



# Minutes of the Regular Meeting of the Council of the City of Knoxville

Tuesday, July 30, 2019

6:00 PM

City County Building: Main Assembly Room

## 1. CALL TO ORDER

The meeting was called to order at 6:01 PM by Mayor Madeline Rogero

## 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member McKenzie gave the invocation, and Council Member Stair led in the invocation.

## 3. ROLL CALL

Attendee Name	Title	Status	Arrived
Madeline Rogero	Mayor	Present	
Mark Campen	Fifth District	Present	
Gwen McKenzie	Sixth District	Present	
Lauren Rider	Fourth District	Present	
Andrew Roberto	Second District	Present	
Finbarr Saunders	Vice-Mayor, At-Large Seat C	Present	
Seema Singh	Third District	Present	
Marshall Stair	At-Large Seat B	Present	
George C. Wallace	At-Large Seat A	Present	
Stephanie Welch	First District	Present	

## 4. APPROVAL OF MINUTES

**Motion to:** approve the minutes of the July 16, 2019 Regular Meeting of City Council

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Seema Singh, Third District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**5. ANNOUNCEMENTS AND EXTRAORDINARY MATTERS,  
ADOPTION OF AGENDA**

**a. ITEMS WITHDRAWN (Indicated with "W")**

None

**b. ITEMS FOR POSTPONEMENT (Indicated with "P")**

**Postponed**

- 12-b** An Ordinance to close a portion of Myrtle Street between the northern right-of-way line of East Fifth Avenue and terminus and dead-end, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, City of Knoxville, Applicant. (MPC Approved 14-0 Consent) (File No. 4-A-19-SC) (Sixth District)(Requested by Metropolitan Planning Commission)

<b>RESULT:</b>	<b>POSTPONED [UNANIMOUS] Next: 11/19/2019 6:00 PM</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Stephanie Welch, First District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**c. ITEMS REQUESTED TO BE ADDED BY MOTION (Indicated with "M")**

None

**d. CONSENT ITEMS (Indicated with "\*")**

**Resolution No. R-250-2019**

- 11-g** A Resolution approving the issuance of a Certificate of Compliance to Little John's Package Store relative to its application to the Tennessee Alcoholic Beverage Commission to renew its license to operate a liquor store in the City. (Requested by Finance Department)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Gwen McKenzie, Sixth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Resolution No. R-251-2019**

**11-h** A Resolution granting a pension of \$3,778.35 per month to Bobby J. Maxwell, an employee of the Knoxville Police Department. (Requested by Pension Board)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Gwen McKenzie, Sixth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Resolution No. R-252-2019**

**11-i** A Resolution granting a pension of \$606.04 per month to Thomas S. Jones, an employee of the Knoxville General Government.(Requested by Pension Board)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Gwen McKenzie, Sixth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

At this time, Mayor Rogero suggested moving Ordinance 9-e to before consideration of Ordinance 12-c.

Vice-Mayor Saunders moved to consider Ordinance 9-e before consideration of Ordinance 12-c, and Council Member Rider seconded the motion. On unanimous voice-vote, the motion to move the item carried.

**6. MAYOR'S REPORT**

Mayor Rogero announced that early voting begins in the City primary election on Wednesday, August 7 and ends on Thursday, August 22, 2019. The primary election day is Tuesday, August 27, 2019. She announced several early voting locations.

The Mayor announced the 2019 Mayors' All4Knox Summit for Friday, August 2, 2019 at the University of Tennessee Student Union. The purpose of the summit is to formulate a strategic plan for community to address substance abuse and the opioid crisis.

The Mayor also announced the unveiling of Addison Karl's new mural on the side of the Market Square Garage. This will be on Tuesday, August 6, 2019 at 4:00pm.

**7. REPORTS OF COUNCIL MEMBERS OR COMMITTEES**

Council Member McKenzie announced the Lonsdale International Homecoming this coming weekend.

Council Member McKenzie also announced that the Knoxville Area Urban League will hold their annual Shoes for School event on Saturday, August 3, 2019 at Caswell Park at 9:00am. Free school supplies will also be available.

