

# REZONING REPORT

▶ **FILE #:** 6-O-24-RZ

**AGENDA ITEM #:** 26

**AGENDA DATE:** 6/13/2024

▶ **APPLICANT:** BENJAMIN C MULLINS  
OWNER(S): Anderson Geneva Cain Trust

TAX ID NUMBER: 132 03603, 03605 [View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0, 8757 GROSPPOINT DR

▶ **LOCATION:** West of terminus of Grospoint Dr, east of Ebenezer Rd, south of Kingston Pk

▶ **APPX. SIZE OF TRACT:** 9.9 acres

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

ACCESSIBILITY: Access is via a 50-ft wide ingress and egress easement leading to Grospoint 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

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** RAE (Exclusive Residential)

▶ **ZONING REQUESTED:** PR (Planned Residential)

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

▶ **DENSITY PROPOSED:** up to 4 du/ac

EXTENSION OF ZONE: Yes, this is an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial - CA (General Business) in the County, C-H-1 (Highway Commercial), HP (Hillside Protection Overlay) in the City

South: Agriculture/forestry/vacant land - PR(k) (Planned Residential) up to 4 du/ac in the County

East: Rural residential and agriculture/forestry/vacant land - RAE (Exclusive Residential) in the County

West: Single family residential, agriculture/forestry/vacant land, rural residential - RAE (Exclusive Residential), PR (Planned Residential) in the County

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

**STAFF RECOMMENDATION:**

▶ Postpone for 30 days to the July 11, 2024 Planning Commission meeting per the applicant's request.

ESTIMATED TRAFFIC IMPACT: 424 (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: 16 (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 7/15/2024. 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.



# Request to Postpone • Table • Withdraw

Benjamin C. Mullins

5-30-2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

June 13, 2024

Scheduled Meeting Date

6-O-24-RZ

File Number(s)

## POSTPONE

**POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

**SELECT ONE:**  30 days  60 days  90 days

Postpone the above application(s) until the July 11, 2024 Planning Commission Meeting.

## WITHDRAW

**WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

## TABLE

*\*The refund check will be mailed to the original payee.*

**TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

## AUTHORIZATION

*By signing below, I certify I am the property owner, and/or the owners authorized representative.*

  
Applicant Signature

Benjamin C. Mullins

Please Print

865-546-9321

bmullins@fmsllp.com

Phone Number

Email

## STAFF ONLY

  
Staff Signature

SHELLEY GRAY

Please Print

5-30-2024

Date Paid

No Fee

Eligible for Fee Refund?  Yes  No

Amount:

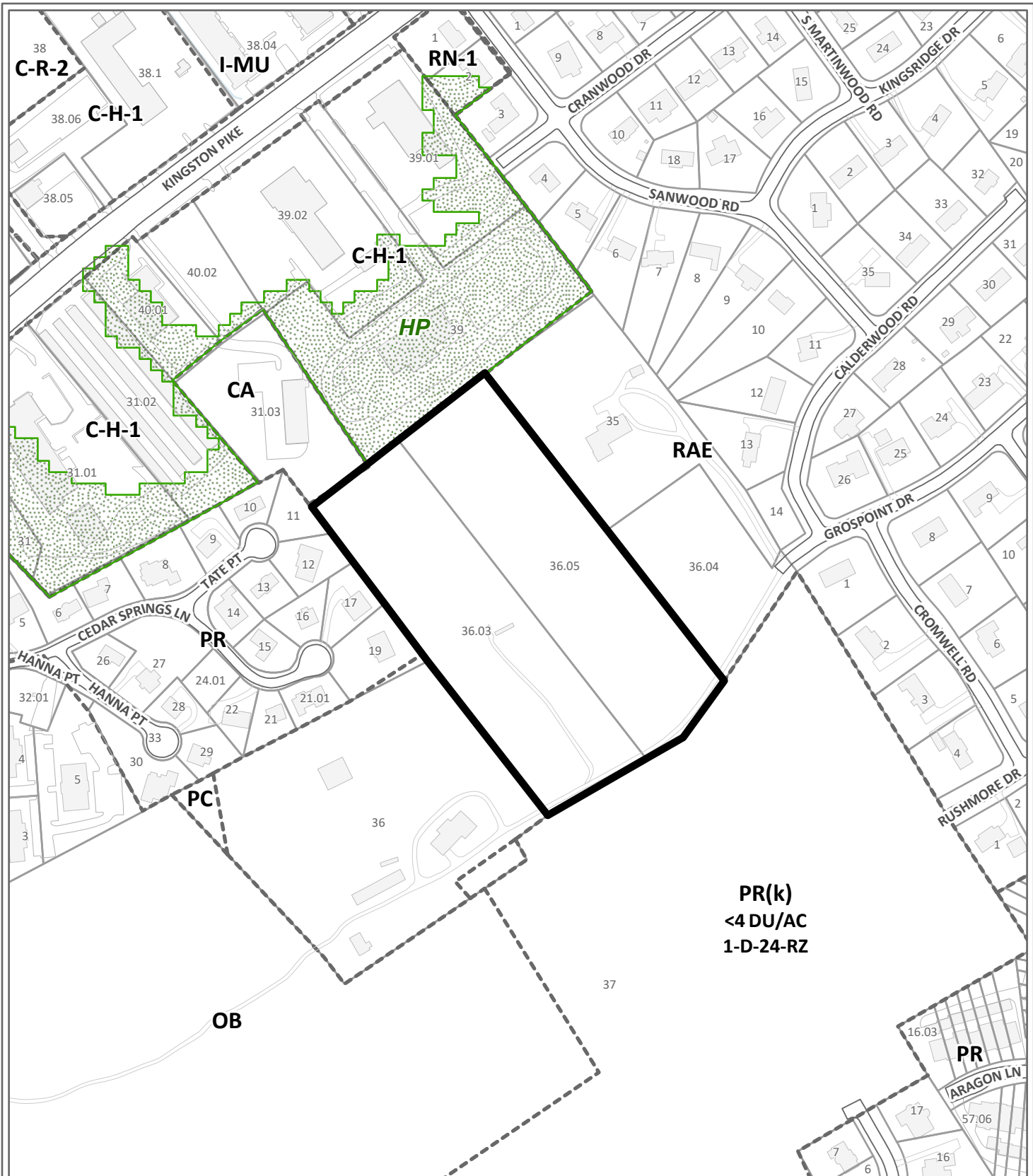
Approved by:

Date:

Payee Name

Payee Phone

Payee Address

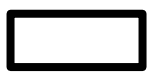


**PR(k)**  
**<4 DU/AC**  
**1-D-24-RZ**

**REZONING**

**6-O-24-RZ**

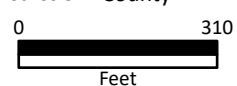
**Petitioner:** Benjamin C Mullins



**From:** RAE (Exclusive Residential)  
**To:** PR (Planned Residential) 4 du/ac

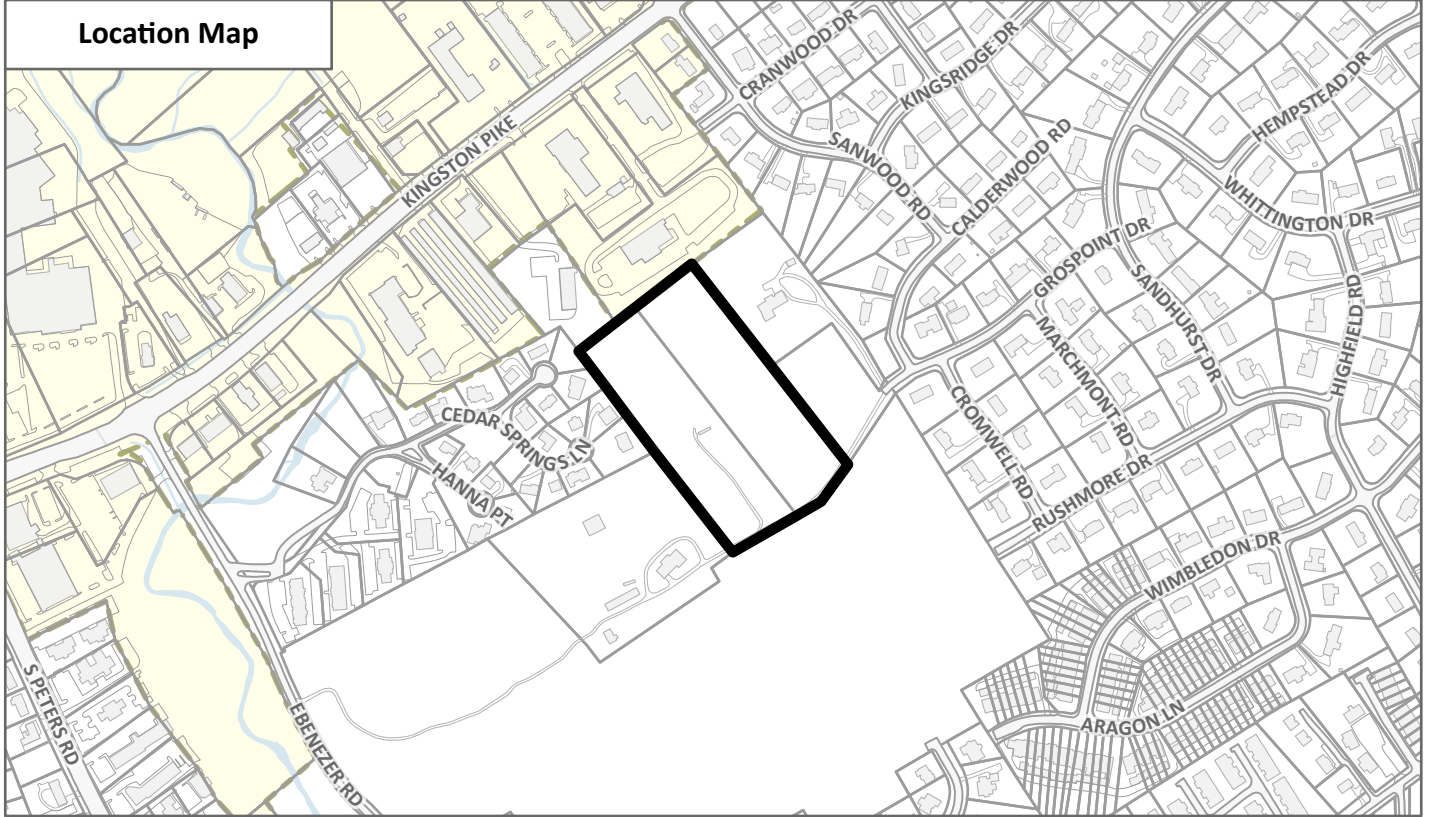
**Map No:** 132  
**Jurisdiction:** County

