



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-I-21-RZ **AGENDA ITEM #:** 18  
 4-D-21-SP **AGENDA DATE:** 4/8/2021

▶ **APPLICANT:** BENJAMIN C. MULLINS O/B/O KAREN SPEEGLE  
**OWNER(S):** Karen Speegle

**TAX ID NUMBER:** 105 057 & 058 [View map on KGIS](#)

**JURISDICTION:** Commission District 6

**STREET ADDRESS:** 0 Middlebrook Dr.

▶ **LOCATION:** Southwest of Middlebrook Pike between the intersections of Andes Road and Federick Drive

▶ **TRACT INFORMATION:** 5.33 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access to the subject property is via a narrow driveway connecting to Middlebrook Pike, a four lane divided with center median major arterial street with approximately 80ft of pavement and 90ft of right-of-way.

**UTILITIES:** Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

**WATERSHED:** Turkey Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / HP (Hillside Protection) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / HP (Hillside Protection) / OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:**

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: Public/Quasi Public - A (Agriculture)  
 South: Agriculture/forestry/vacant - A (Agriculture)  
 East: Commercial - CA (General Business)  
 West: Agriculture/forestry/vacant - A (Agriculture)

**NEIGHBORHOOD CONTEXT:** The subject property is in a neighborhood with several low density residential subdivisions in the PR zone. In addition, this neighborhood has a mix of agriculture, and commercial uses in the A and CA zones.

**STAFF RECOMMENDATION:**

- ▶ **Approve O (Office) / HP (Hillside Protection) because it provides a transistional land use designation between the commercial area and the adjacent low density residential uses.**
  
- ▶ **Approve OB (Office, Medical and Related Services) zoning because it provides a transistion zone to buffer the low density residential uses from the commercial zoning.**

**COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The population of the Northwest County Sector continues to grow and this rezoning would provide for additional opportunities for office development as a transistional land use designation between the commercial uses along Middlebrook Pike and the adjacent low-density residential uses.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. Additional opportunities for office development as a transistional land use could have been proposed as part of the Northwest County Sector Plan update.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. Transistional land use designation should be considered for areas adjacent to commercial corridors and commercial land use designations to buffer the adjacent low density residential uses. This parcel is adjacent to a Community Commercial node near the intersection with N. Cedar Bluff Rd.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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 Northwest County sector continues to be one of the fastest growing areas of Knox County and additional opportunities for office uses in transistional areas between commercial corridors and low density residential areas is warranted.

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

1. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
2. The existing infrastructure in this area includes roads and utilities supporting the existing commercial areas.

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 adjacent zone districts are primarily commercial and agricultural with single family residential uses.
2. This rezoning should benefit the adjacent residential areas as a transistional zone from the commercial corridor.
3. Any new curb cuts to Middlebrook Pike will have to meet TDOTs standards for access and be permitted by their agency.

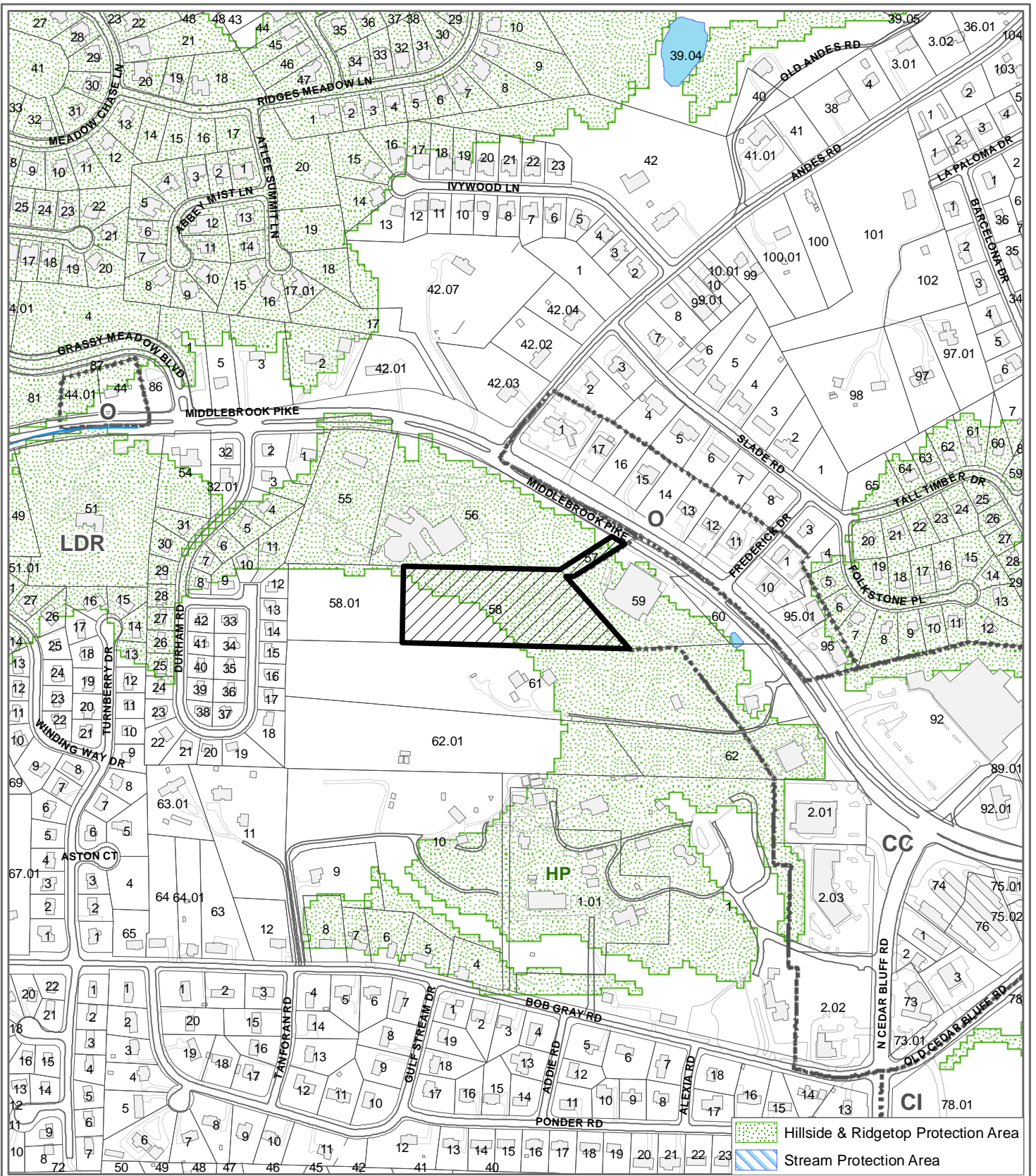
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment is consistent with the sector plan as amended.
2. The proposed amendment does not appear to be in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 5/24/2021. 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.



