



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 8-B-24-RZ
8-B-24-PA

AGENDA ITEM #: 30
AGENDA DATE: 8/8/2024

► **APPLICANT:** BENJAMIN C MULLINS
OWNER(S): Julia Anderson DeBord

TAX ID NUMBER: 132 036 [View map on KGIS](#)

JURISDICTION: Commission District 3

STREET ADDRESS: 8801 GROSPPOINT DR

► **LOCATION:** West of terminus of Grosppoint Dr, east of Ebenezer Rd, south of Kingston Pk

► **TRACT INFORMATION:** 7.12 acres

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via a 50-ft wide ingress and egress easement leading to Grosppoint Drive, a local street with a 24-ft pavement width within a 58-ft right-of-way

UTILITIES: Water Source: First Knox Utility District
Sewer Source: First Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Ten Mile Creek

► **PRESENT PLAN DESIGNATION/ZONING:** SR (Suburban Residential), HP (Hillside Protection) / PC (Planned Commercial), RAE (Exclusive Residential), PR (Planned Residential)

► **PROPOSED PLAN DESIGNATION/ZONING:** BP (Business Park), SR (Suburban Residential), HP (Hillside Protection) / OB (Office, Medical, and Related Services), PR (Planned Residential)

► **EXISTING LAND USE:** Rural Residential

► **DENSITY PROPOSED:** 4 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, this is an extension of the plan designations and zone districts.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North:	Single-family residential - SR (Suburban Residential), HP (Hillside Protection)
South:	Agriculture/forestry/vacant land - SR (Suburban Residential), BP (Business Park), HP (Hillside Protection)
East:	Agriculture/forestry/vacant land - SR (Suburban Residential), HP (Hillside Protection)
West:	Agriculture/forestry/vacant land - BP (Business Park), HP (Hillside Protection)

NEIGHBORHOOD CONTEXT: This area has a mix of office and commercial uses along with single-family and multi-family neighborhoods.

STAFF RECOMMENDATION:

- ▶ **Postpone for 60 days to the October 3, 2024 Planning Commission meeting per the applicant's request.**

- ▶ **Postpone for 60 days to the October 3, 2024 Planning Commission meeting per the applicant's request.**

COMMENTS:

ESTIMATED TRAFFIC IMPACT: 165 (average daily vehicle trips)

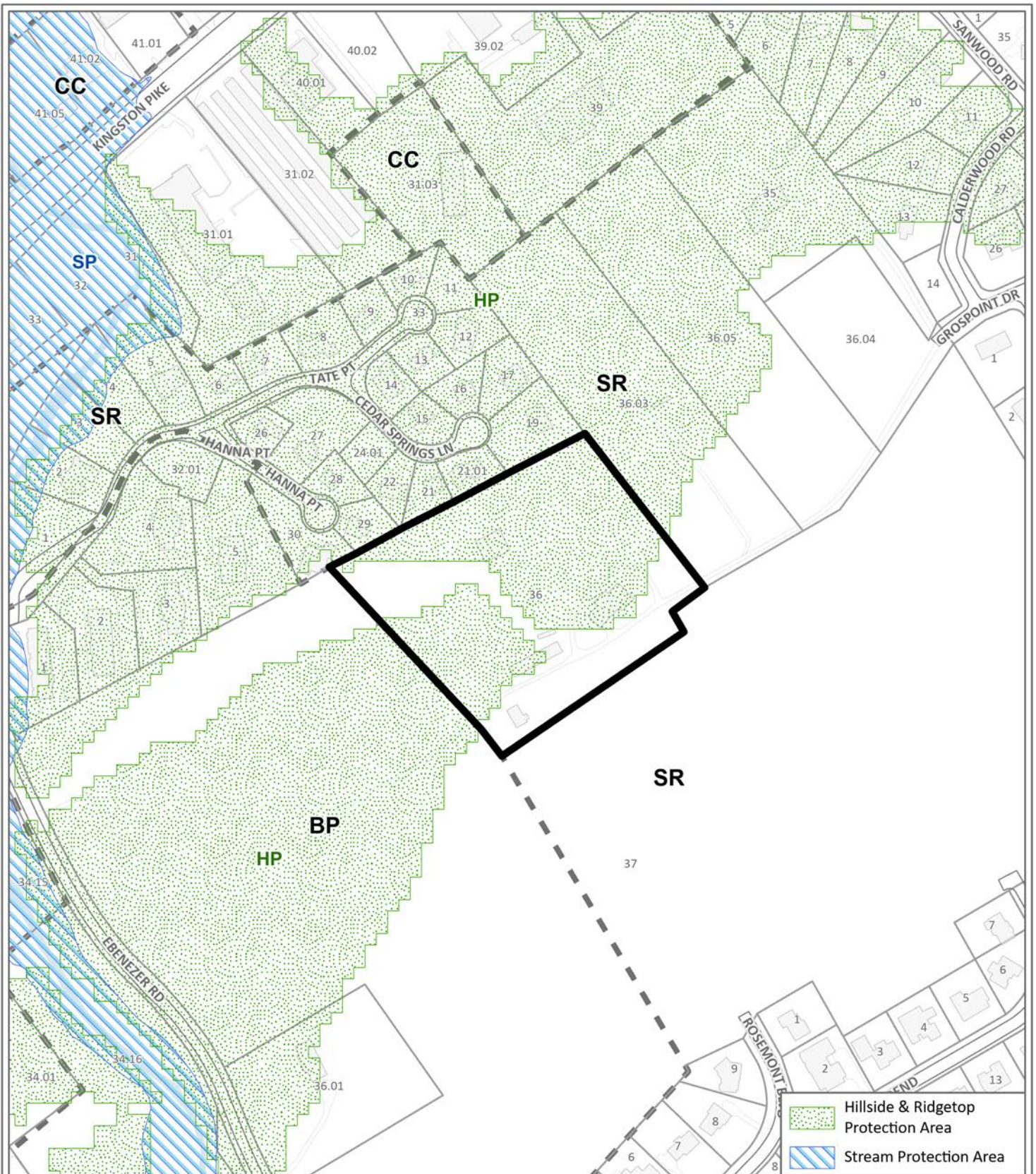
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

