



PLAN AMENDMENT REPORT

▶ **FILE #:** 4-G-23-SP

AGENDA ITEM #: 14

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** **BENJAMIN C. MULLINS**

OWNER(S): Chris Burkhart Rock Pointe Development LLC

TAX ID NUMBER: 71 I A 020-028, 070ME001,002,00201-00203 [View map on KGIS](#)

JURISDICTION: Council District 6

STREET ADDRESS: 0 MCCALLA AVE; 0 (5 parcels), 288, 305, 308, 305, 309, 317, 325, 330 PELHAM RD; 0 NASH RD

▶ **LOCATION:** **North and south sides of Pelham Road, east of Rutledge Pike**

▶ **APPX. SIZE OF TRACT:** **5.5 acres (area is comprised of several portions of parcels)**

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access will be a new right-of-way, Rock Pointe Drive, that will be constructed per the approved concept plan, 5-SC-22-C. This will be a local road with a 26-ft pavement width inside a 50-ft right-of-way. The existing rights-of-way for Pelham Rd and McCalla Ave were recently closed.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LI (Light Industrial), MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue), HP (Hillside Protection) / C-G-2 (General Commercial), I-G (General Industrial), HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION:** MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) for the parcels designated LI

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Single Family Residential, Commercial

EXTENSION OF PLAN DESIGNATION: Yes

HISTORY OF REQUESTS: Various properties within the requested rezoning area have been rezoned previously from less intense commercial and residential districts to more intense commercial and industrial districts, beginning in 1999 (Cases 8-E-99-RZ, 12-C-93-RZ, 3-K-01-RZ, 10-D-10-RZ, 6-P-19-RZ, 10-G-22-RZ)

SURROUNDING LAND USE AND PLAN DESIGNATION:

North: I-40 right-of-way - ROW (Right of Way), HP (Hillside Protection)

South: Single family residential, commercial, agriculture/forestry/vacant - MU-SD EC-2 (Mixed Use Special District: Magnolia Avenue), HP (Hillside Protection)

East: Agriculture/forestry/vacant - LI (Light Industrial), HP (Hillside Protection)

West: Right-of-way - MU-SD, EC-2 (Mixed Use-Special District, Magnolia

Avenue)

NEIGHBORHOOD CONTEXT This area is comprised of single family homes as well as commercial and industrial properties that are bordered by an interstate highway and major arterial streets on three sides.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to the MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) and HP (Hillside Protection) land use classification for the requested area as noted in the application because it is consistent with changing conditions in the street network.**

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. In 2022, the section of Pelham Road that accesses the subject property was approved for closure and replacement with Rock Pointe Drive, which is an expanded and straightened road with a sidewalk (11-A-22-SC, 5-C-22-C). Rock Pointe Drive connects the subject property more directly to Rutledge Pike and adjacent properties to the west that are included in the MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) designation being requested here.

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

1. The partial removal of Pelham Road and introduction of Rock Pointe Drive was not anticipated by the sector plan when it was developed. Pelham Road will no longer separate the subject property from property to the west that is part of the existing MU-SD, EC-2 area. It also makes the subject property more accessible from Rutledge Pike, a major arterial that is a key focus of the mixed use district with regards to the types of land uses permitted.
2. The requested MU-SD enables consideration of commercial zoning such as C-H-2 (Highway Commercial), which aligns with this improved access to a major arterial and Interstate 40.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no significant error or omission to the plan, but conditions have changed that warrants reconsideration of the existing LI (Light Industrial) land use classification.

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

1. Sidewalks are a valuable part of the City's street network, and have been increasingly prioritized in development reviews. The completion of Rock Pointe Drive will connect to the existing sidewalk infrastructure along Rutledge Pike. The MU-SD, EC-2 classification describes the importance of enhancing the pedestrian experience in this area, so the connection of the subject property to the special district through a new sidewalk further justifies a minor extension of this district.

