

OAK RIDGE CITY COUNCIL SPECIAL MEETING
Municipal Building Courtroom

December 18, 2018
6:00 p.m.

Minutes

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on December 18, 2018 in the Municipal Building Courtroom with Mayor Warren Gooch presiding.

ROLL CALL

Upon roll call, the following councilmembers were present: Councilmember Kelly Callison; Mayor Pro Tem Rick Chinn, Jr.; Councilmember James Dodson; Mayor Warren L. Gooch; Councilmember Derrick Hammond; Councilmember Chuck Hope; and Councilmember Ellen Smith.

Also present were Mark S. Watson, City Manager; Ken Krushenski, City Attorney; and Beth Hickman, City Clerk.

PUBLIC HEARING AND FIRST READING OF ORDINANCES

AN ORDINANCE TO AMEND THE MAIN STREET OAK RIDGE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN TO REMOVE MULTI-FAMILY USES AND AN EXISTING ACCESS POINT AND TO ADD NEW RETAIL USES, SIDEWALKS, OPEN SPACE, AND A FUTURE PHASE ALONG WILSON STREET; SAID PROPERTY IS BORDERED BY RUTGERS AVENUE, SOUTH ILLINOIS AVENUE, SOUTH TULANE AVENUE, AND OAK RIDGE TURNPIKE AND CONTAINS PARCELS 003.00, 003.04, 003.05, 003.06, 003.08, 003.09, 003.10, 003.11, 003.12, 003.13, and 036.00, TAX MAP 099L, GROUP A, (APPROXIMATELY 58.54 ACRES), WITH NO CHANGE TO THE ZONING DISTRICT WHICH REMAINS UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY.

Mayor Gooch moved for approval of the ordinance, and Mayor Pro Tem Chinn seconded.

Councilmember Dodson moved to open the public hearing, and Councilmember Callison seconded. The motion was approved unanimously by voice vote. City Manager Mark Watson provided an overview of the ordinance and the Planning Commission conditions.

Neil Wilson and Brett Rogers with Realty Link, Greenville, SC addressed Council and provided a historical recap and discussed their responses to the proposed conditions.

John Rather, 102 Windsong Lane, Oak Ridge, addressed Council regarding the need for an easily recognizable center of the city.

David Kitzmiller, 144 Wellington Circle, Oak Ridge, commented that he has never heard anyone say they wanted a shopping center but a mixed use development. He asked that Council listen to the people they represent and support a mixed use development.

Mike Mahathy, 113 Fallberry Street, Oak Ridge, stated that he wants retail but also places for people to gather and sit together in a common area.

Rebecca Bowman, 214 Whippoorwill Drive, Oak Ridge, commented that the city center is hard to identify under the current plan, and there needs to be a place where people can visit and get to know their neighbors,

Stephen Whitson, 236 Park Meade Place, Oak Ridge, and Chairman of the Oak Ridge Municipal Planning Commission, stated that the Main Street Planned Unit Development amendment represents wholesale change to the project and that the community has expectations of a mixed use center with a gathering place.

Sue Byrne, 105 Burgess Lane, Oak Ridge, commented that although she is proud of all of the work that has been done at Main Street so far, there is no heart to the city and no place for children to gather.

Becky Dodson, 10 Presidential Lane, Oak Ridge, stated that there is no heart of the city and mixed use development would work to diversify the tax opportunity beyond retail and take special consideration of the written commitments that are being asked for.

Emily Smith, 118 Underwood Road, Oak Ridge, inquired when Phase II of the development will be completed. The developer responded that it is planned to be completed in Spring of 2020.

Seeing no other citizens wishing to speak, Councilmember Dodson moved to close the public hearing, and Mayor Pro Tem Chinn seconded. The motion was approved unanimously by voice vote.

Councilmember Smith stated that looking at a big empty parking lot and to see that nothing is happening is disappointing. She also expressed concern about the closure of the entrance off of Rutgers. She stated that it appears that what we have now is the paradigm of a strip mall.

Neil Wilson with Realty Link stated that sidewalk connectivity is of importance to retailers. He also pointed out that one to two entrances is common to most malls, but this mall has twelve. By closing Rutgers, they hope to get more traffic into the mall off of the Turnpike.

Councilmember Hope stated that there is a misunderstanding between what Realty Link is capable of doing and what the public expected out of this project. He pointed out that people want a place to sit and gather and that Main Street needs to be the catalyst for the center of the city. He remarked that there are trust issues due to the developer's lack of understanding about what the community wants. He also stated that proper streetscaping or a proper landscape plan would address several of the green space issues.

Councilmember Callison requested that Council be provided with a copy of the parking lot restrictions for each tenant. Councilmember Smith requested that Council be provided with a copy of the Wal-Mart noise restrictions referenced during the discussion.

Councilmember Hammond stated that this development is important for the integration of people in the life of the community and that communication and education is key. He also pointed out that he recognizes the benefits of developing in phases and a need for critical mass with respect to bringing stores so that other tenants will follow. He requested that the developer provide updated renderings of the vision for a completed project as the one that residents are associating with the project are the drawings originally provided by Crossland. The developer agreed to provide updated renderings.

