

REZONING REPORT

► **FILE #:** 4-N-24-RZ

AGENDA ITEM #: 17

AGENDA DATE: 4/11/2024

► **APPLICANT:** MESANA INVESTMENTS LLC

OWNER(S): Ryan Freels

TAX ID NUMBER: 66 051

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7505 BLACKS FERRY RD

► **LOCATION:** West side of Blacks Ferry Rd, northwest of West Emory Rd

► **APPX. SIZE OF TRACT:** 8.1 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Blacks Ferry Road, a local street with 17-18 ft of pavement width within 50 ft of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Rural Residential

► **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: No, but PR with up to 4 du/ac abuts this property to the south.

HISTORY OF ZONING: None

SURROUNDING LAND USE AND ZONING: North: Rural residential, single family residential, agriculture/forestry/vacant land - A (Agricultural)

South: Single family residential - PR (Planned Residential) up to 4 du/ac

East: Single family residential, agriculture/forestry/vacant land - A (Agricultural)

West: Agriculture/forestry/vacant land - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area is a mix of large agricultural and rural residential lots, and single family residential neighborhoods.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone up to 1 du/ac because of the environmental constraints on the property and the need for infrastructure improvements before higher intensity zoning is established on Blacks Ferry Road.**

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. W Emory Road between Karns and Powell continues to see increases in residential development, though much of the outer boundary of the region remains rural, agricultural, and forested. The proposed rezoning to PR (Planned Residential) zone with density up to 4 du/ac is characteristic of these changes to the area.
2. The Belltown Planned Development is approximately 1 mile to the east of the Blacks Ferry Road and W Emory Road intersection.
3. The PR up to 4 du/ac on the adjacent property to the south (Emory Orchard Subdivision) was approved with the condition that the subdivision only have access to W Emory Road. This condition prohibited access to Blacks Ferry Road and Patriot Way in the subdivision to the west. A right-of-way stub out from the Emory Orchard Subdivision to the subject property was not pursued because of the zoning condition prohibiting utilization of the Patriot Way stub out.
4. The Blacks Ferry Road intersection at W Emory Road does not have adequate sight distance and presents a safety hazard if additional vehicular traffic is added to this road. The 2016 Northwest County Sector Plan references a project to add a center turn lane to W Emory Road from Oak Ridge Highway to Clinton Highway; however, this project is no longer in the Mobility Plan.
5. New residential subdivisions with access to Blacks Ferry Road have been limited to one 6.5-acre subdivision with 18 houses (Blacksferry Pointe). The associated rezoning was approved in 2011 for PR (Planned Residential) up to 3 du/ac (1-B-11-RZ).

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

1. The PR zone is designed to provide optional methods of land development that encourage creative solutions to environmental design problems. Each planned development is intended to be compatible with surrounding or adjacent zones.
2. There are 3.9 acres of hillside protection area comprised almost entirely of slopes less than 25 percent, with more than half being less than 15 percent.
3. There are two blue line streams that cross the property and converge in the northeast portion of the parcel near Blacks Ferry Road.
4. These significant environmental considerations align with the intent of the PR zone to develop in the least environmentally constrained portions of the property by allowing clustered/ conservation residential development.
5. The 8-acre property has a house and agricultural land comprised of approximately 3.9 acres of locally important and 1.5 acres of prime farm soils. The locally important soils are in the western portion of the property that is actively farmed. The prime farm soils are on the east side of the property.
6. The applicant requested PR with a density of 5 du/ac. Staff recommends a density no greater than 1 du/ac in light of the ecological constraints on the property, the rural character along Blacks Ferry Road, and the safety concerns at the W Emory Road intersection. The current A (Agricultural) zoning has a minimum 1-acre lot size.

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 recommended PR zone with a density no greater than 1 du/ac is the same density already permitted under the property's current A (Agricultural) zone. A key distinction between the two districts is that the PR zone enables development that is more responsive to environmental conditions by permitting clustered development in the optimal areas of the property, as opposed to the 1-acre minimum lot size in the A zone. The PR zone up to 1 du/ac will likely yield 1 to 2 more dwellings than the A zone because of the ability to cluster dwelling units.
2. Development plans under the PR district are reviewed by the Planning Commission, providing a public forum for review and input on the proposed development. It also enables a cross-departmental review of the plans to evaluate the proposed development's impact on surrounding properties and infrastructure.
3. As mentioned previously, there are several concerns with the requested density: the ecological constraints on the property, the rural character along Blacks Ferry Road, and the safety concerns at the W Emory Road intersection. By maintaining the existing permitted density on the subject property, the recommended rezoning is not anticipated to have an adverse impact on the area. By maintaining the existing permitted density on the subject property, the recommended rezoning is not anticipated to have an adverse impact on the area.