**Original Print Date:** 5/6/2024  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



# Exhibit A. Contextual Images

## Location Map



## Aerial Map

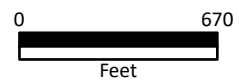


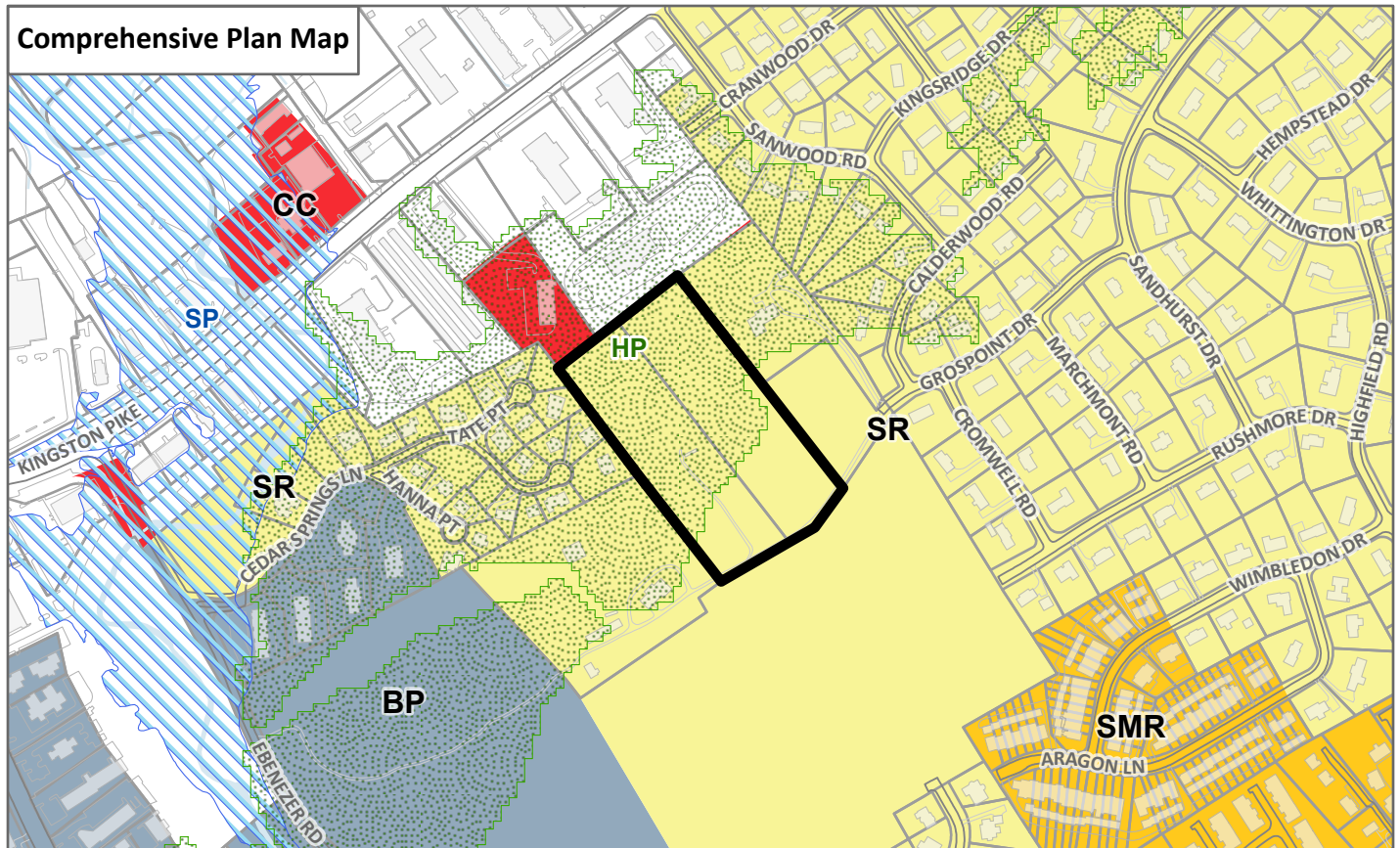
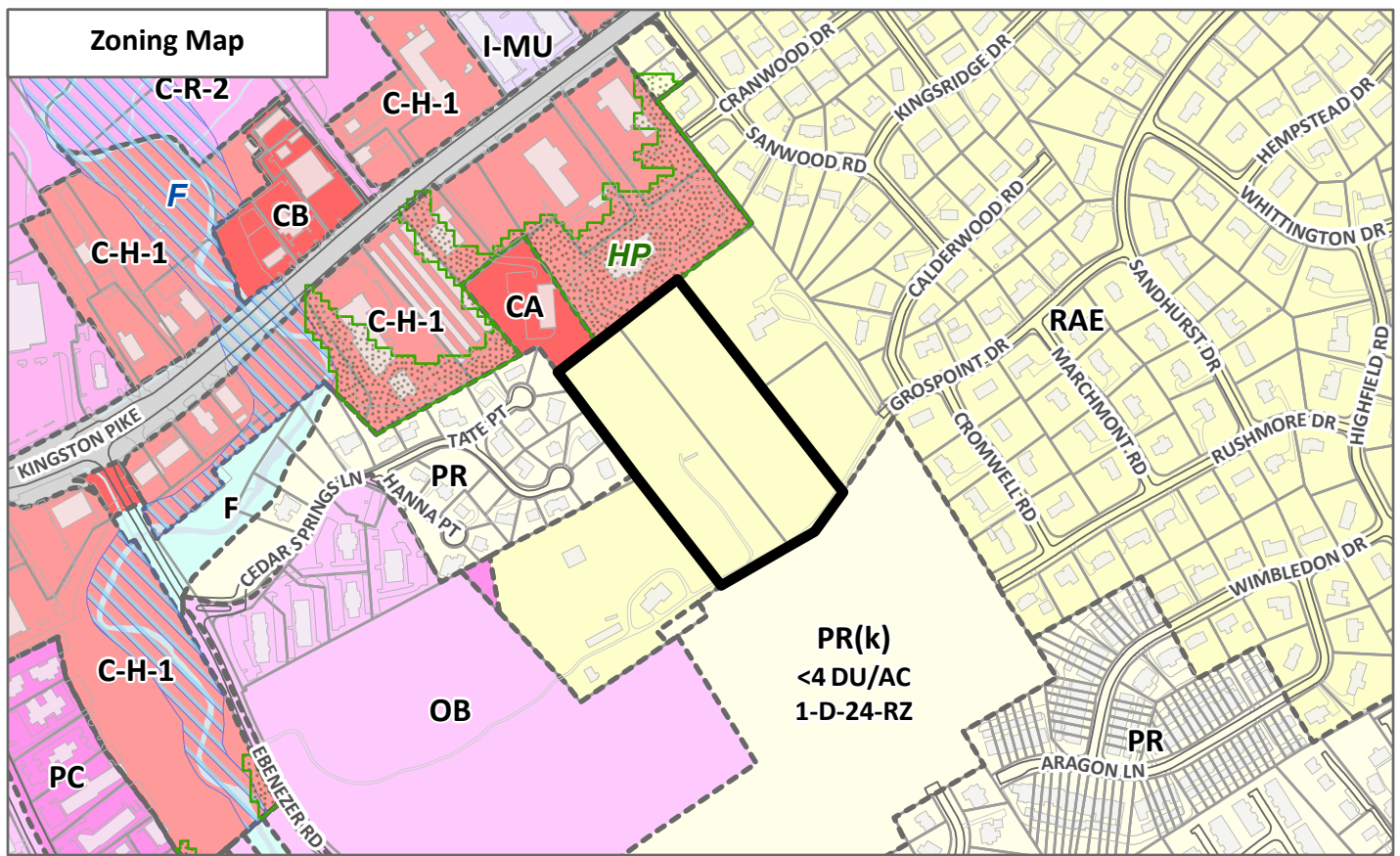
**CONTEXTUAL MAPS 1**

