

▶ **FILE #:** 11-D-16-RZ

**AGENDA ITEM #:** 33

**AGENDA DATE:** 11/10/2016

▶ **APPLICANT:** MESANA INVESTMENTS LLC

OWNER(S): Scott Davis

TAX ID NUMBER: 154 001 & 002

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS:

▶ **LOCATION:** South side Westland Dr., west of Highland Lake Blvd.

▶ **APPX. SIZE OF TRACT:** 43.38 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Westland Dr., a minor arterial street with 23' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **PRESENT ZONING:** A (Agricultural)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Planned residential development

**DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, extension of PR zoning from the east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Westland Dr., vacant commercial building, vacant land / CA (General Business) and A (Agricultural)

South: Detached residential subdivision / RA (Low Density Residential)

East: Detached residential subdivision, vacant land / PR (Planned Residential) @ 5 du/ac

West: Vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This site is located west of the interchange of Westland Dr. and I-140 in an area developed primarily with low density residential uses under RA, PR and A zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac, subject to 1 condition. (Applicant requested 5 du/ac)**

1. No clearing or grading of the site will be permitted prior to approval of a use on review development plan by MPC.

With the recommended condition, PR is an appropriate zone for residential development of this site and is consistent with the sector plan recommendation for the property, which is within the Planned Growth Area on

the Growth Policy Plan. The recommended density of up to 3 du/ac is consistent with the slope protection recommendations of the Hillside and Ridgetop Protection Plan (HRPP) for residential densities and development. At the requested density of 5 du/ac, the proposal exceeds (by 84 units) the maximum 125 units recommended in accordance with the HRPP guidelines.

**COMMENTS:**

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. PR is the most appropriate residential zone that can be considered for this site, because of its flexibility in lot sizes, and the ability to cluster development in the more suitable areas of the site. The developer should make every attempt to preserve existing trees on the site and keep development off of the steepest slopes. The steepest area of this site is along then northern property line of the site.
2. PR zoning is a logical extension of zoning from the east and the requested density is consistent with the sector plan proposal for the property. However, because of the slope constraints of the site, staff is recommending a lesser density.
3. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, landscape buffering, hillside preservation, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
4. The recommended density is consistent with the densities of several surrounding residential subdivisions. Andover View to the north is zoned RA and developed at about 2.57 du/ac. Lakeshire to the south is zoned RA and developed at about 2.1 du/ac. Hamilton Place to northeast is zoned PR at 1-3 du/ac, but developed at under 2 du/ac. Hampton Hall to its east is zoned PR at 1-3 du/ac, but developed at about 2.59 du/ac.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural elements and open space treatment.
2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for proposed development of this site.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. PR zoning at the recommended density will allow the property to be developed, but will require use on review development plan approval by MPC prior to construction.
2. Based on the 41.86-acre calculated size of the property, the proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 209 dwelling units to be proposed for the site. That number of detached units would add approximately 2043 vehicle trips per day to the street system and would add approximately 131 children under the age of 18 to the school system. The recommended density of up to 3 du/ac would allow for a maximum of 125 dwelling units to be proposed for the site. That number of detached units would add approximately 1273 vehicle trips per day to the street system and would add approximately 78 children under the age of 18 to the school system.
3. Westland Dr. is a minor arterial street with sufficient capacity to support low density residential development of this site.
4. PR zoning at the recommended density is compatible with the scale and intensity of the surrounding development and zoning pattern, and also considers the slope constraints of the property. The proposed density of 5 du/ac would not conform with the slope protection policies of the HRPP.
5. If the proposed development generates more than 750 trips, a Traffic Impact Study will be required to be submitted with the development plan for MPC's consideration.
6. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
7. Public water and sanitary sewer utilities are available in the area, but may need to be extended to serve the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Southwest County Sector Plan designates this site for low density residential uses with some slope protection, consistent with the proposed PR zoning and density. Staff ran a slope analysis (attached) on the site which revealed that over 8 acres of the site consists of slopes greater than 25%. The recommended density is consistent with the residential density recommendations of the HRPP.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal for the area.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT: 2043 (average daily vehicle trips)