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 up to 5 du/ac zoning is permitted within the Northwest County Sector Plan's LDR (Low Density Residential) land use classification.
2. The PR zone is consistent with the General Plan's development policy 6.3, which encourages development in areas with the fewest environmental constraints.

3. The recommended maximum density of 1 du/ac is consistent with the General Plan's development policy 9.3, which calls to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

4. The PR zone and recommended density are consistent with the subject property's location in the Planned Growth Area of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 434 (average daily vehicle trips)

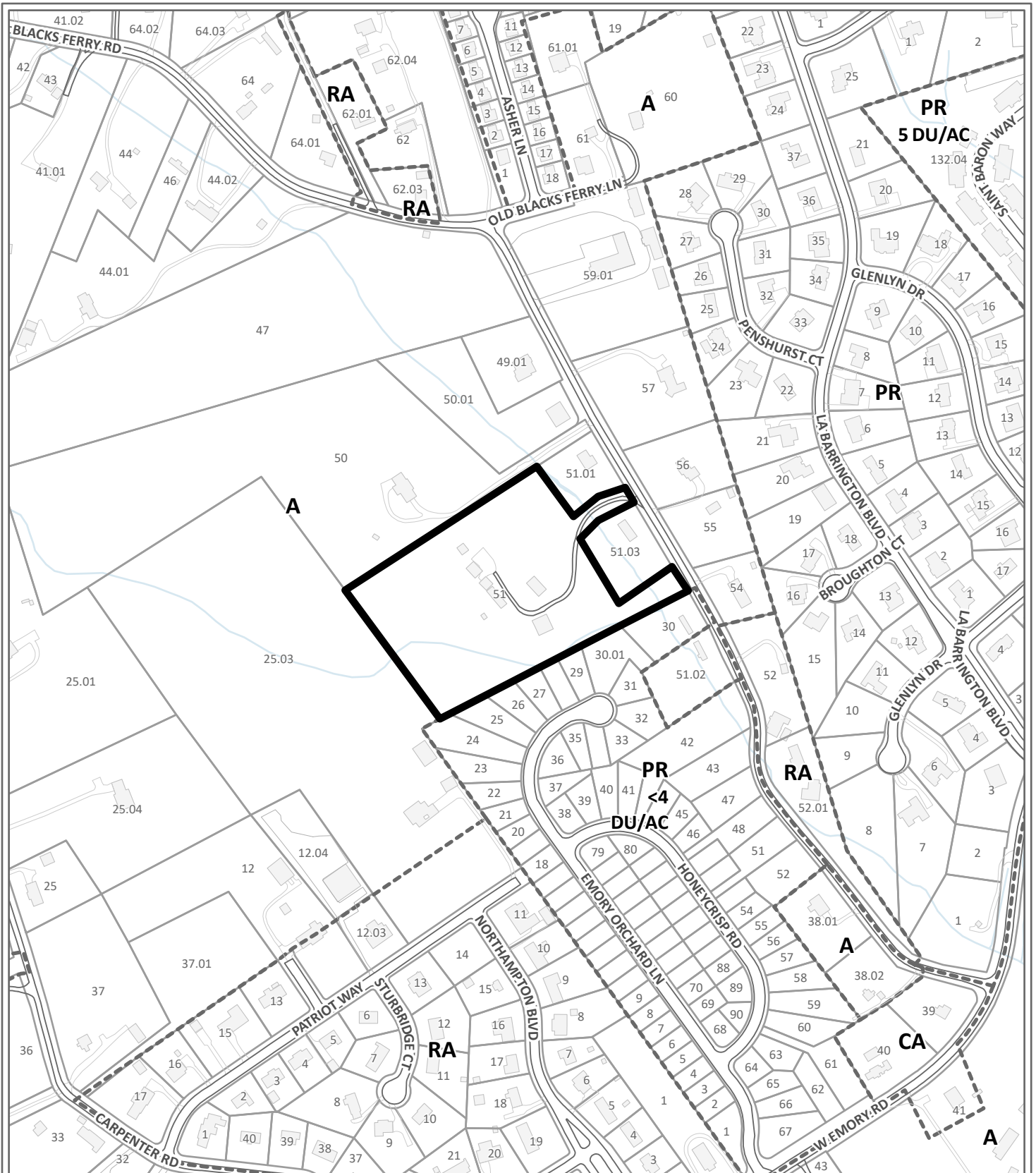
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 17 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 5/20/2024. 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.



