

REZONING REPORT

► **FILE #:** 5-K-20-RZ

AGENDA ITEM #: 16

AGENDA DATE: 5/14/2020

► **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): Julie & Victor Poteet

TAX ID NUMBER: 154 00201 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 9942 Westland Drive

► **LOCATION:** South side of Westland Drive, southeast of Bream Drive

► **APPX. SIZE OF TRACT:** 2.4 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Westland Drive is a minor arterial with a pavement width of 20.9 ft. and a right-of-way width of 50 ft. in front of this parcel.

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) for the southernmost portion of the parcel

► **EXISTING LAND USE:** Agricultural/forestry/vacant

► **DENSITY PROPOSED:** 1-5 du/ac

EXTENSION OF ZONE: Yes, PR zoning is adjacent to the east and southeast

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant, single family residential, and water - A (Agricultural)

South: Agricultural/forestry/vacant - PR (Planned Residential)

East: Rural residential and agricultural/forestry/vacant - PR (Planned Residential) and A (Agricultural)

West: Agricultural/forestry/vacant and water - A (Agricultural)

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

STAFF RECOMMENDATION:

► **Approve PR (Planned Residential) zoning at 3 du/ac because it is consistent with the North City Sector Plan's LDR (Low Density Residential) designation and consistent with surrounding development (the applicant requested up to 5 du/ac).**

COMMENTS:

The applicant is asking for a portion of the parcel to be rezoned. The rezoning is for the southwestern section of the parcel south of the creek. The Westland Oaks subdivision that was approved (Use on Review and Concept Plan) in February, 2020 is adjacent to this portion of the parcel to the east and southeast and is under the same ownership. The property is land-locked with regard to current rights-of-way. Therefore, this property will likely be added to that development should the rezoning pass.

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. There is an increased need for small-scale housing. The proposed rezoning would create an opportunity for a greater number of dwelling units that could help meet this demand.

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

1. The proposed amendment to 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 and open space treatment.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. This property contains areas with significant slope, and a portion of it is in a 100-year floodplain. These issues would need to be addressed during the development review phase to minimize potential adverse impacts.
2. Staff recommends a lower density than that requested by the applicant for the above reasons and because of surrounding development.
 - a. The neighboring PR zone (Westland Oaks) has a density of up to 3 du/ac.
 - b. The HP slope analysis recommends a density of 1.86 du/ac, resulting in 4 dwelling units for this property.
 - c. Staff recommends up to 3 du/ac to match the adjacent development, which results in 7 dwelling units for this property.

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 current sector plan designation supports PR zoning with up to 5 du/ac in the Planned Growth Area of Knox County.
2. The property is located in FEMA Flood Zone X and a portion of the land is in a 100-year floodplain. The applicant will need to coordinate with Knox County Engineering if there are plans to build in the floodplain.
3. The HP slope analysis recommends a reduced density from that requested by the applicant.
4. Staff recommends the property follow the Hillside and Ridgetop Protection Area Plan with regard to where dwelling units are located and where grading should occur, but this is not a condition of the zoning.

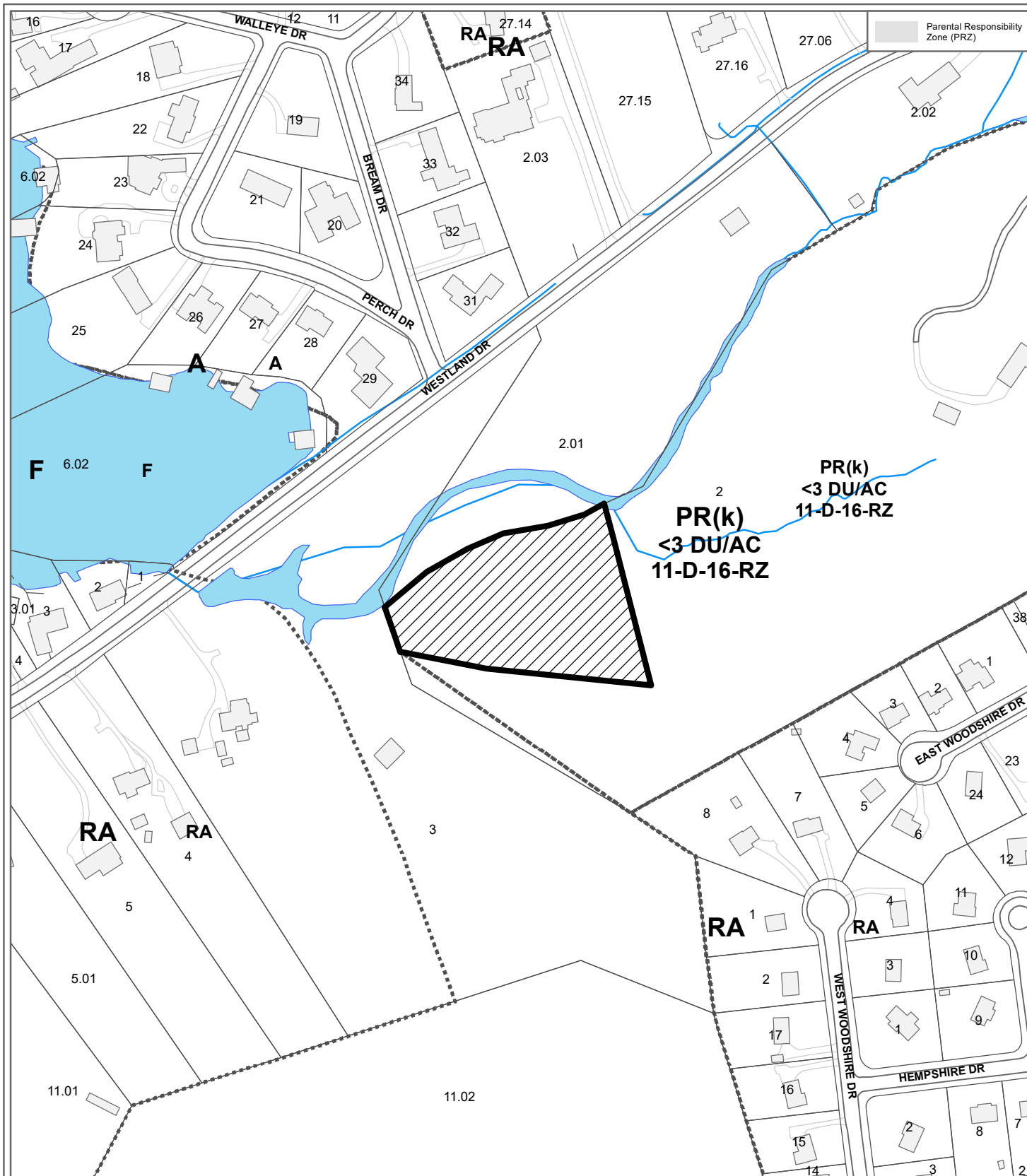
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 5 (public school children, grades K-12)