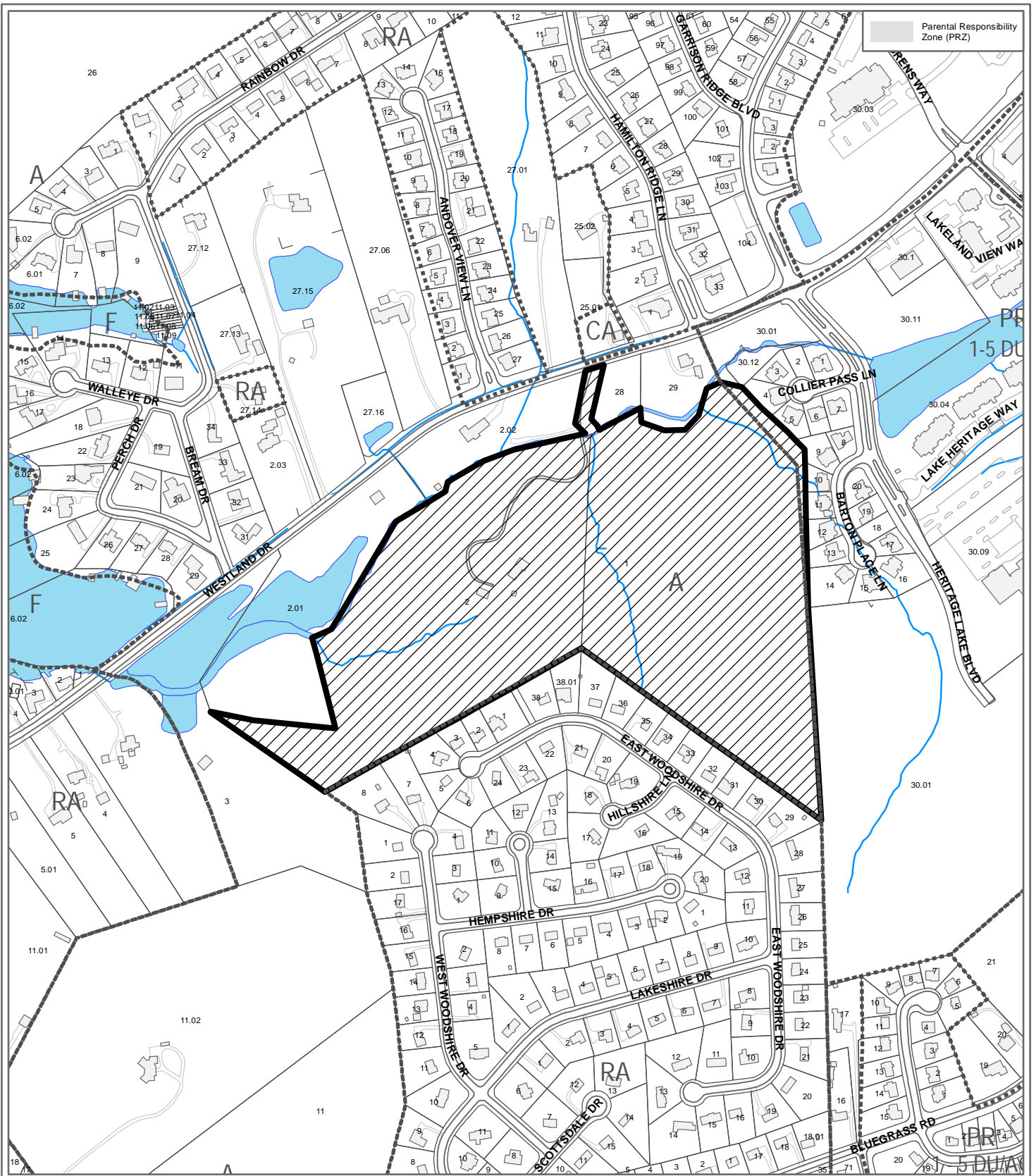
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 131 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Northshore Elementary, West Valley Middle, and Bearden High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. 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.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 12/19/2016. If denied, MPC'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 an MPC decision in the County.



