



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-N-23-RZ **AGENDA ITEM #:** 14
 4-F-23-PA **AGENDA DATE:** 4/13/2023

▶ **APPLICANT:** BENJAMIN C. MULLINS
OWNER(S): Chris Burkhart Rock Pointe Development LLC

TAX ID NUMBER: 711A 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

▶ **TRACT INFORMATION:** 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 DESIGNATION/ZONING:** 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/ZONING:** MU-SD, EC-2 (Mixed Use Special District, Magnolia Avenue) for the parcels designated LI, HP (Hillside Protection) / C-H-2 (Highway Commercial), HP (Hillside Protection Overlay)

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

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

HISTORY OF ZONING 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, PLAN DESIGNATION, ZONING
 North: I-40 right-of-way - ROW (Right of Way), HP (Hillside Protection) - ROW (Right of Way), HP (Hillside Protection Overlay)
 South: Single family residential, commercial, agriculture/forestry/vacant - 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)

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

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

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 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.**

- ▶ **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.**

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. The current LI (Light Industrial) land use classification is not the result of an error in the One Year Plan.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. The replacement of a portion of Pelham Road with Rock Pointe Drive, an enhanced and more direct connection to Rutledge Pike, warrants consideration of a minor expansion of the MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) classification to the subject property.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There has been no change in public policy specific to the land use change request for the subject property.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. Recently approved plans for partial closure of Pelham Road and construction of Rock Pointe Drive, which provides more direct vehicular and pedestrian access from Rutledge Pike to the subject property, warrants the need for an expansion of the MU-SD, EC-2 land use class. A key part of the land use classification's focus is on properties connected to that major arterial street.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. Construction of Rock Pointe Drive will substantially change the traffic pattern and access to the subject property. The property will be more directly connected to Rutledge Pike and the access ramp from Interstate 40 by an expanded and straightened road, which warrants consideration of C-H-2 (Highway Commercial) zoning.
2. The proposed rezoning follows the new parcel lines once Rock Pointe Drive is completed and a plat is approved dividing the properties, as shown in the concept plan.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE

APPLICABLE ZONING ORDINANCE:

1. C-H-2 zoning is intended for higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental and service establishments of a more intense commercial character.
2. Considering the subject property's improved and direct access to a major arterial and a highway, C-H-2 zoning at this location is consistent with the intent of the zoning district.

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

1. The zoning ordinance describes how the C-H district regulations are intended to ensure the mitigation of any potential impacts related to such commercial establishments on neighboring uses.
2. The subject property will be separated from the established residential neighborhood to the southeast by Rock Pointe Drive. The new road will terminate into private property to the east and there will be a stop sign where it intersects with Pelham Road. Rock Pointe Drive will provide a new sidewalk network that connects the neighborhood to commercial developments on the vacant subject property, as provided by the requested zoning district.
3. C-H-2 zoning is not anticipated to have adverse impact on the surrounding area because of its close proximity to the highway and its buffering from residences.

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 requested C-H-2 zoning district is consistent with the East City Sector Plan and the One Year Plan as amended with the recommended expansion of the MU-SD, EC-2 land use classification.
2. C-H-2 zoning is not in conflict with the General Plan or any other adopted plans.