REZONING

4-N-24-RZ

Petitioner: Mesana Investments LLC



From: A (Agricultural)

To: PR (Planned Residential)

Original Print Date: 3/6/2024

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

Map No: 66

Jurisdiction: County

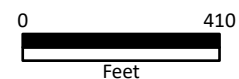
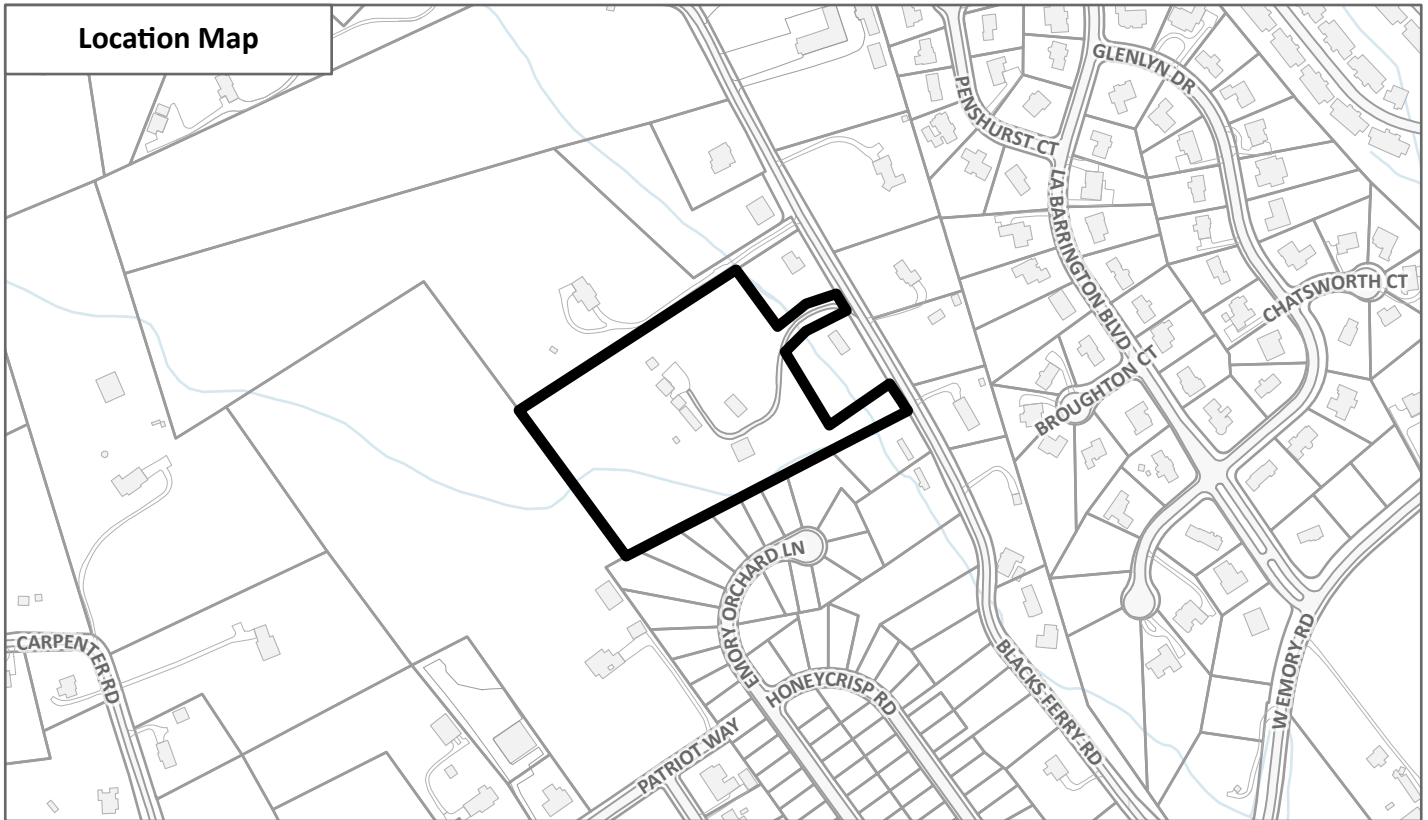
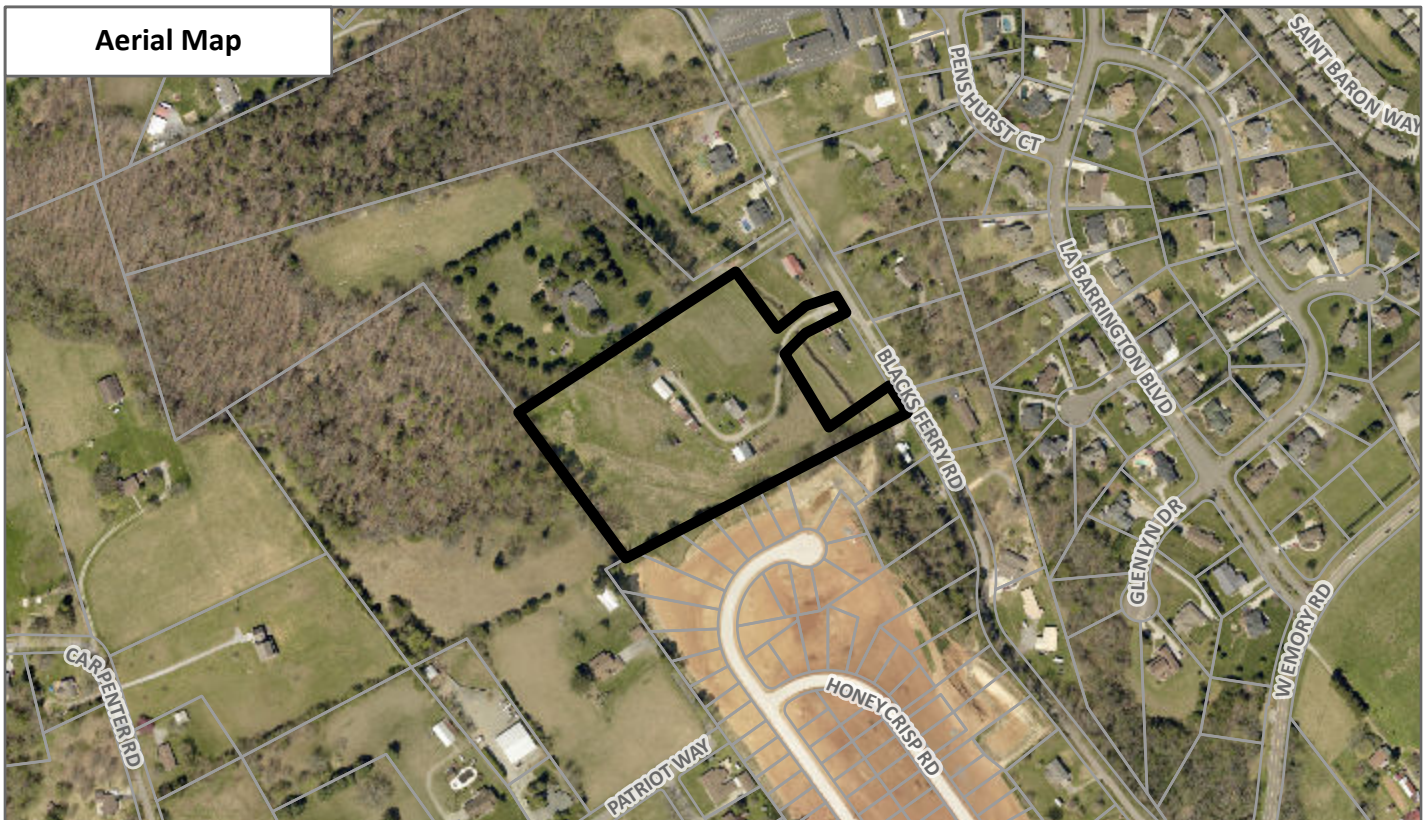