**11-D-16-RZ  
REZONING**

From: A (Agricultural)  
To: PR (Planned Residential)

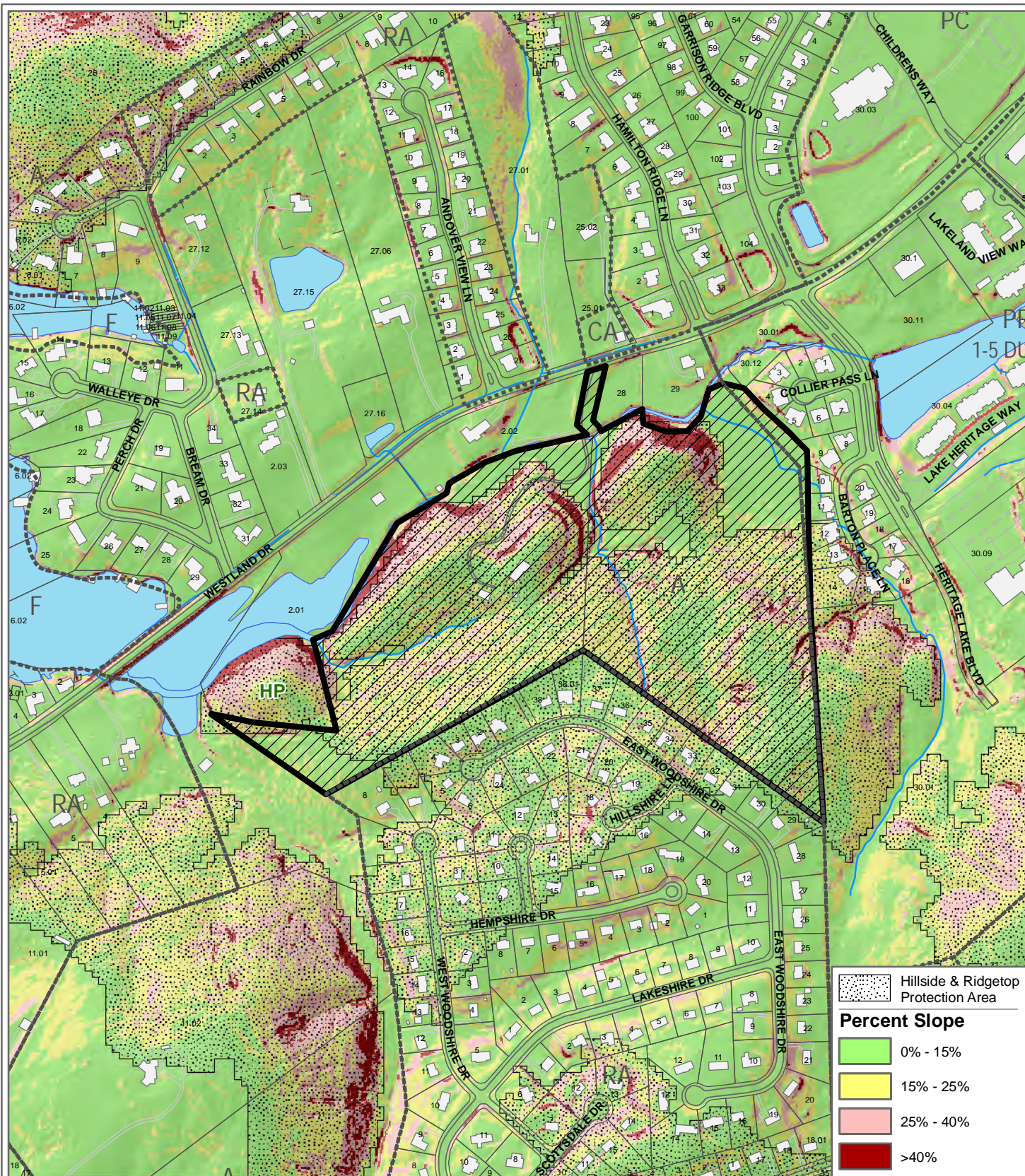


Petitioner: Mesana Investments LLC

Map No: 154  
Jurisdiction: County

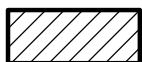


Original Print Date: 10/19/2016      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**11-D-16-RZ  
REZONING - SLOPE ANALYSIS**

