KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT

▶ **FILE #:**	**10-B-16-SP**	**AGENDA ITEM #:**	**28**
POSTPONEMENT(S):	10/13/2016	**AGENDA DATE:**	**11/10/2016**
▶ **APPLICANT:**	**TOM WEISS**		
OWNER(S):	Tom Weiss		

TAX ID NUMBER:	109 K D 010 109KF005-007 **View map on KGIS**
JURISDICTION:	Council District 1
STREET ADDRESS:	
▶ **LOCATION:**	**Northwest and southeast sides Sevier Heights Rd., south side Wallace Dr., east side Lancaster Dr.**
▶ **APPX. SIZE OF TRACT:**	**4.4 acres**
SECTOR PLAN:	South City
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)
ACCESSIBILITY:	Access is via Sevier Heights Rd., a local street with 15' of pavement width within 30' of right-of-way, Lancaster Dr., a minor collector street with 20' of pavement width within 50' of right-of-way, or Wallace Dr., a local street with 16' of pavement width within 40' of right-of-way.
UTILITIES:	Water Source: Knoxville Utilities Board Sewer Source: Knoxville Utilities Board
WATERSHED:	Baker Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:**	**OS (Open Space) / R-1 (Low Density Residential)**
▶ **PROPOSED PLAN DESIGNATION:**	**GC (General Commercial)**
▶ **EXISTING LAND USE:**	**Vacant land and former church**
▶ **PROPOSED USE:**	**Mixed use development**
EXTENSION OF PLAN DESIGNATION:	No
HISTORY OF REQUESTS:	None noted
SURROUNDING LAND USE AND PLAN DESIGNATION:	North: Wallace Dr., houses / LDR South: Vacant land / LDR East: Houses / LDR West: Lancaster Dr., houses / LDR
NEIGHBORHOOD CONTEXT	A now closed church is located on the subject property, which is surrounded by a detached residential neighborhood, zoned R-1.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #10-B-16-SP, amending the South City Sector Plan to GC (General Commercial) and recommend that City Council also approve the sector plan amendment, to make it operative. (See**

resolution, Exhibit A.)

The subject property is approximately 4.4 acres and has the former buildings for a large church, which is now unused. Despite the fact that the property is surrounded by residential uses, allowing some commercial uses will allow the buildings to be reused for a reasonable use, rather than being torn down or remaining vacant. The large buildings are already in place along with sufficient parking for commercial uses.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:
No known improvements have been recently made to either of the access streets., but it is adequate to serve the recommended commercial uses. Public water and sewer utilities are available to serve the site. South Knoxville's Urban Wilderness is located in the area, including the large Baker Creek Preserve to the south, which has a nearby trailhead. Allowing a mix of uses at this site will provide future commercial goods, services and entertainment to residents and visitors in the area recreating in the Urban Wilderness.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:
There are no apparent errors in the plan. The current plan proposes OS (Open Space) uses for the site, which was a common land use designation placed on churches in Knoxville. The plan did not anticipate the closure of the church, leaving the property vacant.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:
Staff is recommending approval of this plan amendment, which will be a change in public policy for development in this area. Final approval of the recommended GC plan designation will serve as the change in public policy that is unanticipated by the plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:
MPC staff generally supports the development plan proposed by the applicant, as long as a public review of plans is required and stipulations can be made to minimize the impact on surrounding residential uses. Staff is of the opinion that the commercial redevelopment of this site is warranted and desirable because of the growing popularity of the Urban Wilderness in the area and the need to serve those users.

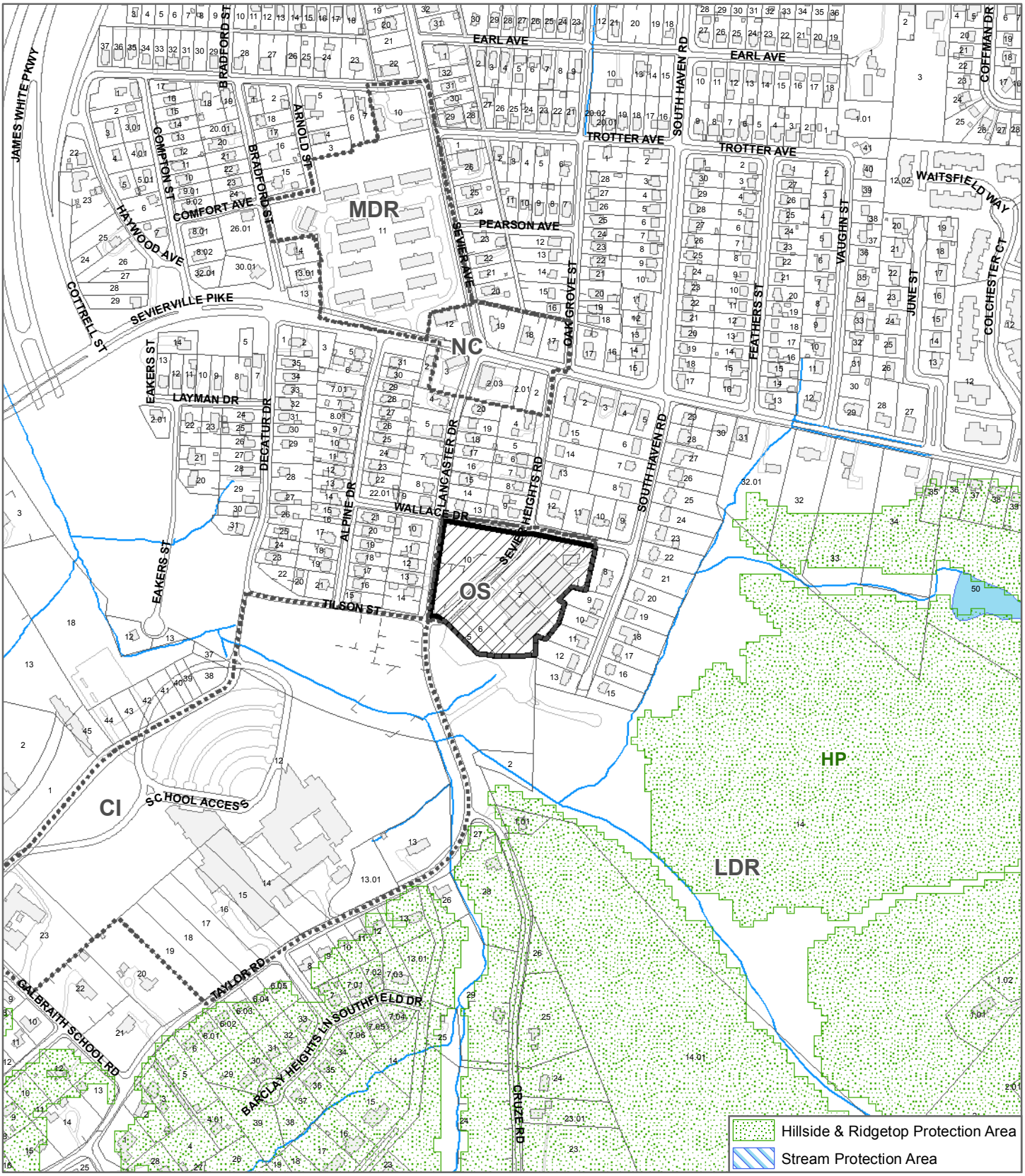
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/6/2016 and 12/20/2016. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