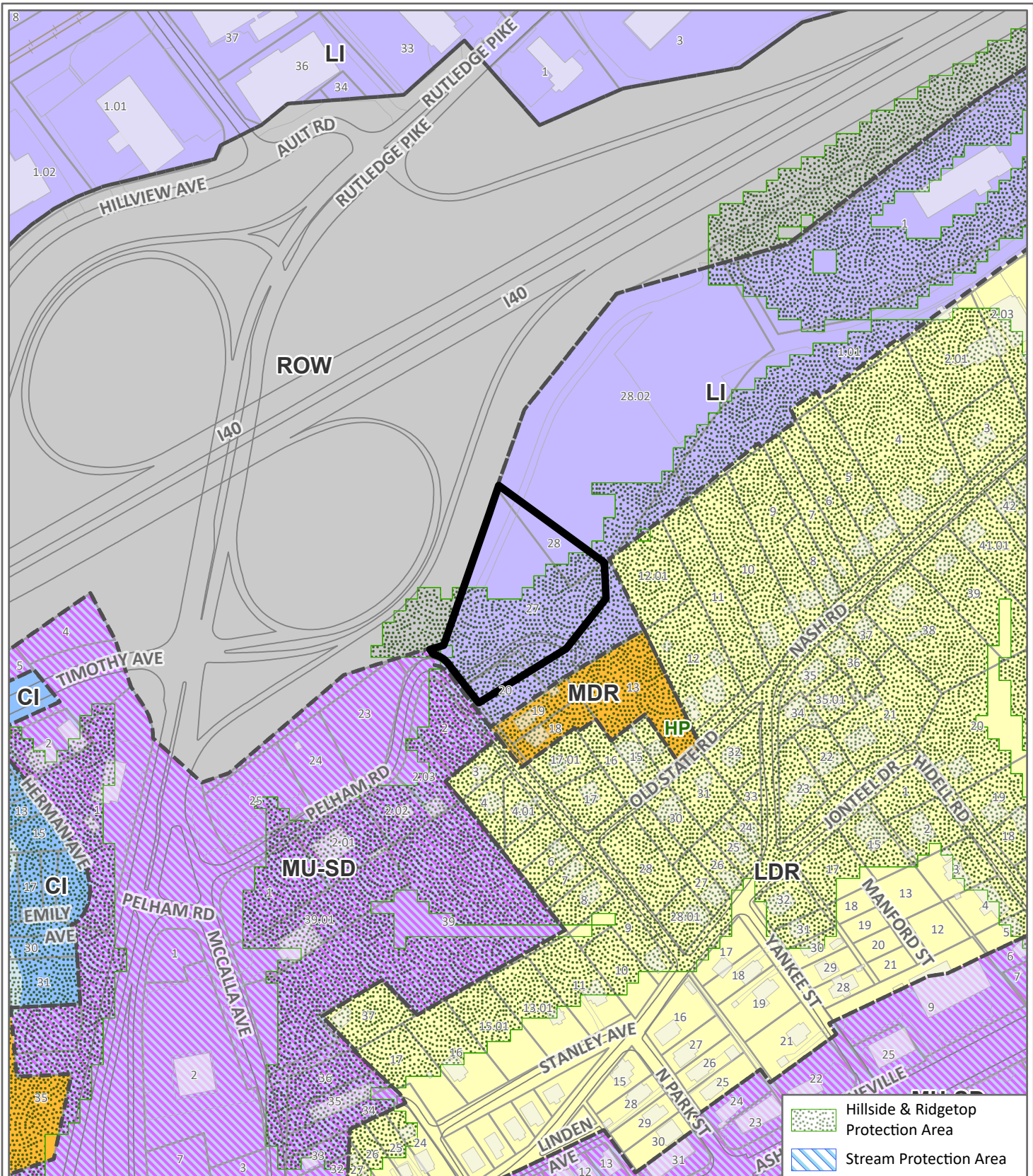
State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- 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.

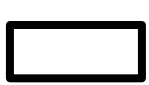
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/16/2023 and 5/30/2023. 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.



**4-G-23-SP/4-F-23-PA
EAST CITY SECTOR PLAN and ONE YEAR PLAN MAP**

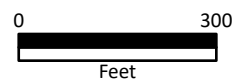


From: LI (Light Industrial) HP (Hillside Protection)
To: MU-SD (Mixed Use Special District) (Hillside Protection)

Original Print Date: 4/4/2023
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

