

APPLICANT:

OWNER(S):

PLAN AMENDMENT REPORT

► FILE #: 4-G-23-SP

TAX ID NUMBER:

STREET ADDRESS:

APPX. SIZE OF TRACT:

GROWTH POLICY PLAN:

SECTOR PLAN:

ACCESSIBILITY:

UTILITIES:

WATERSHED:

DESIGNATION:

JURISDICTION:

LOCATION:

AGENDA ITEM #: 14 AGENDA DATE: 4/13/2023 **BENJAMIN C. MULLINS** Chris Burkhart Rock Pointe Development LLC 71 I A 020-028,070ME001,002,00201-00203 View map on KGIS **Council District 6** 0 MCCALLA AVE; 0 (5 parcels), 288, 305, 308, 305, 309, 317, 325, 330 PELHAM RD: 0 NASH RD North and south sides of Pelham Road, east of Rutledge Pike 5.5 acres (area is comprised of several portions of parcels) East City N/A (Within City Limits) 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. Water Source: **Knoxville Utilities Board** Sewer Source: Knoxville Utilities Board 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
 MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) for the

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

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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.



PLAN AMENDMENT/ REZONING REPORT

►	FILE #: 4-N-23-RZ				AGENDA	ITEM #:		14
	4-F-23-PA				AGENDA	DATE:	4/13/2	2023
►	APPLICANT:	BENJA	MIN C.	MULLINS				
	OWNER(S):	Chris B	urkhart I	Rock Pointe Developm	ent LLC			
	TAX ID NUMBER:	71 I A 0	20-028,	070ME001,002,00201-	00203	<u>View m</u>	ap on k	GIS
	JURISDICTION:	Council	District	6				
	STREET ADDRESS:			/E; 0 (5 parcels), 288, 3 NASH RD	305, 308, 305, 30	9, 317, 32	25, 330	
►	LOCATION:	North a	nd sou	th sides of Pelham Ro	oad, east of Ruth	edge Pike	•	
►	TRACT INFORMATION:	5.5 acre	es (area	is comprised of seve	eral portions of p	oarcels)		
	SECTOR PLAN:	East Cit	у					
	GROWTH POLICY PLAN:	N/A (Wi	thin City	/ Limits)				
	ACCESSIBILITY:	per the 26-ft pa	approve vement	a new right-of-way, Roc ed concept plan, 5-SC-2 width inside a 50-ft righ and McCalla Ave were	2-C. This will be a transferred to the content of the existence of the exi	a local roa	ad with a	а
	UTILITIES:	Water S	Source:	Knoxville Utilities Boa	ard			
		Sewer S	Source:	Knoxville Utilities Boa	ard			
	WATERSHED:	Love Cr	eek					
Þ	PRESENT PLAN DESIGNATION/ZONING:	Avenue), HP (F	trial), MU-SD, EC-2 (M Hillside Protection) / C Strial), HP (Hillside Pro	-G-2 (General Co	ommercia		olia
►	PROPOSED PLAN DESIGNATION/ZONING:	parcels	design	Mixed Use Special Dis ated LI, HP (Hillside F HP (Hillside Protection	Protection) / C-H-			
►	EXISTING LAND USE:	Agricul Comme		restry/Vacant Land, S	ingle Family Res	sidential,		
Þ	EXTENSION OF PLAN DESIGNATION/ZONING:	Yes/ No						
	HISTORY OF ZONING REQUESTS:	previous intense	sly from comme	ies within the requested less intense commerci rcial and industrial distr Z, 3-K-01-RZ, 10-D-10-	al and residential icts, beginning in	districts to 1999 (Ca	o more ses 8-E	
	SURROUNDING LAND USE, PLAN DESIGNATION,	North:		ht-of-way - ROW (Righ (Right of Way), HP (Hill			tection)	-
	ZONING	South:	MU-SE	family residential, comi D, EC-2 (Mixed Use-Sp e Protection) - C-G-2 (0	ecial District, Mag	nolia Ave	nue), H	Р
	GENDA ITEM #: 14 FILE #: 4-F-23	-PA REVISE	-	4/5/2023 04:00 PM	JESSIE HILLMA		AGE #:	14-1

		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:	industr	ea is comprised of single family homes as well as commercial and al properties that are bordered by an interstate highway and major 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 S	HALL BE	CONSISTENT WITH THE	INTENT AND PURPO	DSE OF THE	
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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.

