

# REZONING REPORT

► <b>FILE #:</b>	<b>1-I-25-RZ</b>	<b>AGENDA ITEM #:</b>	<b>8</b>
POSTPONEMENT(S):	1/9/2025	<b>AGENDA DATE:</b>	<b>2/13/2025</b>
► <b>APPLICANT:</b>	<b>MESANA INVESTMENTS, LLC</b>		
OWNER(S):	Robert Butcher, Et. al.		
<hr/>			
TAX ID NUMBER:	48 027 (PART OF) , 028 (PART OF), 028.02	<a href="#"><u>View map on KGIS</u></a>	
JURISDICTION:	County Commission District 7		
STREET ADDRESS:	6930 SHADY LN (2720, 2748 CUNNINGHAM RD)		
► <b>LOCATION:</b>	<b>East side of Shady Ln, south side of Cunningham Rd</b>		
► <b>APPX. SIZE OF TRACT:</b>	<b>18.735 acres</b>		
GROWTH POLICY PLAN:	Planned Growth Area		
ACCESSIBILITY:	Access is via Cunningham Rd a major collector with 28 ft of pavement width within a right-of-way range of 62-78 ft. Access is via Shady Ln a local street with 21 ft of pavement width within a right-of-way of 40 ft.		
UTILITIES:	Water Source: Hallsdale-Powell Utility District Sewer Source: Hallsdale-Powell Utility District		
FIRE DISTRICT:	Rural Metro Fire		
WATERSHED:	Beaver Creek		
<hr/>			
► <b>PRESENT ZONING:</b>	<b>A (Agricultural)</b>		
► <b>ZONING REQUESTED:</b>	<b>PR (Planned Residential)</b>		
► <b>EXISTING LAND USE:</b>	<b>Rural Residential, Agriculture/Forestry/Vacant Land</b>		
► <b>DENSITY PROPOSED:</b>	<b>up to 5 du/ac</b>		
EXTENSION OF ZONE:	No, not an extension of zoning.		
HISTORY OF ZONING:	None noted.		
SURROUNDING LAND USE AND ZONING:	North: Single family residential - RA (Low Density Residential) South: Single family residential, rural residential - A (Agricultural) East: Private recreation - OS (Open Space) West: Agriculture/forest/vacancy - A (Agricultural)		
NEIGHBORHOOD CONTEXT:	This area is predominantly characterized by residential, recreational, and undeveloped land. The residential uses are primarily single family dwellings on a mix of rural and large suburban lots. The open space uses are undeveloped properties adjacent to residential uses. The recreational land uses consist of There is a private country club and its associated with a golf course abutting this property on the east.		

## STAFF RECOMMENDATION:

- **Approve the PR (Planned Residential) zone up to 5 du/ac because it is consistent with the Knox County Comprehensive Plan and the surrounding area.**

## 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. Surrounding properties have been transitioning from the A zone to the RB (General Residential), RA and PR 2-6 du/ac zones since the 1990s. Most of the surrounding subdivisions are single family residential with some attached houses.

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

1. The PR zone is intended to provide flexibility for different types of residential development and encourage more imaginative solutions to environmental design problems. A blue line stream runs through the property and there is some Hillside Protection area on the southeast side, making the PR zone an appropriate zone to consider since it allows clustering of lots.
2. Houses, duplexes, multi-dwelling structures, and developments are permitted in the PR zone.
3. 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.

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. PR at this density is appropriate because the property is 1.5 miles from Maynardville Pike, a major commercial corridor.
2. As mentioned previously, a blue line stream runs through the middle of the property. Water quality buffers would be maintained, and any development must comply with 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 property is within the SR (Suburban Residential) place type. When the district is partially related to the place type, one of three conditions shall apply. One of these is the proposed zoning district is consistent with the secondary uses of the subject site's place type. The Suburban Residential place type is to the north, south, and west and residential, attached dwellings are considered secondary uses and are permitted by right in the PR zone.
2. The SR (Suburban Residential) place type calls for primarily single family residential development with lots smaller than one acre and attached residential such as duplexes, multiplexes, and townhomes that are similar in scale to single family homes. The PR zoning allows these housing types by right.
3. The proposed rezoning is consistent with Knox County Comprehensive Plan Implementation Policy 2, ensure that development is sensitive to existing community character. 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. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. This development is in alignment with these goals.

