

# REZONING REPORT

▶ **FILE #:** 9-L-24-RZ

**AGENDA ITEM #:** 15

**AGENDA DATE:** 9/12/2024

▶ **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): FSL South, LLC

TAX ID NUMBER: 137 53

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 1413 TIPTON STATION RD

▶ **LOCATION:** South side of W Governor John Sevier Hwy, north side of Tipton Station Rd

▶ **APPX. SIZE OF TRACT:** 27.63 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via John Sevier Hwy, a major arterial with a pavement width of 45 ft within a right-of-way of 156 ft. Access is also via Tipton Station Rd, a major collector street with 21ft of pavement width within a right-of-way of 41ft.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

FIRE DISTRICT: Seymour Volunteer Fire Department

WATERSHED: Stock Creek

▶ **PRESENT ZONING:** PR (Planned Residential) up to 3 du/ac

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

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

▶ **DENSITY PROPOSED:** up to 6 du/ac

EXTENSION OF ZONE: The PR (Planned Residential) zone up to 8 du/ac is to the north.

HISTORY OF ZONING: This property was rezoned from A to PR up to 3 du/ac in 2020 (3-C-20-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential, agriculture/forestry/vacant land - PR (Planned Residential) up to 8 du/ac

South: Rural residential, agriculture/forestry/vacant land - A (Agricultural)

East: Agriculture/forestry/vacant land, single family residential - A (Agricultural)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: There are single family subdivisions and attached houses among large, forested areas and agricultural tracts. The south side of John Sevier remains largely out of the Hillside Protection area.

**STAFF RECOMMENDATION:**

▶ **Approve the PR (Planned Residential) zone with up to 6 du/ac because it is consistent with the Knox County Comprehensive Plan and due to the change of conditions in the area, subject to one condition.**

1. Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for

allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete

**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. Since 1992, there have been some A to PR rezonings at densities ranging from up to 2-8 du/ac in the area. The general residential trend along John Sevier Highway consists of small and medium-sized lots of single family detached residential houses, attached subdivisions, and large forested and agricultural tracts.
2. In 2009, John Sevier Highway was widened in front of this property to include a center turn lane with the 2 lane street.

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

1. This property has a blue line stream running through the middle of the property, which will require a no disturbance buffer on each side. The flexibility of the PR zone is intended to encourage more imaginative solutions to environmental design problems and makes it an appropriate zone to consider.
2. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses. At the requested density of 6 du/ac, this 27.63-acre property could have up to 165 units.
3. 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 would be compatible with the surrounding land uses.

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. John Sevier Highway is a major arterial street, which provides major movement within the area. Tipton Station Road is a major collector street, and it may provide a secondary access point.
2. John Sevier Highway is designated a Scenic Highway by the State of Tennessee, which limits the height of buildings to 35 ft.
3. 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.
4. Water quality buffers will be established, protected, and maintained around the stream. Any development must comply with the Knox County stormwater management requirements.

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 TN (Traditional Neighborhood) in the Knox County Comprehensive Plan. The TN place type allows consideration of the PR zone as a partially related zone.
2. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is consistent with the secondary uses of the subject site's place type. The TN place type identifies multifamily residential, commercial, and civic uses as secondary uses. The PR zone allows multifamily residential and limited commercial uses for properties over 20 acres.
3. The Traditional Neighborhood (TN) place type has a walkable block pattern, a mix of housing types within the neighborhood, and neighborhood amenities such as parks and schools.
4. This property is approximately 1.5 miles from a commercial node at Chapman Highway and E Governor John Sevier Highway and is within the school parental zone for South Doyle High School. Residential development at this location is consistent with the Comprehensive Plan's Implementation Policy 5, Create neighborhoods with a variety of housing types and amenities in close proximity and Policy 9.3, Focus growth in areas already served by adequate infrastructure.
5. The rezoning is within the Planned Growth Area and is not in conflict with the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 1600 (average daily vehicle trips)

