

REZONING REPORT

► **FILE #:** 11-I-24-RZ

AGENDA ITEM #: 44

AGENDA DATE: 11/14/2024

► **APPLICANT:** MESANA INVESTMENTS, LLC (OPTION HOLDER)

OWNER(S): Bob Koch

TAX ID NUMBER: 49 01101

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 5027 TAZEWELL PIKE

► **LOCATION:** Northwest side of Tazewell Pike, southwest of Mont Richer Ave

► **APPX. SIZE OF TRACT:** 11.68 acres

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with a pavement width of 23 ft within a 62-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: , Rural Metro Fire

WATERSHED: Whites Creek

► **PRESENT ZONING:** RB (General Residential)

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

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **DENSITY PROPOSED:** up to 10 du/ac

EXTENSION OF ZONE: No, it is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single Family Residential Neighborhood) in the City

South: Single family residential, multifamily residential - RB (General Residential)

East: Single family residential, agriculture/forestry/vacant land - RB (General Residential)

West: Multifamily residential - PR (Planned Residential) up to 4 du/ac

NEIGHBORHOOD CONTEXT: The surrounding neighborhood features single family and multifamily subdivisions, with some larger rural residential tracts. Beverly Park, Beverly Park Greenway, and the Beverly Park Junior Golf Course are within 0.25 miles.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with a density up to 5 du/ac because it is consistent with the intent of the zone and compatible with infrastructure conditions.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. This subject property is on a section of the Tazewell Pike corridor that has seen a significant conversion from farmland to residential development over the past twenty years, including single-family, duplex, townhouse and apartment dwellings.
2. This relatively rapid transition in land use and population growth has resulted in significant traffic congestion on Tazewell Pike, which is a 2-lane minor arterial street without shoulders. Crash data provided by AASHTO (American Association of State Highway and Transportation Officials) reflects 80 crashes within a 1/3 mile radius of the subject property over the past 9 years (see Exhibit B).
3. The requested rezoning from RB (General Residential) to PR (Planned Residential) is compatible with surrounding residential development conditions. However, the requested density of 10 du/ac could result in 116 new homes located approximately 130 ft from the unsignalized intersection to the northeast at Mont Richer Avenue/Clearbrook Drive and Tazewell Pike. This is where the highest concentration of crashes have occurred, and access to Stokely Ln in the rear of the lot should be considered during future development review. These conditions do not support the requested density, and staff is recommending a density no greater than 5 du/ac for a total of 58 potential units.

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

1. The PR zone is intended to provide optional methods of development that are responsive to environmental challenges on a site. Residential development can be concentrated in the optimal areas of a lot to preserve more ecologically sensitive or unbuildable areas.
2. The subject property has steep, undisturbed slopes in the center of the site. There is a closed contour line at the rear of the site that indicates the potential presence of a sinkhole. There are also what appear to be streams running through the property, one near the entry of Tazewell Pike and one near the steep slopes at the center of the property. Given the number of environmental constraints on site, clustering a total density of 10 du/ac to the limited buildable area could result in a massing and scale of development that is far more intensive than the surrounding residential character.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The existing RB zone permits a density of up to 12 du/ac without Planning Commission review or public input. The PR zone requires site plan review by the Planning Commission, who consider aspects of a proposed development such as compatibility, transportation and stormwater impacts. With a PR density of 5 du/ac, there are no adverse impacts anticipated to occur in this context.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The PR zone with a density up to 5 du/ac is partially related to the SMR (Suburban Mixed Residential) place type in the Knox County Comprehensive Plan. It meets the review criteria for partially related zones by being compatible with the current zoning of adjacent sites, which are PR up to 4 du/ac, RB, and RN-1 (Single-Family Residential Neighborhood zoning in the City) at the rear.
2. The recommended rezoning to PR with a density no greater than 5 du/ac is aligned with several Comprehensive Plan Implementation Policies. The reduced density in response to traffic concerns and residential character is consistent with Policy 9 to coordinate infrastructure improvements with development, and Policy 2 to ensure that development is sensitive to existing community character. Rezoning from RB to PR, which better accommodates environmental considerations, is consistent with Policy 7 to encourage development practices that conserve and connect natural features and habitat.
3. The recommended rezoning is consistent with the subject property's location within the Urban Growth Boundary of the Growth Policy Plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This property is in an urbanized area with access to necessary utility infrastructure. Shannondale Elementary School is nearby to the west. As noted, Tazewell Pike is a congested arterial street, which is the primary reason for a recommended reduction in density at this location. If a proposed development is estimated to exceed 750 ADT (Average Daily Traffic), a traffic study will be required and roadway improvements by the developer may be required.

ESTIMATED TRAFFIC IMPACT: 1157 (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: 32 (public school children, grades K-12)

Schools affected by this proposal: Shannondale Elementary, Gresham Middle, and Central 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 12/9/2024. 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.



Request to Postpone • Table • Withdraw

Mesana Investments, LLC

11/13/2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

11/14/2024

Scheduled Meeting Date

File Number(s)

11-I-24-RZ

POSTPONE

- ☒ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☒ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the 12/12/2024 Planning Commission Meeting.