From: A (Agricultural)  
To: PR (Planned Residential)



Original Print Date: 11/1/2016      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Mesana Investments LLC

Map No: 154  
Jurisdiction: County



**MPC STAFF - SLOPE / DENSITY ANALYSIS**  
**11-D-16-RZ / MESANA INVESTMENTS LLC / A to PR (>5 DU/AC)**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	8.8	5.00	44.0
0-15% Slope	9.09	5.00	45.5
15-25% Slope	13.71	2.00	27.4
25-40% Slope	6.26	0.50	3.1
Greater than 40% Slope	1.83	0.20	0.4
Ridgetops	2.17	0.00	0.0
Subtotal: Sloped Land	33.06		76.4
<b>Maximum Density Guideline</b> (Hillside & Ridgetop Protection Plan)	<b>41.86</b>	<b>2.88</b>	<b>120.4</b>
<b>Proposed Density (Applicant)</b>	<b>41.86</b>	<b>5.00</b>	<b>209.3</b>

**From Hillside & Ridgetop Protection Plan, page 33**

**LOW DENSITY AND RURAL RESIDENTIAL USES**

**Density and Land Disturbance Guidelines**

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

**Table 3: Residential Density and Land Disturbance Guidelines**  
for Recommendations on Changes to the Zoning Map and Development Plan/  
Concept Plan Review within the Hillside and Ridgetop Protection Area  
that is within the Urban Growth and the Planned Growth Area

<i>Percent of Slope</i>	<i>Recommended Maximum Density Factor*</i>	<i>Recommended Maximum Land Disturbance Factor**</i>
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

*dua: dwelling units per acre*

\* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

\*\* Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

\*\*\* Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

## 11-D-16-RZ Slope Analysis

			<b>Acreage</b>
<b>Non-Hillside Portions</b>			<b>8.8</b>
<b>Hillside and Ridgetop Protection Area</b>			
<b>Value</b>	<b>Percent Slope</b>	<b>Count</b>	<b>Acres</b>
1	0%-15%	15846	9.09
2	15%-25%	23887	13.71
3	25%-40%	10905	6.26
4	>40%	3186	1.83
			<b>30.89</b>
<b>Ridgetop Area</b>			<b>2.17</b>
<b>Site Total</b>			<b>41.86</b>



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**[MPC Comment] Westland Drive development**

1 message

**Nina Howell** <ninadhowell@gmail.com>

Mon, Oct 31, 2016 at 12:26 PM

Reply-To: ninadhowell@gmail.com

To: herb@claibornehauling.com, eason.mpc@gmail.com, commission@knoxmpc.org, mgoodwin.mpc@gmail.com, jtocher.mpc@gmail.com

Cc: mayor@knoxvillekn.gov

Commissioners: Herb Anders, Gayle Bustin, Art Clancy III, Laura Cole, Mike Crowder, Elizabeth Eason, Conrad Goodwin, Len Johnson, Rev. Charles Lomax Jr. , Rebecca Longmire, Patrick Phillips, Jeffrey Roth, Scott Smith, Charles Thomas, Janice Tocher, Mayor Madeline Rogero:

It has come to my attention that there is a developer planning to develop the property on Westland Drive from Weigels down to the Northshore Drive area. I live in Hampton Hall across from the apartments.

As you know, we have been dealing with and fighting development in this area what seems to be for many years. While I'm not against development, I do believe we have to take into consideration the number of children in the area, traffic counts, aesthetics and home values. While we can't control this in many cases, and we can't force the farmlands from selling to developers - we can attempt to keep our land aesthetically beautiful by developing it in a way that promotes and values our home prices. Please consider this at the MPC meeting and do not allow this developer to build residences at less than 3 per acre. I believe this is a fair request for the area in mention.