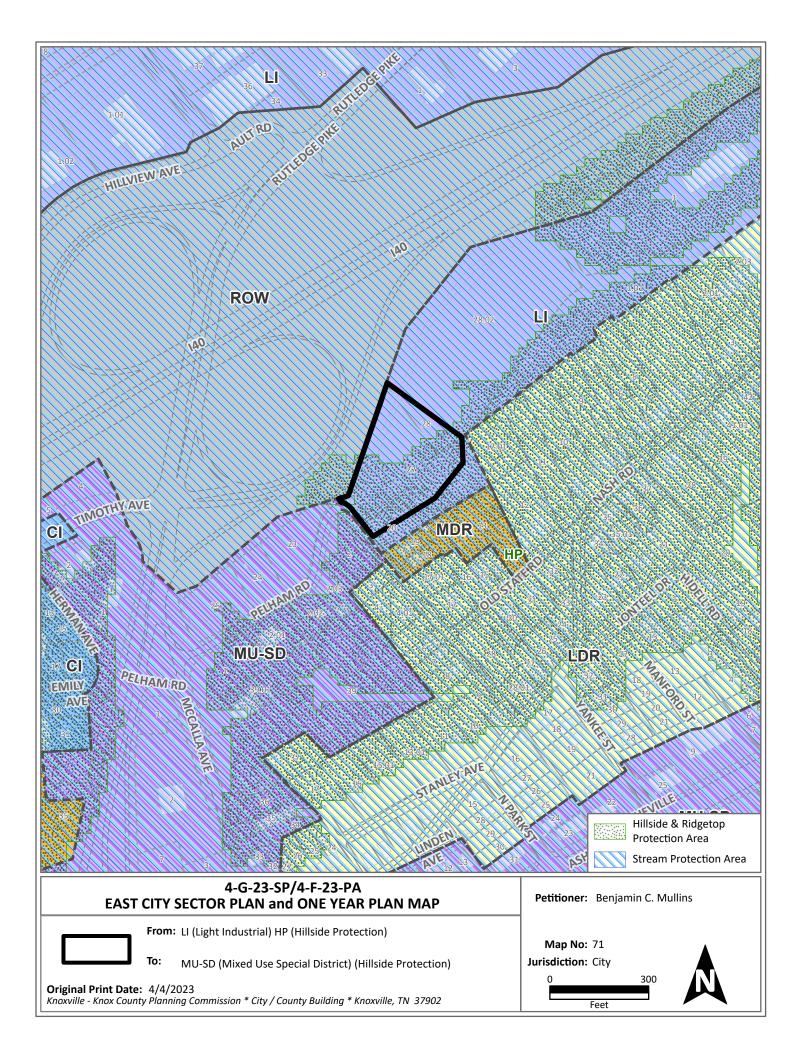
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

