

ROBERT L. KAHN  
REGGIE E. KEATON  
MICHAEL W. EWELL  
JOHN M. LAWHORN  
JAMES E. WAGNER  
BEVERLY D. NELMS  
MARY ELIZABETH MADDOX  
BENJAMIN C. MULLINS  
RICHARD T. SCRUGHAM, JR.  
MATTHEW A. GROSSMAN  
KEVIN A. DEAN  
SHARON H. KIM  
RICHARD E. GRAVES  
REBEKAH P. HARBIN  
MICHAEL A. C. LEE  
NIKOL D. PLUESS

FRANTZ FMS  
MCCONNELL & SEYMOUR LLP  
established 1902  
*client-centric & committed to success*

550 W. Main Street  
Suite 500  
Knoxville, Tennessee  
37902

phone 865.546.9321  
fax 865.637.5249  
web fmsllp.com

Email: [bmullins@fmsllp.com](mailto:bmullins@fmsllp.com)  
Direct Fax: 865-541-4609

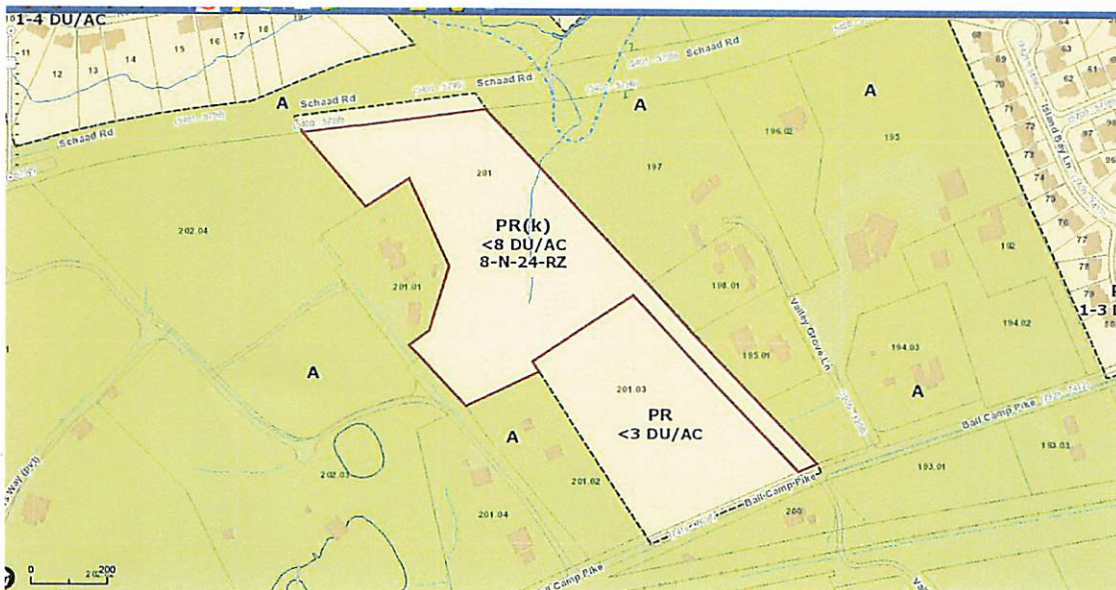
December 9, 2024

Re: Agenda Item No. 22  
7507 Ball Camp Pk.  
File # 11-A-24-RZ

Dear Planning Commissioners:

I represent the property owner of 7507 Ball Camp Pike (the "Property") who has filed an application to rezone the property from Planned Residential (PR) at 3 du/ac to PR at 8 du/ac. Despite approving the neighboring property to the north a rezoning from Agricultural (A) to PR at 8 du/ac just 3-months ago (See 8-N-24-RZ; staff report copied hereto as **Exhibit 1**), staff is recommending denial of allowing the same density for contiguous property. For the reasons set forth below, we ask that the Commission grant approve the rezoning to PR (Planned Residential) at a density of **8 du/ac**.

Table I: Current Zoning Map:



The Property is 5.05 acres total, less than the 8.07 acres recently provided the same density requested in the current application. The primary difference is that this Property does not have frontage on Schaad Road. That appears to be the principal difference cited to by staff in its analysis; however, this distinction should not prevent the same density from being applied to this Property. The Property is in the Planned Growth area and is designated SR (Suburban Residential) in the Comprehensive Plan, which allows consideration of the PR zone with up to 12 du/ac. Our request is well within that range at 8 du/ac.

In distinguishing this property from the recently approved neighboring property, staff states “that parcel has frontage along Schaad Road, while the subject property only has access off of Ball Camp Pike.” This is true; however, staff has overlooked its analysis in 8-N-24-RZ insofar as it was (and still is) uncertain whether that parcel could access Schaad Road as part of its frontage. As such, staff previously recommended, and this commission previously approved the following condition:

**If access to Schaad Road is not feasible, the property owner may be required to make appropriate improvements to Ball Camp Pike as deemed necessary by the Knox County Engineering and Public Works Department.**

Thus, it is not assured that the neighboring property will be able to access the Schaad Road extension. If that Property cannot access Schaad Road, then it will access Ball Camp Pike at the same location as the applicant’s Property and it will likely be required to improve that stretch of Ball Camp Pike as required by Knox County Engineering. *This Property should be treated the same and be allowed additional density subject to the same condition.* Moreover, as a Development Plan has not been submitted for the neighboring property, it is possible, and even likely, that cross-connectivity<sup>1</sup> between this Property and the neighboring property could be recommended; therefore, it is possible, if not plausible, that the applicant’s Property will ultimately have access to both Ball Camp Pike and the Schaad Road extension.

### **Tennessee Advisory Commission on Intergovernmental Relations Report**

In order 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 8 dua would serve that recommendation.

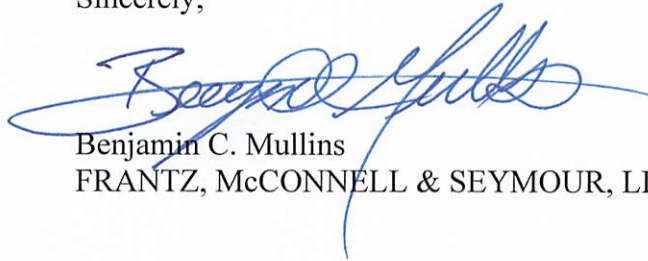
---

<sup>1</sup> The 2024 Knox County Comprehensive Land Use and Transportation Plan references transportation connectivity 21 times. Specifically, Policies 4.2 and 11 both promote “pedestrian and vehicular connectivity” with new development with Policy 4.2 aspiring to “require” connectivity with development.

**I. Conclusion.**

Two of the stated goals of the Advance Knox Process were to eliminate policies that would create sprawl and to allow development to occur in the designated areas with existing infrastructure or areas where the infrastructure could be easily improved. This Property would address these two stated goals if approved at 8 du/ac. To restrict its current 3 du/ac would not help address either the current population growth or the affordability crisis Knox County is experiencing. Instead, a denial of this increased density would squander an opportunity to place an additional 25 potential homes in a location that is suited for this density and maximize on an opportunity to improve two intersections already in need of improvement. As such, I respectfully request you recommend to the County Commission that this property be rezoned to PR at a density of 8 du/ac. I look forward to discussing this further at Thursday's meeting.

Sincerely,



Benjamin C. Mullins  
FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:mlk