



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 9-H-20-RZ

AGENDA ITEM #: 15

9-C-20-SP

AGENDA DATE: 9/10/2020

► **APPLICANT:** BENJAMIN C. MULLINS O/B/O ELEVATION FOODS PROPERTIES, LLC
OWNER(S): Church Congregation of Jehovahs Witnesses

TAX ID NUMBER: 60 080

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 1702 Harris Rd.

► **LOCATION:** East side of Harris Rd., west side of Rutledge Pk

► **TRACT INFORMATION:** 1.5 acres.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Harris Road is a minor collector with a 19.6-ft pavement width inside a 60-ft right-of-way

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Woods Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RB (General Residential)

► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CB (Business and Manufacturing)

► **EXISTING LAND USE:** Church

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, the GC designation is adjacent to the south and east

HISTORY OF ZONING REQUESTS: None noted for this property

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential - LDR (Low Density Residential) - RB (General Residential)

ZONING South: Office - GC (General Commercial) - CB (Business and Manufacturing)

East: Office - GC (General Commercial) - CB (Business and Manufacturing)

West: Single family residential - MDR (Medium Density Residential) - RB (General Residential)

NEIGHBORHOOD CONTEXT: This property is bordered by low-density single-family residential on the north and west and commercial businesses are adjacent to the south. Harris Road

has a rural feel with mostly large-lot single family detached houses, though there are warehouse-based businesses on its southern end where it meets Rutledge Pike.

STAFF RECOMMENDATION:

► **Withdraw the plan amendment application per the applicant's request.**

Staff received an email from the applicant requesting withdrawal of this item on 9/8/2020.

► **Withdraw the rezoning application per the applicant's request.**

Staff received an email from the applicant requesting withdrawal of this item on 9/8/2020.

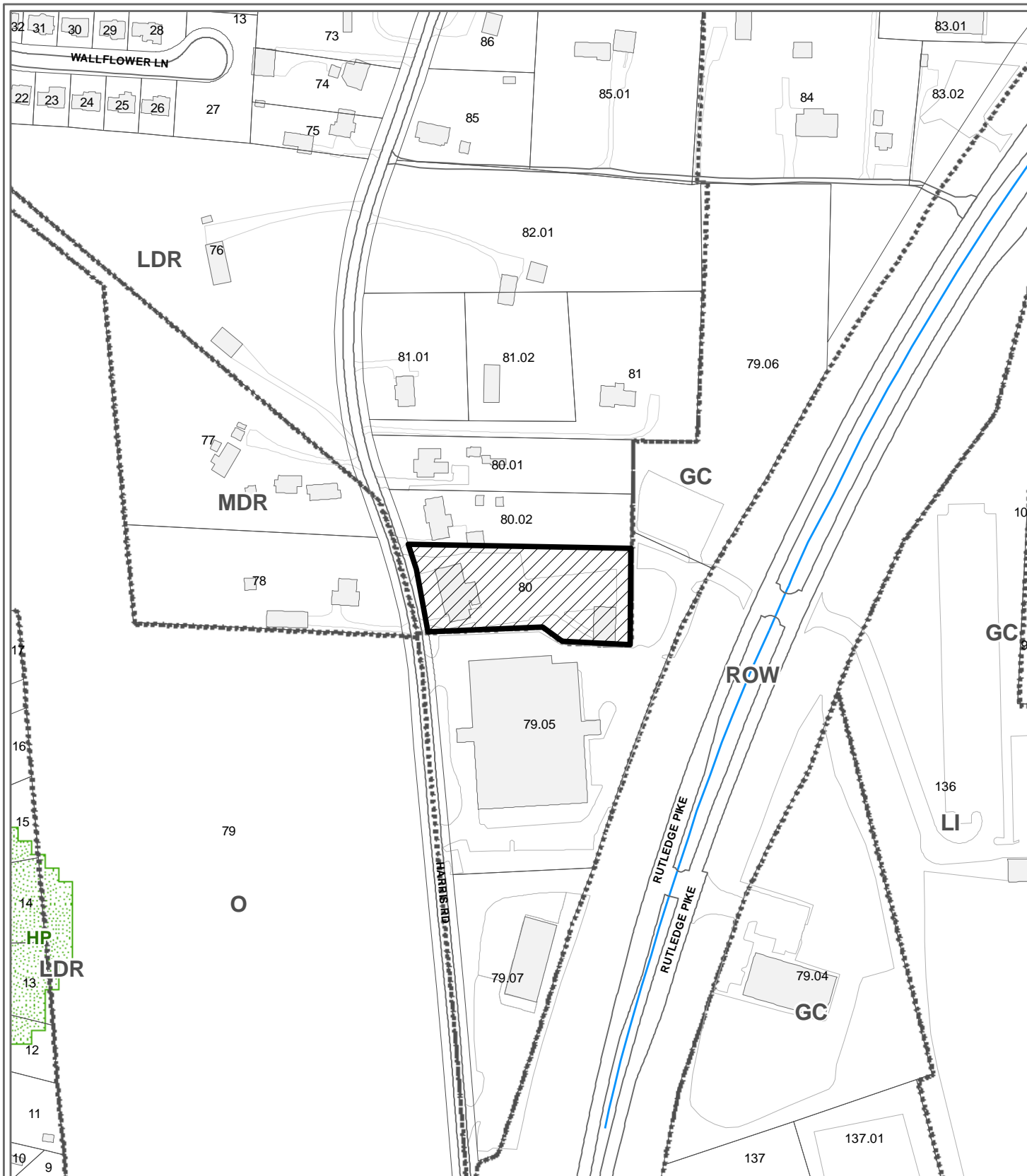
COMMENTS:

ESTIMATED TRAFFIC IMPACT: 12 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/26/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**9-C-20-SP / 9-H-20-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: GC (General Commercial)



Petitioner: Mullins / obo Elevation Foods Properties, LLC

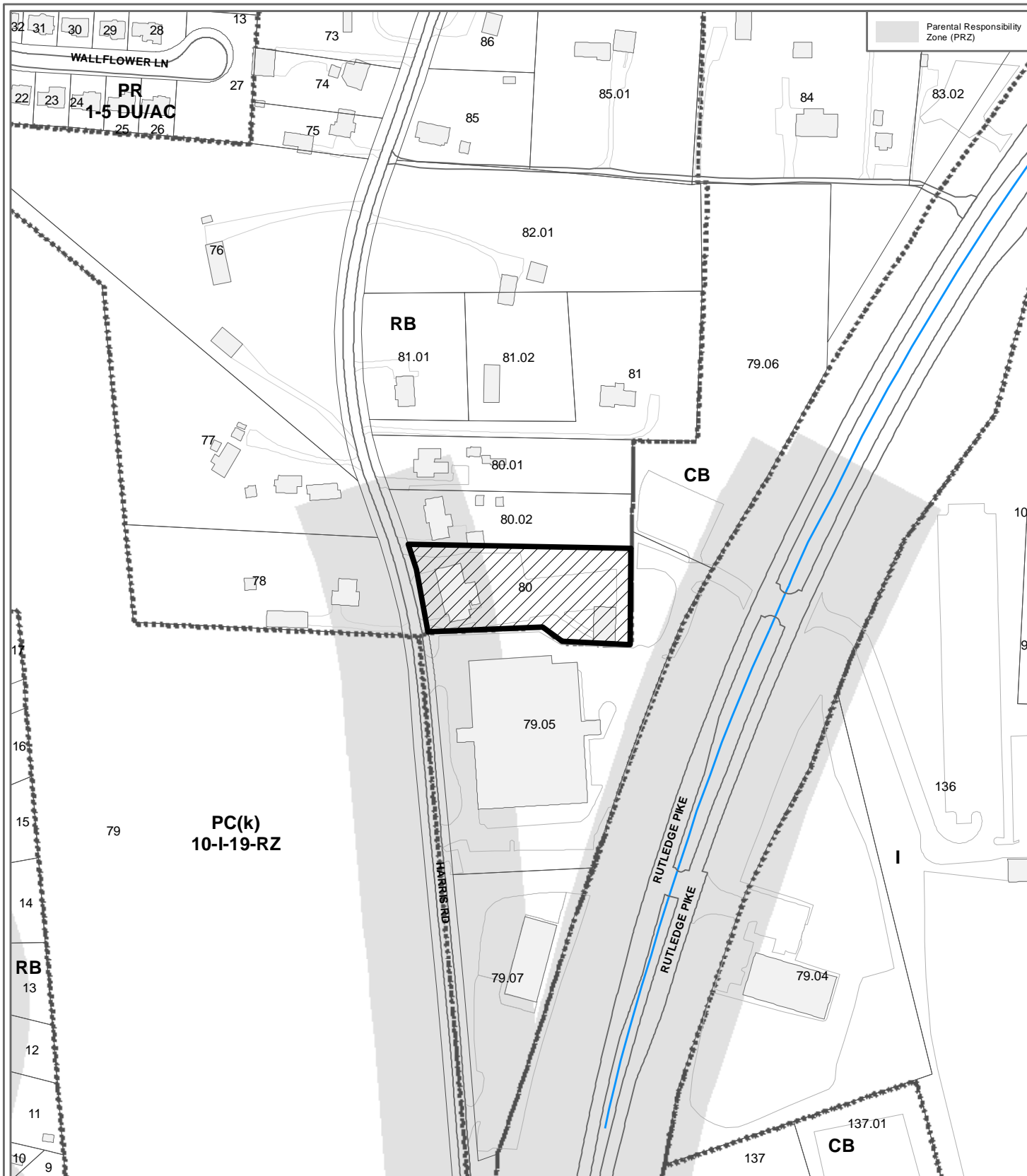
Map No: 60

Jurisdiction: County

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Feet



Original Print Date: 8/14/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



9-H-20-RZ REZONING

From: RB (General Residential)

