

REZONING REPORT

► **FILE #:** 7-B-20-RZ

AGENDA ITEM #: 9

AGENDA DATE: 7/9/2020

► **APPLICANT:** BENJAMIN C. MULLINS OBO ALL ELEVEN GENERAL PARTNERSHIP

OWNER(S): All Eleven General Partnership

TAX ID NUMBER: 131 12101 & 12102

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 10001 & 0 Kingston Pike

► **LOCATION:** North of Kingston Pike, east of Mabry Hood Road

► **APPX. SIZE OF TRACT:** 7.36 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Kingston Pike is a major arterial with a 55-foot pavement width inside a 92-foot right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

► **PRESENT ZONING:** I-G (General Industrial)

► **ZONING REQUESTED:** C-H-2 (Highway Commercial)

► **EXISTING LAND USE:** Vacant land

► **EXTENSION OF ZONE:** No

HISTORY OF ZONING: The property was annexed into the City and the zoning was changed from CB (Business and Manufacturing) to PC-2 (Retail and Distribution Park) with the annexation (Case # 12-BB-07-RZ)

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant - CB (Business and Manufacturing)

South: Commercial and office - I-G (General Industrial) and C-G-1 (General Commercial)

East: Agricultural/forestry/vacant and commercial - CB (Business and Manufacturing)

West: Wholesale - I-G (General Industrial)

NEIGHBORHOOD CONTEXT: This property is near the Kingston Pike/Pellissippi Parkway interchange and is surrounded by a mix of commercial and industrial uses. There are industrial properties consisting of warehouses and outdoor storage to the west. To the east are large lots with commercial uses such as home furniture retail and car dealerships. There are other smaller commercial uses and a church across the street.

STAFF RECOMMENDATION:

- **Approve C-H-2 zoning because is consistent with the Southwest County Sector Plan and is compatible with surrounding development.**

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The property was rezoned from PC-2 (Retail and Distribution Park District) to I-G (General Industrial) with the adoption of the City's new zoning ordinance and map.
2. The requested C-H zoning is more aligned with the sector plan's goals for this area than current I-G zoning. Properties along Kingston Pike to the east of this parcel have developed with commercial uses allowed in the C-H-1 zone, making this zone compatible with existing conditions in the area.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-H (Highway Commercial) Zoning District is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments of a more intense commercial character including those requiring permanent outdoor service or storage areas. The C-H District regulations are intended to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. The C-H District is divided into two levels of intensity related to the overall form and design of the development; however, uses are the same across all levels.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The surrounding area contains many warehouses and generally has an industrial feel. The uses allowed in C-H are less intense than those allowed in the I-G zone, so there are no expected direct or indirect adverse impacts on neighboring properties.