## 8. ELECTIONS AND CONFIRMATIONS

### Resolution No. R-253-2019

- a. A Resolution expressing support for the Mayor's appointments of Kevin S. Bachman, Angie Cannon, Rick Cox, Susan Dakak, Garry Ferraris, Helen Harb, Jeremy James, Rodney L. Jones, Jim Klonaris, Delnise Moore, Kathyne Ograd and Deana Sanabria to the Business Advisory Council.(Requested by Mayor Rogero)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	George C. Wallace, At-Large Seat A
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

*Before the vote was taken, Mayor Rogero recognized several of these individuals in the audience.*

## 9. ORDINANCES ON SECOND READING

### Ordinance No. O-100-2019

- a. An Ordinance to amend the Operating and Capital budgets for fiscal year 19/20. (Requested by Finance Department)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Lauren Rider, Fourth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

### Ordinance No. O-101-2019

- b. An Ordinance extending the moratorium imposed by Ordinance Nos. O-137-2018 and O-16-2019 upon shared mobility vehicles within the City of Knoxville through March 5, 2020, with the exception of those shared mobility vehicle providers operating in accordance with and authorized by the City's pilot program. (Requested by Law Department)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Seema Singh, Third District
<b>SECONDER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Ordinance No. O-102-2019**

- c. An Ordinance to rezone property located at 5703 Jacksboro Pike, Parcel ID 48 M A 016 from R-1 (Low Density Residential) District to R-2 (General Residential) District, Alonzo Gregg, Applicant. (Planning Commission Approved 13-0 Consent) (PC file No. 6-A-19-RZ) (Fourth District)(Requested by Metropolitan Planning Commission)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Lauren Rider, Fourth District
<b>SECONDER:</b>	Stephanie Welch, First District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Ordinance No. O-103-2019**

- d. An Ordinance to rezone property located at 114 Cedar Lane, Parcel ID 68 L D 009 from O-1 (Office, Medical, and Related Services) District to C-3 (General Commercial) District, Merchants Investments, LLC, Applicant. (Planning Commission Approved 13-0 Consent) (PC file No. 6-M-19-RZ) (Fifth District)(Requested by Metropolitan Planning Commission)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mark Campen, Fifth District
<b>SECONDER:</b>	Lauren Rider, Fourth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

Ordinance 9-e was considered later in the meeting - see the item after 12-b

**10. HEARINGS ON ZONING MATTERS, APPEALS FROM ACTION OF MPC/BOARD OF ZONING APPEALS OR PLANS REVIEW**

None

**11. RESOLUTIONS**

**Resolution No. R-254-2019**

- a. A Resolution authorizing the Mayor to execute any and all documents to renew and extend coverage from Affiliated FM Insurance Company for property, flood, earthquake, and boiler and machinery insurance coverage for the City of Knoxville for an approximate annual premium of \$259,518.00.(Requested by Employee Benefits & Risk Management)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Stephanie Welch, First District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Resolution No. R-255-2019**

- b. A Resolution authorizing the Mayor to execute an agreement with Merit Construction, Inc. for an amount not to exceed \$510,745.00 for the New City of Knoxville Vehicle Impoundment Project.(Requested by Fleet Services and Engineering Department)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Mark Campen, Fifth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Discussion:**

*Council Member Wallace and Keith Shields, Director of Fleet Services*

**Resolution No. R-256-2019**

- c. A Resolution authorizing the Mayor to amend Contract No. C-17-0161 with Thomas Caldwell, Architect for design services for the New City of Knoxville Vehicle Impoundment Project, increasing the contract amount by \$10,000.00 for a new contract total of \$52,400.00, and extending the date of completion to May 31, 2020. (Requested by Fleet Services and Engineering Department)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Lauren Rider, Fourth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

**Resolution No. R-257-2019**

- d. A Resolution authorizing the Mayor to enter into a contract with Messer Construction to provide professional construction manager at risk services for the redevelopment of the Tennova Hospital site as the new Public Safety Complex for an amount not to exceed \$35,500,000.00.(Requested by Finance Department)

<b>RESULT:</b>	<b>APPROVED [8 TO 1]</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>SECONDER:</b>	Mark Campen, Fifth District
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Stair, Wallace, Welch
<b>NAYS:</b>	Seema Singh

**Discussion:**

*Council Member Singh, Jim York, Director of Finance; David Brace, Chief Operating Officer and Deputy to the Mayor; Council Member Wallace, Jonathan Grammer, Volkert Engineering, Inc.; Council Members McKenzie, Rider, and Roberto; Boyce Evans, Deputy Director of Finance; and Council Member Stair*