Thank you for your consideration,

Nina Howell

*Nina D. Howell*

*Ascertainment Marketing, Inc.*

[ascertainment.net](http://ascertainment.net)

m: 865.310.1505

e: [ninadhowell@gmail.com](mailto:ninadhowell@gmail.com)

e: [nina@ascertainment.net](mailto:nina@ascertainment.net)



(Please note new email address and update accordingly.)

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)





Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**[MPC Comment] Mesana Development Rezoning 11-D-16- RZ**

1 message

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**Jack Woodall** <ajwoodal@gmail.com>

Tue, Nov 1, 2016 at 6:24 AM

Reply-To: ajwoodal@gmail.com

To: commission@knoxmpc.org

Cc: Gerald Green &lt;gerald.green@knoxmpc.org&gt;

Mesana Development has proposed to rezone about 43 acres west of Heritage Lake subdivision on Westland Drive to Planned Residential 1-5 units per acre. While we do not oppose PR zoning for this tract, we believe the density should be less than 3 units per acre. All of the subdivisions west of Pellissippi Parkway are developed at less than 3 units per acre. Rezoning at 5 units per acre would be inconsistent with this development.

This property and these subdivisions are on a part of Westland that is a narrow but heavily traveled road. The KGIS traffic count is 11,710 at Weigels and the construction of Westland Gardens, Beals Creek, and the Emory Church Road apartments will add at least 3500 trips per day to area traffic.

Moreover the critical issue with this particular property is the ridge and extensive wooded steep slopes that characterize the 43 acres. Much of the property is included in the slope protection area and covered by the Hillside and Ridgetop protection plan.

The Hillside plan is the best judgment of several years of study by Knox County developers, community groups and professional employees of MPC and Knoxville and Knox County of the appropriate way to develop steep hillsides in Knox County and it recommends substantially less density than is requested here for areas that need slope protection. We believe the staff's recommendation and MPC zoning recommendation should be 3 units per acre for property outside the slope protection area, and the density required in the Hillside and Ridgetop protection plan for the area included in the slope protection area. This would be an overall zoning density somewhat less than 3 units per acre. That density would allow a development that would not result in stripping the slopes of all trees and substantial loss of topsoil into the creek that drains the property.

Jack Woodall

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)

**REZONING**       **PLAN AMENDMENT**

Name of Applicant: Mesana Investments LLC  
 Date Filed: 9/28/2016 Meeting Date: 11/10/2016  
 Application Accepted by: Marc Payne  
 Fee Amount: 3,876.60 File Number: Rezoning 11-D-16-RZ  
 Fee Amount:            File Number: Plan Amendment           



**PROPERTY INFORMATION**

Address: 99A & D Westland Drive  
 General Location: 1/2 Westland Drive due west of Heritage Lake Blvd  
 Parcel ID Number(s): 154 881, 154 882  
 Tract Size: 43.38 ac.  
 Existing Land Use: Vacant  
 Planning Sector: Southwest County  
 Growth Policy Plan: Planned  
 Census Tract: 57.08  
 Traffic Zone: 233  
 Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 5th District

**PROPERTY OWNER**     **OPTION HOLDER**

PLEASE PRINT  
 Name: Scott Davis  
 Company: Mesana INN, LLC  
 Address: 80 Box 11315  
 City: Knox State: TN Zip: 37939  
 Telephone: 865-806-8008  
 Fax: 865-693-7465  
 E-mail: SWD444@gmail.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
 Name: Same  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Requested Change**