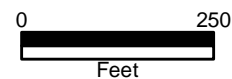
To: CB (Business and Manufacturing)



Petitioner: Mullins / obo Elevation Foods Properties, LLC

Map No: 60

Jurisdiction: County



Original Print Date: 8/14/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Request to Postpone • Table • Withdraw

Name of Applicant: Benjamin C. Mullins obo Elevation Food Properties
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 9-C-20-SP; 9-H-20-RZ

Date Scheduled for Planning Review: Sept. 10, 2020

Date Request Filed: Sept. 8, 2020 Request Accepted by: _____

REQUEST

☐ **Postpone**

Please postpone the above application(s) until:

DATE OF FUTURE PUBLIC MEETING

☐ **Table**

Please table the above application(s).

☒ **Withdraw**

Please withdraw the above application(s).

State reason for request:

Request No Longer needed.

Eligible for Fee Refund? ☐ Yes ☐ No

Amount: _____

Approved by: _____

Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: 

PLEASE PRINT

Name: Benjamin C. Mullins

Address: 550 West Main St. Suite 500

City: Knoxville State: TN Zip: 37902

Telephone: 865-546-9321

Fax: 865-637-9249

E-mail: bmullins@fnsllp.com

PLEASE NOTE

Consistent with the guidelines set forth in Planning's *Administrative Rules and Procedures*:

POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

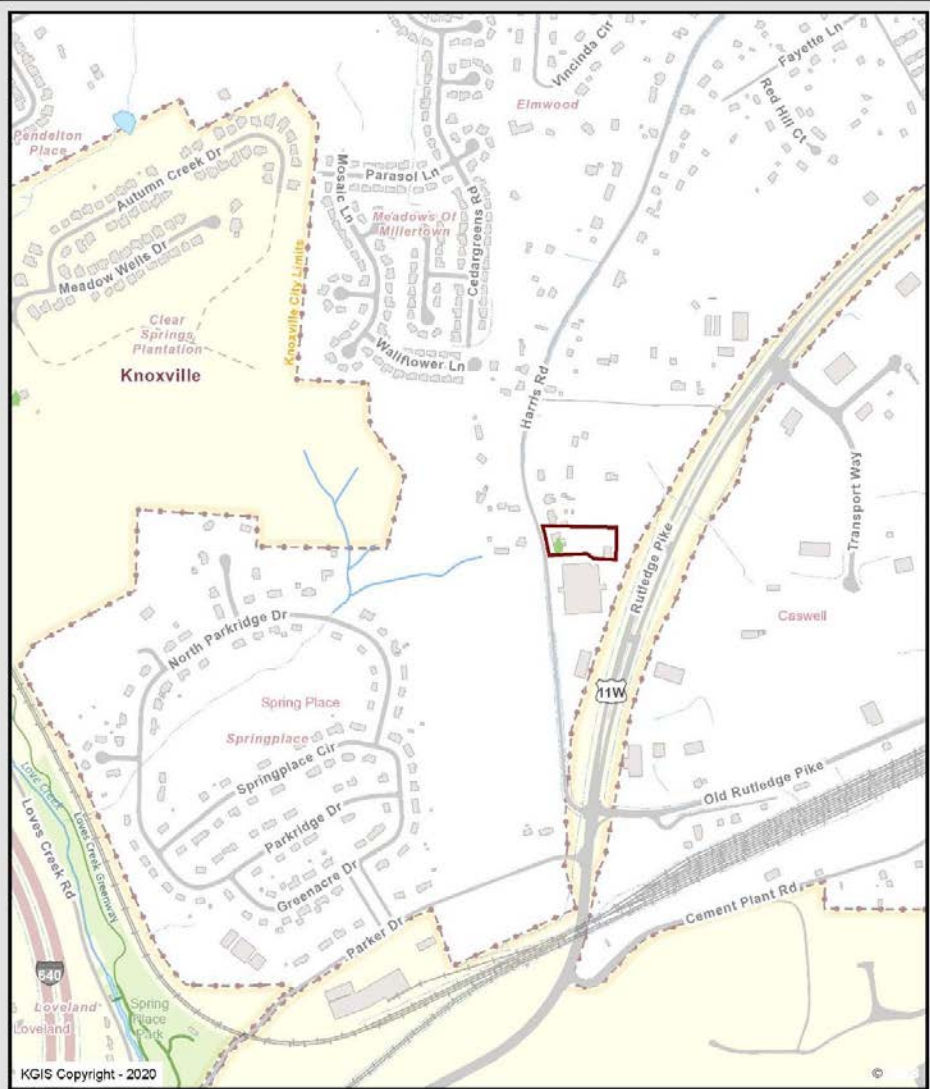
WITHDRAWALS

Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.

