

# REZONING REPORT

**▶ FILE #:** 2-K-24-RZ **AGENDA ITEM #:** 10  
 POSTPONEMENT(S): 2/8/2024, 3/7/2024 **AGENDA DATE:** 4/11/2024  
**▶ APPLICANT:** MESANA INVESTMENTS, LLC  
 OWNER(S): Eagle Bend Development, LLC

**TAX ID NUMBER:** 78 A B 044 [View map on KGIS](#)  
**JURISDICTION:** County Commission District 6  
**STREET ADDRESS:** 0 NIGHT TIME DR  
**▶ LOCATION:** **North side of Night Time Drive, southwest of Carpenter Road**  
**▶ APPX. SIZE OF TRACT:** **14371 square feet**  
**SECTOR PLAN:** Northwest County  
**GROWTH POLICY PLAN:** Planned Growth Area  
**ACCESSIBILITY:** Access is via Night Time Dr, a local street with an 22-ft pavement width within a 50-ft right-of-way.  
**UTILITIES:** Water Source: West Knox Utility District  
 Sewer Source: West Knox Utility District  
**WATERSHED:** Beaver Creek

**▶ PRESENT ZONING:** **PR (Planned Residential) up to 4 du/ac**  
**▶ ZONING REQUESTED:** **PR (Planned Residential)**  
**▶ EXISTING LAND USE:** **Agriculture/Forestry/Vacant Land**  
  
**▶ DENSITY PROPOSED:** **up to 4 du/ac (as a separate PR zone)**  
**EXTENSION OF ZONE:** Yes, this is an extension  
**HISTORY OF ZONING:** The property was rezoned from A to PR up to 4 du/ac in September 2006 (7-L-06-RZ)  
**SURROUNDING LAND USE AND ZONING:** North: Agriculture/forestry/vacant land - PR (Planned Residential) up to 4 du/ac  
 South: Single family residential - PR (Planned Residential) up to 4 du/ac  
 East: Rural residential - A (Agricultural)  
 West: Single family residential - PR (Planned Residential) up to 4 du/ac  
**NEIGHBORHOOD CONTEXT:** The subject property is in the Dochester Subdivision, located on Carpenter Road. The properties along Carpenter Road are a mix of small and large residential lots, and agricultural properties. There is an attached residential development to the south with access from W. Emory Rd.

**STAFF RECOMMENDATION:**

**▶ Deny the request for PR (Planned Residential) up to 4 du/ac for the subject lot because it will make the platted Dochester Subdivision non-compliant with the approved zoning density.**

**COMMENTS:**

This request is to rezone the 0.33-acre “future development” area on the Dorchester Subdivision final plat (Exhibit B) to its own PR (Planned Residential) zone district. The intent of this request is to allow one more house lot to be platted, for a total of 79 lots. In June 2023, a 78-lot final plat was recorded for the Dorchester Subdivision on a total area of 19.45 acres (4.0 du/ac). If this request is approved, the net result is a 0.33-acre house lot zoned PR up to 4 du/ac that is compliant with the zoning and the remaining 78 lots on 19.12 acres zoned PR up to 4 du/ac that are not compliant with the zoning.

**BACKGROUND**

The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 4 du/ac in September 2006 (7-L-06-RZ). The rezoning included approximately 49 acres.

In January 2007 the applicant obtained concept plan approval for 73 lots in approximately the same area as the current Dorchester Subdivision (1-SG-07-C / 1-J-07-UR). In May 2007, the applicant applied again to increase the number of lots to 170 over the entire 49 acres zoned PR up to 4 du/ac (5-SK-07-C / 5-J-07-UR). However, this was withdrawn in August 2007. The January 2007 approval was extended twice and eventually expired in January 2012.

Between 2012 and 2016, approximately 29.5 acres of the area zoned PR (Planned Residential) up to 4 du/ac were no longer associated with the subject development.

In 2016 the applicant submitted a new concept plan application and was approved for 66 lots in the same location as the current Dorchester Subdivision (3-SE-16-C / 3-D-16-UR). In 2019, the applicant submitted a new concept plan application and was approved for 70 lots, with an area in the middle of the subdivision labeled “future development” for additional lots (9-SC-19-C / 9-J-19-UR). For the 2016 and 2019 applications, the acreage stated on the plans was 19.86 acres.

In 2021, the applicant submitted a new concept plan application for 9 additional lots (8-SA-21-C / 8-C-21-UR). The acreage stated on the plan was reduced to 19.46 acres. If approved as requested, the Dorchester Subdivision would have 79 lots on 19.46 acres (4.06 du/ac), which exceeds the maximum allowed density of 4 du/ac. There was a condition of the concept plan that the maximum number of lots would be based on the acreage shown on the final plat and not to exceed 4 du/ac. The Dorchester Subdivision final plat states there are 19.45 acres, which only allows 78 lots.

In 2023, the applicant submitted a new concept plan application, which was only to modify the design of the entrance road and did not change the acreage of the property or the number of lots requested (1-SA-23-C).

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. Carpenter Road was widened to 18 feet from the Dorchester Subdivision entrance road (Night Time Drive) to Ridgewalk Lane to the south. This was a requirement of the concept plan approval for the Dorchester Subdivision.

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

- 1. If the rezoning is approved as requested, the remaining portion of the Dorchester Subdivision will have a density of 4.08 du/ac, which exceeds the PR (Planned Residential) up to 4 du/ac zoning.
- 2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time is compatible with the surrounding land uses.

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 creation of one additional house lot within the Dorchester Subdivision will not have direct or indirect adverse impacts on nearby properties or other parts of the County.

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 subject property is designated with the LDR (Low Density Residential) land use classification in the Northwest County Sector Plan, which allows consideration of the PR zone in the Planned Growth Areas of the Growth Policy Plan.

2. The requested rezoning is consistent with the General Plan's development policy 9.3, the intent of which is to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: 15 (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: 0 (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 5/28/2024. 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.