** **5-A-23-UR**
 4103 Schaad Road / Parcel ID 079 02801. Proposed use:
 Contractor's storage yard in CA (General Business) District.
 Commission District 6.

31. **SARAH A. BERRY** **5-B-23-UR**
 705 Ike Lane / Parcel ID 0 47 N F 008. Proposed use: Group
 day care home for 12 children of preschool age and 3
 children of elementary school age in RA (Low Density
 Residential) District. Commission District 7.

32. C **BENEFIELD RICHTERS COMPANY** **5-C-23-UR**
 10420 Kingston Pike / Parcel ID 131 N B 00201. Proposed
 use: Day care center in CA (General Business) District.
 Commission District 5.

33. **STRAWBERRY PLAINS PIKE**
PICKLEBALL, LLC **5-D-23-UR**
 7729 Strawberry Plains Pike / Parcel ID 073 01403.
 Proposed use: Indoor pickleball facility in A (Agricultural)
 District. Commission District 8.

Item No.

File No.

- 34. C** **TERRY ROMANS** **5-E-23-UR**
 0 Chapman Highway, 0 and 121 Whites School Road / Parcel ID 138 082, 08201, and 08202. Proposed use: Indoor storage facility in CA (General Business) District. Commission District 9.

FINAL SUBDIVISIONS

None

PLANNED DEVELOPMENT

None

ORDINANCE AMENDMENTS

None

OTHER BUSINESS

- 35.** **KNOXVILLE-KNOX COUNTY PLANNING** **5-B-23-OB**
 Presentation of the Nominating Committee's slate of officers for the Knoxville-Knox County Planning Commission for the 2023-2024 term.

- 36. C** **CHRISTY RIVERA** **5-C-23-OB**
 Consideration of a Similar Use Determination for pet training classes and retail services. Commission District 7.

Adjournment

TABLED ITEMS (CITY AND COUNTY): LISTED CHRONOLOGICALLY IN ORDER OF TABLED DATE

Actions to untable items are heard under Agenda Item 4.

- 1. U** **5117 LONAS DRIVE SUBDIVISION** **4-SB-22-C**
 5117 Lonas Drive / Parcel ID 107 G B 006, Council District 2. (Tabled date 6/9/2022)

2.

TERRY E. ROMANS

0 Swaggerty Road / Parcel ID 126 13602, Commission District 9. (Tabled date 7/14/2022)

A. SOUTH COUNTY SECTOR PLAN AMENDMENT

From AG (Agricultural) to RR (Rural Residential).

5-A-22-SP

B. REZONING

From A (Agricultural) to PR (Planned Residential) up to 3 du/ac.

5-A-22-RZ

3.

FINAL PLAT OF FORD SUBDIVISION, RESUBDIVISION OF LOT 3R3 AND PART OF 3

326 and 324 West Ford Valley Road / Parcel ID 123 M D 003 and 123 M E 008, Commission District 9 and City Council District 1. (Tabled date 8/11/2022)

7-SE-22-F

4. W

DKLEVY

0 Old Weisgarber Road / Parcel ID 106 K C 01705, Council District 2. (Tabled date 10/6/2022)

A. NORTHWEST CITY SECTOR PLAN AMENDMENT

From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).

7-H-22-SP

B. ONE YEAR PLAN AMENDMENT

From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).

7-C-22-PA

Item No.

File No.

C. REZONING

7-P-22-RZ

From AG (Agricultural), HP (Hillside Protection Overlay) and F (Floodplain Overlay) to RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay) and F (Floodplain Overlay).

5.

GABRIEL W. RATCLIFFE

11-A-22-RZ

2031 and 2033 Piney Grove Church Road / Parcel ID 106 A A 00902, Council District 3. Rezoning from RN-1 (Single-Family Residential Neighborhood) to AG (Agricultural). (Tabled date 11/10/2022)

6.

BEELER ROAD SUBDIVISION

A. CONCEPT SUBDIVISION PLAN

1-SF-23-C

0 Beeler Road / Parcel ID 029 18803, Commission District 8. (Tabled date 3/9/2023)

B. DEVELOPMENT PLAN

1-E-23-DP

Proposed use: Detached residential subdivision in PR (Planned Residential) District. (Tabled date 3/9/2023)

Postponements, Withdrawals, and Tablings

Automatic Postponements are provided for in Article XII, Section 1.B of Knoxville-Knox County Planning's Administrative Rules and Procedures, which allows for one automatic postponement when the request is received by 3:30 p.m. on the Thursday prior to the Thursday Knoxville-Knox County Planning Commission meeting.