10-B-16-SP
SOUTH CITY SECTOR PLAN AMENDMENT

From: OS (Open Space)

To: GC (General Commercial)

Petitioner: Weiss, Tom

Map No: 109
Jurisdiction: City

0 500
Feet

N

Original Print Date: 9/22/2016 Revised:

*Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902*

KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION A RESOLUTION AMENDING THE SOUTH CITY SECTOR PLAN

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the South City Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Tom Weiss has submitted an application to amend the Sector Plan from Open Space to General Commercial, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the South City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on November 10, 2016, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

***NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION**:*

SECTION 1: The Planning Commission hereby adopts the revised amendment to the South City Sector Plan, with its accompanying staff report and map, file #10-B-16-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

_____
Date

_____ _____
Chairman *Secretary*

KNOXVILLE·KNOX COUNTY
MPC
METROPOLITAN PLANNING COMMISSION
TENNESSEE
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www • knoxmpc • org

☐ REZONING ☐ PLAN AMENDMENT

Name of Applicant: Tom Weiss

Date Filed: July 25, 2016 Meeting Date: October 13, 2016

Application Accepted by: Thomas Brechko

Fee Amount: — File Number: Rezoning —

Fee Amount: -0- File Number: Plan Amendment 10-B-16-SP

PROPERTY INFORMATION

Address: 3706 1/2 Sevier Heights Rd

General Location: South side of Wallace Dr. NW + SW side of Sevier Heights Rd.

Parcel ID Number(s): 109KF005, 006, 007 + 010

Tract Size: App 4.4 acres

Existing Land Use: Vacant + former church

Planning Sector: South City

Growth Policy Plan: Urban

Census Tract: 23

Traffic Zone: 65

Jurisdiction: ☒ City Council 1 District

☐ County Commission ____ District

Requested Change

REZONING

FROM: —

TO: —

PLAN AMENDMENT

☐ One Year Plan ☒ South City Sector Plan

FROM: OS

TO: GC

PROPOSED USE OF PROPERTY

Mixed Use Development

Density Proposed ____ Units/Acre

Previous Rezoning Requests: None

☐ PROPERTY OWNER ☒ OPTION HOLDER

PLEASE PRINT

Name: TOM WEISS

Company: WEISSCO, INC.

Address: 220 STAUB STREET

City: KNOXVILLE State: TN Zip: 37919

Telephone: 865.607.5500

Fax:

E-mail: tomweiss@tds.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: SAME AS OPTION HOLDER

Company:

Address:

City: State: Zip:

Telephone:

Fax:

E-mail:

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature:

PLEASE PRINT

Name: SAME

Company:

Address:

City: State: Zip:

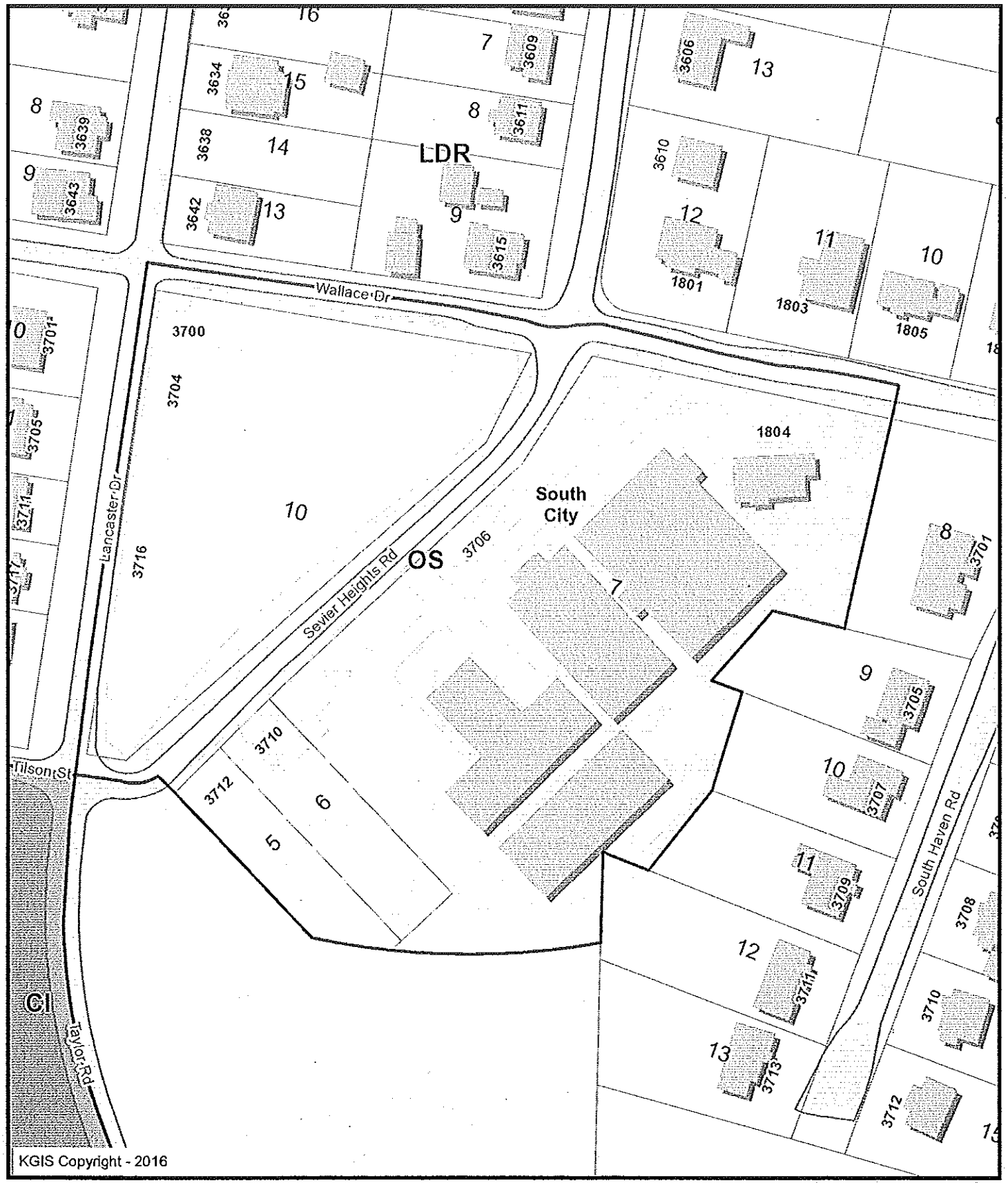
Telephone:

E-mail:

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink: (If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
WORD AFIRE CHURCH INC.	3706 SEVIER HEIGHTS RD	KNOXVILLE	TN	37920	X	
By Wayne Harlen						
CEO.						