**4-D-21-SP / 4-I-21-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**



From: LDR (Low Density Residential) / HP (Hillside Protection)

To: O (Office) / HP (Hillside Protection)

Petitioner: Mullins O/B/O Karen Speegle,  
Benjamin C.

Map No: 105

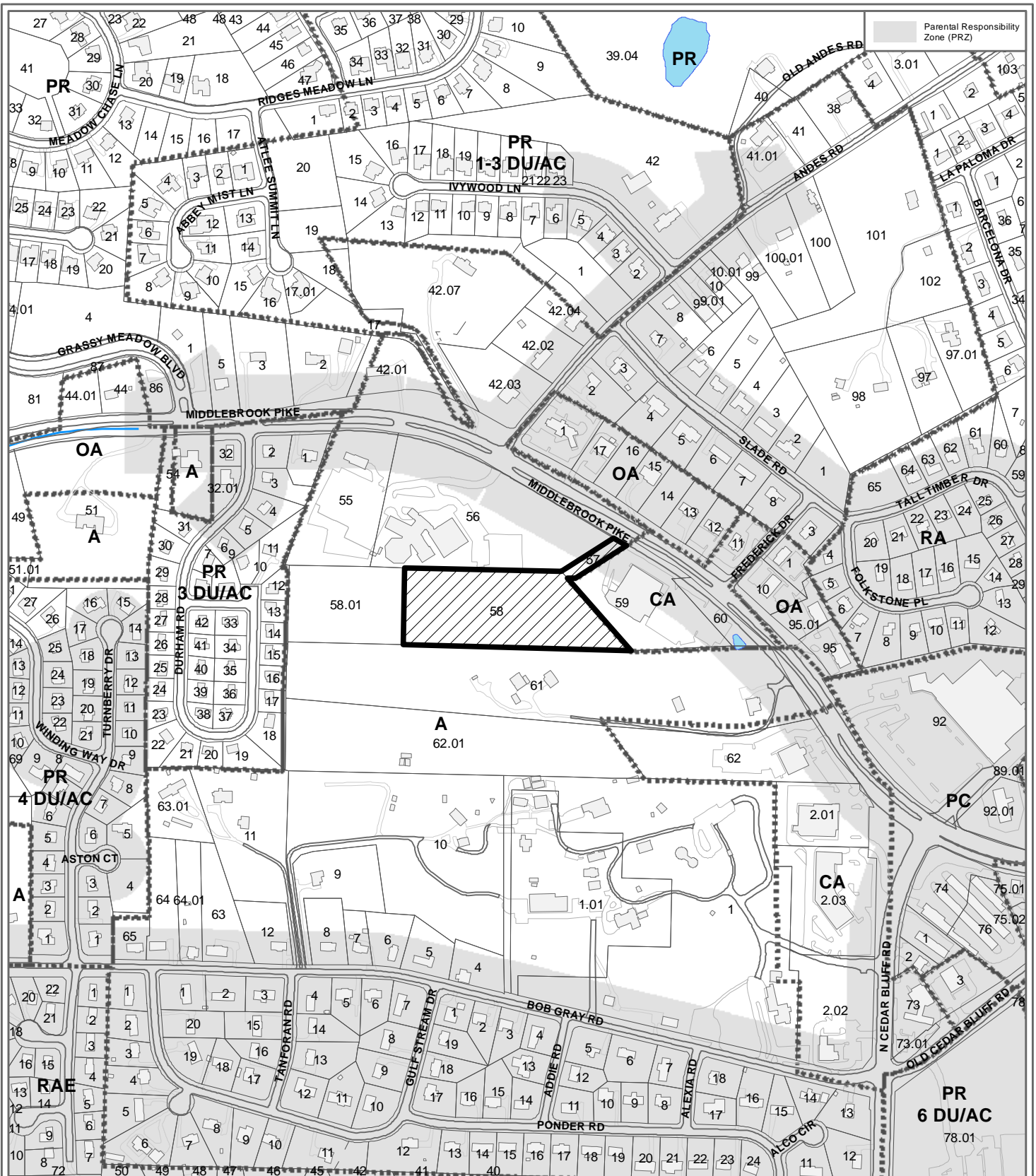
Jurisdiction: County



Original Print Date: 3/11/2021

Revised:

Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902



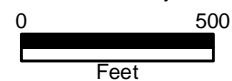
