

REZONING REPORT

► **FILE #:** 12-M-22-RZ

AGENDA ITEM #: 26

AGENDA DATE: 12/8/2022

► **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): Kelly & Kelvin Kearse

TAX ID NUMBER: 143 112.01

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 504 FOX RD

► **LOCATION:** East side of Fox Rd, south of Castleglen Ln

► **APPX. SIZE OF TRACT:** 0.84 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Fox Road, a minor collector street with a 30-ft pavement width within a 740-ft right-of-way (including the I-140 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:** Single Family Residential

► **DENSITY PROPOSED:** 4 du/ac

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant, rural residential - PR (Planned Residential) up to 4 du/ac, RA (Low Density Residential)

South: Agriculture/forestry/vacant - PR (Planned Residential) up to 4 du/ac

East: Agriculture/forestry/vacant - PR (Planned Residential) up to 4 du/ac

West: Right-of-way - ROW (Right-of-Way)

NEIGHBORHOOD CONTEXT: This area is comprised of low density single family detached homes on independent lots and in subdivisions.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone at a density up to 4 du/ac because it is consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01:

THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 COUNTY GENERALLY:

1. The surrounding area east of I-140 has been transitioning from forested hillside to low density residential subdivisions since 2004.
2. The 23-acre parcel surrounding the subject property was recently rezoned to the same PR (Planned Residential) zoning and 4 du/ac density. The applicant intends to include both properties in a residential development plan.
3. The proposed rezoning is consistent with these changing conditions in land use.

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

1. The PR zone enables alternative approaches to land development in response to environmental constraints on a property. Although the subject property is not in the Hillside Protection (HP) area, much of the surrounding PR-zoned property that will be combined with the subject lot is steeply sloped and forested. PR zoning on the subject property will support clustered residential development in the less-sloped portions of the greater 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. The PR zone requires development plan review by the Planning Commission, at which time design issues such as topography, drainage and access can be addressed.

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 proposed PR zone at a density of 4 du/ac is consistent with the Northwest County Sector Plan's LDR (Low Density Residential) land use designation and the Planned Growth Area of the Growth Policy Plan.
2. The proposed zone change is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 40 (average daily vehicle trips)

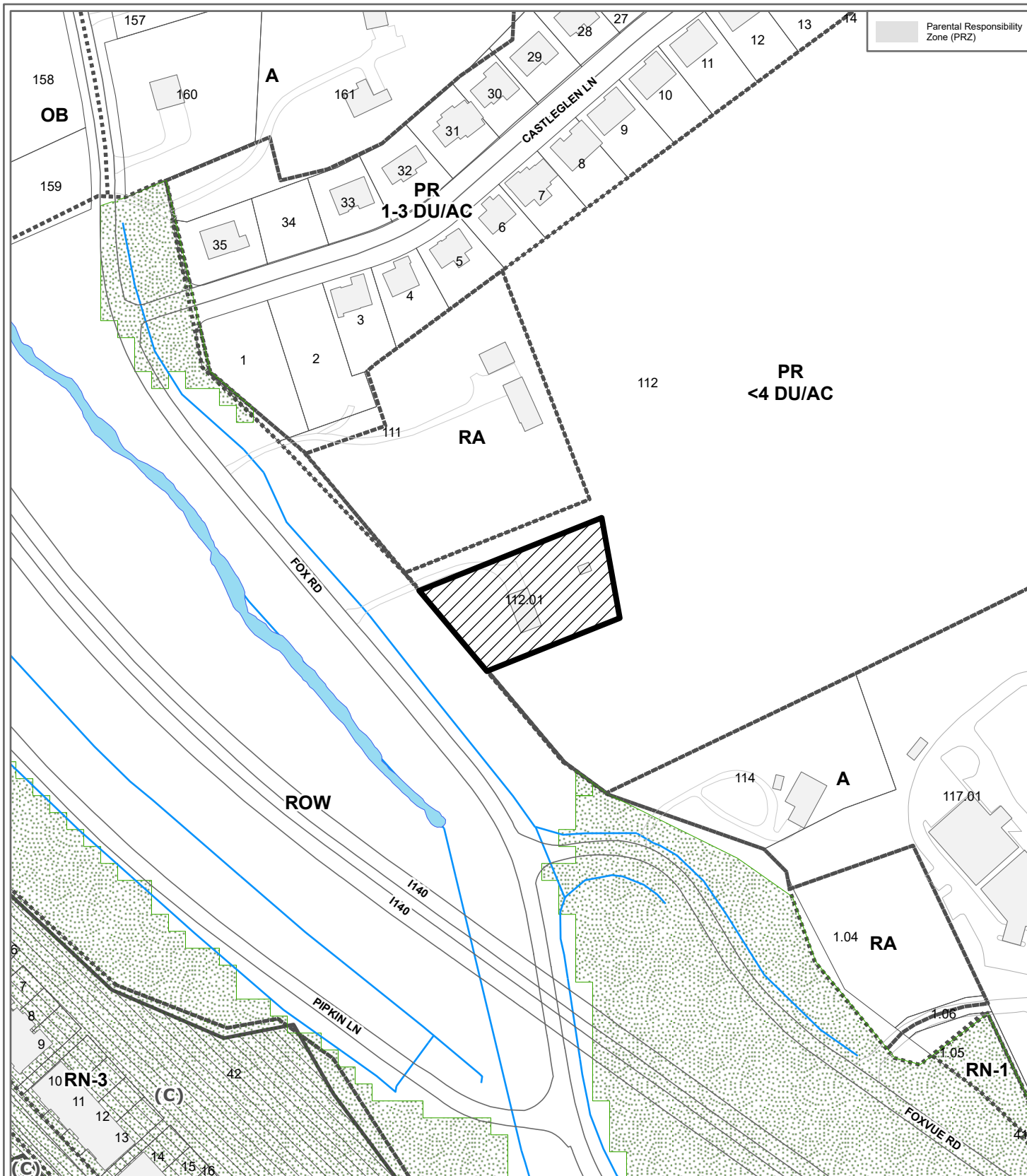
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Farragut 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 1/23/2023. 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.