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

4-N-24-RZ

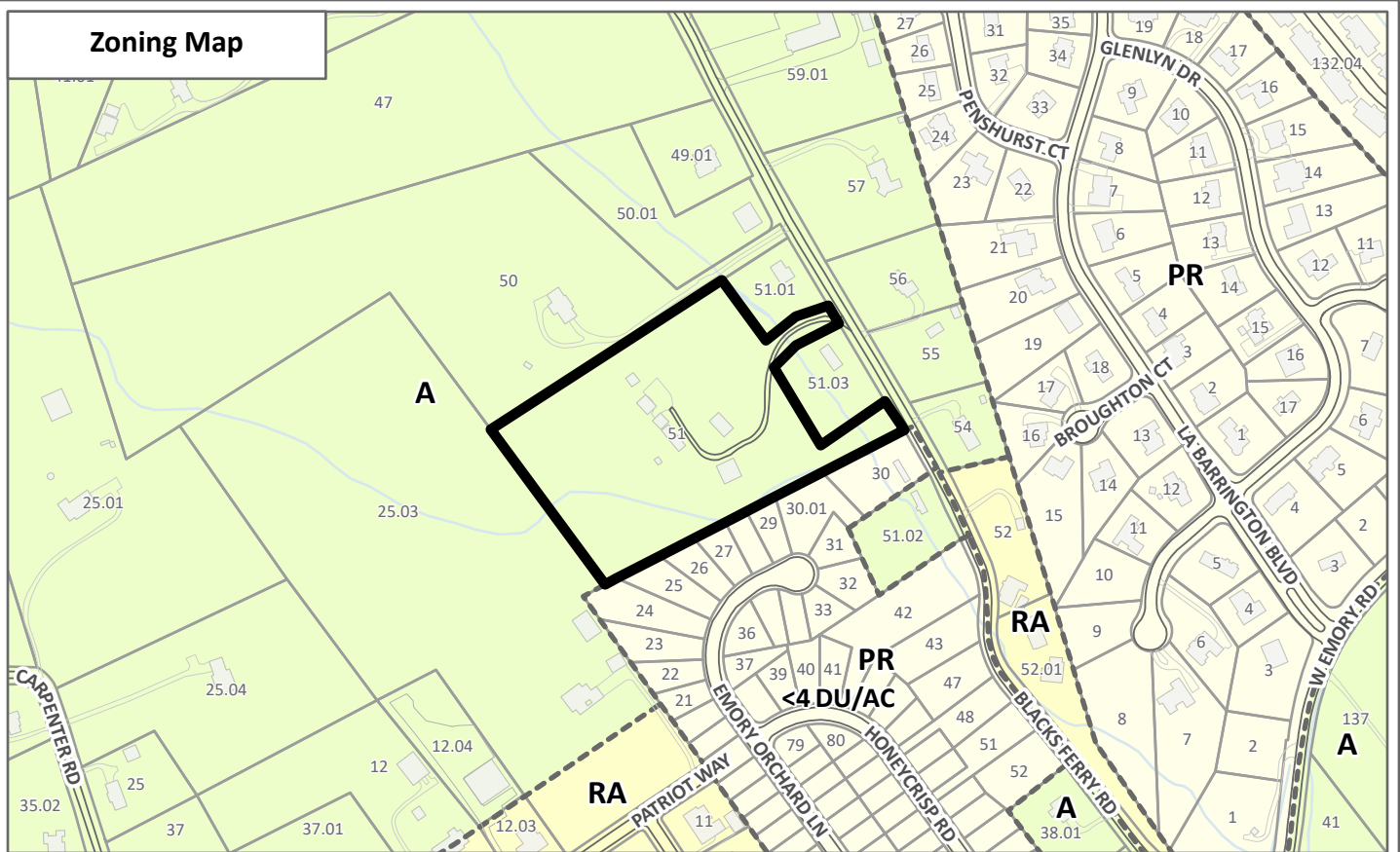


Case boundary

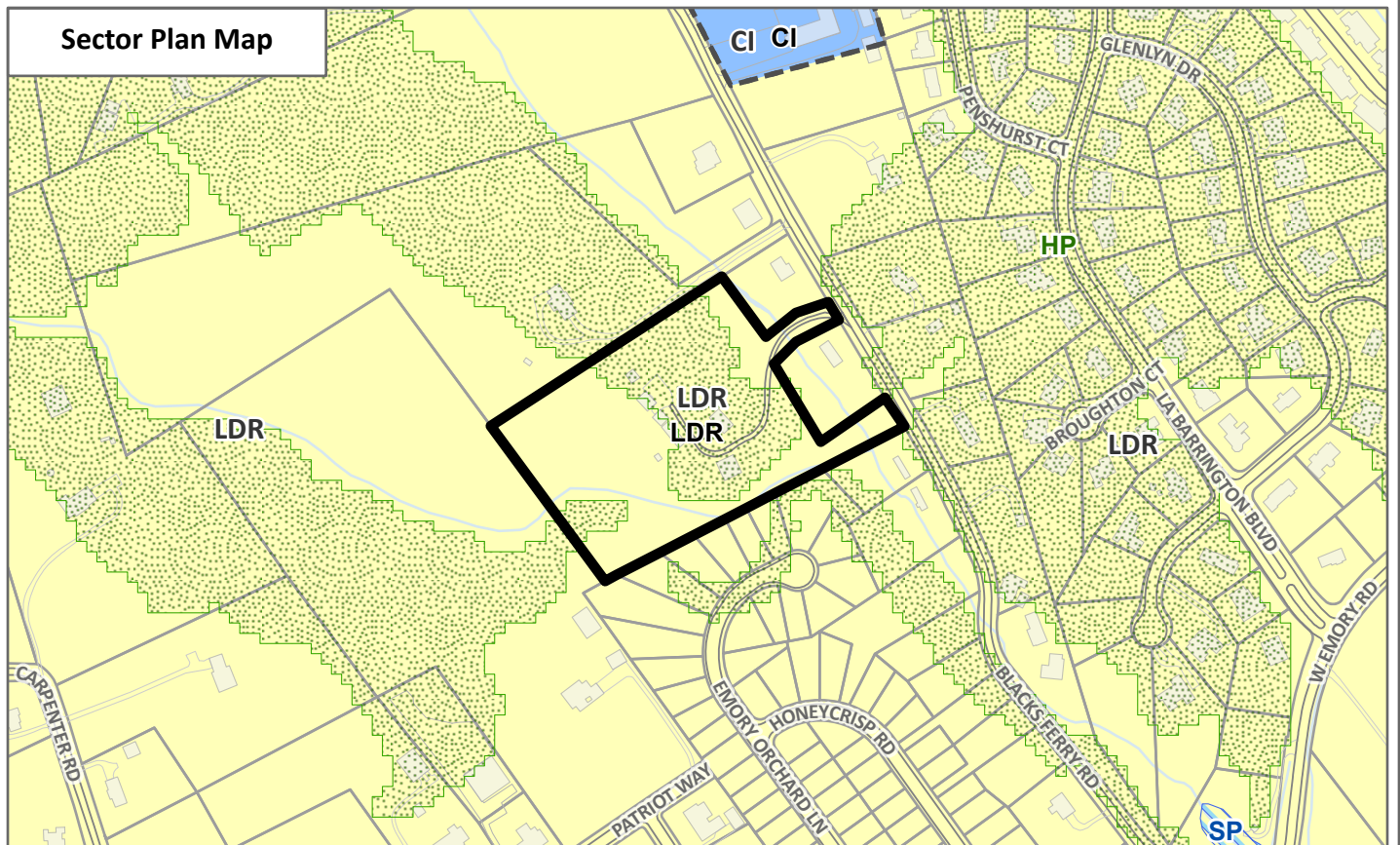