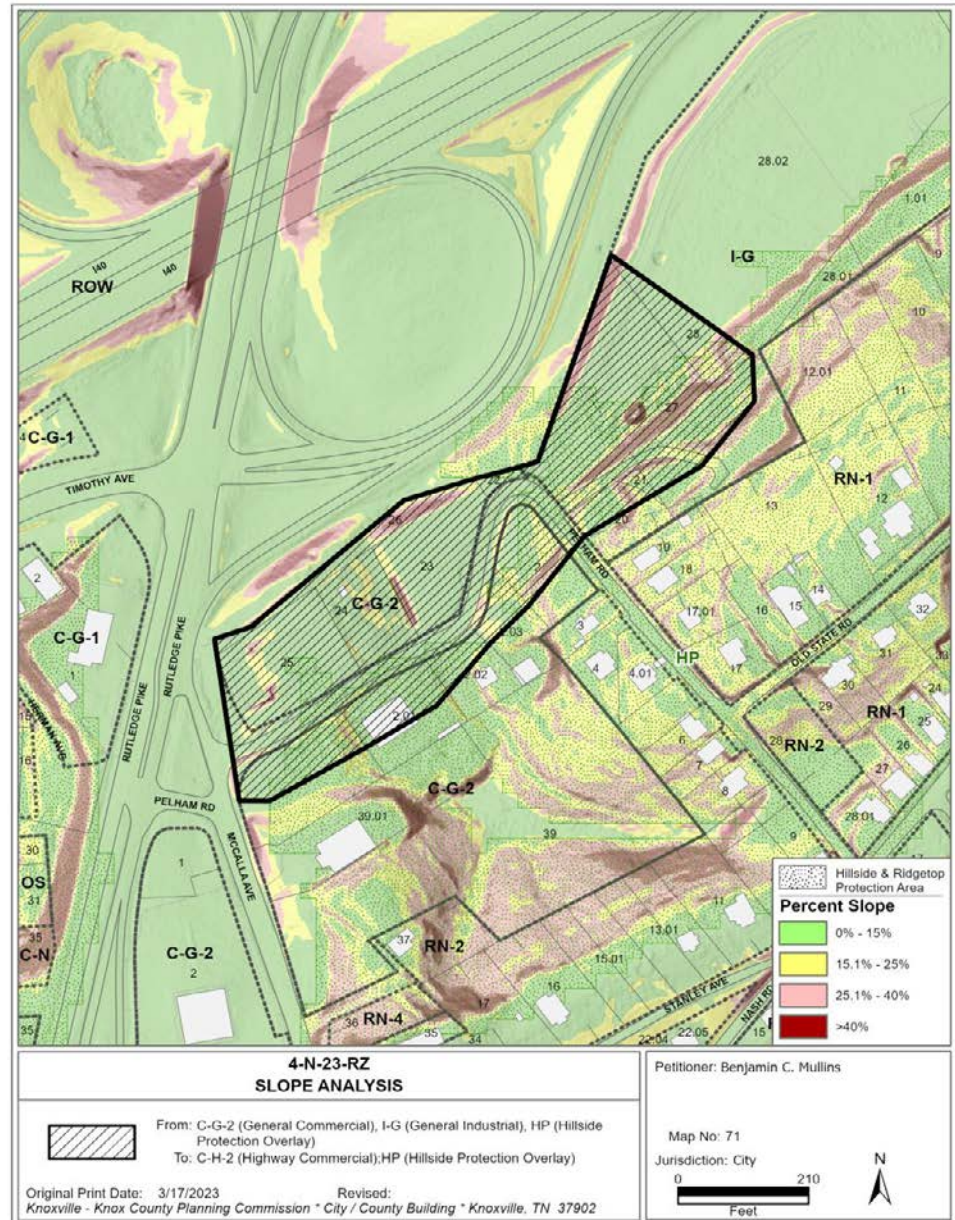
Petitioner: Benjamin C. Mullins

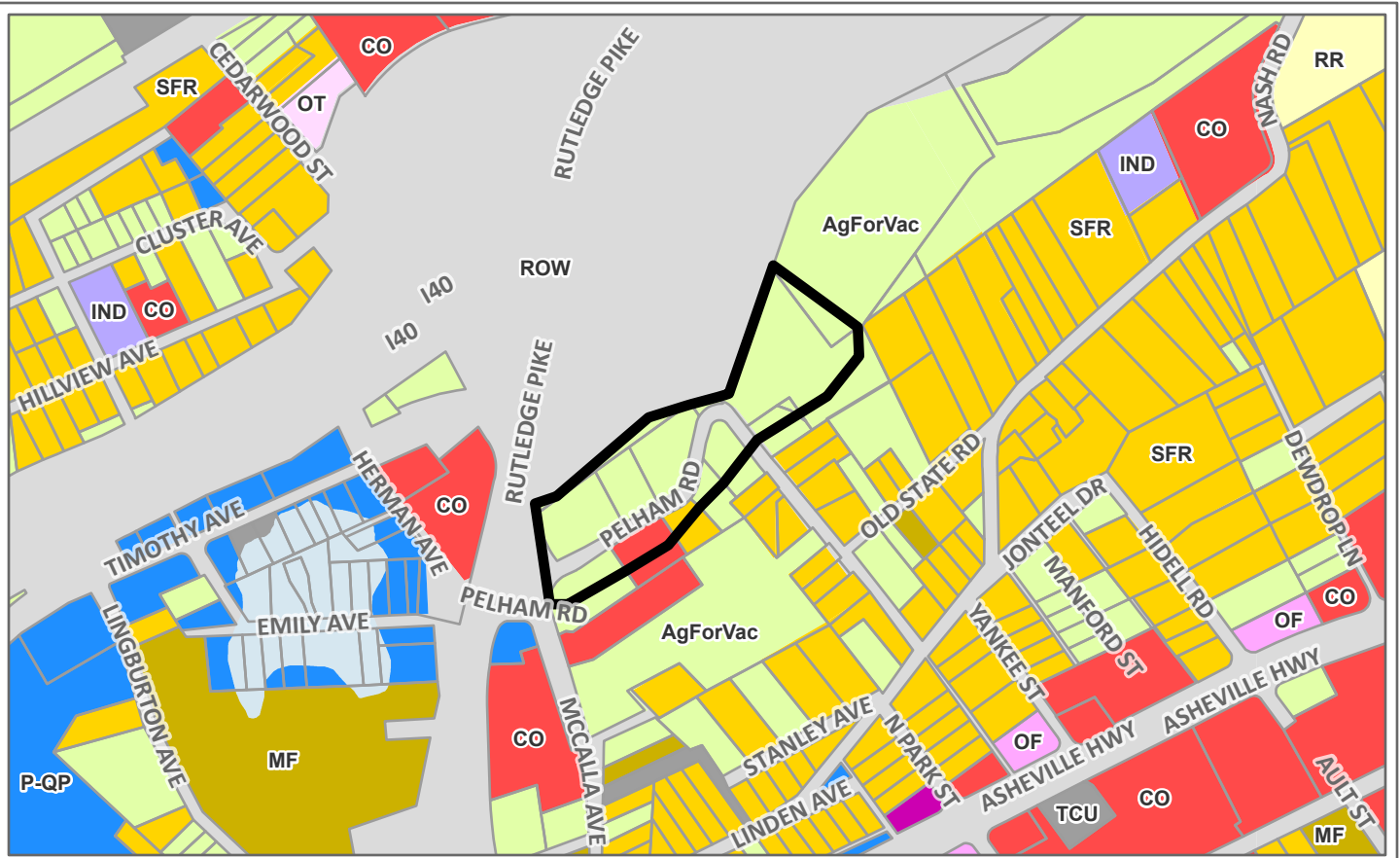
Map No: 71
Jurisdiction: City



Hillside & Ridgeway Protection Area
 Stream Protection Area

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	5.98		
Non-Hillside	3.39	N/A	
0-15% Slope	1.70	100%	1.70
15-25% Slope	0.43	50%	0.22
25-40% Slope	0.24	20%	0.05
Greater than 40% Slope	0.22	10%	0.02
Ridgetops			
Hillside Protection (HP) Area	2.59	Recommended disturbance budget within HP Area (acres)	1.98
		Percent of HP Area	0.77

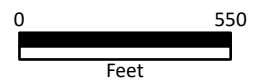




Existing Land Use and Aerial Maps 4-N-23-RZ/4-F-23-PA/4-G-23-SP



Case boundary



***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST CITY 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 East City 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, Benjamin C. Mullins has submitted an application for an amendment to the East City Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Light Industrial to Mixed Use-Special District – Magnolia Avenue is 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 13, 2023, 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 East City Sector Plan, with its accompanying staff report and map, file #4-G-23-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.

April 13, 2023

