

# APPROVED

Oak Ridge Municipal Planning Commission  
Regular Meeting  
November 17, 2011

**TIME:** 5:30 p.m.

**PLACE:** Court Room, Municipal Building

**PRESENT:** Terry Domm, Chuck Agle, Lauren Biloski, Linda Brown, Kelly Callison, Charlie Hensley, Claudia Lever, Pat McMillan, Jane Shelton

**ABSENT:** Austin Lance

**ALSO**

**PRESENT:** Kathryn Baldwin, Kahla Gentry, Steve Byrd, Roger Flynn, Keith Craft, Mark Wilson, Jeff Deardorff, Walter Wise, Terry Wheeler, Joy Henderson, Stephen Ward

Terry Domm, Chairman, called the meeting to order at 5:30 p.m.

**Summary of Action**

**Approval of Agenda**

The agenda was approved as presented

**Approval of Minutes**

**Ms. Lever moved to approve the minutes of the regular meeting held October 27, 2011**

**(Motion 1) as presented.**

Mr. Agle seconded the motion, passed, 7-0. (Mr. Hensley and Ms. Biloski were not present)

**Consent Agenda**

The consent agenda was approved by unanimous vote thereby approving:

November Bond Report

Plat of Correction, Centennial Village Apartments, 180 Waterview Drive

Letter of Credit one year extension for Horizon Center in the amount of \$17,500

**Business Items**

Waterline Easement across City Greenbelt Parcels 41 & 42, Map 99G, Group C, Illinois Avenue

A request is being made to approve a waterline easement across two City owned lots located on the east side of North Illinois Avenue just north of Irene Lane that are zoned Greenbelt.

At its October meeting Council approved replacing a sixty nine year old water line that transports water from the Robertsville Road water booster station to West Outer Drive where it is pumped to the Louisiana Avenue reservoir.

The original plan was to lay the new waterline directly parallel to the existing line. The existing waterline runs from West Outer Drive south across parcel 472 for a distance of approximately 1,400 feet and then runs along the lower side of 13 plated lots on the east side of North Illinois Avenue. The five most northern lots are privately owned and the remaining 8 are owned by the City. All of the lots are approximately 0.35 acres and none are buildable due to steep slopes and a City sewer line that divides the lots. The City lots and parcel 472 are designated as Greenbelt. After exiting the southernmost lot it then crosses under the parking lot for the apartments located on Irene Lane.

After further study Public Works discovered that a fairly minor change in the location of approximately 700 linear feet of pipe will eliminate two creek crossings, having to remove a large storm culvert in order to lay the pipe under the culvert and will also eliminate having to cross the the parking lot for the apartments located on Irene Lane. The original/existing alignment is shown in Figure 1 along with the proposed route and the location of the requested easement.

The requested easement, which is approximately 2000 square feet in area, will allow the waterline to be moved from the lower or east side of lots 41 and 42 west toward North Illinois Avenue where it will be placed in road right of way. The requested easement will run directly parallel to the existing sewer line easement. The new alignment will prevent the waterline from crossing lots 43 thru 45 and the parking lot for the apartments located on Irene Lane which in turn will save the cost of resurfacing the parking lot and reduce inconvenience and disruption to the residents. Land disturbance and cutting of trees is not an issue at this location. The subject lots are covered with kudzu which prevents erosion and which will quickly reestablish its self after the excavation is complete.

This request comes with the recommendation of both the Public Works Department and Parks and Recreation Department.

**Ms. Brown moved to recommend to City Council approval of the water line easement across (Motion 2) City owned Parcels 41 & 42 on Illinois Avenue zoned Greenbelt.**

Mr. Hensley seconded the motion, passed 8-0. (Ms. Biloski was not present)

**Subdivision Regulations Variance Request: Oak Ridge Summit, to increase centerline grade from 8% to 10% for approximately 250 linear feet.**

The Subdivision Regulations state that all streets within industrial zoning districts have a maximum grade of eight percent. The applicant is requesting that this be increased to 10 percent for approximately 250 linear feet for a proposed section of Summit Drive as it would connect to Centrifuge Way. The request is made to reduce the amount of earthwork to make the connection and minimize the grading impact on the existing lands. The applicant states that the variance would assist the developer by allowing an additional access to the property thus making the undeveloped land more marketable. Public Works Engineering Division recommends approval of the variance request for a 10% roadway grade to tie into the Centrifuge Way interchange.

There is a significant elevation difference between the Centrifuge Way interchange and the lower street at Oak Ridge Summit. The 10% grade is shown to only extend a total distance of 250 feet. To meet the Subdivision Regulation requirement of maximum 8% grade would have a much greater impact on the existing utilities (100 percent complete) and the lower roadway at the OR Summit project. The roadway is completed through the stone base course.

**Mr. Hensley moved to approve the variance to allow an increase in the centerline grade of Summit Drive to 10% for approximately 250 linear feet based upon the steepness of the existing grade and the impact on existing utilities.**  
(Motion 3)

Mr. Callison seconded the motion, passed 9-0.

