

# REZONING REPORT

▶ **FILE #:** 10-H-24-RZ

**AGENDA ITEM #:** 19

**AGENDA DATE:** 10/3/2024

▶ **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): Crystal Henderson

TAX ID NUMBER: 50 114

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 6120 BABELAY RD

▶ **LOCATION:** South side of Babelay Rd, east of Whelahan Farm Rd

▶ **APPX. SIZE OF TRACT:** 16.11 acres

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

ACCESSIBILITY: Access is via Babelay Road, a minor collector street with a 20-ft pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Loves 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: No, but PR up to 4 du/ac is adjacent to the west and south.

HISTORY OF ZONING: None noted.

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

South: Agriculture/forestry/vacant land, rural residential - A (Agricultural), PR (Planned Residential) up to 4 du/ac

East: Rural residential - A (Agricultural)

West: Agriculture/forestry/vacant land, single family residential - PR (Planned Residential) up to 4 du/ac

NEIGHBORHOOD CONTEXT: This is a rural area consisting primarily of large single family residential lots, though there are several residential subdivisions that have developed with a higher density.

**STAFF RECOMMENDATION:**

▶ **Approve the PR (Planned Residential) zone up to 5 du/ac because it is consistent with changing development conditions, subject to 1 condition.**

1. Maintaining a no-disturbance boundary along the 1090 contour line, as shown in Exhibit C, preserving approximately 6.55 acres of McAnnally Ridge at the rear of the lot.

**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. This property is in an area that has seen significant residential development around a regional commercial node located approximately 1 mile to the southwest. While the predominant zoning along this section of Babelay Road is A (Agricultural), there are numerous PR (Planned Residential) properties and single-family subdivisions near the subject property, including the Whelehan Farm subdivision adjacent to the west.
2. Major capital improvements are being planned by the City of Knoxville along Washington Pike, including additional lanes, sidewalks, crosswalks and a signal where it intersects with Babelay Road. A September, 2024 City status report on this project states the bid date for construction is projected to be January, 2026.
3. These changing development conditions support consideration of the requested PR zone.

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

1. The PR zone is intended to enable methods of land development that are responsive to environmental conditions on a property, such as steep slopes, streams or sinkholes. Residential development can be concentrated in the optimal portions of a property to avoid more environmentally sensitive areas. The PR zone also emphasizes the importance of development compatibility with surrounding zones.
2. The subject property's southern 7 acres are part of McAnnally Ridge, a forested hillside that provides a cohesive wildlife corridor and prominent natural feature along the extent of Babelay Road. These environmental conditions are consistent with the intent of the PR zone, which permits development that would preserve these slopes and maintain this scenic asset of the area.

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. While this section of Babelay Road is beginning to change with the development of more residential subdivisions, the character of the area remains rural with farmland and multi-acre single-family lots being the predominant land use. Condition #1 provides a no-disturbance boundary beginning at the 1090 contour line along the southern portion of the subject property. This limit maintains the apparent development boundary among the properties south of Babelay Road on McAnnally Ridge to preserve the rural and natural character of the area.
2. With this no-disturbance boundary and the requested density of 5 du/ac, a total of 80 units could be concentrated towards the front 9.5 acres of the lot and would appear more like 8 du/ac. This perceived density is equivalent to the lot sizes of the Park at Babelay subdivision nearby to the northwest, and would be compatible with development in the area.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The PR zone up to 5 du/ac is partially related to the Comprehensive Plan's SR (Suburban Residential) place type, which comprises roughly 5 acres of the front of the lot, and the RC (Rural Conservation) place type, which covers the 11 acres in the rear. This property meets the additional criteria for approval of a partially related rezoning by being compatible with the current zoning of an adjacent site. There is PR zoning up to 4 du/ac adjacent to the west and south.
2. The no-disturbance condition is consistent with the Comprehensive Plan's Implementation Policy 7 to encourage development practices that conserve and connect natural features and habitat. It is also consistent with the intent of the Rural Conservation place type to preserve between 50-70 percent of a site as natural open space.
3. The requested rezoning is aligned with the property's location in the Planned Growth Area of the Growth Policy Plan, which is intended to provide a reasonably compact pattern of development and offer a wide range of housing choices in coordination with the provision of adequate infrastructure.

ESTIMATED TRAFFIC IMPACT: 822 (average daily vehicle trips)