Date



Chairman



Secretary

The Planning Commission met in regular session on April 13, 2023 at 1:30 p.m. in the Main Assembly room of the City County Building.

Item No.

File No.

1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Karyn Adams	Ms. Nancy Barger	Ms. Tamara Boyer
A Mr. Louis Browning	**Mr. Logan Higgins	Mr. Tim Hill, Chair
Mr. John Huber	Mr. Richard Levenson	Ms. Amy Midis
Mr. Chris Ooten, Vice Chair	Ms. Marité Pérez	Mr. Patrick Phillips
**Mr. Jeff Roth	Mr. Nathaniel Shelso	Mr. Eddie Smith

* Arrived late to the meeting, ** Left early in the meeting, A – Absent from the meeting

14. BENJAMIN C. MULLINS

0 McCalla Avenue, 0 (5 parcels), 288, 305, 308, 309, 317, 325 and 330 Pelham Road, and 0 Nash Road / Parcel ID 071 I A 026, 020 (part of), 021 (part of), 022, 027 (part of) and 070 M E 002, (part of), 071 I A 023, 070 M E 00203 (part of), 071 I A 024, 070 M E 00202 (part of), 070 M E 00201(part of), 070 M E 001 (part of), 071 I A 025 and 071 I A 028, Council District 6.