**Resolution No. R-258-2019**

- e. A Resolution authorizing the Mayor to execute an amendment to an agreement with Volkert, Inc. to provide the Owner's Representative services to manage the planning, design, bidding and construction of a new Public Safety Complex, to increase the contract price by \$227,000.00 for a total contract amount not to exceed \$1,668,960.00.(Requested by Finance Department and Administration)

<b>RESULT:</b>	<b>APPROVED [8 TO 1]</b>
<b>MOVER:</b>	Mark Campen, Fifth District
<b>SECONDER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Stair, Wallace, Welch
<b>NAYS:</b>	Seema Singh

**Resolution No. R-259-2019**

- f. A Resolution authorizing the abatement of the special assessment levy in the Central Business Improvement District for property located at 719 Locust Street.(Requested by Office of Redevelopment)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gwen McKenzie, Sixth District
<b>SECONDER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch

Resolutions 11-g through 11-i were approved on consent - see Section 5-d

**12. ORDINANCES ON FIRST READING**

**Approved on First Reading**

- a. An Ordinance appropriating the sum of \$5,000.00 from the Parks and Recreation Department's grants and benevolence fund and donating same to Fountain City Lions Club to be utilized toward the maintenance and upkeep of Fountain City Park.(Requested by Parks and Recreation Department)

<b>RESULT:</b>	<b>APPROVED ON FIRST READING [UNANIMOUS]</b>	<b>Next: 8/13/2019 6:00 PM</b>
<b>MOVER:</b>	Lauren Rider, Fourth District	
<b>SECONDER:</b>	Gwen McKenzie, Sixth District	
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch	

- b. Ordinance 12-b was postponed earlier in the meeting - see Section 5-b

**Approved First Reading Amended**

- 9-e An Ordinance of the Council of the City of Knoxville to regulate the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes; and for such purposes to divide the municipality into districts or zones of such number, shape and areas as it may determine, and regulate the erection, construction, reconstruction, alteration and uses of buildings and structures and the use of land; to prescribe penalty for the violation of its provisions and to provide for its enforcement; to repeal Ordinance No. 3369, known and cited as “the Zoning Ordinance of the City of Knoxville, Tennessee” and all amendments thereto, all as the product of a public process known as “Recode Knoxville.” (Planning Commission Approved 9-4 on June 13, 2019) (Planning Commission File Nos. 11-A-18-OA and 6-A-19-OA) (All Districts)(Requested by Metropolitan Planning Commission)  
(TEXT ONLY)

<b>RESULT:</b>	<b>APPROVED FIRST READING AMENDED [8 TO 1]</b>	<b>Next: 8/13/2019 6:00 PM</b>
<b>MOVER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C	
<b>SECONDER:</b>	Stephanie Welch, First District	
<b>AYES:</b>	McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, Welch	
<b>NAYS:</b>	Mark Campen	

*Vice-Mayor Saunders moved to approve the ordinance, Council Member Welch seconded the motion.*

*Mayor Rogero gave an overview of the process to date for consideration of the proposed comprehensive zoning ordinance update.*

*Speaking to concerns about accessory dwelling units (ADUs) and Established Neighborhood districts (EN) was Council Member Singh. Gerald Green, Executive Director of Knoxville-Knox County Planning spoke further to this issue.*

*A discussion ensued concerning what would be considered substantive amendments that would require this ordinance go back to first reading. Participating were Council Member Wallace and Charles Swanson, Law Director.*



## **Article 10. Site Development Standards**

*The Mayor presented the fifty-fifth revision from the Council Initiated Revisions to Recode Draft 5 (a copy of which is attached to these minutes), a clarification of an amendment adopted at the July 16 meeting to Section 10.3 Accessory Structures and Uses B. Accessory Dwelling Units (ADU) 2. on page 10-4.*

### **Language as proposed:**

*An ADU may be located only on a lot with one single-family dwelling. However, in EN districts, ADUs shall be permitted unless the neighborhood prohibits them in a new EN application. One of the dwelling units must be occupied by the owner of the property.*

*Council Member Roberto moved to amend the ordinance by approving this revision.*

*A discussion of same ensued with the following participating: Council Member Roberto, Gerald Green, and Council Member Welch.*

*Council Member Stair seconded the motion to amend the ordinance.*

*A discussion concern the nature of the motion and whether it was changing the EN district ensued with Council Member Wallace, Charles Swanson, and Council Member Roberto participating.*

*Speaking further to the matter was Debbie Phillips, 1307 Michaels Ln.*

*Mayor Rogero and Council Member Rider provided some clarification to the last speaker on the purpose and impact of this amendment.*

*Gerald Green suggested a further revision to the language of the amendment.*

### **Language as proposed:**

*An ADU may be located only on a lot with one single-family dwelling. However, in EN districts, ADUs shall be permitted unless the neighborhood prohibits them in a new approved EN application. One of the dwelling units must be occupied by the owner of the property.*

*Council Member Rider spoke further to this matter.*

Council Member Roberto accepted Gerald Green's suggested language, and Council Member Stair seconded this. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.