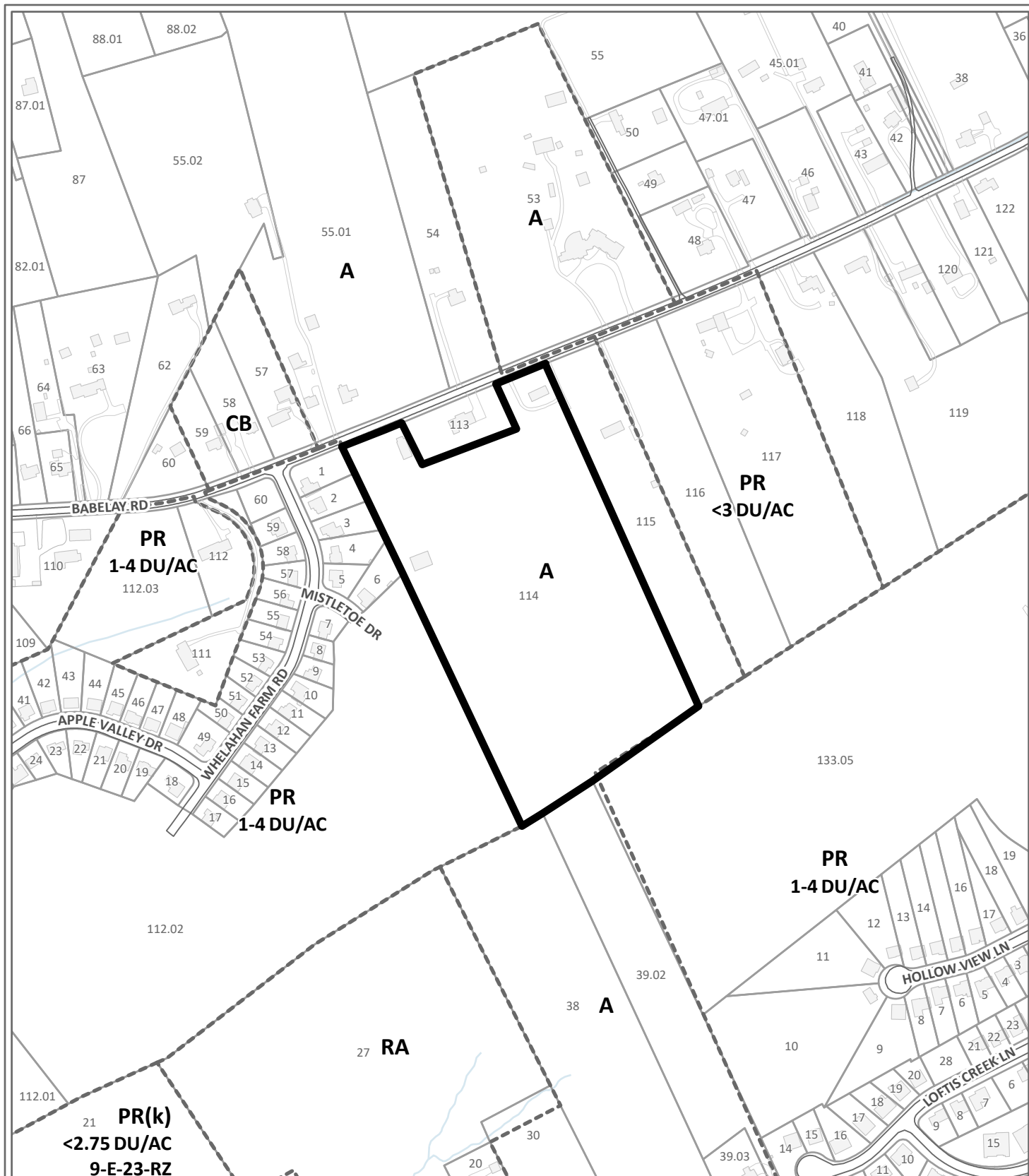
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 34 (public school children, grades K-12)

Schools affected by this proposal: Ritta Elementary, Holston Middle, and Gibbs 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 11/12/2024. 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**