4-G-23-SP

A. EAST CITY SECTOR PLAN AMENDMENT

From LI (Light Industrial) and HP (Hillside Protection) to MU-SD, EC-2 (Mixed Use - Special District, Magnolia Avenue) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Approve the sector plan amendment to the MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) and HP (Hillside Protection) land use classification for the requested area as noted in the application because it is consistent with changing conditions in the street network.

Item No.

File No.

APPROVED ON CONSENT EARLIER IN THE MEETING

- 1. **MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ.**

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

B. ONE YEAR PLAN AMENDMENT

4-F-23-PA

From LI (Light Industrial) and HP (Hillside Protection) to MU-SD, EC-2 (Mixed Use - Special District, Magnolia Avenue) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Approve the One Year Plan amendment to MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) and HP (Hillside Protection) for the requested area as noted in the application because it is consistent with public improvements in the area.

APPROVED ON CONSENT EARLIER IN THE MEETING

- 1. **MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ.**

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

C. REZONING

4-N-23-RZ

From C-G-2 (General Commercial) or I-G (General Industrial) and HP (Hillside Protection Overlay) to C-H-2 (Highway Commercial) and HP (Hillside Protection Overlay).

1. STAFF RECOMMENDATION

Approve C-H-2 (Highway Commercial) and HP (Hillside Protection Overlay) zoning for the requested area as noted in the application because it is consistent with the intent of the district and changing conditions in the area.

APPROVED ON CONSENT EARLIER IN THE MEETING

- 1. **MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ.**

Item No.

File No.

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Benjamin C. Mullins

Applicant Name

Affiliation

2/27/2023

Date Filed

4/13/2023

Meeting Date (if applicable)

4-G-23-SP

File Number(s)

CORRESPONDENCE

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

Benjamin C. Mullins Frantz, McConnell and Seymour, LLP

Name / Company

550 W. Main St. St. Suite 500 Knoxville TN 37922

Address

865-546-9321 / bmullins@fmsllp.com

Phone / Email

CURRENT PROPERTY INFO

Chris Burkhardt Rock Pointe Developmen 4320 Mccalla Ave Knoxville TN 37914

Owner Name (if different)

Owner Address

865-604-7767

Owner Phone / Email

0 MCCALLA AVE / 0 (5 parcels), 288, 305, 308, 309, 317, 325, 330 PELHAM RD; 0 NASH RD

Property Address

71 | A 020-028,070ME001,002,00201-00203

Parcel ID

Part of Parcel (Y/N)?

5.5 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North and south sides of Pelham Road, east of Rutledge Pike

General Location

City **Council District 6**

C-G-2 (General Commercial), I-G (General Industrial), HP (Hillside Protection Overlay)

Agriculture/Forestry/Vacant Land, Single Family Residential, Commercial

County District

Zoning District

Existing Land Use

East City

LI (Light Industrial), MU-SD (Mixed Use Special District), HP N/A (Within City Limits)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change C-H-2 (Highway Commercial);HP (Hillside Protection Overlay)	Proposed Zoning	Pending Plat File Number
<input checked="" type="checkbox"/> Plan Amendment MU-SD (Mixed Use Special District) , HP (Hillside Protection Overlay)		
Proposed Plan Designation(s)		

Proposed Density (units/acre) Previous Zoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$2,600.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: **Benjamin C. Mullins** Please Print Date: **2/27/2023**

Phone / Email

Property Owner Signature: **Chris Burkhardt Rock Pointe Development LLC** Please Print Date: **2/27/2023**

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Applicant

Applicant Name

Affiliation

2-17-23

Revised 2-23-23

April 13, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

CORRESPONDENCE

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

- Applicant
- Property 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

37902

Address

City

State

ZIP

865-804-4704

bnullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

See Attached Sheet

4320 McCalla Ave.

865-604-7767

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

See Attached Sheet

See Attached Sheet

Property Address

Parcel ID

KUB

KUB

NA

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

East of McCalla Ave.; North of Pelham Rd.