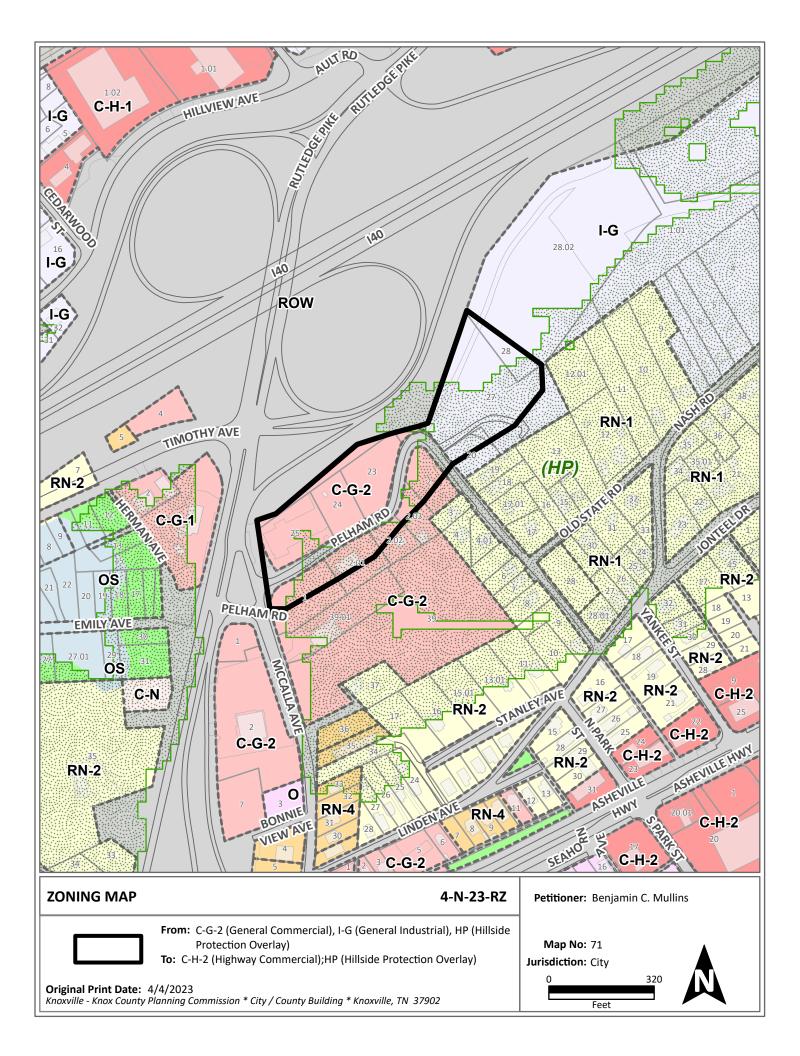
1. Existing and future public facilities and insfrastructure can support the development potential of the C-H-2 zoning district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

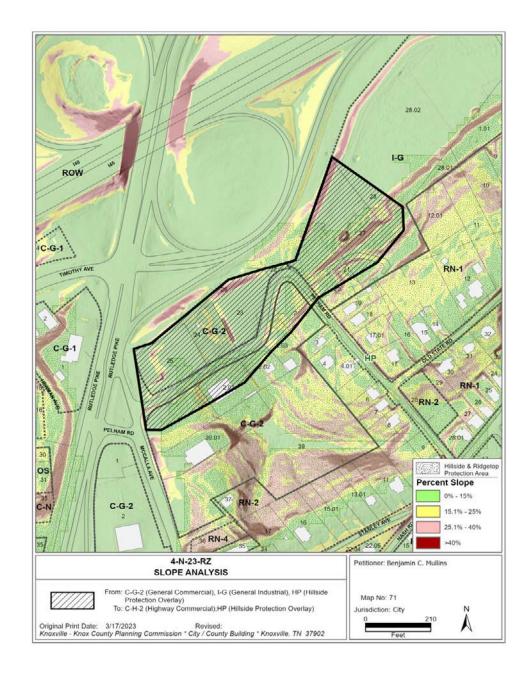
If approved, this item will be forwarded to Knoxville City Council for action on 5/16/2023 and 5/30/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.