ESTIMATED STUDENT YIELD: 6 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Bearden High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 9/16/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



8-B-24-PA **COMPREHENSIVE LAND USE PLAN MAP**

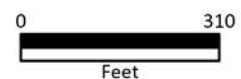


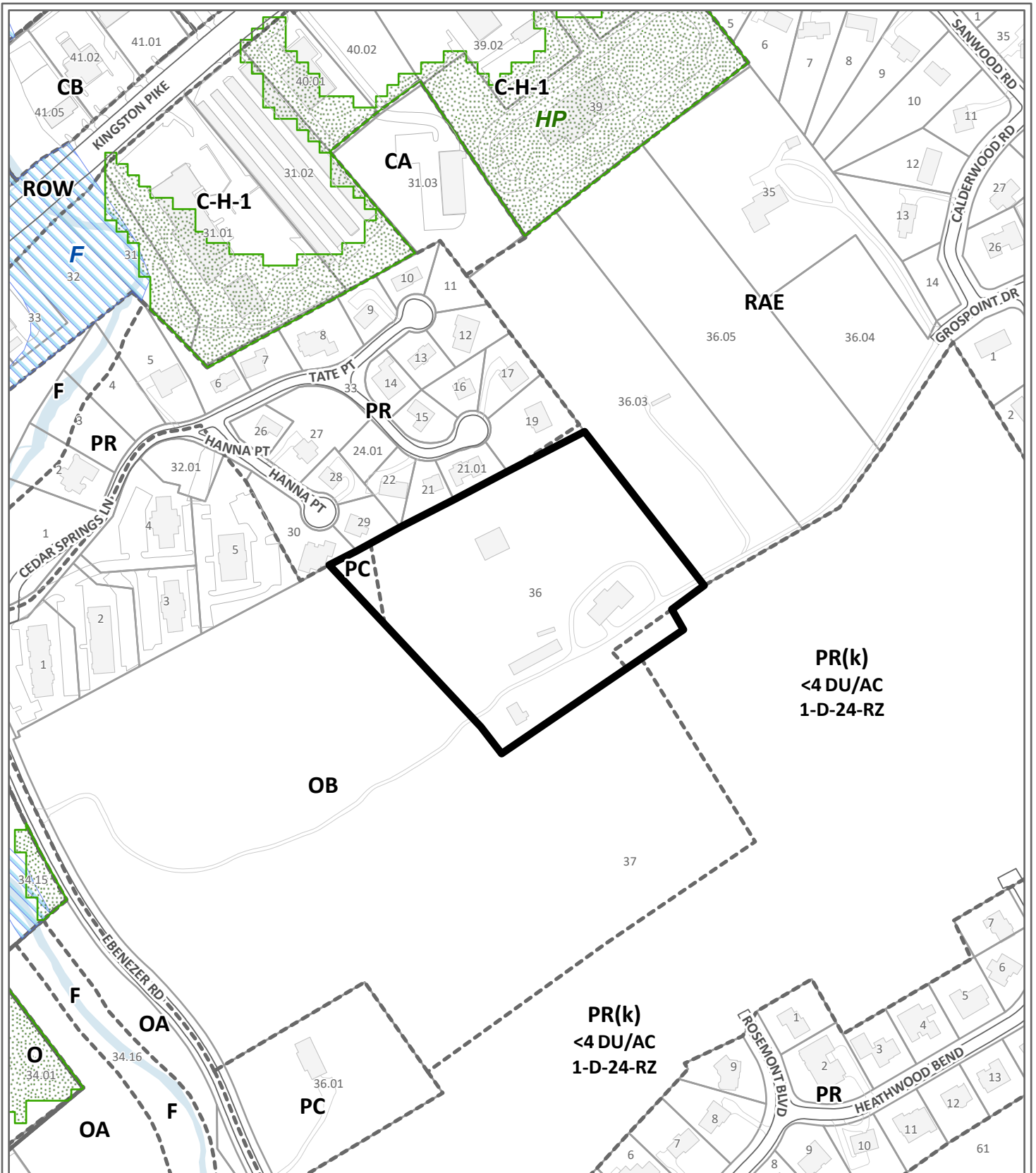
From: SR (Suburban Residential), HP (Hillside Protection)
To: BP (Business Park), HP (Hillside Protection)