ESTIMATED TRAFFIC IMPACT: 944 (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: 39 (public school children, grades K-12)

Schools affected by this proposal: Brickey-McCloud Elementary, Halls Middle, and Halls 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 3/24/2025. 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

1/8/2025

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

Date of Request

1/9/2025

File Number(s)

Scheduled Meeting Date

1-I-25-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 2/13/2025 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

Phone Number

Email

## STAFF ONLY

Staff Signature

Please Print

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

Date:

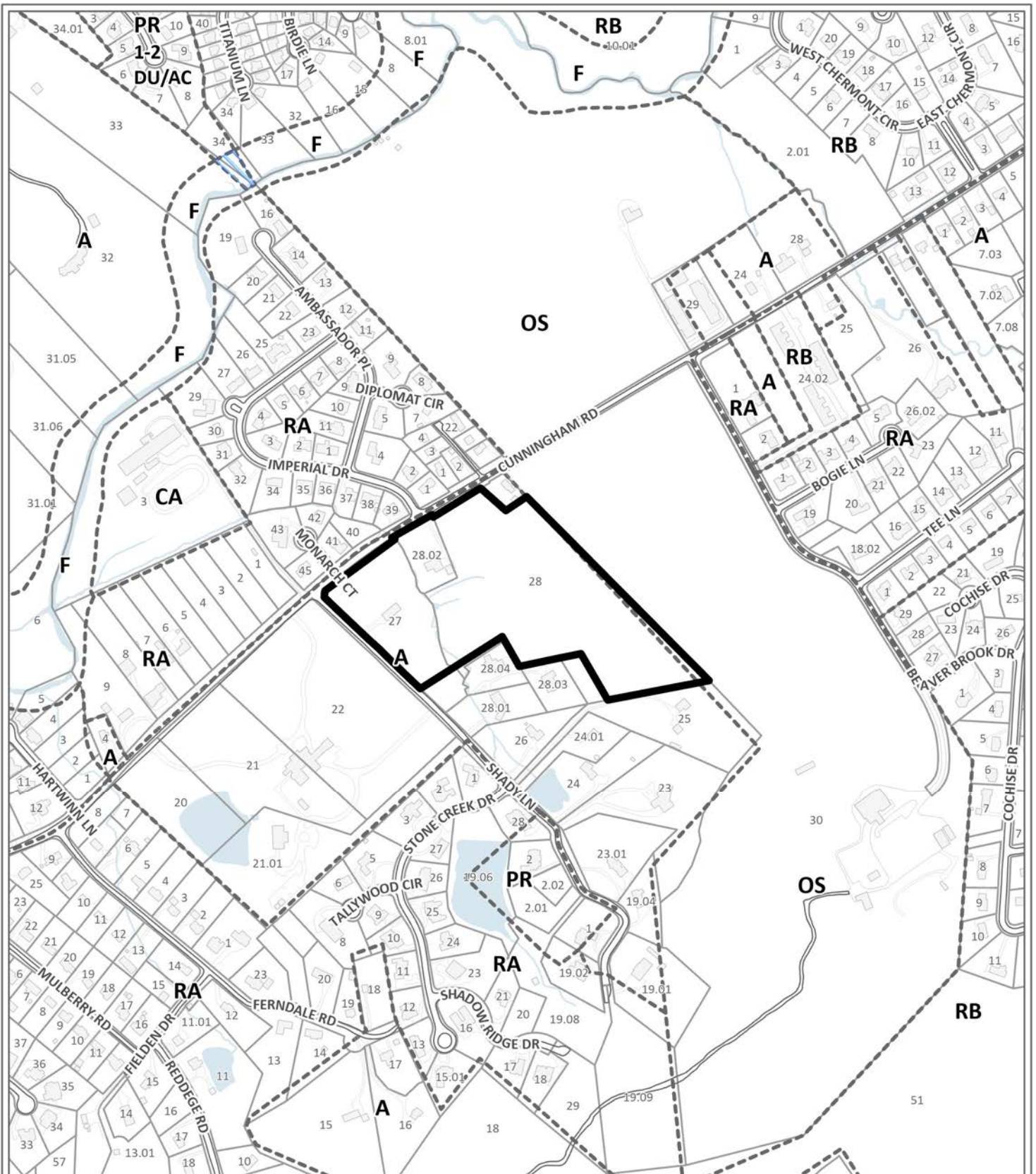
Payee Name

Payee Phone

Payee Address

October 2022





## REZONING

**1-I-25-RZ**

**Petitioner:** Mesana Investments, LLC



**From:** A (Agricultural)

**To:** PR (Planned Residential) up to 5 du/ac

**Map No:** 48

**Jurisdiction:** County



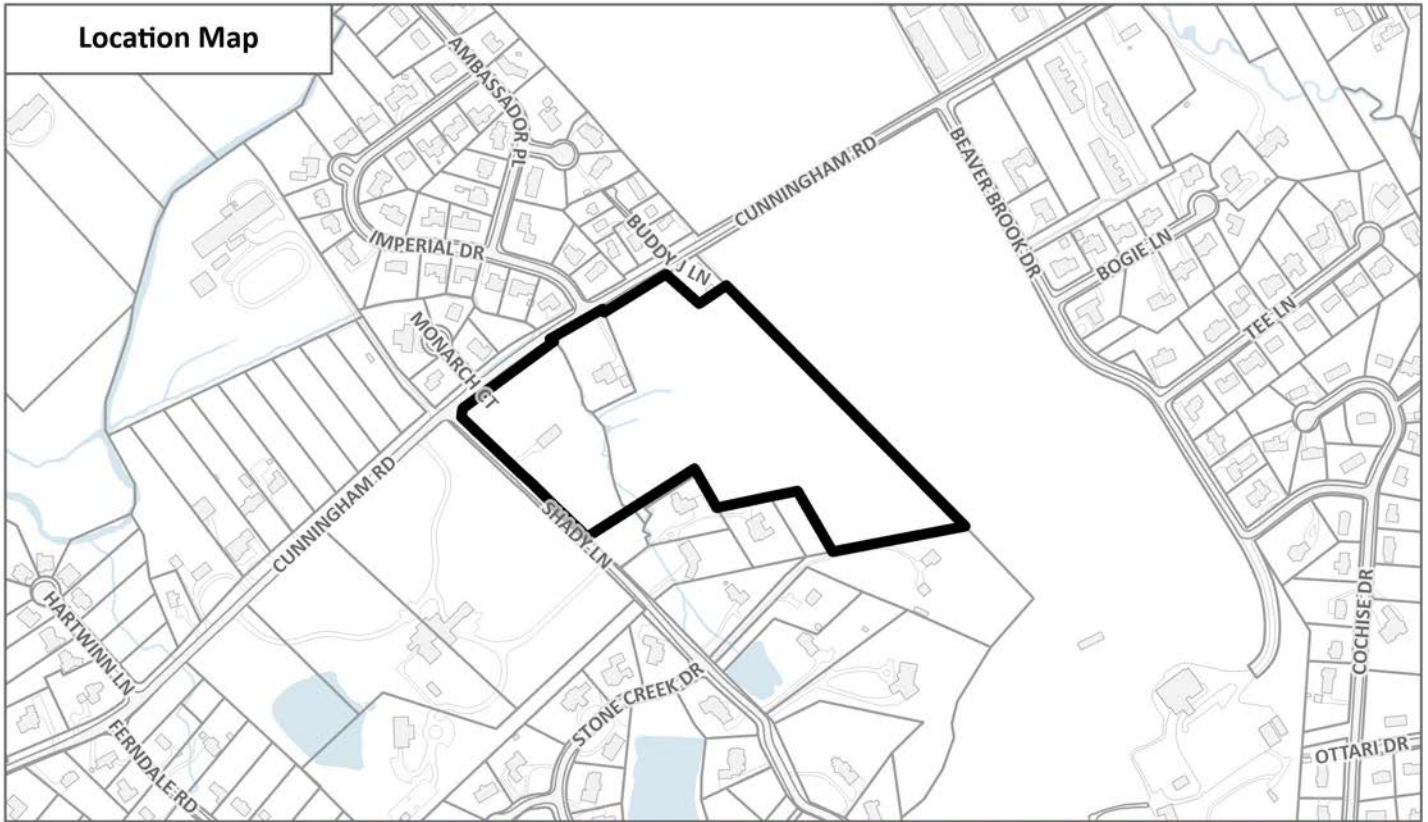
**Original Print Date:** 1/8/2025

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



## Exhibit A. Contextual Images

Location Map



Aerial Map

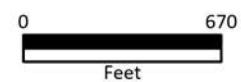


CONTEXTUAL MAPS 1

1-I-25-RZ

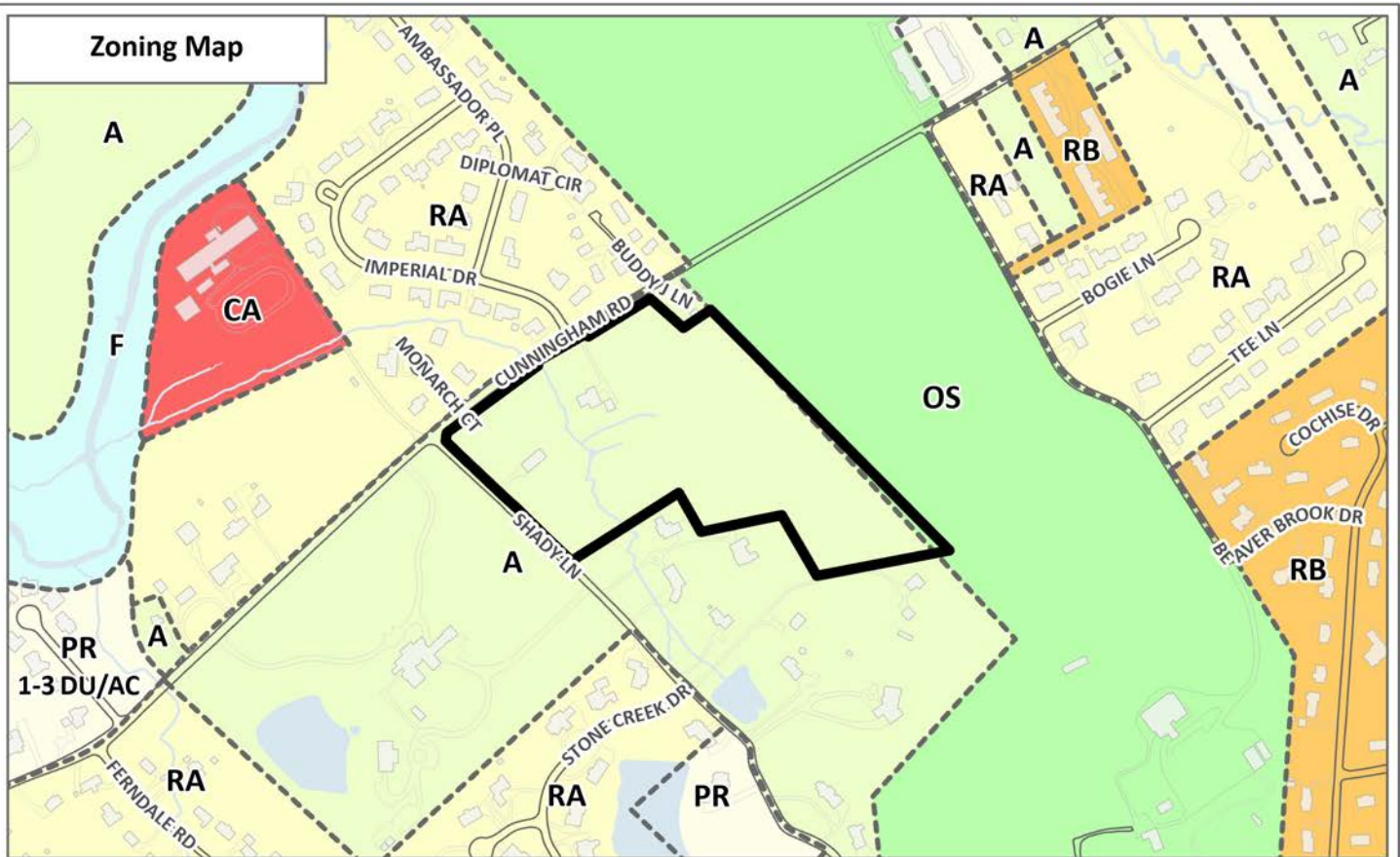


Case boundary

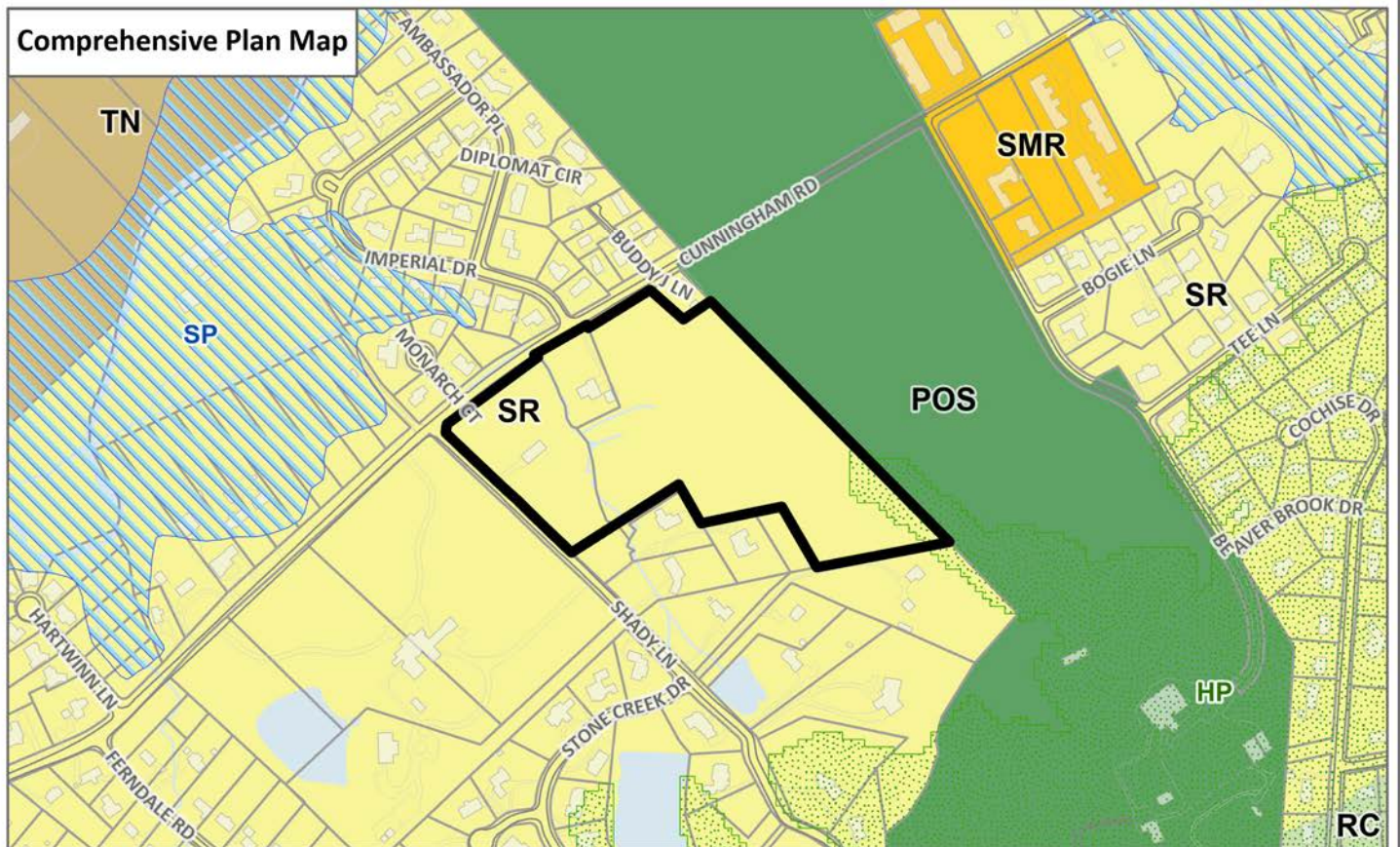




Zoning Map



Comprehensive Plan Map