Schools affected by this proposal: Northshore 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.

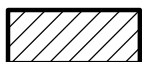
If approved, this item will be forwarded to Knox County Commission for action on 6/22/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



5-K-20-RZ REZONING

From: A (Agricultural)

To: PR (Planned Residential)



Original Print Date: 4/6/2020 Revised: 4/16/2020
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Mesana Investments, LLC

Map No: 154

Jurisdiction: County

0 250
Feet



CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	5.00	0.0
0-15% Slope	0.46	5.00	2.3
15-25% Slope	0.82	2.00	1.6
25-40% Slope	0.97	0.50	0.5
Greater than 40% Slope	0.14	0.20	0.0
Ridgetops	0		0.0
Subtotal: Sloped Land	2.39		4.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	2.39	1.86	4.5
Proposed Density (Applicant)	2.39	5.00	12.0

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

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
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***	***	***

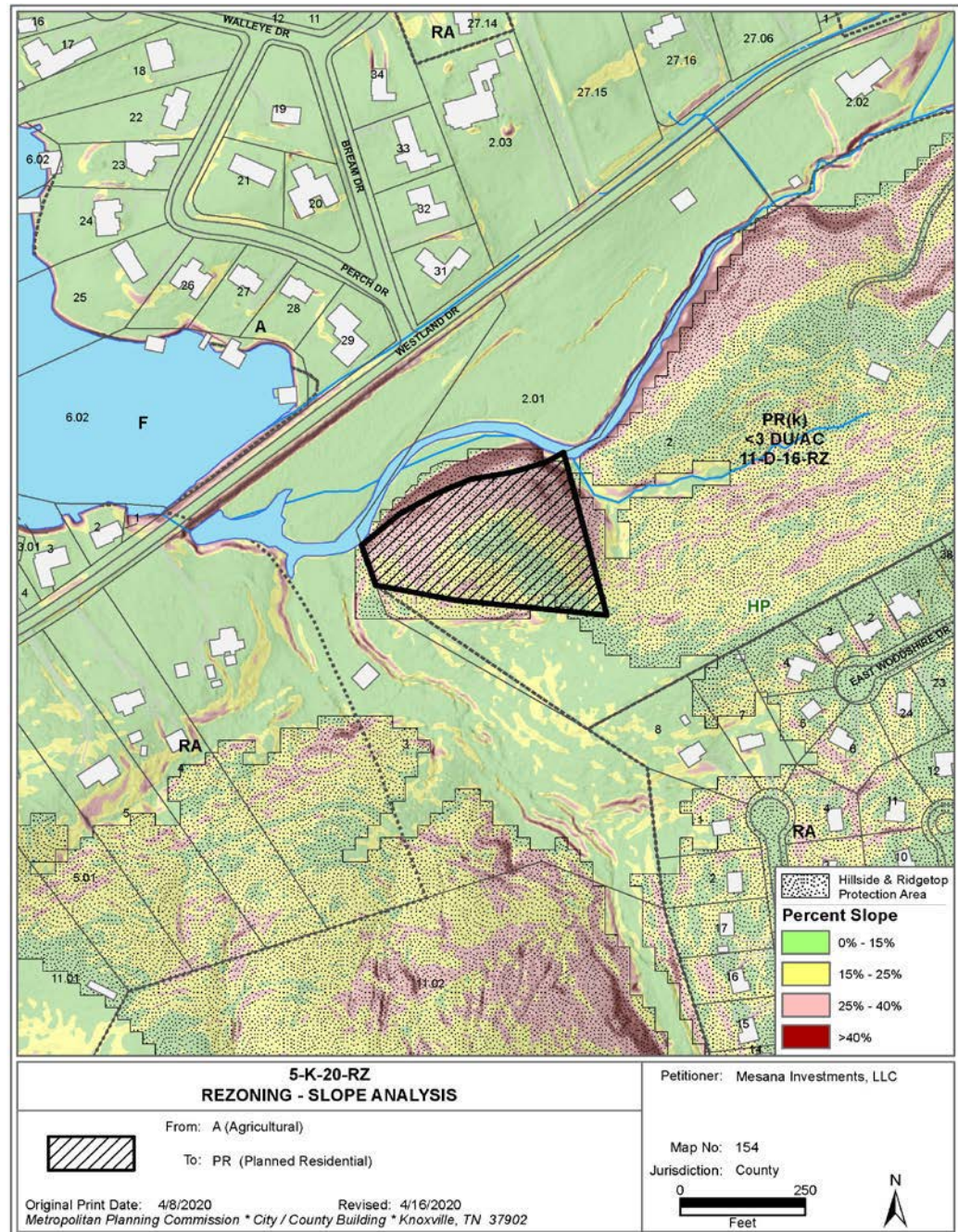
dua: dwelling units per acre

* 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.