**4-I-21-RZ  
REZONING**

Petitioner: Mullins O/B/O Karen Speegle,  
Benjamin C.

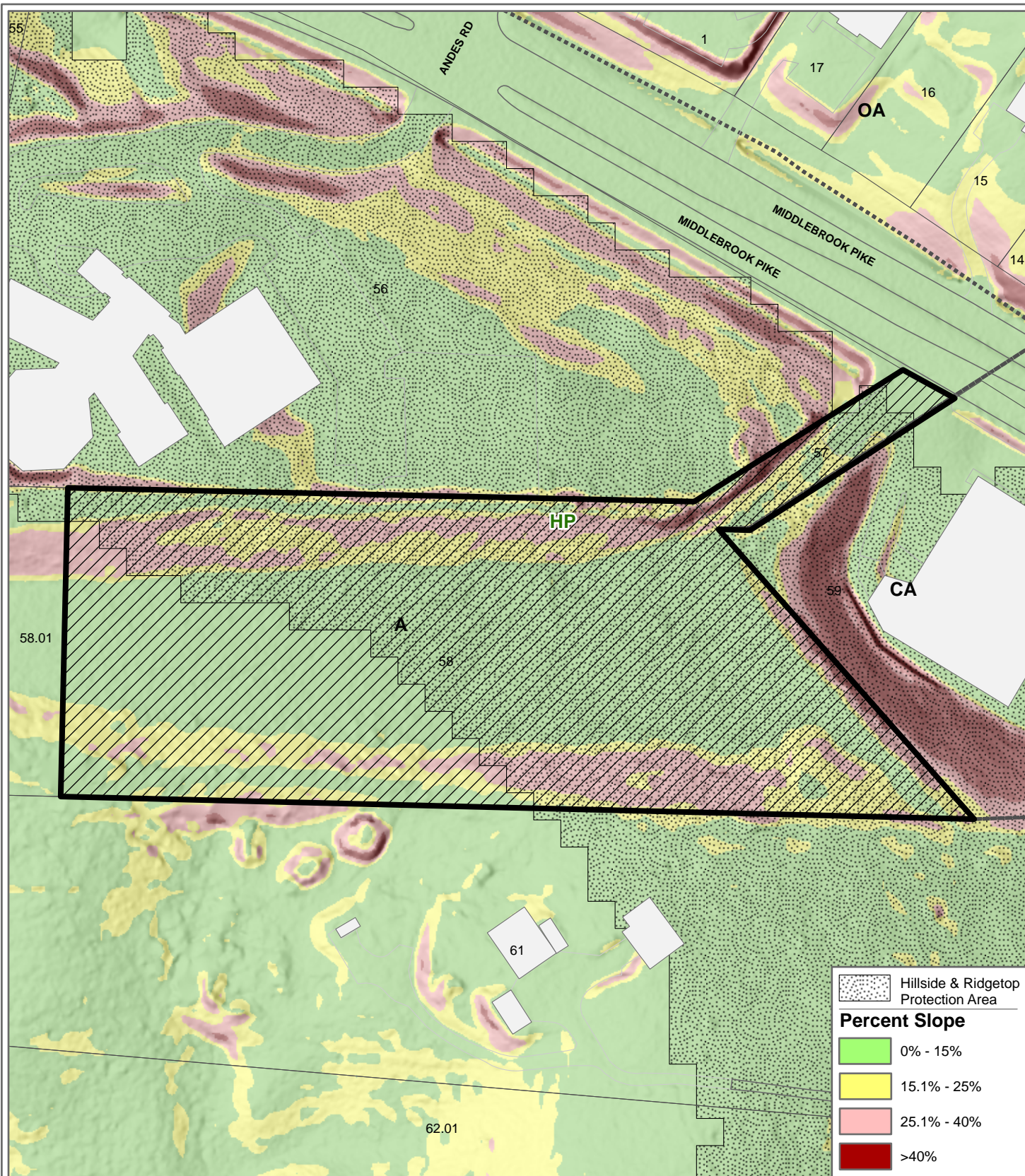


From: A (Agricultural)  
To: OB (Office, Medical, and Related Services)

Map No: 105  
Jurisdiction: County



Original Print Date: 3/11/2021 Revised:  
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902



**4-D-21-SP / 4-I-21-RZ  
SLOPE ANALYSIS**

Petitioner: Mullins O/B/O Karen Speegle,  
Benjamin C.



