

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



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May 11, 2026

Knoxville-Knox County Planning

City-County Building
400 Main Street, Suite 403
Knoxville, TN 37902

Re: Sycamore Breeze Rd.
Agenda No. 35
5-J-26-RZ

Dear Planning Commission:

I represent the applicant for the rezoning application for Property at Sycamore Breeze Rd. This application is seeking a change in the zoning PR at 3.7 du/a to PR at 4 du/a to accommodate the re-subdivision of two existing large lots with existing homes on them into 7 smaller lots, for a net additional 5 lots. The applicant reached out to Planning staff prior to filing this application, and staff indicated at that time that they would likely support the rezoning.¹ Nevertheless, staff's ultimate recommendation is to deny the modest increase in density citing a lack of change of conditions since the 2023 rezoning. I would respectfully assert that there have been changing conditions, independent of market conditions, that would justify the rezoning, and I would ask that you recommend approval of PR at 4 du/a to County Commission.

The property is ~ 20 acres. (20.56 based on staff's current report; 20.21 based on the previously approved Concept and Development Plan [1-SC-24-C]). Back in 2023 this property was rezoned to PR at 3.7 du/ac. The applicant had originally asked for 5 du/a, staff recommended 5 du/a, and Planning Commission voted to approve 5 du/a. At County Commission, the applicant agreed to reduce its request to 3.7 du/ac with the intent to keep two existing homes on individual lots. That density was ultimately approved by County Commission in December of 2023: <https://www.kgis.org/CaseSummaries/8-F-23-RZ.pdf>.

As noted above, concept and development plan was approved in 2024 for 74 lots (which equals 3.66 du/a). <https://www.kgis.org/CaseSummaries/1-SC-24-C.pdf>. CMH now desires to replace the two existing homes with homes designed and built by CMH to make this a unified

¹ A copy of the pre-application email chain is attached here as **Exhibit 1**.

development in terms of aesthetics and branding. A copy of the proposed concept plan for these 7 lots is attached hereto as **Exhibit 2**. If density could be calculated based on the area of these 7 lots, then it would be approximately 2.83 dua (7 lots on ~2.47 acres). There are no significant cost savings in the development in replacing these 2 lots with 7 smaller lots, but it would allow for a flagship subdivision to exemplify the product CMH is producing for similar developments in the future.

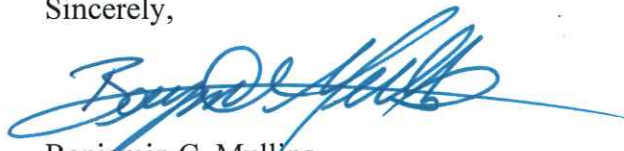
Although staff's report recognized the multiple justifications for originally recommending and supporting 5 dua in 2023, their recommendation for denial seems to be routed completely in the concept that there are no substantial changing conditions to justify supporting a density that is less than they originally recommended following the 2023 rezoning. I would respectfully submit that there are substantial changing conditions.

Since the rezoning in 2023, the LDR (Low Density Residential) Sector Plan was replaced by the Advance Knox Place Types. The place type imposed on this property, after the rezoning was SR (Suburban Residential). While the LDR place type capped potential density at 5 dua, the SR place type allows for considerations of up to 12 dua. That consideration for additional density at this location is a substantial changing condition.

This change has minimal, if any, impact on the surrounding character of the neighborhood or potential impacts. It is a net of 5 units that would not require any additional infrastructure or impact traffic or schools in any meaningful way.² The upside is that it would allow an additional 5 residences to be brought to market within walking distance of two schools and further help address the housing attainability issues which plague Knox County.

Because of the change in the Comprehensive Plan via Advance Knox, which now allows for consideration of additional density on this property than before the 2023 rezoning, I would respectfully request you approve this rezoning request to 4 dua. Please let me know if you have any questions before Thursday's meeting.