This ended consideration of the Council Initiated Revisions to Recode Draft 5 handout.

## **Article 9. Uses**

Mayor Rogero proposed the nineteenth amendment from the Staff Initiated Revisions to Draft 5 of Recode handout (a copy of which is attached to these minutes), the insertion of "S" for Medical/Dental Office/Clinic in the I-RD column in **Section 9.2 Use Matrix Table 9.1** on page 9-4.

Council Member Wallace moved to amend the ordinance by approving this revision, and Council Member Stair seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.

### **Language as amended:**

	I-RD
Medical/Dental Office/Clinic	S

Speaking to the proposed comprehensive zoning ordinance update was Marlene Davis, 1935 Cherokee Blvd.

Speaking to a specific concern about possible restriction of flying the American Flag and those of branches of the United States Armed Services: Carl Cook, 328 Fallen Oaks Cir Seymour, Tennessee.

A discussion ensued concerning the last speaker's concern was Gerald Green, Rob Frost, Special Counsel and Advisor to the City Council, Council Member Rider, Mayor Rogero, and Charles Swanson.

Mayor Rogero stated that staff would review this issue further.

The Mayor stated that consideration would now move to the Revisions from Councilman Roberto handout (a copy of which is attached to these minutes).

## **Article 2. General Definitions & Measurement Methodologies**

Council Member Roberto introduced the first revision from his handout, the clarification of "Parking Lot" in **Section 2.3 Definitions** on page 2-19.

Council Member Welch moved to amend the ordinance by approving this revision, and Vice-Mayor Saunders seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.

**Language as amended:**

**Parking Lot.** *An area, excluding a street or public way, used for the parking/storage of six or more operable vehicles, whether for compensation or at no charge.*

**Article 10. Site Development Standards (continued)**

*Council Member Roberto introduced the fourth revision from his handout, the insertion of clarifying language in **Section 10.3 Accessory Structures and Uses V. Outdoor Storage (Accessory)** on page 10-12.*

*Gerald Green restated the proposed language.*

**Language as proposed:**

**1.** *The following uses are permitted to have outdoor storage as an accessory use: amusement facility - outdoor, personal, community, and market garden, greenhouse/nursery - retail, including the growing of plants in the open, heavy retail, rental, and service, general and heavy industrial, public safety and public works facilities, vehicle dealership, vehicle rental, vehicle operations facility, vehicle repair/service, warehouse and distribution, and wholesale establishment. The Zoning Administrator can also render an interpretation that a use not listed in this section would typically have outdoor storage and permit such use to include outdoor storage on the site.*

*Council Member Roberto moved to amend the ordinance by approving this revision, and Council Member Welch seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.*

*Council Member Roberto introduced the seventh revision from his handout, a clarification as to permanent cooking facilities and accessory dwelling units in **Section 10.3 Accessory Structures and Uses A. General Regulations for Accessory Structures** on page 10-4.*

*Gerald Green stated that staff supported this revision.*

*Council Member Roberto moved to amend the ordinance by approving this revision, and Council Member Welch seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.*

**Language as amended:**

**7.** Cooking facilities are prohibited in an accessory structure, unless the structure also complies with Article 10.3.B.

At this time, Council Member Roberto began reviewing revisions he suggested that staff either did not recommend or recommend the Stakeholder Advisory Committee to review post-adoption of the zoning ordinance.

**Article 9. Uses (continued)**

Council Member Roberto spoke to his third revision, the removal of "S" for "Storage yard, Outdoor-Secondary Use" in C-G district in **Section 9.2 Use Matrix Table 9.1** on page 9-5.

Speaking further to this matter were Gerald Green, Council Member Roberto, Carlene Malone, 6051 Fountain Rd; Council Member Rider, and Mary English.