AUTOMATIC POSTPONEMENTS

*until the June 8, 2023 Planning Commission meeting (Indicated with **AP**)*

9. AP (30 days)	SHANNON HILLS SUBDIVISION 4900 Shannon Lane / Parcel ID 059 B A 035, Council District 4.	5-SA-23-C
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29. AP (30 days)	DKLEVY ARCHITECTURE AND DESIGN 9432 and 9502 Middlebrook Pike / Parcel ID 105 047 and 104 21301. Proposed use: 128-unit multifamily development in PR (Planned Residential) up to 12 du/ac District. Commission District 3.	5-B-23-DP
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ITEMS TO BE VOTED ON TO BE POSTPONED

*Planning Commission action required (Indicated with **P**)*

None

WITHDRAWALS

*Planning Commission action required (Indicated with **W**)*

11. W	HOLLY JANNEY 5412 Lonas Drive / Parcel ID 107 I B 01901. Proposed use: Existing duplex in RN-1 (Single-Family Residential Neighborhood) District. Council District 2.	5-A-23-SU
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Item No.**File No.****From the tabled list****W****DKLEVY**

0 Old Weisgarber Road / Parcel ID 106 K C 01705, Council District 2. (Tabled date 10/6/2022)

A. NORTHWEST CITY SECTOR PLAN AMENDMENT

From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).

7-H-22-SP**B. ONE YEAR PLAN AMENDMENT**

From LDR (Low Density Residential), HP (Hillside Protection) and SP (Stream Protection) to MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) and SP (Stream Protection).

7-C-22-PA**C. REZONING**

From AG (Agricultural), HP (Hillside Protection Overlay) and F (Floodplain Overlay) to RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay) and F (Floodplain Overlay).

7-P-22-RZ**TABLINGS**

*Planning Commission action required (Indicated with **T**)*

None

ITEMS TO BE REMOVED FROM TABLE

*Planning Commission action required (Indicated with **U**)*

U**5117 LONAS DRIVE SUBDIVISION**

5117 Lonas Drive / Parcel ID 107 G B 006, Council District 2. (Tabled date 6/9/2022)

4-SB-22-C

Consent Approval List

Items recommended for approval on consent are marked with a C 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 a C, you must be present at the meeting and request that it be removed immediately following the reading of the list by the Chair. The consent list will be posted by noon on Wednesday before the meeting. Items are listed in the order they appear on the Agenda.

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| 2. | C | APPROVAL OF MAY 11, 2023
AGENDA | |
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| 3. | C | APPROVAL OF APRIL 13 2023
MINUTES | |
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| 5. | C | CHEROKEE COUNTRY CLUB
Request closure of Opal Ave. between its intersection with
Gore Road and its eastern terminus, Council District 2. | 5-A-23-SC |
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| 6.1 | C | LAND DEVELOPMENT SOLUTIONS
0 Sherrill Boulevard and 517 Frank Gardner Lane / Parcel ID
119 01862 and 01846 (part of), Council District 2. Rezoning
from C-G-2 (General Commercial) to O (Office). | 5-F-23-RZ |
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|-----|---|---|-----------|
| 12. | C | MARY KATHERINE WORMSLEY /
HATCHER-HILL PROPERTIES, LLC
(FKA CRAIG REYNOLDS)
6502 Kingston Pike / Parcel ID 121 A C 00401. Proposed use:
Drive-thru for Freddy's Frozen Custard in C-G-1 (General
Commercial) District. Council District 2. | 5-B-23-SU |
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Item No.**File No.**

13. C	ROBIN SOUTH 1503 East Magnolia Avenue / Parcel ID 082 P L 022. Proposed use: Drive-thru for existing bank branch in C-G-2 (General Commercial) District. Council District 6.	5-C-23-SU
14. C	KRISTINE N. MOODY 2303 Washington Avenue / Parcel ID 082 J V 022. Proposed use: Market Garden in RN-2 (Single-Family Residential Neighborhood) District. Council District 6.	5-D-23-SU
15. C	TYLER STINNETT 0 Saint James Avenue / Parcel ID 109 D B 024. Proposed use: Duplex in RN-2 (Single-Family Residential Neighborhood) District. Council District 1.	5-E-23-SU
16. C	CARBON RIVERS, INC. 2635 Western Avenue / Parcel ID 094 A A 03101. Proposed use: Outdoor storage yard, secondary use in I-MU (Industrial Mixed-Use) District. Council District 5.	5-F-23-SU
17. C	CITY OF KNOXVILLE Consideration of an amendment to the Knoxville City Code, Appendix B, Zoning Code, Article 11.1. B., Off-Street Parking, Applicability, clarifying when a parking lot addition, improvement, or change in use would necessitate compliance with the Parking Lot Ordinance and Article 11.1.C, removing this section from the ordinance. All Districts.	5-A-23-OA
18. C	CITY OF KNOXVILLE Consideration of an amendment to the Knoxville City Code, Appendix B, Zoning Code, Article 12.5, Parking Lot Perimeter Landscape Yard, and Article 12.6, Interior Parking Lot Landscape Yard, deleting language regarding parking lot expansion or improvements. All Districts.	5-B-23-OA