Subject Property

Original Print Date: 3/30/2021      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Map No.: 105  
Jurisdiction: County

0      150  
Feet



**4-I-21-RZ**

			<b>Acres</b>
<b>Non-Hillside Portions</b>			1.55
<b>Hillside and Ridgetop Protection Area</b>			
<b>Value</b>	<b>Percent Slope</b>	<b>Count</b>	<b>Acres</b>
1	0%-15%	3345	1.92
2	15%-25%	1226	0.70
3	25%-40%	1155	0.66
4	>40%	115	0.07
			<b>3.35</b>
<b>Ridgetop Area</b>			<b>0</b>
<b>Site Total</b>			<b>4.90</b>

***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN***

*WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

*WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and*

*WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

*WHEREAS, Ben Mullins, on behalf of Karen Speegle, has submitted an application for an amendment to the Northwest County Sector Plan for property described in the application; and*

*WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential / Hillside Protection Overlay to Office / Hillside Protection Overlay, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

*WHEREAS, the Planning Commission, at its regularly scheduled public hearing on April 8, 2021, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

***NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:***

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying staff report and map, file #4-D-21-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

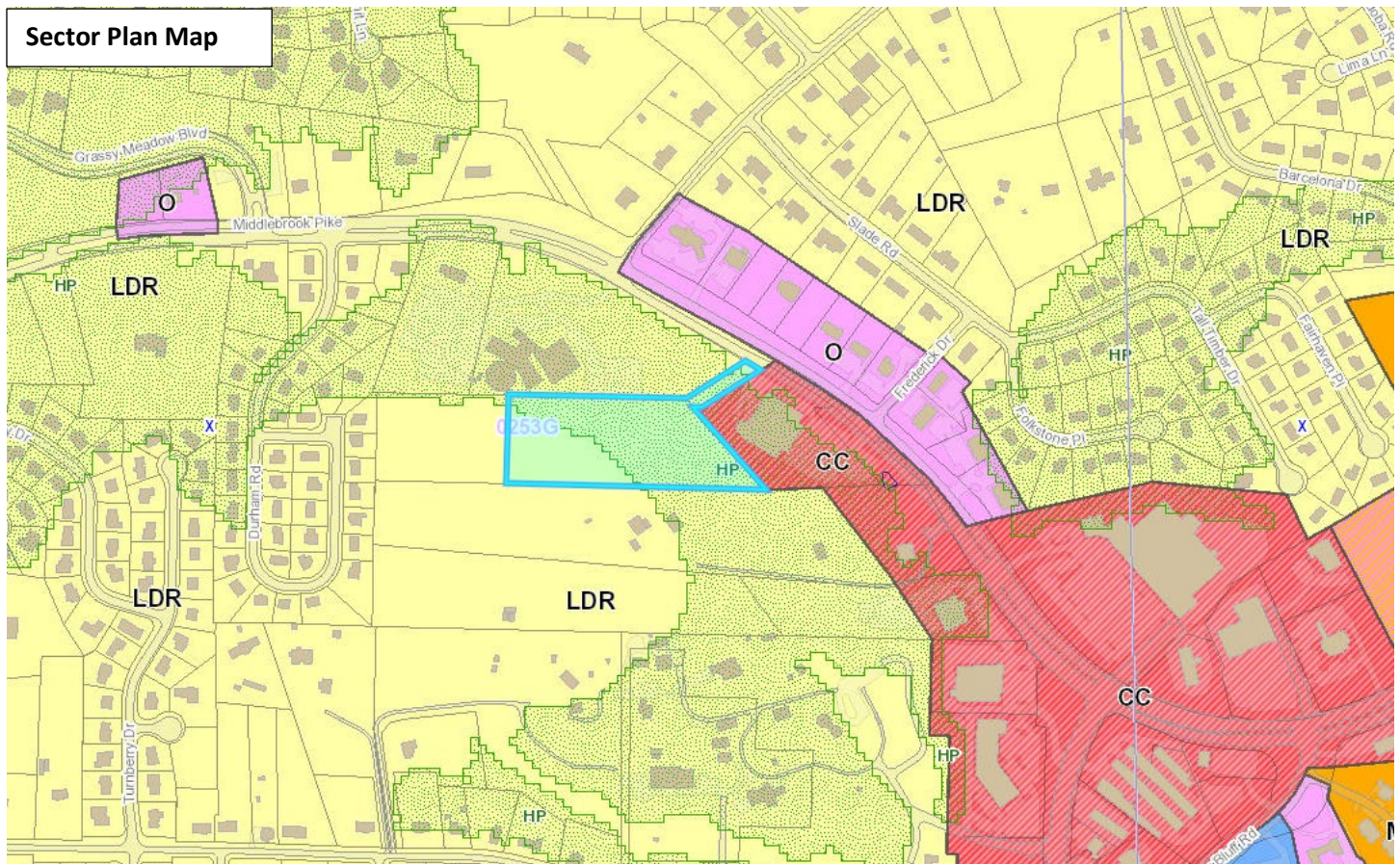
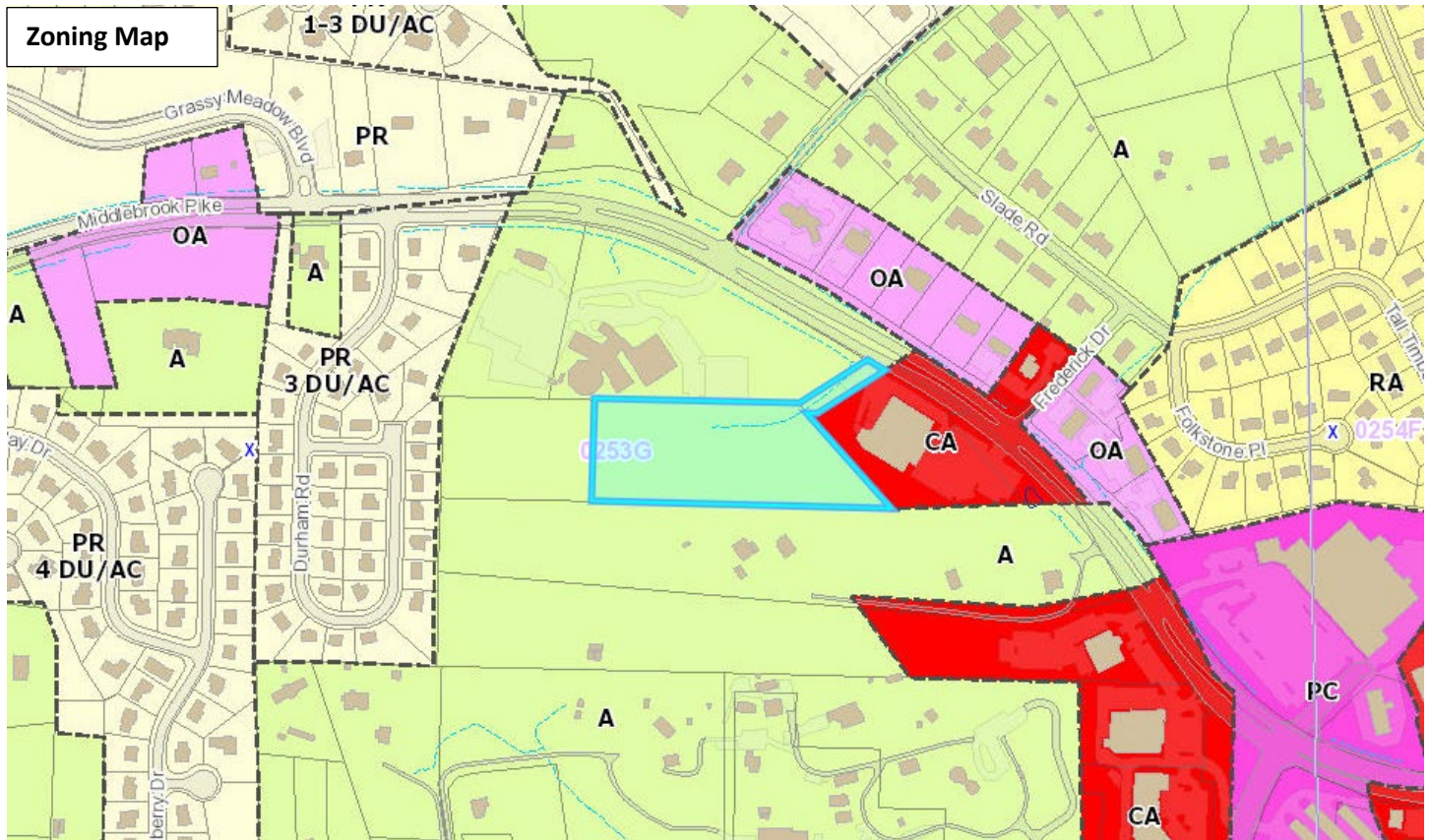
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Date