WITHDRAW

- ☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

- ☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Applicant Signature

Scott Davis

Please Print

(865) 693-3356

swd444@gmail.com

Phone Number

Email

STAFF ONLY

Staff Signature

Please Print

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

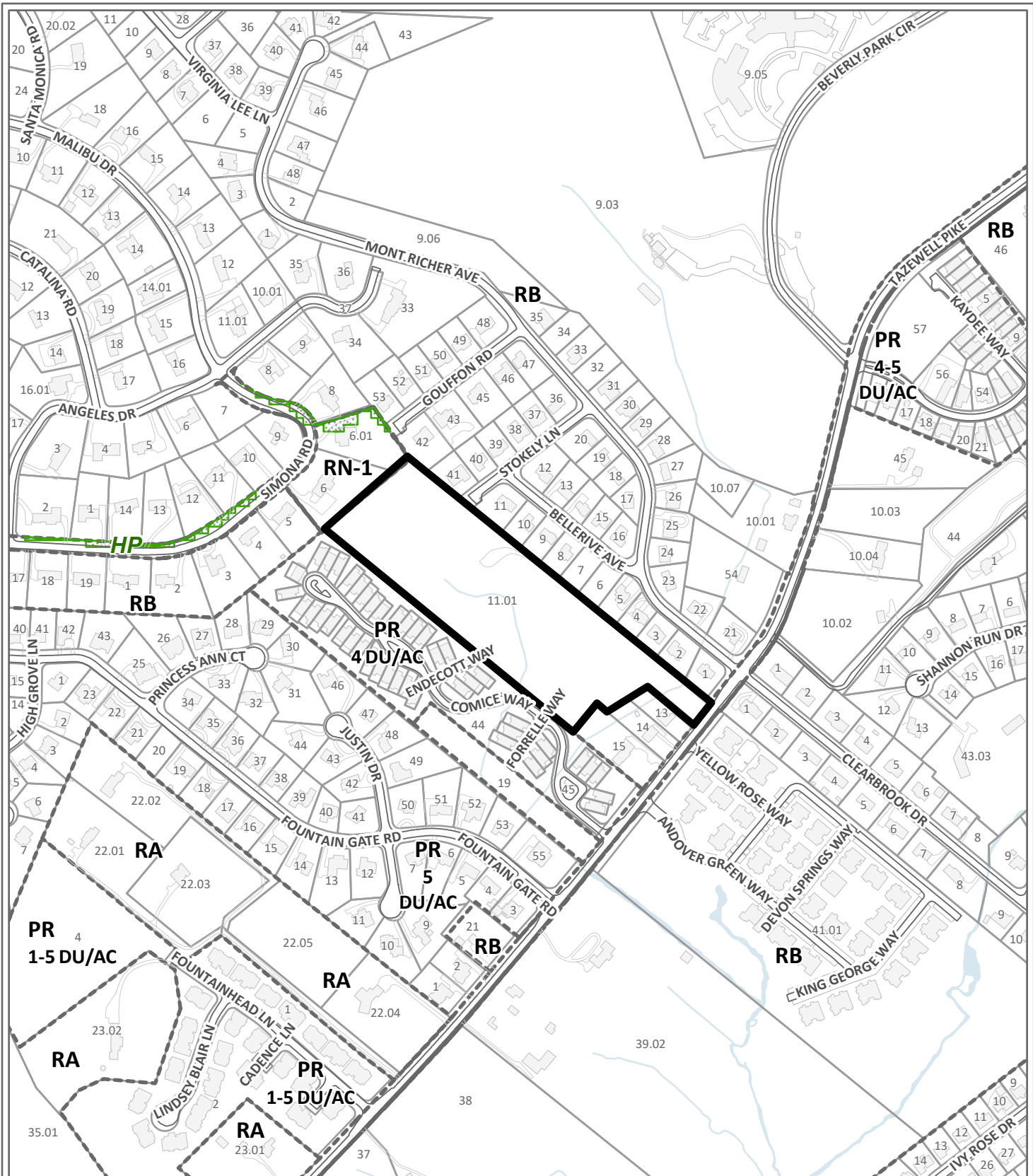
Date:

11/13/2024

Payee Name

Payee Phone

Payee Address



REZONING

11-I-24-RZ

Petitioner: Mesana Investments, LLC



From: RB (General Residential)

