

OAK RIDGE MUNICIPAL PLANNING COMMISSION
AUGUST 2017
AGENDA
REGULAR MEETING

Municipal Building Court Room
Thursday, August 17, 2017
5:30 p.m.

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes
 - Regular Meeting June 22, 2017
4. Consent Agenda
 - August Bond Report
5. Business Items
 - A. Rezoning Requests
 - TN Oak Ridge Illinois LLC – RG-1 & O-2 to UB-2
 - B. Subdivision Approvals
 - Section O Waterline/Electric Acceptance, Letter of Credit release and Warranty Bond
 - C. Site Plans
 - Azalea Place - Assisted Living Facility – Request for Building Height Modification
 - D. Zoning Ordinance Text Amendments
 - Proposed amendment to the IND-3 Zoning District Regarding Airports
 - Proposed amendment to Section 17.01 regarding AHO enforcement of the Zoning Ordinance
 - E. Resolution in Appreciation of Kathryn Baldwin
6. Other Items
 - A. TDOT Consultant Selection Policy
7. Reports
 - City Blueprint: Jordan Clark
 - City Council: Hans Vogel
 - TSAB: Jane Shelton
 - Staff Report
8. Adjournment

Schedule of Upcoming Meetings

Blueprint Open House:	August 24, 2017; Jefferson Middle School; 5:30 p.m.
Work Session :	September 14, 2017; Municipal Building Court Room; 5:30 p.m
Business Meeting:	September 21, 2017; Municipal Building Court Room; 5:30 p.m

OAK RIDGE MUNICIPAL PLANNING COMMISSION
MINUTES

Meeting Date: June 22, 2017

Call to Order: The regular meeting of the Oak Ridge Municipal Planning Commission (Planning Commission) was held in the Municipal Building, Oak Ridge, TN on June 22, 2017. The meeting convened at 5:31 p.m. with Mr. Whitson presiding.

Members in Attendance: Charlie Hensley, Sharon Kohler, Claudia Lever, Patrick McMillan, Zabrina Minor-Gregg, Jane Shelton, Benjamin Stephens, Stephen Whitson, Hans Vogel, and Todd Wilson. Staff Representatives – Kathryn Baldwin and Jordan Clark

Members not in Attendance: None.

Visitors/Others: Ben Pounds, Chris Sharp, Gene Rudesill, Margaret Elgin

Approval of Agenda: Motion to approve the agenda by Mr. Hensley. Seconded by Mr. Vogel. Unanimous vote (10 – 0) to approve the agenda as presented.

Approval of Minutes: Motion by Mr. Stephens to approve the April 26, 2017 minutes. Seconded by Mr. Vogel. Unanimous vote (10 – 0) to approve the April 26, 2017 minutes.

Consent Agenda: Motion made by Ms. Lever to approve the June Bond Report. Seconded by Mr. Vogel and followed by unanimous vote (10-0) to approve.

Business Items:

A. Final Plat: Resubdivision of Blocks 16CE and 17CE (Azalea Place) – Chris Sharp and Gene Rudesill

Staff presented the subdivision plat. The plat is part of the Azalea Place Planned Unit Development to realign the lot lines and show the portion of right-of-way on W. Madison Lane recently abandoned by City Council. The plat also shows the new area for a public turnaround.

Motion was made by Mr. Hensley to approve final subdivision plat. Ms. Lever seconded. The motion was approved by unanimous vote (10-0).

Reports

- A. City Blueprint** - The City Blueprint was discussed in the work session following the regular meeting.
- B. City Council** - Mr. Vogel reported on the Woodland pocket park
- C. TSAB** - Ms. Shelton discussed the possibility for members of TSAB to attend the upcoming Blueprint Open House events.
- D. Staff Report** – Staff reported on the progress of the roundabout at Pennsylvania Avenue and N. Tulane as well as the pedestrian improvements for Oak Ridge Turnpike.

Adjournment: Motion was made by Mr. Hensley to adjourn the meeting. Motion was seconded by Ms. Lever. The meeting was adjourned at 5:48 p.m.

STAFF REVIEW OF REZONING REQUEST

Date: 8/10/2017

Property Owner: TN Oak Ridge Illinois LLC

Location: Corner of South Tulane Avenue and S. Illinois Avenue

Zoning: Rezone Map 099N, Group B, Parcel 003.00 from RG-1 and O-2 to UB-2

Approximate Area: 7.436 acres

Existing Land Use: The property included in the rezoning request is currently vacant. A portion of the AMSE parking lot occupies the northern part of the property.

- a. **Access:** The property at the corner of three public streets – Badger Avenue to the west, S. Illinois Avenue to the south and S. Tulane Ave. to the east.
- b. **Utilities:** Utilities are present and available to the site.
- c. **Adjacent Land Uses, Type of Development, & Zoning:**
 - North:** O-2, Current location of the American Museum of Science and Energy (AMSE)
 - South:** Public right-of-way: S. Illinois Avenue. B-2 zoning opposite side of S. Illinois Ave.
 - East:** Public right-of-way: S. Tulane Avenue. B-2 and UB-2 PUD on the opposite side of S. Tulane Avenue.
 - West:** Public right-of-way: Badger Avenue. O-2 zoning and hotel on the opposite side of Badger Avenue.

Comprehensive Plan: The proposed rezoning will not require amending the Land Use Plan Map.

The following criteria were used to evaluate the rezoning request:

1) Is the proposed zoning district consistent with the City's Comprehensive Plan?

Yes.

2) Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning?

The property is located within the city's central commercial core. On the opposite side of S. Tulane are commercial properties including the Main Street Oak Ridge redevelopment. Commercial development is also present on the opposite side of S. Illinois Avenue. The property is located within the primary commercial core of the city in which activity has increased in the last several years. Up until this year, the subject property had been a part of the AMSE site and unavailable for development. With the transfer of the property to private ownership, transition to a commercial use is expected and appropriate.

