

# AGENDA

## January 14, 2010

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 14, 2010 AGENDA
- \* 3. APPROVAL OF DECEMBER 10, 2009 MINUTES
4. POSTPONEMENTS, WITHDRAWALS, TABLINGS AND  
CONSENT ITEMS READ AND VOTED ON

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 Withdrawn	(Indicated with an underlined 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Items to be voted on to be Withdrawn	(Indicated with a 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

*For information regarding the status of any agenda item that has been requested for postponement, please contact Buz Johnson of the MPC staff at 215-2500. For information on any other agenda items, please call 215-2500 and our receptionist will direct your call to the appropriate staff member.*

**Ordinance Amendments:**

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- 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.

- P 6. METROPOLITAN PLANNING COMMISSION** **8-A-08-OA**  
Amendment of the City of Knoxville Zoning Ordinance adding Section 4.2 (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.

**Alley or Street Closures:**

- \* **7. LUNN REAL ESTATE INVESTMENTS, INC.** **1-A-10-SC**  
Request closure of Callaway Ave between Van Street and Dead end, Council District 6.

**Street or Subdivision Name Changes:**

None

**Plans, Studies, Reports:**

- \* **8. METROPOLITAN PLANNING COMMISSION** **12-B-09-SAP**  
Vestal Site Improvements Project Plan. Council District 1.

**Concepts/Uses on Review:**

- \* **9. ST. ANDREWS COMMERCIAL** **1-SA-10-C**  
East end of E. Walker Springs Rd., north side of Interstate 40/75, Council District 2.

- \* **10. MC CLOUD ROAD - SOUTHLAND ENGINEERING** **1-SB-10-C**  
**a. Concept Subdivision Plan**  
Northwest side of McCloud Rd., west of Ventura Dr., Commission District 7.

- \* **b. Use On Review** **1-B-10-UR**  
Proposed use: Detached Residential Subdivision in PR (Planned Residential) District.

**Final Subdivisions:**

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- \* **11. BON VIEW ADDITION AND BROOKSIDE MILLS RESUBDIVISION** **11-SN-09-F**  
South side of Beaumont Avenue, southwest side of McSpadden Street, Council District 5.
- \* **12. KINGSTON PIKE CARWASH RESUBDIVISION OF LOT 1** **1-SA-10-F**  
North side of Kingston Pike, east of Morrell Road, Council District 5.
- \* **13. WILLIAMS-HENSON LUTHERN HOME FOR CHILDREN, INC. RESUBDIVISION OF LOT 4R** **1-SB-10-F**  
North side of Maryville Pike, west of Rudder Road, Commission District 9.
- 14. Withdrawn Prior to Publication** **1-SC-09-F**
- \* **15. ACKER PLACE RESUBDIVISION OF LOT 2R** **1-SD-10-F**  
Northeast side of E. Weisgarber Road, northwest side of Weisbrook Lane, Council District 5.
- P 16. FURROW PROPERTY RESUBDIVISION OF LOT 2** **1-SE-10-F**  
(3/11/10) South side of Lexington Drive, west side of Simmons Road, Council District 2.
- \* **17. BURLINGTON SPEEDWAY ADD. BLOCK C RESUBDIVISION OF LOT 21** **1-SF-10-F**  
Northwest side of Dickson Street, southwest of Porter Avenue, Council District 5.
- \* **18. HABITAT FOR HUMANITY NICHOLS AVENUE & MUNDY STREET PROPERTY** **1-SG-10-F**  
The south quadrant of intersection of Nichols Avenue and Mundy Street, Council District 6.
- \* **19. KINGSTON PIKE COMMERCIAL PARK LOTS 5, 9, & 12R1** **1-SH-10-F**  
West side of Sherlake Lane, north of Kingston Pike, Commission District 5.
- \* **20. MPM DEVELOPMENT ON OAKMEADE ROAD** **1-SI-10-F**  
Northeast side of Oakmeade Road, northwest of Irwin Drive, Commission District 6.
- \* **21. MARK EDWARD AND EDITH WESTERHOLD PROPERTY** **1-SJ-10-F**  
North side of Ramsey Lane east of Strawberry Plains Pike, Commission District 8.

