

# REZONING REPORT

▶ **FILE #:** 9-D-22-RZ

**AGENDA ITEM #:** 19

**AGENDA DATE:** 9/8/2022

▶ **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): Kelly & Kelvin Kearse

TAX ID NUMBER: 143 112

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 FOX RD

▶ **LOCATION:** East side of Fox Road, south of Castleglen Lane

▶ **APPX. SIZE OF TRACT:** 22.52 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:** Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential, agriculture/forestry/vacant - PR (Planned Residential) up to 3 du/ac, RA (Low Density Residential), A (Agricultural)

South: Single family residential, public/ quasi public land, rural residential - A (Agricultural)

East: Agriculture/forestry/vacant - A (Agricultural)

West: Rural residential, single family residential, right-of-way - RA (Low Density Residential), A (Agricultural), 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 of 3 dwelling units per acre 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 CITY/COUNTY GENERALLY:

1. The surrounding area east of I-140 has been transitioning from forested hillside to low density residential subdivisions since 2004. The proposed PR (Planned Residential) zone for the subject property is consistent with this change 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. Three-quarters of the subject property is within the Hillside Protection (HP) area, and much of that HP area has slopes greater than 15%. The PR zone would allow residential density to be clustered in the less-sloped portions of the property to preserve forested hillside.

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 Planning Commission, at which time design issues such as topography, drainage and access can be addressed.  
2. Staff recommends reducing the density from 5 du/ac to 3 du/ac to better align with the surrounding residential character along Fox Road, which is developed at a density no greater than 3 du/ac.  
3. The recommended density is also more accordant with the slope analysis of the property, which suggests disturbing no more than 10.8 acres within the HP area.  
5. Fox Road is a minor collector street that has seen a steady increase in traffic counts since 2010. It is not scheduled for significant expansion or capital improvement at this time. The recommended residential density of 3 du/ac is estimated to reduce traffic by 435 average daily trips, potentially mitigating future wear and tear on the road.

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 PR zone at a density of 3 du/ac is consistent with the Northwest County Sector Plan's LDR (Low Density Residential) land use designation as well as the HP area overlay.  
2. The subject property is in the Planned Growth Area of the Growth Policy Plan.  
3. The proposed zone change is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 1154 (average daily vehicle trips)

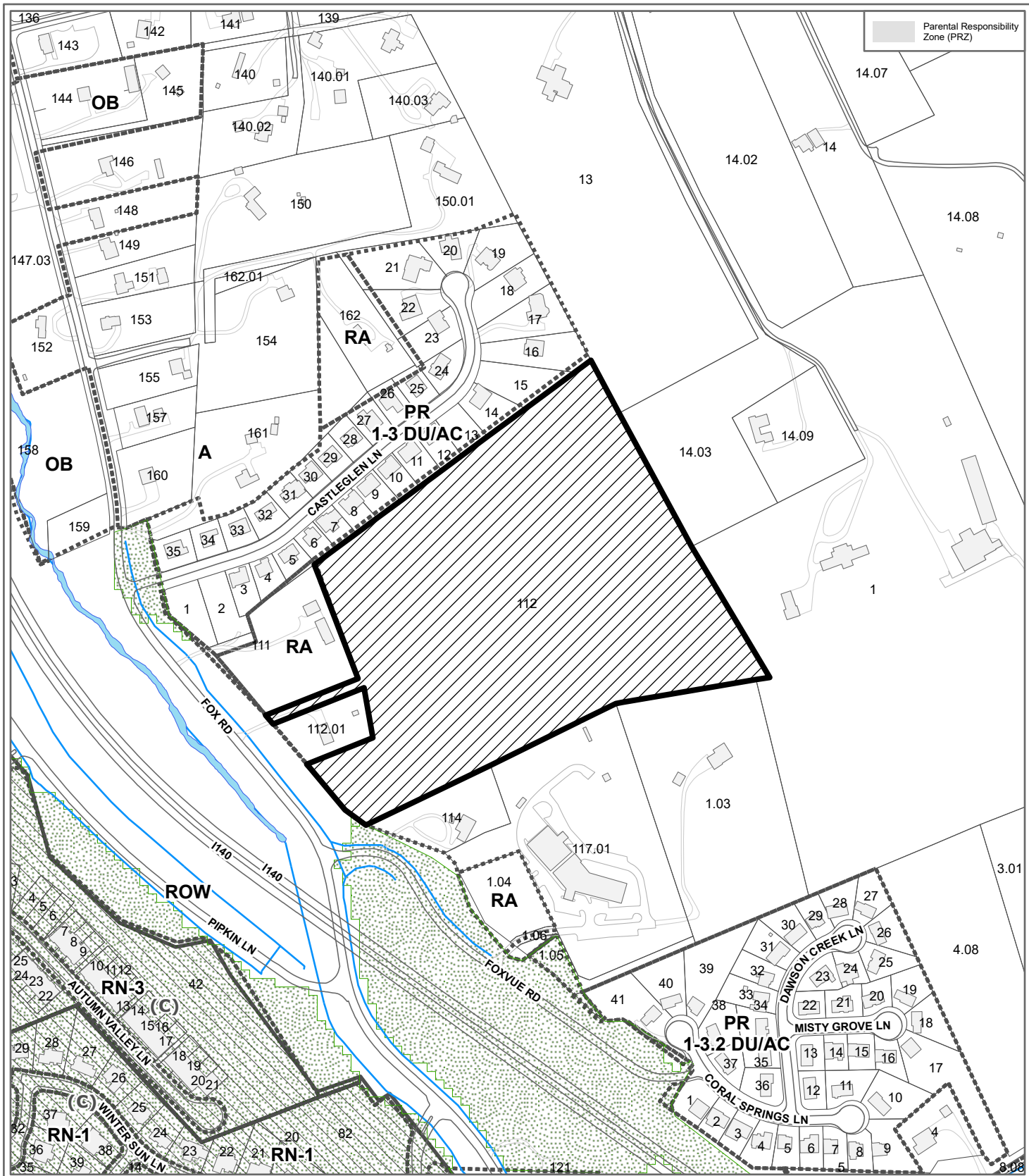
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 46 (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 10/24/2022. 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.