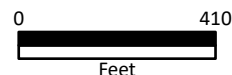
**10-H-24-RZ**

Petitioner: Mesana Investments, LLC



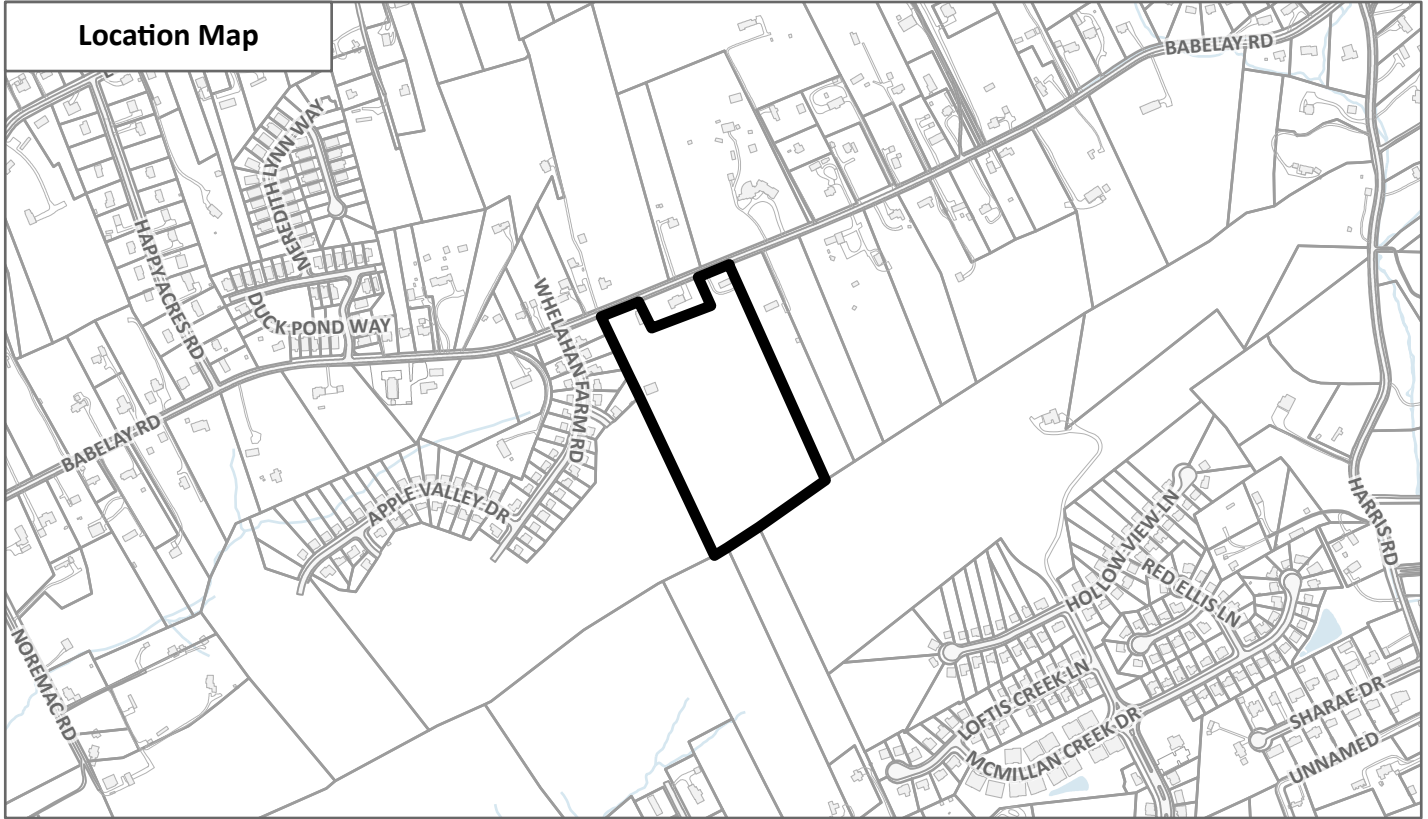
**From:** A (Agricultural)  
**To:** PR (Planned Residential) 5 du/ac