\_\_\_\_\_  
Chairman

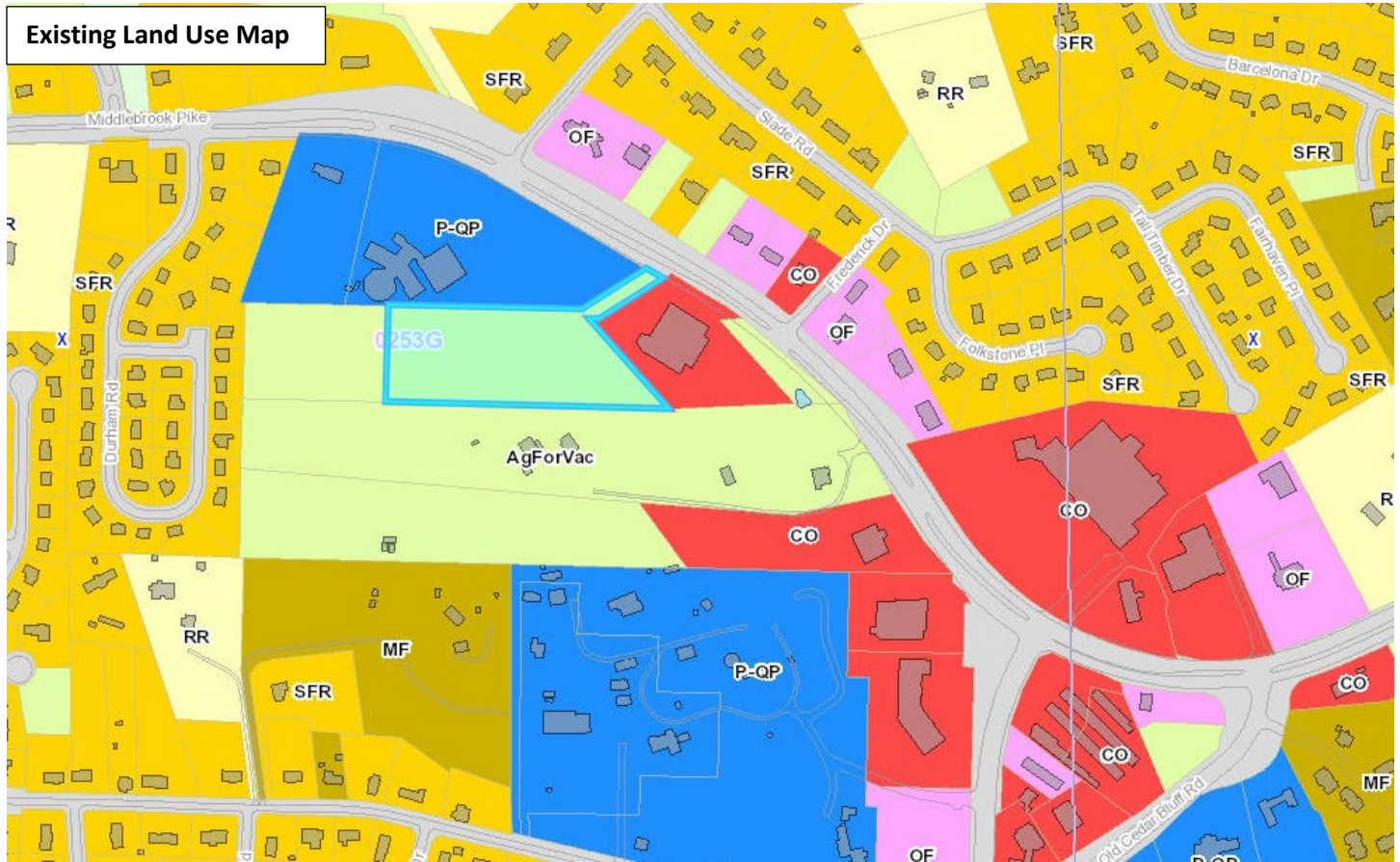
\_\_\_\_\_  
Secretary



# Exhibit B. 4-D-21-SP / 4-I-21-RZ Contextual Images



# Exhibit B. 4-D-21-SP / 4-I-21-RZ Contextual Images





# Development Request

## DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

## SUBDIVISION

- Concept Plan
- Final Plat

## ZONING

- Plan Amendment
  - SP  OYP
- Rezoning

Benjamin C. Mullins o.b.o. Karen Speegle

Applicant

Applicant Name

Affiliation

2-22-21

April 8, 2021

File Number(s)

Date Filed

Meeting Date (if applicable)

4-I-21-RZ  
4-D-21-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

Karen Speegle

4105 Bajo LN, Powell, TN

(865) 661-1460

Owner Name (if different)

Owner Address

Owner Phone

0 Middle Brook Drive (2 parcels)

105 057; 105 058

Property Address

Parcel ID

WKUD

WKUD

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

SW of Middlebrook Pk between the intersections of Andes RD and Federick Dr. +/- 5.33

General Location

Tract Size

City  County  
District

6

A (Agriculture)

AgForVac (Agriculture for Vacancy)

Zoning District

Existing Land Use

Northwest County

LDR/HP

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

- Development Plan  
  Use on Review / Special Use  
  Hillside Protection COA  
 Residential  
  Non-Residential

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

## SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name \_\_\_\_\_

Combine Parcels  
  Divide Parcel  
 Unit / Phase Number \_\_\_\_\_

Total Number of Lots Created \_\_\_\_\_

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

## ZONING REQUEST

Pending Plat File Number

Zoning Change    OB

Proposed Zoning

Plan Amendment Change

~~OB~~ / HP

Proposed Plan Designation(s)