Original Print Date: 7/10/2024
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Benjamin C Mullins

Map No: 132
Jurisdiction: County





REZONING

8-B-24-RZ



From: PC (Planned Commercial), RAE (Exclusive Residential), PR (Planned Residential)
To: OB (Office, Medical, and Related Services)

Original Print Date: 7/10/2024

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

Petitioner: Benjamin C Mullins

Map No: 132

Jurisdiction: County

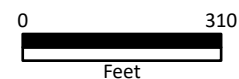
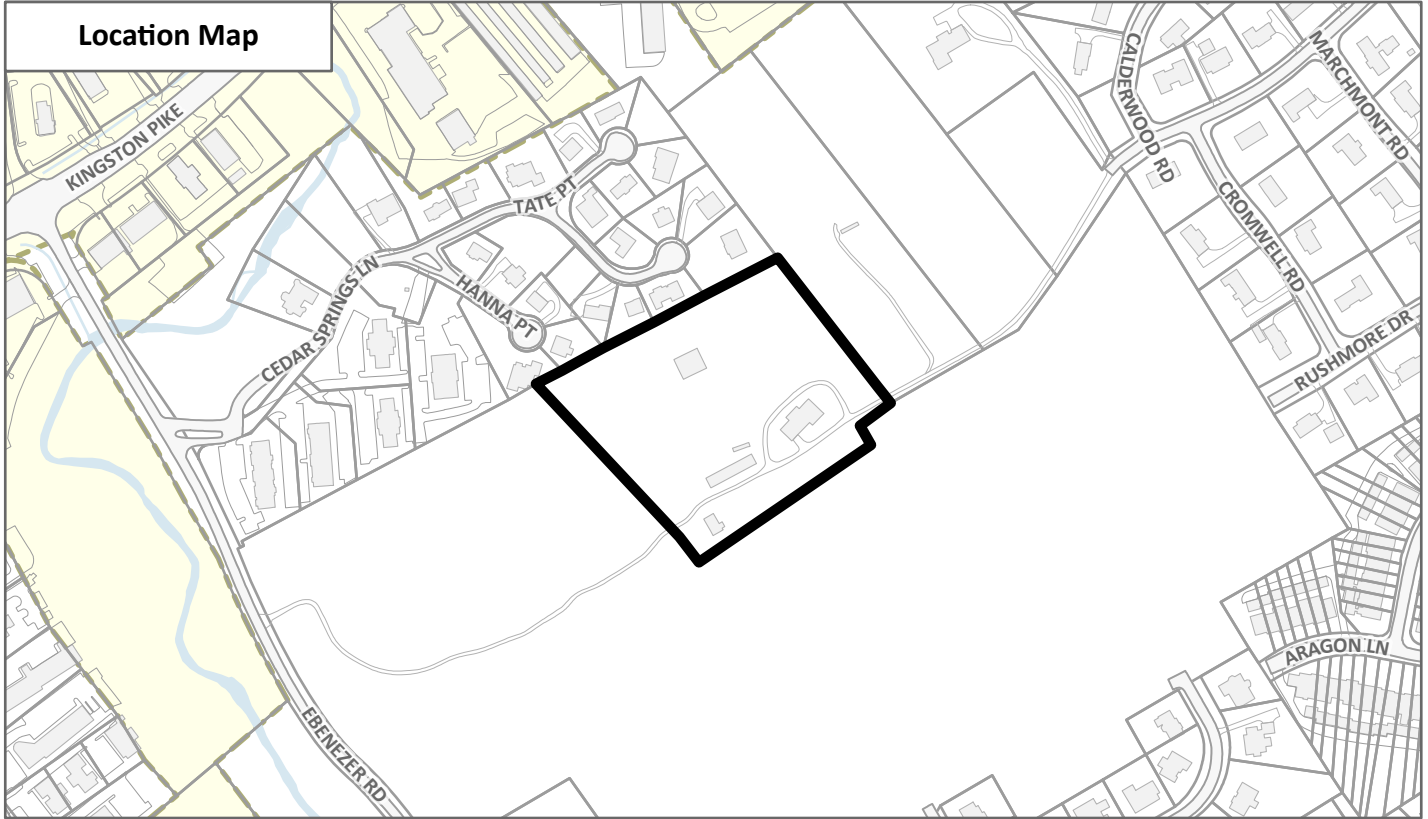