**Map No:** 50  
**Jurisdiction:** County

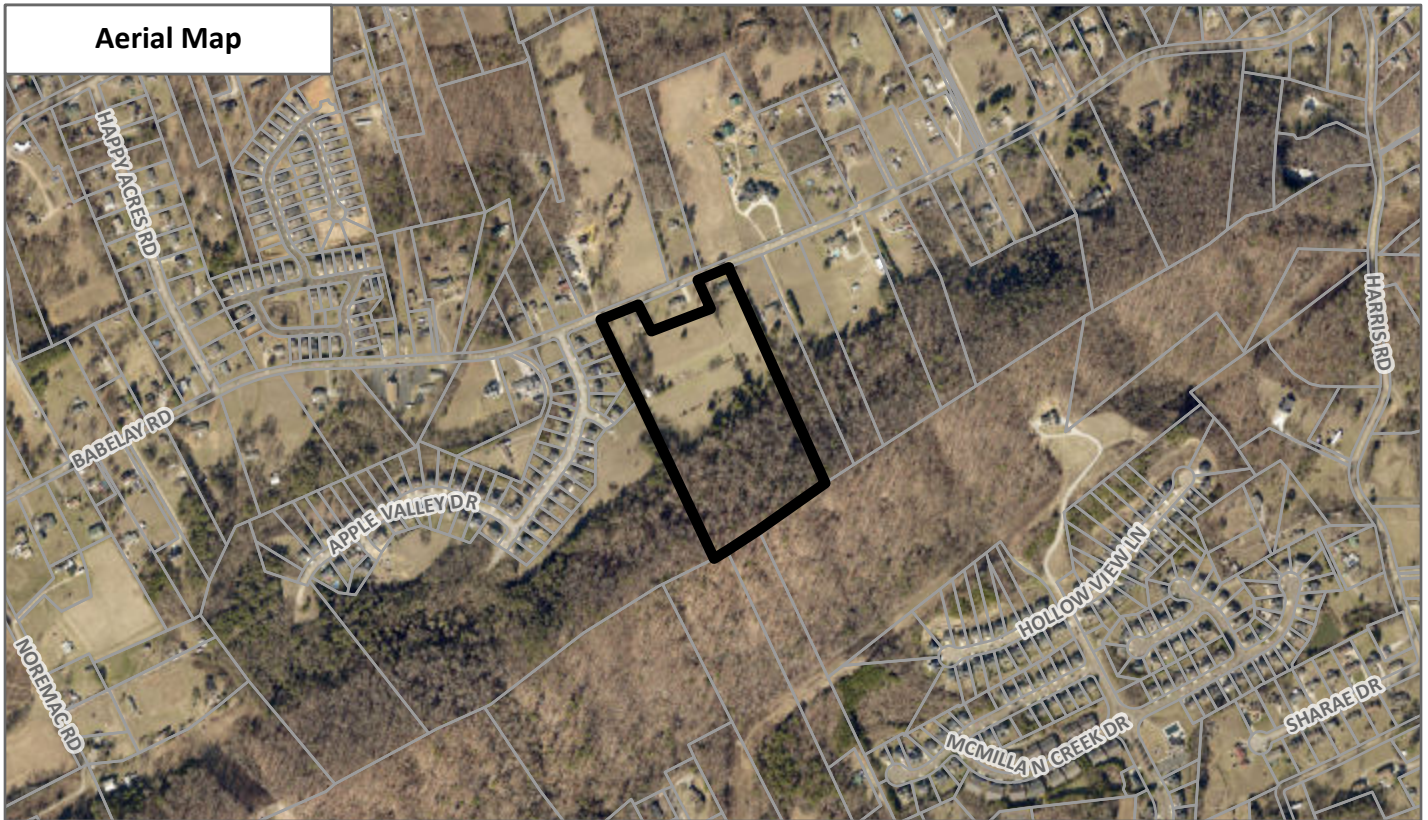


# Exhibit A. Contextual Images

Location Map



Aerial Map

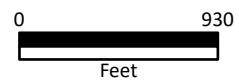


CONTEXTUAL MAPS 1

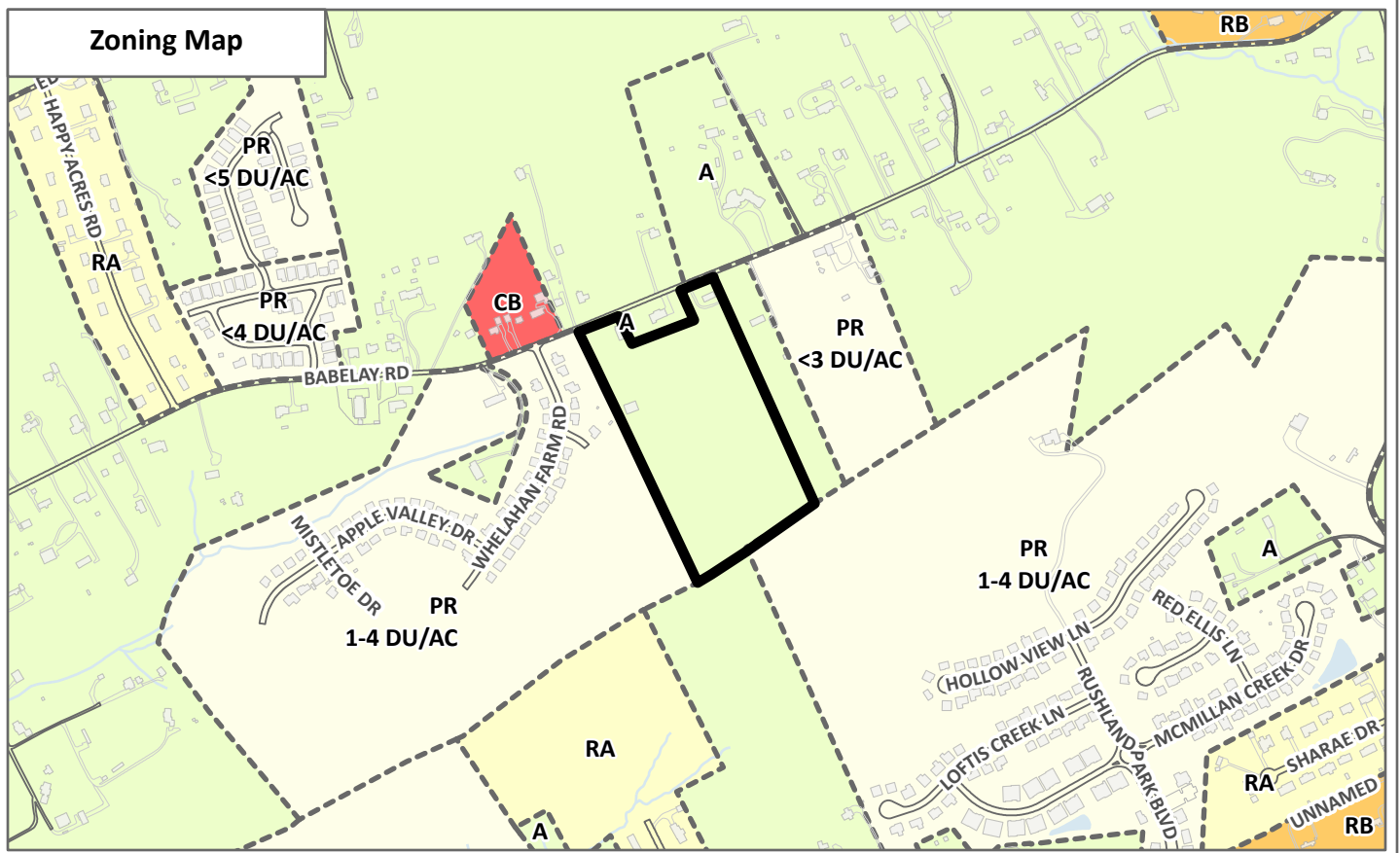
10-H-24-RZ



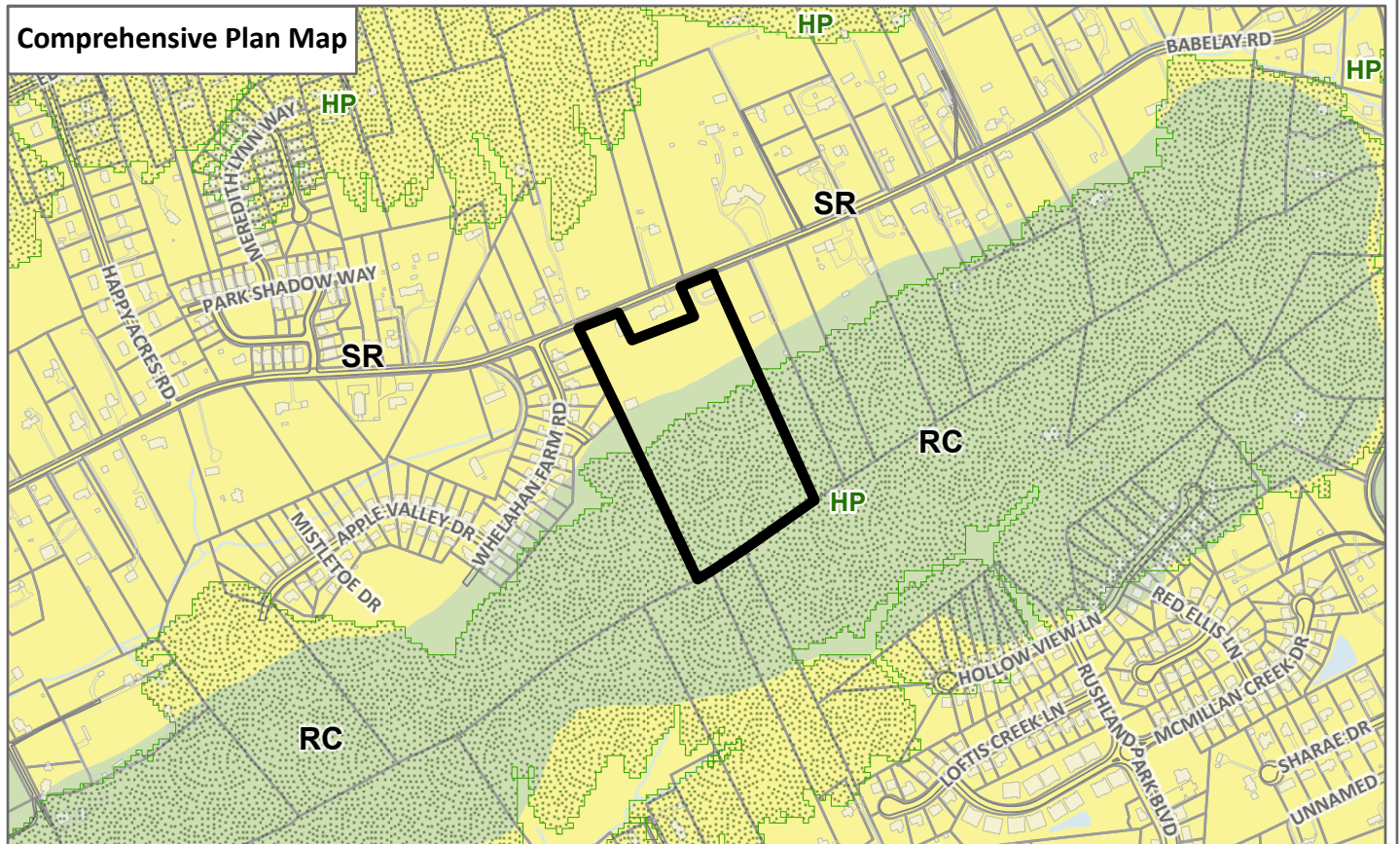