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- \* **22. CRUMLEY PROPERTY RESUBDIVISION OF LOT 2R & EAST TENNESSEE REALTY AUCTION RESUBDIVISION OF LOT** **1-SK-10-F**  
 West side of Ellistown Road, south of Munsey Road, Commission District 8.
- \* **23. TALBOTT SUBDIVISION LOTS 1-3** **1-SL-10-F**  
 North side of Duncan Road, east of Badgett Road, Commission District 4.
- \* **24. DANNAHER PLACE** **1-SM-10-F**  
 Northeast side of Conner Road, northwest of Emory Road, Commission District 6.
- \* **25. VILLA GARDENS RESUBDIVISION OF LOTS 30, 41, AND PARTS OF LOTS 29 & 31** **1-SN-10-F**  
 Northeast quadrant of Fulton Drive and Garden Drive, Council District 4.
- \* **26. ROY L. CLARK PROPERTY** **1-SO-10-F**  
 East side of Duncan Road, southeast of Badgett Road, Commission District 4.
- \* **27. EMORY PLACE RESUBDIVISION OF LOTS 27R, 29-31, &** **1-SP-10-F**  
 North side of Emory Place, west side of N. Central Street, Council District 6.
- \* **28. EMERY PROPERTY RESUBDIVISION OF LOT 2** **1-SQ-10-F**  
 East side of Triplett Lane, south of Kingston Pike, Commission District 5.
- \* **29. SHERRILL HILL RESUBDIVISION OF LOTS 1R1, 1R2, 1R3, 1R4, 1R5, 2R1, 2R2, & 2R3** **1-SR-10-F**  
 South side of Kingston Pike, south of Market Place Drive, Council District 2.
- \* **30. SHARON MILLER PROPERTY REPLAT OF LOT 1R** **1-SS-10-F**  
 South side of Kingston Pike, east of Cherokee Blvd., Council District 2.

**Rezoning and Plan Amendment/Rezoning:**

- P 31. 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),

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O-2 (Civic & Institutional) and R-2 (General Residential) to Cumberland Avenue Form District.

**P 32. JAMES L. MCCLAIN**

Southeast side Lovell Rd., northeast side Hickey Rd., Commission District 6.

**a. Northwest County Sector Plan Amendment**

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

**9-A-09-SP**

**P b. Rezoning**

From A (Agricultural) to CB (Business and Manufacturing).

**9-A-09-RZ**

**\* 33. CITY OF KNOXVILLE (REVISED)**

Northwest side Cumberland Ave., northeast of Eleventh St., Council District 1.

**a. One Year Plan Amendment**

From CBD (Central Business District) to PP (Public Parks and Refuges).

**11-A-09-PA**

**\* b. Rezoning**

From C-2 (Central Business District) to OS-1 (Open Space Preservation) / D-1 (Downtown Design Overlay) and Design Guidelines.

**9-C-09-RZ**

**P 34. BULLDOG DEVELOPMENT (REFERRED BACK BY COUNTY COMMISSION)**

Southeast side Hammer Rd., north side I-40, southwest of Union School Rd., Commission District 8.

**a. East County Sector Plan Amendment**

From LDR (Low Density Residential) to C (Commercial).

**10-A-09-SP**

**P b. Rezoning**

From A (Agricultural) to CA (General Business).

**10-A-09-RZ**

**35. THIS AND THAT / MPC**

Northeast side Middlebrook Pike, east side Keith Ave., Council District 3.

**a. Central City Sector Plan Amendment**

From LI (Light Industrial) to C (Commercial).

**1-A-10-SP**

**b. Rezoning**

From R-2 (General Residential) to C-3 (General Commercial) or C-6 (General Commercial Park).