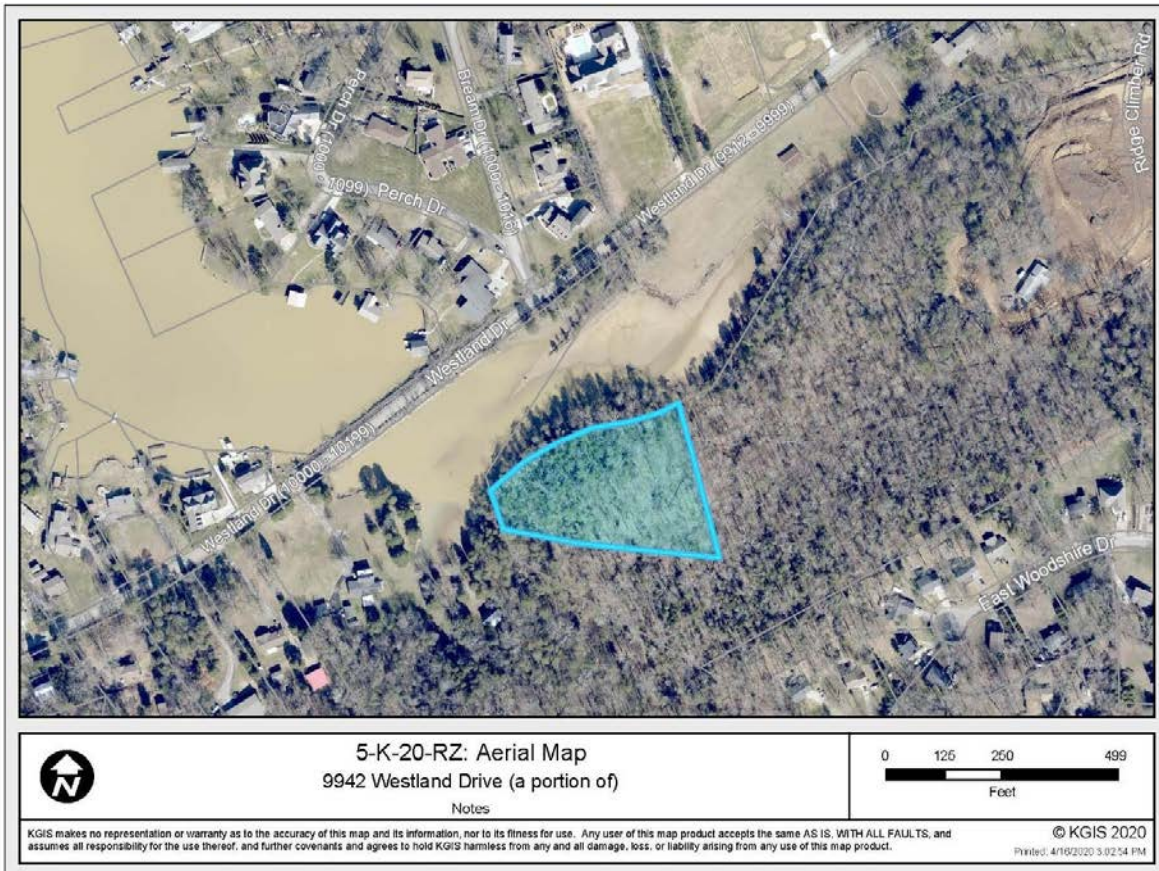
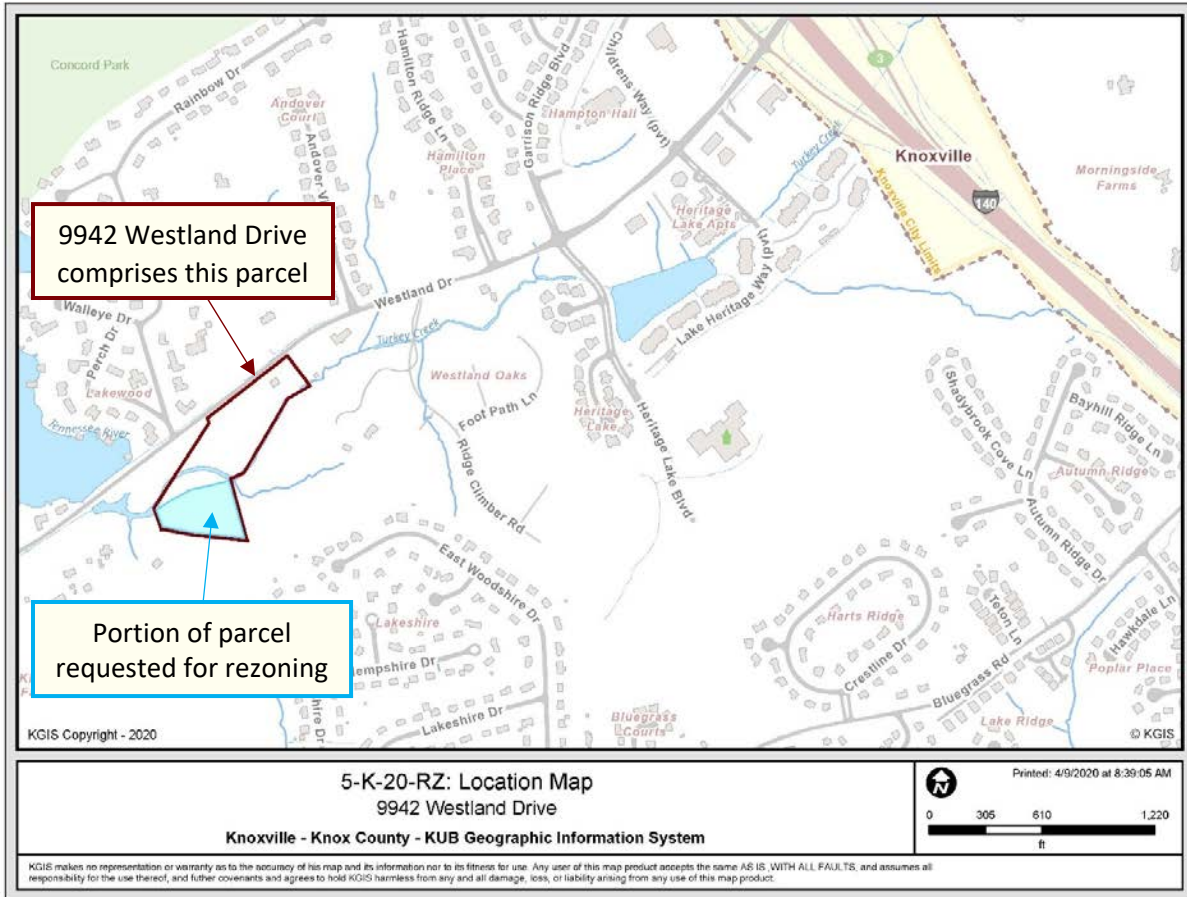
** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. 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 Knoxville 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.