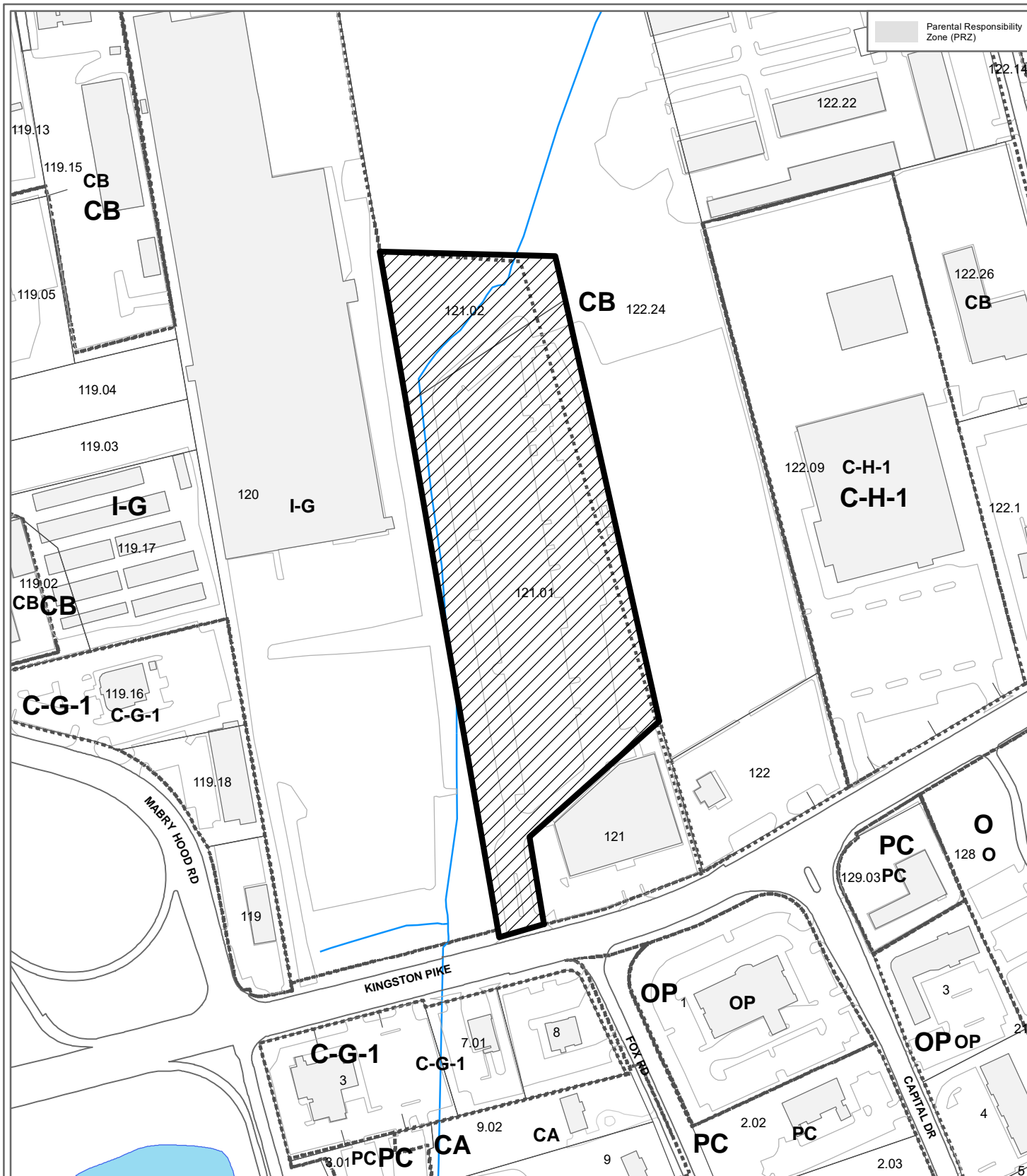
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. C-H zoning is consistent with the current Southwest County Sector Plan's Mixed Use Special District land use designation.
2. The MU-SD designation on this parcel recommends GC as one of its recommended land use designations, which in turn allows C-H-2 zoning.
3. This parcel is located in Flood Zone X, but is not in a floodplain or floodway.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

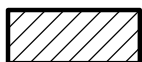
If approved, this item will be forwarded to Knoxville City Council for action on 8/11/2020 and 8/25/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**7-B-20-RZ
REZONING**

From: I-G (General Industrial)

To: C-H-2 (Highway Commercial)



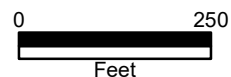
Original Print Date: 6/16/2020
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