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Zoning Map



Sector Plan Map

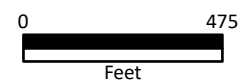


CONTEXTUAL MAPS 2

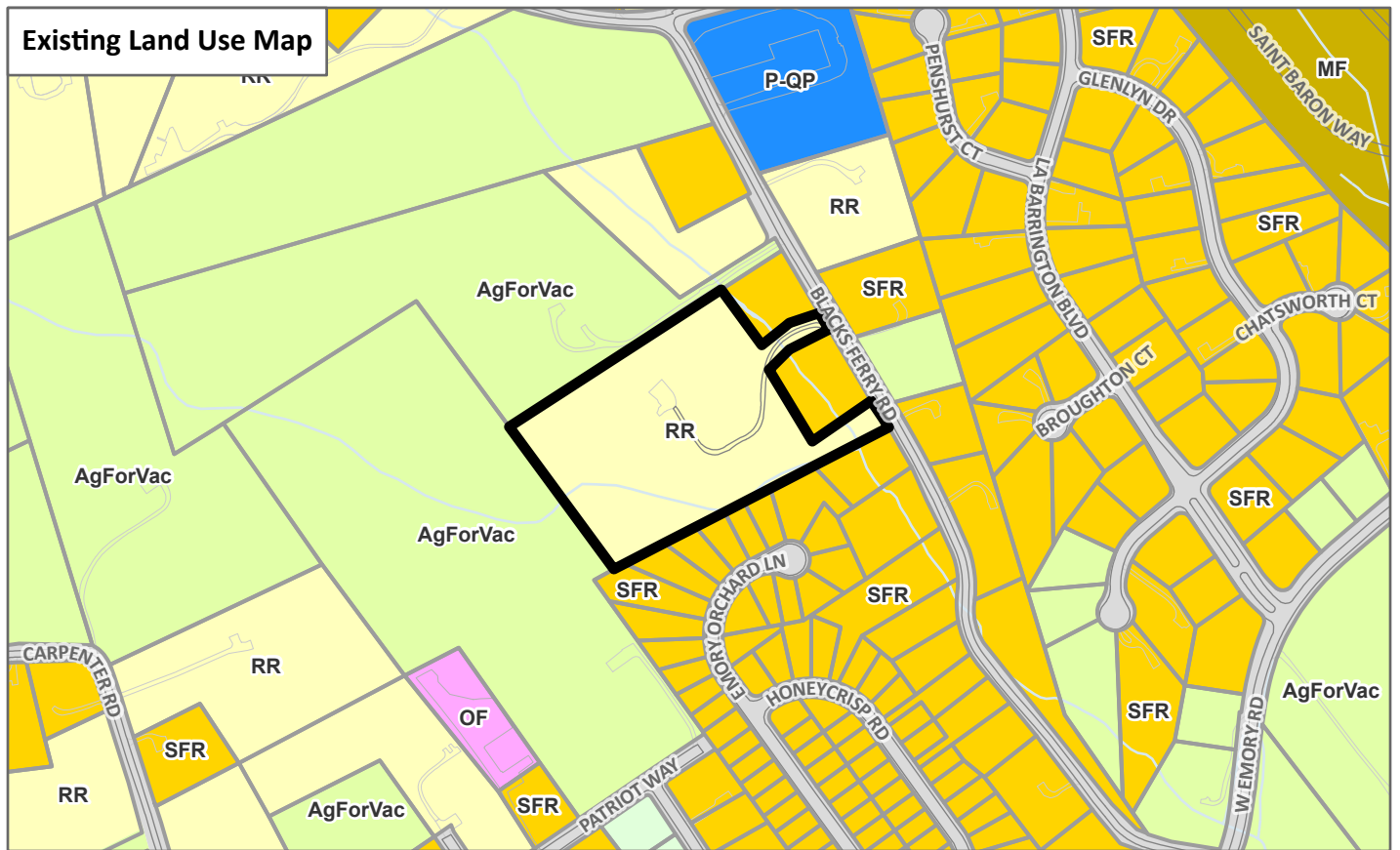
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Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