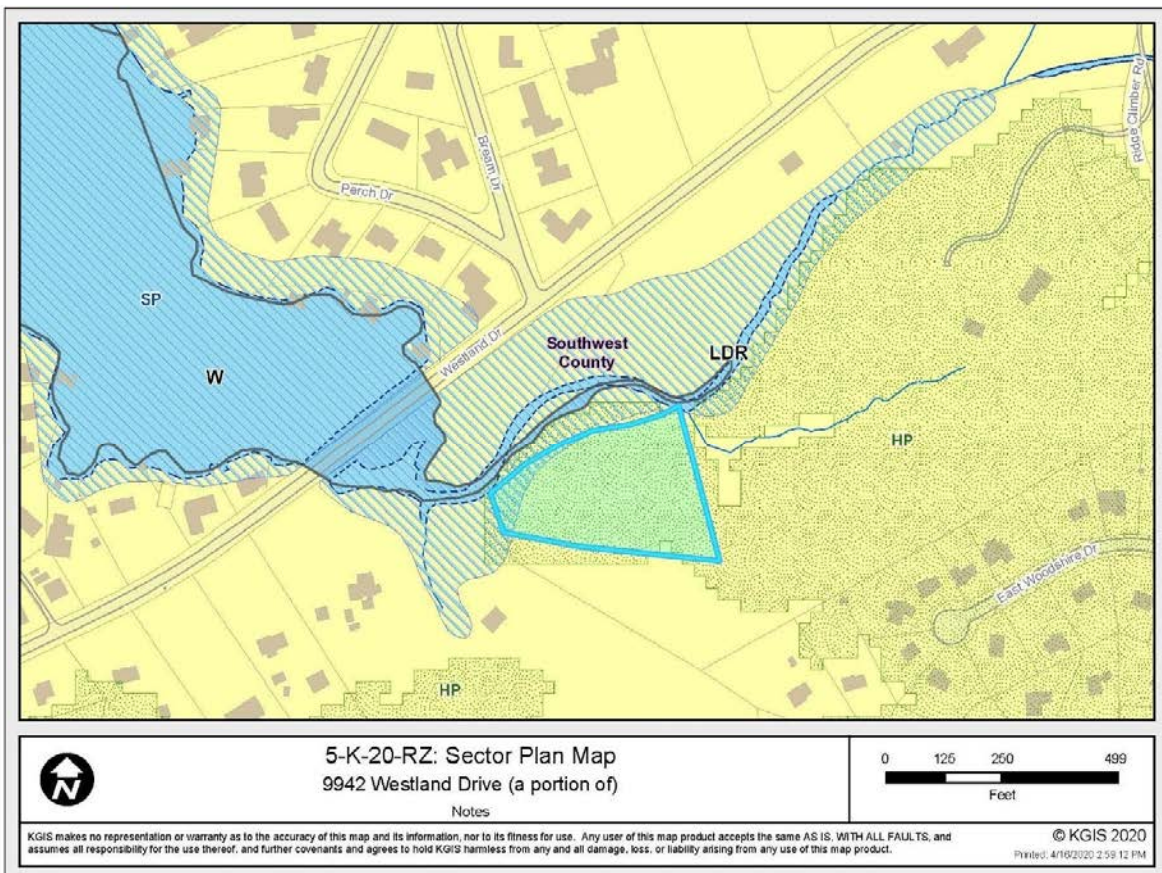
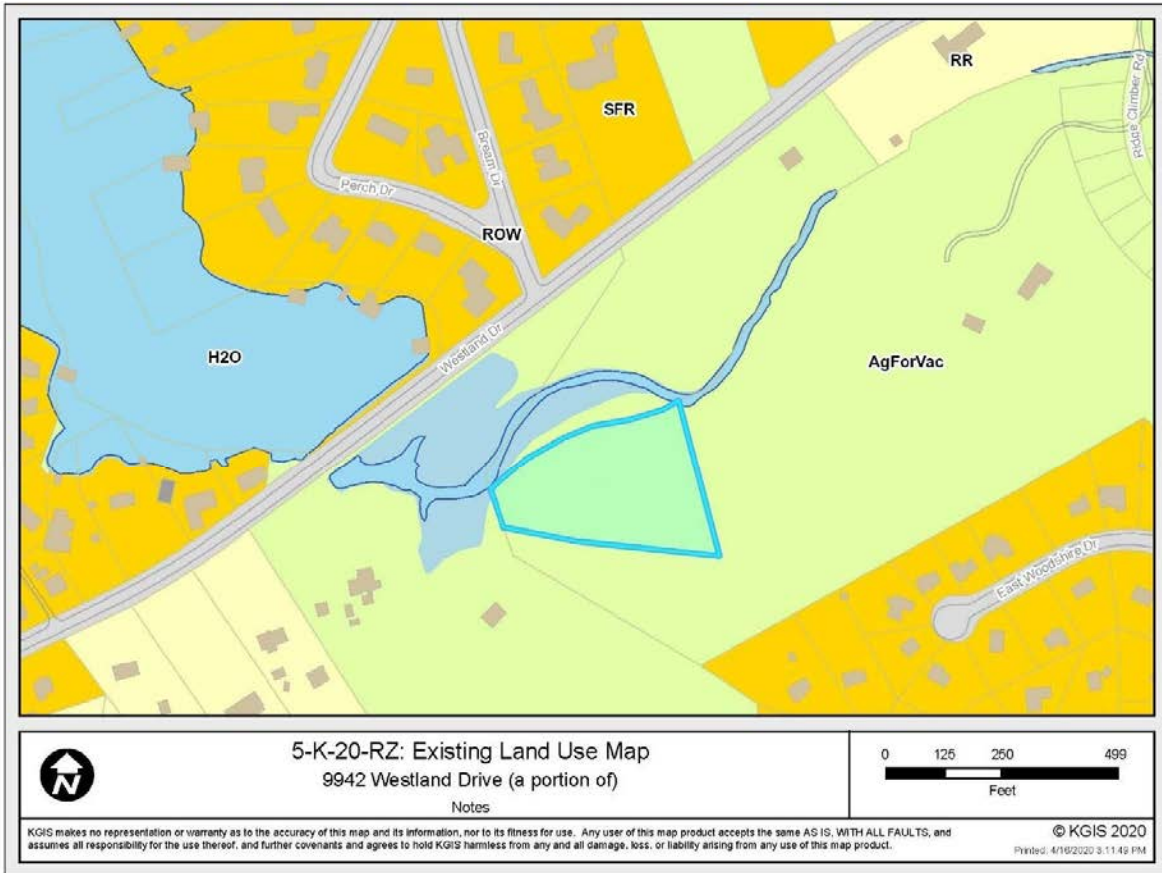
The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33



