

MPC AGENDA REVIEW MEETING
September 7, 2010
Meeting Agenda

I. **Executive Director's Report**

II. **Review of MPC Items**

- **Rezoning**

#27 Joe G. Tate (8-A-10-RZ and 8-A-10-SP) Staff Recommendation: **DENY requests for General Commercial plan amendment and CA zoning; APPROVE Office plan amendment.** The staff has recommended denial of the requests which would allow commercial development in favor of recommending approval of an Office plan amendment to recognize the current OA zoning. The existing OA zoning would allow uses that would be more in keeping with the uses on nearby sites, than what are allowed under CA zoning. In fact, uses on nearby CA zoned properties would also be permitted under a more appropriate office classification. Still other commercial properties in the area are underutilized. Commercial uses and zones are more appropriate at the Oak Ridge Highway/Byington Beaver Ridge Road intersection to the west. **(Brusseau)**

#28 This and That Antiques (9-A-10-RZ) Staff Recommendation: **APPROVE C-6 zoning (applicant requested C-4 zoning).** This request is similar to one that first was considered by MPC in November of last year. MPC passed a recommendation for C-6 zoning in January of this year, consistent with an approved One Year Plan amendment. The request was denied at City Council due to the lack of a motion to approve. The staff still supports commercial uses at this site, but under the C-6 zoning, which requires site plan approval for any new or expanded development. Property in the area is developed under a variety of commercial, office and industrial zones. There is neighborhood opposition to this request. **(Brusseau)**

#31 Ron Scott, Jr./Ben Kiser (9-D-10-RZ and 9-A-10-SP) Staff Recommendation: **DENY Commercial plan amendment for Parcel 6.02; DENY CA zoning for Parcel 6.02 and APPROVE CA zoning for Parcels 6.01 and 6.03.** The staff rationale for recommending approval of CA zoning on Parcels 6.01 and 6.03 is that they have a Commercial plan designation. They both have direct access to Oak Ridge Highway, while Parcel 6.02 does not. The current plan designation should not be amended to allow the extension of CA zoning to Parcel 6.02, which would be an intrusion into a residential area. **(Brusseau)**

#33 Metropolitan Planning Commission (9-F-10-RZ) Staff Recommendation: **APPROVE OS-1 zoning for several city parks with no conditions prohibiting currently listed uses permitted on review.** In April of this year, City Council asked that MPC consider rezoning city park land from current zoning to the OS-1 zone and that a condition be placed with this rezoning restricting residences, marinas and cellular communications towers on such property. In analyzing the current inventory of parks, it was determined that a select list of parks, those being recommended for rezoning, meet the current criteria for OS-1 zoning. The staff has also recommended that no conditions

be placed on these rezonings restricting their use for residences, marinas and cell towers, since these uses are already treated as uses permitted on review. They can be approved or denied by MPC, on a case by case basis, and appealed to City Council, based on the results of the MPC review. Also recommended by staff is that MPC recommend to City Council that the zoning ordinance be reviewed for possible amendments regarding definitions for parks and open space and the addition of parks as a use on review in all zone districts. **(Brusseau)**

- **Uses on Review**

#34 The Kroger Company (7-D-10-UR) Staff Recommendation: **APPROVE, with conditions.** This is a request for the approval of a development plan for a new Kroger supermarket, additional retail space and a fueling center on a 21.4 acre tract. The plan also calls for four out parcels fronting Kingston Pike. In addition, the project will be connected by a driveway access to Market Place Blvd., located to the east. The new driveway will be developed in cooperation with the development of a credit union office that will have frontage on Market Place Blvd. The central issue regarding this application is Kroger's proposal for a second access point onto Kingston Pike. One access point already exists and is located at a median cut-thru. The second access will not be approved by TDOT, which has recommended that the access be eliminated from the plan. Minimizing access onto Kingston Pike will assist in traffic flow management for the entire project. ***Update: Kroger has presented to staff an alternate access proposal for Kingston Pike, which MPC and City staff have not had time to review. If the applicant wishes to move ahead with this new proposal, staff will recommend postponement to allow sufficient time for analysis. Otherwise, the plan as recommended by staff can be approved.*** (Kelly)

#35 David Wyatt (8-B-10-UR) Staff Recommendation: **APPROVE, with conditions.** The staff has recommended approval of this request to allow the storage of up to five (5) school buses on property zoned A (Agricultural). The staff is of the opinion that the proposed use can work on the subject property, with little impact to the surrounding area. The applicant, however, will have to comply with 12 conditions, including the preparation of a site plan by a certified professional designer showing that all conditions of approval can be satisfied. The site plan will have to be submitted to and reviewed by staff before the property can be used to store the buses. There is neighborhood opposition to this request. **(Kelly)**