~6.03 acres

BCM ~5.50 acres 2-23-23

General Location

Tract Size

6

CG2

Vacant

City County

District

Zoning District

Existing Land Use

East City Sector

MU-SD EC-2 and LI

NA (in City)

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

- Combine Parcels
 Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

CH2

Proposed Zoning

Plan Amendment Change

MU-SD EC-2

Proposed Plan Designation(s)

Pending Plat File Number

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
Fee 2	
Fee 3	

AUTHORIZATION



Applicant Signature

Benjamin C. Mullins

Please Print

2-17-23


Date

865-546-9321

Phone Number

bmullins@fmsllp.com

Email



Property Owner Signature

CHRIS BURKHART

Please Print

2-15-23

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

CURRENT PROPERTY INFO – SUPPLEMENTAL SHEET
REVISED 2-23-23

Rock Pointe Development LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

330 Pelham RD	071IA025
Property Address	Parcel ID

Rock Pointe Development LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

308 Pelham RD	071IA024
Property Address	Parcel ID

Rock Pointe Development LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

0 McCalla Ave	071IA026
Property Address	Parcel ID

Tennessee Land Investment Properties, LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

288 Pelham Rd	071IA023
Property Address	Parcel ID

Rock Pointe Development LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

0 Pelham RD	071IA022
Property Address	Parcel ID

Tennessee Land Investment Properties, LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

0 Pelham Rd (a portion of) **071IA027 (a portion of)**
Property Address Parcel ID

Rock Pointe Development LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

0 Pelham RD (a portion of) **071IA021 (a portion of)**
Property Address Parcel ID

Tennessee Land Investment Properties, LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

0 Pelham Rd (a portion of) **071IA020 (a portion of)**
Property Address Parcel ID

Tennessee Land Investment Properties, LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

0 Pelham Rd (a portion of) **070ME002 (a portion of)**
Property Address Parcel ID

Rock Pointe Development LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

305 Pelham RD (a portion of) **070ME00203 (a portion of)**
Property Address Parcel ID

Rock Pointe Development LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

309 Pelham RD (a portion of) **070ME00202 (a portion of)**
Property Address Parcel ID

Rock Pointe Development LLC **4320 McCalla Ave.** **(865) 604-7767**
Owner Name Owner Address Owner Phone

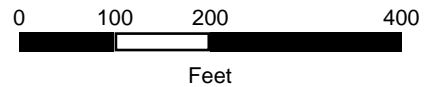
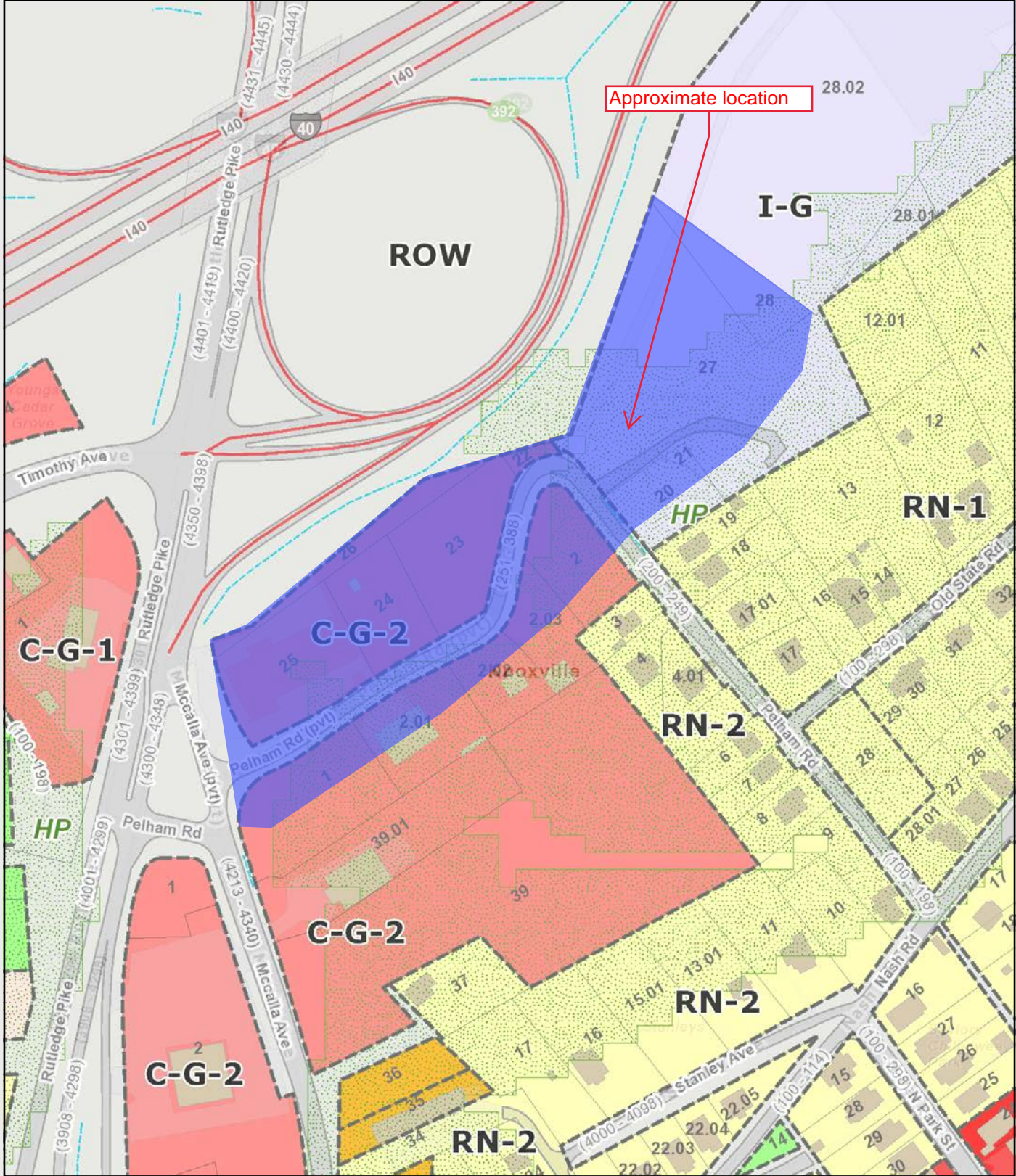
317 Pelham RD (a portion of) **070ME00201 (a portion of)**
Property Address Parcel ID