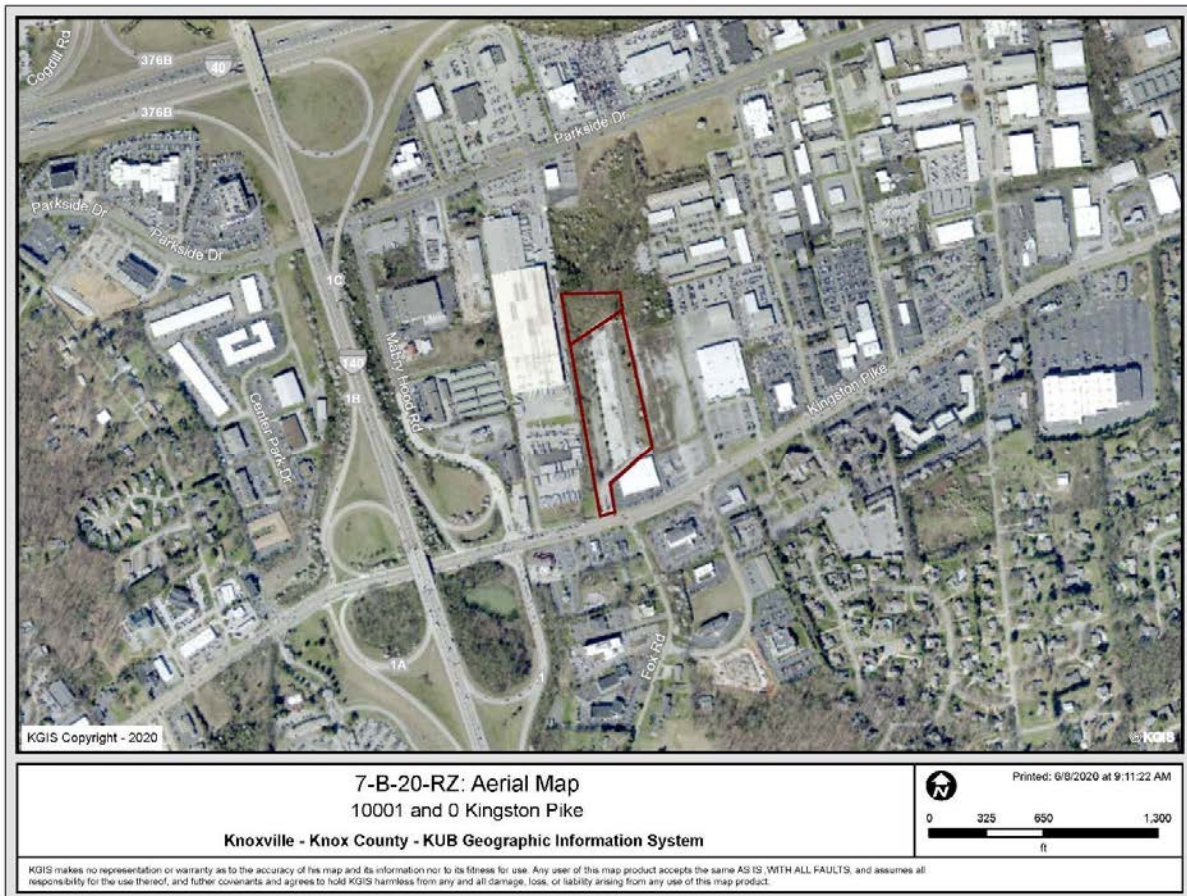
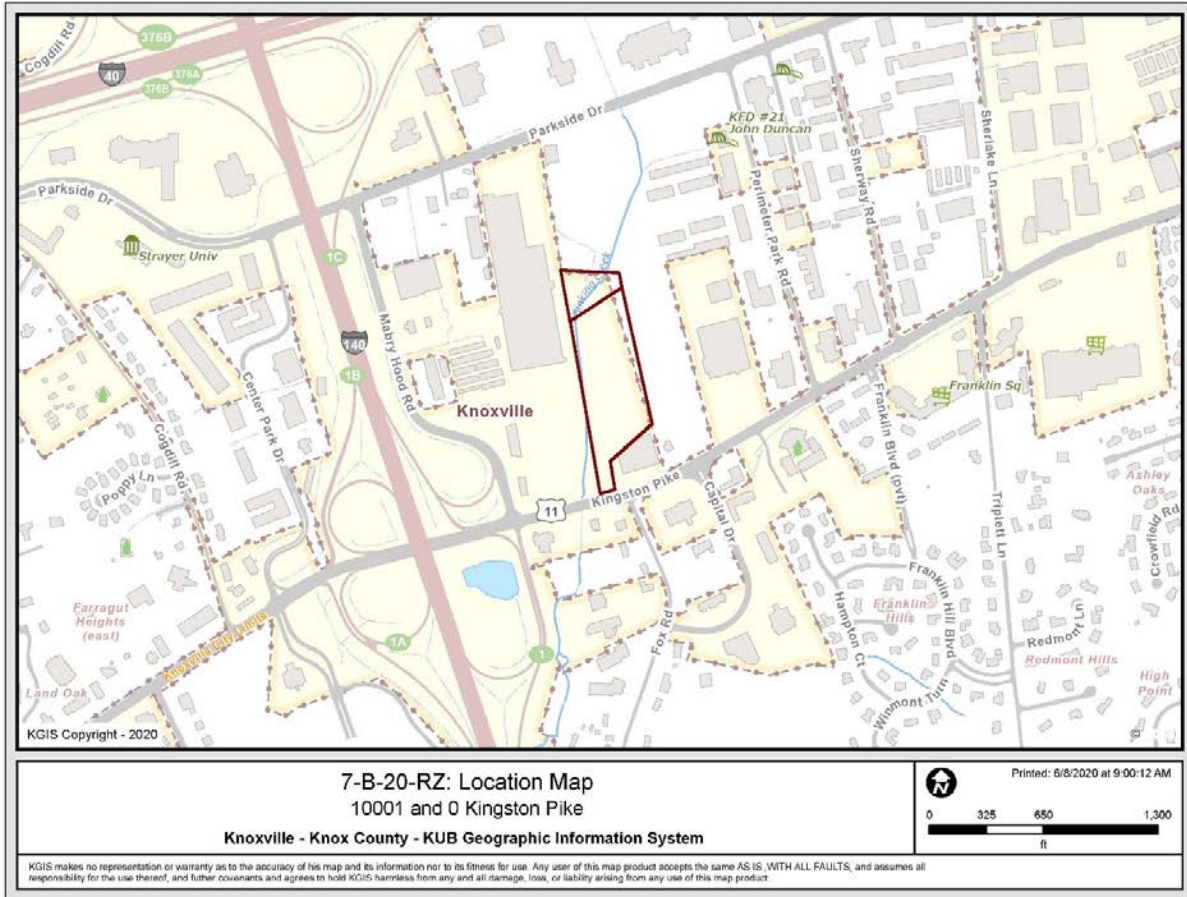
Petitioner: Benjamin C. Mullins obo All
Eleven General Partnership