Staff - Slope Analysis Case: 4-N-23-RZ/4-F-23-PA/4-G-23-SP

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



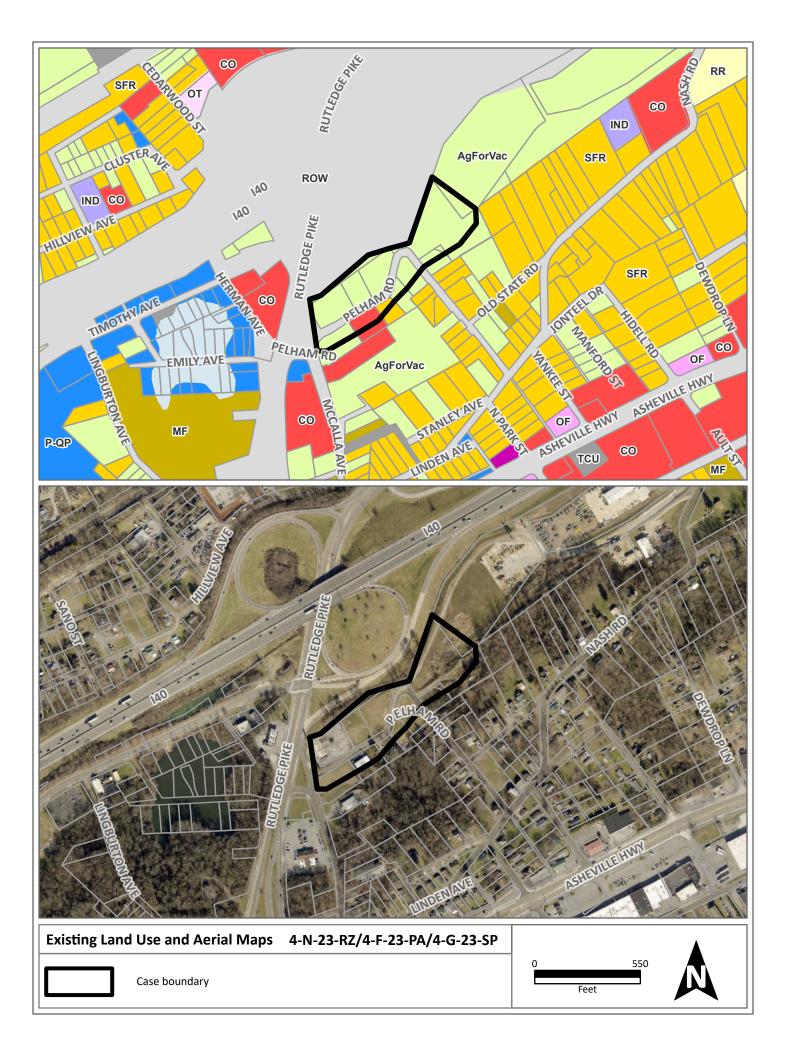


EXHIBIT A

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 in the m. Hill Chairman Secretarv



April 13, 2023 1:30 P.M. | Main Assembly Room City County Building

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 | A 026, 020 (part of), 021 (part of), 022, 027 (part of) and 070 M E 002, (part of), 071 | A 023, 070 M E 00203 (part of), 071 | A 024, 070 M E 00202 (part of), 070 M E 00201(part of), 070 M E 001 (part of), 071 | A 025 and 071 | A 028, Council District 6.

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. 4-G-23-SP

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

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

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.

4-N-23-RZ

4-F-23-PA

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

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P	lai	nn .e i knox	 g

Development Request

	-
DFVFI	OPMENT

Development Plan

Planned DevelopmentUse on Review / Special Use

□ Hillside Protection COA

SUBDIVISION

Concept Plan
Final Plat

Plan AmendmentSector PlanOne Year Plan

🗌 Rezoning

ZONING

Benjamin	C. Mullins		
Applicant	Name	Affiliation	
2/27/202	3	4/13/2023	4-G-23-SP
Date Filed	l	Meeting Date (if applicable)	File Number(s)
CORRE	SPONDENCE	All correspondence related to this application should l	be directed to the approved contact listed below.
Benjamin	C. Mullins Frantz,	McConnell and Seymour, LLP	
Name / Co	ompany		
550 W. M	lain St. St. Suite 50	00 Knoxville TN 37922	
Address			
865-546-9	9321 / bmullins@f	msllp.com	
Phone / E		•	
CURRE	NT PROPERTY I	NFO	
Chris Bur	khart Rock Pointe	Developmen 4320 Mccalla Ave Knoxville TN 37914	865-604-7767
Owner Na	ame (if different)	Owner Address	Owner Phone / Email
0 MCCALI	LA AVE / 0 (5 parc	els), 288, 305, 308, 309, 317, 325, 330 PELHAM RD; 0	NASH RD
/114 020	0-028,070ME001,0	-	5.5 acres
Parcel ID		Part of Parcel	(Y/N)? Tract Size
Knoxville	Utilities Board	Knoxville Utilities Board	
Sewer Pro	ovider	Water Provider	Septic (Y/N)
STAFF	USE ONLY		
North and	d south sides of Pe	Iham Road, east of Rutledge Pike	
General L			
City	Council District 6	C-G-2 (General Commercial), I-G (General Industrial (Hillside Protection Overlay)), HP 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 D	District), HP N/A (Within City Limits)
Planning S	Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST			
Development Plan Planned E			Related City Permit Number(s)
Hillside Protection COA	🗌 Residential	Non-residential	
Home Occupation (specify)			
Other (specify)			
SUBDIVSION REQUEST			
			Related Rezoning File Number
Proposed Subdivision Name			
Unit / Phase Number	Total N	umber of Lots Created	
Additional Information			
Attachments / Additional Requirem	ients		
ZONING REQUEST			
Zoning Change C-H-2 (Highway C	Commercial);HP (Hillside Protection C	Overlay)	Pending Plat File Number
Proposed Zoning			-
✓ Plan MU-SD (Mixed I)	Use Special District) , HP (Hillside Pro	tection Overlay)	
Amendment Proposed Plan D			
Proposed Density (units/acre) Previ	ious Zoning Requests		
Additional Information			
STAFF USE ONLY			
PLAT TYPE		Fee 1	Total
Staff Review Planning Co	mmission	\$2,600.00	
ATTACHMENTS			
Property Owners / Option Holders	Variance Request	Fee 2	
ADDITIONAL REQUIREMENTS			
 Design Plan Certification (Final Plat))	Fee 3	
Site Plan (Development Request)	'	166.5	
Traffic Impact Study			
Use on Review / Special Use (Conce	ept Plan)		
AUTHORIZATION			
	Benjamin C. Mullins		2/27/2023
Applicant Signature	Please Print		Date
Phone / Email			
	Chris Burkhart Rock Pointe Devel	opment LLC	2/27/2023
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.