**REZONING**

FROM: A  
 TO: PR 1-5 du/ac

**PLAN AMENDMENT**

One Year Plan     Southwest Co. Sector Plan

FROM: LDR, SLPA  
 TO: Same

**APPLICATION AUTHORIZATION**

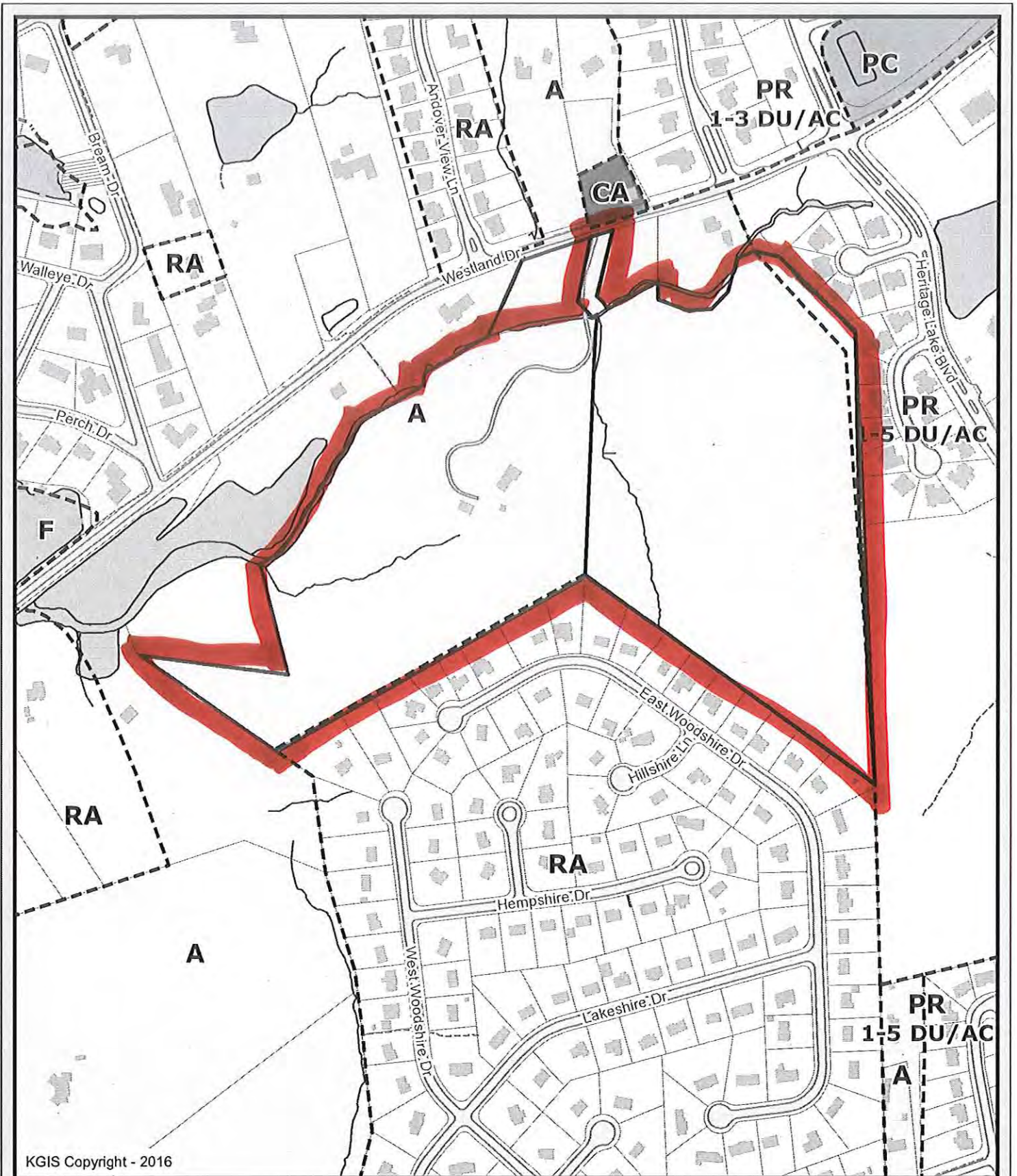
I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]  
 PLEASE PRINT  
 Name: Scott Davis  
 Company: Mesana INN, LLC  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: Same  
 E-mail: \_\_\_\_\_