Sincerely,



Benjamin C. Mullins
FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:amc

S:\WDOX\Clients\639\200625\CORRESPON\03069374.DOCX

² Attached as **Exhibit 3** is the email correspondence with EPW on whether or not a new TIA would be required.

Benjamin C. Mullins

From: Michelle Portier <michelle.portier@knoxplanning.org>
Sent: Monday, February 9, 2026 9:58 AM
To: Benjamin C. Mullins
Cc: Jessie Hillman; Amy Brooks; Jim Snowden; Steve Elliott
Subject: Re: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Follow Up Flag: Follow up
Flag Status: Completed

Ben,

I think we could support 3.95 or 4 - it's a minor increase over the 3.9 we discussed. As for how to fill out the application, all lots would have to be listed individually since they've been subdivided already. What you've described - having them on a separate list - is fine since they won't fit on the application. You can write "Multiple lots - see list" in that field, or maybe "All lots associated with previous concept 1-SC-24-C, 1-B-24-DP"

Anyone else have any thoughts on this?

From: Benjamin C. Mullins <bmullins@fmsllp.com>
Sent: Sunday, February 8, 2026 12:34 PM
To: Michelle Portier <michelle.portier@knoxplanning.org>
Cc: Jessie Hillman <jessie.hillman@knoxplanning.org>; Amy Brooks <amy.brooks@knoxplanning.org>; Jim Snowden <jim.snowden@knoxcounty.org>; Steve Elliott <steve.elliott@knoxcounty.org>
Subject: RE: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Thank you, Michelle. Looking back at the concept plan approval, it looks like 74 lots were approved, but the acreage was slightly decreased from what it indicated on the rezoning (20.67 to 20.21). To acquire the additional 5 units (79 units total) at 20.21 would be 3.9089 du/ac. So, it would make sense to ask for either 3.95 du/ac or 4 du/ac to be safe. Would staff still support 3.95 or 4?

Also, all 74 units are owned by CMH, but they now have their own individual address and tax id. I will have to list them all on a separate sheet since all current 74 units will need to be rezoned to allow for the density required even though only 2 or 3 lots (lots 1, 72, and maybe 73) will be ultimately re-subdivided. Am I thinking about this correctly? I can provide a separate information sheet listing all current 74 lots with their owner information, tax identification, and address for the application (unless you can think of a different or easier way to do this).

The only other option would be to rezone just those three lots, but we would need to calculate what the density would need to be.

What are your thoughts?

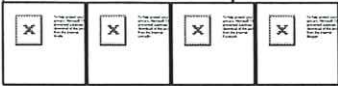
Benjamin C. Mullins *Attorney*



Exhibit 1

550 W. Main Street, Suite 500 | Knoxville, Tennessee 37902

phone: 865.546.9321 | fax: 865.637.5249 | email: bmullins@fmsllp.com



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From: Michelle Portier <michelle.portier@knoxplanning.org>

Sent: Friday, February 6, 2026 4:28 PM

To: Benjamin C. Mullins <bmullins@fmsllp.com>

Cc: Jessie Hillman <jessie.hillman@knoxplanning.org>; Amy Brooks <amy.brooks@knoxplanning.org>; Jim Snowden <jim.snowden@knoxcounty.org>; Steve Elliott <steve.elliott@knoxcounty.org>

Subject: Fw: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Ben,

We discussed this and would be likely to support 3.9 for the development, provided they're under the same ownership still. Planning team, feel free to add anything I may have missed!

Thank you,
Michelle

From: Amy Brooks <amy.brooks@knoxplanning.org>

Sent: Thursday, February 5, 2026 8:10 AM

To: Michelle Portier <michelle.portier@knoxplanning.org>; Jessie Hillman <jessie.hillman@knoxplanning.org>

Subject: Fw: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

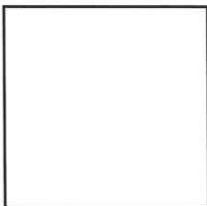
Can we add this to our agenda for case discussions tomorrow?

Thank you!