Letter Portrait Sector Plan

Printed: 7/25/2016 at 3:15:03 PM

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Knoxville - Knox County - KUB Geographic Information System

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT

▶ **FILE #:**	**10-B-16-RZ**	**AGENDA ITEM #:**	**28**
	10-B-16-PA	**AGENDA DATE:**	**11/10/2016**
POSTPONEMENT(S):	10/13/2016		
▶ **APPLICANT:**	**TOM WEISS**		
OWNER(S):	Tom Weiss		

TAX ID NUMBER:	109 K D 010 109KF005-007	View map on KGIS
JURISDICTION:	Council District 1	
STREET ADDRESS:		
▶ **LOCATION:**	**Northwest and southeast sides Sevier Heights Rd., south side Wallace Dr., east side Lancaster Dr.**	
▶ **TRACT INFORMATION:**	**4.4 acres.**	
SECTOR PLAN:	South City	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)	
ACCESSIBILITY:	Access is via Sevier Heights Rd., a local street with 15' of pavement width within 30' of right-of-way, Lancaster Dr., a minor collector street with 20' of pavement width within 50' of right-of-way, or Wallace Dr., a local street with 16' of pavement width within 40' of right-of-way.	
UTILITIES:	Water Source: Knoxville Utilities Board	
	Sewer Source: Knoxville Utilities Board	
WATERSHED:	Baker Creek	

▶ **PRESENT PLAN DESIGNATION/ZONING:**	**OS (Open Space) / R-1 (Low Density Residential)**
▶ **PROPOSED PLAN DESIGNATION/ZONING:**	**GC (General Commercial) / C-3 (General Commercial)**
▶ **EXISTING LAND USE:**	**Vacant land and former church**
▶ **PROPOSED USE:**	**Mixed use development**
EXTENSION OF PLAN DESIGNATION/ZONING:	No
HISTORY OF ZONING REQUESTS:	None noted
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING	North: Wallace Dr., houses / LDR / R-1 (Low Density Residential)
	South: Vacant land / LDR / R-1 (Low Density Residential)
	East: Houses / LDR / R-1 (Low Density Residential)
	West: Lancaster Dr., houses / LDR / R-1 (Low Density Residential)
NEIGHBORHOOD CONTEXT:	A now closed church is located on the subject property, which is surrounded by a detached residential neighborhood, zoned R-1.

STAFF RECOMMENDATION:

- **RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation.**

The subject property is approximately 4.4 acres and has the former buildings for a large church, which is now unused. Despite the fact that the property is surrounded by residential uses, allowing some commercial uses will allow the buildings to be reused for a reasonable use, rather than being torn down or remaining vacant. The large buildings are already in place along with sufficient parking for commercial uses.

- **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning, subject to one condition.**

1. A use on review development plan must be reviewed and approved by MPC prior to the issues of any occupancy permits for the project.

With the recommended condition to address access and other site concerns, staff is of the opinion that C-3 zoning will give the opportunity to reuse the existing buildings and parking on site, as well as provide amenities for surrounding residents and visitors to the area. However, without review of a development plan by MPC, staff can not support any type of commercial development of this site. Without the recommended zoning condition, the staff recommendation would be to deny.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)
A. AN ERROR IN THE PLAN - There are no apparent errors in the plan. The current plan proposes OS (Open Space) uses for the site, which was a common land use designation placed on churches in Knoxville. The plan did not anticipate the closure of the church, leaving the property vacant.
B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been recently made to either of the access streets., but it is adequate to serve the recommended commercial uses. Public water and sewer utilities are available to serve the site. South Knoxville's Urban Wilderness is located in the area, including the large Baker Creek Preserve to the south, which has a nearby trailhead. Allowing a mix of uses at this site will provide future commercial goods, services and entertainment to residents and visitors in the area recreating in the Urban Wilderness.
C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - Staff is recommending approval of this plan amendment, which will be a change in public policy for development in this area. Final approval of the recommended GC plan designation will serve as the change in public policy that is unanticipated by the plan.
D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - MPC staff generally supports the development plan proposed by the applicant, as long as a public review of plans is required and stipulations can be made to minimize the impact on surrounding residential uses. Staff is of the opinion that the commercial redevelopment of this site is warranted and desirable because of the growing popularity of the Urban Wilderness in the area and the need to serve those users.

The applicant proposes to reuse the existing buildings on site for a mix of uses, including commercial and residential. Staff is recommending a condition to require use on review approval from MPC prior to issuance of any occupancy permits. A special exception approval will be required in order for residential uses to be included as part of the development plan.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:
1. Conditioned C-3 zoning for the subject property will allow the existing buildings to be redeveloped and reused, rather than being torn down or being left vacant.
2. C-3 uses, if planned accordingly, can be made compatible with the surrounding land use and zoning pattern.
3. C-3 zoning will allow the property to be redeveloped to provide amenities, consumer goods and services, residential units and entertainment for area residents and visitors using South Knoxville's Urabn Wilderness.
4. The existing building on site has adequate space and parking to accommodate uses allowed under C-3

zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:
1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate for C-3 development, as long as the use on review approval of a development plan by MPC is required.