Council Member Roberto also spoke to his sixth revision, the removal of "T" for "Temporary Outdoor Sales" in the C-G district in **Section 9.2 Use Matrix Table 9.1** on page 9-6.

**Article 11. Off-Street Parking**

Council Member Roberto spoke to his eighth revision, replacing **Section 11.11 Outdoor Storage of Commercial Vehicles** and **Section 11.12 Outdoor Storage of Recreational Vehicles** on pages 11-16 and 11-17 with Article 5, Section 8 of the current zoning ordinance.

A discussion of same ensued, specifically the how these sections affect parking of school buses, tradesperson's vehicles, and food trucks. The following participated: Council Member Roberto, Peter Ahrens, Director of Plans Review and Building Inspections; Council Member Rider, Gerald Green, and Council Members Singh and Campen.

**Article 13. Signs**

Council Member Roberto spoke to his ninth revision, a review of the sign ordinance and applying sign standards in the "Institutional Zone" in **Section 13.9 Signs Permitted in Specific Districts** on page 13-15.

A discussion of same ensued, specifically asking staff and the Stakeholder Advisory Committee to review and offer a solution to this issue. The following participated: Council Member Roberto, Gerald Green, Kevin Murphy, 4508 Murphy Rd; Carlene Malone, and Council Member Rider.

Council Member Roberto spoke to his tenth revision, the removal of **Section 13.9 Signs Permitted in Specific Districts F. Commercial, Industrial, and Institutional Districts: C-N, C-G, C-H, C-R, DK, I-MU, I-RD, I-G, I-H, INST 5.**

e. on page 13-17.

Speaking further to this matter were the following: Council Member Roberto, Gerald Green, and Carlene Malone.

### **Article 11. Off-Street Parking (continued)**

Council Member Rider spoke to her concerns about the language of **Section 11.11 Outdoor Storage of Commercial Vehicles** and **Section 11.12 Outdoor Storage of Recreational Vehicles** on pages 11-16 and 11-17.

A discussion of same ensued, specifically the possibility of amending these sections by replacing them with the language from the current zoning ordinance. The following participated: Council Member Wallace, Charles Swanson, Council Members Rider and Stair, Larry Silverstein, 7808 Sheffield Dr; Jennifer Roche, 609 N Weisgarber Rd; Council Member Welch, and Gerald Green.

In this discussion, Charles Swanson stated that this amendment would take the text of the comprehensive zoning ordinance update back to first reading.

Council Member Rider moved to amend the ordinance by replacing **Section 11.11 Outdoor Storage of Commercial Vehicles** and **Section 11.12 Outdoor Storage of Recreational Vehicles** with **Article 5 Supplementary Regulations Applying to a Specific, to Several, or to All Districts Section 8. Storage and parking of trailers, recreational vehicles, commercial vehicles, and school buses** from the current zoning ordinance. Council Member Campen seconded the motion.

A discussion of same ensued with the following participated: Council Members Campen, Stair, and Wallace; Gerald Green, James Waldrup, 1710 E Fifth Ave; Council Member Roberto, Charles Swanson, and Council Members McKenzie and Rider

On roll-call vote, the motion to amend the ordinance carried five to four with Council Members Rider, Roberto, Singh, Stair, and Campen voting "aye" and Council Members Saunders, Wallace, Welch, and McKenzie voting "nay." The ordinance was amended.

#### **Language as amended:**

#### **Storage and parking of trailers, recreational vehicles, commercial vehicles, and school buses.**

Commercial vehicles hauling trailers, boat trailers, recreational vehicles, and school buses shall not be parked or stored on any lot improved with a dwelling or on any lot zoned residential, except in accordance with the following provisions:

A. One each lot, only one of the following vehicles may be parked or stored per household living on the premises:

1. A commercial vehicle, which does not exceed 26,000 pounds, gross vehicle weight.
2. A school bus.

B. The following vehicles are prohibited:

1. A three-axle combination commercial vehicle cab.
2. Any commercial vehicle used for hauling explosives, gasoline or liquefied petroleum products.

C. On each lot, a total of two (2) (one (1) from any two (2) of the subsections listed below) of the following vehicles may be parked or stored per household living on the premises, and said trailer, or recreational vehicle, shall not exceed forty-five (45) feet in length or nine (9) feet in width; and further provided that said trailer, or recreational vehicle, shall not be parked or stored more than forty-eight (48) hours unless it is located behind the front yard building line:

1. Recreational vehicle.
2. Hauling trailer.
3. Boat trailer.

D. A recreational vehicle shall not be occupied either temporarily or permanently while it is parked stored in any area except in a travel trailer court or other location authorized under this ordinance.