Amy Brooks, CPM, AICP
Executive Director
(865) 215-4001

Knoxville-Knox County Planning | Knoxville Regional TPO

400 Main Street, Suite 403 | Knoxville, TN 37902



From: Benjamin C. Mullins <bmullins@fmsllp.com>

Sent: Wednesday, February 4, 2026 5:10 PM

To: Jessie Hillman <jessie.hillman@knoxplanning.org>; Jim Snowden <jim.snowden@knoxcounty.org>; Steve Elliott <steve.elliott@knoxcounty.org>; Amy Brooks <amy.brooks@knoxplanning.org>

Subject: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Amy, Jim, Steve, and Jessie:

Back in 2023 this property was rezoned to PR at 3.7 du/ac. I had originally asked for 5, which was supported by staff and recommended by Planning Commission. 3.7 was a compromise that was ultimately approved at County Commission. <https://www.kgis.org/CaseSummaries/8-F-23-RZ.pdf>

A concept and development plan was approved in 2024 for 74 lots (3.66 du/ac). <https://www.kgis.org/CaseSummaries/1-SC-24-C.pdf>

In April 2024, the new land use map was adopted which changed this land use map from LDR to SR.

CMH is looking to potentially remove the two existing homes on Lots 1 and 72 and replace it with 7 new lots/units for a net gain of 5 units and a total of 77 units. That would need a rezoning of PR up to 3.9 du/ac. If they wanted to pursue a rezoning, would Planning Staff and EPW support the zoning change given that they supported 5 du/a in 2023 and we have has a land use map change that would potentially accommodate more intense development than the prior LDR sector plan?

My clients are trying to make this decision before the upcoming deadline on February 23 so your thoughts on this would be greatly appreciated and help me advise my clients on this potential decision.

Thank you very much for your help.

Benjamin C. Mullins *Attorney*

550 W. Main Street, Suite 500 | Knoxville, Tennessee 37902

phone: 865.546.9321 | fax: 865.637.5249 | email: bmullins@fmsllp.com

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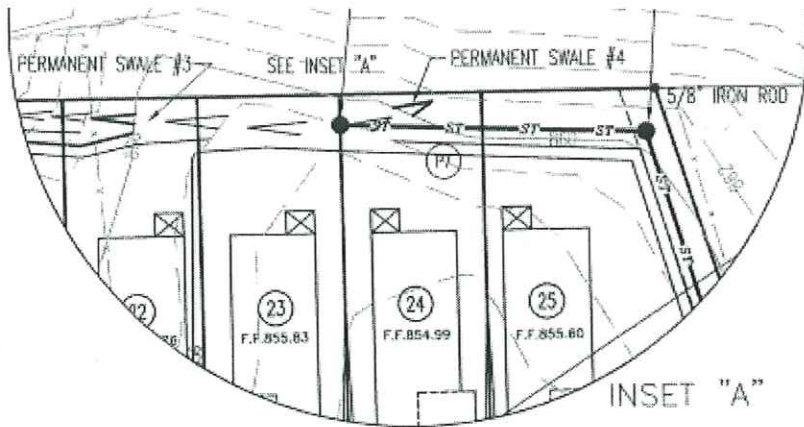
From: Rosebush, John <John.Rosebush@ClaytonHomes.com>