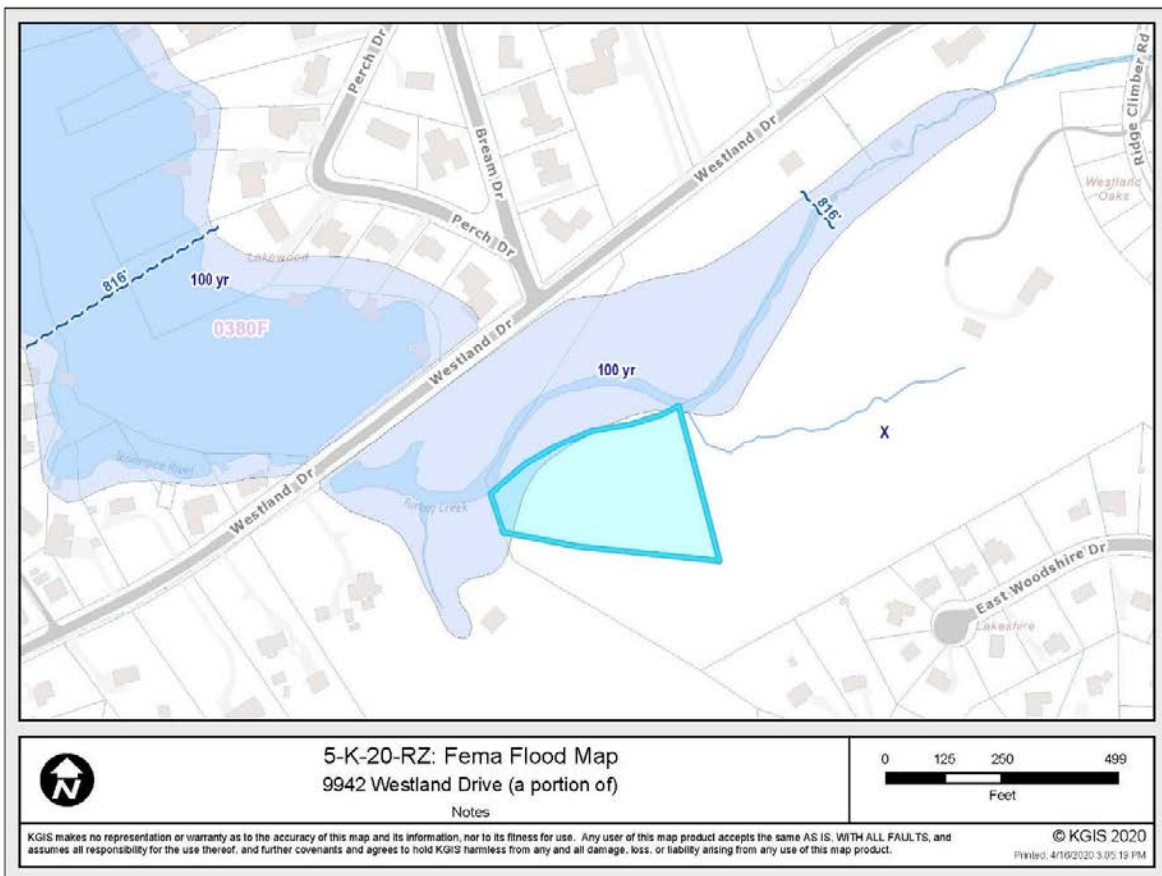
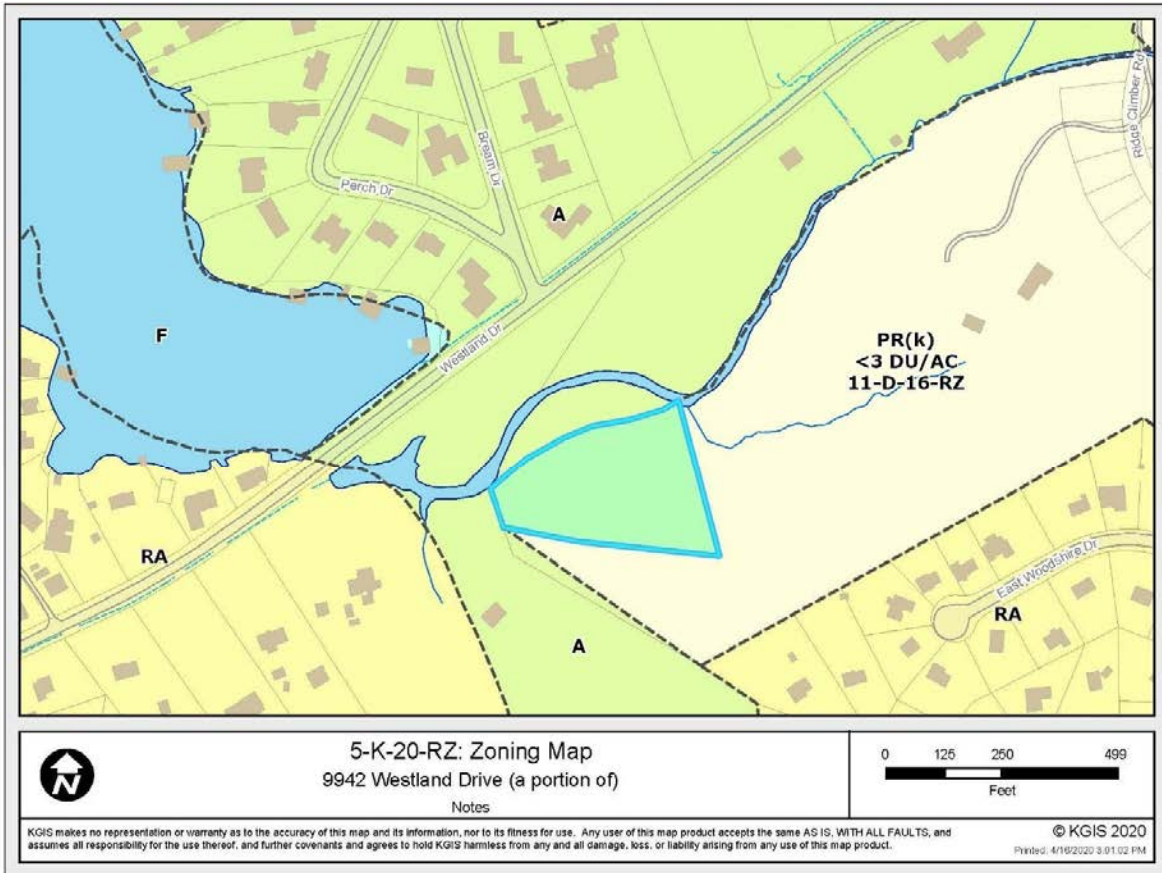
5-K-20-RZ
EXHIBIT A. Contextual Images



