



DEVELOPMENT PLAN REPORT

► **FILE #:** 6-G-24-DP

AGENDA ITEM #: 42

AGENDA DATE: 6/13/2024

► **APPLICANT:** BEN MULLINS

OWNER(S): Richard Perry

TAX ID NUMBER: 104 017.07

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 HARDIN VALLEY RD

► **LOCATION:** South side of Hardin Valley Rd, west of Westcott Blvd

► **APPX. SIZE OF TRACT:** 7.09 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Road, a major arterial street with a median and an 80-ft pavement width within a 160-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

► **ZONING:** RB(k) (General Residential)

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

► **PROPOSED USE:** Multifamily development, 84 units

DENSITY PROPOSED: 11.8 du/ac

HISTORY OF ZONING: This property was rezoned in May of 2024 from PC(k) (Planned Commercial) to RB(k) (General Residential) with a condition that the density not exceed 12 du/ac (4-M-24-RZ) .

SURROUNDING LAND USE AND ZONING: North: Office, agriculture/forestry/vacant land - PC (Planned Commercial)
South: Multifamily residential - PR (Planned Residential) up to 6 du/ac
East: Multifamily residential - PR (Planned Residential) up to 6 du/ac
West: Rural residential - CA (General Business)

NEIGHBORHOOD CONTEXT: This area along Hardin Valley Road contains a diverse mix of uses including retail commercial, medical offices, self-service storage and planned residential communities.

STAFF RECOMMENDATION:

► **Withdraw due to a rezoning to the RB (General Residential) zone instead of the PR (Planned Residential) zone.**

ESTIMATED TRAFFIC IMPACT: 816 (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: 5 (public school children, grades K-12)

Schools affected by this proposal: Mill Creek Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



Request to Postpone • Table • Withdraw

Ben Mullins

05-21-2024

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

Date of Request

June 13, 2024

Scheduled Meeting Date

File Number(s)

6-G-24-DP

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 _____ 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

Please Print

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

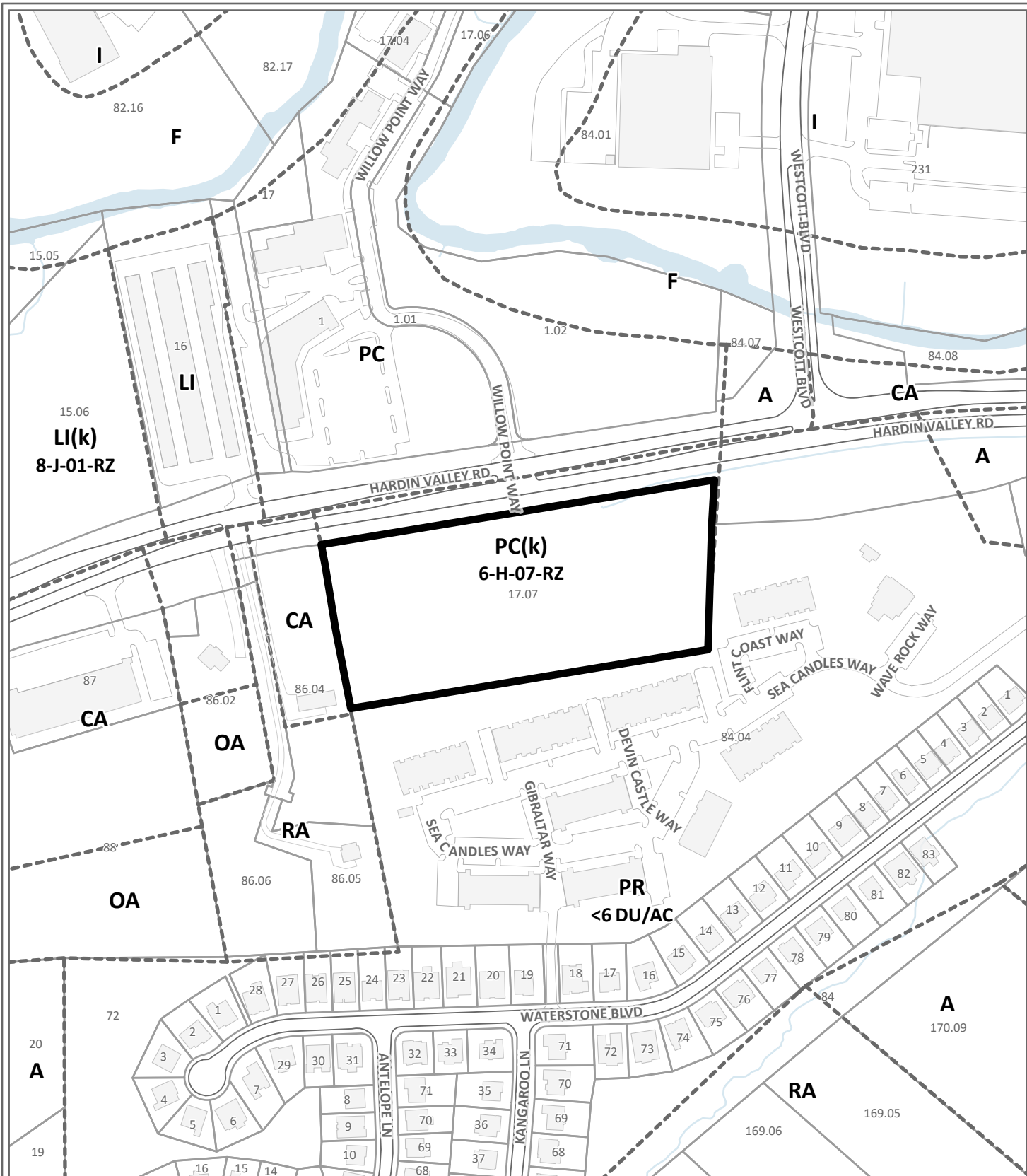
Date:

Payee Name

Payee Phone

Payee Address

October 2022



DEVELOPMENT PLAN

6-G-24-DP

Petitioner: Ben Mullins



Multifamily development 84 units in PC(k) (Planned Commercial)

Original Print Date: 5/6/2024

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

Map No: 104

Jurisdiction: County

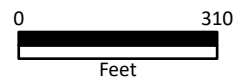
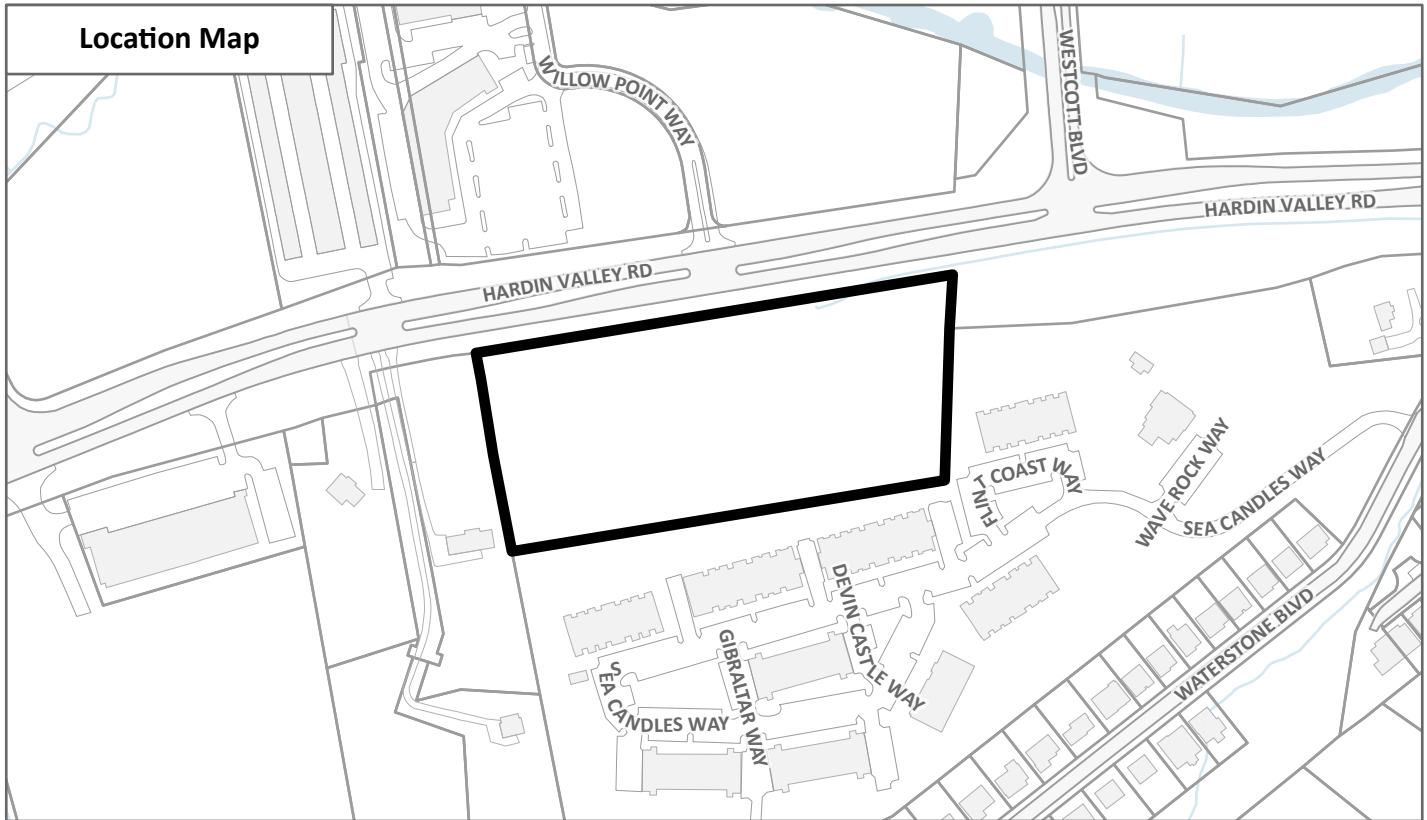