Sent: Wednesday, February 4, 2026 4:55 PM

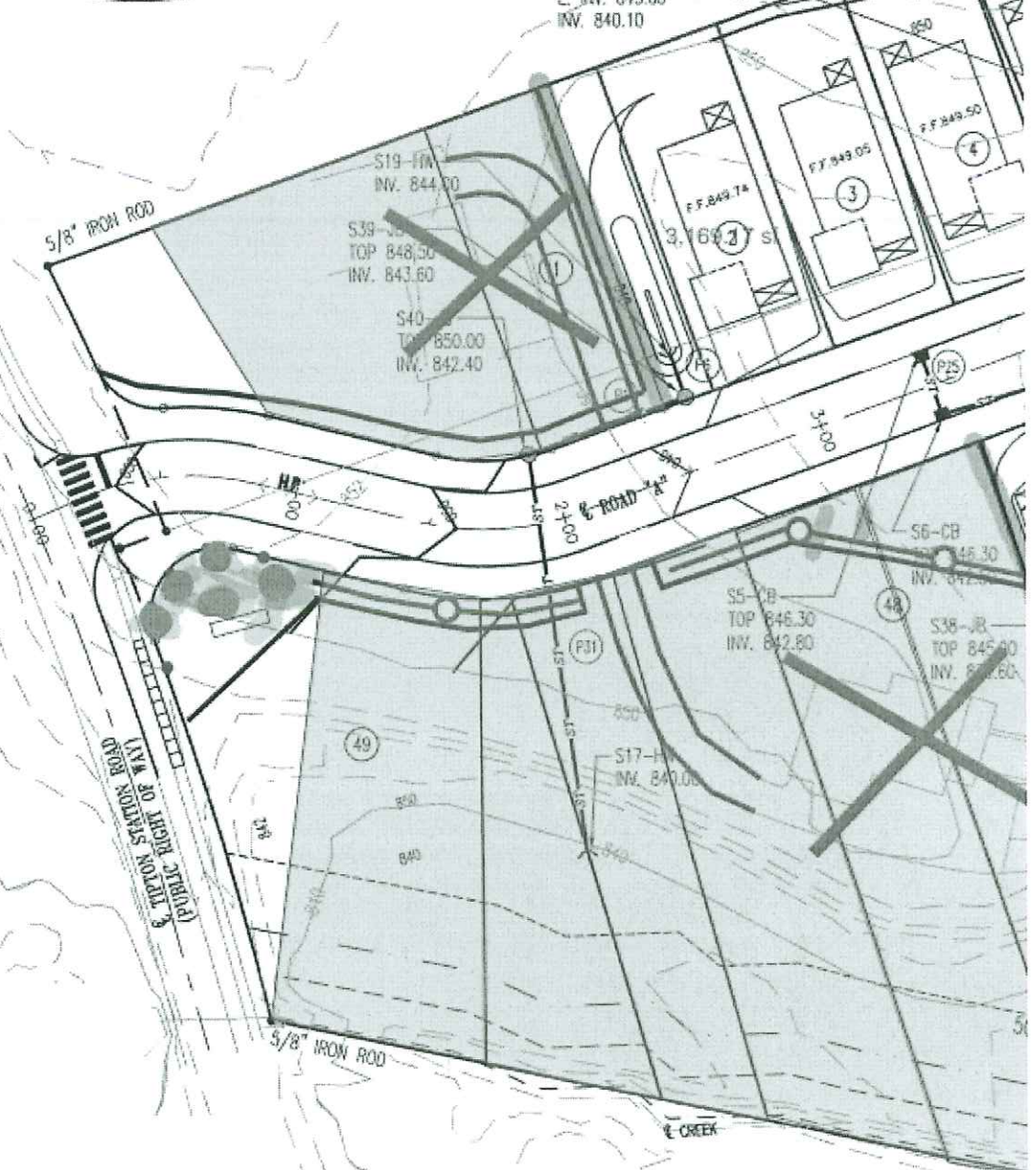
To: Benjamin C. Mullins <bmullins@fmsllp.com>

Cc: Hicks, Wes <Wes.Hicks@ClaytonHomes.com>

Subject: Tipton



- S12-CB
TOP 853.60
INV. 845.10
- S11-CB
TOP 853.60
INV. 844.80
- S10-CB
TOP 850.30
INV. 846.00
- S8-CB
TOP 847.70
INV. 843.50
- S9-CB
TOP 850.30
INV. 846.30
- S7-CB
TOP 847.70
E. INV. 843.00
INV. 840.10



**"NO WORK WITHIN
THE 25' STREAM BUFFER
IS ALLOWED WITHOUT
SPECIAL PERMITS"**



John Rosebush
Land Development Manager
5000 Clayton Road, Maryville, TN 37804
(609) 234-7440

Open doors. Be a home. Drive change. Do good. Earn trust.