**6-O-24-RZ**



Case boundary



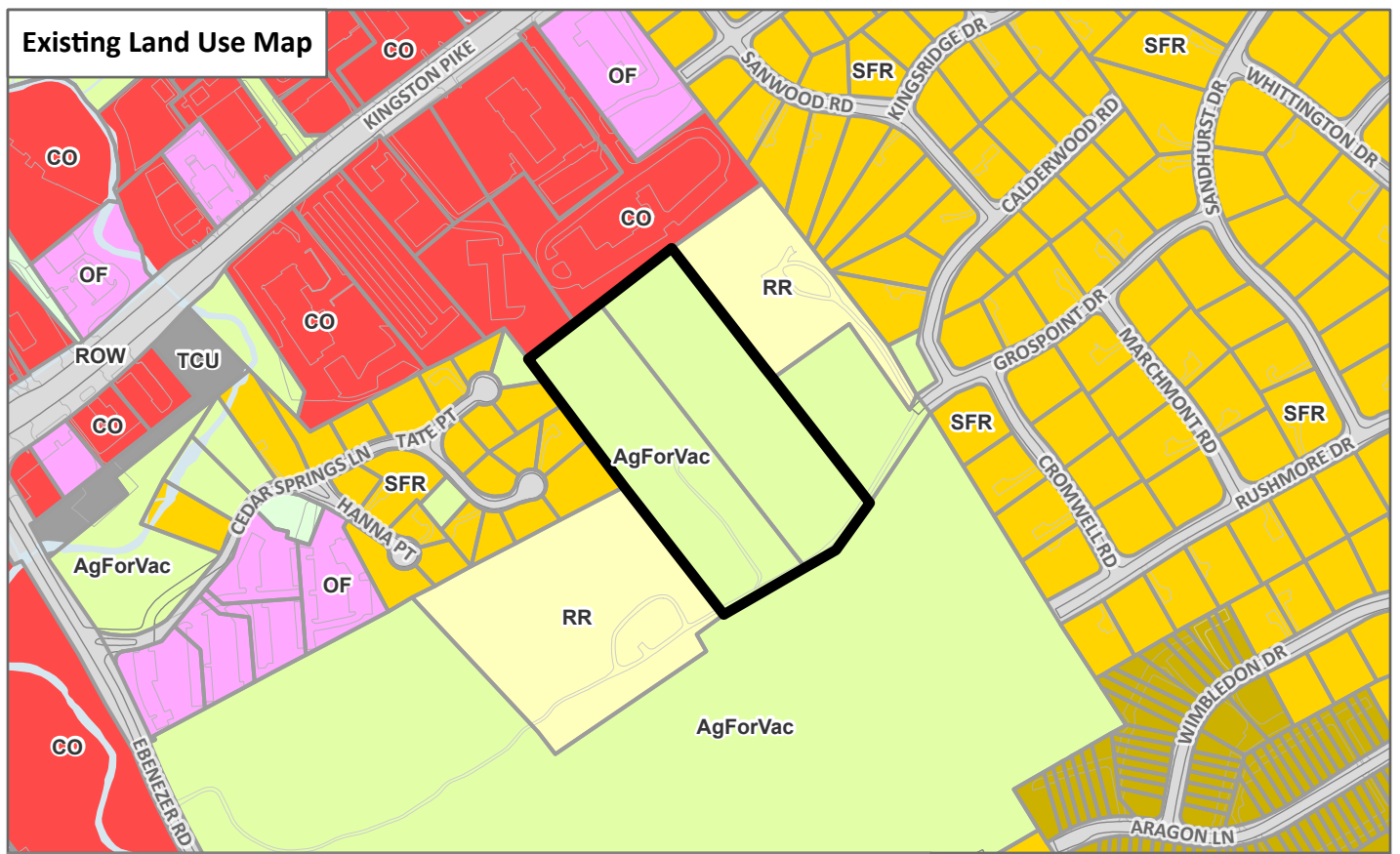


**CONTEXTUAL MAPS 2** **6-O-24-RZ**

Case boundary

0 620  
Feet

Existing Land Use Map



CONTEXTUAL MAPS 3

6-O-24-RZ

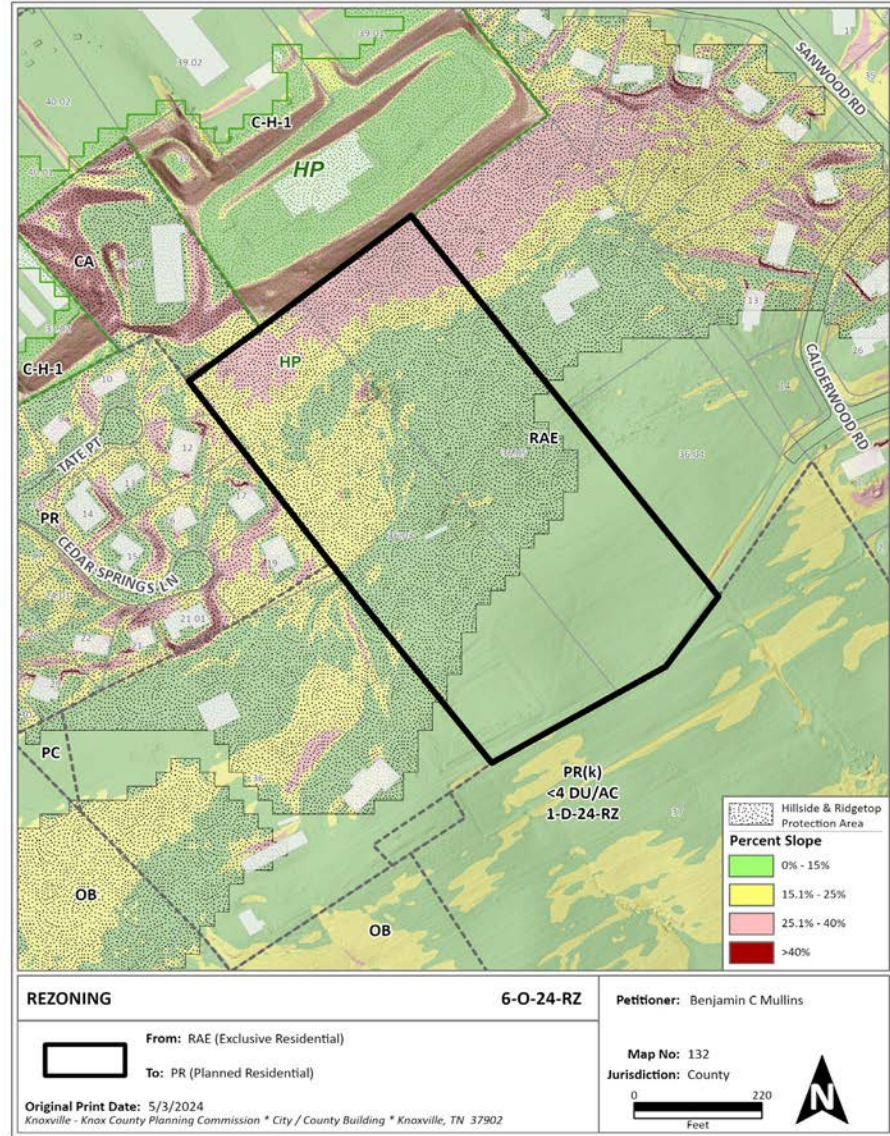


Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>10.70</b>		
Non-Hillside	4.00	N/A	
0-15% Slope	3.87	100%	3.87
15-25% Slope	1.81	50%	0.91
25-40% Slope	1.00	20%	0.20
Greater than 40% Slope	0.02	10%	0.00
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>6.71</b>	Recommended disturbance budget within HP Area (acres)	<b>4.98</b>
		Percent of HP Area	<b>74.3%</b>