## **Article 9. Uses (continued)**

Council Member Roberto re-proposed his third revision, the removal of "S" from "Storage Yard, Outdoor-Secondary Use" in the C-G district in **Section 9.2 Use Matrix Table 9-1** on page 9-5.

Council Member Roberto moved to amend the ordinance by approving this revision, and Council Member Rider seconded the motion.

A discussion of same ensued with the following participating: Council Members Roberto and Welch, Gerald Green, Council Member Wallace, Amy Nolan, 17 Market Square; Carlene Malone, and Council Member Rider.

On roll-call vote, the motion to amend the ordinance failed four to five with Council Members Roberto, Stair, Campen, and Rider voting "aye" and Council Members Saunders, Singh, Wallace, Welch, and McKenzie voting "nay."

Council Member Roberto re-proposed his sixth revision, the removal of "T" for "Temporary Outdoor Sales" in the C-G district in **Section 9.2 Use Matrix Table 9.1** on page 9-6.

No further action was taken on this matter.

## **Article 13. Signs (continued)**

Council Member Roberto re-proposed his ninth revision, a review of the sign ordinance and applying sign standards in the "Institutional Zone" in **Section 13.9 Signs Permitted in Specific Districts** on page 13-15.

*A discussion of same arose with the following participating: Council Members Roberto and Wallace, and Gerald Green.*

*No further action was taken on this matter.*

## **Article 8. Special Purpose & Overlay Districts**

*Council Member Campen spoke to a concern about the application of **Section 8.9 HP Hillside Protection Overlay Zoning District C. Density and Land Disturbance Limitations** on page 8-10, specifically whether Knoxville-Knox County Planning can issue Certificates of Appropriateness for deviations from Section 8.9 or only the density and Land Disturbance Limitations in Section 8.9 C.*

*Speaking further to the matter were the following: Gerald Green, Council Member Campen, and Carlene Malone.*

*Council Member Campen moved to amend the ordinance by inserting "C" after Article 8.9 in the final sentence of **Section 8.9 C.** on page 8-10. Council Member Singh seconded the motion. On unanimous voice-vote, the motion to amend the ordinance carried, and the ordinance was amended.*

### **Language as amended:**

#### *C. Density and Land Disturbance Limitations*

*Table 8-6: Density and Land Disturbance Limitations establishes the maximum residential density and maximum land disturbance of the site for residential districts that are within the HP Overlay District. Only the maximum land disturbance is applicable in non-residential districts that are within the HP Overlay. All other dimensional regulations apply unless specifically modified by the HP Overlay District. The Knoxville-Knox County Planning Commission, following the procedure in Article 16.2.D. and applying the guidelines in the Knoxville-Knox County Hillside and Ridgetop Protection Plan, may issue a Certificate of Appropriateness for any application for any deviation from Article 8.9.C.*

## **Article 4. Residential Neighborhood Districts**

*Council Member Campen spoke to his concerns about the 5,000sf minimum lot area for RN-2 single family in **Section 4.3 Dimensional Standards** on page 4-3.*

*A discussion of same ensued with the following participating: Council Member Campen and Gerald Green.*

*Council Member Campen raised the issue of the cost to implement this new zoning ordinance.*

*A discussion of same continued with Gerald Green, Council Member Campen, and Mayor Rogero participating.*

*At this time, Council Member Roberto thanked and recognized the Mayor, staff, citizens, and various interest groups for their efforts and participation in this process.*

*At this time, Mayor Rogero thanked members of the Public Stakeholder Advisory Committee, some of which were present in the audience.*

*Vice-Mayor Saunders renewed his motion to approve the ordinance, as amended; and Council Member Wallace seconded this motion. On voice-vote, the motion to approve the ordinance, as amended, carried with Council Members McKenzie, Rider, Roberto, Saunders, Singh, Stair, Wallace, and Welch voting "aye" and Council Member Campen voting "nay." The ordinance was approved, as amended, on first reading.*