NA

Proposed Density (units/acre) \_\_\_\_\_

Previous Rezoning Requests \_\_\_\_\_

Other (specify) \_\_\_\_\_

## STAFF USE ONLY

### PLAT TYPE

- Staff Review  
  Planning Commission

### ATTACHMENTS

- Property Owners / Option Holders  
  Variance Request

### ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)  
 Use on Review / Special Use (*Concept Plan*)  
 Traffic Impact Study  
 COA Checklist (*Hillside Protection*)

Fee 1	Total
0327   1533.00	
Fee 2	
0527   800.00	
Fee 3	
	2333.00

## AUTHORIZATION

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

Applicant Signature

Benjamin C. Mullins o.b.o. Karen Speegle

Date

2-22-21

865-546-9321

Please Print

bmullins@fmsllp.com

Phone Number

Email

Staff Signature

Please Print

Date

Sherry Mucienzi

SHERRY MUCIENZI

2-22-2021



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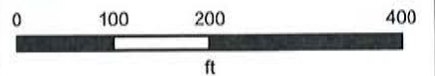
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### Speegle Property Growth Policy Plan

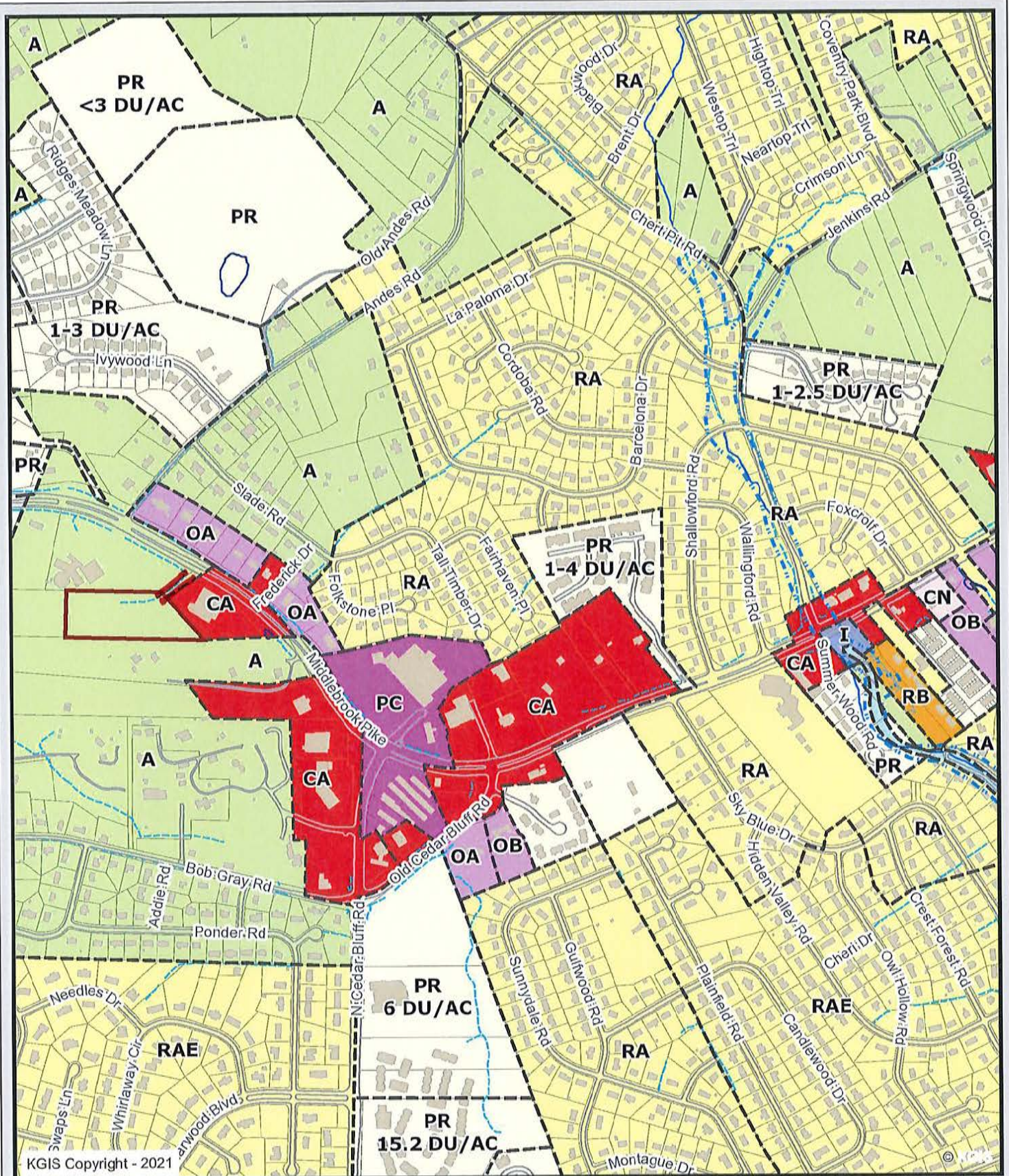
**Knoxville - Knox County - KUB Geographic Information System**