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

8-B-24-PA / 8-B-24-RZ

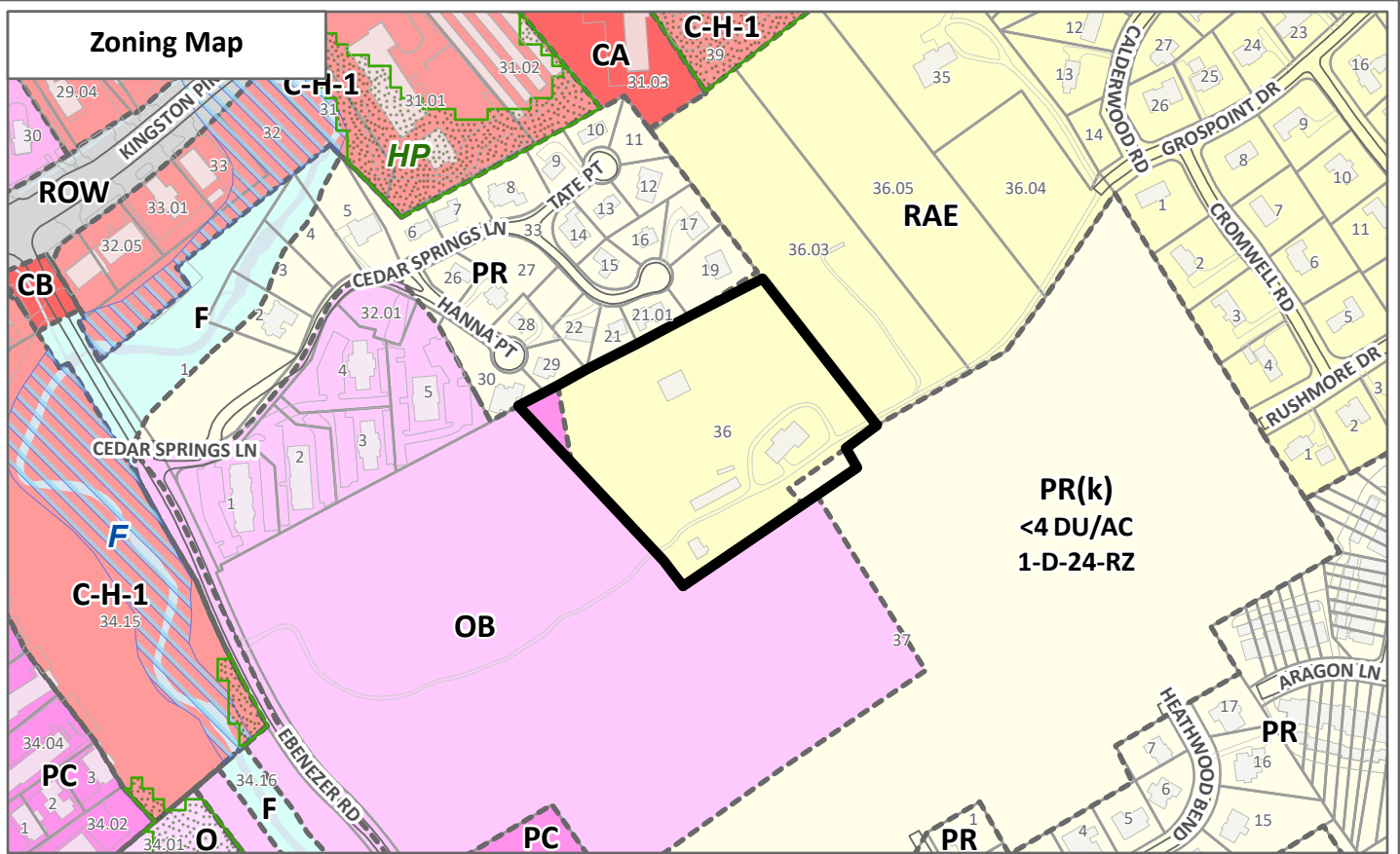


Case boundary

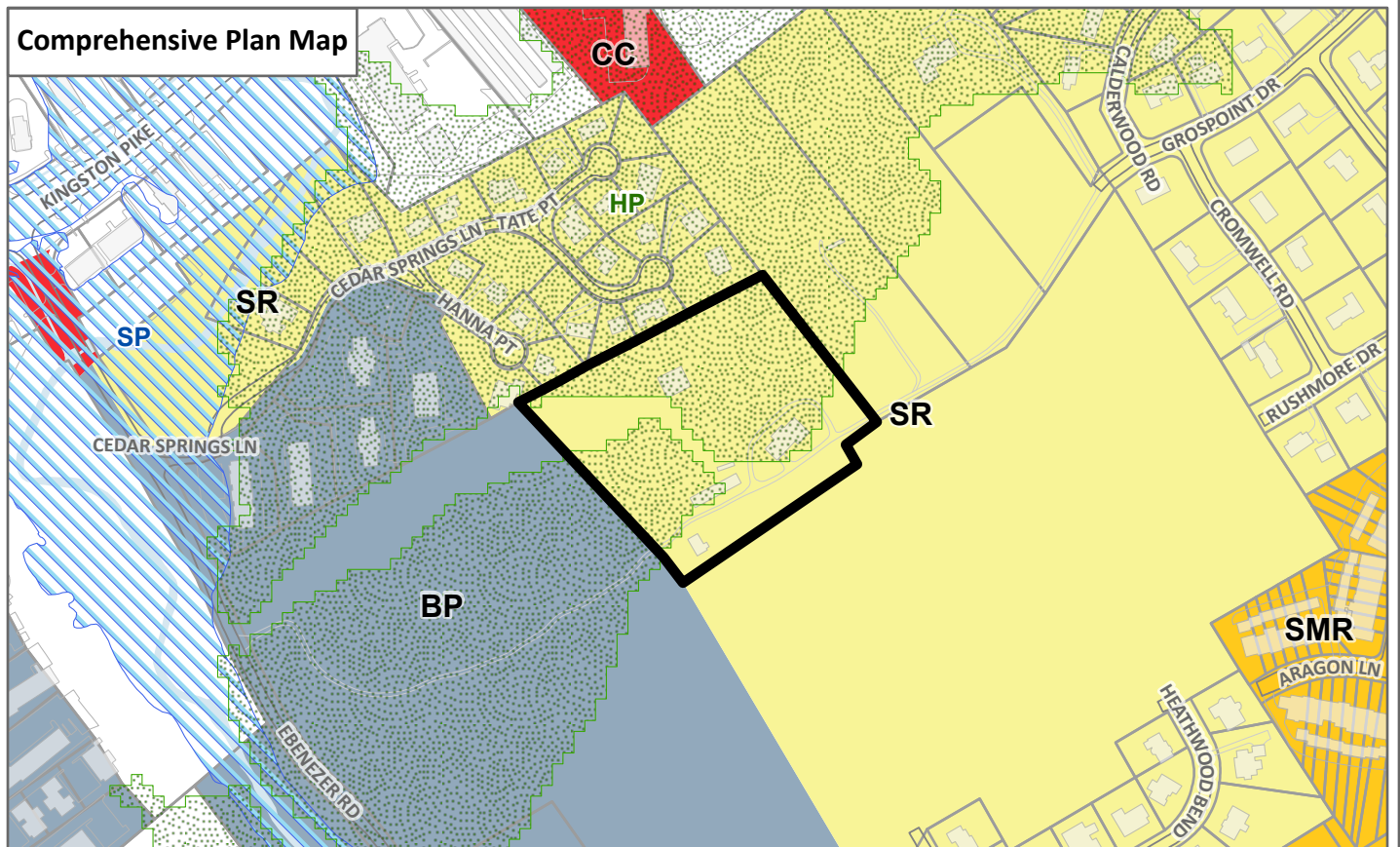
0 490
Feet



Zoning Map



Comprehensive Plan Map

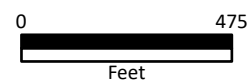


CONTEXTUAL MAPS 2

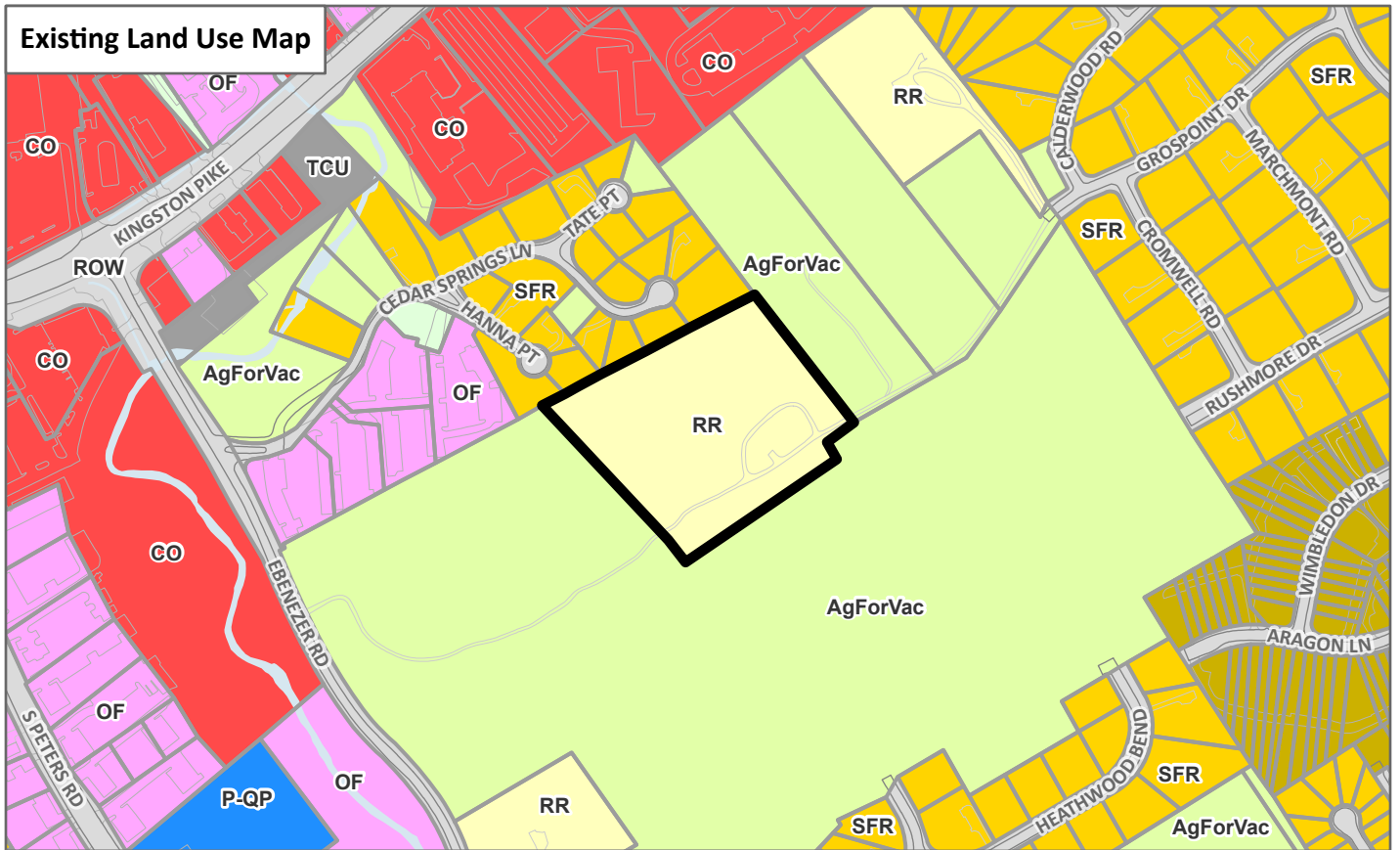
8-B-24-PA / 8-B-24-RZ



Case boundary



Existing Land Use Map

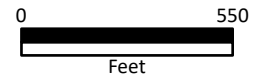


CONTEXTUAL MAPS 3

8-B-24-PA / 8-B-24-RZ



Case boundary





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Rezoning
☒ Plan Amendment
☐ Sector Plan
☒ City OYP / County Comp Plan

Benjamin C Mullins

Applicant Name

Affiliation

5/8/2024

Date Filed

8/8/2024

Meeting Date (if applicable)

8-B-24-PA / 8-B-24-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 37902

Address

865-546-9321 / bmullins@fmsllp.com

Phone / Email

CURRENT PROPERTY INFO

Julia Anderson DeBord

Owner Name (if different)

8803 Grospoint Dr Knoxville TN

Owner Address

865-567-3452

Owner Phone / Email

8801 GROSPPOINT DR

Property Address

132 036

Parcel ID

7.12 acres

Tract Size

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West of terminus of Grospoint Dr, east of Ebenezer Rd, south of Kingston Pk

General Location

☐ City

Commission District 3

PC (Planned Commercial), RAE (Exclusive Residential), PR (Planned Residential)