Item No.**File No.**

19. C	CITY OF KNOXVILLE Consideration of approval of the FY 2024-2029 Knoxville Capital Improvements Program including the FY 2024 Capital Improvements Budget.	5-A-23-OB
20. C	SHELLYE MILBOCKER 2509 Norris Lane / Parcel ID 051 042 (part of), Commission District 8. Rezoning from A (Agricultural) to RA (Low Density Residential).	5-A-23-RZ
22. C	DC FOUNDATIONS, INC. 6789 Oak Ridge Highway / Parcel ID 079 04901, Commission District 6. Rezoning from A (Agricultural) to OB (Office, Medical, and Related Services).	5-C-23-RZ
23. C	HOMESTEAD LAND HOLDINGS, LLC 7642 Old Clinton Pike / Parcel ID 067 A B 01303, Commission District 7.	
	A. NORTH COUNTY SECTOR PLAN AMENDMENT From LDR (Low Density Residential) to MDR (Medium Density Residential).	5-A-23-SP
	B. REZONING From A (Agricultural) and RB (General Residential) to PR (Planned Residential) up to 6 du/ac.	5-D-23-RZ
26. C	BRAKEBILL ROAD SUBDIVISION	
	A. CONCEPT SUBDIVISION PLAN 521 Brakebill Road / Parcel ID 072 267, Commission District 8.	5-SB-23-C

Item No.**File No.**

B. DEVELOPMENT PLAN

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

5-A-23-DP

27. C**SPARKS MEADOW****A. CONCEPT SUBDIVISION PLAN**

6917 Ball Road / Parcel ID 091 07709, Commission
District 6.

5-SC-23-C**B. DEVELOPMENT PLAN**

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

5-C-23-DP

32. C**BENEFIELD RICHTERS COMPANY**

10420 Kingston Pike / Parcel ID 131 N B 00201. Proposed
use: Day care center in CA (General Business) District.
Commission District 5.

5-C-23-UR

34. C**TERRY ROMANS**

0 Chapman Highway, 0 and 121 Whites School Road / Parcel
ID 138 082, 08201, and 08202. Proposed use: Indoor
storage facility in CA (General Business) District.
Commission District 9.

5-E-23-UR

36. C**CHRISTY RIVERA**

Consideration of a Similar Use Determination for pet
training classes and retail services. Commission District 7.

5-C-23-OB



Appeals Deadlines

For May 11, 2023 Planning Commission Meeting

The Planning Commission will vote on a number of items today. **Those requiring further action¹** will be heard by the legislative bodies below:

City Council	County Commission (zonings)
6:00 p.m. June 13, 2023	7:00 p.m. June 27, 2023
Where: Main Assembly Room of the City County Building, 400 Main St, Knoxville, TN	

For matters that are forwarded to the County Commission for final action, particularly rezoning requests, the applicant **MUST** be present at the County Commission meeting at which the request will be considered. Applicants will be notified of the meeting date. If you have any questions regarding the meeting date or process, contact Planning staff.

Appeals

City Council	
Filed on or before	Will be heard by City Council
Tuesday, May 16, 2023	June 13, 2023
May 26, 2023 (15 days)	June 27, 2023
County Commission	
Filed on or before	Will be heard by County Commission
Tuesday, May 16, 2023	June 26, 2023
June 12, 2023 (30 days)	July 24, 2023

- Appeals of use-on-review in the County are heard by the Knox County Board of Zoning Appeals. Any aggrieved party has 30 days from Planning Commission action to file an appeal. Appeals should be filed with the Knox County Code Administration Department. Deadlines for scheduling such appeals will be established by that department.
- Appeals of concept plans or final plats in the City or County are filed with Chancery Court.

If you have a question about the appeals process, or if you wish to be notified about anyone filing an appeal on a particular item, see a staff member (seated at either end of the horseshoe-shaped table) or call the Knoxville-Knox County Planning office (215-2500) by the appeals deadline listed above.

¹ Typically, Planning Commission recommendations requiring further action include rezonings, zoning ordinance amendments, street and alley closures in the city, and street name changes. Recommendations which are final decisions include uses-on-review, concept plans, and final plats—unless any of these are appealed.