- 3) **Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses?**

Commercial zoning already dominates the area. The character of the area is suitable for a commercial zoning designation and commercial development.

- 4) **Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?**

No – the general zoning for the area is some type of commercial designation either UB-2 or B-2.

- 5) **Are public facilities and services adequate to accommodate the proposed zoning district?**

The property as a whole is served by public utilities.

- 6) **Would the requested rezoning have environmental impacts?**

Development of the property may result in additional impervious surface area with a corresponding increase in stormwater runoff. The site will be required to meet the city's MS4 stormwater management ordinance. Compliance will be addressed during the site review process. The city's landscaping and design standards as well as all other city regulations are also required.

Conclusion & Planning Staff Recommendation:

With the proposed movement of the AMSE and subsequent property transfers, a commercial zoning designation for this property is to be expected. The property is located within the city's commercial core and the nearby properties are already commercial in their use and zoning. Given the significance of this property within the city center, its high visibility and location along two arterial Streets (S. Illinois and S. Tulane), specific attention should be dedicated to the quality and character of future development at the site.

While the UB-2 zoning district is appropriate for the area, nearby commercial properties share that designation as well as the more intensive B-2, the utilization of a Planned Unit Development (PUD) would provide greater flexibility in developing the property as a unified area as opposed to lot by lot. Likewise, a PUD would allow for greater flexibility in parking and vehicular access design.

It should also be noted that on the petitioner's application, multi-family is listed as a potential use for the property. Multi-family apartments are only allowed in the UB-2 zoning district when part of a Planned Unit Development.

CITY OF OAK RIDGE
ZONING CHANGE REQUEST

Application to Amend Zoning Map

NAMES OF APPLICANTS	ADDRESSES WITH ZIP CODES	DAYTIME PHONE NO'S W/AREA CODE	
1. TN OAK RIDGE ILLINOIS, LLC	c/o Arnold Consulting Engineering Svcs, Inc. Attn: Brandon Hester ("Owner Representative")	Office: (270) 780-9445	Email Address:
2. <u>Arnold Consulting</u>	1136 South Park Drive, Suite 201	Cell: (270) 792-5187	bhester@a-ces.com
3. <u>Engineering Services, Inc.</u>	Bowling Green, KY 42101	Fax: (270) 780-9873	nwilson@realtylinkdev.com mdavis@realtylinkdev.com

Present Zoning Classification of the Area: 0-2 : RG-1

Requested Zoning Classification of the Area: UB-2

Description of area to be rezoned: (Use Anderson or Roane County tax map numbers where possible as well as City of Oak Ridge Michael Baker Lot and Block numbers.)

Lot 483R of Block 19-CA as shown on plat recorded in PC 9, Number 127B (attached hereto)

Reasons why proposed zoning is more appropriate: This property has the highest and best value for Oak Ridge as a commercial zoning.

Land use in acres: 7.436 ac

Specific plans for development if rezoned (if known): Retail, restaurant, grocery, multi-family, office

The applicant is ~~is not~~ the fee owner of the property for which application is made. (If applicant is NOT the fee owner, the following is to be signed by the owner.)

The undersigned, as fee owner of the above described property, is aware of the applicant's intent to make application to amend the Zoning Map as stated and is acting in my behalf in making this request.

TN OAK RIDGE ILLINOIS, LLC

Date: 8/4/17

Signed: Philip J. Wilson

Owner: Philip J. Wilson, Manager

550 South Main St., Suite 300, Greenville, SC 29601

Address

In making application to amend the Zoning Map, the applicant states that the information given is, to the best of his/her knowledge, true and accurate. It is understood and agreed by the applicant that any error, misstatement or misrepresentation of fact, either with or without intention on his/her part, shall constitute sufficient grounds for denial of this request.

TN OAK RIDGE ILLINOIS, LLC

Date of Filing: 8/4/17

Philip J. Wilson
Signature of Applicant Philip J. Wilson, Manager

Area Map: Upon request, this application must be accompanied by a map prepared by a civil engineer, surveyor or other competent person showing all lots and streets in the area requested to be rezoned and the surrounding area within at least 300 feet. Scale of this map is to be 1" equals 100 feet.



THIS MAP WAS PREPARED BY
J. ARNOLD CONSULTING ENGINEERING
SERVICES, INC. 17-1250L
GREENVILLE, SC 29601

BADGER AVENUE
RW WIDTH VARIES - PVMT WIDTH VARIES

LOT 483R
TN OAK RIDGE ILLINOIS, LLC
CURRENT ZONING: O-2 & RG-1
PROPOSED ZONING: UB-2
323.893 +/- SQ. FT.
7.44 +/- ACRES
DEED BOOK
PLAT CABINET 9 NUMBER 127B

S ILLINOIS AVENUE
110' RW - PVMT WIDTH VARIES

S TULANE AVENUE
110' RW - PVMT WIDTH VARIES

LOT	OWNER	PARCEL ID	DB & PG	ZONING
1	ANTHONY CAPIELLO JR.	099M A 00700 000	1058/651	B-2
2	ANTHONY CAPIELLO JR.	099M A 00800 000	B-12/56	B-2
3	HAUPT PROPERTIES, LLC	099M A 01100 000	1567/1795	B-2
4	ANTHONY CAPIELLO JR.	099M A 01200 000	1291/758	B-2
5	ABM ENTERPRISE	099M A 01400 000	20/111	B-2

OAK RIDGE, ANDERSON COUNTY, TN

Crab Ridge

SITE

VICINITY MAP

(N.T.S.)