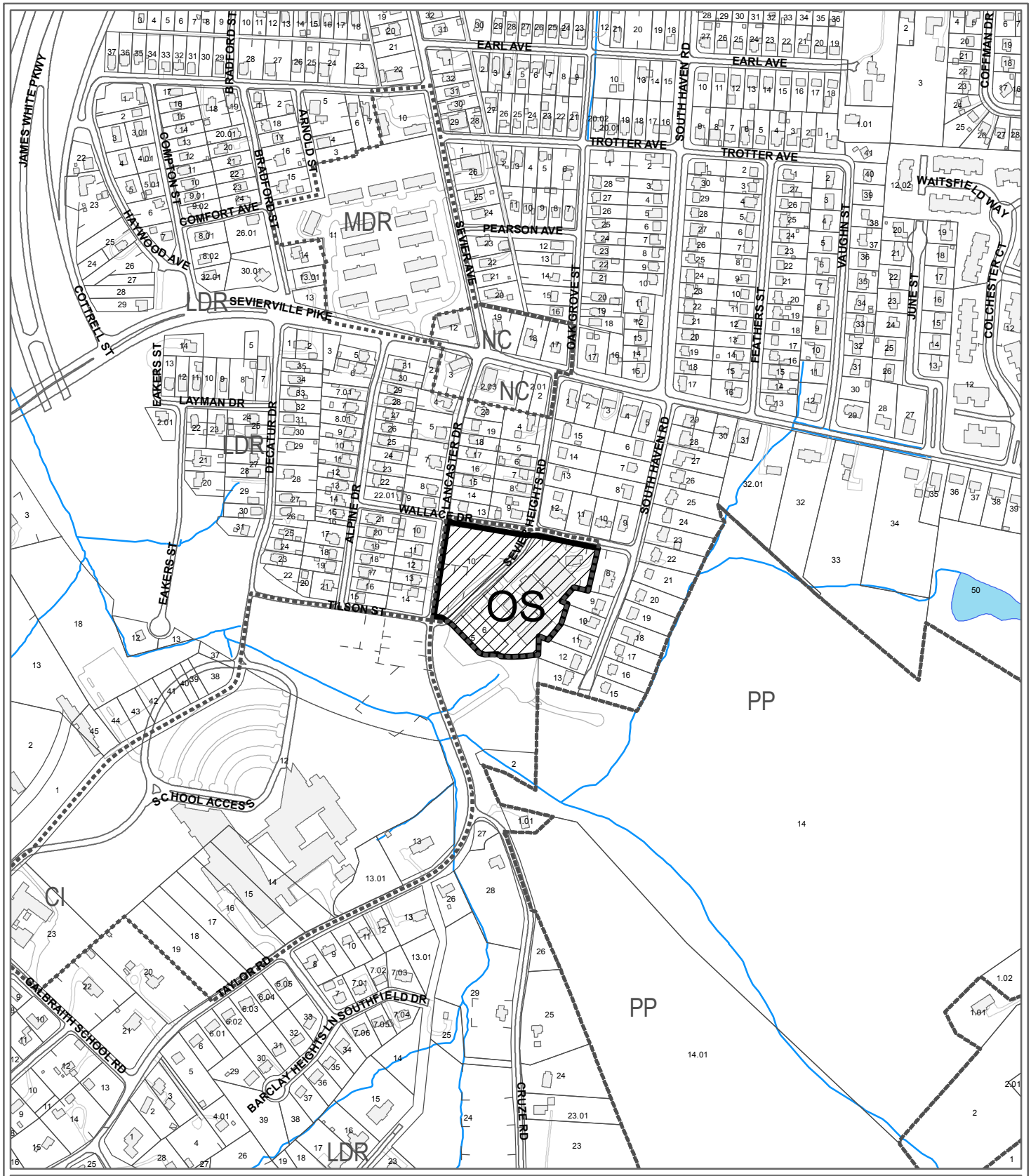
THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:
1. With the recommended condition, C-3 zoning can be made compatible with the surrounding land uses and zoning pattern.
2. Although placing C-3 zoning on the property will certainly have some impact on the surrounding area, staff is of the opinion that any potential negative impacts can be minimized through the use on review process. The potential benefits to the public in the surrounding area and South Knoxville in general would outweigh the possible negative impacts.
3. The existing streets are adequate to handle any additional traffic generated by allowing commercial uses on the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:
1. With the recommended amendment to the City of Knoxville One Year Plan to general commercial on the accompanying application (10-B-16-PA), C-3 zoning would be consistent with the plan.
2. With the recommended amendment to the South City Sector Plan to office on the accompanying application (10-B-16-SP), C-3 zoning would be consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended C-3 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/6/2016 and 12/20/2016. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



10-B-16-PA / 10-B-16-RZ
PLAN AMENDMENT

Petitioner: Weiss, Tom

From: OS (Open Space)

To: GC (General Commercial)

Map No: 109
Jurisdiction: City

0 500
Feet

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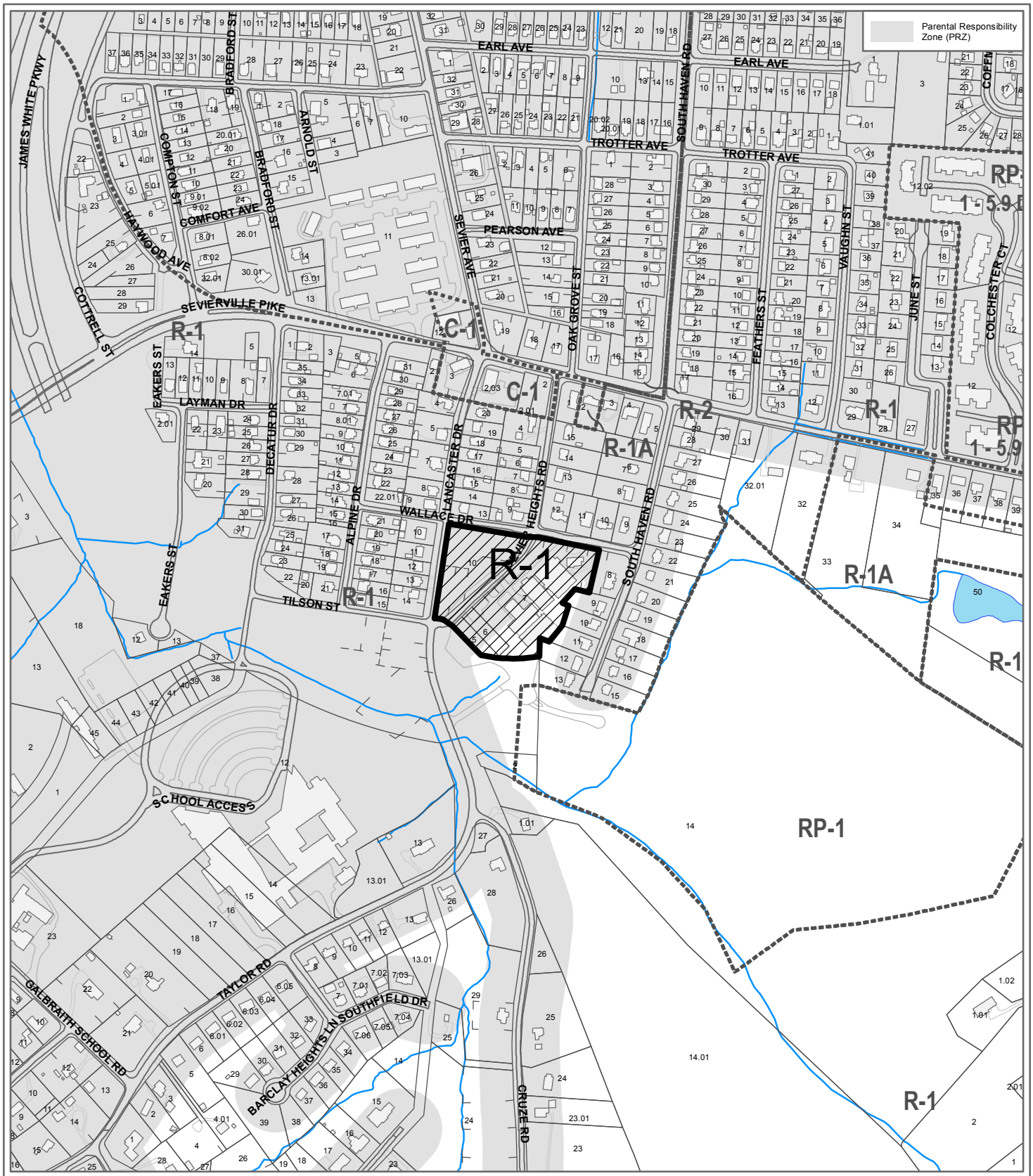
Original Print Date: 9/22/2016 Revised:

*Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902*



10-B-16-RZ
REZONING

From: R-1 (Low Density Residential)

To: C-3 (General Commercial)

Original Print Date: 9/22/2016 Revised:

*Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902*

Petitioner: Weiss, Tom

Map No: 109

Jurisdiction: City

0 500

Feet

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MPC November 10, 2016 **Agenda Item # 28**

10-B-16-RZ - cor_Rust

September 30, 2016

Gerald Green, Executive Director
Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
400 Main Street
Knoxville, Tennessee 37902

Dear Mr. Green,

I appreciate you and Mike Brusseau meeting with me a couple of weeks ago regarding the proposed "Baker Creek Bottoms" development on the site of the old Sevier Heights Baptist Church. I've also spoken with Dan Kelly and he gave me a copy of the development/concept plan that Tom Weiss submitted on Monday of this week. I want to update you on some developments since our last conversation.

The South Haven Neighborhood Association held its regularly scheduled meeting on September 17th, with the goal to let more stakeholders, especially those residents living closest to the site, share their thoughts about the proposed development. Several days prior, I walked about a block radius around the site, handed out fliers about the meeting and spoke to several residents. I also notified South Woodlawn neighbors about the meeting. I had invited Tom Weiss to come to the meeting, but unfortunately he was out of state. There was a good turnout at the meeting, with more than forty people participating from the South Haven and South Woodlawn neighborhoods. Many of the nearby residents I'd spoken to came. We met for about two hours – sharing what information we had, then listening to neighbors as they talked about their concerns about the proposed development and their hopes for the property, as well. Please see the attached. There were many things that are unclear, but without the developers present and lacking even a conceptual plan, we ended up developing a list of questions.

Most of the neighbors' concerns centered around whether the proposed uses of a brewery and restaurants serving alcohol are the best fit for a residential neighborhood and nearby school zone. Increased traffic, noise, and the inherent safety concerns with beer sales and alcohol consumption appear to present an incongruity of uses in that location – beer sales and transient residents at the hostel, etc. and middle school students walking to/from South Doyle Middle School and families with young children living close by. While many neighbors talked about the desire for development and appreciation for the developers' interest in the site – they recognize that vacant, deteriorating buildings cause their own set of problems – they want development that is appropriate for a residential neighborhood. Such a big leap in zoning from R1 to C3 (even with conditions) is not something to take lightly.

Many liked the developers' ideas that would maximize the potential of the park and trails, but concerns were expressed about the developers' level of experience to do the type of development proposed. With the decision to make such a huge zoning change hinging on pretty specific uses and users, questions about their ability and level of experience seem appropriate. If the zoning change is made, what happens if they back out or can't make it happen like they plan? The potential of what might be allowed to happen with the property zoned C3 is a fear. Some expressed concern about future zoning changes that might "fill in" the area around the current (and expanding) commercial node at Sevier and Sevierville Pike to the C3 former church site. Many neighbors were pleased to hear that the developers plan to re-use the existing buildings, as there is still emotional sentiment tied to the many events that took place at the old church. However, there is concern that renovation plans may be more costly than the developers are aware of at this time. Questions about the level of investment and funding required seem appropriate to ask of the developers.

We did not get into much conversation at the meeting about some of the conditions that could potentially be put on the development, such as buffer zones, hours of operation, etc. These are things that might alleviate some of the neighborhood's concerns, but it was just too much to accomplish in one meeting. There was discussion also about who was NOT at the meeting – other stakeholders who may want to weigh-in. It became apparent that the neighborhood

wants to meet with the developers and hear more detail from them, have their concerns heard, be able to ask some of these and other questions, and see a more detailed development plan. Which uses go where? What ideas do the developers have to mitigate some of the negative consequences of some of the uses? etc. To that end, the group present at the meeting empowered the SHNA Board to relay their concerns (along with their appreciation) to the developers and ask them to meet with us.

Several days later I met with the developers, Tom Weiss and Thomas Krajewski. We had a very cordial conversation and they expressed that they definitely want to work *with* the neighborhood. They want the development to be an asset to the community. And they *do* have ideas about how to manage some of the issues brought up by the neighborhood and want to clarify some of the uses. They told me they'd have a much more detailed plan from their architect within a few weeks. They said they were happy to meet with the neighborhood. We talked about the timeline and it was obvious that October 13th was much too soon to make all that happen. I asked them to postpone their October 13th meeting with the MPC to give us the time we needed to get more detailed plans and to set up the meeting. Tom had some concerns about what postponing would do to their development timeline, but after speaking with you, I believe, the next day, Tom got his questions answered. We spoke after that and he agreed to ask for a postponement.

Since then, we've been working on a date/time/location and Tom offered to host the next meeting on site, at the old church. We have settled on Tuesday, October 18th at 6:00 PM. This will give us enough time to let more people know about the meeting and for the developers to both be available and have more detailed plans and drawings. I do have a concern though that Monday, when Tom apparently turned in his concept plan to Dan Kelly, he didn't mention anything about asking for a postponement. Dan didn't know anything about it when I spoke to him after City Council meeting Tuesday evening. I called Tom right then to get clarity on what we'd spoken about, but had to leave a voicemail. Tom called me later and said that yes, he did intend to ask for a postponement.

To sum up, on behalf of the neighborhood, I would like to request more time so that we can work with the developer to see if the neighborhood's concerns can be addressed. May I/we ask MPC to postpone the meeting scheduled for October 13th, if the developers do not? If so, will this letter suffice or is there some other action that I/we need to take? Your guidance would be much appreciated.