9-H-20-RZ / 9-C-20-SP
EXHIBIT A. Contextual Images



9-H-20-RZ / 9-C-20-SP: Location Map
1702 Harris Road

Knoxville - Knox County - KUB Geographic Information System

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0 330 660 1,320
ft

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9-H-20-RZ / 9-C-20-SP: Aerial Map
1702 Harris Road

Knoxville - Knox County - KUB Geographic Information System

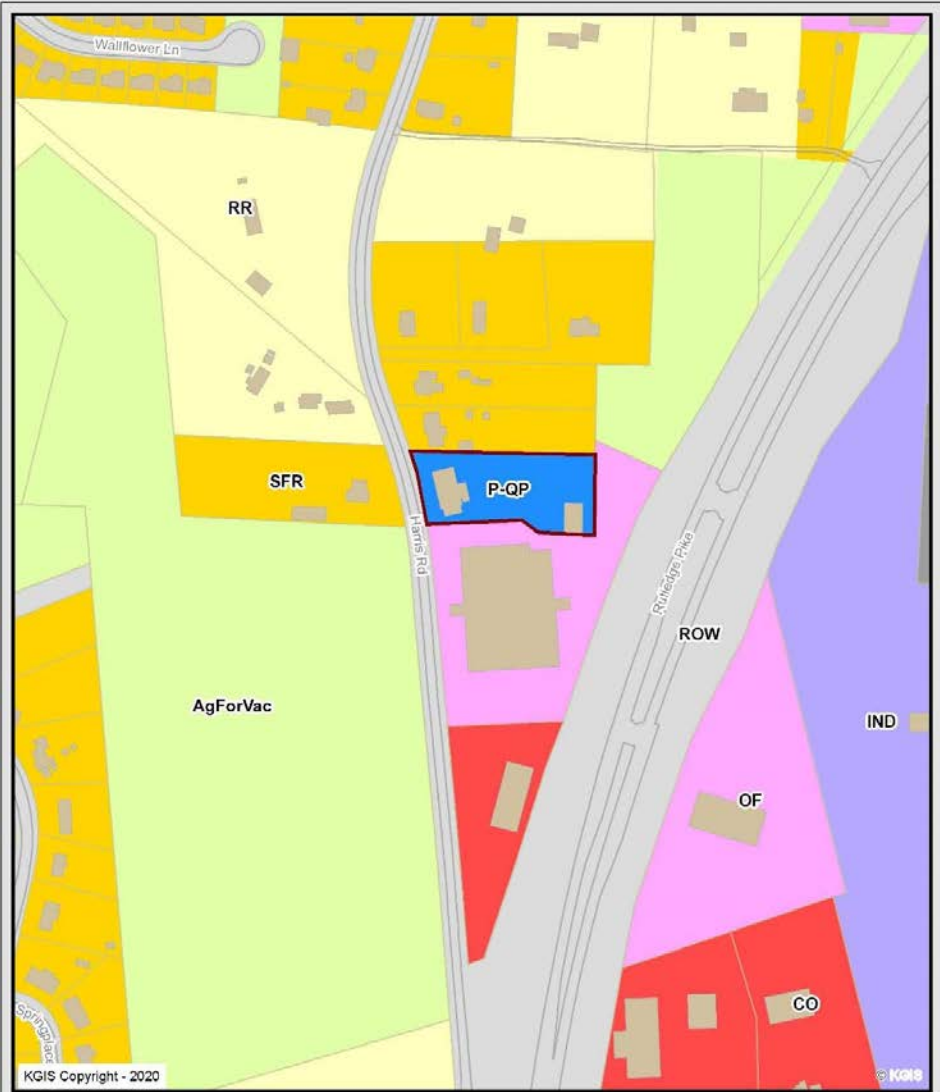
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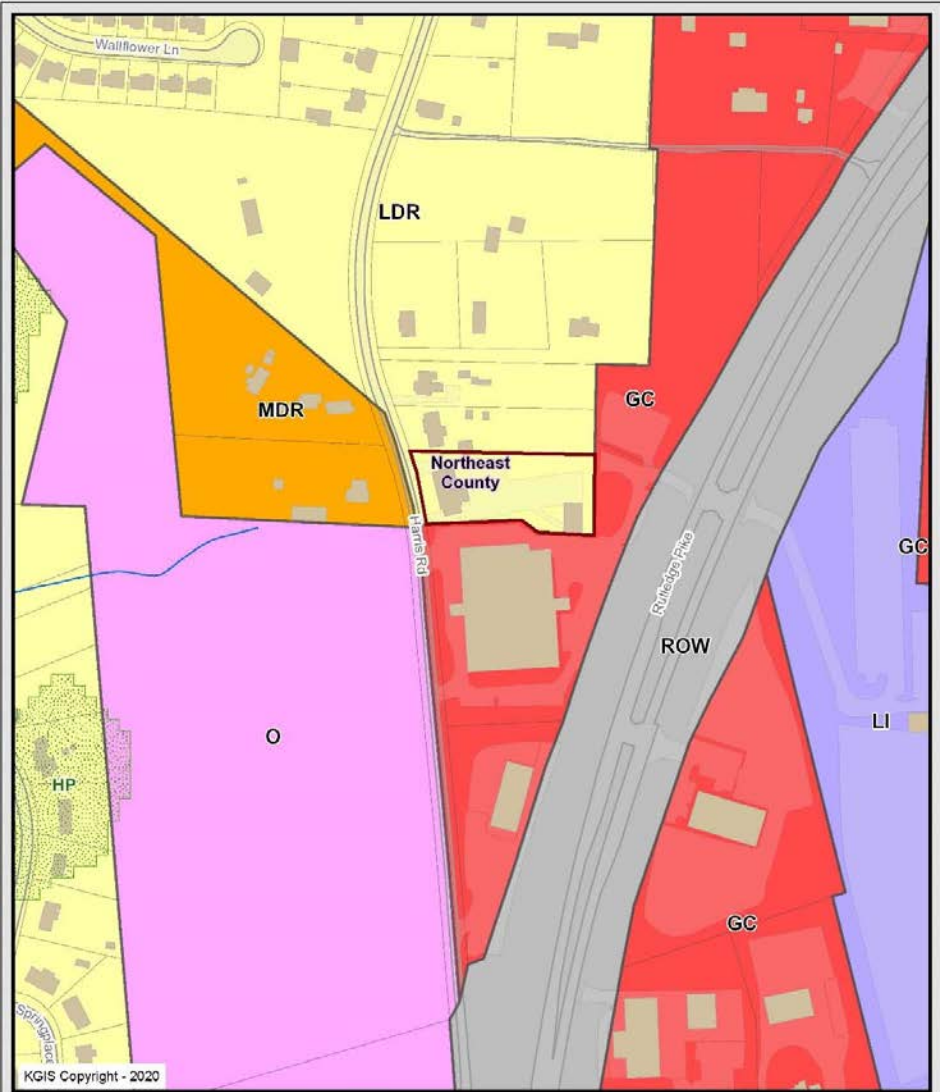
9-H-20-RZ / 9-C-20-SP
EXHIBIT A. Contextual Images