12-M-22-RZ REZONING

From: A (Agricultural)

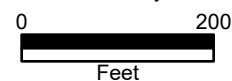
To: PR (Planned Residential)



Petitioner: Scott Davis/Mesana Investments, LLC

Map No: 143

Jurisdiction: County



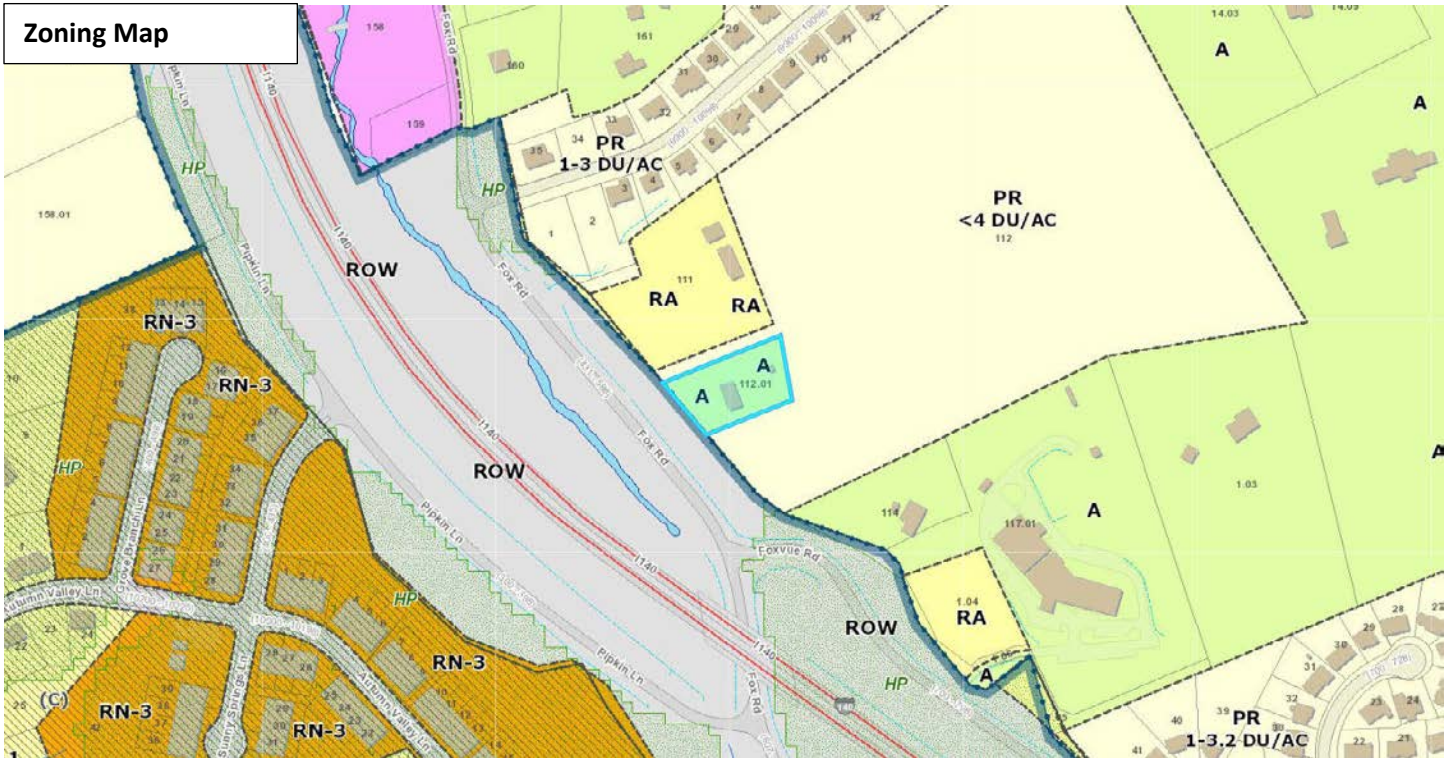
Original Print Date: 11/15/2022

Revised:

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

Exhibit A. 12-M-22-RZ Context Images

Zoning Map



Sector Plan Map

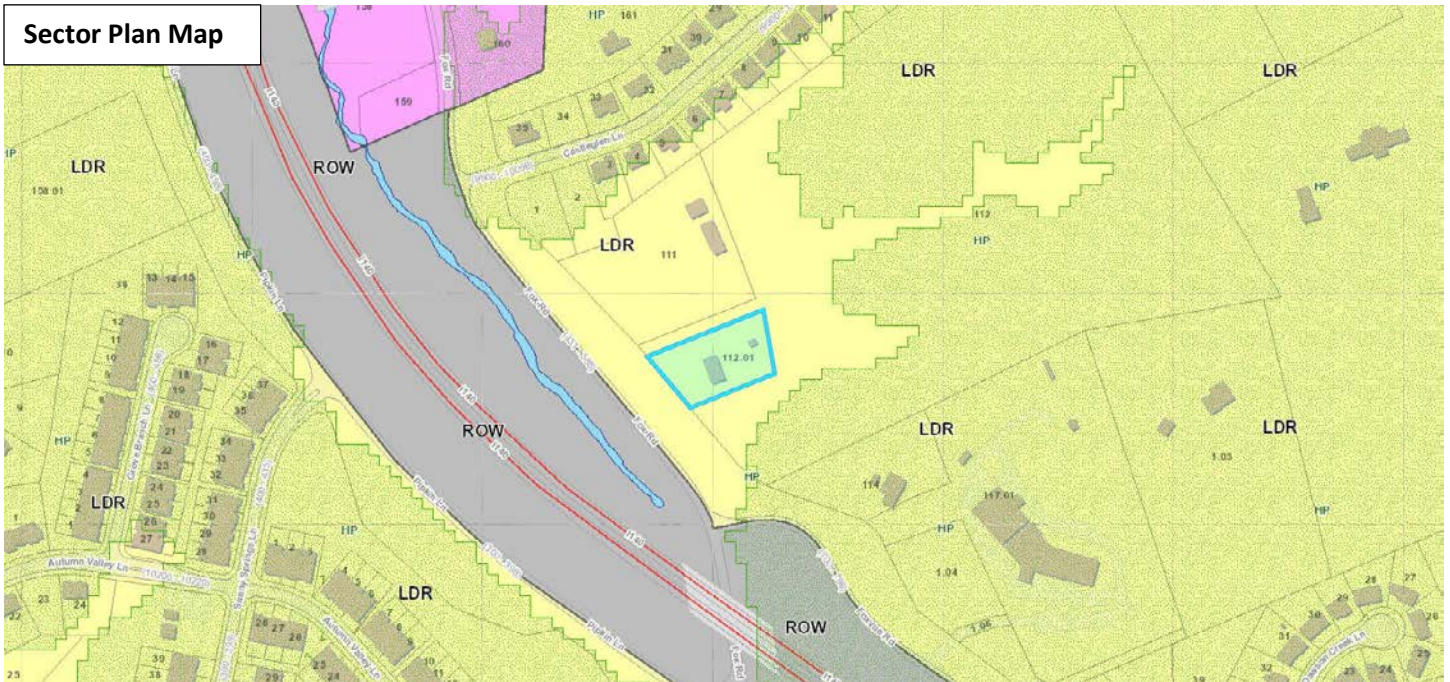
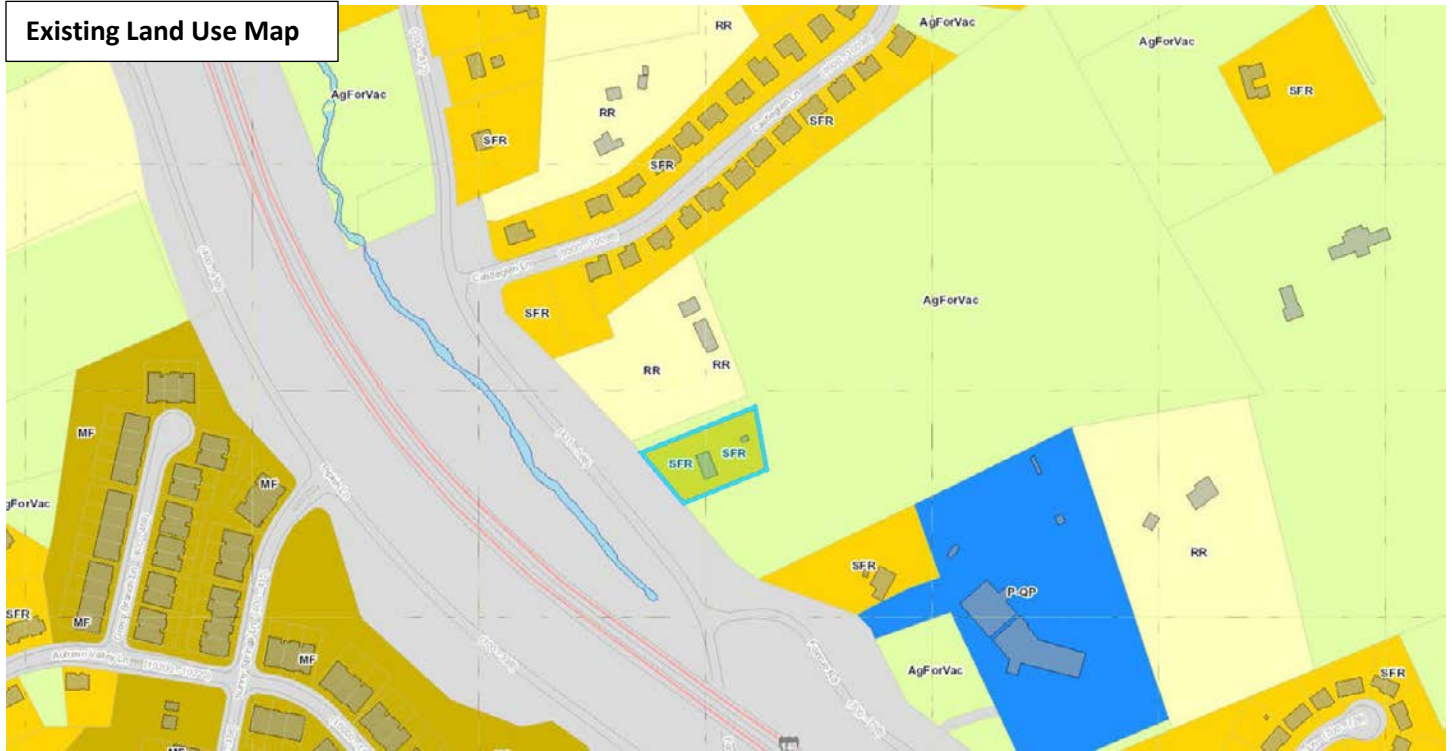