Sincerely,

Linda Rust, President
South Haven Neighborhood Association

1720 Earl Avenue
Knoxville, TN 37920

Cell: 865-679-9924
Email: RstyLdy1965@yahoo.com

South Haven Neighborhood Association
September 17, 2016
Hillcrest United Methodist Church

Notes from meeting on proposed "Baker Creek Bottoms" project

Questions
Could the property be split into different zones?
What are the developer's experiences with this type of development?
What are the sources of funding for the project?
What are the anticipated renovation costs?
What is the developer's level of investment?
Why such a large change in zoning and use?
Why here, in the middle of a residential neighborhood?
What are other options?
Examples of C3 zoning in a residential neighborhood
What governs how beer/alcohol is sold? Beer Regulations
What are some examples of joint or community ownership? Examples in the US?
Who is responsible for keeping up the walkways by SDMS?
We want to see the development plan
We want to see a traffic study done

Concerns
This is a residential area, is this the best fit?
Development of the property that was the JWP extension
Concerned about development – noise, unsightly buffer wall, alcohol, traffic
Beer sales
Tearing down the church
Endangering children in the neighborhood (traffic, DUI)
Drugs, alcohol use
Weeds on the site, debris -brick, is overgrown now
Alcohol, drunk drivers, danger to children at SDMS, the nursery
Noise (even the church was noisy at times)
Traffic near SDMS (grateful for new trails making it easier for kids to enter SDMS grounds)
Empty building can bring crime and vandalism
Something needs to be done there
$1M is a lot for another church (not practical to expect another church use)
Without alcohol – are there other uses?
Responsible alcohol sales are needed
Businesses – niche market – Urban Wilderness
Urban Wilderness is bringing in quality people that we want to be in our neighborhood
Beer Board – City Council – Nick spoke about rules
Noise, traffic, vandalism happening now in cars
Problems with leaving a building abandoned
Hostel has a "seedy" feel – we don't want another Executive Inn (Chapman Highway nuisance property), especially with the proximity to SDMS
Don't mind the beer sales
Who'll maintain the property?
We want to be a part of the conversation about potential development
Increased road signage, vehicular traffic
Speeding, foot traffic/SDMS kids walking to school

Timeline
The developer getting started and not being able to finish/tearing down the church
Likes the hostel idea (experience in Europe); doesn't like the community involved with beer sales
Concerned about brewery itself, not beer sales; a brewery is a whole other matter (volume of scale for sales), Alliance brewpub has a lot of activity
Safety concerns for children and families
Children, vehicular traffic and better signage on Sevierville Pike, South Haven Road, and Sevier Heights
Noise from the Urban Wilderness trails
Glad someone is interested in investment in the neighborhood
Some change is inevitable
We welcome developer to our neighborhood
Concerns about potential development with C3 proximity

Hopes
Assisted living or a nursing home
Sidewalks up Lancaster, or an alternate safe way for kids to get to SDMS
Improved maintenance on site and park land
Community Center
Family Garden
Park
Pool
Charter School/SDMS Homeschool co-op
Lodge/hostel/lodging
Dog Park
Something good for the neighborhood and Urban Wilderness
More food options (but not fast food), Food
Business increase in neighborhood
Likes the plan, but questions about hostel
Preserving the church buildings
Support for development – something that brings the community together
Green, eco-friendly, non-profits
Sustainable
Small medical clinic
Bike shop
Study sidewalk terminus, take sidewalk up to Sevierville Pike
Re-use vs demolition of building
Family Life Center has potential
Potential for out-of-state missionaries ("Whitestone'), something good for families
Health Club
Bookstore – sit, eat, a place to socialize

Next Steps
Time delay/postponement
Meet with Tom Weiss
We need to see a plan
Look at development schedule
Committee vs. a large meeting → people liked a large meeting
Who's not here/missing stakeholders
We want to meet with the developer and influence/shape his ideas
Nick will reach out to other groups – Island Home, Old Sevier
A memorial to the church
Meet with him before plans are finalized, before next meeting (if it's not possible, ask for a postponement)
SHNA will follow through, plan for a larger meeting where developer is here to present and answer questions/concerns

10-B-16-RZ_10-B-16-PA_10-B-16-SP_PP_10-13-16

KNOXVILLE·KNOX COUNTY
MPC
METROPOLITAN PLANNING COMMISSION
TENNESSEE

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www • knoxmpc • org

Request to Postpone • Table • Withdraw

Name of Applicant: Tom Weiss
AS IT APPEARS ON THE CURRENT MPC AGENDA

Original File Number(s): 10-B-16-RZ, 10-B-16-PA, 10-B-16-SP

Date Scheduled for MPC Review: 10-13-16

Date Request Filed: 9-28-16 Request Accepted by: dan Kelly

REQUEST

☑ **Postpone**
Please postpone the above application(s) until:
11-10-16 MPC Mtg
DATE OF FUTURE MPC PUBLIC MEETING

☐ **Table**
Please table the above application(s).

☐ **Withdraw**
Please withdraw the above application(s).

State reason for request:

Eligible for Fee Refund? ☐ Yes ☐ No
Amount:
Approved by:
Date:

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: Thomas Weiss

PLEASE PRINT Name: Tom Weiss
Weissco Inc.
Address: 220 Staub St.
City: Knoxville State: TN Zip: 37919
Telephone: 865-607-5500
Fax:
E-mail: tomweiss@tds.net

PLEASE NOTE

Consistent with the guidelines set forth in MPC's *Administrative Rules and Procedures*:

POSTPONEMENTS

Any first time (new) MPC application is eligible for one automatic postponement. This request is for 30 days only and does not require MPC approval if received by MPC no later that 3:30 p.m. on the Monday prior to the MPC meeting. All other postponement requests must be acted upon by MPC before they can be officially postponed to a future MPC public meeting.

TABLINGS

Any item requested for tabling must be acted upon by MPC before it can be officially tabled.

WITHDRAWALS

Any MPC item is eligible for automatic withdrawal. A request for withdrawal must be received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. Withdrawal requests that do not meet these guidelines must be acted upon by MPC before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received by MPC prior to public notice. This request must be approved by either the Executive Director, or the Development Services Manager. Applications may be withdrawn after this time, but without fee refund.

Tom,
If Gerald has not already talked to you then I hope this will clarify the situation. You still need to have the plan amendments and rezoning heard at the October 13 MPC meeting. Staff is going to be recommending approval of your plan amendment requests. The rezoning is going to be recommended for approval conditionally. The condition that staff is going to recomend will place a requirement that the development of your project be subject to use on review (UOR) approval by MPC. This will allow MPC to "somewhat" control the uses that are being propsed for the site. This should allaythe fears that we are hearing from the area residents. We are going to blend the "special exception" approval of the residential uses in with the UOR.

If you are in agreement with the staff recommendation, the earliest the UOR could be heard is November 10. The "standard" deadline for getting on that agenda is September 26. That would mean that you would have to have fully developed site, parking, landscape plans. You will need to be able to break down each element of the project either in a written or graphic form. If your project will generate 750+ trips per day a traffic impact study will also be required.