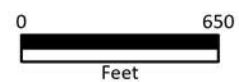


CONTEXTUAL MAPS 2

1-I-25-RZ

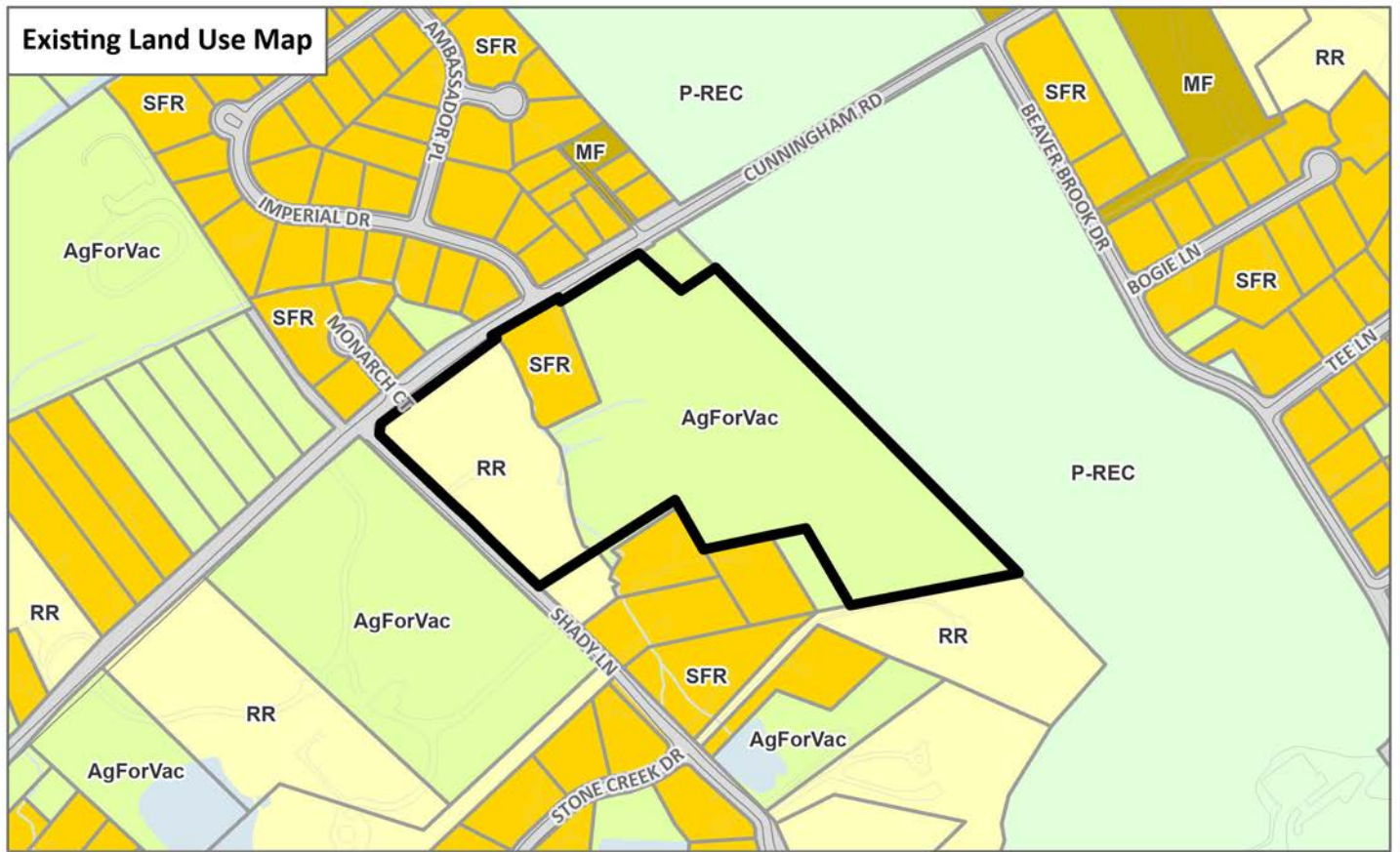


Case boundary





Existing Land Use Map

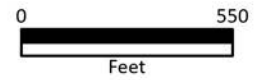


CONTEXTUAL MAPS 3

1-I-25-RZ

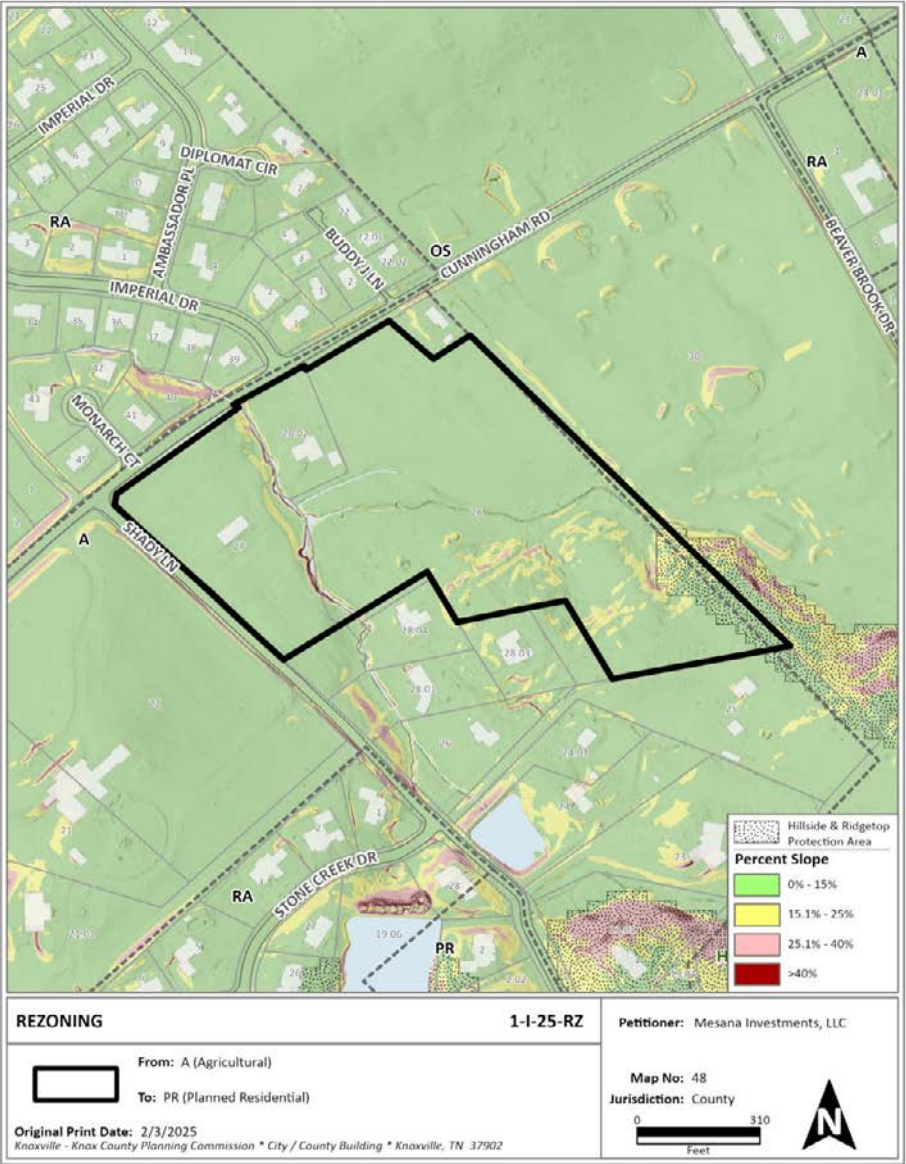


Case boundary





CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	18.74		
Non-Hillside	17.93	N/A	
0-15% Slope	0.58	100%	0.58
15-25% Slope	0.22	50%	0.11
25-40% Slope	0.00	20%	0.00
Greater than 40% Slope	0.00	10%	0.00
Ridgetops			
Hillside Protection (HP) Area	0.80	Recommended disturbance budget within HP Area (acres)	0.69
		Percent of HP Area	86.2%





# 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

11/25/2024