9-H-20-RZ / 9-C-20-SP: Existing Land Use Map
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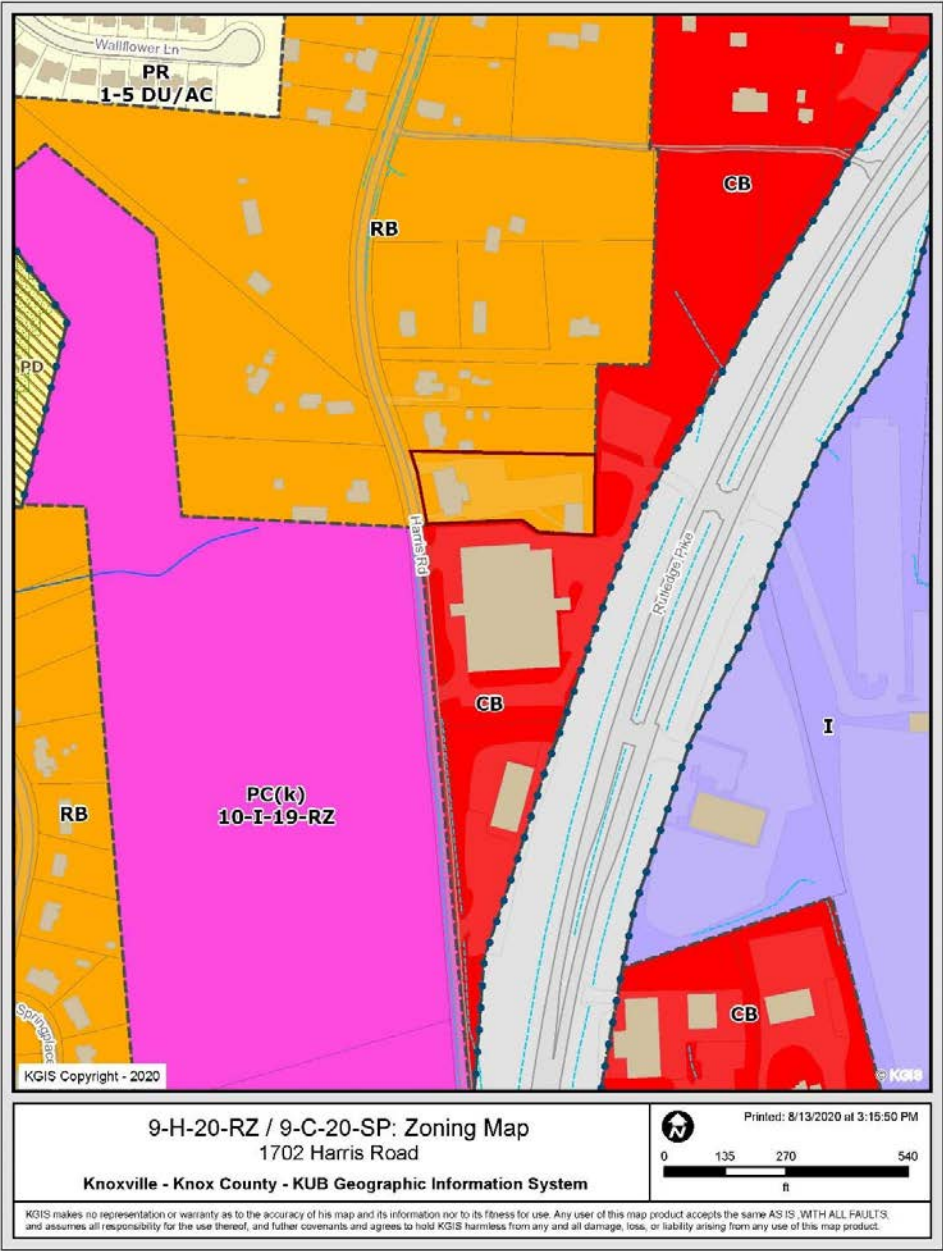