**11-C-09-RZ**

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- \* **36. HUBER PROPERTIES, LLC**  
 Southeast side Lonas Dr., northeast side Redsaile Rd., Council District 2.  
**a. Northwest City Sector Plan Amendment** **12-A-09-SP**  
 From LDR (Low Density Residential) to O (Office).
- \* **b. One Year Plan Amendment** **12-A-09-PA**  
 From LDR (Low Density Residential) to O (Office).
- c. Rezoning** **12-A-09-RZ**  
 From R-1 (Low Density Residential) to O-1 (Office, Medical, and Related Services).
- 37. JACQUELINE WHITESIDE** **12-D-09-RZ**  
 South side E. Magnolia Ave., east side N. Kyle St., Council District 6. Rezoning from C-3 (General Commercial) to C-4 (Highway and Arterial Commercial).
- P 38. EMORY PLACE PARTNERS, LLC** **1-A-10-RZ**  
 (3/11/10) Northwest side Emory Place, southwest side N. Central St., Council District 6. Rezoning from C-3 (General Commercial) to C-2 (Central Business District).
- 39. BENCHMARK ASSOCIATES, INC.** **1-B-10-RZ**  
 Northwest side Ball Rd., southwest of Lobetti Rd., Commission District 6. Rezoning from A (Agricultural) to RA (Low Density Residential).
- \* **40. M & T, LLC**  
 Southeast end Fennel Rd., southeast of Elyria Dr., northeast of Central Avenue Pike, Council District 5.  
**a. North City Sector Plan** **1-B-10-SP**  
 From LDR (Low Density Residential) and HP (Hillside Protection) to MDR (Medium Density Residential) and HP (Hillside Protection).
- \* **b. One Year Plan Amendment** **1-A-10-PA**  
 From GC (General Commercial) to MDR (Medium Density Residential).
- \* **c. Rezoning** **1-C-10-RZ**  
 From C-6 (General Commercial Park) to R-2 (General Residential).
- \* **41. KNOXVILLE HABITAT FOR HUMANITY** **1-D-10-RZ**  
 Southeast side Skyline Dr., southwest side James Rd., Council District 6. Rezoning from R-1 (Low Density Residential) to RP-1 (Planned Residential).

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- P 42. HUBER PROPERTIES, LLC**  
Southeast side S. Northshore Dr., northeast of Choto Rd.,  
Commission District 5.  
**a. Southwest County Sector Plan Amendment** **1-C-10-SP**  
From LDR (Low Density Residential) to NC (Neighborhood  
Commercial).  
**P b. Rezoning** **1-E-10-RZ**  
From A (Agricultural) to CN (Neighborhood Commercial).
- 43. CITY OF KNOXVILLE**  
North, south and west sides Washington Pike, north side  
McCampbell Dr., southwest and southeast of Murphy Rd., Council  
District 4.  
**a. Northeast County Sector Plan Amendment** **1-D-10-SP**  
From NC (Neighborhood Commercial) and GC (General  
Commercial) to GC (General Commercial).  
**b. Rezoning** **1-F-10-RZ**  
From SC-1 (Neighborhood Shopping Center), C-3 (General  
Commercial) and C-4 (Highway & Arterial Commercial) with  
conditions to PC-1 (Retail and Office Park).

### Uses on Review:

- P 44. T-MOBILE SOUTH C/O LANNIE GREENE** **8-D-09-UR**  
East side of Fountain City Rd., east of Dry Gap Pike. Proposed use:  
195 foot monopole telecommunications tower in A (Agricultural)  
District. Commission District 7.
- P 45. RIDGEDALE IRREVOCABLE TRUST** **10-C-09-UR**  
(3/11/10) North, south, east and west side of the intersection of Wood Smith  
Rd. and Barnard Rd. Proposed use: Town home style apartments in  
PR (Planned Residential) District. Commission District 3.
- \* 46. MCDONALD'S USA, LLC** **12-B-09-UR**  
Southeast side of Hardin Valley Rd., southwest side of Castaic Ln.  
Proposed use: McDonald's restaurant in PC (Planned Commercial) /  
TO (Technology Overlay) District. Commission District 6.
- \* 47. JOYNER PROPERTY DEVELOPMENT, LLC** **1-A-10-UR**  
West side of Silveredge Rd., south of E. Emory Rd. Proposed use:  
Detached dwellings in PR (Planned Residential) District. Commission  
District 8.
- 48. DAVID PERKINS** **1-C-10-UR**  
East side of Mellen Ave., just south of Eutaw Place. Proposed use:  
Music teacher and performer; telemarketing of performances,

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appearances and other services in R-1 (Low Density Residential) District. Council District 2.