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

6-G-24-DP

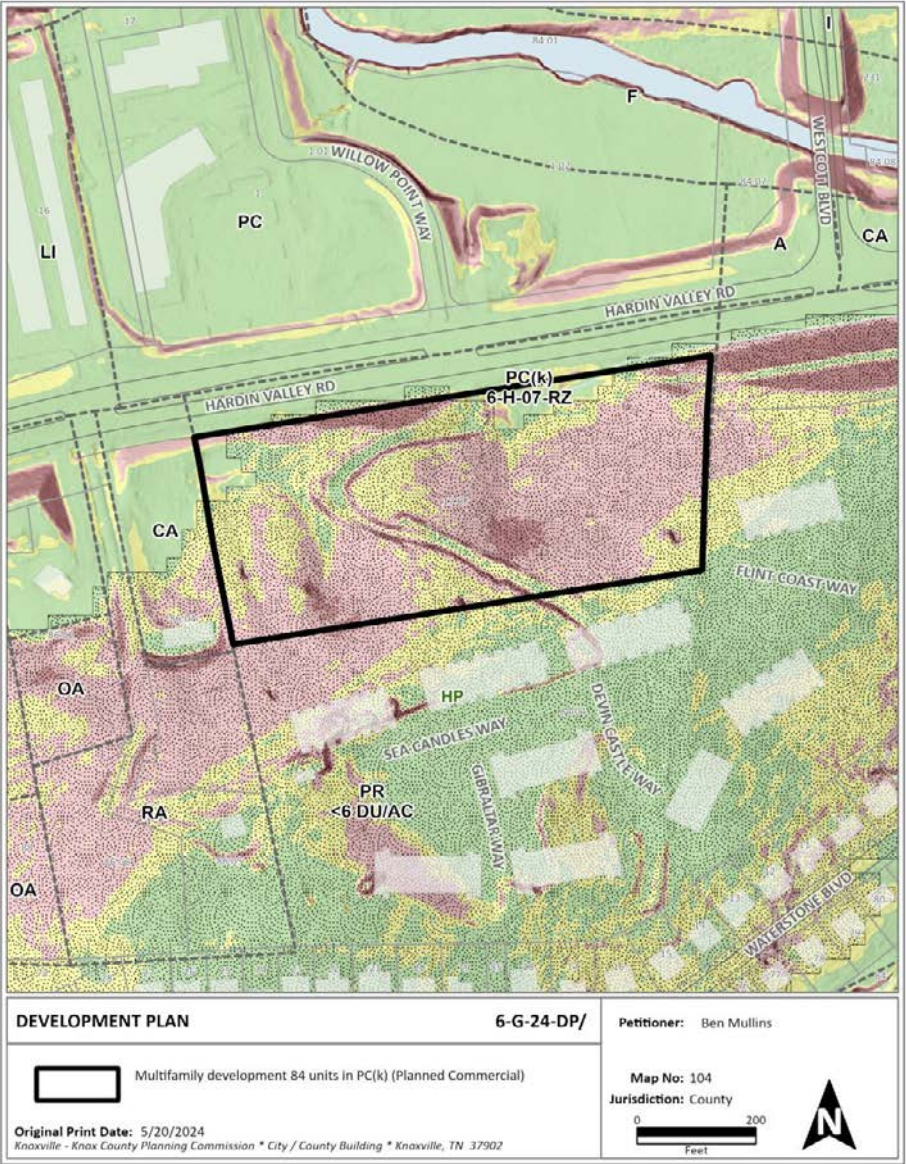


Case boundary

0 360
Feet



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	7.1		
Non-Hillside	0.4	N/A	
0-15% Slope	0.4	100%	0.4
15-25% Slope	2.0	50%	1.0
25-40% Slope	3.6	20%	0.7
Greater than 40% Slope	0.6	10%	0.1
Ridgetops			
Hillside Protection (HP) Area	6.7	Recommended disturbance budget within HP Area (acres)	2.2
		Percent of HP Area	33.5%





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

Ben Mullins

Applicant Name

Affiliation

4/29/2024

Date Filed

6/13/2024

Meeting Date (if applicable)

6-G-24-DP

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

Richard Perry

Owner Name (if different)

3830 Compass Point Dr Louisville TN

Owner Address

865-310-7400

Owner Phone / Email

0 HARDIN VALLEY RD

Property Address

104 017.07

Parcel ID

7.09 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Hardin Valley Rd, west of Westcott Blvd

General Location

☐ City **Commission District 3** **PC(k) (Planned Commercial)**

☒ County District Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

Northwest County **GC (General Commercial), HP (Hillside Protection)**

Planning Sector Land Use (City)/Place Type (County)

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input checked="" 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) Multifamily development 84 units			

SUBDIVISION REQUEST

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

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