9-H-20-RZ / 9-C-20-SP: Sector Plan Map
1702 Harris Road
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9-H-20-RZ / 9-C-20-SP
EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Rezoning

Benjamin C. Mullins o/b/o Elevation Foods Properties, LLC

Contract Holder

Applicant Name

Affiliation

August 3, 2020

September 10, 2020

Date Filed

Meeting Date (if applicable)

File Numbers(s)

9-11-20-RZ ; 9-1-20-SP

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 West Main Street, Suite 500

Knoxville

TN

37922

Address

City

State

Zip

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

Church Congregation of Jehovahs Witness 1702 Harris RD

Owner Name (if different)

Owner Address

Owner Phone

1702 Harris RD

060 080

Property Address

Parcel ID

East of Harris Rd and West of Rutledge Pike

+/- 1.5 acres

General Location

Tract Size

Knox County District 8

RB

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

LDR

Low Density Residential

Urban Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

P-QP

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

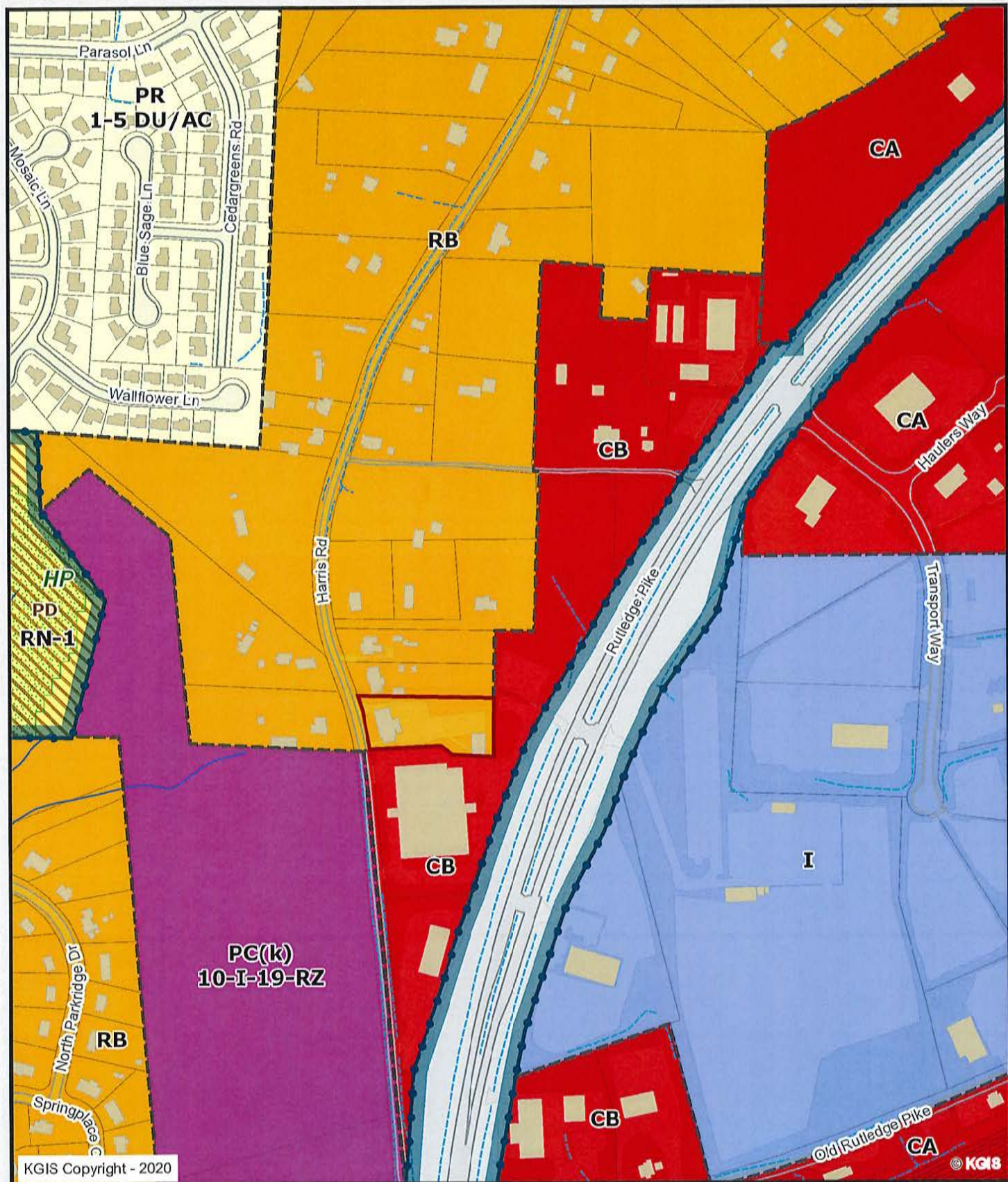
| | | |
|-------------|---|--|
| DEVELOPMENT | <input type="checkbox"/> Development Plan | <input type="checkbox"/> Use on Review / Special Use |
| | <input type="checkbox"/> Residential | <input type="checkbox"/> Non-Residential |
| | <input type="checkbox"/> Home Occupation (specify): _____ | |
| | <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: _____ | |
| | <input type="checkbox"/> Other (specify): _____ | |
| ZONING | <input type="checkbox"/> Attachments / Additional Requirements | |
| | <input checked="" type="checkbox"/> Zoning Change: CB Proposed Zoning _____ | |
| | <input checked="" type="checkbox"/> Plan Amendment Change: GC Proposed Plan Designation(s) _____ | |
| | NA | NA |
| | Proposed Density (units/acre) _____ | Previous Rezoning Requests _____ |
| | <input type="checkbox"/> Other (specify): NA | |

| | | | |
|----------------|--|--|--|
| STAFF USE ONLY | PLAT TYPE | <input type="checkbox"/> Staff Review | <input type="checkbox"/> Planning Commission |
| | ATTACHMENTS | <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request | |
| | ADDITIONAL REQUIREMENTS | <input type="checkbox"/> Design Plan Certification (Final Plat only) | |
| | <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) | | |
| | <input type="checkbox"/> Traffic Impact Study | | |
| | | Double Fee FEE 1: 0326 2,000.00 FEE 2: 0526 1,200.00 FEE 3: X X TOTAL: \$3,200.00 | |

AUTHORIZATION

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

| | | |
|--|-------------------------------------|------------------------|
|  Applicant Signature | Benjamin C. Mullins Please Print | August 3, 2020 Date |
| 865-546-9321 Phone Number | bmullins@fmsllp.com Email | |
|  Staff Signature | Marc Payne Please Print | 8/3/2020 Date |



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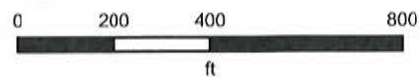
KGIS