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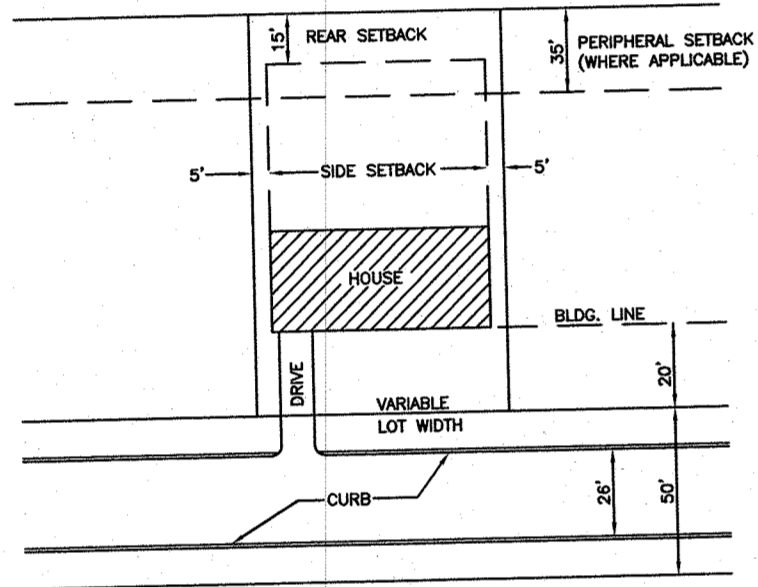
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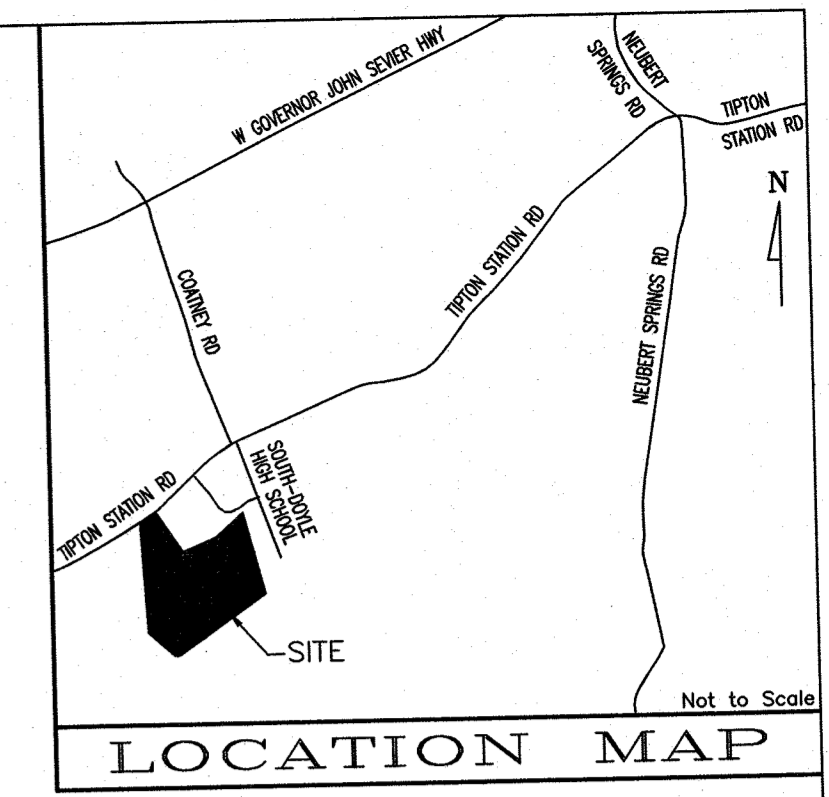