BOUNDARY NOTE:

THE BOUNDARY OF THE PROPERTY SHOWN HEREON IS BASED ON A BOUNDARY SURVEY COMPLETED BY ACES, JEFF ARNOLD RLS 2526, FIELD WORK FOR WHICH WAS COMPLETED ON AUGUST 3, 2017.

THE RELATIVE POSITIONAL ACCURACY OF THE CORNER MONUMENTS RECOVERED BY ACES MEET THE REQUIREMENTS SET FORTH BY THE RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS SET FORTH IN CHAPTER 0820-03 - STANDARDS OF PRACTICE.

LEGEND

---	PROPERTY LINE
---	SETBACK LINE
---	EASEMENTS
---	CENTERLINE
---	INTERIOR LOT LINE

FLOODPLAIN INFORMATION
THE PROPERTY SHOWN HEREON DOES NOT LIE IN A FLOOD PRONE AREA ACCORDING TO (FIRM) FLOOD INSURANCE RATE MAP FOR ANDERSON COUNTY, TENNESSEE. SAID AREA IS SHOWN ON MAP # 47001C0219F WITH AN EFFECTIVE DATE OF JANUARY 17, 2007.

LINE	BEARING	DISTANCE
L1	S 09°59'18" W	87.76'
L2	S 15°57'29" W	60.21'

0' 100' 200' 300'

GRAPHIC SCALE 1" = 100'

GENERAL NOTES

1. THE PURPOSE OF THIS EXHIBIT IS TO DEPICT THE PROPERTY OWNED BY TN OAK RIDGE ILLINOIS, LLC AS PREVIOUSLY RECORDED IN DEED BOOK 1657 PAGE 222 (BEING ALL OF LOT 483R AS SHOWN IN PLAT CABINET 9 NUMBER 127B) TO BE REZONED FROM O-2 TO UB-2.
2. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.
3. THIS EXHIBIT IS SUBJECT TO ANY AND ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
4. THIS EXHIBIT IS FOR REZONING PURPOSES ONLY, AND IS NOT TO BE USED AS AN INSTRUMENT TO TRANSFER TITLE.

PARCEL OWNER, ADDRESS
& SOURCE OF TITLE

TN OAK RIDGE ILLINOIS, LLC
550 SOUTH MAIN STREET, SUITE 300
GREENVILLE, SC 29601
DEED BOOK 1657 PAGE 222
PLAT CABINET 9 NUMBER 127B



PROJECT/CLIENT:

REZONING EXHIBIT OF
LOT 483R AS SHOWN ON PLAT
CABINET 9 NUMBER 127B

TN OAK RIDGE ILLINOIS, LLC
550 SOUTH MAIN STREET, SUITE 300
GREENVILLE, SC 29601

DRAWN BY: B. HESTER

DATE: 8-3-17

SCALE: 1" = 100'

CHECKED BY: J. ARNOLD

PROJECT NUMBER: 17-1250L

PREPARED BY:



ARNOLD CONSULTING ENGINEERING
SERVICES, INC.