5-K-20-RZ
EXHIBIT A. Contextual Images

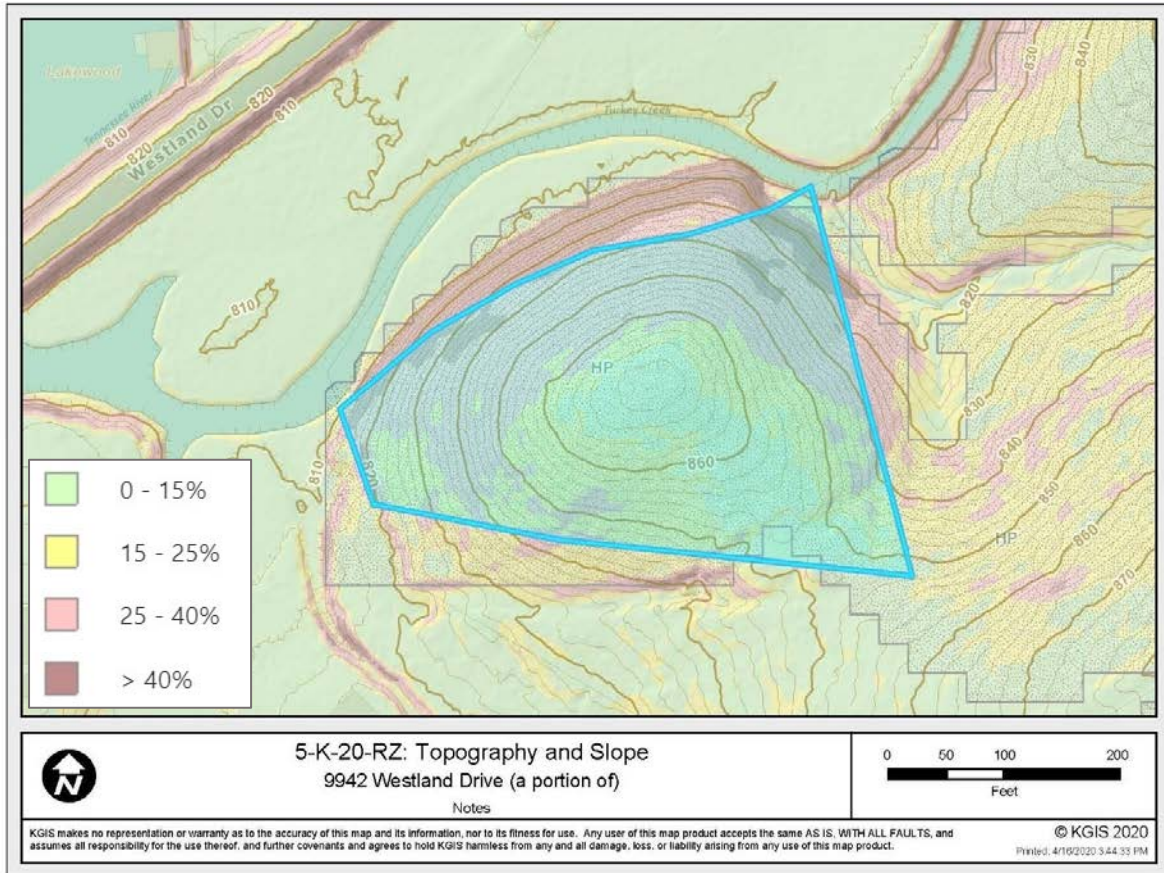


5-K-20-RZ
EXHIBIT A. Contextual Images



5-K-20-RZ

EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

Mesana Investments, LLC

Applicant Name

3/27/2020

5/14/2020

Affiliation

5K-20-RZ

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☐ Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Scott Davis

Mesana Investments, LLC

Name

P.O. Box 11315

Company

Knoxville

TN

37939

Address

(865) 806-8008

City

swd444@gmail.com

State

Zip

Phone

Email

CURRENT PROPERTY INFO

Julie and Victor Poteet

9912 Westland Drive

Owner Name (if different)

Owner Address

Owner Phone

9942 Westland Drive, Knoxville, TN 37922 (a portion of)

154 002.01 (a portion of)

Property Address

Parcel ID

Adjacent to Westland Oaks S/D off Westland Drive, near Pellissippi Pkwy 2.40 (+/-)

General Location

Tract Size

5

A

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

Southwest County

LDR

Planned Growth

Planning Sector

Sector Plan Land-Use Classification

Growth Policy Plan Designation

Vacant

N

FUD

FUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING

☒ Zoning Change: PR 1 - 5
Proposed Zoning _____

☐ Plan Amendment Change: _____
Proposed Plan Designation(s) _____

5 N/A

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 only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:		TOTAL: \$600.00
0324	\$600.00	
FEE 2:		
FEE 3:		