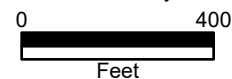
**9-D-22-RZ  
REZONING**

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



Petitioner: Mesana Investments, LLC

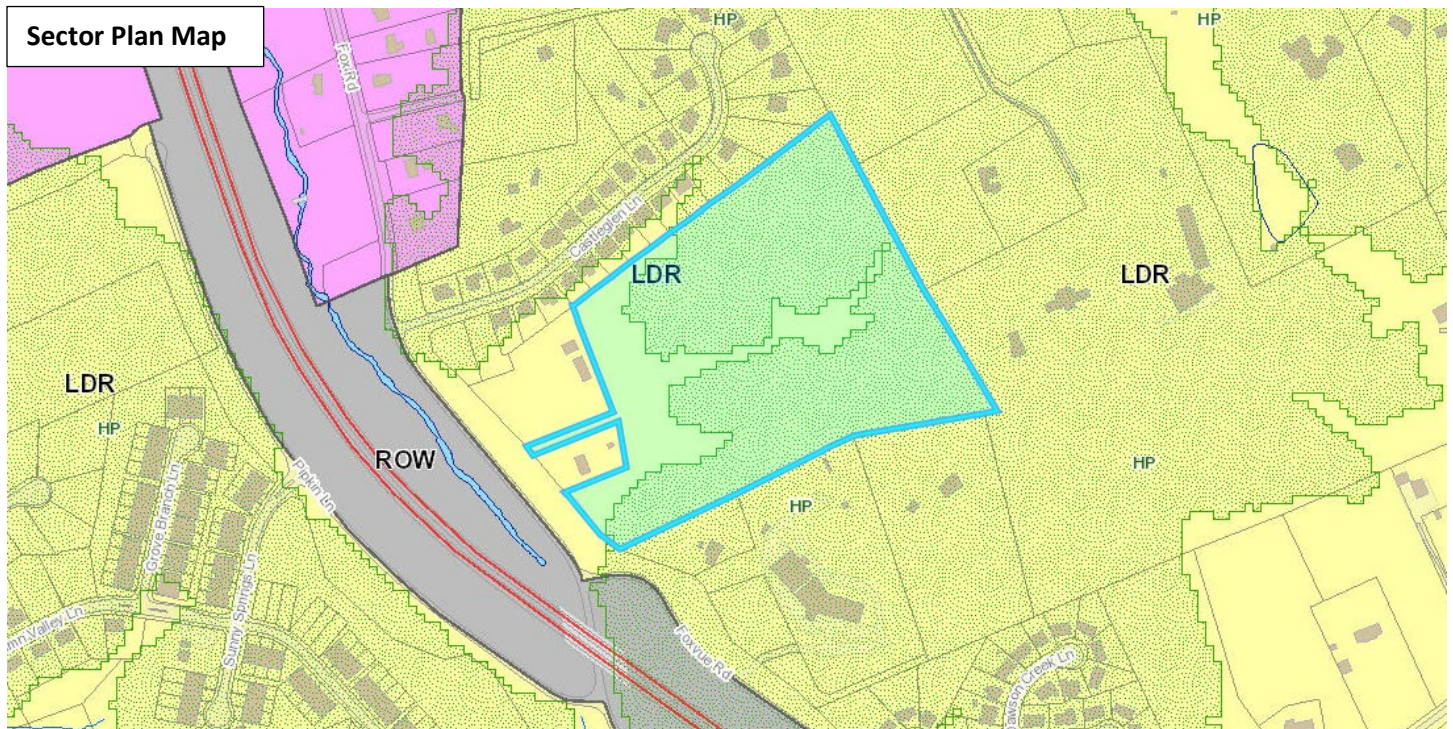
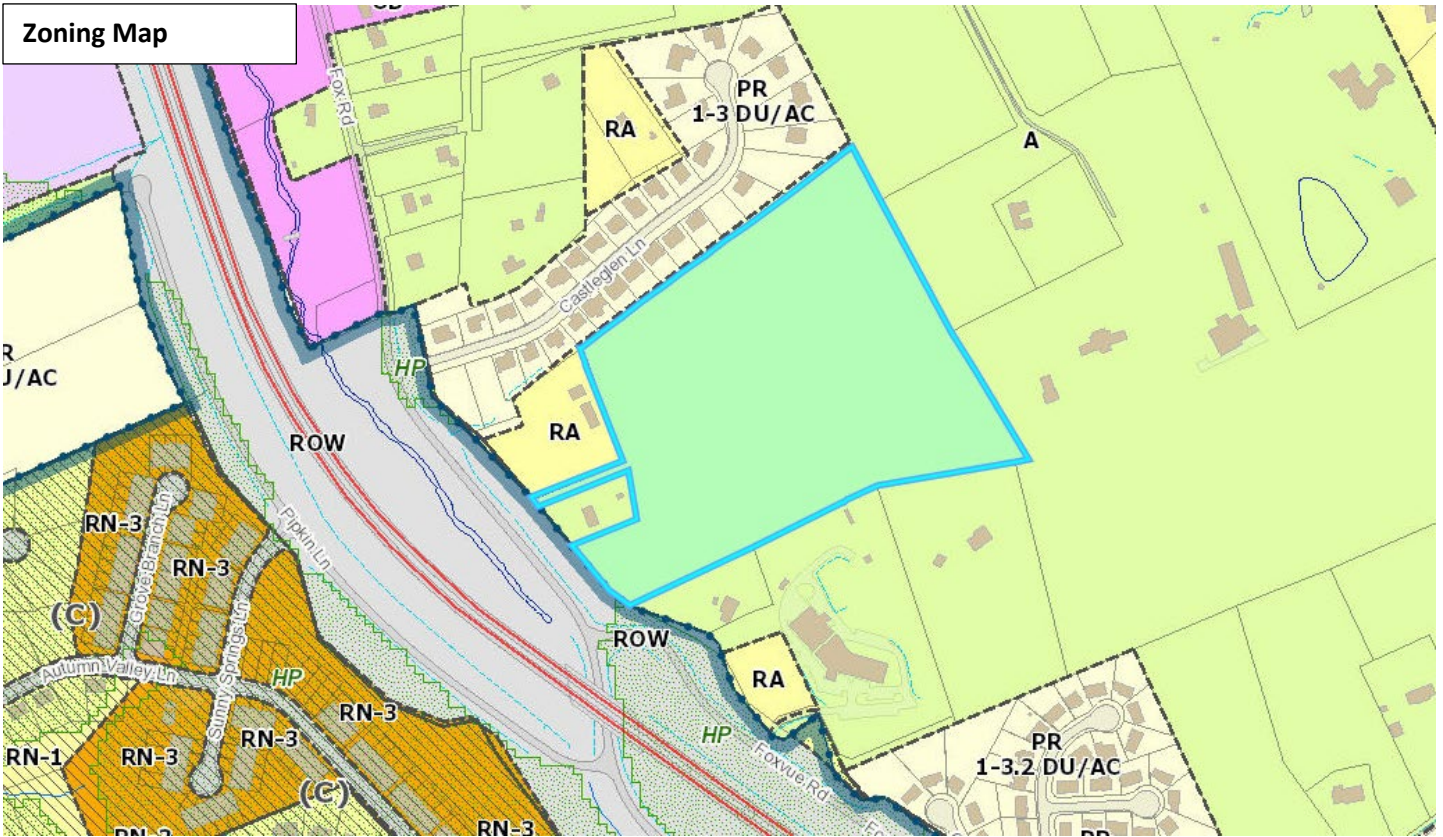
Map No: 143  
Jurisdiction: County