Date Filed

1/9/2025

Meeting Date (if applicable)

1-I-25-RZ

File Number(s)

## CORRESPONDENCE

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

- ☐ Applicant ☐ Owner ☐ Option Holder ☐ Surveyor ☐ Engineer ☐ Architect

Scott Davis Mesana Investments LLC

Name / Company

PO Box 11315 Knoxville TN 37939

Address

865-693-3356 / [REDACTED]

Phone / Email

## CURRENT PROPERTY INFO

Robert Butcher, Et. al.

Owner Name (if different)

6916 Shady Ln Knoxville TN

Owner Address

Owner Phone / Email

6930 SHADY LN / 2748 CUNNINGHAM RD

Property Address

48 027,028

Parcel ID

Part of Parcel (Y/N)?

19.09 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

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	<b>PR (Planned Residential)</b>	Pending Plat File Number
	Proposed Zoning	
<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>\$1,604.50</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

**By signing below, 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. If there are additional owners or option holders, each additional individual must sign the Property Owners/Option Holders Form.**

Mesana Investments, LLC	11/25/2024
Applicant Signature	Date

Phone / Email

Robert Butcher, Et. al.	11/25/2024
Property Owner Signature	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

Affiliation

11/25/2024

1/9/2025

File Number(s)

Date Filed

Meeting Date (if applicable)