**Resubdivision: Parcel ED-8B-1 and ED-9B-1 at Heritage Center**

Lots ED-8B and ED-9B are being resubdivided to change the boundaries of two lots and create a third new lot. The property being resubdivided is located between Victorious Boulevard East and Americus Avenue. Located on the property is Building K-1225 owned by JMM Realty and there is also a parking lot with 190 parking spaces serving the building.

The lots are served by City of Oak Ridge water and sewer and electricity is currently being provided by the Department of Energy. A water service line needs to be installed or bonded for Lot ED-9B-1. Access is provided by Victorious Boulevard East and by an ingress/egress access easement provided by the Department of Energy that extends from the Americus Avenue right-of-way. Staff recommends approval subject to the following comments:

1. Add note that this plat vacates and supercedes plat filed in Roane County Register of Deeds, Plat Cabinet E, #364-367.
2. Show remainder of Parcel ED-8B, old acreage shown for ED-8B-1 only applies to ED-8B.
3. Show address of 403 Victorious Boulevard East for Building K-1225.
4. Show and label the water service to Lot ED-9B-1. This will have to be installed or bonded before recording of this plat.
5. Add the following notes to the plat:

Underground utilites (active or abandoned) and their locations are shown approximately by available D.O.E. record utility maps from East Tennessee Technology Park block plan as-builts and visible appurtenances or as marked by others. Utilities shown without easements may have setback requirements established by D.O.E.. Additional utilities may be present and all locations should be verified by the appropriate utility authority before excavation or construction. No party or future property owner shall make any connections to the existing D.O.E.owned storm water system or direct any runoff to aforementioned system without the written consent of D.O.E.. The parties acknowledge that runoff from the streets to be transitioned the City will continue to be drained by the existing D.O.E. storm drain system and D.O.E. agrees to continue to maintain said system to ensure proper drainage of said streets. If D.O.E. denies consent for the use of the existing D.O.E. storm drain system for future development, D.O.E. will work

with the developer and/or property owner to ensure that a viable option exists for addressing storm water runoff.

Future developers and/or property owners may be required to make off-site improvements related to the developed site such as sidewalks, traffic calming measures for pedestrian safety, control of vehicle access along open street frontage and control of site storm drainage runoff into the street if warranted by site-specific circumstances.

6. Show and label the correct water locations for Building K-1225.
7. Revise Note 7 to state "No construction of buildings or signs or installation of landscaping shall take place within easements without the City of Oak Ridge's written approval. Landscaping must comply with CORED Standard 650 (latest revision). Landscaping must be approved in writing by CORED and Public Works via an easement encroachment form. Placement shall be coordinated with the City."
8. Revise Note 9 to read: "Oak Ridge Electric will not accept or operate existing electrical infrastructure in present condition, for acceptance by Oak Ridge Electric the infrastructure must be upgraded to current City of Oak Ridge Electric Department standards to ensure adequate operations, maintenance and safety."
9. Add a note that electric service is currently provided by D.O.E.

**Ms. Lever moved to approve the resubdivision of Parcels ED-8B-1 and ED-9B-1 subject to (Motion 4) the staff comments listed above and clarifying the map showing the area of the remainder lot.**

Mr. McMillan seconded the motion, passed 9-0

**Abandonment of Quincy Avenue between S. Illinois Avenue and S. Purdue Avenue**

The developers of the Woodland Town Center PUD are requesting that the City of Oak Ridge abandon the right-of-way for Quincy Avenue between Illinois Avenue and S. Purdue Avenue and deed the land to the contiguous property owners. The request is being made at this time to allow for the development of the first phase of Woodland Town Center. At the same time Quincy Avenue is closed, Central Park Development will deed land between S. Illinois Avenue and S. Purdue Avenue that will align with Phillips Lane and the entrance to the former Dean Stallings Ford for a new street right-of-way as shown on the approved Woodland Town Center PUD plan.

On July 21, 2008 City Council approved Ordinance No. 22-08 the Woodland Town Center PUD plan. A major component of the approved plan is the proposed closure of Quincy Avenue and the construction of a new road between S. Illinois Avenue and S. Purdue Avenue. Also on July 21, 2008 City Council approved Resolution No. 7-66-08 approving a permanent access to S. Illinois Avenue from the Woodland Town Center as recommended by the Traffic Safety Advisory Board contingent upon the TDOT approval of the requested access and traffic signal and upon the property's owner development of the proposed Woodland Town Center.

The Woodland Town Center developer proposes to relocate Quincy Avenue approximately 300 feet to the west such that it aligns opposite the former Dean Stallings Ford access and Phillips

Lane. The new street will connect S. Illinois Avenue and S. Purdue Avenue and will bisect the development. A traffic signal is proposed at the new four-way intersection on S. Illinois Avenue, which is consistent with recommendations within the S. Illinois Avenue Corridor Study. The developer proposes closing Quincy Avenue before completion of the new roadway in order to allow construction of the new roadway and site improvements at the same time. Staff recommends approving the abandonment of the Quincy Avenue right-of way.