Original Print Date: 8/15/2022      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

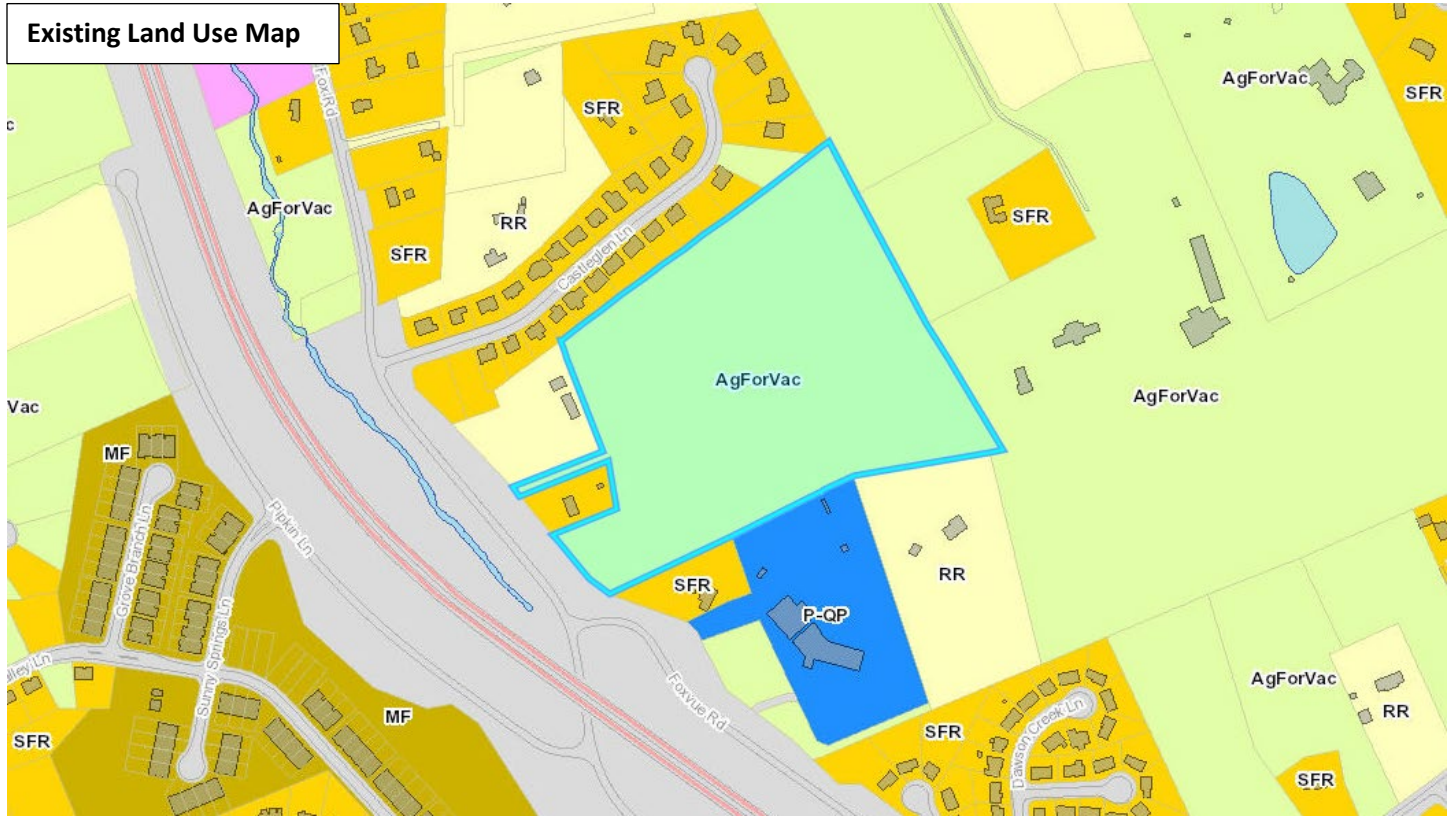


# Exhibit A. 9-D-22-RZ Contextual Images





# Exhibit A. 9-D-22-RZ Contextual Images





# 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

**Mesana Investments, LLC**

Applicant Name

**7/25/2022**

Date Filed

**9/8/2022**

Planning Commission Meeting (if applicable)