P.O. BOX 1338 BOWLING GREEN, KY 42101
PHONE (270) 780-9445

CITY OF OAK RIDGE
UTILITY BUSINESS OFFICE -- RECEIPT

1 101.4240	ARNOLD CONSULTING	250.00
	TOTAL	250.00
	AMOUNT TENDERED	250.00
	(CHECK)	250.00
	(CASH)	.00
	CHANGE	.00

92189714

8/08/2017

8:27:22

TN Oak Ridge Illinois LLC - Rezoning - Aerial Map



Legend

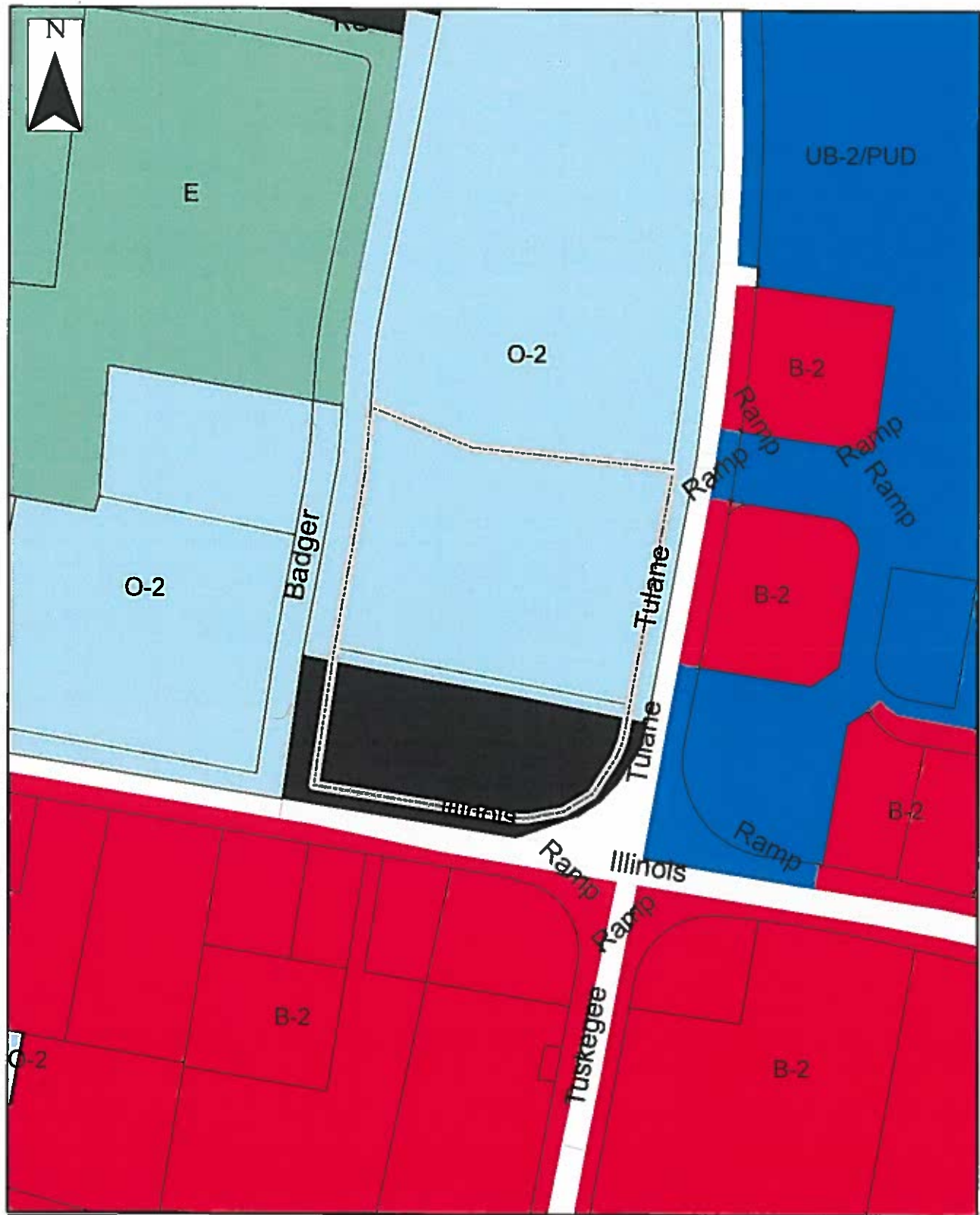
— Subject Property

This map was prepared by the Oak Ridge Community Development Department. The map is for illustrative purposes only. It is not an engineering or survey map.

Date: 8/10/2017

Author: Jordan Clark

TN Oak Ridge Illinois LLC - Rezoning - Current Zoning



This map was prepared by the Oak Ridge Community Development Department. The map is for illustrative purposes only. It is not an engineering or survey map

Date: 8/10/2017

Author: Jordan Clark

COMMUNITY DEVELOPMENT MEMORANDUM

17-36



TO: Oak Ridge Municipal Planning Commission

FROM: Kelly Duggan, Senior Planner

DATE: August 10, 2017

SUBJECT: The Preserve at Clinch River, Phase 8, Section "O" acceptance of water and electric infrastructure, release of surety bond and waiver of the warranty

Background:

Approximately 92 acres of land designated as Phase 8, Section "O" in The Preserve at Clinch River remains largely undeveloped/unimproved. The City holds a letter of credit (\$715,656) as security for the completion of public roadways, utility infrastructure, sidewalk facilities and landscaping improvements in Section O. The Developer has amended the deed restrictions and a new plat has been recorded to convert Boxberry Road from a public road to a private road and to provide a private force main sewer line to provide sewer services for lots and homes in the future located in Section O.

The new plat also removes roads identified as Shadberry Street, Thimbleberry Street, Wallberry Street and Caddockberry Road, and consolidates the existing lots within Section O into 6 new lots: 1R, 2R, 3R, 4R, 5R, and 6R.

Analysis:

The roads shown as Boxberry Road, Caddockberry Road, Shadberry Street, Thimbleberry Street and Wallberry Street in the original plat were never accepted as public roads by the City and consequently, no further action is required to remove them.

As mentioned above, Boxberry Road and the private force main sewer line are to be privately owned. The Developer has initially funded the sum of \$25,000, which will be deposited into a separate bank account designated as the "Boxberry Maintenance Fund." These funds will be used solely for maintenance and repairs of Boxberry Road and the aforementioned sewer line. As funds are depleted, the Homeowner's Association will replace the funds through assessments to the owners of lots in Section O.

Pursuant to Article 9, Section 9.04 (f) *Failure of Maintenance Organization* of the Zoning Ordinance, the City reserves the right to maintain any privately-owned improvements that the

Association has failed to maintain. The cost of such maintenance will be assessed against the properties within the area, and shall become a special assessment to the property tax or a lien on said properties. This provides the City some assurance that the road and sewer line will be maintained into the future, and that the cost of such maintenance will not be incurred by the City.

Recommendation:

The Department of Public Works has indicated that all required improvements have been completed satisfactorily and the Electric Department has indicated that there are no additional electrical infrastructure requirements for the project. Therefore, the staff recommends the acceptance of these utilities.

Pursuant to Article 3, Section 3.F(3) of the City's Subdivision Regulations, acceptance of any improvements begins a warranty for materials and workmanship for not less than one year from the date of acceptance. The staff recommends waiving this requirement, as the utilities have been in place for over seven years.

As all infrastructure within Section O has either met the standards of the respective departments or been converted to private ownership, the staff recommends the release of the surety bond in the amount of \$715,656.

TOWN OF OAK RIDGE, TENNESSEE
Roane County



VICINITY MAP

[illegible][illegible]

05/07/2017

QUESTION	ANSWER	EXPLANATION
1. A patient with a history of chronic kidney disease is admitted to the hospital with a suspected urinary tract infection. The patient is on a low-protein diet. Which of the following is the most appropriate nursing intervention?	1. Monitor the patient's fluid intake.	Monitoring fluid intake is crucial for patients with chronic kidney disease to prevent fluid overload and maintain electrolyte balance.
2. A patient is admitted to the hospital with a suspected urinary tract infection. The patient is on a low-protein diet. Which of the following is the most appropriate nursing intervention?	2. Monitor the patient's fluid intake.	Monitoring fluid intake is crucial for patients with chronic kidney disease to prevent fluid overload and maintain electrolyte balance.
3. A patient is admitted to the hospital with a suspected urinary tract infection. The patient is on a low-protein diet. Which of the following is the most appropriate nursing intervention?	3. Monitor the patient's fluid intake.	Monitoring fluid intake is crucial for patients with chronic kidney disease to prevent fluid overload and maintain electrolyte balance.
4. A patient is admitted to the hospital with a suspected urinary tract infection. The patient is on a low-protein diet. Which of the following is the most appropriate nursing intervention?	4. Monitor the patient's fluid intake.	Monitoring fluid intake is crucial for patients with chronic kidney disease to prevent fluid overload and maintain electrolyte balance.
5. A patient is admitted to the hospital with a suspected urinary tract infection. The patient is on a low-protein diet. Which of the following is the most appropriate nursing intervention?	5. Monitor the patient's fluid intake.	Monitoring fluid intake is crucial for patients with chronic kidney disease to prevent fluid overload and maintain electrolyte balance.