East Rock Development LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

325 Pelham RD (a portion of)	070ME001 (a portion of)
Property Address	Parcel ID

I-40 Construction Services, LLC	4320 McCalla Ave.	(865) 604-7767
Owner Name	Owner Address	Owner Phone

0 Nash Rd.	071IA028
Property Address	Parcel ID

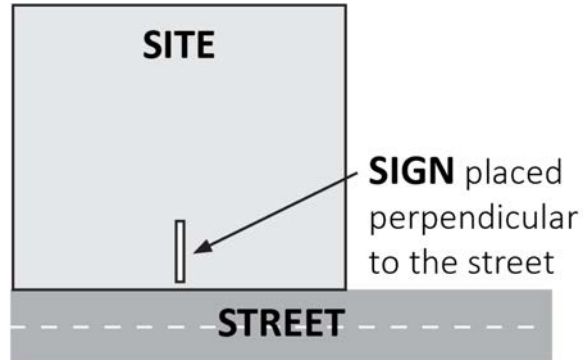


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Printed: 2/24/2023 2:45:58 PM

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 3/31/2023 _____ and _____ 4/14/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Benjamin C. Mullins

Date: 2/27/23

File Number: 4-N-23-RZ_4-F-23-PA_4-G-23-SP

- Sign posted by Staff
- Sign posted by Applicant

PUBLIC NOTICE

The following items may be considered by the Knoxville City Council on May 16, 2023 at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. The Knoxville-Knox County Planning Commission may hear these items on April 13, 2023 and make recommendations. For information related to these items, visit KnoxPlanning.org/agenda. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104.

**PLAN
AMENDMENTS/REZONINGS**

4-A-23-SP AND 4-A-23-PA AND 4-A-23-RZ - CHRIS BURKHART - 299 Nash Rd, 0 Old State Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-B-23-SP AND 4-B-23-PA AND 4-B-23-RZ - URBAN ENGINEERING, INC. - 355 S. Gallaher View Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-D-23-SP AND 4-C-23-PA AND 4-H-23-RZ - BENJAMIN C. MULLINS - 835 Tipton Ave. Proposed sector and One Year Plan amendments, proposed rezoning.

4-E-23-SP AND 4-D-23-PA AND 4-I-23-RZ - TAYLOR D. FORRESTER - 0 Dresser Rd. Property located east side of Dresser Rd., north of Ginn Dr., south of Mt. Vernon Dr. Proposed sector and One Year Plan amendments, proposed rezoning.

4-F-23-SP AND 4-E-23-PA AND 4-K-23-RZ - MERCHANT HOLDINGS, LLC - 2400 Merchant Dr. Proposed sector and One Year Plan amendments, proposed rezoning.