We understand there are commercial and residential elements to your project and we are trying to make the C-3 zone work. Typically a mixed use project would be done in a planned zoned with UOR approval. In your case The City Zoning Ordinance has two zones that will clearly accomodate all of the uses that you have proposed. The C-2 zone and TC-1 zone would permit all of the uses but are not appropriate for your location. That leaves us with trying to massage the C-3 to make it work.

If you have questions or comments give me a call.

Dan Kelly

[Quoted text hidden]
--
Dan Kelly
MPC, Deputy Director / Development Services Manager
(865) 215-2500

Gmail by Google

Dan Kelly <dan.kelly@knoxmpc.org>

Baker Creek Bottoms

3 messages

Gerald Green <gerald.green@knoxmpc.org> Fri, Sep 16, 2016 at 3:07 PM
To: Thomas Krajewski <thomask@nationallandrealty.com>, Thomas Krajewski <thomask@nationalland.com>, "John L. Sanders AIA" <jsanders@sanderspace.com>, Tom Weiss <tomweiss@tds.net>
Cc: Dan Kelly <Dan.Kelly@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>

Good Afternoon,

MPC staff met yesterday to finalize our recommendation for the rezoning request for Baker Creek Bottoms (former Sevier Heights Baptist Church). We will be recommending approval of the request with a condition that the project receive approval of a Special Exception request to permit the proposed residential use in the C-3 zoning district and the the plans be reviewed as a use on review. Both these reviews can occur simultaneously and a joint application can be submitted for the review. The use on review process will allow MPC (staff and Commission) to address the limits on uses that have been identified and that will reduce concerns from the surrounding residential neighborhoods regarding the requested rezoning. City Council is unwilling to limit uses as a condition of rezoning; staff felt this approach would help reduce potential concerns of the surrounding neighborhoods. As I stated in an earlier email, items you should submit with your application include site plan, landscaping plan, parking plan (can be part of site plan), lighting plan, identification of proposed residential use, and any other supporting information you feel appropriate. With the use on review process added to this, the review of the use on review request would be the appropriate time to identify the uses proposed for the site and/or those uses permitted in the C-3 zoning district that you do not anticipate undertaking on the property. The deadline for application for the November MPC meeting to avoid the double fee is September 26 so submit your application by this date to avoid the double fee.

I will be out of the office September 20 - October 3 but do have a little time Monday to meet if you wish. otherwise Dan and/or Mike could discuss this with you.

Regards,
Gerald

Gerald Green AICP
Executive Director
Knoxville-Knox County
Metropolitan Planning Commission
400 Main Street, Suite 403
Knoxville, TN 37902
865.215.2500
gerald.green@knoxmpc.org

Tom Weiss <tomweiss@tds.net> Mon, Sep 19, 2016 at 2:06 PM
To: Gerald Green <gerald.green@knoxmpc.org>
Cc: Thomas Krajewski <thomask@nationallandrealty.com>, "John L. Sanders AIA" <jsanders@sanderspace.com>, Dan Kelly <Dan.Kelly@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>

Gerald, I'm now back in town and hopeful we can talk for a few minutes before you leave town. Since I submitted a rezoning application to meet the Sept deadline, why do I need to reapply and meet the Nov deadline? I have other questions and concerns as well that I'd like to touch on if you have time to talk before you leave.
Regards,
Tom
[Quoted text hidden]

Dan Kelly <dan.kelly@knoxmpc.org> Tue, Sep 20, 2016 at 8:39 AM
To: Tom Weiss <tomweiss@tds.net>
Cc: Gerald Green <gerald.green@knoxmpc.org>, Thomas Krajewski <thomask@nationallandrealty.com>, "John L. Sanders AIA" <jsanders@sanderspace.com>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>

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☐ REZONING ☐ PLAN AMENDMENT

Name of Applicant: Tom Weiss

Date Filed: July 25, 2016 Meeting Date: Oct. 13, 2016

Application Accepted by: Thomas Brechko

Fee Amount: 1000.00 File Number: Rezoning 10-B-16-RZ

Fee Amount: 600.00 File Number: Plan Amendment 10-B-16-PA

PROPERTY INFORMATION

Address: 3706-12 Sevier Heights Rd

General Location: South Haven · South side of Wallace Dr., NW + SE side of Sevier Heights Rd.

Parcel ID Number(s): 109KF009, 109KD010, 109KF006, 109KF005

Tract Size: App 4.4 Acres

Existing Land Use: Vacant + former church

Planning Sector: South City

Growth Policy Plan: Urban

Census Tract: 23

Traffic Zone: 65

Jurisdiction: ☒ City Council 1 District
☐ County Commission _____ District

Requested Change

REZONING

FROM: R-1

TO: C-3

PLAN AMENDMENT

☒ One Year Plan ☐ _____ Sector Plan

FROM: OS

TO: GC

PROPOSED USE OF PROPERTY

Mixed use development

Density Proposed _____ Units/Acre

Previous Rezoning Requests: None

☐ PROPERTY OWNER ☒ OPTION HOLDER

PLEASE PRINT
Name: Tom Weiss

Company: Weissco, Inc.

Address: 220 Stanb St.

City: Knoxville State: TN Zip: 37919

Telephone: 865.607.5500

Fax: _____

E-mail: tomweiss@tds.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Thomas L. Weiss

Company: Weissco, Inc.

Address: 220 Stanb St.

City: Knoxville State: TN Zip: 37919

Telephone: 865.607.5500

Fax: N/A

E-mail: tomweiss@tds.net

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Thom-Weiss

PLEASE PRINT
Name: Thomas L. Weiss

Company: Weissco, Inc.

Address: 220 Stanb St.