Map No: 131

Jurisdiction: City

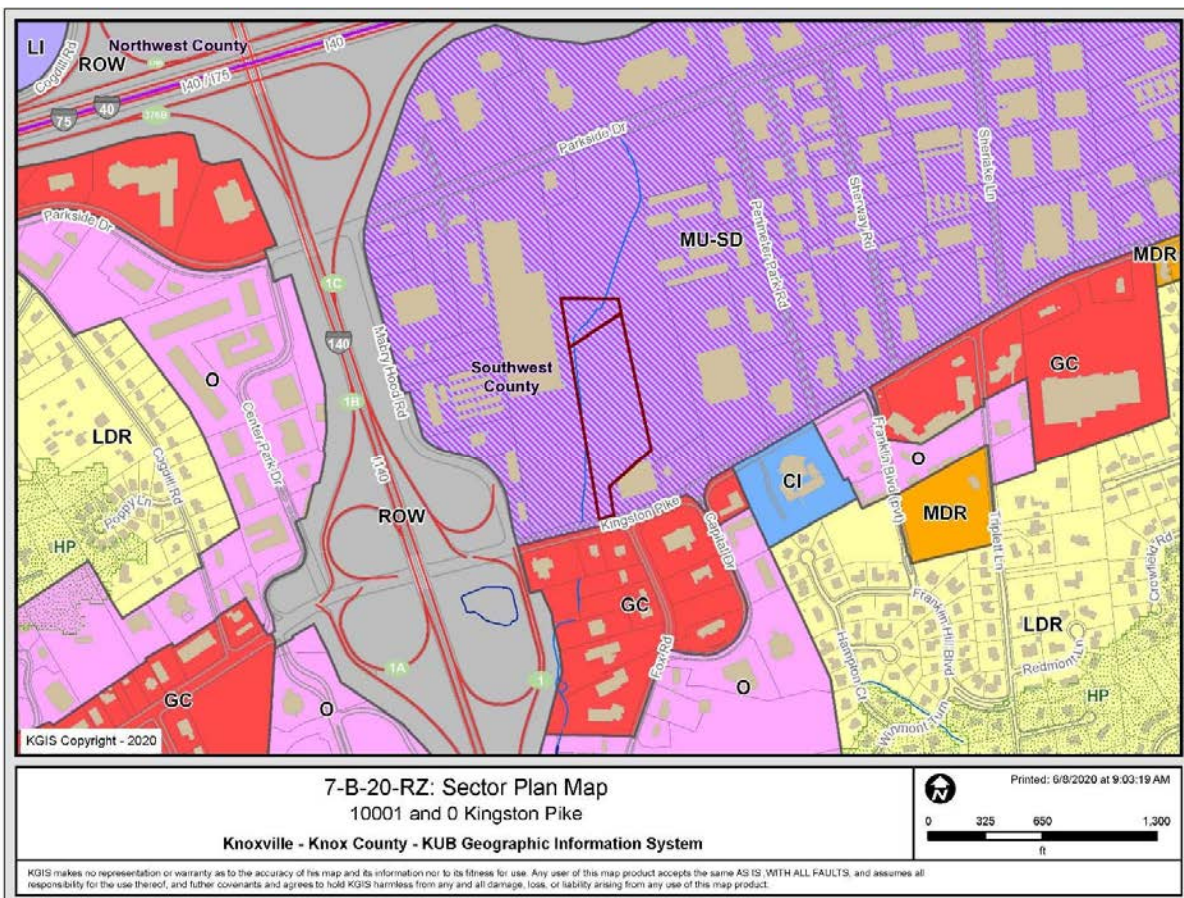
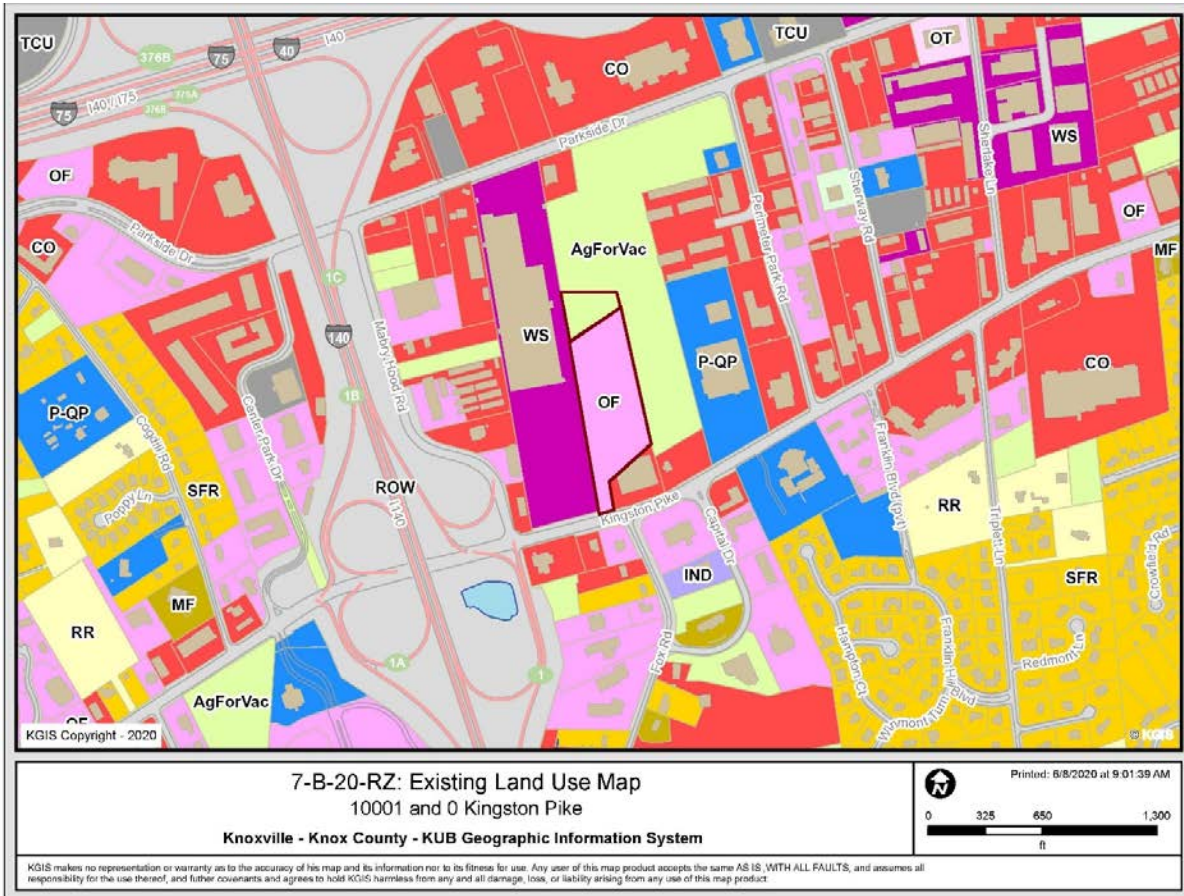