KENTUCKY
606-248-6800

TENNESSEE
865-546-6900

NORTH CAROLINA
828-253-2798

SOUTH CAROLINA
864-574-4775

GEORGIA
770-627-3590

www.vaughninformation.com

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V&M
Vaughn & Melton
Consulting Engineers, Inc.

**1909 AILOR AVENUE
KNOXVILLE, TENNESSEE 37921
PHONE: (865) 564-5800 FAX: (865) 546-4714**

Page 4 of 10

COPIES OF THE AFFIDAVIT OF THE UNITED STATES DEPARTMENT OF JUSTICE
I hereby certify that the above design and message contained within
marked as "Priority" and "Secret" are the property of the
Department of Justice and are being furnished to you for your
information, and are being marked as "Secret".

Page 1 of 1
JUL 14 1964
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

[illegible]

Reuben F. Longenecker JUN 14 2017
 Approved and Remitted by the Following Commission:

[illegible]

CONFIDENTIALITY OF INFORMATION

I hereby certify that the plans, drawings and documents furnished to me and any drawings and documents to be prepared by me for the City of Chicago, are confidential and that the confidential nature have proper identification in the specifications of the said drawings.

Daniel J. Murphy, Jr. 11/17/2014
President, N.E. Murphy & Sons, Inc.

STATEMENT OF PERSONS FOR INTERVIEW

I hereby certify that the foregoing list of names contains the full names of all persons who have been interviewed by the Civil Rights Division of the Department of Justice in connection with the investigation of the activities of the Ku Klux Klan in the County of Alameda and State of California during the period of July 1964 to July 1967.

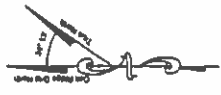
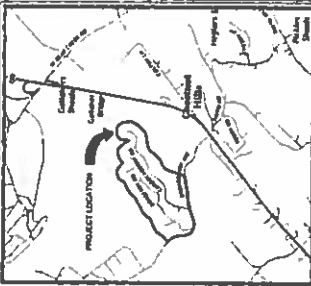
Special Agent in Charge

1. I am a _____ (Type in name of the person making the statement)
 2. I am a _____ (Type in name of the person making the statement)
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 9. I am a _____ (Type in name of the person making the statement)
 10. I am a _____ (Type in name of the person making the statement)



REGISTERED LAND SURVEYOR
NOVEMBER 10, 2016





CERTIFICATE OF ACCURACY
 I hereby certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Professional Surveyor in the State of Georgia. I am a member in good standing of the Georgia Surveyors Association and the National Society of Professional Surveyors. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof.

Robert F. Dwyer
 Professional Surveyor
 State of Georgia
 License No. 10014

STATE OF GEORGIA
 DEPARTMENT OF REVENUE
 DIVISION OF LANDS AND FORESTRY
 JULY 14 2017

NOTICE OF APPEAL OF SURVEYING AND RECORDING INFORMATION
 I hereby certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Professional Surveyor in the State of Georgia. I am a member in good standing of the Georgia Surveyors Association and the National Society of Professional Surveyors. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof.

Robert F. Dwyer
 Professional Surveyor
 State of Georgia
 License No. 10014

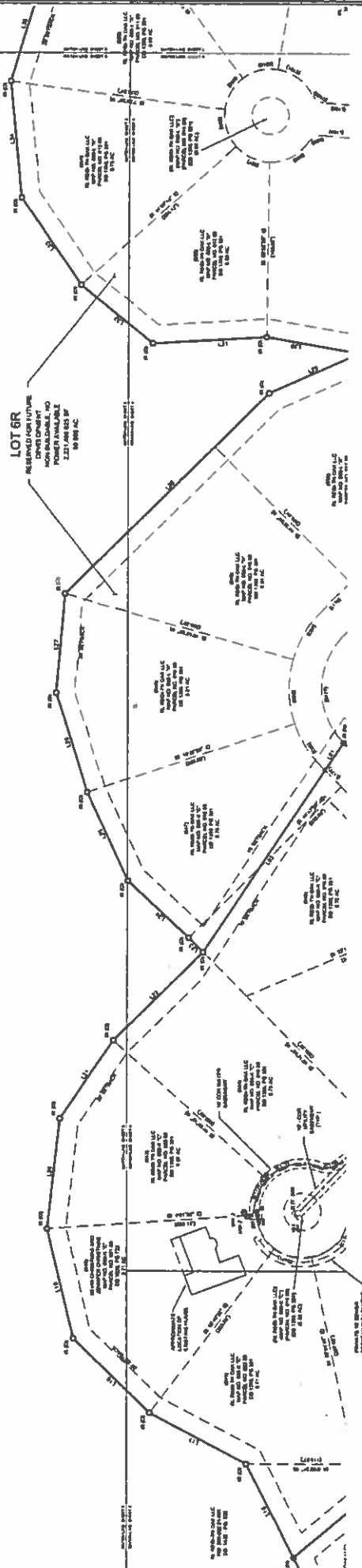
NOTICE OF APPEAL OF SURVEYING AND RECORDING INFORMATION
 I hereby certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Professional Surveyor in the State of Georgia. I am a member in good standing of the Georgia Surveyors Association and the National Society of Professional Surveyors. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof. I am not aware of any fraud or error in this map or any part thereof.