9-H-20-RZ/9-C-20-SP: Zoning Map

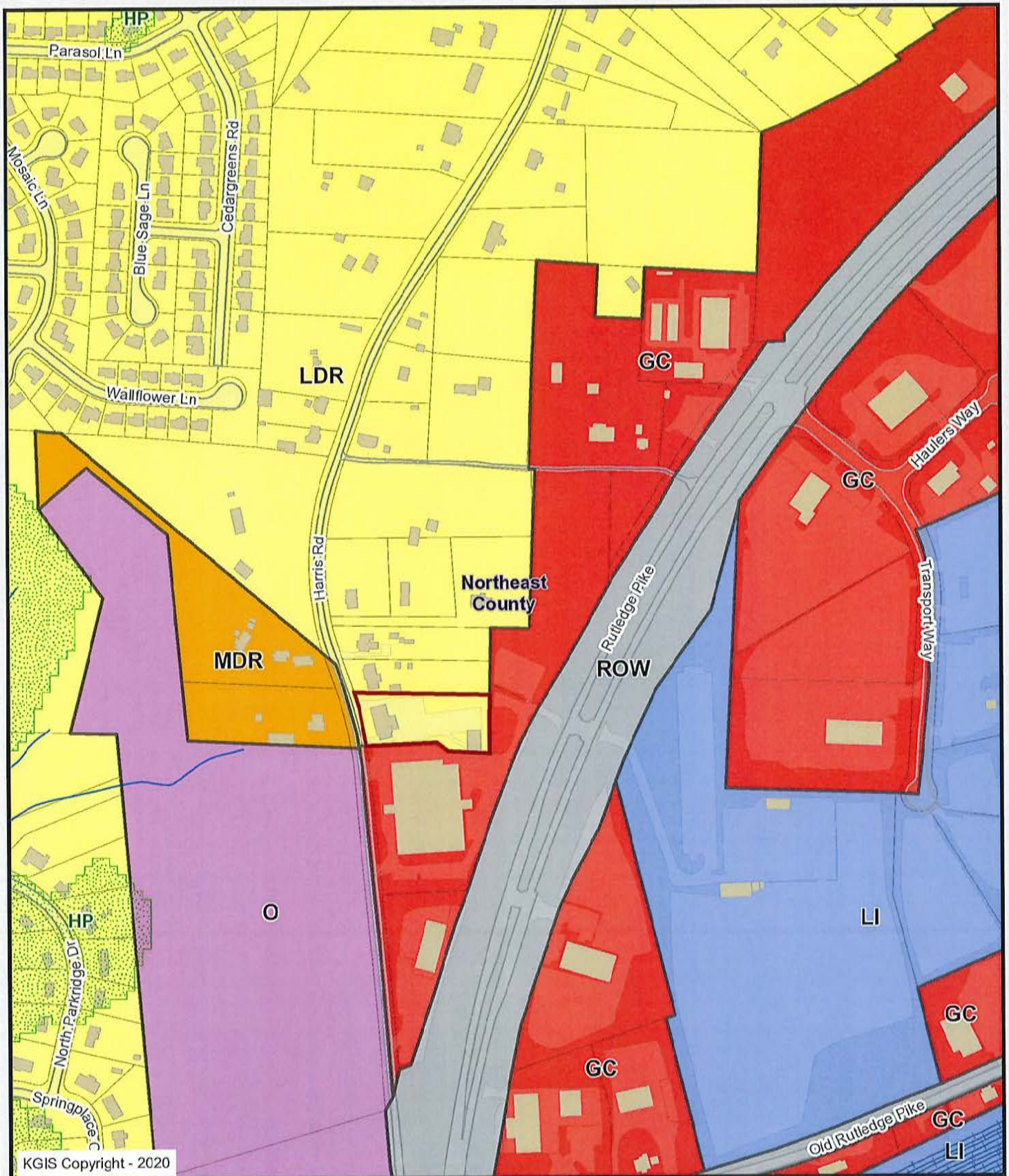
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9-H-20-RZ/9-C-20-SP: Sector Plan Map

Knoxville - Knox County - KUB Geographic Information System



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Aerial
1702 Harris Rd.

Knoxville - Knox County - KUB Geographic Information System



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ft

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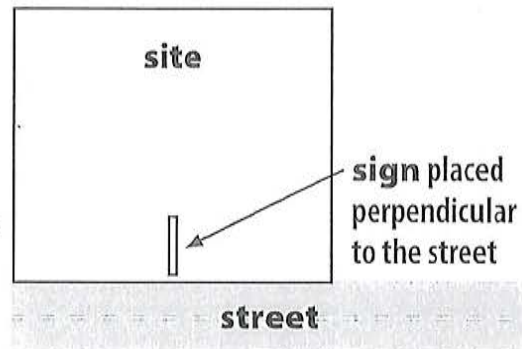
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

8/26/2020 and 9/11/2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: 

Printed Name: Benjamin C. Mullins

Phone: 865-546-9324 Email: bmullins@fmsllp.com

Date: 8-3-2020

File Number: 9-H-20-RZ, 9-C-20-SP