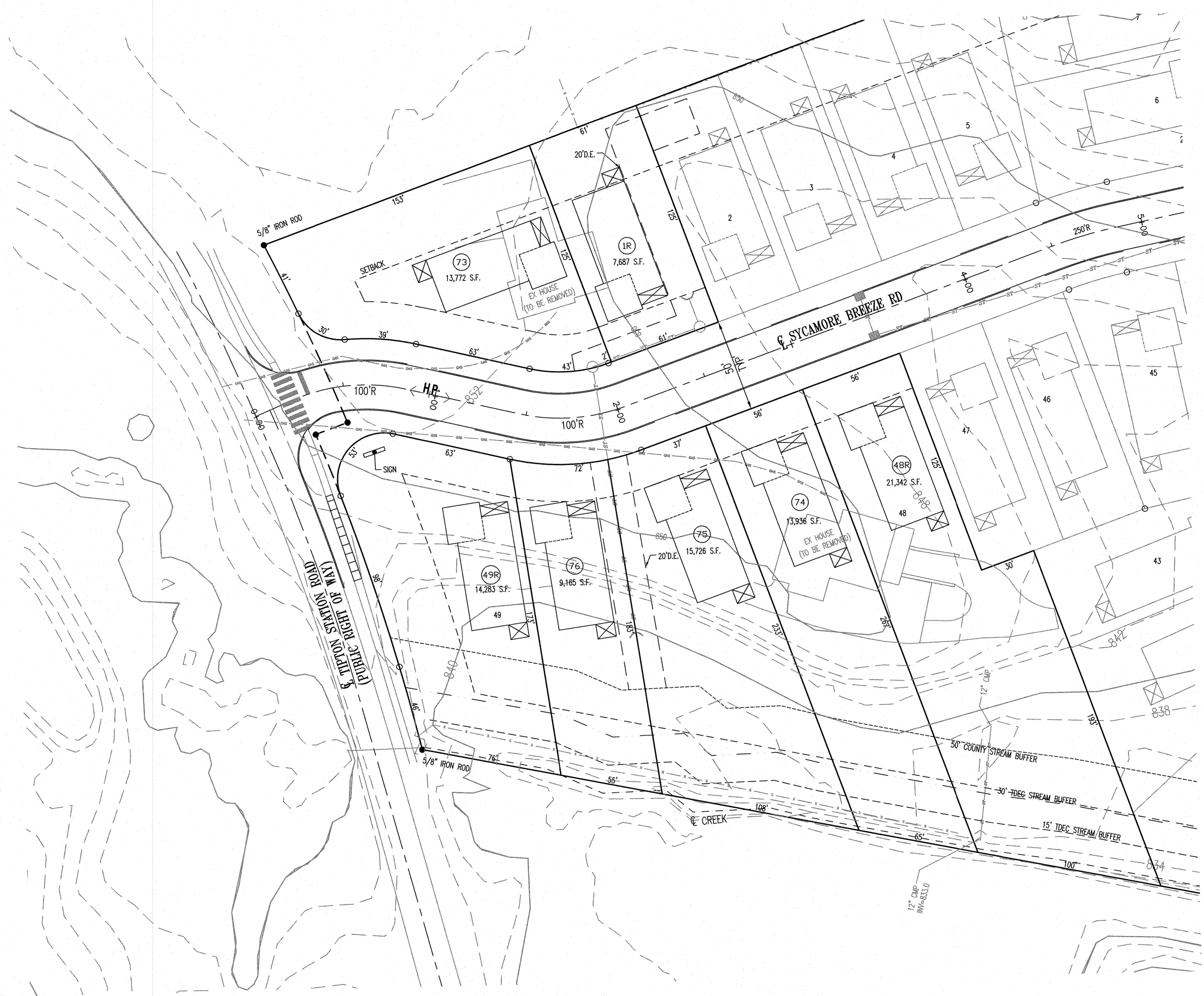
NOTE:
THREE DAYS PRIOR TO ANY EARTHWORK
OR CONSTRUCTION CONTRACTOR MUST
CONTACT:
TENNESSEE ONE-CALL
1-800-351-1111
RECORD AND SAVE YOUR CONFIRMATION
NUMBER.