To: PR (Planned Residential) 10 du/ac

Original Print Date: 10/9/2024

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

Map No: 49

Jurisdiction: County

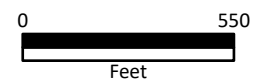
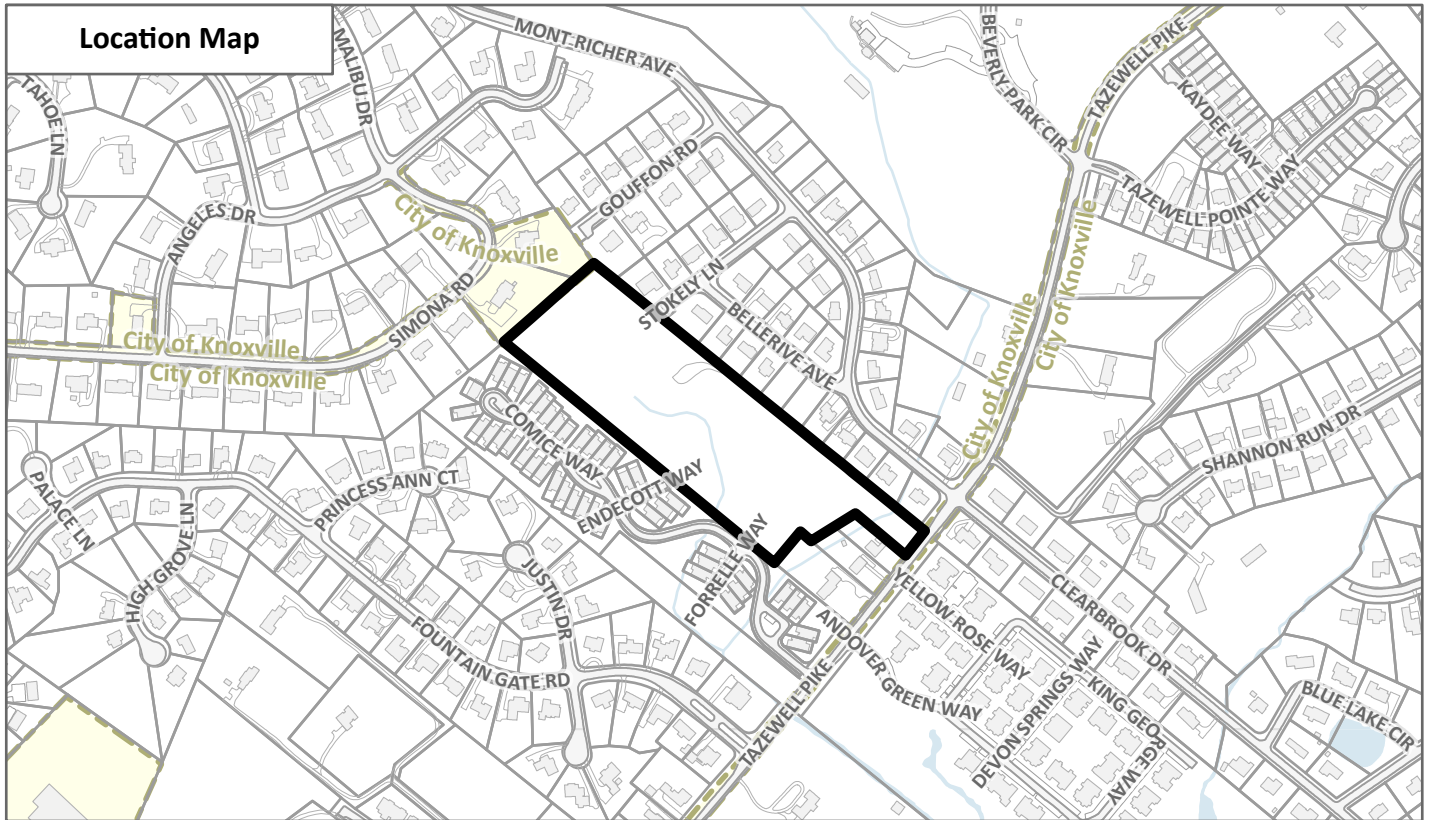
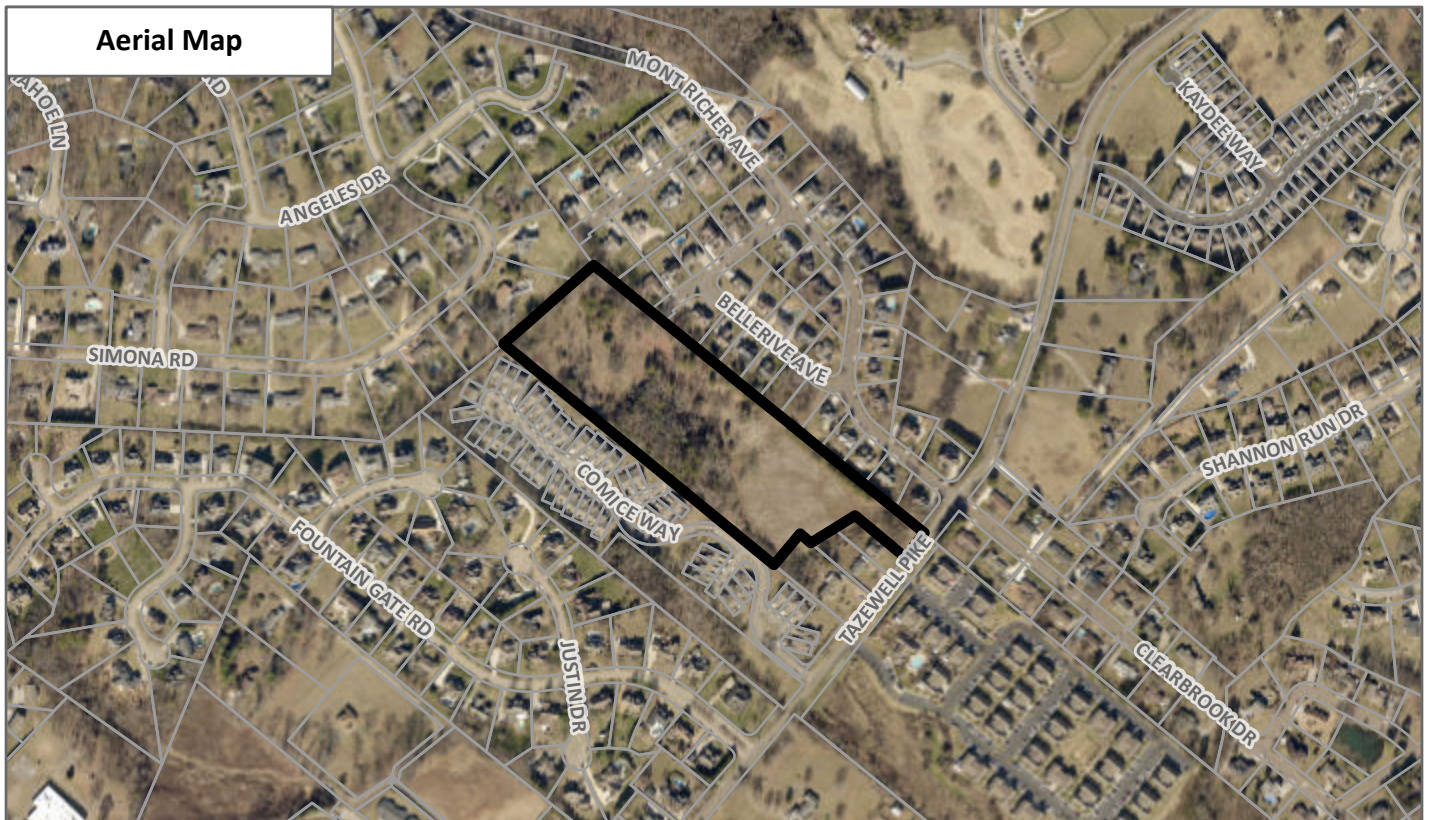