City: Knoxville State: TN Zip: 37919

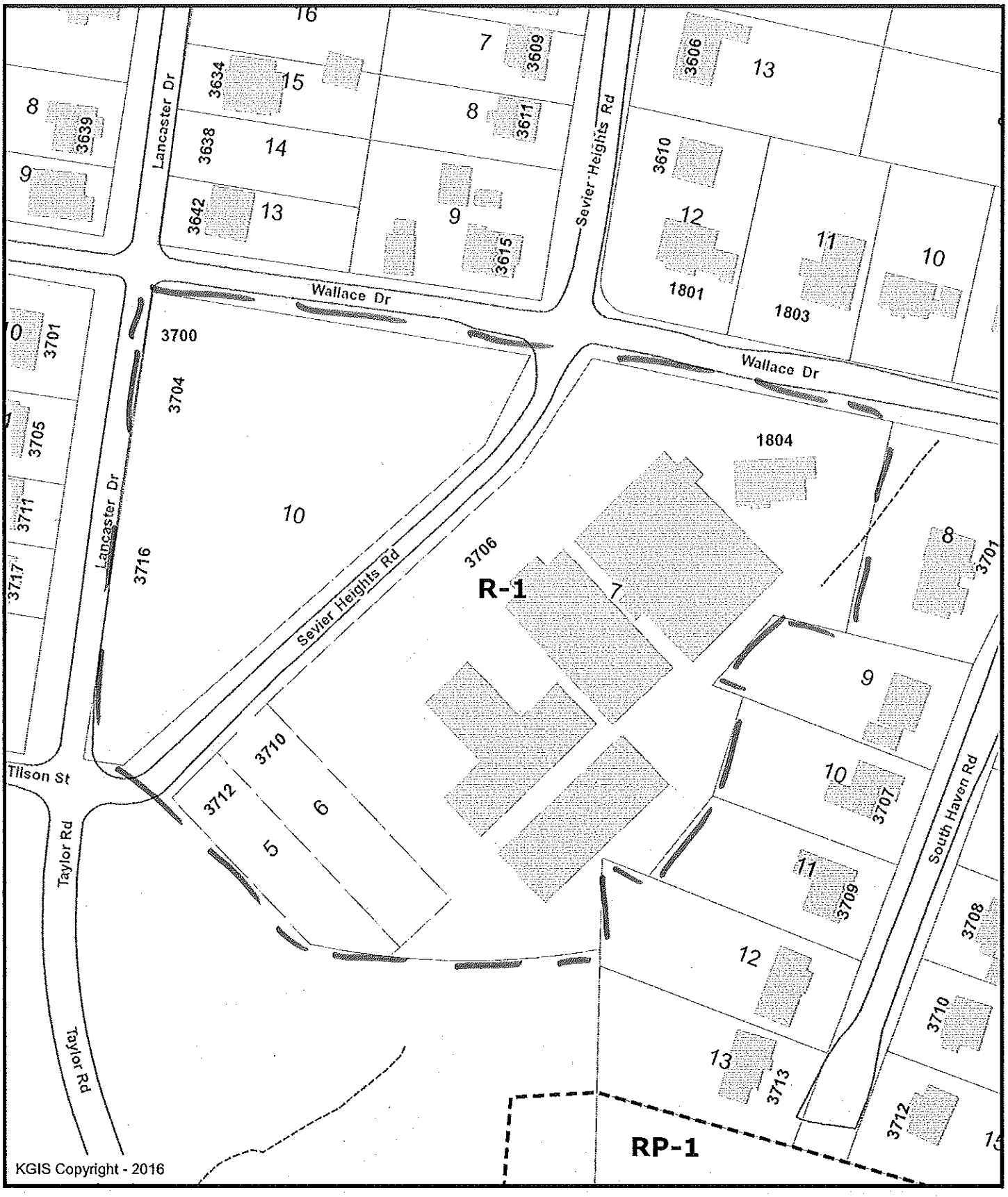
Telephone: 865.607.5500

E-mail: tomweiss@tds.net

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink: (If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
WORD AFIRE CHURCH INC. By Wayne Marler CEO	3706 SEVIER HEIGHTS RD	KNOXVILLE	TN	37920	X	



Letter Portrait

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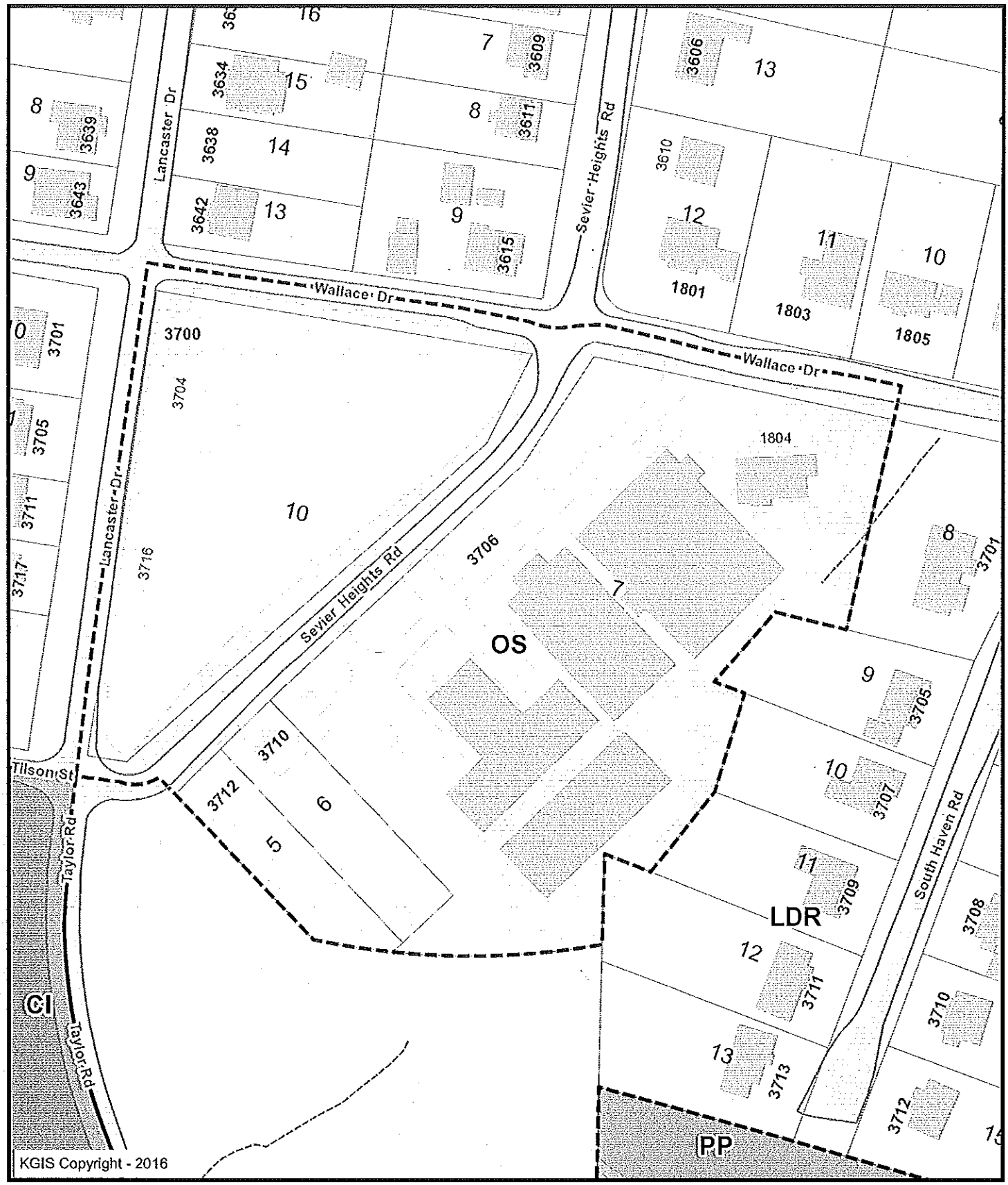

Letter Portrait One Year Plan

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