4-N-24-RZ

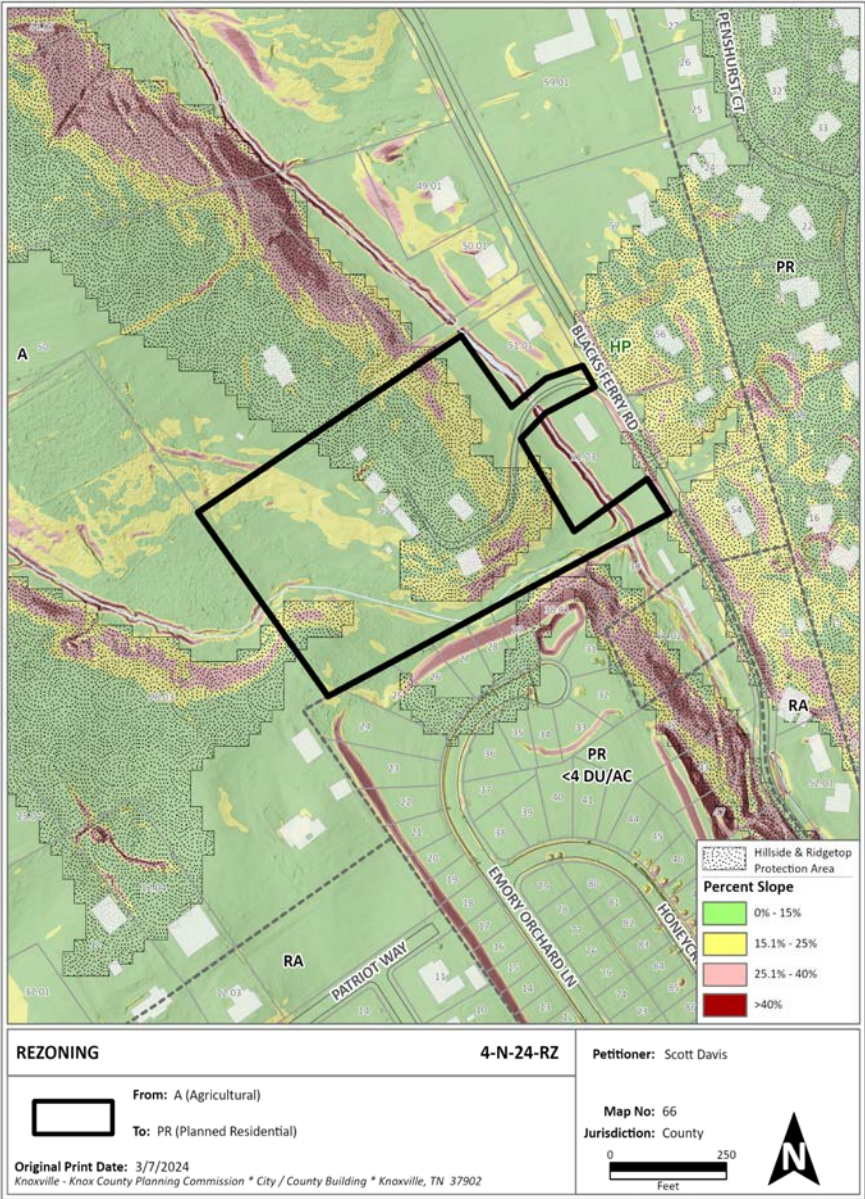


Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.1		
Non-Hillside	4.8	N/A	
0-15% Slope	1.8	100%	1.8
15-25% Slope	1.3	50%	0.7
25-40% Slope	0.3	20%	0.1
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	3.3	Recommended disturbance budget within HP Area (acres)	2.5
		Percent of HP Area	74.0%

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	4.8	5.00	23.8
0-15% Slope	1.8	5.00	8.9
15-25% Slope	1.3	2.00	2.6
25-40% Slope	0.3	0.50	0.1
Greater than 40% Slope	0.0	0.20	0.0
Ridgetops	0.0	3.00	0.0
Subtotal: Sloped Land	3.3		11.6
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	8.1	4.37	35.4
Proposed Density (Applicant)	8.1	5.00	40.5





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

Affiliation

2/26/2024

Date Filed

4/11/2024

Meeting Date (if applicable)

4-N-24-RZ

File Number(s)

CORRESPONDENCE

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

Drew Staren Mesana Investments LLC

Name / Company

PO Box 11315 Knoxville TN 37939

Address

865-806-8008 / swd444@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Ryan Freels

Owner Name (if different)

7505 Blacks Ferry Rd Knoxville TN 37931

Owner Address

865-806-8008 / swd444@gmail.

Owner Phone / Email

7505 BLACKS FERRY RD

Property Address

66 051

Parcel ID

8.1 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Blacks Ferry Road, Northwest of West Emory Road

General Location

☐ City **Commission District 6 A (Agricultural)**

☒ County District Zoning District

Rural Residential

Existing Land Use

Northwest 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

Related Rezoning File Number

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)

up to 5 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

\$1,055.00

Total

Fee 2

Fee 3

AUTHORIZATION

- ☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Mesana Investments LLC

2/26/2024

Applicant Signature

Please Print

Date

Phone / Email

Ryan Freels

2/26/2024

Property Owner Signature

Please Print

Date



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

Applicant Name Scott Davis Affiliation Mesana Investments LLC

Date Filed 2/9/24 Meeting Date (if applicable) April 11, 2024 File Number(s)

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

Name Drew Statton Company Mesana Investments LLC

Address PO Box 11315 City Knoxville State TN ZIP 37939

Phone (865) 806-8008 Email sud444@gmail.com

CURRENT PROPERTY INFO

Property Owner Name (if different) Ryan Freels Property Owner Address 7503 Blacks Ferry Rd Property Owner Phone (865) 755-099

Property Address 7503 Blacks Ferry Road Parcel ID 066 051

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 Plan

☒ Residential

☐ Use on Review / Special Use

☐ Non-Residential

☐ Hillside Protection COA

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Unit / Phase Number

☒ Combine Parcels

☐ Divide Parcel

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

Total Number of Lots Created

ZONING REQUEST

☒ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

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

☒ I declare under penalty of perjury the foregoing is true and correct:
1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

Please Print

Date

Phone Number

Email

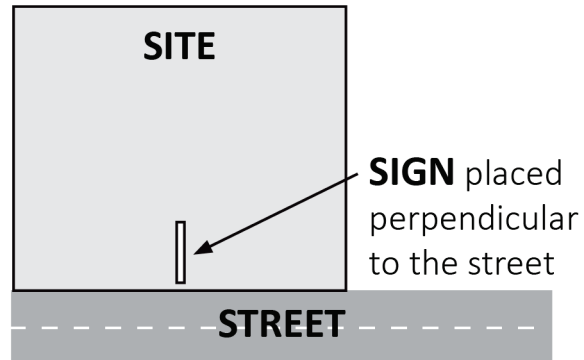
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Ryan Freels

02/09/24

Ryan Freels

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:

_____ March 26, 2024 _____ and _____ April 12, 2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Scott Davis

Date: 02/26/2024

File Number: 4-N-24-RZ



Sign posted by Staff



Sign posted by Applicant