Rural Residential

☒ County

District

Zoning District

Existing Land Use

N/A

Land Use (City)/Place Type (County)

Urban Growth Area (Outside City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **OB (Office, Medical, and Related Services), PR (Planned Residential)**
Proposed Zoning
- ☒ Plan Amendment **BP (Business Park), SR (Suburban Residential), HP (Hillside Protection)**
Proposed Plan Designation(s)

Pending Plat File Number

4 du/ac

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

\$2,562.00

Total

Fee 2

Fee 3

AUTHORIZATION

- ☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Benjamin C Mullins

5/8/2024

Applicant Signature

Please Print

Date

Phone / Email

Julia Anderson DeBord

5/8/2024

Property Owner Signature

Please Print

Date



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

Attorney for Owners

Applicant Name

Affiliation

4-29-2024

August 8, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

8-B-24-RZ
8-B-24-PA

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

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

Julia Anderson DeBord

8803 Grospoint Dr.

865-567-3452

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8801 Grospoint Dr.

132 036

Property Address

Parcel ID

FUD

FUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

E of Ebenezer; S. of Grospoint

~7.36 acres

General Location

Tract Size

☐ City ☒ County

3

RAE, PC, and PR

SFR

District

Zoning District

Existing Land Use

SW County

SR place type / HP area

Planned Growth

Planning Sector

Sector Plan Land Use Classification
Land Use Designation

Growth Policy Plan Designation

May 1, 2023

DEVELOPMENT REQUEST

☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential
Home Occupation (specify) _____

Related City Permit Number(s)

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

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

☐ Other (specify) _____☐ Attachments / Additional Requirements**ZONING REQUEST**

☒ Zoning Change OB
Proposed Zoning
☒ Plan Amendment Change BP (Business Park) /HP (Hillside Protection)
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

☒ I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

Benjamin C. Mullins

4-29-24

Please Print

Date

865-546-9321

bmullins@fmsll.com

Phone Number

Email

Property Owner Signature

for Nancy Brown (See Supplemental Sheet) 05/08/2024, SG

Please Print

Date Paid

All requests to amend the Knox County Comprehensive Land Use and Transportation Plan must include justification for the changes as part of the application process.

The applicant must provide justification per Implementation Action IM.6, demonstrating:

Either:

- ☐ There is an obvious or significant error or omission in the Plan

OR Two or more of the following criteria apply:

- ☐ **Conditions Have Changed** Changes of conditions, such as surrounding land uses, zoning, uncontrolled natural forces/disasters, etc.
- ☐ **New Utilities / Projects** Introduction of significant new utilities or local/state/federal road projects that were not anticipated in the Plan and make development more feasible
- ☐ **New Data** New data regarding trends or projections, population, housing conditions, or traffic growth that warrant reconsideration of the original Plan
- ☐ **Proposed Changes Support Plan** The proposed changes support the Policies and Actions, goals, objectives, and criteria of the Plan

Please explain:

See Supplemental Sheet.

By signing below, I certify that criteria for a Plan Amendment have been met and that any information to justify such action is specified above.



Benjamin C. Mullins

7-1-2024

PROPERTY OWNER SIGNATURE

PRINTED NAME

DATE

8-B-24-PA -- Plan Amendment Justifications for 8801 Grospoint Dr.

There has been an obvious or significant error in the Plan:

- While the Comprehensive Plan and Land Use Map was being finalized, there was a significant rezoning and sector plan amendment to 56.39 acres of surrounding parcels (See Case No. 1-D-24-RZ and 1-B-24-SP) which extended the OB zoning and O Sector Plan to approximately 24 acres. Although this property, which retains a small portion of PC zoning, now shares ~945' of linear frontage with current OB zoning and BP place type, the land use map failed to account for the recent changes prior to becoming final in April 2024.

Conditions Have Changed:

- As noted above, the trend in rezoning is to approve a mix of OB/BP zoning/map place type with PR/SR zoning map place type. This proposal continues that trend by splitting the zoning/map place type on the property to both OB/BP and PR/SR over approximately half of the property.
- This property's location marks a transition from office and commercial uses to the west and northwest and residential uses to the east and southeast. There has been a significant increase in development of these land use types in both areas over the past twenty years, including the recently rezoning properties adjacent to this parcel in March 2024.
- This area of Southwest Knox County bordering the City jurisdiction has seen rapid commercial and residential development over the past 10 to 15 years. In particular, nearby properties were converted from pasture and forest to retail commercial centers between 2008 and 2020. Similarly, farmland and forest to the south and southwest of the property have been converted into residual uses. This property is now an outlier with its open and undeveloped land.