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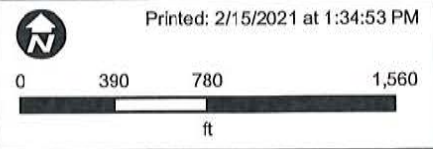


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### Speegle Property

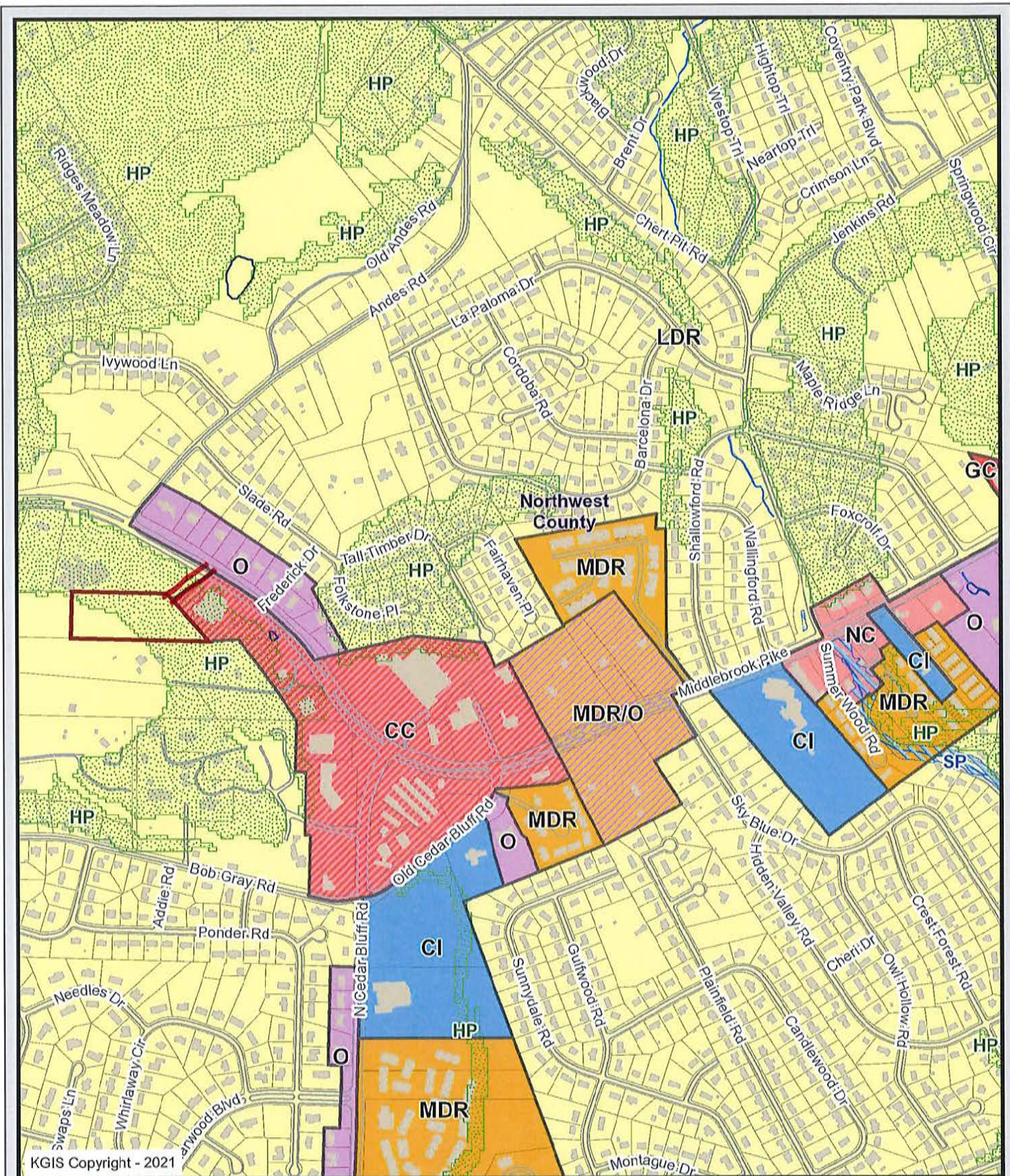
Zoning

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## Speegle Property

Sector Plan

Knoxville - Knox County - KUB Geographic Information System



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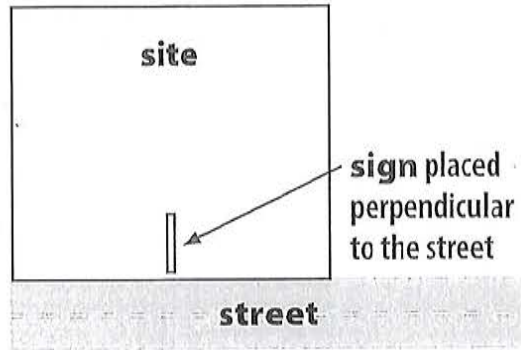
## REQUIRED SIGN POSTING AGREEMENT

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:

March 24th (Wed) and April 9th (Fri)  
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

File Number: \_\_\_\_\_