**PROPOSED USE OF PROPERTY**

Planned Development

Density Proposed 1-5 Units/Acre  
 Previous Rezoning Requests: \_\_\_\_\_

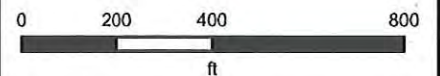


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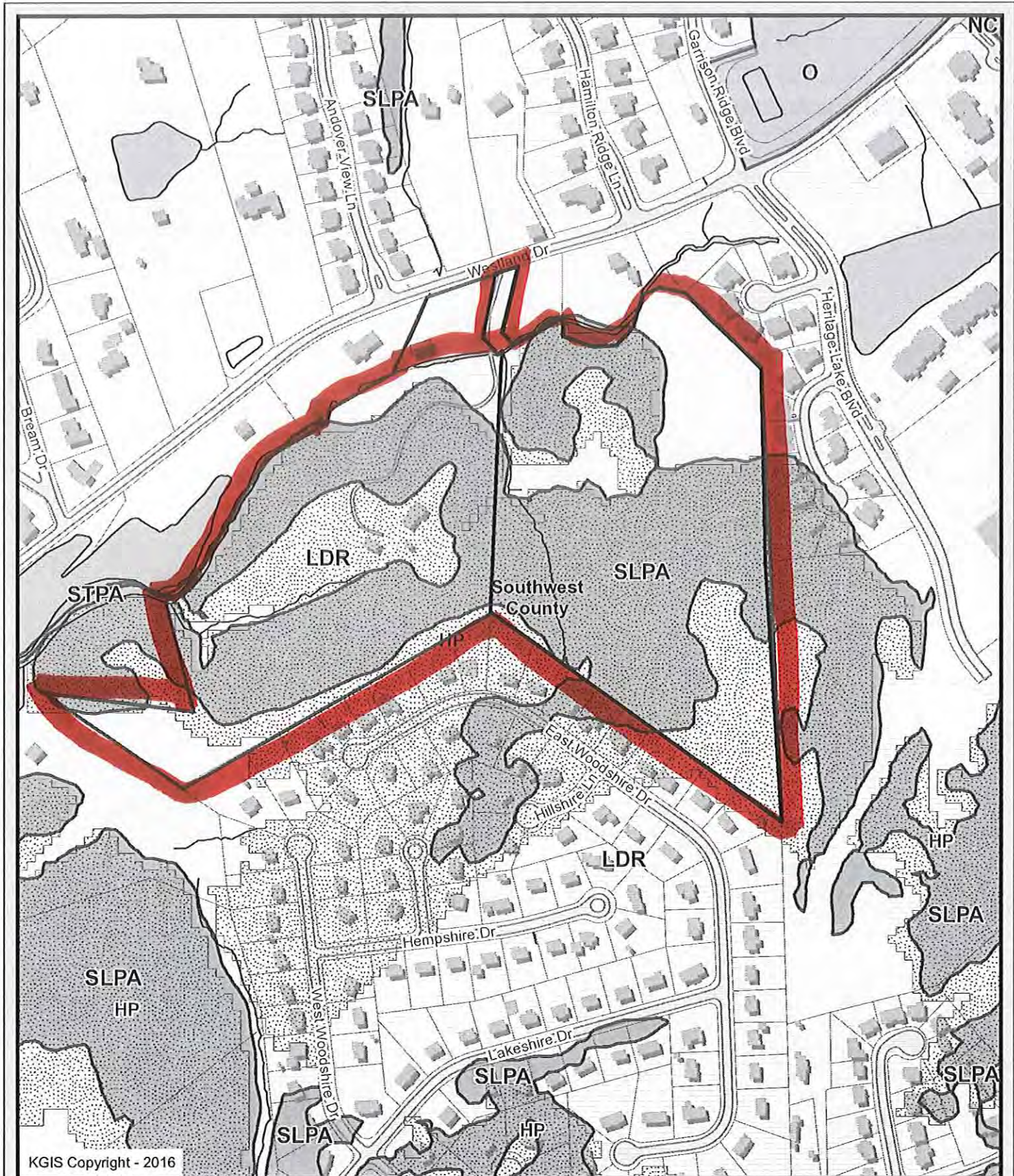
### Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



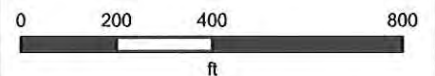
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