New Utilities/Projects:

- A Traffic Impact Analysis was performed as part of 6-SD-24-C and 6-H-24-DP. That TIA will require the developer in that project to make significant improvements to the intersection of Ebenezer and Kingston Pike.
- Also new sidewalks will be installed along the frontage of Ebenezer and the recently rezoned properties. This property will access Kingston Pike through the recently approved development or through the existing OB property to the east.

New Data:

- As reported in the June 5, 2024, Compass, to address the statewide housing crisis the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) recommend removing local barriers to building market-rate housing. The full report, which is located [here](#), identifies several factors that have led to the housing crisis, “[b]ut if there is one problem that stands out—and that stakeholders, state date, and the existing literature have all pointed to as being at the core of the affordability issue—it is that housing supply does not meet demand and results in a lack of affordable housing.” The report further notes that

while more affordable housing is needed, more market-rate housing would enable higher-earning residents to move and free up housing for others.

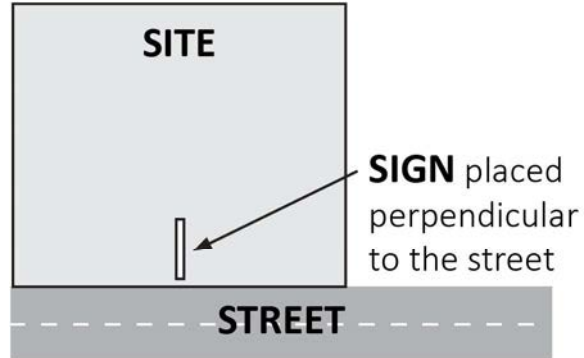
- TACIR also recommends changing zoning regulations to encourage more density. This request for BP would allow OB zoning for the Property which would allow for a diversity of housing stock including single-family residential, duplexes, townhomes, and multi-family up to 12 as a permitted use and 12 to 24 on a use-on-review.

Proposed Changes Support the Policies and Actions, goals, objectives and criteria of the Comprehensive Plan:

- The Business Park place type allows a range of housing to be considered.
- Policy 2: Ensuring that the development is sensitive to existing community character.
 - The applicant is working with the surrounding
- Policy 3: Encouraging infill and redevelopment of underutilized commercial land
 - While the BP allows for residential development, it also would allow for a diverse range of office and light commercial activities.
- Policy 4: Incentivize walkable mixed use centers, corridors, and neighborhood service nodes as the preferred form of commercial development.
 - The BP place type allows for a multitude of mixed use zones in close proximity to the City and major commercial corridors.
- Policy 5: Create neighborhoods with a variety of housing types and amenities in close proximity.
 - The BP land use classification allows for the requested OB zoning allows for diverse housing and density in close proximity to the Cedar Bluff commercial node.
- Policy 6: Promote attainable housing that meets the needs of the current and future residents:
 - Per TACIR's June 2024 report, market-rate housing and development promotes attainable housing by driving competition in the market and freeing up more affordable housing options to current and future residents of the state (and by extension, Knox County).
- Policy 9: Coordinate infrastructure improvement with development:
 - Recent development approvals on adjacent property have identified certain improvements to Ebenezer and the intersection of Ebenezer and Kingston Pike that will be undertaken at that development's expense. This will benefit the existing community and the proposed development at this location. An additional TIA may be required at the time of a Development Plan or Use on Review that could identify additional improvements to be made based on future impact.
- Policy 10: Prioritize long-term fiscal health of the county:
 - This location already has adequate infrastructure in place. Improvements are planned at the expense of new development and not the County. This is essentially an "infill" development as it's an outlier of undeveloped property in an existing area of significant development. Encouraging more development in an area of existing infrastructure reduces the demand for sprawl into more rural areas.
- Policy 11: Promoting connectivity with new development.

- The property will access Kingston Pike through recently rezoned properties. Currently, the property only has access to Kingston Pike through Grospoint which is a local street through an existing subdivision.
- Policy 12: Improve safety for all users.
 - Improvements to Ebenezer, required from recently approved development, and potentially the requirement of additional improvements because of this property, will help address existing deficiencies with Ebenezer to make travel in this area safer for current and future residents.
- The BP land use classification is consistent with the Urban Growth Boundary designation of the Growth Policy Plan and the potential density of up to 24 du/a for multi-family housing.
- The BP land use classification is appropriate because it is a minor extension of existing BP place type classification and because it is compatible with the surrounding development.

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:

_____ **07/26/2024** _____ and _____ **08/09/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Benjamin C Mullins

Date: 05/08/2024

File Number: 8-B-24-RZ & 8-B-24-PA



Sign posted by Staff



Sign posted by Applicant