Case boundary



# Zoning Map



# Comprehensive Plan Map

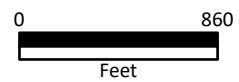


## CONTEXTUAL MAPS 2

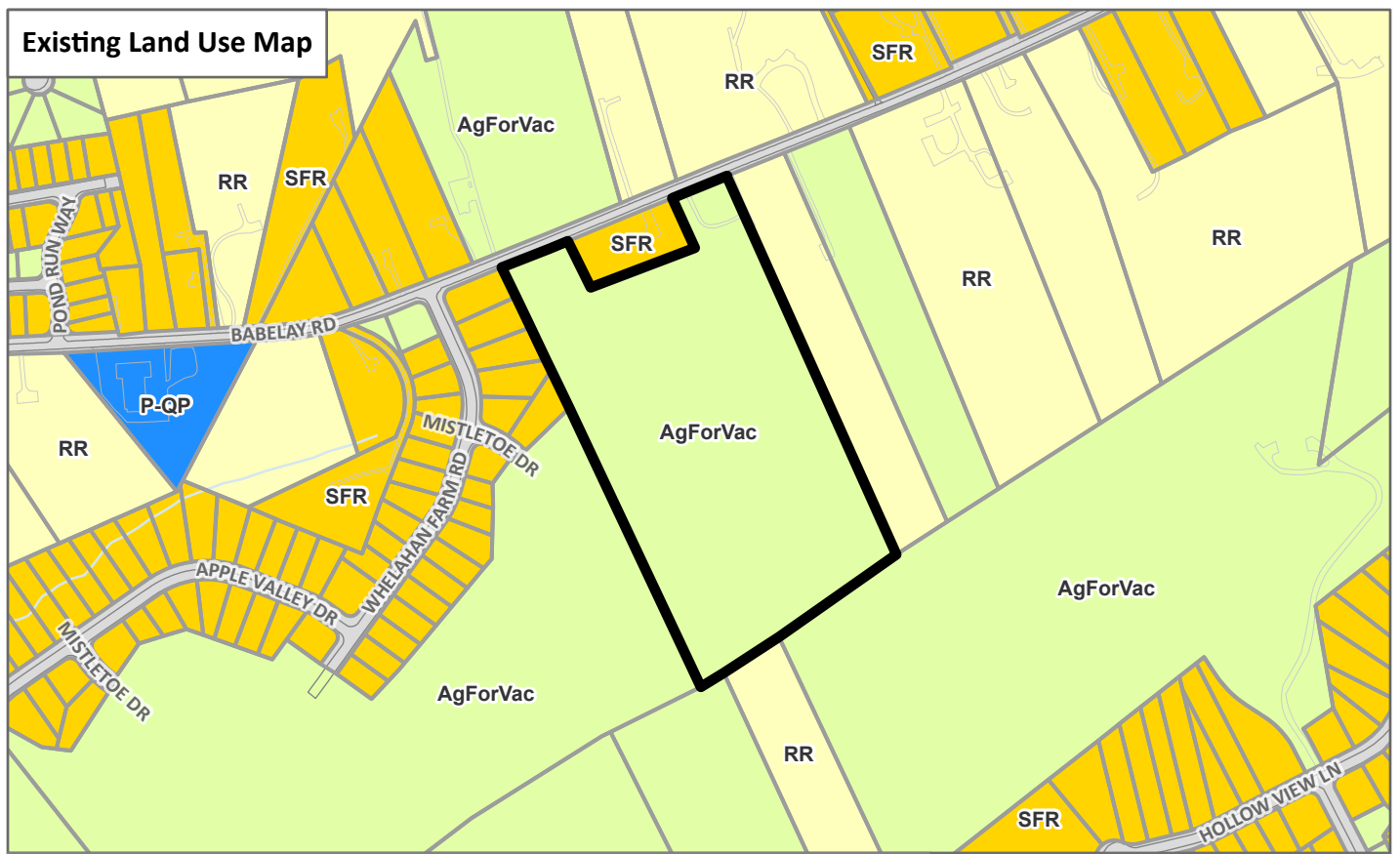
10-H-24-RZ



Case boundary



**Existing Land Use Map**

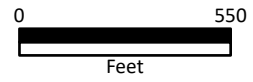