Robert F. Dwyer
 Professional Surveyor
 State of Georgia
 License No. 10014

07/20/2017 11:31:20 AM

FILE NO.	17-0000000000
FILE NAME	17-0000000000
FILE TYPE	PDF
FILE SIZE	100 KB
FILE DATE	07/20/2017
FILE TIME	11:31:20 AM
FILE USER	ADMIN
FILE STATUS	OK
FILE COMMENT	

NOTES
 1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE GEORGIA SURVEYING AND RECORDING ACT OF 1997, AS AMENDED.
 2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE GEORGIA SURVEYING AND RECORDING ACT OF 1997, AS AMENDED.
 3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE GEORGIA SURVEYING AND RECORDING ACT OF 1997, AS AMENDED.



OWNER
 R. REDDY LLC
 1000 ALDRIDGE AVENUE
 ATLANTA, GA 30309

VERIFICATION & RECORDS
 1000 ALDRIDGE AVENUE
 ATLANTA, GA 30309

DATE	07/20/2017
TIME	11:31:20 AM
FILE NAME	17-0000000000
FILE TYPE	PDF
FILE SIZE	100 KB
FILE DATE	07/20/2017
FILE TIME	11:31:20 AM
FILE USER	ADMIN
FILE STATUS	OK
FILE COMMENT	

NOTE
 THIS SHEET IS FOR OTHER PRESERVE INFORMATION

THE PRESERVE AT CLINCH RIVER

DESCRIPTION OF THE PRESERVE
 The preserve is located on the east side of the Clinch River, adjacent to the Clinch River Bridge. The preserve is bounded by the Clinch River to the north and east, and by the Clinch River Bridge to the south and west. The preserve is approximately 1.0000 AC in area.

NOTES
 1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE GEORGIA SURVEYING AND RECORDING ACT OF 1997, AS AMENDED.
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VERIFICATION & RECORDS
 1000 ALDRIDGE AVENUE
 ATLANTA, GA 30309

DESCRIPTION OF THE PRESERVE
 The preserve is located on the east side of the Clinch River, adjacent to the Clinch River Bridge. The preserve is bounded by the Clinch River to the north and east, and by the Clinch River Bridge to the south and west. The preserve is approximately 1.0000 AC in area.

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VERIFICATION & RECORDS
 1000 ALDRIDGE AVENUE
 ATLANTA, GA 30309

DESCRIPTION OF THE PRESERVE
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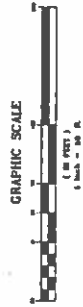
VERIFICATION & RECORDS
 1000 ALDRIDGE AVENUE
 ATLANTA, GA 30309

DESCRIPTION OF THE PRESERVE
 The preserve is located on the east side of the Clinch River, adjacent to the Clinch River Bridge. The preserve is bounded by the Clinch River to the north and east, and by the Clinch River Bridge to the south and west. The preserve is approximately 1.0000 AC in area.

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RESOLUTION

A RESOLUTION RECOMMENDING ACCEPTANCE OF INFRASTRUCTURE, RELEASE OF THE BOND, AND A WAIVER OF THE WARRANTY BOND REQUIREMENT IN SECTION "O" IN THE PRESERVE AT CLINCH RIVER.

WHEREAS, the City of Oak Ridge is the beneficiary of a letter of credit issued by J.P. Morgan Chase Bank, N.A. in the amount of \$715,656, which is held by the City as security for the construction of a public road known as Boxberry Road in Phase 8, Section "O" in the Preserve at Clinch River; and

WHEREAS, a new plat has been recorded to convert Boxberry Road from a public road to a private road and to provide for the installation, maintenance and repair of a private force main sewer line; and

WHEREAS, pursuant to Article 3, Section 3.F(3) of the City's Subdivision Regulations, acceptance of any improvements begins a warranty for materials and workmanship for not less than one year from the date of acceptance; and

WHEREAS, the infrastructure has been in place for a period of seven (7) years.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE OAK RIDGE MUNICIPAL PLANNING COMMISSION:

That the performance bond for the public improvements associated with Boxberry Road in Section "O" in the Preserve at Clinch River in the amount of \$715,656 is hereby released.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends acceptance of the gravity section of the sewer along Broadberry to the lift station, water and electric infrastructure by City Council.

BE IT FURTHER RESOLVED that the requirement for a warranty bond per the City's Subdivision regulations is hereby waived.

This the 17th day of August 2017.

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Chairperson

Secretary

COMMUNITY DEVELOPMENT MEMORANDUM

17-39

TO: Oak Ridge Municipal Planning Commission
FROM: Jordan Clark, Senior Planner 
DATE: August 10, 2017
SUBJECT: Azalea Place Assisted Living Facility – Height Modification

Background:

The City Council approved the preliminary master PUD plan for Azalea Place on 5-18-17. The developer has subsequently submitted a site plan for approval of the assisted living facility as part of that plan. Section 9.05(w)(3)(b) of the Zoning Ordinance pertaining to commercial PUDs requires that a PUD abutting a R-1 or R-2 zoning district have a maximum height of thirty-five (35) feet.