ing

Development Request

DEVELOPMENT

Development Plan

□ Planned Development

☐ Hillside Protection COA

Use on Review / Special Use

SUBDIVISION

Concept Plan
Final Plat

ZONING

Plan Amendment
 Sector Plan
 One Year Plan
 Rezoning

Benjamin C. Mullins Applicant Name Affiliation 2/27/2023 4/13/2023 4-F-23-PA / 4-N-23-RZ Date Filed Meeting Date (if applicable) 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 Burkhart Rock Pointe Developmen 4320 Mccalla Ave Knoxville TN 37914 865-604-7767 Owner Name (if different) Owner Phone / Email **Owner Address** 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 5.5 acres Parcel ID Part of Parcel (Y/N)? Tract Size **Knoxville Utilities Board Knoxville Utilities Board** Sewer Provider 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 Agriculture/Forestry/Vacant Land, Single (Hillside Protection Overlay) 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			
Development Plan Plann	ed Development 🛛 🗌 Use on Review / S	pecial Use	Related City Permit Number(s)
Hillside Protection COA	Residential	Non-residential	
Home Occupation (specify)			
Other (specify)			
SUBDIVSION REQUEST			
			Related Rezoning File Number
Proposed Subdivision Name			
Unit / Phase Number	Total Nu	mber of Lots Created	
Additional Information			
Attachments / Additional Requi	rements		
ZONING REQUEST			
	ay Commercial);HP (Hillside Protection O	verlay)	Pending Plat File Number
Proposed Zon	ing		
	ed Use Special District), HP (Hillside Prot	ection)	
Amendment Proposed Pla	an Designation(s)		
Proposed Density (units/acre) P	revious Zoning Requests		
Additional Information			
STAFF USE ONLY			
PLAT TYPE		Fee 1	Total
Staff Review Planning	g Commission	\$2,600.00	
		5 2	
Property Owners / Option Hold		Fee 2	
ADDITIONAL REQUIREMENT			
Design Plan Certification (Final		Fee 3	
Site Plan (Development Reques	t)		
 Traffic Impact Study Use on Review / Special Use (Coll 	oncept Plan)		
AUTHORIZATION	. ,		
	Benjamin C. Mullins		2/27/2023
Applicant Signature	Please Print		Date
Phone / Email			
	Chris Burkhart Rock Pointe Develo	opment LLC	2/27/2023
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.