NOTE:
CONTRACTOR TO NOTIFY ENGINEER
BEFORE START OF CONSTRUCTION

NOTE:
CONTRACTOR IS RESPONSIBLE FOR
ALL TRENCH SAFETY.
CONTRACTOR SHALL SHORE AND
BRACE ALL OPEN CUT TRENCHES AS
REQUIRED BY STATE AND FEDERAL
LAWS AND LOCAL ORDINANCES; TO
CONFORM WITH RECOMMENDATIONS
SET FORTH IN AGC MANUAL OF
ACCIDENT PREVENTION IN
CONSTRUCTION; TO PROTECT LIFE,
PROPERTY, OR WORK; TO AVOID
EXCESSIVELY WIDE CUTS IN
UNSTABLE MATERIAL.
OSHA RULES SHALL BE ABIDED BY.



TYPICAL LOT LAYOUT
FOR SINGLE FAMILY DETACHED



- NOTES:
- ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAT.
 - A 10' DRAINAGE, UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 - A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
 - THIS PROPERTY CONTAINS 2.47 ACRES SUBDIVIDED INTO 7 DETACHED SINGLE FAMILY LOTS.
 - THIS PROPERTY IS ZONED PR.
 - ALL SURVEY AND TOPOGRAPHIC INFORMATION BASED ON SURVEY MAP PROVIDED BY MBI ASSOCIATES ON AUGUST 16, 2023. ROAD PROFILES ARE BASED ON THIS INFORMATION.
 - UTILITIES:
WATER: KNOX CHAPMAN UTILITY DISTRICT
SEWER: KNOX CHAPMAN UTILITY DISTRICT
ELECTRIC: KNOXVILLE UTILITIES BOARD
GAS: KNOXVILLE UTILITIES BOARD
TELEPHONE: AT&T
CABLE TV: COMCAST
 - GEOTECHNICAL ENGINEER SHALL CERTIFY THE SLOPE STABILITY ON ALL FILL SLOPES.
 - BUILDING SETBACKS ARE AS FOLLOWS:
FRONT- 20'
REAR- 15'
SIDE- 5'
A 35' PERIPHERAL SETBACK SUPERCEDES ALL OTHER SETBACKS
 - EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON SURVEY PROVIDED BY MBI ASSOCIATES. CONTRACTOR IS RESPONSIBLE TO FIELD LOCATE ALL UTILITIES, BOTH HORIZONTALLY AND VERTICALLY PRIOR TO CONSTRUCTION.
 - THE 25' STREAM BUFFER MUST REMAIN IN ITS UNDISTURBED STATE. GRADING MAY BE ALLOWED BETWEEN THE 25' AND 50' BUFFER HOWEVER NO PAVEMENT OR OTHER IMPERVIOUS SURFACE IS ALLOWED, SLOPES MUST BE RE-VEGETATED.



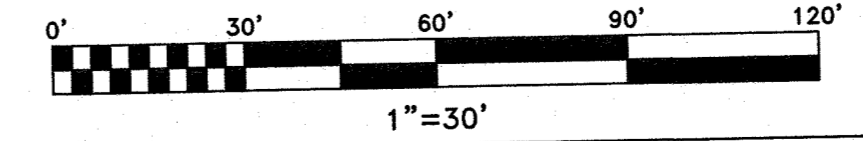
CERTIFICATION OF CONCEPT PLAN:
I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS AND STATISTICS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN REMITTED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.
REGISTERED ENGINEER *David B. Harn*
TENNESSEE CERTIFICATE NO. 101859

OWNER/DEVELOPER
CMH HOMES, INC
500 CLAYTON ROAD
KNOXVILLE, TN 37804
(865) 380-3000

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERMILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE: (865) 588-6472
FAX: (865) 588-6473
email@bhn-p.com