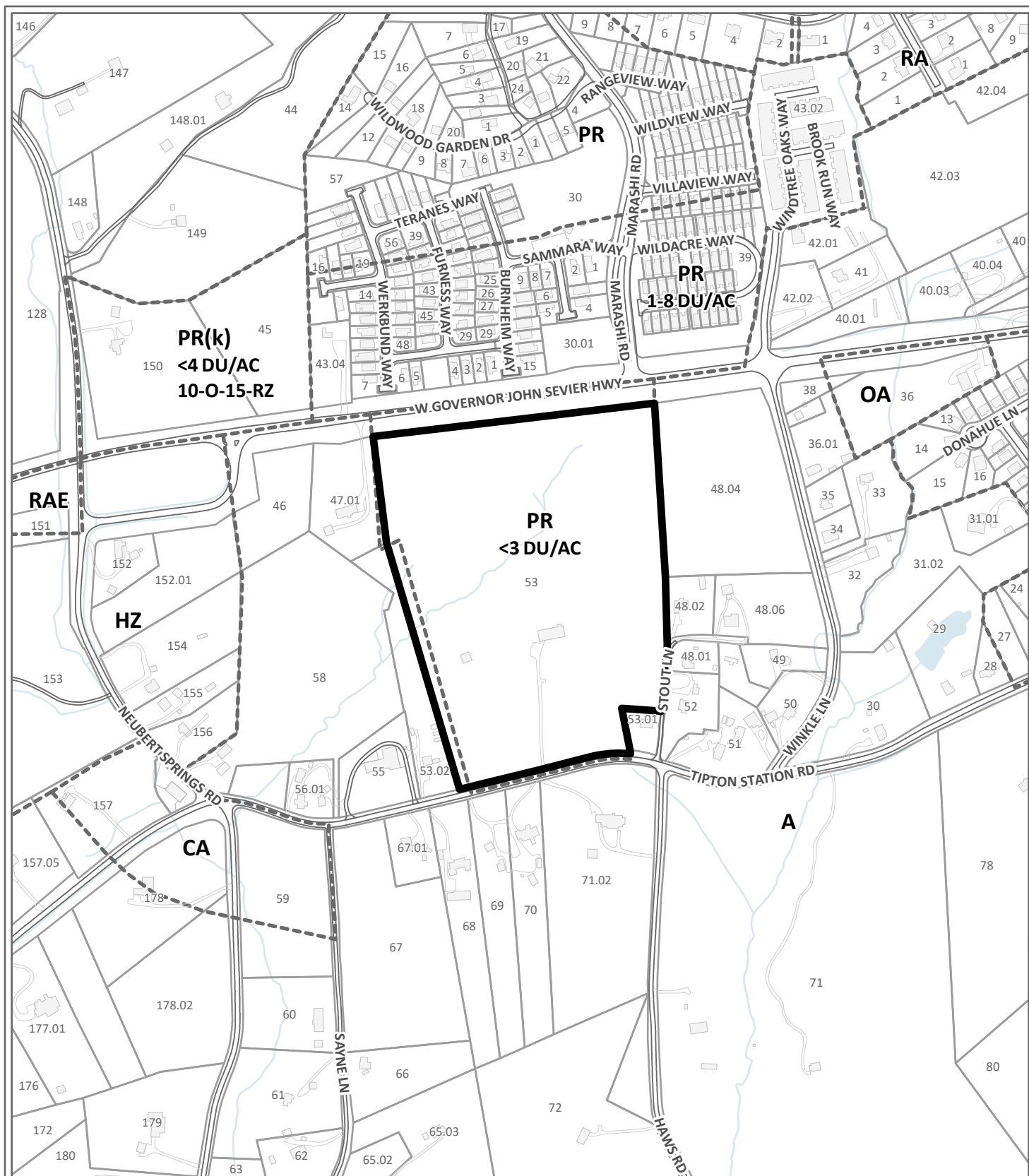
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 36 (public school children, grades K-12)

Schools affected by this proposal: Bonny Kate Elementary, South Doyle Middle, and South Doyle 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 10/21/2024. 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**