Plann KNOXVILLE KNOX C		DEVELOPMENT Develo	Plan opment / Special Use	SUBDIVISIO	N ZON Plan I Pl	ING an Amendment SP OYP ezoning
Benjamin C. Mull	ins				Applicant	
Applicant Name	Revis				Affiliation	
2-17-2	3 2.2	3-23 April 13, 20	23			File Number(s)
Date Filed		Meeting Date	(if applicable)			
CORRESPONDED	NCE All a	orrespondence related	t to this application s	hould be directed	to the approved a	contact listed below.
🖬 Applicant 🛛 P	roperty Owner	Option Holder	Project Surveyor	Engineer	Architect/Lar	ndscape Architect
Benjamin C. Mul	lins		Frant	, McConnell 8	& Seymour, LLP)
Name			Compa	ny		
550 West Main S	street, Suite 5	00	Knoxy	ille	TN	37902
Address			City		State	ZIP
865-804-4704		bmullins@	fmsllp.com			
Phone		Email				
CURRENT PROP		422	O MaCalla Ava		965	604 7767
See Attached She			0 McCalla Ave.			
Property Owner Nan		Prop	erty Owner Address	C. Altacha	12	erty Owner Phone
See Attached She	eet			See Attache	d Sneet	
Property Address			КИВ	Parcel ID		NA
Sewer Provider			Water Provider			Septic (Y/N
STAFF USE ONL			water Provider			
East of McCalla		Pelham Rd.			~6.03 acres	~5.50ac
General Location					Tract Size	- with
	6	CG2		Vacant		
City 🗌 County	District	Zoning Distric		Existing Lan	d Use	
East City Sector		MU-SD EC			NA (in City)	
Planning Sector		Sector Plan L	and Use Classification	1	Growth Policy	Plan Designation

August 29, 2022

DEVELOPMENT REQUEST		
Development Plan Use on Review / Special Use Hills	Related City Permit Number(s)	
Other (specify)		
SUBDIVISION REQUEST		Related Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number	Total Number of Lots Created	
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
Zoning Change CH2 Proposed Zoning		Pending Plat File Number
Plan Amendment Change Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezoning	Requests	and a Annalist and a substantian statistic form
Other (specify)		
STAFF USE ONLY		
PLAT TYPE Staff Review Planning Commission	Fee 1	Total
ATTACHMENTS Property Owners / Option Holders Variance Request ADDITIONAL REQUIREMENTS	Fee 2	
 Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection) 	Fee 3	
AUTHORIZATION		
Roman Willer Benjamir	n C. Mullins	2-17-23
Applicant Signature Please Print		Date
865-546-9321 bmullins	@fmsllp.com	
Phone Mumber Email	0	
	BURKHART	2:15.23 Date
Property Owner Signature Please Prin		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

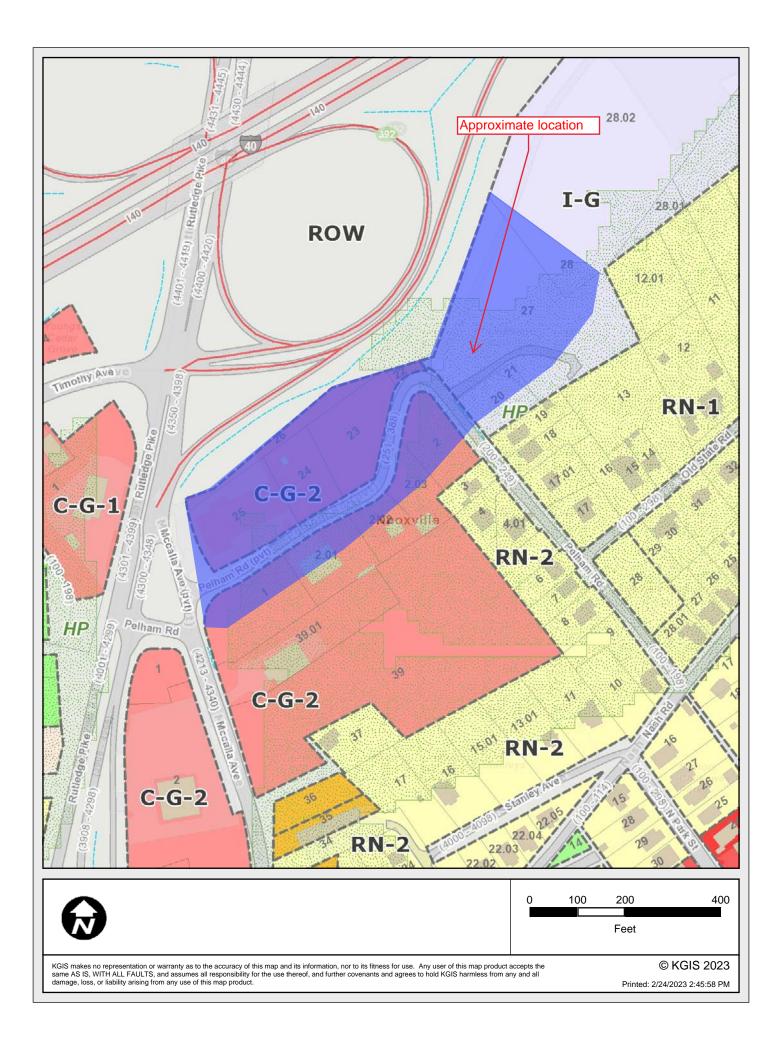
Rock Pointe Development LLC	4320 McC	Calla Ave.	(865) 604-7767			
Owner Name	Owner Addı	ress	Owner Phone			
220 Balkana BB	0747400	_				
330 Pelham RD	071IA025					
Property Address	Parcel ID					
Rock Pointe Development LLC	4320 McC	Calla Ave.	(865) 604-7767			
Owner Name	Owner Addr	ress	Owner Phone			
308 Pelham RD	071IA02 4	1				
Property Address	Parcel ID					
Rock Pointe Development LLC	4320 McC		(865) 604-7767			
Owner Name	Owner Addr	ress	Owner Phone			
<u>0 McCalla Ave</u>	071IA026	5				
Property Address						
Tennessee Land Investment Prop	artias LLC	4220 McCalla Avo	(965) 604 7767			
Owner Name	<u>Jei lies, LLC</u>	4320 McCalla Ave Owner Address	. (865) 604-7767 Owner Phone			
		Owner Address	Owner Phone			
288 Pelham Rd	071IA023	3				
Property Address	Parcel ID					
Rock Pointe Development LLC	4320 McC	Calla Ave.	(865) 604-7767			
Owner Name	Owner Addr		Owner Phone			
0 Polhom PD	07114022					
<u>O Pelham RD</u> Property Address	071IA022 Parcel ID	<u></u>				
Property Address						
Tennessee Land Investment Prop	erties, LLC	4320 McCalla Ave	(865) 604-7767			
Owner Name		Owner Address	Owner Phone			