**10/24/2022 (Knox County Commission)**

Legislative Meeting (if applicable)

**9-D-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

**0 FOX RD**

Property Address

**143 112**

Parcel ID

**22.52 acres**

Tract Size

Part of Parcel (Y/N)?

**First Knox Utility District**

Sewer Provider

**First Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**East side of Fox Road, south of Castleglen Lane**

General Location

City

**Commission District 3**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

**Southwest County**

Planning Sector

**LDR (Low Density Residential), HP (Hillside Protection)**

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) \_\_\_\_\_

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name

Unit / Phase Number

Total Number of Lots Created

Additional Information

- Attachments / Additional Requirements

Related Rezoning File Number

## ZONING REQUEST

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

Proposed Zoning

**up to 5 du/ac**

Proposed Density (units/acre)    Previous Zoning Requests

- Plan Amendment Change

Proposed Plan Designation(s)

Additional Information

Pending Plat File Number

## 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

**\$1,775.00**

Fee 2

Fee 3

Total

## AUTHORIZATION

*By signing below, I certify that I am the property owner, applicant, or owner's authorized representative.*

**Scott Davis Mesana Investments, LLC, P.O. Box 11315 Knoxville TN 37939**

**7/25/2022**

Application Authorized By

Affiliation

Date

**865-693-3356 / swd444@gmail.com**

Phone / Email

Staff Signature

Please Print

Date Paid



**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Paula Angermeier	504 Fox Road Knoxville, TN 37922	

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Reset Form



# Development Request

- 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

09/08/2022

File Number(s)

Date Filed

Meeting Date (if applicable)

9-D-22-RZ

## 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

0 Fox Road, Knoxville, Tennessee 37922

143 112

Property Address

Parcel ID

FUD

FUD

N

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

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

### SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

- Combine Parcels   
  Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

### ZONING REQUEST

Pending Plat File Number

Zoning Change

Planned Residential ("PR")

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

5 DU/AC

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*)  
 Use on Review / Special Use (*Concept Plan*)  
 Traffic Impact Study  
 COA Checklist (*Hillside Protection*)

Fee 1	Total

### AUTHORIZATION

Applicant Signature

Mesana Investments, LLC

07/20/2022

Please Print

Date

(865) 693-3356

swd444@gmail.com

Phone Number

Email

*Paula Angermeier*

dotloop verified  
07/21/22 10:10 AM EDT  
YGBY-1ETS-YIGU-FHFB

*Kelvin Kearsse*

dotloop verified  
07/20/22 6:54 PM EDT  
ITDB-5ZXK-UJIR-F5SZ

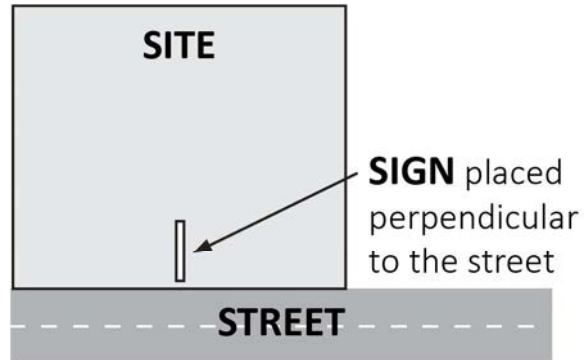
Property Owner Signature

*Kelvin Kearsse*

dotloop verified  
07/20/22 5:38 PM EDT  
KJY4-UJ1E-A3QK-RRF1

Date

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:*

\_\_\_\_\_ 8/24/2022 \_\_\_\_\_ and \_\_\_\_\_ 9/9/2022 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Mesana Investments, LLC

Date: 7/25/2022

File Number: 9-D-22-RZ



Sign posted by Staff



Sign posted by Applicant