

PLAN AMENDMENT/ REZONING REPORT

►	FILE #:	3-E-24-RZ								GENDA	ITEM #:	11
		3-A-24-SP							/	GENDA	DATE:	3/7/2024
►	APPLICA	NT:	MESA	IA INVE	EST	MENT	S LLC					
	OWNER(S):	John Jo	ohnson								
	TAX ID N	UMBER:	125 0	41, 040.0	01,	043.0	1				<u>View m</u>	ap on KGIS
	JURISDIC	CTION:	Commi	ssion Di	istri	ct 9						
	STREET	ADDRESS:	7803 S	EVIERV	/ILL	E PIK	Ξ (7807	, 7809 SI	EVIE	RVILLE F	ΊΚΕ)	
►	LOCATIC	DN:	South	side of \$	Sev	viervill	e Pk, ea	ast of Ba	asilfie	ld Dr		
►		NFORMATION:	11.4 ac	res.								
	SECTOR	PLAN:	South (County								
	GROWTH	H POLICY PLAN:	Rural A	rea								
	ACCESS	IBILITY:						minor col of 46-54		⁻ street wi	ith a 17 ft	pavement
	UTILITIE	S:	Water	Source:	ł	<nox-c< td=""><td>Chapma</td><td>n Utility D</td><td>Distric</td><td>t</td><td></td><td></td></nox-c<>	Chapma	n Utility D	Distric	t		
			Sewer	Source:	ł	<nox-c< td=""><td>Chapma</td><td>n Utility D</td><td>Distric</td><td>t</td><td></td><td></td></nox-c<>	Chapma	n Utility D	Distric	t		
	WATERS	HED:	Burnett	Creek								
Þ	PRESEN DESIGI	T PLAN NATION/ZONING:	AG (Ag	ricultur	ral),	, HP (H	lillside	Protectio	on) /	A (Agricı	ultural)	
Þ	PROPOS DESIGI	ED PLAN NATION/ZONING:	LDR (L Reside		nsity	y Resi	dential)), HP (Hil	llside	Protecti	ion) / PR ((Planned
►	EXISTING	G LAND USE:	Agricu	lture/for	rest	try/vac	cant Lai	nd				
►	DENSITY	PROPOSED:	up to 3	du/ac								
		on of plan Nation/Zoning:	No, it is	not an e	exte	ension	of the p	olan desig	gnatic	on or the z	zoning.	
	HISTORY REQUE	of Zoning Sts:	None n	oted.								
		INDING LAND USE,	North:	Single	far	nily res	sidential	- AG (Ag	gricult	ural) - A	(Agricultu	ral)
	PLAN D ZONING	ESIGNATION, }	South:				stry/vaca Agricult		AG (Agricultu	ral), HP (H	Hillside
			East:					family re (Agricultu		itial - AG	(Agricultu	ral), HP
			West:					- AG (Ag ensity Re		tural), HP ntial)	(Hillside	
	NEIGHBO	ORHOOD CONTEXT:									nerical noo tion of Se	

11-1

STAFF RECOMMENDATION:

- Approve the sector plan amendment to the RR (Rural Residential) land use classification because it is consistent with development in the area. The HP (Hillside Protection) area would be retained.
- Approve the PR (Planned Residential) zone up to 1 du/ac because it is consistent with the Rural Residential land use classification and surrounding development, subject to one condition.

1. The rear of the parcel with slopes of 25% or greater at approximately beyond the 970-contour line shall be left undisturbed.

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN: 1. This area has been transitioning from the A (Agricultural) zone to the PR (Planned Residential) zone with densities ranging from 2 to 8 du/ac since 2002.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. In 2007, Majestic Grove Rd and Mountain Grove Dr were constructed as internal streets for the commercial development along Chapman Hwy at E Governor John Sevier Hwy. At the same time, Chapman Hwy was improved to include turn lanes into the new development.

AN OBVIOUS OR SIGNIFCANT ERROR OR OMISSION IN THE PLAN:

1. The AG (Agricultural) land use designation is not the result of an error or omission in the sector plan. However, the area immediately to the west of this property is also classified with the AG land use classification, but these developments do not meet the AG land use classification description. These areas were developed in the 1970s and 1990s, and the sector plan should have considered the RR land use classification for those developments. RR may be considered in the Rural Area of the Growth Policy Plan.

2. The RR land use classification allows consideration of PR up to 1 du/ac in the South County Sector Plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORGINAL PLAN PROPOSAL:

1. The large commercial development along Chapman Hwy at W Governor John Sevier Hwy warrants a significant change in the area over the last 10 years.