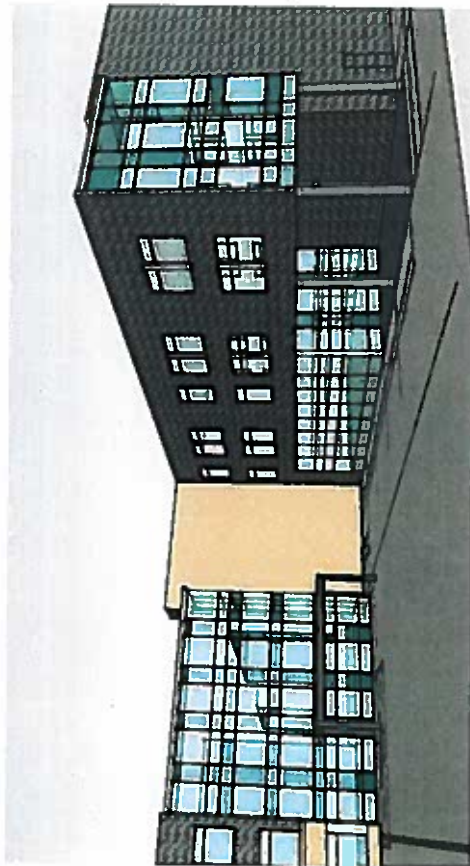
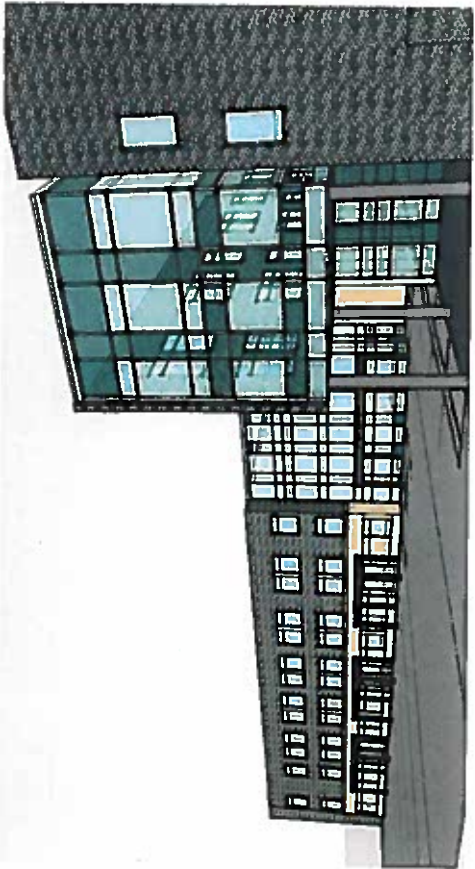
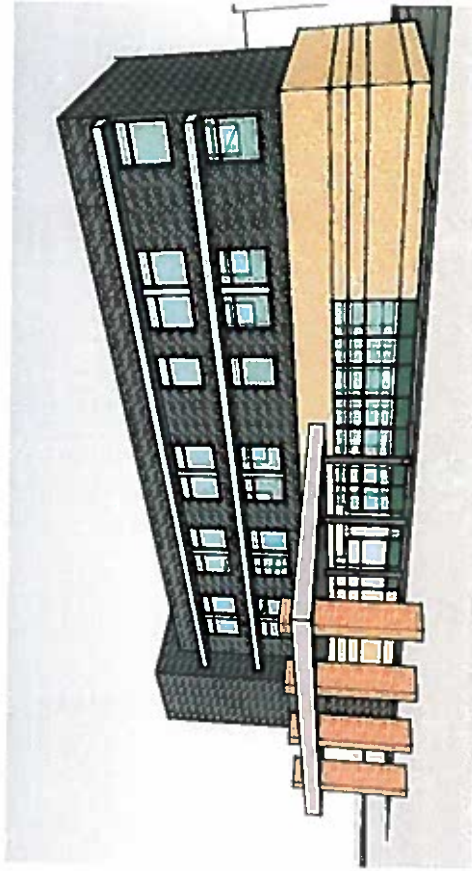
Analysis:

Abutting property to the rear of the site is zoned R-1-C Single Family Residential. The proposed assisted living facility exceeds the maximum 35' height allowed by the Zoning Ordinance. The proposed building measures just under 39' on the front and rear elevation.

Upon a finding in the particular case that public purposes are satisfied to an equivalent or greater degree, the Planning Commission may make specific modification to this requirement.


Recommendation:

The proposed location of the building does sit on a downward grade from the adjacent residential properties which reduces the impact of the building's height. Upon submission of supporting material from the applicant providing adequate evidence that the modification of the height requirement will not have a significant impact on the adjoining residential properties, staff may recommend approval.



COMMUNITY DEVELOPMENT MEMORANDUM

17-34

TO: Oak Ridge Municipal Planning Commission
FROM: Jordan Clark, Senior Planner 
DATE: August 10, 2017
SUBJECT: Zoning Ordinance Text Amendment – Section 8.03 IND-3 Industrial District


In response to the proposal for the new airport on the former K-25 site, staff has compiled an amendment to the Zoning Ordinance regarding airports.

Currently, airports are only allowed in the IND-3 zoning district as a Special Exception requiring Board of Zoning Appeals approval. An amendment to the Zoning Ordinance which would place airports into the Permitted Principal Uses category would allow such facilities without approval of the Board of Zoning Appeals. A site plan and general site criteria would still be required as well as all other relevant permits.

The proposed amendment is to Section 8.03 IND-3 Industrial Districts. Airports are currently listed under subsection (d) Uses Requiring Board of Zoning Appeals Special Exception Permit. The amendment would move airports to subsection (b) Permitted Principal Uses.

COMMUNITY DEVELOPMENT MEMORANDUM

17-35

TO: Oak Ridge Municipal Planning Commission
FROM: Jordan Clark, Senior Planner 
DATE: August 10, 2017
SUBJECT: Zoning Ordinance Text Amendment – Zoning Enforcement

Background:

Public Chapter 1128 of the 2010 Public Acts, passed by the Tennessee General Assembly in 2010 and subsequently signed into law by the Governor, enabled municipalities to create an Administrative Hearing Officer (AHO). The AHO has the ability to hear cases regarding violations of codes regarding building and property maintenance. The City of Oak Ridge subsequently established an AHO to hear these cases.