**9-L-24-RZ**

**Petitioner:** Mesana Investments, LLC



**From:** PR (Planned Residential) up to 3 du/ac, A (Agricultural)

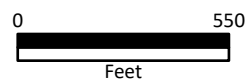
**To:** PR (Planned Residential) up to 6 du/ac

**Map No:** 137

**Jurisdiction:** County

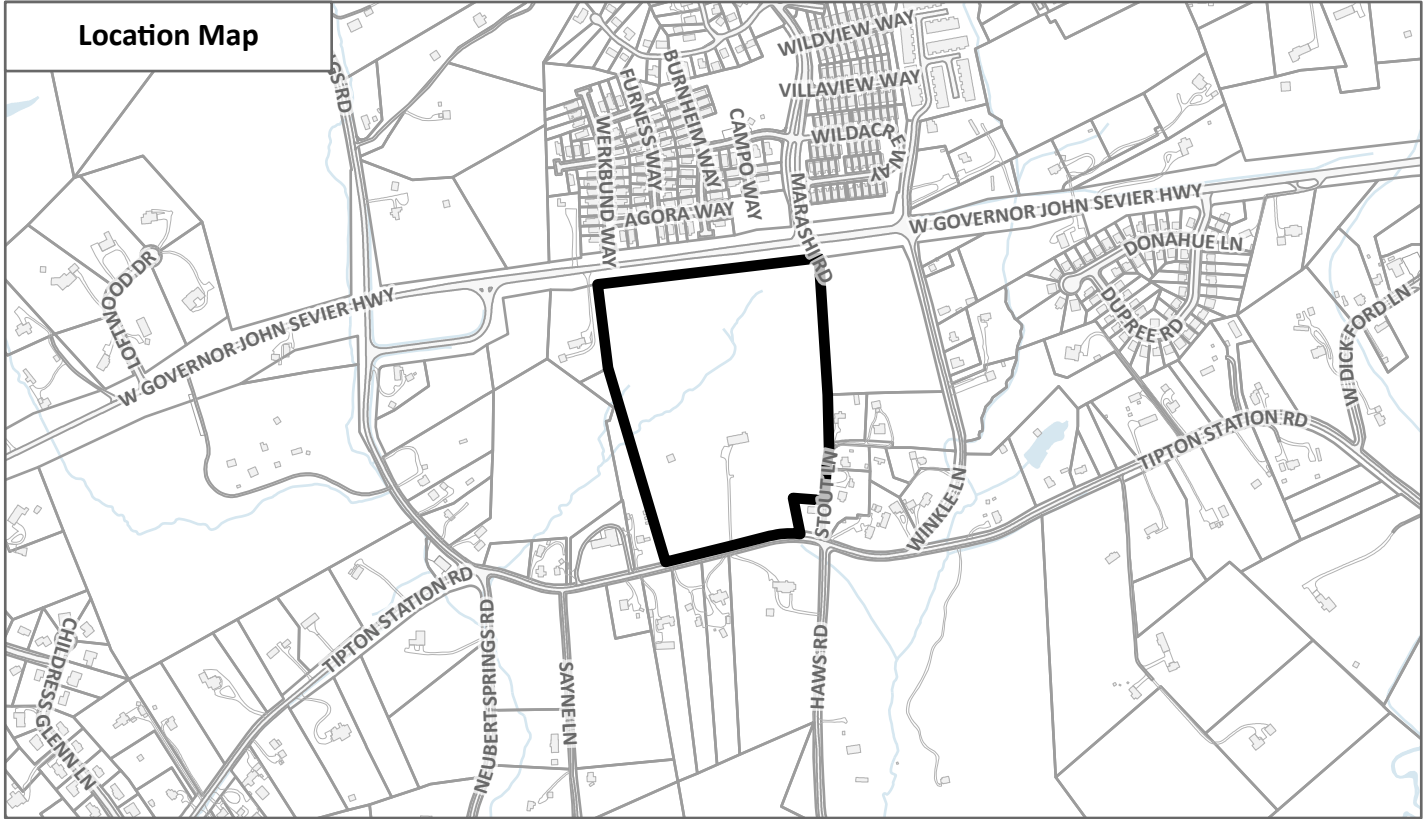