<u>0 Pelham Rd (a portion of)</u> Property Address **071IA027 (a portion of)** 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 Prope	rties, LLC	4320 McCalla Ave	. (865) 604-7767
Owner Name		Owner Address	Owner Phone
0 Pelham Rd (a <u>p</u> ortion of <u>)</u>	071IA020	(a <u>p</u> ortion of <u>)</u>	
Property Address	Parcel ID		
Tennessee Land Investment Prope	rties <u>, LLC</u>	4320 McCalla Ave	. (865) 604-7767
Owner Name		Owner Address	Owner Phone
<u>0 Pelham Rd (a portion of)</u>	070ME00	2 (a portion of	
Property Address	Parcel ID		
Rock Pointe Development LLC	4320 McC		<u>(865) 604-7767</u>
Owner Name	Owner Addre	255	Owner Phone
305 Pelham RD (a portion of)	070ME002	203 (a portion of)	
Property Address	Parcel ID		
Rock Pointe Development LLC Owner Name	4320 McC		(865) 604-7767
Owner Name	Owner Addre	255	Owner Phone
309 Pelham RD (a portion of)	070	ME00202 (a portion (of)
Property Address	Parcel ID		
Rock Pointe Development LLC	4320 McC		(865) 604-7767
Owner Name	Owner Addre	ess	Owner Phone
317 Pelham RD (a portion of)		201 (a portion of)	
Property Address	Parcel ID		

S:\WDOX\Clients\9995\000001\PROPZONI\02546165.DOCX

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	

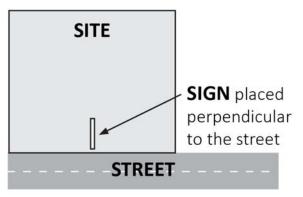




Sign Posting & Removal Requirement

Revised April 2021

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	and4/14/2023
(applicant or staff to post sign)	(applicant to remove sign)
Applicant Name: Benjamin C. Mullins	
Date: 2/27/23	X Sign posted by Staff
File Number:4-N-23-RZ_4-F-23-PA_4-G-23-	-SP Sign posted by Applicant