Mayor Pro Tem Chinn thanked the developer for what they have done so far to revive the mall area. He stated it is going to take awhile to get our downtown the way that many people are envisioning it. He commented that the way this development needs to proceed is one step and one piece at a time. He also said it is imperative to the City and to the taxpayers that we maximize as many tax dollars as possible.

Councilmember Dodson stated that many residents he has spoken to would like a true heart of our town. The Planning Commission brought recommendations to the developer and City Council, which included the importance of including mixed use and a gathering space in the development. He would also like for the word "commitment" to be included in the conditions. He also stated he would like to see new, updated renderings of the project.

Mayor Gooch stated that it took Market Square in Knoxville forty years to get to the point that it is today. He said he has heard from people on both sides of the issue, and it is about striking a balance.

Mayor Pro Tem Chinn moved to amend the ordinance to substitute Realty Link's responses for the Planning Commission's conditions. Councilmember Callison seconded. The motion failed by board vote with Councilmember Callison, Mayor Pro Tem Chinn and Mayor Gooch voting "Aye" and Councilmembers Dodson, Hammond, Hope and Smith voting "No."

Mayor Gooch moved to amend Condition #1 by deleting the phrase "a commitment by the developer and the City" and substituting "the developer agrees to make a good faith effort." Mayor Pro Tem Chinn seconded, and the motion was approved unanimously by board vote.

Mayor Gooch moved to amend Condition #1 by deleting "significant multi-family," and Councilmember Hope seconded. The motion failed by board vote with Councilmember Callison, Mayor Pro Tem Chinn and Mayor Gooch voting "Aye" and Councilmembers Dodson, Hammond, Hope and Smith voting "No."

Councilmember Smith moved to amend Condition #1 to delete "multi-family," and Councilmember Hope seconded. The motion was approved by board vote with Councilmembers Dodson, Hope, Smith, and Mayor Pro Tem Chinn voting "Aye," and Councilmembers Callison, Hammond and Mayor Gooch voting "No."

Mayor Gooch moved to amend Condition #1 to delete "significant," and Mayor Pro Tem Chinn seconded. The motion was approved by board vote with Councilmembers Callison, Dodson, Hammond, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmembers Hope and Smith voting "No."

Mayor Gooch moved to amend Condition #1 to delete "emphasis on residential, eating/drinking places," and Mayor Pro Tem Chinn seconded. The motion was approved by board vote with Councilmembers Callison, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmember Dodson voting "No."

Mayor Gooch moved to amend Condition #1 to delete "substantial residential component to be built simultaneous to commercial components (i.e. not as another, later phase)," and Councilmember Callison seconded. The motion was approved by board vote with Councilmembers Callison, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmember Dodson voting "No."

Councilmember Callison moved to delete Condition #2 in its entirety, and Mayor Pro Tem Chinn seconded. The motion was approved by board vote with Councilmembers Callison, Hammond, Hope, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmembers Dodson and Smith voting "No."

Condition #3 had been previously agreed to by the developer.

Condition #4 was left in place, with Councilmember Hope requesting that a timeframe be provided after which permanent screening will be put in place.

Mayor Pro Tem Chinn moved that Condition #5 be deleted in its entirety, and Councilmember Callison seconded. The motion was approved by board vote with Councilmembers Callison, Hammond, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye," and Councilmembers Dodson, Hope and Smith voting "No."

Councilmember Callison moved that a sense of Council be conveyed to the developer that walkability in the development is maximized, and Councilmember Smith seconded. The motion was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

Condition #6 was left in place, with the request that the developer consult with the City Manager and City staff regarding the need for a traffic impact study.

Condition #7 had been previously agreed to by the developer.

Mayor Pro Tem Chinn moved to delete Condition #8 in its entirety, and Councilmember Hammond seconded. The motion was approved unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

Condition #9 was left in place, with the developer agreeing to add a particular sidewalk segment to the PUD Master Plan connecting existing sidewalks from the corner of Maurice's to S. Tulane Avenue.

Condition #10 was previously agreed to by the developer.

The ordinance was approved as amended unanimously by board vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

RESOLUTION

Resolution No. 12-111-2018

A RESOLUTION TO AMEND RESOLUTION 12-96-2018 TO CHANGE THE RETROACTIVE DATE OF THE CITY MANAGER'S SALARY ADJUSTMENT.

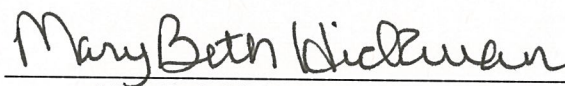
Mayor Pro Tem Chinn moved for approval of the resolution, and Mayor Gooch seconded. The resolution was approved unanimously by voice vote with Councilmembers Callison, Dodson, Hammond, Hope, Smith, Mayor Gooch and Mayor Pro Tem Chinn voting "Aye."

ADJOURNMENT: 10:40 p.m.

APPROVED BY CITY COUNCIL
January 14, 2019



Warren L. Gooch, Mayor



Mary Beth Hickman, City Clerk