1-I-25-RZ

## 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

Scott Davis

Mesana Investments, LLC

Name

Company

P.O. Box 11315

Knoxville

TN

37939

Address

City

State

ZIP

(865) 693-3356

Phone

Email

## CURRENT PROPERTY INFO

Robert Butcher, Et. al.

6916 Shady Lane, 37918

N/A

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

6930 Shady Lane & 2748 Cunningham Road

048 027 & 048 028

Property Address

Parcel ID

HPUD

HPUD

N

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

PR

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

5 DU/AC

N/A

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

Fee 2

\$1,600.00

Fee 3

## AUTHORIZATION

By signing below, 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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.

Applicant Signature

Print Name / Affiliation

Date

Phone Number

Email

Robert L Butcher

dotloop verified  
11/24/24 5:14 PM EST  
N6E8-G002-XOL9-RMYQ

Lynn Bailey

dotloop verified  
11/24/24 5:04 PM EST  
DUID-LF9Y-URMJ-19OV

11/25/2024, SG

Property Owner Sig

Pennye Brewer

dotloop verified  
11/24/24 4:07 PM  
EST  
ECN-V8IL-GQIL-0XFY

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.

12/27/2024

Date to be Posted

01/10/2025

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

AuthentiSIGN  
*Scott Davis*  
Applicant Signature

Applicant Name

11/27/24

Date

1-I-25-RZ

FILE NUMBER