**Original Print Date:** 8/8/2024

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



# Exhibit A. Contextual Images

Location Map



Aerial Map

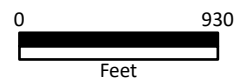


CONTEXTUAL MAPS 1

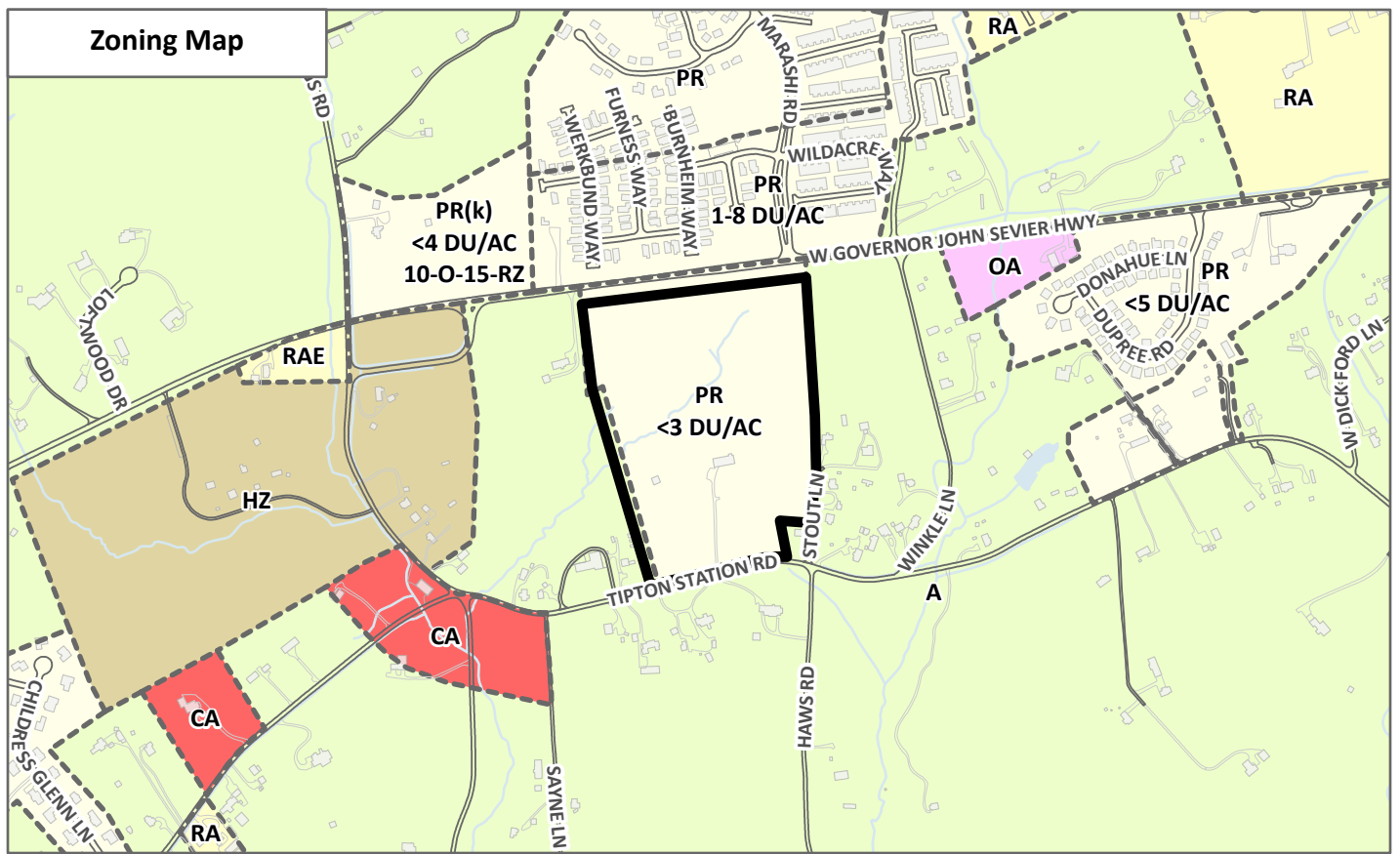
9-L-24-RZ



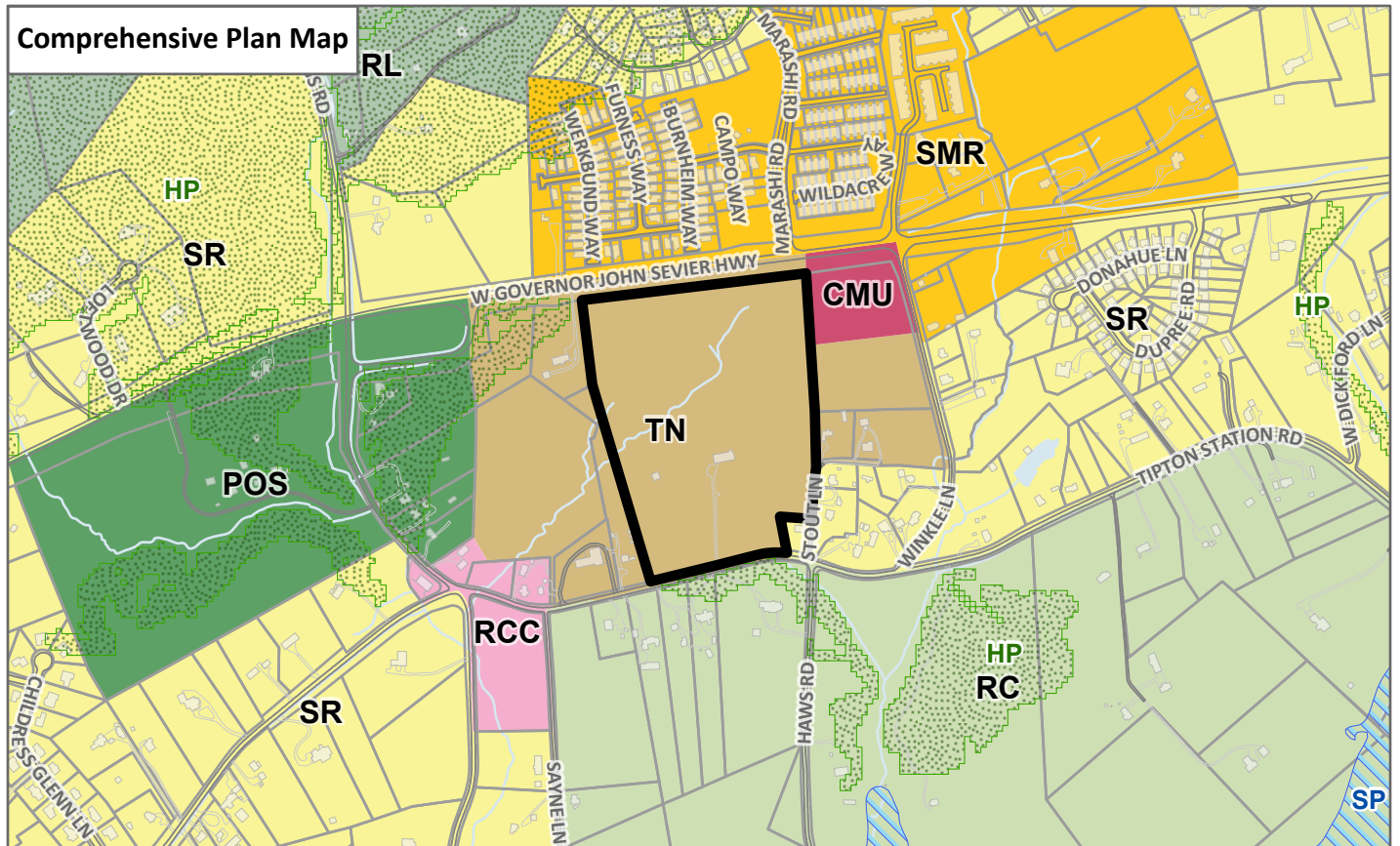
Case boundary



# Zoning Map



# Comprehensive Plan Map

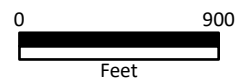


## CONTEXTUAL MAPS 2

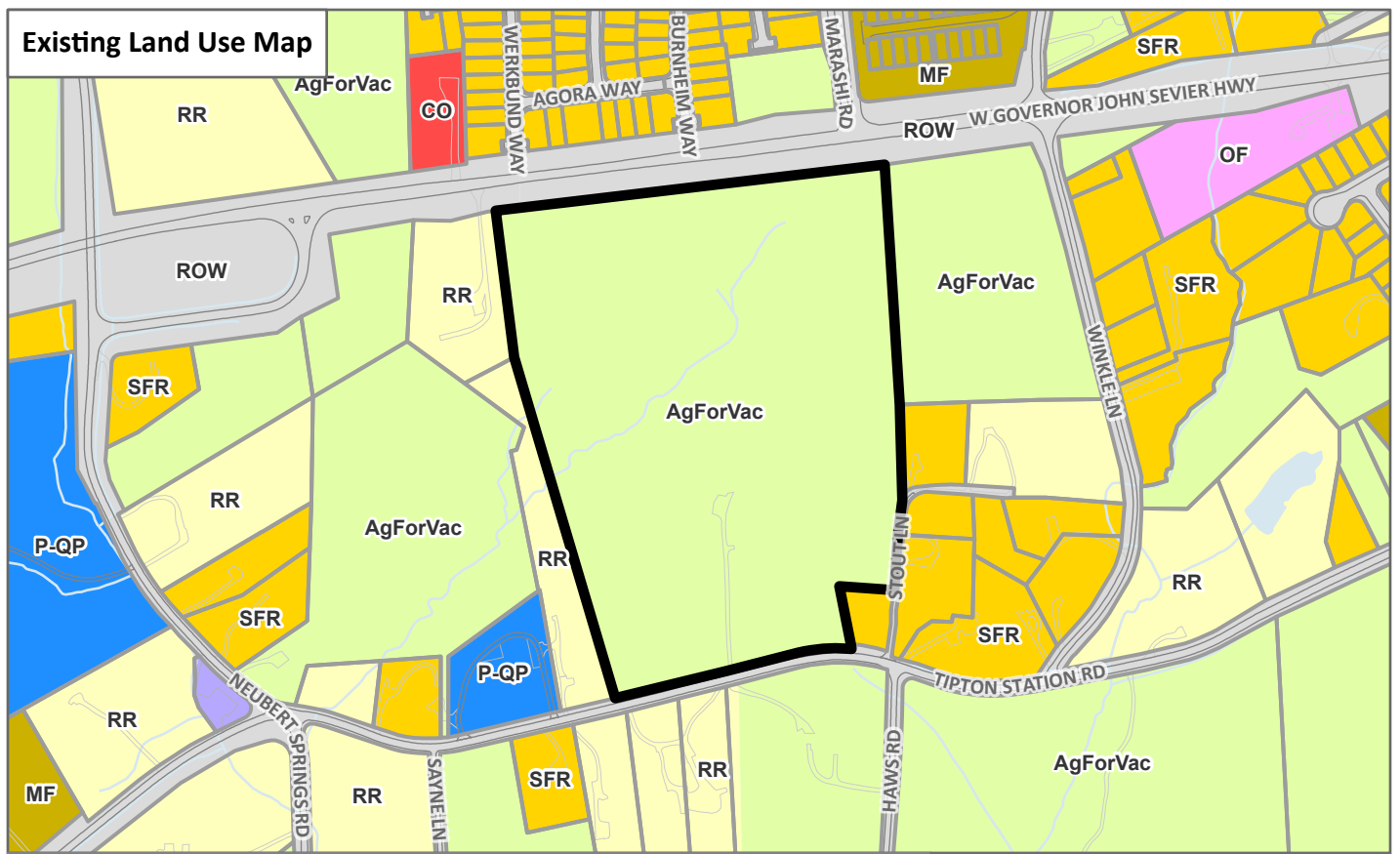
9-L-24-RZ



Case boundary



Existing Land Use Map

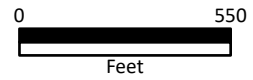


CONTEXTUAL MAPS 3

9-L-24-RZ



Case boundary





# 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

**7/26/2024**

Date Filed

**9/12/2024**

Meeting Date (if applicable)