*At approximately 8:40pm, Mayor Rogero called a recess.*

*At approximately 9:05pm, Mayor Rogero called the meeting back to order.*

### **Approved First Reading Amended**

- c.** An Ordinance of the Council of the City of Knoxville to regulate the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes; and for such purposes to divide the municipality into districts or zones of such number, shape and areas as it may determine, and regulate the erection, construction, reconstruction, alteration and uses of buildings and structures and the use of land; to prescribe penalty for the violation of its provisions and to provide for its enforcement; to repeal Ordinance No. 3369, known and cited as "the Zoning Ordinance of the City of Knoxville, Tennessee" and all amendments thereto, all as the product of a public process known as "Recode Knoxville." (Planning Commission Approved 9-4 on June 13, 2019) (Planning Commission File Nos. 11-A-18-OA and 6-A-19-OA) (All Districts)(Requested by Metropolitan Planning Commission) (ZONING MAPS ONLY)

<b>RESULT:</b>	<b>APPROVED FIRST READING AMENDED [8 TO 1]</b>	<b>Next: 8/13/2019 6:00 PM</b>
<b>MOVER:</b>	Stephanie Welch, First District	
<b>SECONDER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C	
<b>AYES:</b>	Campen, McKenzie, Rider, Saunders, Singh, Stair, Wallace, Welch	
<b>NAYS:</b>	Andrew Roberto	

*The Mayor began consideration of the zoning maps with an overview of the process thus far. Gerald Green continued this review of overall changes to the zoning maps.*

*Mayor Rogero presented the Proposed Revisions to Zoning Map handout (a copy of which is attached to these minutes). She proposed beginning with the first sixteen proposed revisions, which were proposed by Council Member Rider.*

*Council Member Rider moved to amend the zoning map to adopt the first through fourteenth and sixteenth revisions, and Council Member Campen seconded the motion. On unanimous voice-vote, the motion to amend the zoning map carried, and the map was amended.*

*Council Member Rider presented her fifteenth revision, the change from RN-2 to RN-1 for parcels located on Sanders, Crawford, and Adair south of Conner.*



*The Mayor requested clarification that this revision was for parcels south of Conner and not Rennoc, as indicated on the proposed revisions handout.*

*Speaking to this revision were the following: Gerald Green and Council Member Rider.*

*Council Member Rider moved to amend the zoning map to approve her fifteenth revision, and Council Member Wallace seconded the motion.*

*Speaking further to the matter was Larry Dearing, 200 Adair Dr.*

*On unanimous voice-vote, the motion to amend the zoning map carried, and the map was amended.*

*Gerald Green presented the seventeenth through thirty-fourth revisions.*

*Council Member Wallace moved to amend the zoning map by approving the seventeenth through thirty-fourth revisions, and Vice-Mayor Saunders seconded the motion.*

*A discussion of same ensued, specifically owner requested revisions to the map. The following participating: Council Member Roberto, Gerald Green, Council Member Stair, Nick Della Volpe, 5216 Crestwood Dr; Christopher Salmons, 1710 E Fifth Ave.*

*On unanimous voice-vote, the motion to amend the zoning map carried, and the zoning map was amended.*

*Council Member Rider proposed a further revision to the zoning map, changing the zoning from C-N to RN-4 for Lot 23 at the corner of Forestal and Mccamey.*

*A discussion of same ensued with the following participating: Council Member Rider, Gerald Green, Charles Swanson, Council Member Campen, and Carlene Malone.*

*Council Member Rider moved to amend the zoning map by changing the zoning on Lot 23 at Forestal and Mccamey from C-N to RN-4, and Council Member Welch seconded the motion. On unanimous voice-vote, the motion to amend the map carried, and the zoning map was amended.*

*Council Member Roberto spoke to a concern about some parcels at the corner of Kenesaw and Keowee changing from C-1 to C-G-2.*

*Speaking further to this matter was Sandy Gillespie, 4272 Holloway Dr; Council Member Roberto, Gerald Green, and Council Member Wallace.*

*No further action was taken in this matter.*

*Tim Graham addressed a letter (a copy of which is attached to these minutes) sent to Gerald Green with various requests for revisions to the zoning map for properties owned by Graham Corporation. He presented revisions one through five, and seven through eight. He stated he had a correction to his eighth revision, South Grove at Chapman Highway and Governor John Sevier Highway.*

*Council Member Roberto moved to amend the zoning map by approving these revisions, and Council Member Wallace seconded the motion.*

*Council Member McKenzie also moved to amend the zoning map by approving these revisions, and Council Member Wallace seconded the motion.*