7-B-20-RZ
EXHIBIT A. Contextual Images



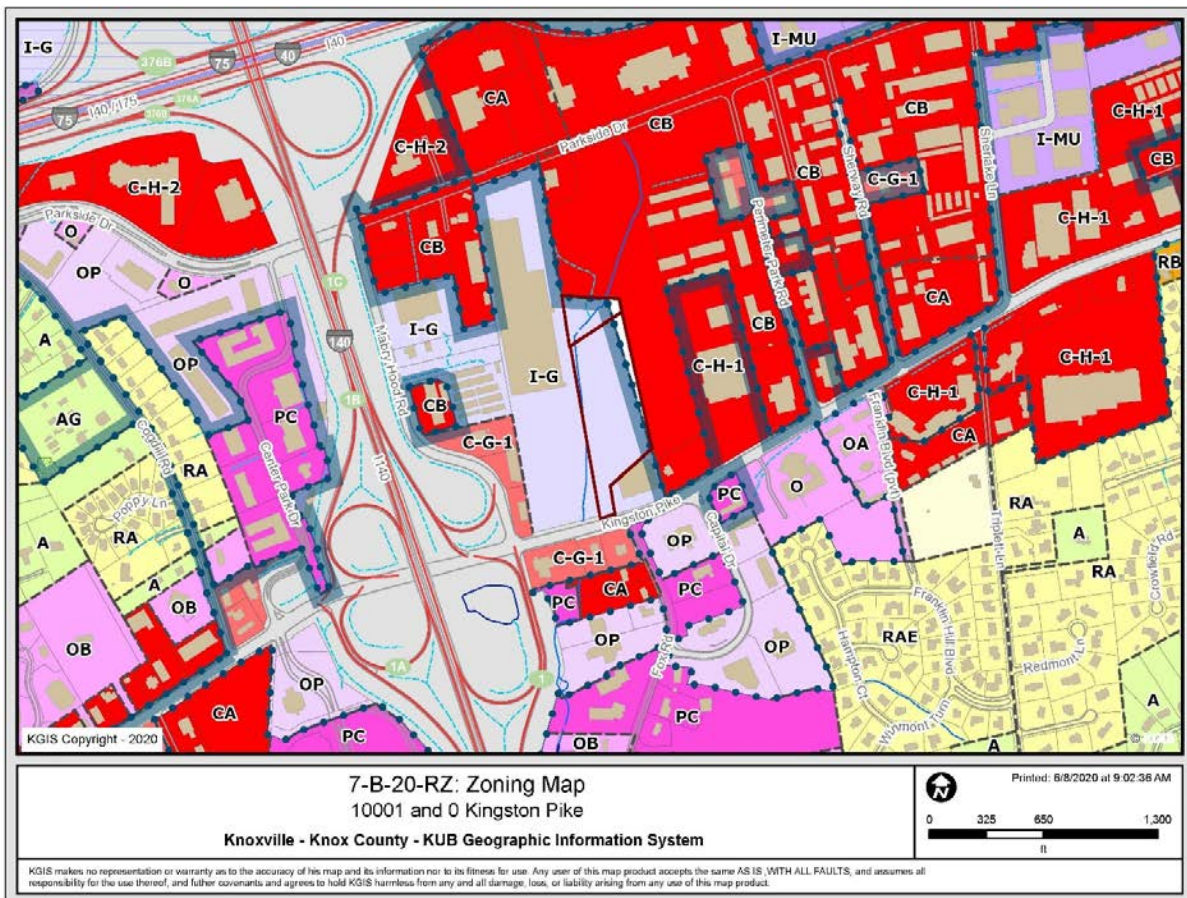