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	4.00	4.00	16.0
0-15% Slope	3.87	4.00	15.5
15-25% Slope	1.81	2.00	3.6
25-40% Slope	1.00	0.50	0.5
Greater than 40% Slope	0.02	0.20	0.0
Ridgetops		3.00	0.0
<b>Subtotal: Sloped Land</b>	<b>6.71</b>		<b>19.6</b>
<b>Maximum Density Guideline (Hillside &amp; Ridgetop Protection Plan)</b>	<b>10.70</b>	<b>3.33</b>	<b>35.6</b>
<b>Proposed Density (Applicant)</b>	<b>10.70</b>	<b>4.00</b>	<b>42.8</b>







# 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

**4/29/2024**

Date Filed

**6/13/2024**

Meeting Date (if applicable)

**6-O-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

**Anderson Geneva Cain Trust**

Owner Name (if different)

**8803 Grospoint Dr Knoxville TN**

Owner Address

**865-567-3452**

Owner Phone / Email

**0 GROSPPOINT DR / 8757 GROSPPOINT DR**

Property Address

**132 036 03, 036 05**

Parcel ID

**9.9 acres**

Tract Size

Part of Parcel (Y/N)?

**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**

**RAE (Exclusive Residential)**

**Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

**Urban Growth Area (Outside City Limits)**

Planning Sector

Land Use (City)/Place Type (County)

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	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>PR (Planned Residential)</b>	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment    Proposed Plan Designation(s)	

### up to 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	Total
<b>\$1,145.00</b>	
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**    Date: **4/29/2024**  
Please Print

Phone / Email

Property Owner Signature: **Anderson Geneva Cain Trust**    Date: **4/29/2024**  
Please Print



**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME  
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Kenneth Anderson	160 Kendemere Pointe Roswell, GA	

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# 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

June 13, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

6-O-24-RZ

## 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

K. Anderson and Anderson Geneva Cain Tru See Supplemental Sheet

See Supplemental Sheet

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 and 8757 Grospoint Dr.

132 03605 and 132 03603

Property Address

Parcel ID

FUD

FUD

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

E of Ebenezer; S. of Grospoint

~9.9 acres

General Location

Tract Size

City  County

3

RAE

RR

District

Zoning District

Existing Land Use

SW County

SR place type

Planned Growth

Planning Sector

Sector Plan Land Use Classification  
Land Use Designation

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

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

Related City Permit Number(s)

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

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

## SUBDIVISION REQUEST

Related Rezoning File Number

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

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

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

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

Attachments / Additional Requirements

## ZONING REQUEST

Pending Plat File Number

Zoning Change    PR  
 Proposed Zoning \_\_\_\_\_

Plan Amendment Change  
 Proposed Plan Designation(s) \_\_\_\_\_

4 dua

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



Benjamin C. Mullins

Applicant Signature

Please Print

Date

865-546-9321

bmullins@fmsll.com

Phone Number

Email



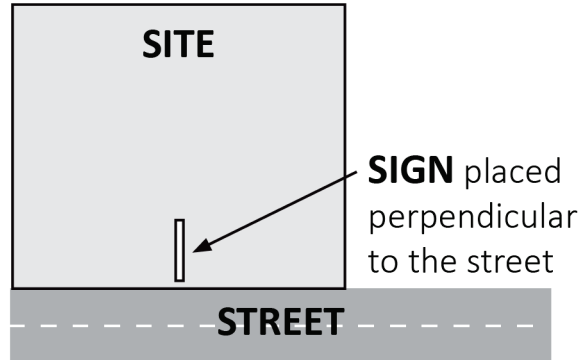
for Nancy Brown (See Supplemental Sheet) 04/29/2024, SG

Property Owner Signature

Please Print

Date Paid

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:*

\_\_\_\_\_ 05/31/2024 \_\_\_\_\_ and \_\_\_\_\_ 06/14/2024 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Benjamin C. Mullins

Date: 04/29/2024

File Number: 6-O-24-RZ

- Sign posted by Staff
- Sign posted by Applicant