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Please Print

Date

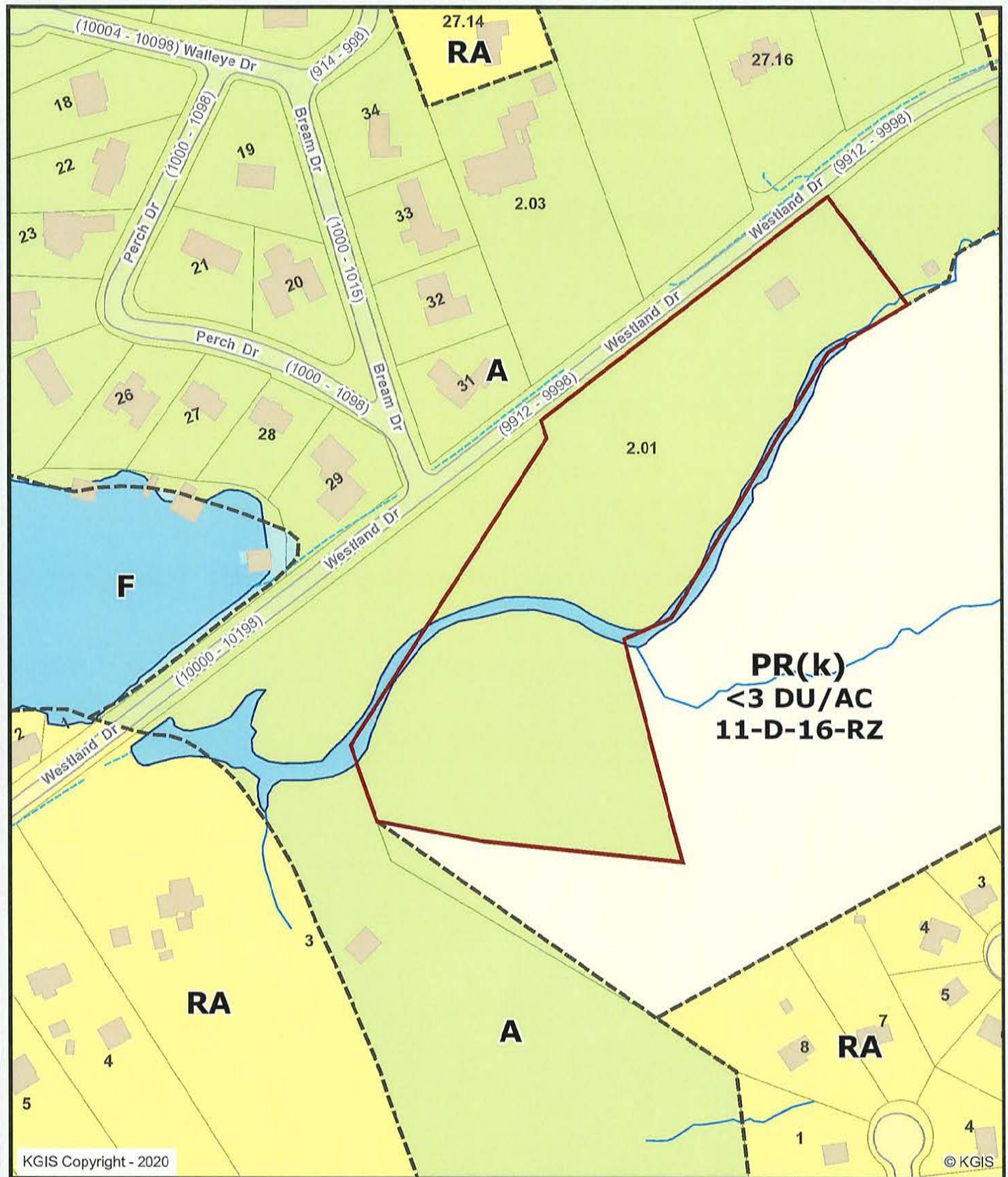
Phone Number

Email

Staff Signature

Please Print

Date

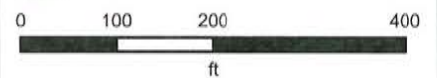