KNOX CTY METRO PLANNING COMMISSION 400 W MAIN ST # 403 KNOXVILLE TN 37902--242

<u>Account</u> 1317419	<u>AD#</u> 0005653858	<u>Net Amount</u> \$142.56	<u>Tax Amount</u> \$0.00	<u>Total Am</u> \$14		Method Pay oice	<u>yment An</u> \$0.00		<u>Amount Due</u> \$142.56
Sales Rep: asathi	sarg		Order Taker: asathis	sarg		Order Crea	ated 0	4/03/2023	
	Pro	oduct		# Ins	Start Date	End Date			
KNS-knoxnews.com			1	04/06/2023	04/06/2023				
KNS-Knoxville News Sentinel				1	04/06/2023	04/06/2023			

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

Text of Ad:

04/03/2023

PUBLIC NOTICE

PUBLIC NOTICE The following items may be consid-ered 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 Plan-ning 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 amend-ments, 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.

Proposed sector and one year Plan amendments, proposed rezoning. 4D-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.

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 amend-ments, 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 Nosh 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 S1. Proposed sector and One Year Plan amendments, proposed rezoning.
4-J-23-SP AND 4-H-23-PA AND 4-Q-23-RZ - WINTERPAST DEVELOP-MENT, LLC - DENNIS NORVET -1301 E. Weisgarber Rd. Proposed sector and One Year Plan amend-ments, proposed rezoning.



KNOX CTY METRO PLANNING COMMISSION 400 W MAIN ST # 403 KNOXVILLE TN 37902--242

<u>Account</u> 1317419	<u>AD#</u> 0005668892	<u>Net Amount</u> \$280.80	<u>Tax Amount</u> \$0.00	<u>Total Am</u> \$28		<u>t Method</u> nvoice	<u>Payment</u> \$0	Amount).00	<u>Amount Due</u> \$280.80
Sales Rep: CKimble	e		Order Taker: CKimble	•		Order (Created	04/14/2023	3
	Pro	oduct		# Ins	Start Date	End Date			
KNS-knoxnews.com			1	04/19/2023	04/19/202	23			
KNS-Knoxville News Sentinel				1	04/19/2023	04/19/202	23		

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

Text of Ad:

04/14/2023

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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: Ap-prove closure subject to 1 condi-tion.

AMENDMENTS/REZONINGS AMENDMENTS/REZONINGS 4-A-23-SP AND 4-A-23-PA AND 4-A-23-RZ - CHRIS BURKHART - 299 Nash Rd, o Old State Rd. Proposed sector and One Year Plan amend-ments, proposed rezoning. Plan-ning Commission Action: Approve East City Sector and One Year Plan amendments to LI (Light In-dustrial) and HP (Hillside Protec-tion) and rezoning to I-G (General Industrial) and (HP (Hillside Pro-tection Overlay), all as amended as amended as shown on Exhibit A, presented at the meeting by the appresented at the meeting by the ap-

as amended as shown on Exhibit A, presented at the meeting by the ap-plicant. 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 amend-ments to MDR/O (Medium Density Residential/Office) and HP (Hill-side Protection) and rezoning to RN-6 (Multi-Family Residential Neighborhood) and HP (Hill-side Protection Overlay). 4-D-23-RZ - JEFFREY NASH - 513 Cooper St. Proposed rezoning. Planning Commission Recommen-dation: 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 Com-mission Action: Approve South City Sector and One Year Plan amendments to CI (Civic and Insti-tutional) and rezoning to INST (In-stitutional) and H (Historic Over-lay).

amendments to Cl (Civic and Insti-tutional) and rezoning to INST (In-stitutional) and H (Historic Over-lay). 4 E-23-SP AND 4-D-23-PA AND 4-1-23-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 Sec-tor and One Year Plan amend-ments to MU-SD, SCO-3 (Mixed Use-Special District, Alcoa High-way 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. Pro-posed rezoning. CG-1 (General Commercial). 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 amend-ments, 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-K-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 Com-mission Action: Approve Parthwest City Sector and One Year Plan amendments, proposed sector and One Year Plan amend-ments, proposed sector and One Year Plan amend-ments, A Nash Rd. Proposed sector and One Year Plan amend-ments, A Nash Rd. Proposed sector and One Year Plan amend-ments, Plan Amendments, proposed sector and One Year Plan amend-ments, Proposed Sector and One Year Plan amend-ments, Proposed Sector and One Year Plan amend-ments 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). 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 DEVELOP-MENT, 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 Ll (Light Industrial) and rezoning to I-MU (Industrial Mixed-Use).