*Council Member Welch sought clarification on these changes to Tim Graham's request.*

*Mayor Rogero clarified with Tim Graham that he is requesting that the parcels between Chapman Highway and Mountain Grove be changed from C-R-1 to C-H-1 and that the parcels south of Mountain Grove to C-H-2.*

*Council Member McKenzie moved to amend the zoning map by offering a substitute motion to approve Tim Graham's revisions one through five, and seven through eight. Her motion included the corrections Tim Graham made to the eighth revision at the South Grove properties. Council Member Roberto seconded the motion. On unanimous voice-vote, the motion to amend the zoning map carried, and the zoning map was amended.*

*Tim Graham presented his sixth request for revision to the zoning map, the change from C-G-2 to C-H-2 at 5014 North Broadway.*

*A discussion of same ensued with the following participating: Tim Graham, Gerald Green, and Carlene Malone.*

*At this time, Tim Graham withdrew his sixth request.*

*Tim Graham presented his ninth request for revision to the zoning map, the change from C-G-2 to C-H-2 at Magnolia and Spruce.*

*At this time, Tim Graham withdrew his ninth request.*

*Tim Graham presented his tenth request for revision to the zoning map, the change from RN-1 to O for New Hope Presbyterian Church at 1705 Merchant Drive.*

*Speaking further to this matter were the following: Gerald Green.*

*Council Member Wallace moved to amend the zoning map by approving this revision, and Council Member Roberto seconded the motion.*

*The discussion proceeded with the following participating: Council Members Rider, Stair, and Singh, Tim Graham, and Council Member Campen.*

*On roll-call vote, the motion to amend the zoning map failed three to six with Council Members Wallace, Roberto, and Saunders voting "aye" and Council Members Welch, Campen, McKenzie, Rider, Singh, and Stair voting "nay."*

*Council Member McKenzie presented several revisions to the zoning map on East Fifth Avenue and Woodbine Avenue.*

*Speaking further to the matter were the following: Gerald Green, Council Member McKenzie, and David Nix, 2413 E Fifth Ave.*

*Council Member McKenzie moved to amend the zoning map by revising it as follows: changing RN-4 to RN-3 for 2410, 2420, 2432, 2436, and 2440 East Fifth Avenue at Knoxville Baptist Christian School, changing from RN-4 to RN-2 for the seventeen-hundred block of East Fifth Avenue, changing from RN-4 to RN-2 for the fourteen-hundred block of Woodbine Avenue, and changing from RN-4 to RN-2 for 2354, 2400, and 2404 East Fifth Avenue. Council Member Wallace seconded the motion. On unanimous voice-vote, the motion to amend the zoning map carried, and the zoning map was amended.*

*Jamie Rowe, 4215 Tazewell Pike, spoke to a request to a request that the floodway overlay be added for various parcels at Clairmont, Clairidge, and Cranberry.*

*Speaking further to the matter was Council Member Rider and Gerald Green.*

*Council Member Rider moved to amend the zoning map so that, corresponding to the FEMA maps, the floodway overlay be applied for Davron, Clairidge, Cranberry, Gaines, and Clairmont; and Council Member Campen seconded the motion. On unanimous voice-vote, the motion to amend the zoning map carried, and the zoning map was amended.*

*Council Welch spoke to a concern about for opportunities for additional RN-4 zoning.*

*A discussion of same arose with the following participating: Gerald Green and Council Member Rider.*

*A discussion arose concerning the procedural issue of bringing further amendments to the zoning map at the second reading. The following participated: Council Member McKenzie, Charles Swanson, Gerald Green, Council Member Stair, and Rob Frost.*

*Council Member Welch moved to approve the zoning map, as amended; and Vice-Mayor Saunders seconded the motion. On voice-vote, the motion to approve the zoning map as amended carried eight to one with Council Members Campen, McKenzie, Rider, Saunders, Singh, Stair, Wallace, and Welch voting "aye" and Council Member Roberto voting "nay." The zoning map was approved, as amended, on first reading.*

*At this time, Mayor Rogero stated that both text and map of the comprehensive zoning ordinance update will be considered at second reading at the regularly meeting of City Council on Tuesday, August 13, 2019.*

**13. PUBLIC FORUM**

None

**14. ADJOURNMENT**

The meeting was closed at 10:33 PM

---

Presiding Officer of the Council

---

Recorder