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
\$1,000.00	
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.

Ben Mullins	4/29/2024
Applicant Signature	Date

Richard Perry	4/29/2024
Property Owner Signature	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 Option Holder

Applicant Name

Affiliation

4-29-2024

June 13, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

6-G-24-DP

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

Richard Perry

3830 Compass Point Dr. Louisville, TN

865-310-7400

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Hardin Valley Dr.

104 01707

Property Address

Parcel ID

WKUD

WKUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southsdie of Hardin Valley Rd., southeast of Wescott Blvd.

~7.14

General Location

Tract Size

6

PR @ 12 (pending County Com Vacant

☐ City ☒ County

District

Zoning District

Existing Land Use

Northwest County

MDR (pending County Commission approve Planned Growth

Planning Sector

Sector Plan Land Use Classification

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) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change

Proposed Zoning _____

☐ Plan Amendment Change

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

Please Print

4-29-24

Date

Phone Number _____

Email _____

Property Owner Signature

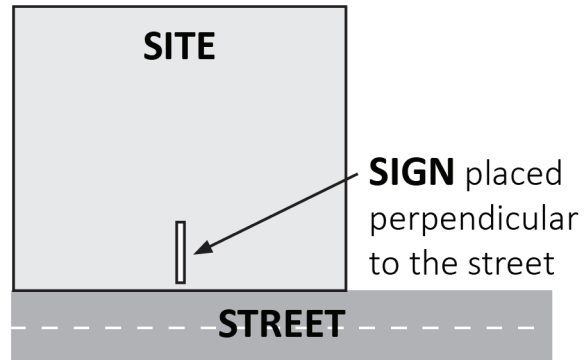
Richard Perry

Please Print

4-29-24, SG

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: Ben Mullins

Date: 04/29/2024

File Number: 6-G-24-DP (0 Hardin Valley Rd)



Sign posted by Staff



Sign posted by Applicant