

## **MPC AGENDA REVIEW MEETING**

**November 7, 2016**

**Meeting Agenda**

**WELCOME**- Gerald Green

**EXECUTIVE DIRECTORS REPORT**

Presentation by Steve Wise, Esq. – A discussion of General Processes & Procedures

### **REVIEW OF AGENDA ITEMS**

#### **ORDINANCE AMENDMENTS**

None

#### **ALLEY OR STREET CLOSURES**

None

#### **PLANS, STUDIES & REPORTS**

None

#### **CONCEPT PLANS**

**# 8 - 5-SE-16-C – Bentley Fields** – Staff is recommending approval of the concept plan subject to 11 conditions. This matter has been postponed a number of times. Issues that have been raised throughout the review process have been addressed by the recommended conditions. The staff as well as the area residents have concerns regarding the historic cemetery on the site, access to and from the site, geological issues as evidenced by the existence of a sinkhole and the provision of sidewalks in the development. (Tom Brechko)

#### **FINAL PLATS**

None

#### **REZONINGS**

**#26 - 7-D-16-RZ - S & E Properties** – Staff has been given conflicting survey information regarding the width of the right-of-way of Millstone Ln. In order for the zoning/subdivision of the site to go forward, improvements will be required to Millstone Ln. After reviewing the surveys along with the preliminary design for improvements to Millstone Ln., staff is recommending approval of the rezoning of this site to PR Planned Residential) @ 3 du/ac. with 3 conditions. The conditions address concerns dealing with compatibility with adjoining properties and the improvements to Millstone Ln. (Mike Reynolds)

**#28 – 10-B-16-SP / 10-B-16-PA/ 10-B-16-RZ – Tom Weiss** - 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. 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. (Mike Reynolds)

**#33 11-D-16-RZ – Mesana Investments, LLC** – Staff is recommending approval of PR (Planned Residential) at 3 du/ac with one condition (Applicant requested 5 du/ac). With the recommended condition, PR is an appropriate zone for residential development of this site and is consistent with the sector plan recommendation for the property, which is within the Planned Growth Area on the Growth Policy Plan. The recommended density of up to 3 du/ac is consistent with the slope protection recommendations of the Hillside and Ridgetop Protection Plan (HRPP) for residential densities and development. At the requested density of 5 du/ac, the proposal exceeds (by 84 units) the maximum 125 units recommended in accordance with the HRPP guidelines. (Mike Brusseau)

### **USE ON REVIEWS**

None

### **OTHER BUSINESS**

**#44 Consideration of Staff Report for Plan of Services** – The City is proposing to annex a parcel of land on the north side of Parkside Dr., at the property owners request, that contains approximately 1.8 acres. As part of the annexation process the City has to prepare a “Plan of Service”. This plan describes the services the City provides and the timing of providing those services to the annexed property. Tennessee law requires that the local planning commission review the Plan of Service and determine if they comply with law. After reviewing the Plan of Service for the property being annexed, staff finds the Plan of Service in conformance with the applicable law. (Kelly)

**#46 Consideration of Amendments to MPC’s Administrative Rules regarding procedures for administering special exceptions** - Presently in the City of Knoxville Zoning Ordinance under prohibited uses in the C-3 General Commercial zone (Article 4 Section 2.2.6.D.1) states that residential uses are prohibited in the C-3 zone except as a special exception which may be permitted by MPC. The term is not defined and this is the only reference to a special exception in the entire City Zoning Ordinance. However, the term special exception is not uncommon in the planning vocabulary. What our ordinance refers to a use-on-review other communities use terms such as conditional use or special exception.

We now have developers who want to develop or redevelop properties that are currently zoned C-3 with a mixture of commercial and residential uses. At the present time we do not have a zone other than C-2 (Central Business District) that will permit mixed use developments. Since a special exception in other communities is similar to our use on review, staff is recommending that such requests be handled the same as a use-on-review. We recommend that the fee charged for a special exception and the plans required for review be the same as are currently required to proceed through the use-on-review process.

Staff looks at this amendment to the Administrative Rules as a temporary fix to address a question at hand. The adoption of the “Mixed Use Zone” which is currently being reviewed and the rewrite of the City Zoning Ordinance will provide an opportunities for consideration of a long term solution to this matter. (Kelly)