Mr. Wise provided updated information on the Woodland Town Center development plans. At this time there are no small shops planned but they have been successful in securing two top quality restaurants for the site and each restaurant will invest about two million dollars. One is a new restaurant is one is a restaurant that is already here that wants to expand and they want to own their own building. He further stated that the new intersection with a light will facilitate development on both sides of S. Illinois Avenue. The new restaurants want to start construction by April and be open in September.

There was discussion concerning the closing of Quincy concurrently with constructing the new street in order to quickly complete construction. One of the restaurants will be located where Quincy is currently located and the entire site needs to be prepared at the same time.

Joy Henderson said she was not opposed to the road closure for a short period of time.

**Mr. Agle moved to recommend to City Council approval of the abandonment of Quincy Avenue (Motion 5) between S. Illinois Avenue and S. Purdue Avenue.**

Mr. Callison seconded the motion, passed 9-0.

**Amendment of Woodland Town Center PUD defining permitted restaurants**

In order to facilitate the development of the Woodland Town Center PUD an amendment is requested of the designation of permitted restaurants. The recommended amendment is to replace the condition that delivery of food service must be within the interior of the restaurant and the prohibition of restaurants which have drive-through service or drive-up service which allows ordering from a vehicle. The following amendment is recommended:

Replace the condition prohibiting drive-through or drive-up service by permitting food service establishments meeting all of the following criteria:

1. The total square footage of the building shall be greater than 3,500 square feet.
2. The total seating capacity shall be greater than 100 persons.
3. Food and beverages shall not be served solely in disposable containers.
4. Drive-thru windows shall only operate between the hours of 6:00 a.m. through 10:00 p.m. and trash collection shall also be limited to these same hours.

The proposed amendment reflects changing trends in the restaurant trade and the need for greater flexibility in providing attractive sites for restaurant development. The proposed amendment is meant to allow greater flexibility for development while maintaining the intent of providing a

higher than average standard of development for the Woodland Town Center. Fast food restaurants, also known as quick service restaurants, are typified by having a limited, low-cost menu with a high percentage of their customers using the drive-through service and thus fast food restaurants generally have a smaller footprint and less area devoted to seating.

As an added convenience to customers, restaurants that typically have not had drive-through or pick-up service are beginning to add this service. However they maintain their orientation towards the on-site dining experience by providing a greater percentage of their space to the seating area and also by using non-disposable dishware. This new trend relates to the most recent and fastest growing concept in the restaurant industry referred to as fast casual restaurants. Fast casual restaurants are generally defined by:

- Limited service or self-service format that may include drive-through service
- Average meal price between \$8 - \$15
- Made to order food with more complex flavors than fast food restaurants
- Targeted towards adults
- Upscale or highly developed décor

The PUD amendment is intended to allow for restaurants that provide drive-through service but retain a higher character and quality of development than the typical fast food/quick service restaurant as reflected in the size and architectural features of the building and in the details of site development.

As previously approved, the Woodland Town Center site will have a masonry wall with landscaping along South Purdue Avenue, providing an effective and attractive buffer between the commercial development and the residential neighborhood.

Staff recommends approval of the Woodland Town Center PUD amendment in order to provide greater opportunity for economic development while maintaining quality standards for such development.

Joy Henderson said she wanted the hours for the drive-thru window to be limited. She objected to the use of the term fast-food. She also questioned the height of the wall in relation to the grade of the road. Ms. Henderson was advised that the details of the wall will be reviewed at time of site plan. Ms. Henderson also stated that she wanted the neighborhood to name the new street and also wanted a neighborhood sign at the intersection of the new road and S. Illinois Avenue.

**Mr. Hensley moved to recommend to City Council the following amendment to the (Motion 5) Woodland Town Center PUD:**

**Replace the condition prohibiting drive-through or drive-up service by permitting food service establishments meeting all of the following criteria:**

- 1. The total square footage of the building shall be greater than 3,500 square feet.**

2. **The total seating capacity shall be greater than 100 persons.**
3. **Food and beverages shall not be served solely in disposable containers.**
4. **Drive-thru windows shall only operate between the hours of 6:00 a.m. through 10:00 p.m. and trash collection shall also be limited to these same hours.**

Mr. Callison seconded the motion, passed 9-0.

**Other Items:**

EQAB Nomination:

**Ms. Lever moved to nominate Chuck Agle as the Planning Commission representative on (Motion 6) the Environmental Quality Advisory Board.**

Mr. Callison seconded the motion, passed 9-0.

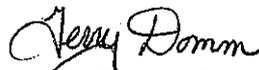
**Reports**

There were no important items to report, therefore the meeting was adjourned in order to begin a work session on the Capital Improvements Program.

**Adjournment**

The meeting adjourned at 6:30 p.m.

Respectfully submitted,



Terry Domm, Chairman

Oak Ridge Municipal Planning Commission