Exhibit A. 12-M-22-RZ Context Images

Existing Land Use Map



Aerial Map





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Sector Plan
☐ One Year Plan
☒ Rezoning

Scott Davis/Mesana Investments, LLC

Applicant Name

Affiliation

10/24/2022

Date Filed

12/8/2022

Meeting Date (if applicable)

12-M-22-RZ

File Number(s)

CORRESPONDENCE

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

Scott Davis Mesana Investments, LLC

Name / Company

P.O. Box 11315 Knoxville TN 37939

Address

865-693-3356 / swd444@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Kelly & Kelvin Kearse

Owner Name (if different)

504 Fox Rd Knoxville TN 37922

Owner Address

Owner Phone / Email

504 FOX RD

Property Address

143 112.01

Parcel ID

Part of Parcel (Y/N)?

0.84 acres

Tract Size

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Fox Rd, south of Castleglen Ln

General Location

☐ City

Commission District 3

A (Agricultural)

Single Family Residential

☒ Count

District

Zoning District

Existing Land Use

Southwest County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ Use on Review / Special Use
☐ Hillside Protection COA ☐ Residential ☐ Non-residential

Home Occupation (specify) _____

Other (specify) **Detached residential subdivision**

Related City Permit Number(s)

SUBDIVISION REQUEST

Scott Davis Development on Fox Rd

Proposed Subdivision Name

Related Rezoning File Number

94

Unit / Phase Number

Total Number of Lots Created

Additional Information _____

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **PR (Planned Residential)**

Proposed Zoning

Pending Plat File Number

- ☐ Plan

Amendment

Proposed Plan Designation(s)

4 du/ac

Proposed Density (units/acre) Previous Zoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

- ☐ COA Checklist (Hillside Protection)
☐ Design Plan Certification (Final Plat)
☐ Site Plan (Development Request)
☐ Traffic Impact Study
☐ Use on Review / Special Use (Concept Plan)

Fee 1

\$650.00

Total

Fee 2

Fee 3

AUTHORIZATION

Scott Davis/Mesana Investments, LLC

10/24/2022

Applicant Signature

Please Print

Date

Phone / Email

Kelly & Kelvin Kearse

10/24/2022

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



Development Request

Reset Form

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Mesana Investments, LLC

Applicant Name

Affiliation

12/08/2022

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Scott Davis

Mesana Investments, LLC

Name

Company

P.O. Box 11315

Knoxville

TN

37939

Address

City

State

ZIP

(865) 693-3356

swd444@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Paula Angermeier, Kelvin/Kelly Kearse

504 Fox Road, Knoxville, TN 37922

N/A

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

504 Fox Road, Knoxville, TN 37922

143 112.01

Property Address

Parcel ID

FUD

FUD

N/A

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

- ☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

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

Planned Residential ("PR")

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

4 DU/AC

N/A

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

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

Applicant Signature

Mesana Investments, LLC

10/19/22

Please Print

Date

(865) 693-3356

swd444@gmail.com

Phone Number

Email

*Paula Angermeier*dotloop verified
10/19/22 9:35 PM EDT
M9FO-JNYN-WTTB-ADVB*Kelvin Kearse*dotloop verified
10/19/22 3:24 PM EDT
KUTD-LOW1-OKOL-NCLQ*Kelly Kearse*dotloop verified
10/19/22 3:16 PM EDT
TAB7-NERH-B

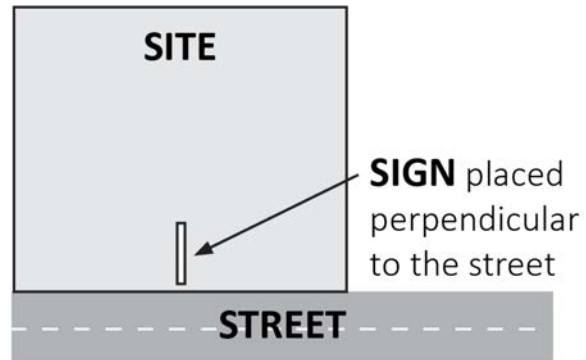
Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:

_____ 11/25/2022 _____ and _____ 12/9/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Scott Davis

Date: 10/24/22

File Number: 12-M-22-RZ

☒

Sign posted by Staff

☐

Sign posted by Applicant