**CONTEXTUAL MAPS 3**

**10-H-24-RZ**



Case boundary

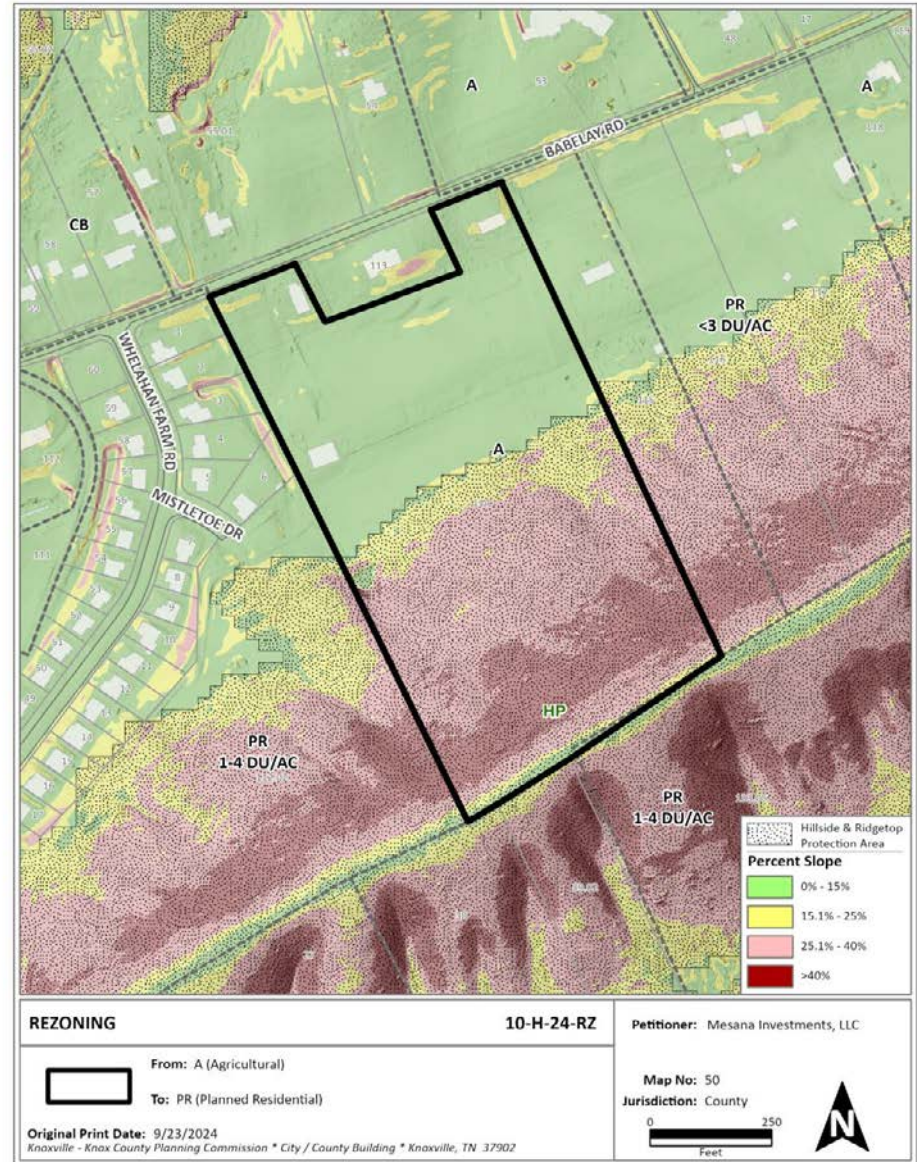


# Exhibit B. Slope Map and Analysis

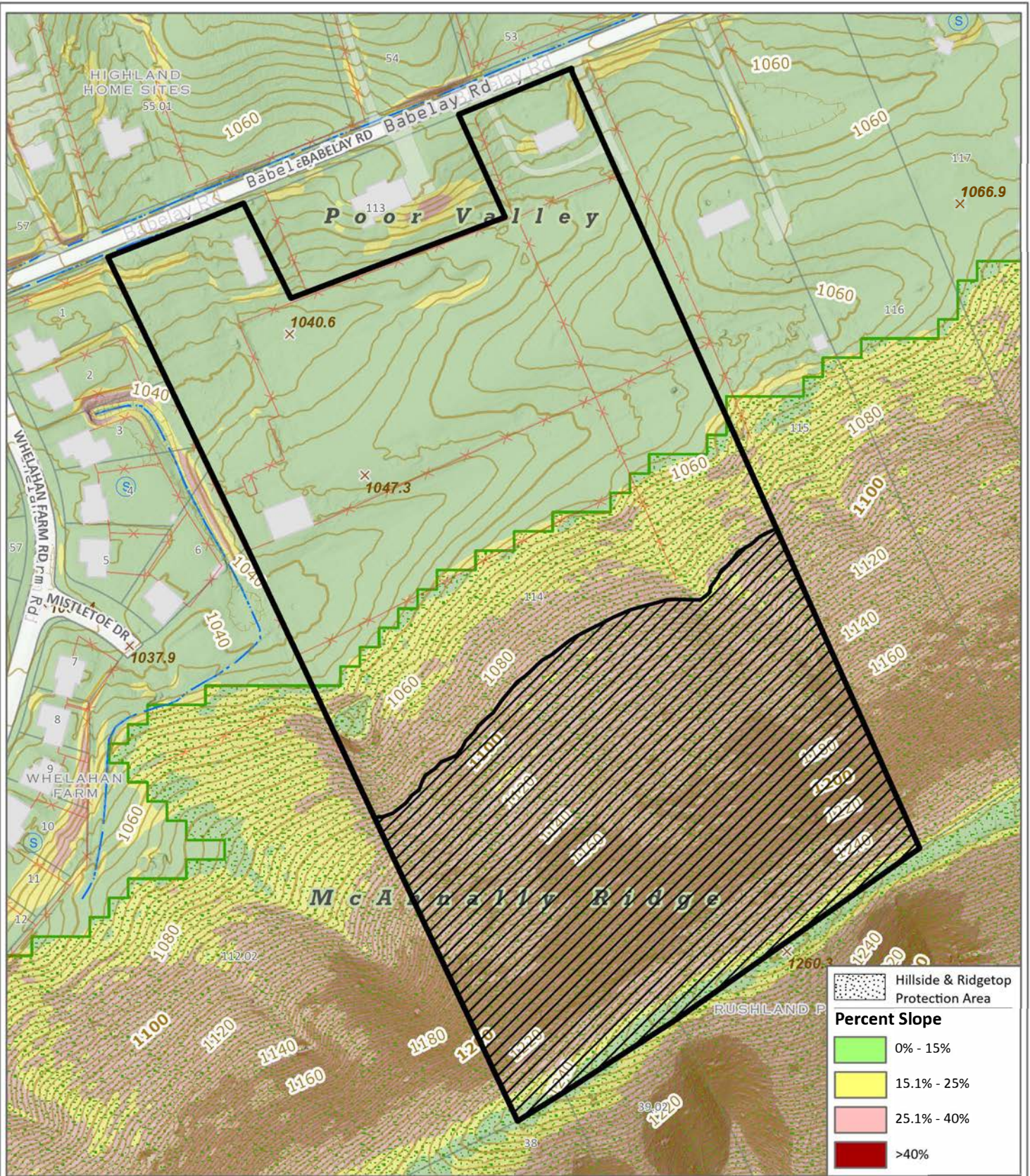
DEVELOPMENT REQUEST APPLICATION

Staff - Slope Analysis  
Case: 10-H-24-RZ

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>16.1</b>		
Non-Hillside	7.1	N/A	
0-15% Slope	0.4	100%	0.4
15-25% Slope	1.4	50%	0.7
25-40% Slope	4.9	20%	1.0
Greater than 40% Slope	2.3	10%	0.2
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>9.0</b>	Recommended disturbance budget within HP Area (acres)	<b>2.3</b>
		Percent of HP Area	<b>25.3%</b>