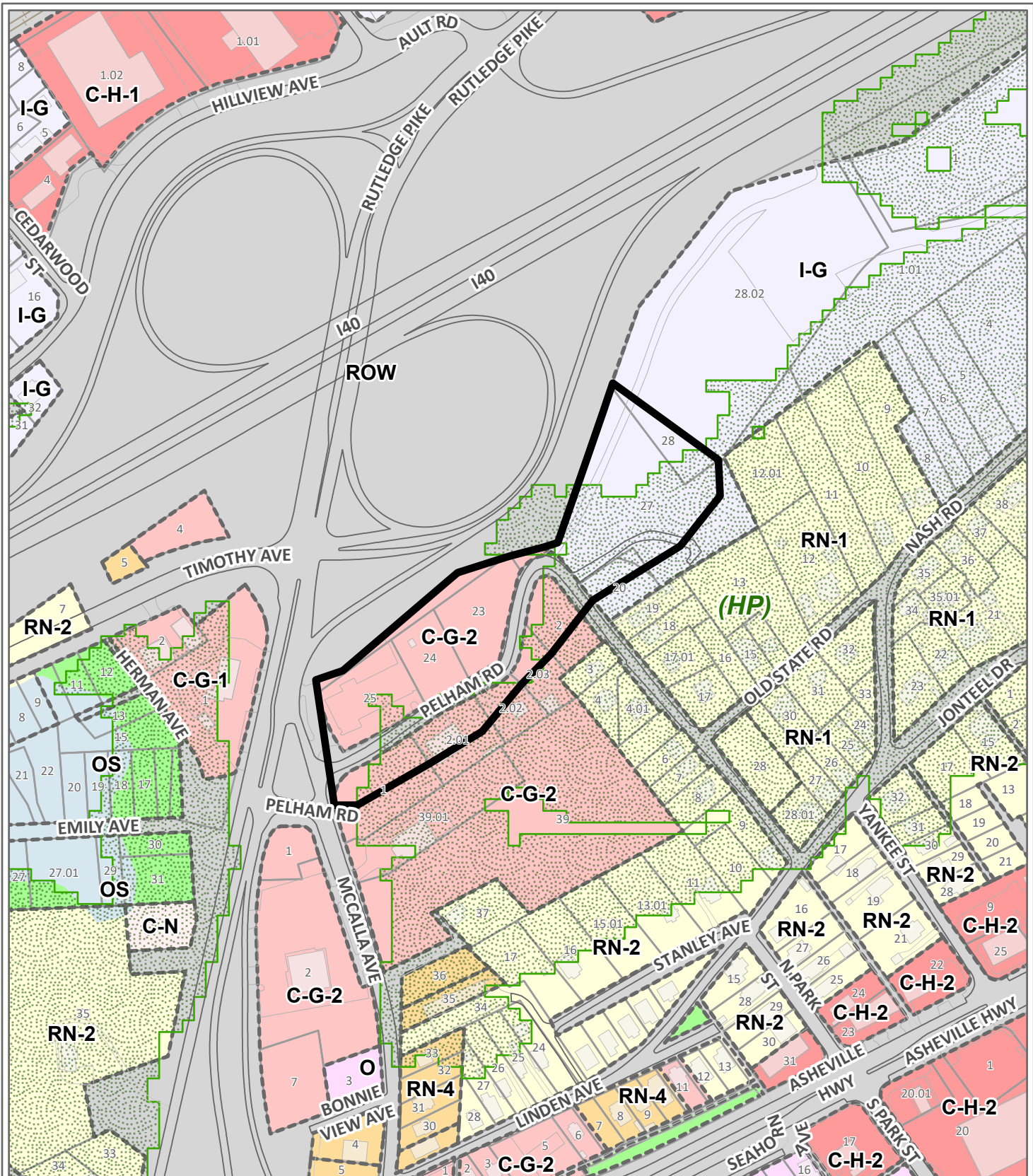
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:\

1. Existing and future public facilities and infrastructure can support the development potential of the C-H-2 zoning district.

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.



ZONING MAP

4-N-23-RZ

Petitioner: Benjamin C. Mullins

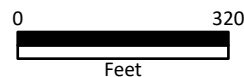


From: C-G-2 (General Commercial), I-G (General Industrial), HP (Hillside Protection Overlay)
To: C-H-2 (Highway Commercial);HP (Hillside Protection Overlay)