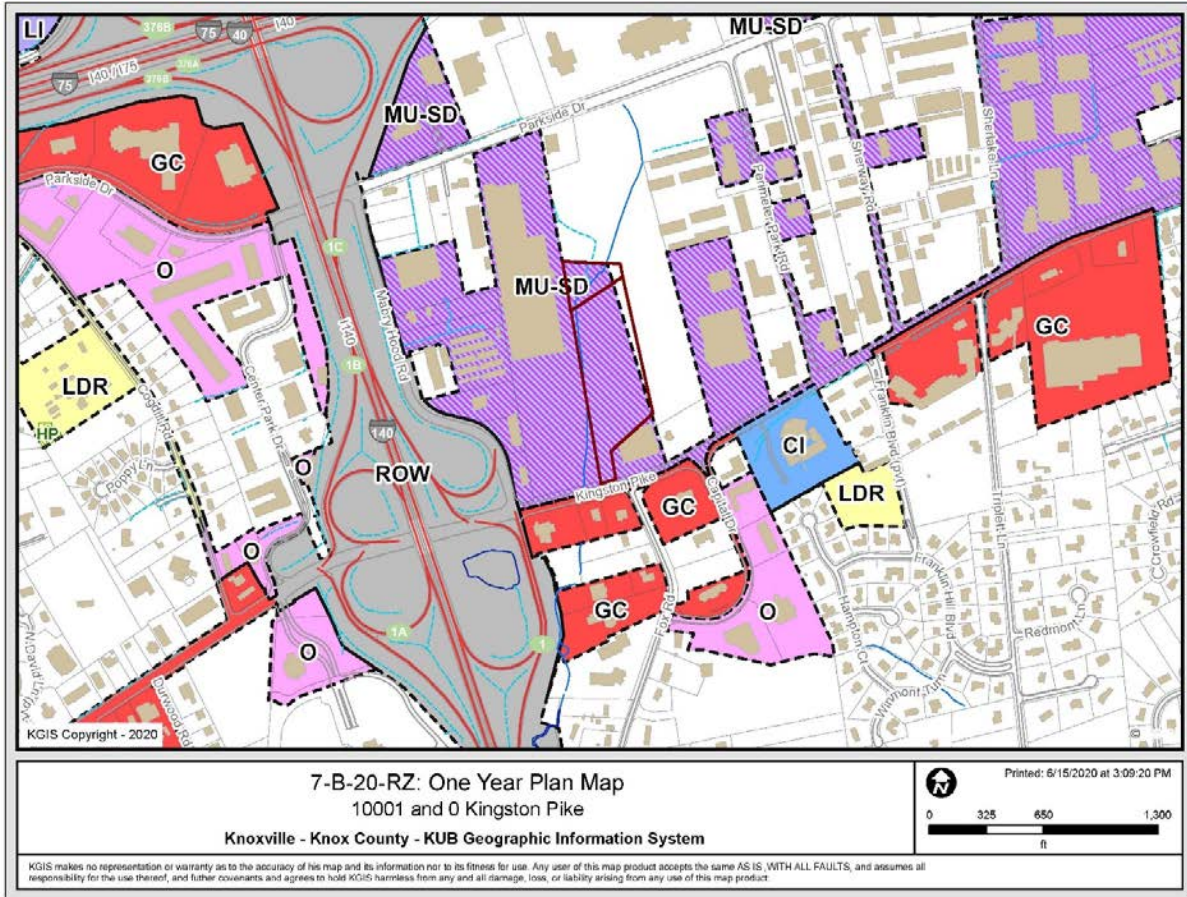
7-B-20-RZ