Exhibit A. Contextual Images

Location Map



Aerial Map

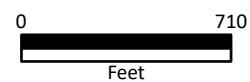


CONTEXTUAL MAPS 1

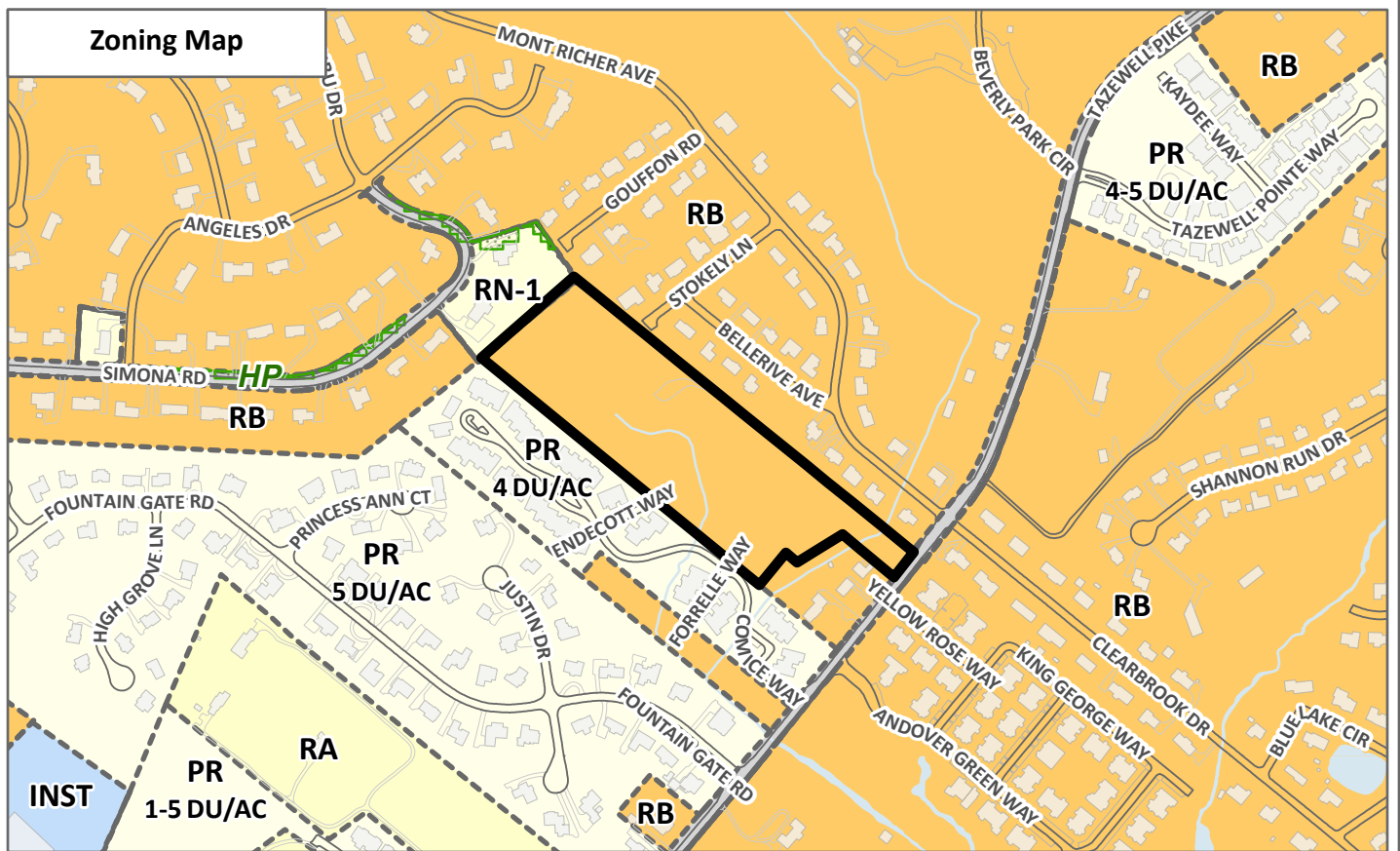
11-I-24-RZ



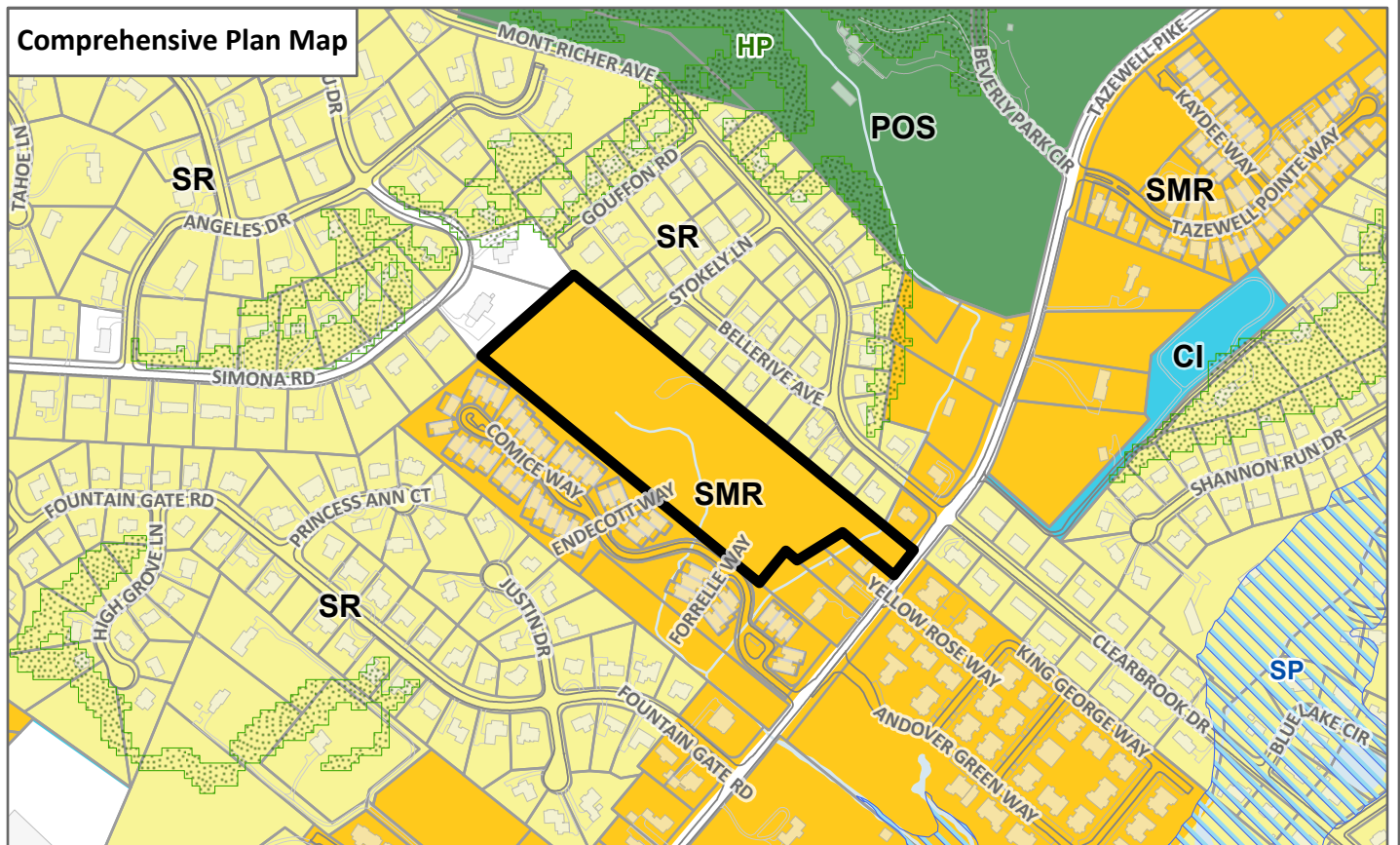
Case boundary



Zoning Map



Comprehensive Plan Map



CONTEXTUAL MAPS 2

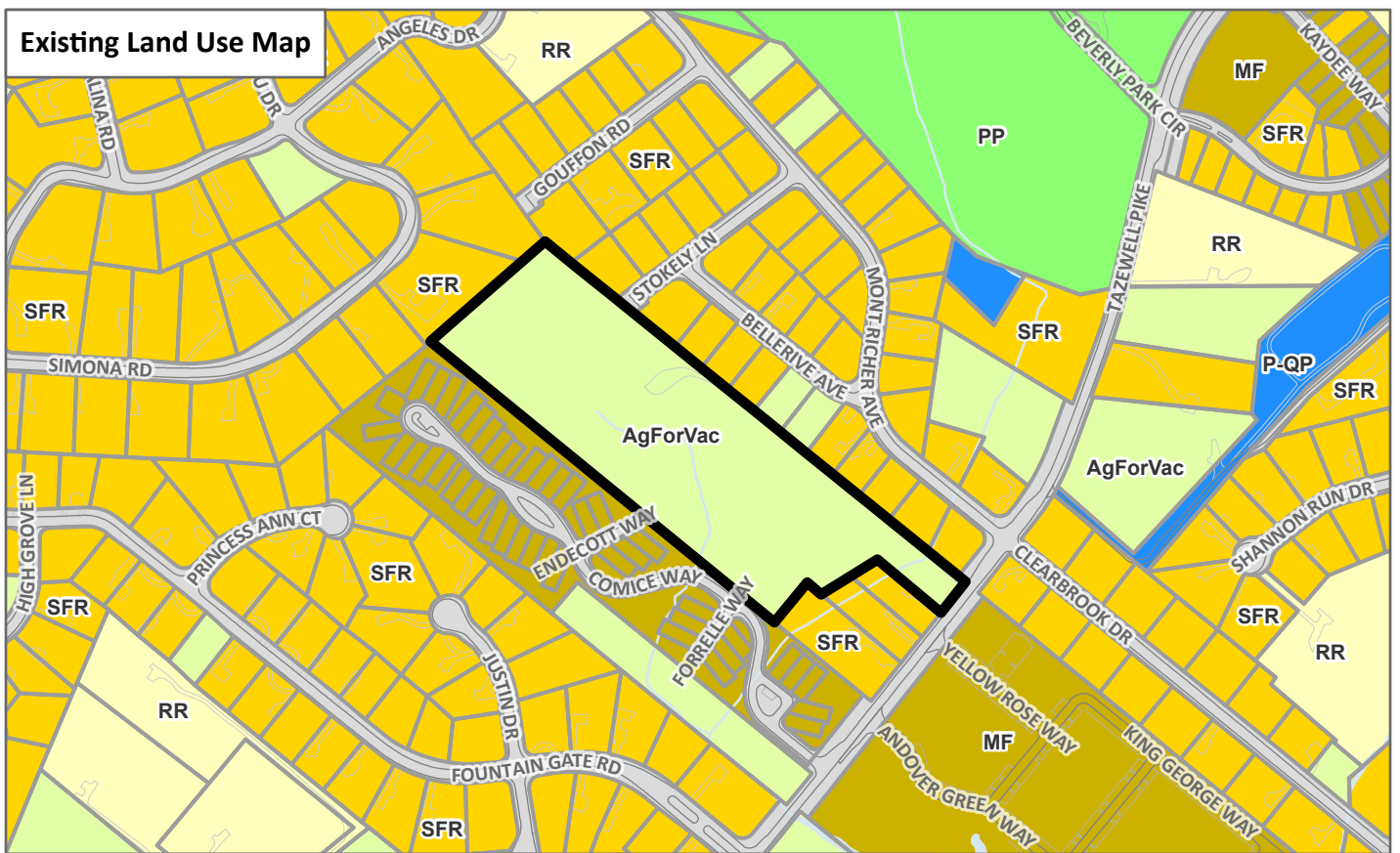
11-I-24-RZ



Case boundary



Existing Land Use Map

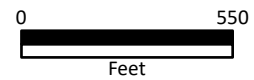


CONTEXTUAL MAPS 3

11-I-24-RZ



Case boundary



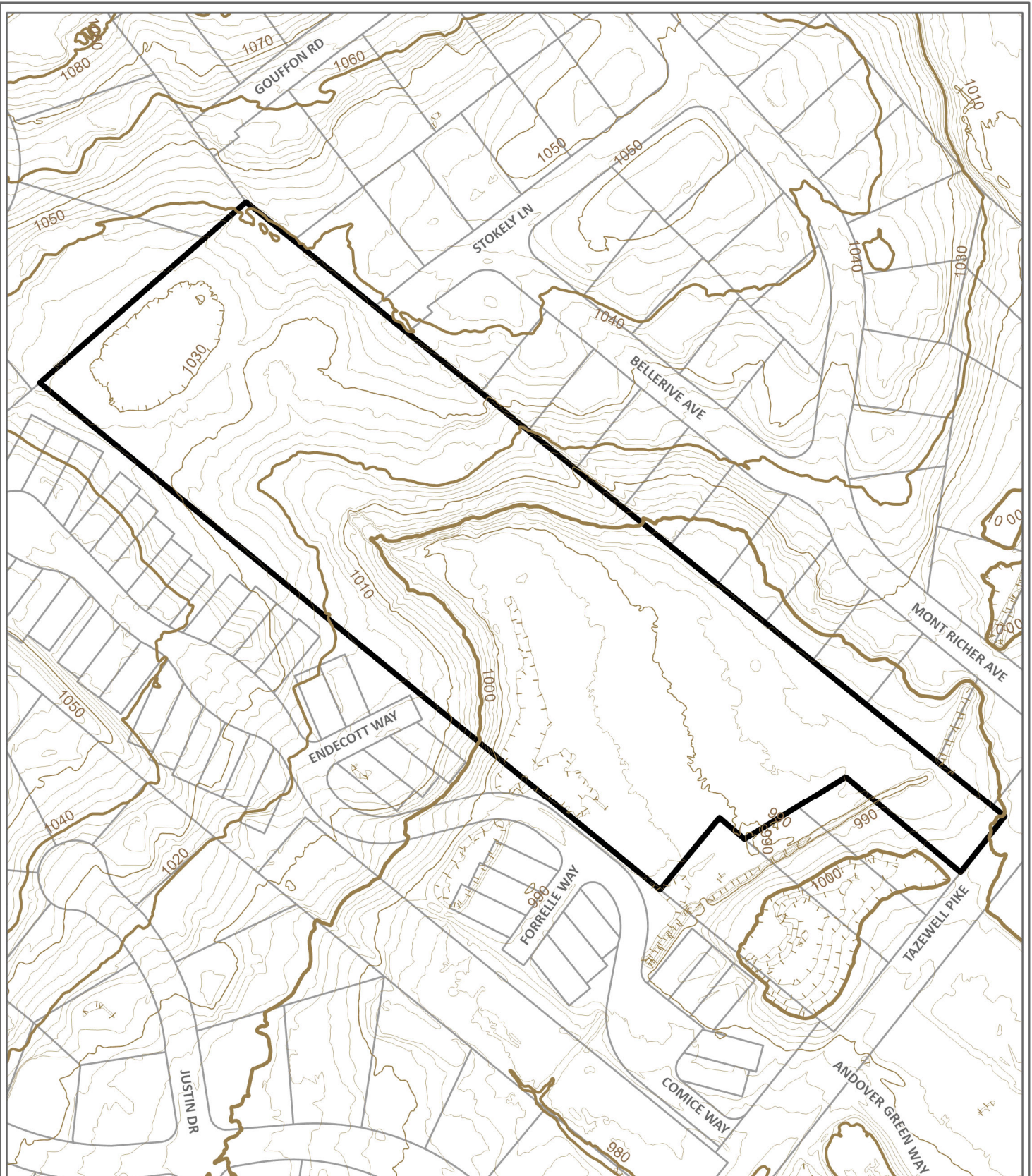


Exhibit C: Topographical Map

11-I-24-RZ

Petitioner: Mesana investments, LLC



Original Print Date: 10/31/2024

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

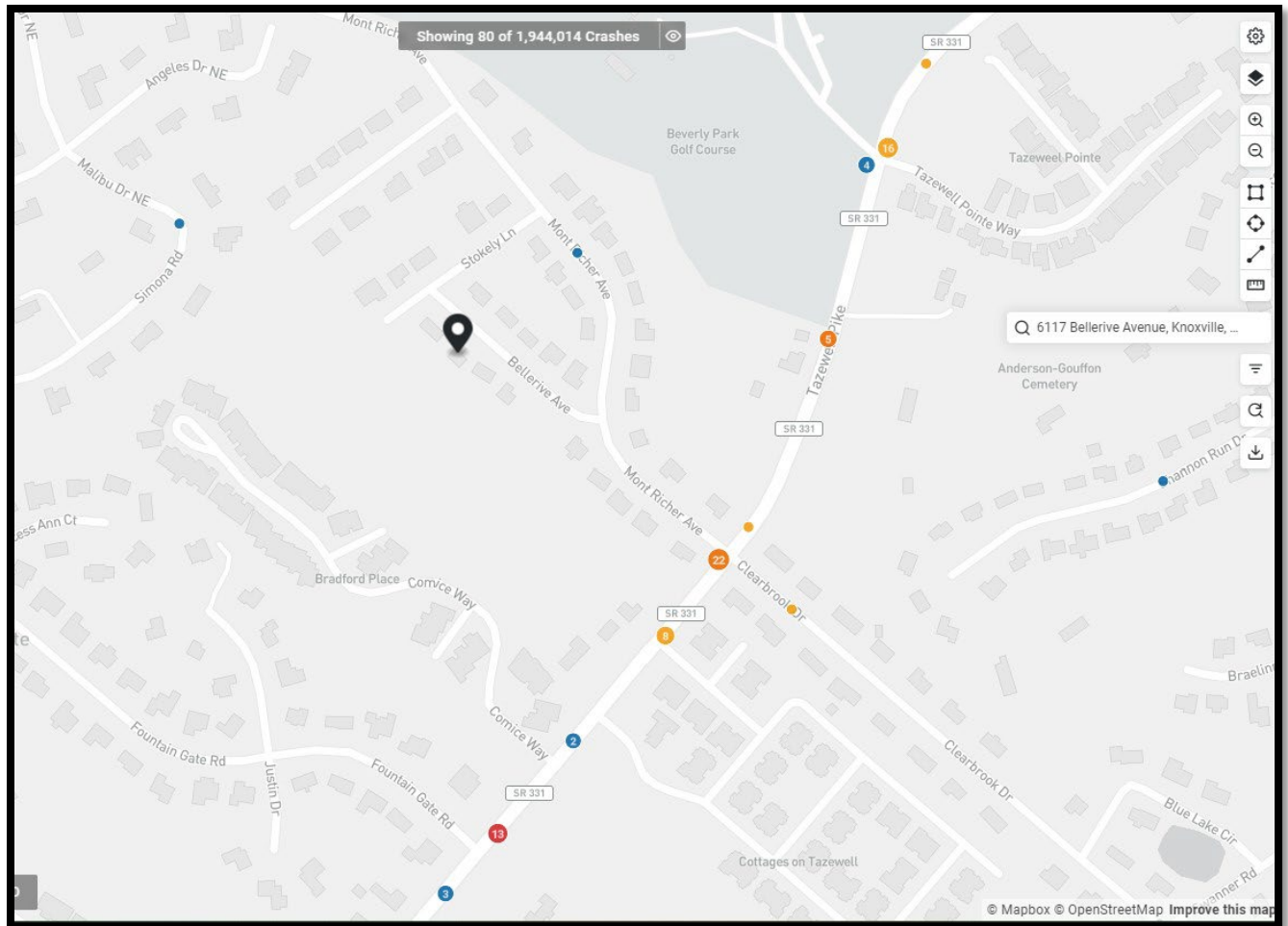
Map No: 49

Jurisdiction: County



Exhibit B: TDOT Crash Map

Source: <https://tdot.aashtowaresafety.com/>



Color Key

Blue = property damage only

Yellow = possible minor injury

Orange = possible severe injury

Red = fatality

Map Interpretation Guidance: Dots reflect clusters of geolocated crashes. Aggregate dot colors reflect the most severe case(s) in that cluster. For example, if there is one fatality in the cluster, the dot will be red.