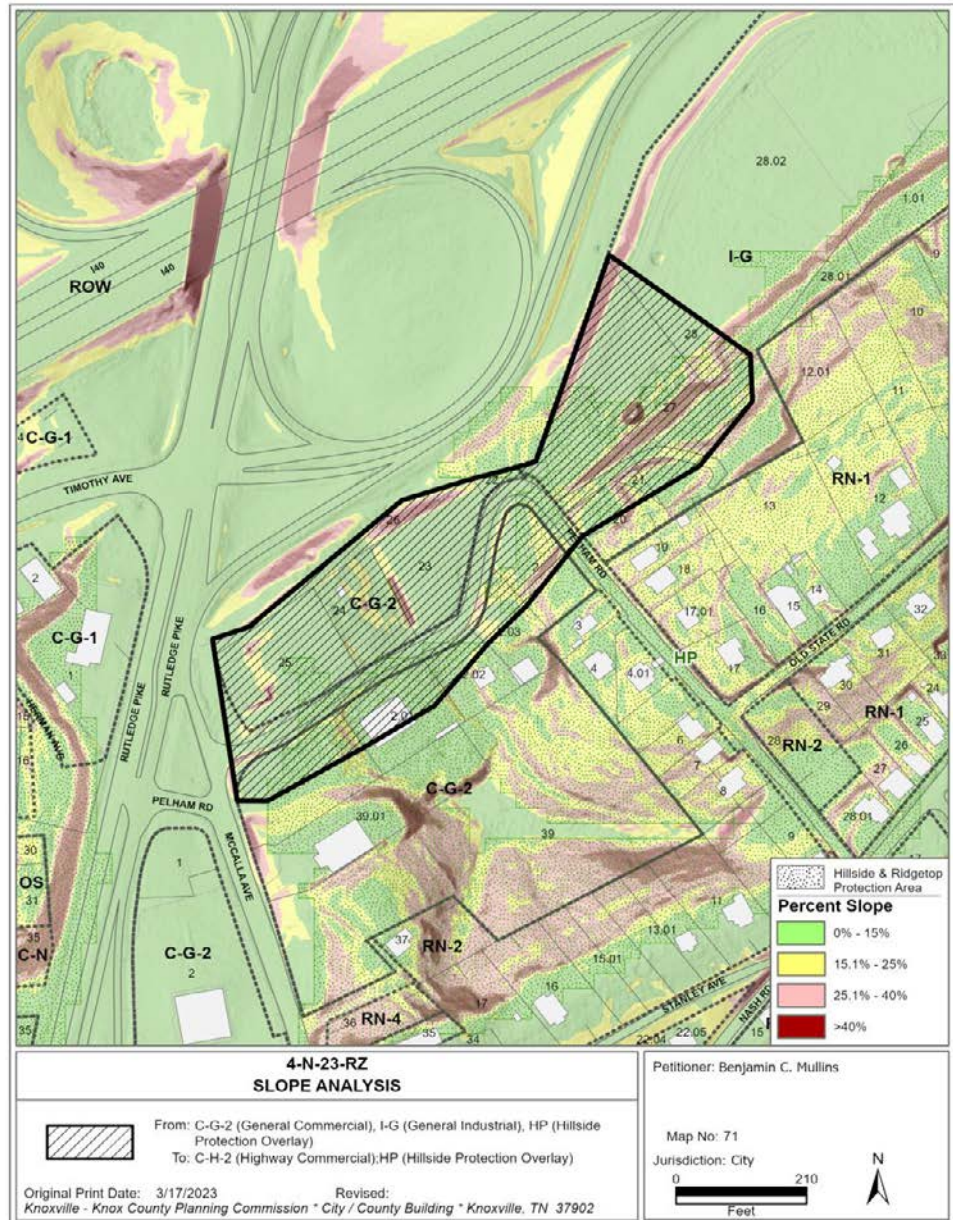
Map No: 71
Jurisdiction: City

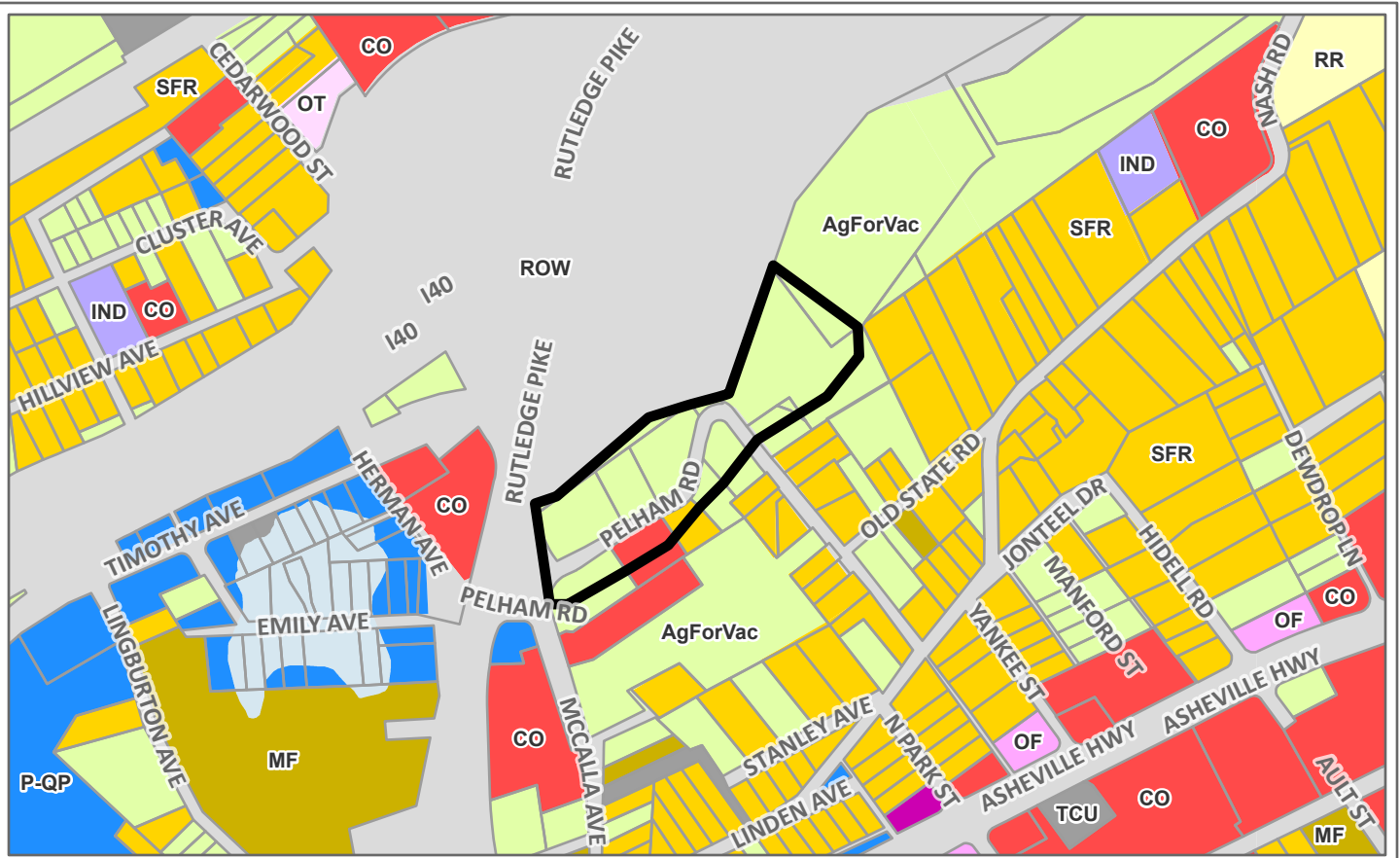
Original Print Date: 4/4/2023

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



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

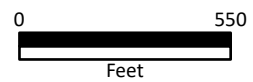




Existing Land Use and Aerial Maps 4-N-23-RZ/4-F-23-PA/4-G-23-SP



Case boundary



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-F-23-PA / 4-N-23-RZ

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 I 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 checked="" type="checkbox"/> Zoning Change	C-H-2 (Highway Commercial);HP (Hillside Protection Overlay)	Pending Plat File Number
	Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment	MU-SD (Mixed Use Special District), HP (Hillside Protection)	
	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	2/27/2023
	Please Print	Date

Phone / Email

Property Owner Signature	Chris Burkhardt Rock Pointe Development LLC	2/27/2023
	Please Print	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.



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

City County

6

CG2

Vacant

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number _____
 Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change
 Proposed Zoning **CH2**

Plan Amendment Change
 Proposed Plan Designation(s) **MU-SD EC-2**

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review
 Planning Commission

ATTACHMENTS


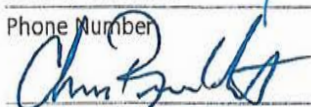
- Property Owners / Option Holders
 Variance Request

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

	Benjamin C. Mullins	2-17-23
Applicant Signature	Please Print	Date
865-546-9321	bmullins@fmsllp.com	
Phone Number	Email	
	CHRIS BURKHART	2-15-23
Property Owner Signature	Please Print	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