OTHER CONSIDERATIONS:

1. The subject property meets the RR (Rural Residential) land use classification's location criteria, which is for sites characterized as forested (tree covered), especially on moderate and steep slopes and by sites adjacent to agricultural areas where conservation/cluster housing subdivisions may be appropriate.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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

AGENDA ITEM #: 11	FILE #: 3-A-24-SP	3/1/2024 10:43 AM	WHITNEY WARNER	PAGE #:	11-2

CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE COUNTY GENERALLY: 1. The adjacent subdivision was rezoned to RA in 1992. There have been several PR rezonings with densities ranging from 2-8 du/ac along E Governor John Sevier Hwy since the early 2000s.

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

1. The PR zone provides flexibility for residential development on properties with environmental constraints by allowing clustered development in the optimal areas of a property to preserve more environmentally sensitive areas, such as steep slopes and streams.

2. This property has steep slopes along the rear of the property, so the PR zone would permit clustered development in the less sloped areas, enabling preservation of steep slopes and forested areas.

3. PR up to 1 du/ac on this 11.4-acre property would allow up to 11 units where dwellings may be clustered. The current Agriculture zone would also allow 11 units, but only with 1-acre minimum lot sizes. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone.

4. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be 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 RA zone is adjacent to the property. The proposed density of 1 du/ac is not expected to have adverse impacts on that development.

2. The impact to the street system will be minimal as the property has direct access to a minor collector street. 3. Considering the environmental constraints, staff recommends approving the PR zone at 1 du/ac on the condition that the area along the rear of the property line with slopes of 25% or higher at the 970-contour line be left undisturbed (see Exhibit B). This condition is supported by the following development policies of the General Plan 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4) and 2) Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors (6.1) and 3) Compliment natural land forms when grading, and minimize grading on steep slopes and within floodways (6.2).

4. Approximately 43% of the property is within the Hillside Protections Area. The slope analysis recommends a density of 2.32 du/ac for the property.

5. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 recommended amendment for the South County Sector Plan to RR (Rural Residential) makes the proposed rezoning consistent with the land use plan, which allows up to 1 du/ac. The requested LDR (Low Density Residential) land use classification is not consistent with the sector plan, which calls for the RR or AG land use classifications in the County's Rural Areas.

2. The proposed PR zone of 1 du/ac is consistent with the Rural Area of the Growth Policy Plan, which allows up to 3 du/ac.

3. With adherence to the noted condition, the proposed PR zone of 1 du/ac aligns with 6.2 of the General Plan, which encourages development in areas with the fewest environmental constraints. The nearby Planned Growth Area to the west is proposed to be extended along Sevierville Pike, and the extension would include this parcel. However, the Growth Policy Plan has not been adopted, so the request is subject to the policies and plans that are currently in place. It will require approval by the Knox County Commission, the Knoxville City Council, and the Town of Farragut Board of Aldermen.

ESTIMATED TRAFFIC IMPACT: 374 (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: 7 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle High.

AGENDA ITEM #: 11 FILE #: 3-A-24-SP 3/1/2024 10:43 AM WHITNEY WARNER PAGE #: 11-3

• 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 4/22/2024. 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.

(1) Downood and jir out this jorn at your convenience.(2) Sign the application digitally (or print, sign, and scan).

(5) Fruit the completed joint and army it to the Knoxville-Knox County Planning offices OR email it to applications@knoxplanning.org

Reset Form

P	La KNOXVIL	79 J. (.)	

Request to Postpone · Table · Withdraw

rianning	Mesana Investments, LLC	3/6/	24
KNOXVILLE KNOX COUNTY	Applicant Name (as it appears on the current Plannir	g Commission agenda) Date o	of Request
3/7/24		Fil	e Number(s)
Scheduled Meeting Date	3-A-24·	SP / 3-E-24-RZ	
POSTPONE			
the week prior to the Planni	are eligible for postponement if the request is receivening Commission meeting. All requests must be acted e for one 30-day automatic postponement. If payme	upon by the Planning Commission, e	xcept new
SELECT ONE: 🗌 30 days 🔳	60 days 🔲 90 days		
Postpone the above application(s) until the 5/9/2024	Planning Commission Meetin	g.
WITHDRAW			
week prior to the Planning Co Applicants are eligible for a re	by be withdrawn automatically if the request is receiv commission meeting. Requests made after this deadlir efund only if a written request for withdrawal is received and deadline and the request is approved by the Execut	e must be acted on by the Planning ved no later than close of business 2	Commission. business days
after the application submitta			
after the application submitta		refund check will be mailed to the c	riginal payee
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CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	11.4		
Non-Hillside	6.4	N/A	
0-15% Slope	0.8	100%	0.8
15-25% Slope	2.0	50%	1.0
25-40% Slope	1.6	20%	0.3
Greater than 40% Slope	0.6	10%	0.1
Ridgetops			
Hillside Protection (HP) Area	5.0	Recommended disturbance budget within HP Area (acres)	2.2
		Percent of HP Area	43.4%