**Exhibit C: No-Disturbance Boundary**

**10-H-24-RZ**

**Petitioner:** Mesana Investments, LLC



Case Boundary  
 No disturbance at approximately the 1090 contour line or beyond

**Map No:** 50  
**Jurisdiction:** County

**Original Print Date:** 9/24/2024

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





# 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

Affiliation

**8/19/2024**

Date Filed

**10/3/2024**

Meeting Date (if applicable)

**10-H-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Mesana Investments, LLC Drew Staten**

Name / Company

**P.O. Box 11315 Knoxville TN 37939**

Address

**865-659-7311 / drew.staten2019@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Crystal Henderson**

Owner Name (if different)

**6120 Babelay Rd Knoxville TN 37924**

Owner Address

Owner Phone / Email

**6120 BABELAY RD**

Property Address

**50 114**

Parcel ID

Part of Parcel (Y/N)?

**16.11 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Northeast Knox Utility District**

Water Provider

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	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

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

### up to 5 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
<b>\$1,455.50</b>	
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: Mesana Investments, LLC    Date: 8/19/2024  
Please Print

Phone / Email: \_\_\_\_\_  
Property Owner Signature: Crystal Henderson    Date: 8/19/2024  
Please Print



**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
Drew Staten	PO Box 11315 Knoxville, TN 37939	Holder

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# 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 8/7/24	Meeting Date (if applicable) 10/3/24	Affiliation	File Number(s) <b>10-H-24-RZ</b>
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

Mesana Investments, LLC

Name PO Box 11315	Company Knoxville	TN	37939
Address 865-659-7311	City drew.staten2019@gmail.com	State	ZIP
Phone	Email		

## CURRENT PROPERTY INFO

Crystal Henderson	6120 Babelay Road	
Property Owner Name (if different) 6120 Babelay Road Knoxville TN 37924	Property Owner Address 050 114	Property Owner Phone
Property Address KUB	Parcel ID North East Knox Utility District	
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

### 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  
 Proposed Zoning **A to PR**  
 Plan Amendment Change  
 Proposed Plan Designation(s) \_\_\_\_\_  
**PR up to 5du/acre**  
 Proposed Density (units/acre) \_\_\_\_\_  
 Previous Rezoning Requests \_\_\_\_\_  
 Other (specify) \_\_\_\_\_

Pending Plat File Number

### STAFF USE ONLY

<p><b>PLAT TYPE</b>  <input type="checkbox"/> Staff Review             <input checked="" type="checkbox"/> Planning Commission</p> <p><b>ATTACHMENTS</b>  <input type="checkbox"/> Property Owners / Option Holders             <input type="checkbox"/> Variance Request  <input type="checkbox"/> Amendment Request (<i>Comprehensive Plan</i>)</p> <p><b>ADDITIONAL REQUIREMENTS</b>  <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan</i>)  <input type="checkbox"/> Traffic Impact Study  <input type="checkbox"/> COA Checklist (<i>Hillside Protection</i>)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Fee 1</td> <td style="width: 30%; text-align: right;">Total</td> </tr> <tr> <td style="text-align: center; color: red;">0802</td> <td style="text-align: right; color: red;">\$1,455.50</td> </tr> <tr> <td>Fee 2</td> <td></td> </tr> <tr> <td>Fee 3</td> <td></td> </tr> </table>	Fee 1	Total	0802	\$1,455.50	Fee 2		Fee 3	
Fee 1	Total								
0802	\$1,455.50								
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**

<div style="border: 1px solid black; padding: 5px;"> <p style="font-size: 8px; margin-top: 5px;">dotloop verified 08/07/24 4:29 PM EDT 1WJK-LE4Z-D00I-FP9I</p> </div> <p>Applicant Signature</p> <p><b>865-806-8008</b></p> <p>Phone Number</p>	<p><b>Mesana Investments, LLC</b></p> <p>Please Print</p> <p><b>swd444@gmail.com</b></p> <p>Email</p> <p><b>Crystal Henderson</b></p> <p>Please Print</p>	<p><b>8/7/24</b></p> <p>Date</p> <p><b>08/19/2024, SG</b></p> <p>Date Paid</p>
<div style="border: 1px solid black; padding: 5px;"> <p style="font-size: 8px; margin-top: 5px;">dotloop verified 08/08/24 2:44 PM EDT UYCZ-MYB1-E8JN-DEK1</p> </div> <p>Property Owner Signature</p>		



# 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.*

09/20/2024

10/04/2024

Date to be Posted

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*

dotloop verified  
08/12/24 1:31 PM EDT  
QCM0-GHWF-PUNI-YCRV

Applicant Signature

Mesana Investments, LLC

Applicant Name

08/12/2024

Date

10-H-24-RZ

FILE NUMBER