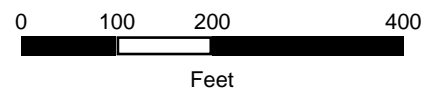
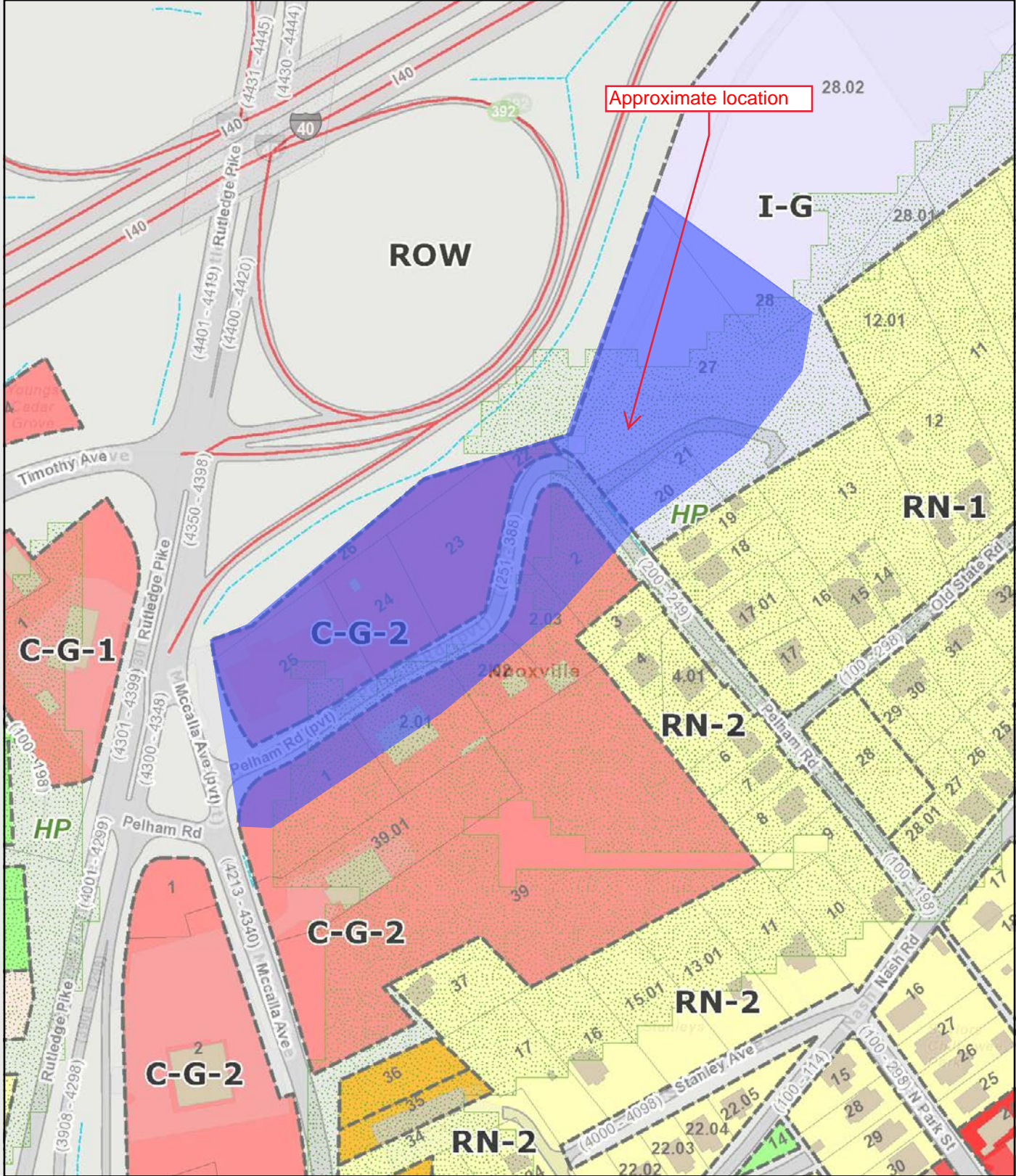
317 Pelham RD (a portion of) **070ME00201 (a portion of)**
Property Address Parcel ID

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

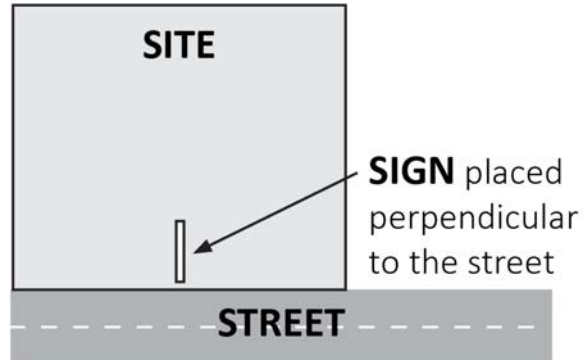


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Printed: 2/24/2023 2:45:58 PM

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.

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).