4-G-23-SP AND 4-F-23-PA AND 4-N-23-RZ - BENJAMIN C. MULLINS - 0 McCalla Ave., 0 (5 parcels), 288, 305, 308, 309, 317, 325 & 330 Pelham Rd., & 0 Nash Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-I-23-SP AND 4-G-23-PA AND 4-P-23-RZ - VICTOR JERNIGAN - 522 and 524 Victory St. Proposed sector and One Year Plan amendments, proposed rezoning.

4-J-23-SP AND 4-H-23-PA AND 4-Q-23-RZ - WINTERPAST DEVELOPMENT, LLC - DENNIS NORVET - 1301 E. Weisgarber Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

Knoxville NEWS SENTINEL

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 KNOXVILLE TN 37902--242

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
1317419	0005668892	\$280.80	\$0.00	\$280.80	Invoice	\$0.00	\$280.80

Sales Rep: CKimble

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Product	# Ins	Start Date	End Date
KNS-knoxnews.com	1	04/19/2023	04/19/2023
KNS-Knoxville News Sentinel	1	04/19/2023	04/19/2023

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

PUBLIC NOTICE

The following items will be considered by the Knoxville City Council on May 16, 2023 at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. For information related to these items, visit KnoxPlanning.org/agenda. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104.

ALLEY/STREET CLOSURE

4-A-23-AC - CITY OF KNOXVILLE - Request closure of a portion of an unnamed alley between Huron St. and Saint Mary St. Planning Commission Recommendation: Approve closure subject to 1 condition.

PLAN

AMENDMENTS/REZONINGS

4-A-23-SP AND 4-A-23-PA AND 4-A-23-RZ - CHRIS BURKHART - 299 Nash Rd, 0 Old State Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve East City Sector and One Year Plan amendments to LI (Light Industrial) and HP (Hillside Protection) and rezoning to I-G (General Industrial) and (HP (Hillside Protection Overlay), all as amended as amended as shown on Exhibit A, presented at the meeting by the applicant.

4-B-23-SP AND 4-B-23-PA AND 4-B-23-RZ - URBAN ENGINEERING, INC. - 355 S. Gallaher View Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Southwest County Sector and One Year Plan amendments to MDR/O (Medium Density Residential/Office) and HP (Hillside Protection) and rezoning to RN-6 (Multi-Family Residential Neighborhood) and HP (Hillside Protection Overlay).

4-D-23-RZ - JEFFREY NASH - 513 Cooper St. Proposed rezoning. Planning Commission Recommendation: Approve rezoning to I-MU (Industrial Mixed-Use).

4-D-23-SP AND 4-C-23-PA AND 4-H-23-RZ - BENJAMIN C. MULLINS - 835 Tipton Ave. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve South City Sector and One Year Plan amendments to CI (Civic and Institutional) and rezoning to INST (Institutional) and H (Historic Overlay).

4-E-23-SP AND 4-D-23-PA AND 4-I-23-RZ - TAYLOR D. FORRESTER - 0 Dresser Rd. Property located east side of Dresser Rd., north of Ginn Dr., south of Mt. Vernon Dr. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve South County Sector and One Year Plan amendments to MU-SD, SCO-3 (Mixed Use-Special District, Alcoa Highway Small Area Plan) and rezoning to C-G-1 (General Commercial).

4-J-23-RZ - ROBERT GREGORY - 0 Central Avenue Pike. Property located east side of Central Avenue Pk., north of Dry Gap Pk. Proposed rezoning. Planning Commission Recommendation: Approve rezoning to RN-3 (General Residential Neighborhood) and HP (Hillside Protection Overlay).

4-F-23-SP AND 4-E-23-PA AND 4-K-23-RZ - MERCHANT HOLDINGS, LLC - 2400 Merchant Dr. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Northwest City Sector and One Year Plan amendments to MDR/O (Medium Density/Office) and rezoning to RN-6 (Multi-Family Residential Neighborhood).

4-G-23-SP AND 4-F-23-PA AND 4-N-23-RZ - BENJAMIN C. MULLINS - 0 McCalla Ave., 0 (5 parcels), 288, 305, 308, 309, 317, 325 & 330 Pelham Rd., & 0 Nash Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve East City Sector and One Year Plan amendments to MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) and HP (Hillside Protection) and rezoning to C-H-2 (Highway Commercial) and HP (Hillside Protection Overlay).

4-J-23-SP AND 4-H-23-PA AND 4-Q-23-RZ - WINTERPAST DEVELOPMENT, LLC - DENNIS NORVET -

1301 E. Weisgarber Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Northwest County Sector and One year Plan amendments to LI (Light Industrial) and rezoning to I-MU (Industrial Mixed-Use).