9942 Westland Dr.

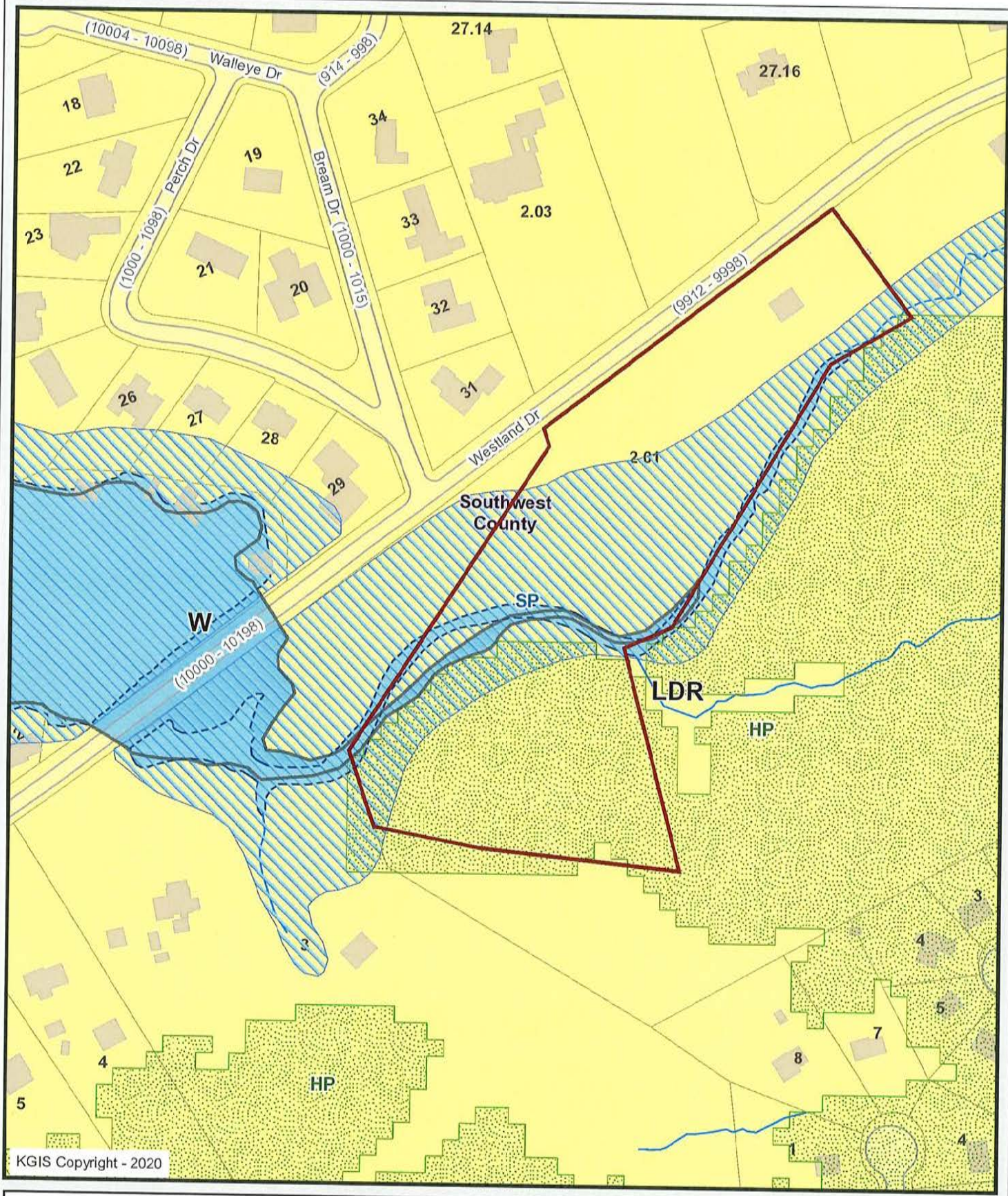
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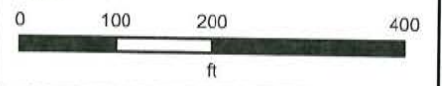


9942 Westland Dr.

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