EXHIBIT A. Contextual Images



7-B-20-RZ

EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

Benjamin C. Mullins obo All Eleven General Partnership

Attorney

Applicant Name

Affiliation

May 15, 2020

July 9, 2020

7-B-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

☒ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 W. Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

Zip

(865) 546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

All Eleven General Partnership

150 Major Reynolds Place, KT 37919

(865) 637-2674

Owner Name (if different)

Owner Address

Owner Phone

10001 and 0 Kingston Pike, Knoxville, TN 37922

Map 131, Parcels 121.01 and 121.02

Property Address

Parcel ID

North of Kingston Pike and East of Mabry Hood Road

+/-6.34acres & +/-1.02 acres

General Location

Tract Size

District 2

I-G

Jurisdiction (specify district above) ☒ City ☐ County

Zoning District

Southwest County

Mixed Use Special District (MU-SD)

Urban Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Office and Ag/For/Vac

N

First Utility

First Utility

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

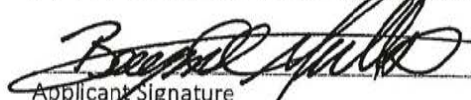
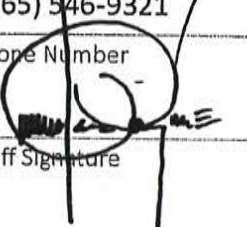
REQUEST