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

Mesana Investments, LLC

Applicant Name

Option Holder

Affiliation

9/25/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-I-24-RZ

File Number(s)

CORRESPONDENCE

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

Drew Staten Mesana Investments LLC

Name / Company

PO Box 11315 Knoxville TN 37939

Address

865-806-8008 / swd444@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Bob Koch

Owner Name (if different)

2555 Temple Trail Winter Park Winter Park FL 327 407-629-0595

Owner Address

Owner Phone / Email

5027 TAZEWEEL PIKE

Property Address

49 01101

Parcel ID

Part of Parcel (Y/N)?

11.68 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

No

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice and Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan	<input type="checkbox"/> Planned Development	<input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-residential	
Home Occupation (specify) _____			
Other (specify) _____			

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	PR (Planned Residential)	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	

up to 10 du/ac

Proposed Density (units/acre)	Previous Rezoning Requests
Additional Information	

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$1,234.00	
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	9/25/2024
Applicant Signature	Please Print	Date

Phone / Email

	Bob Koch	9/25/2024
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☐ PA

☒ Rezoning

Mesana Investments, LLC

Applicant Name
9/17/24

Affiliation
11/14/24

File Number(s)
11-I-24-RZ

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

Drew Staten

Name
P.O. Box 11315

Company
Knoxville

TN

37939

Address
865-806-8008

City
swd444@gmail.com

State

ZIP

Phone

Email

CURRENT PROPERTY INFO

Bob Koch

2555 TEMPLE TRAIL WINTER PARK FL 32789

(407) 629-0595

Property Owner Name (if different)
5027 Tazewell Pike Knoxville, TN 37918

Property Owner Address
049 01101

Property Owner Phone

Property Address

Parcel ID

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

View Form

JULY 2024

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 **RB to Planned Residential (PR)**
Proposed Zoning _____

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Up to 10 du/acre

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
☒ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
0802	
Fee 2	
	\$1,234.00
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

 dotloop verified
09/17/24 3:53 PM EDT
TEXJ-NIXN-18PX-WTGQ

Applicant Signature

865-806-8008

Phone Number

Property Owner Signature

Mesana Investments, LLC

Please Print

swd444@gmail.com

Email

Bob Koch

Please Print

9/17/24

Date

09/25/2024, SG

Date Paid



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

11/01/2024

Date to be Posted

11/15/2024

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

☐ Yes ☐ No

☒ No, but I plan to prior to the Planning Commission meeting

Scott Davis

Applicant Signature

dotloop verified
09/18/24 10:59 AM EDT
LHSD-JBWK-B7UT-PXLB

Mesana Investments, LLC

Applicant Name

09/18/2024

Date

11-I-24-RZ

FILE NUMBER