CATEGORY Non-Hillside	ACRES 6.4	RECOMMENDED DENSITY (Dwelling Units / Acre) 3.00	NUMBER OF UNITS
0-15% Slope	0.8	3.00	2.5
15-25% Slope	2.0	2.00	3.9
25-40% Slope	1.6	0.50	0.8
Greater than 40% Slope	0.6	0.20	0.1
Ridgetops	0.0	3.00	0.0
Subtotal: Sloped Land	5.0		7.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	11.4	2.32	26.4
Proposed Density (Applicant)	11.4	3.00	34.2





Feet

KNOXVILLE-KNOX COUNTY PLANNING COMMISSION A RESOLUTION AMENDING THE SOUTH COUNTY SECTOR PLAN

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the South County Sector Plan consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Mesana Investments LLC has submitted an application for an amendment to the South County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Agricultural, **Hillside Protectoin** to Rural Residential, **Hillside Protection** is consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing March 7, 2024 after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the South County Sector Plan with its accompanying staff report and map, file #3-A-24-SP

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



Development Request

DEVELOPMENT

Development Plan

□ Planned Development

Use on Review / Special Use ☐ Hillside Protection COA

SUBDIVISION

Concept Plan □ Final Plat

Plan Amendment Sector Plan One Year Plan ✓ Rezoning

ZONING

Mesana Investments LLC **Applicant Name** Affiliation 1/23/2024 3/7/2024 3-E-24-RZ / 3-A-24-SP 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. 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** 440 Highland View Dr Knoxville TN 37920 828-702-8413 John Johnson Owner Name (if different) **Owner Address** Owner Phone / Email 7803 SEVIERVILLE PIKE / 7807, 7809 SEVIERVILLE PIKE **Property Address** 125 041, 040 01, 043 01 11.4 acres Parcel ID Part of Parcel (Y/N)? Tract Size **Knox-Chapman Utility District** Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Sevierville Pk, east of Kimberlin Heights Rd

General Location

City	Commission District 9	A (Agricultural)	Agriculture/Forestry/Vacant Land, Multifamily Residential
✓County	District	Zoning District	Existing Land Use
South Cou	unty AG	(Agricultural), HP (Hillside Protection)	Rural Area
Planning S	Sector Sec	tor Plan Land Use Classification	Growth Policy Plan Designation

	John Johns	son			1/23/2024
Phone / Email					
Applicant Signature	Please Prin	t			Date
Applicant Cimetan		vestments LLC			1/23/2024
I declare under penalty of perju all associated materials are bei			/it is the owner of the pro	perty, AND 2) th	e application and
AUTHORIZATION					
Use on Review / Special Use	(Concept Plan)				
Traffic Impact Study					
Site Plan (Development Requ	iest)				
Design Plan Certification (Fin			Fee 3		
ADDITIONAL REQUIREME					
Property Owners / Option Ho		ce Request	Fee 2		
PLAT TYPE Staff Review Plann	ing Commission		Fee 1 \$2,070.00		Total
STAFF USE ONLY					
Additional Information					
Proposed Density (units/acre)	Previous Zoning Re	quests			
up to 3 du/ac					
	Density Residential Plan Designation(s)), HP (Hillside Protectio	n)		
Proposed Z	-)		
	d Residential)			Pending Pl	at File Number
ZONING REQUEST					
Attachments / Additional Red	quirements				
Additional Information					
Unit / Phase Number		Total Nu	umber of Lots Created		
Proposed Subdivision Name					
				Related Rezo	ning File Numbe
SUBDIVSION REQUEST					
Other (specify)					
Home Occupation (specify)					
Hillside Protection COA		Residential	Non-residential		
🗌 Development Plan 🗌 Pla	nned Development	Use on Review / S	Special Use	Related City F	Permit Number(s)

Please Print

1/23/2024

Date

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South	DAVIS				Mesano	a Investm	ents LL
Applicant Name		Ма	rch 7, 2024		Affiliati		
01/12/202	024		22/2021				Number(s)
Date Filed	١	Meeting Dat	e (If applicable)		3-E-24- 3-A-24-		
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🗋 Development Plan 🛛 🗌 Use on Review / S	pecial Use 🔲 Hillside Pr	rotection COA	Related City	Permit Number(
Residential Non-Residential				
Home Occupation (specify)				
				,
Dther (specify)				
SUBDIMISION REQUEST				
			Related Rez	oning File Numbe
roposed Subdivision Name				
Combine Parcels	s 📋 Divide Parcel		<u></u>	
nit / Phase Number	Tot	al Number of Lots Create	ed	
) Other (specify)		- - بر		
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ZONINGREQUEST			and the state of the second	
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Plan Amendment ChangeAG to LDF				
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Other (specify)				
STAFF USE ONLY				
LAT TYPE		Fee 1		Total
Staff Review 🛛 💟 Planning Commission				
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Sign Posting & Removal Requirement

Revised April 2021

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:

02/23/2024	and	03/08/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Scott Davis		
Date: 01/22/2024		Sign posted by Staff
File Number: 3-E-24-RZ & 3-A-24-SP (Sevierv	/ille Pike)	Sign posted by Applicant