**9-L-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

**FSL South, LLC**

Owner Name (if different)

**7777 Pennroyal Dr Knoxville TN 37920**

Owner Address

**865-223-0934**

Owner Phone / Email

**1413 TIPTON STATION RD**

Property Address

**137 53**

Parcel ID

Part of Parcel (Y/N)?

**27.63 acres**

Tract Size

**Knox-Chapman Utility District**

Sewer Provider

**Knox-Chapman 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 _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

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

### up to 6 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>\$2,031.50</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 Please Print	7/26/2024 Date
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Phone / Email

Property Owner Signature	FSL South, LLC Please Print	7/26/2024 Date
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1) Download and fill out this form at your convenience.  
 2) Sign the application digitally (or print, sign, and scan).

3) Either print the completed form and bring it to the  
 Knoxville-Knox County Planning offices  
 OR email it to [applications@knoxplanning.org](mailto:applications@knoxplanning.org)

Reset Form



# 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		Affiliation	
7/24/2024	9/12/2024	File Number(s)  <b>9-L-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	Company		
P.O. Box 11315	Knoxville	TN	37939
Address	City	State	ZIP
(865) 693-3356	drew.staten2019@gmail.com		
Phone	Email		

**CURRENT PROPERTY INFO**

FSL South, LLC	7777 Pennyroyal Drive, Knoxville, 37920	(865) 223-0934
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
1413 Tipton Station Road, Knoxville, TN 37920	137 053	
Property Address	Parcel ID	
Knox Chapman	Knox Chapman	N
Sewer Provider	Water Provider	Septic (Y/N)

**STAFF USE ONLY**

General Location		Tract Size	
<input type="checkbox"/> City <input type="checkbox"/> County	District	Zoning District	Existing Land Use
Planning Sector	Land Use / Place Type CITY COUNTY	Growth Policy Plan Designation	

**DEVELOPMENT REQUEST**

- Development Plan  
  Use on Review / Special Use  
  Hillside Protection COA  
 Residential  
  Non-Residential

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

**SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number  
  Combine Parcels  
  Divide Parcel  
 Total Number of Lots Created

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

**ZONING REQUEST**

Pending Plat File Number

Zoning Change  
 PR 6 DU/AC  
 Proposed Zoning

Plan Amendment Change  
 Proposed Plan Designation(s)

6

Proposed Density (units/acre)      Previous Rezoning Requests

Other (specify) \_\_\_\_\_

**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
	\$2,031.50
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

*Drew Staten*  
Applicant Signature

Mesana Investments, LLC

7/24/2024

Please Print

Date

(865) 693-3356

drew.staten2019@gmail.com

Phone Number

Email

7/26/2024, SG

*Grant Hensley*  
Property Owner Signature

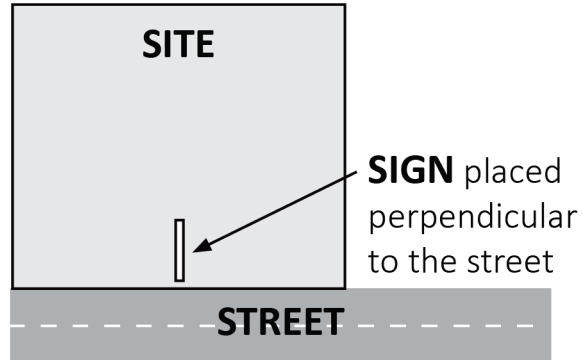
GRANT Hensley

Please Print

7/29/2024

Date Paid

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:*

\_\_\_\_\_ 08/30/2024 \_\_\_\_\_ and \_\_\_\_\_ 09/13/2024 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Mesana Investments, LLC

Date: 07/26/2024

File Number: 9-L-24-RZ

- Sign posted by Staff
- Sign posted by Applicant