Earlier this year, Public Chapter 489 of the 2017 Public Acts amended the AHO's jurisdiction to include violations of the Zoning Ordinance. Currently, violations of the Zoning Ordinance are considered a Class C Misdemeanor under state law. Likewise, the Zoning Ordinance prescribes a penalty of not more than \$50 for a violation. These violations are currently heard by the city's municipal court.

Analysis:

Amending the Zoning Ordinance to allow for the violations of the Zoning Ordinance to fall under the authority of the AHO would allow for a faster enforcement process with potentially larger penalties associated with violations. For residential property, the AHO may levy a fine not to exceed \$500. For non-residential property, the AHO may levy a fine not to exceed \$500 per violation per day. Likewise, the AHO sets a reasonable time for a violation to be remedied but not less than 10 days nor more than 120 days unless there is an imminent threat to the health, safety or welfare of persons or property in the adjacent area.

The AHO currently handles violations with property maintenance and building codes. These types of codes are related and often significantly intertwined with the Zoning Ordinance. The ability for the AHO to enforce all of the city's regulations regarding buildings, property maintenance and land use would result in a more efficient process.

Recommendation:

Staff recommends amending the Zoning Ordinance and the City Code to allow for violations of the Zoning Ordinance to be heard and enforced by the Administrative Hearing Officer. The amendment will increase the ability of staff to address zoning violations in a timely manner. The proposed amendment is to Section 17.01 of the Zoning Ordinance and is shown below. Title 3, Chapter 6 of the Municipal Code will also need to be amended to include the Zoning Ordinance as the items in which the AHO may hear cases.

New Language is highlighted:**Section 17.01 Enforcement, Penalties and Other Remedies**

It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any regulation in this code. Any person, firm or corporation convicted of violating any such regulation or provision of this code shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) and may be confined in the City Jail for a period not to exceed 90 days. Alternatively, violations of this ordinance may be heard by the Administrative Hearing Officer (AHO) in accordance with the procedures, fines and penalties as prescribed in the Oak Ridge Municipal Code Title 3, Chapter 6.

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is or is proposed to be used in violation of any regulation or provision of this code, the City Manager, City Attorney, other appropriate authority of the City of Oak Ridge, or any adjacent or neighboring property owner who would be specially damaged by such violation may, in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation, or to prevent the occupancy of said building, structure or land.

RESOLUTION

A RESOLUTION OF APPRECIATION.

WHEREAS, Kathryn Baldwin has served as the Community Development Director for the City of Oak Ridge for 16 years; and

WHEREAS, during her tenure she served as an advocate and champion for the public welfare, safety and quality development for the City of Oak Ridge; and

WHEREAS, she shared with the City a wealth of experience and knowledge continually pursuing the advancement of creative solutions for the City's challenges; and

WHEREAS, she developed and mentored staff within the Community Development Department with care, respect and strong leadership; and

WHEREAS, she represented the City with professionalism and is a credit to the City and the planning profession; and

WHEREAS, her impact upon the City, its citizens, and staff is long lasting.

NOW, THEREFORE, BE IT RESOLVED, that the members of the Oak Ridge Municipal Planning Commission express to Kathryn Baldwin their appreciation, respect and best wishes

This the 17th day of August 2017.

Stephen Whitson, Chairman

Sharon Kohler, Vice-Chairman

Claudia Lever, Secretary

Hans Vogel, Council Representative

Charles Hensley

Patrick McMillan

Zabrina Minor-Gregg

Jane Shelton

Benjamin Stephens

Todd Wilson

COMMUNITY DEVELOPMENT MEMORANDUM

17-38



TO: Oak Ridge Municipal Planning Commission
FROM: Kelly Duggan, Senior Planner
DATE: August 10, 2017
SUBJECT: TDOT Consultant Selection Policy

Background:

On July 10, 2017, City Council adopted a resolution approving a contract with the Tennessee Department of Transportation (TDOT) for a Rails-to-Trails project along approximately 4.9 miles of a discontinued section of a CSX rail line. The City then received a Notice to Proceed with the Preliminary Engineering Phase (Environmental only) from TDOT, which allows the City to initiate the process of selecting a consultant for the architectural, engineering and right-of-way services for the project.

Pursuant to Chapter 1, Section 1.6 of TDOT's Local Government Guidelines Manual, when a local government uses any federal or state funds for a project, that local government must formally adopt, through Board or Council, TDOT's Consultant Selection Policy prior to issuing the Request for Qualifications.

Analysis:

TDOT's Consultant Selection Policy requires a "Competitive Negotiation" method of procurement for engineering-related services. These contracts use qualification-based selection procedures under the "Brooks Act" provisions contained in Title 40 U.S.C. Chapter 11. The proposal solicitation process is by public announcement and provides qualified in-state and out-of-state consultants a fair opportunity to be considered for award of the contract. Price is not used as a factor in the evaluation and selection phases.

The Policy also requires the establishment of a Consultant Evaluation Committee composed of professional employees of the Agency capable of providing a review of the technical qualifications of the consultant to perform the job(s) in question.

All firms, including any public or private universities, must have a current prequalification status which can be found on the TDOT's website.

Recommendation:

TDOT's Consultant Selection Policy requires that professional services are procured based on the consultant's work experience in the required discipline, specialized expertise, professional licensure, staff capabilities, technical approach, local presence, etc. Since price is not used as a factor in the evaluation and selection phases, a qualifications-based selection procedure is ensured. Therefore, staff recommends that the policy be forwarded to City Council with a recommendation for approval.