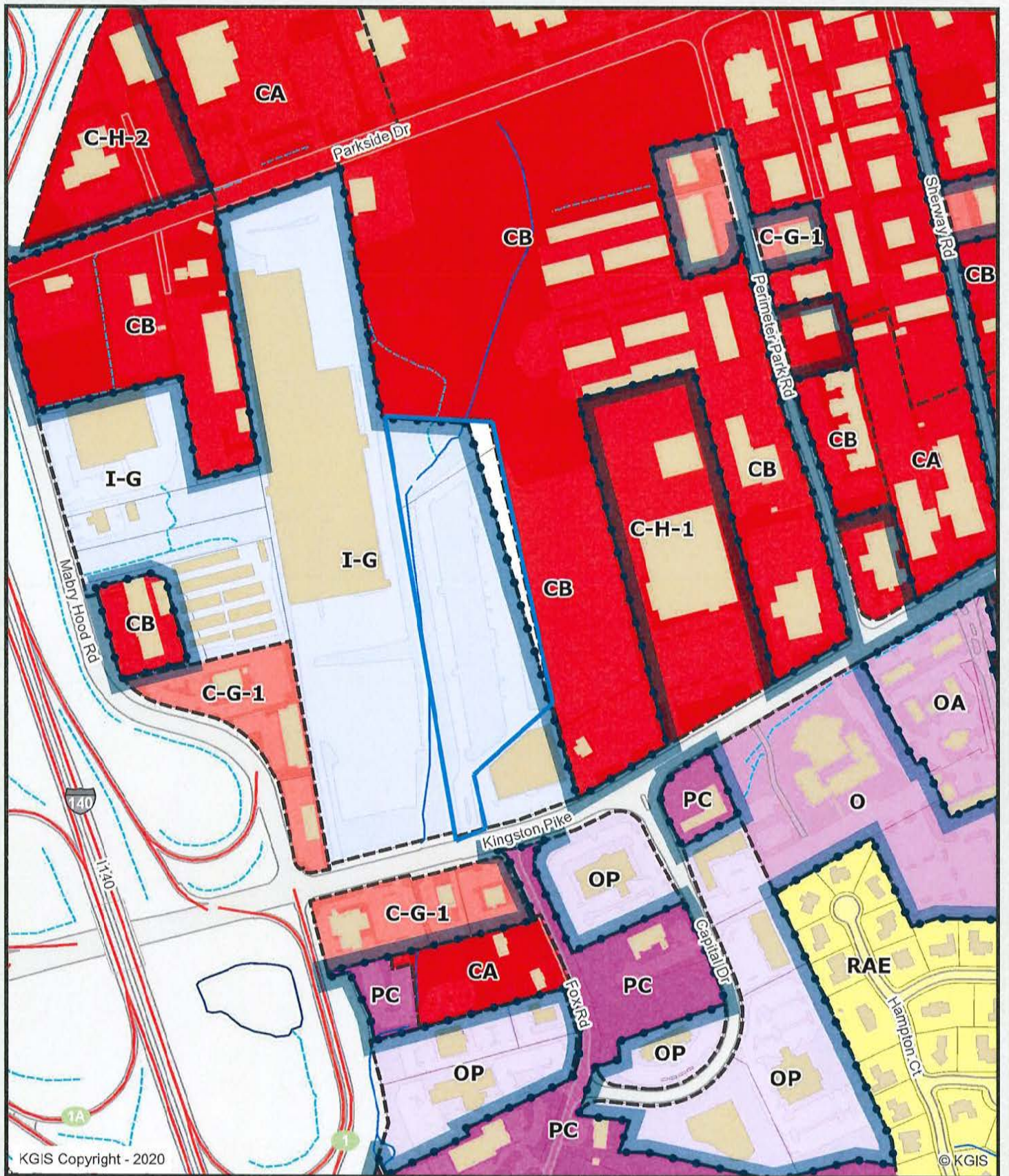
DEVELOPMENT	<input type="checkbox"/> Development Plan	<input type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-Residential
	<input type="checkbox"/> Home Occupation (specify): _____	
<input type="checkbox"/> Other (specify): _____		
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____	
	<input type="checkbox"/> Parcel Change	
	<input type="checkbox"/> Combine Parcels	<input type="checkbox"/> Divide Parcel
	Total Number of Lots Created: _____	
ZONING	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Attachments / Additional Requirements	
	<input checked="" type="checkbox"/> Zoning Change: Highway Commercial (C-H-2)	
	Proposed Zoning _____	
	<input type="checkbox"/> Plan Amendment Change: _____	
	Proposed Plan Designation(s) _____	
Proposed Density (units/acre): _____		Previous Rezoning Requests _____
<input type="checkbox"/> Other (specify): _____		

STAFF USE ONLY	PLAT TYPE	<input type="checkbox"/> Staff Review	<input type="checkbox"/> Planning Commission	FEE 1:		TOTAL:
	ATTACHMENTS	<input type="checkbox"/> Property Owners / Option Holders	<input type="checkbox"/> Variance Request	RZ	2,634.00	
	ADDITIONAL REQUIREMENTS	<input type="checkbox"/> Design Plan Certification (Final Plat only)		FEE 2:		
	<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)		FEE 3:			
	<input type="checkbox"/> Traffic Impact Study					2,634.00

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

	Benjamin C. Mullins	May 15, 2020
Applicant Signature	Please Print	Date
(865) 546-9321	bmullins@fmsllp.com	
Phone Number	Email	
	Marc Payne	5/18/2020
Staff Signature	Please Print	Date

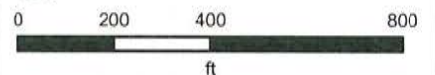


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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