DESIGNED	DBH	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.
DRAWN	SEW							
CHECKED	DBH							

SCALE
HORIZONTAL: 1" = 30'
VERTICAL: 2" INTERVAL
DATE
4/22/26



CONCEPT & DEVELOPEMENT PLAN FOR
SYCAMORE ESTATES PHASE 2
TAX MAP 148CJ PARCELS 1, 72 & 73
9TH CIVIL DISTRICT, KNOX COUNTY, TENNESSEE

25531-2-C
SHEET 1 OF 1 SHEET(S)
Q:\25531\PHASE 2\25531-2-C.DWG

Benjamin C. Mullins

From: Jim Snowden <Jim.Snowden@knoxcounty.org>
Sent: Tuesday, March 24, 2026 5:18 PM
To: Benjamin C. Mullins; Michelle Portier
Cc: Jessie Hillman; Amy Brooks; Steve Elliott; Mike Reynolds
Subject: Re: [External]RE: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Follow Up Flag: Flag for follow up
Flag Status: Completed

Amy - I'd be interested in what Mike Conger says, but I think we could look at the old TIA (I think from recent) and verify pretty quickly whether a TIL would be needed, considering the small number of lots.

Jim

From: Benjamin C. Mullins <bmullins@fmsllp.com>
Sent: Tuesday, March 24, 2026 3:22 PM
To: Michelle Portier <michelle.portier@knoxplanning.org>
Cc: Jessie Hillman <jessie.hillman@knoxplanning.org>; Amy Brooks <amy.brooks@knoxplanning.org>; Jim Snowden <Jim.Snowden@knoxcounty.org>; Steve Elliott <Steve.Elliott@knoxcounty.org>; Mike Reynolds <mike.reynolds@knoxplanning.org>
Subject: [External]RE: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Thanks. I'll have a draft for you soon. As you know, its 5 additional units (79 total). There was a prior TIA and we will need to know if that will need to be updated as well.

Here's a copy of the rezoning application that was just submitted as well. Thanks!

Benjamin C. Mullins *Attorney*



550 W. Main Street, Suite 500 | Knoxville, Tennessee 37902
phone: 865.546.9321 | fax: 865.637.5249 | email: bmullins@fmsllp.com



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From: Michelle Portier <michelle.portier@knoxplanning.org>
Sent: Tuesday, March 24, 2026 3:10 PM
To: Benjamin C. Mullins <bmullins@fmsllp.com>
Cc: Jessie Hillman <jessie.hillman@knoxplanning.org>; Amy Brooks <amy.brooks@knoxplanning.org>; Jim Snowden <jim.snowden@knoxcounty.org>; Steve Elliott <steve.elliott@knoxcounty.org>; Mike Reynolds

<mike.reynolds@knoxplanning.org>

Subject: Re: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Ben,

They cannot go through concurrently. We can look further into whether a pre-app consult would be required - it would depend on the number and severity of changes between a new proposal and the previously approved plans.

Michelle

From: Benjamin C. Mullins <bmullins@fmsllp.com>

Sent: Tuesday, March 24, 2026 2:49:10 PM

To: Michelle Portier <michelle.portier@knoxplanning.org>

Cc: Jessie Hillman <jessie.hillman@knoxplanning.org>; Amy Brooks <amy.brooks@knoxplanning.org>; Jim Snowden <jim.snowden@knoxcounty.org>; Steve Elliott <steve.elliott@knoxcounty.org>

Subject: RE: Tipton Station (8-F-23-RZ, 1-SC-24-C, 1-B-24-DP)

Michelle,

I wanted to follow up on this because I know you were out ill (and I hope you are feeling better). I am ready to file for the rezoning, but I wanted to get some direction on their revised concept/development plan. Can that move forward concurrently? Also, do we need to have a formal pre-application conference before submitting the revised C/DP for these additional lots?

Thank you!

Benjamin C. Mullins *Attorney*

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