- 49. DAVID PERKINS **1-D-10-UR****

East side of Mellen Ave., just south of Eutaw Place. Proposed use: Duplex in R-1 (Low Density Residential) District. Council District 2.

- P 50. BEN GARLINGTON **1-E-10-UR****

West side of Kenesaw Av., south of Talahi Dr. Proposed use: Accessory building containing 1000 sq. ft. in R-1 (Low Density Residential) District. Council District 2.

- P 51. LKM PROPERTIES LP **1-F-10-UR****

Southeast side of S. Northshore Dr., northeast of Choto Rd. Proposed use: Commercial development and convenience store with gas pumps in CN (Neighborhood Commercial) pending District. Commission District 5.

- \* 52. CITY OF KNOXVILLE **1-G-10-UR****

Southeast side of E. Caldwell Ave., southwest side of Hancock St. Proposed use: Municipal Building Expansion (Arson Investigation) in R-2 (General Residential) / IH-1 (Infill Housing Overlay) District. Council District 5.

**Other Business:**

- 53. Consideration of Appeal by Joyce Feld, Scenic Knoxville, of the Downtown Design Review Board's approval of the Knoxville Convention Center's two Electronic Message Center signs to have the operating standards be that at the time of installation of the signs. **1-A-10-OB****

- \* 54. Consideration of purchase of 11 replacement personal computers for MPC staff through Knox County Bid #492 with Technology Express. **1-B-10-OB****

**Adjournment**

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

KNOX COUNTY SCHOOLS 1-C-08-SC  
 Request closure of Frazier St. between E. Magnolia Avenue and E. Fifth Avenue, Council District 4.

BUTLER HOMES ON GLEASON DR. - BUTLER HOMES & CONSTRUCTION  
 a. Concept Subdivision Plan 1-SG-08-C



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

b. Use On Review

1-J-08-UR

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

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.

CIRCLE LANE EXTENSION

5-SB-09-C

East end of Circle Ln., northeast of Westfield Rd., Council District 2.

HENRY DAVENPORT FARM RESUBDIVISION OF PART OF LOT 18

8-SB-08-F

South side of Woodlawn Pike, east of Southwood Drive, Council District 1.

ISAIAHS LANDING RESUBDIVISION

8-SR-08-F

South side of S. Mall Road, south of East Towne Road, Council District 4.

DAVIN AND STURM RESUBDIVISION OF LOT 1R2

10-SQ-08-F

South side of Kingston Pike, south of Walker Springs, Council District 2.

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.

LECONTE VISTA

11-SP-08-F

Kelly Lane near intersection of Kodak Road, Commission District 8.

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<u>HART PROPERTY</u> East side of S. Molly Bright Rd, south side of Asheville Hwy., Commission District 8.	12-SH-08-F
<u>BEN H. MCMAHAN FARM RESUBDIVISION OF PART OF TRACT 1</u> Intersection of I-40 and McMillan Road, Commission District 8.	2-SO-09-F
<u>WYRICK PROPERTY</u> East side of Tazewell Pike, north of E. Emory Rd, Commission District 8.	8-SC-09-F
<u>HENSLEY PROPERTY RESUBDIVISION OF LOT 1R1</u> West side of Asbury Road, southwest of Archie Wiegel Lane, Commission District 8.	10-SB-09-F
<u>ROBERT D. FOREMAN PROPERTY</u> East side of Ellison Lane north of Wrights Ferry Road, Commission District 4.	11-SD-09-F
<b>U</b> <b><u>HAROLD GLENN &amp; CLARIESE NIPPER PROPERTY</u></b> Southwest side of Maplegreen Lane, south of Bluegrass Road, Commission District 4.	<b>11-SJ-09-F</b>
<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>PROPERTIES DIVERSIFIED, INC.</u> Northeast side Central Avenue Pike, northwest side I-75, Commission District 6. a. North County Sector Plan Amendment From LDR (Low Density Residential) to C (Commercial).	8-B-08-SP
b. Rezoning From RB (General Residential) to CB (Business and Manufacturing).	8-E-08-RZ
<u>LISA HOSKINS</u> 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