

# REZONING REPORT

▶ **FILE #:** 1-I-25-RZ

**AGENDA ITEM #:** 28

**AGENDA DATE:** 1/9/2025

▶ **APPLICANT:** MESANA INVESTMENTS, LLC

OWNER(S): Robert Butcher, Et. al.

TAX ID NUMBER: 48 027, 028

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 6930 SHADY LN (2748 CUNNINGHAM RD)

▶ **LOCATION:** East side of Shady Ln, south side of Cunningham Rd

▶ **APPX. SIZE OF TRACT:** 19.09 acres

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

▶ **PRESENT ZONING:** A (Agricultural)

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

▶ **EXISTING LAND USE:** Rural Residential, Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** up to 5 du/ac

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 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. 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: 963 (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: 40 (public school children, grades K-12)

If approved, this item will be forwarded to Knox County Commission for action on 2/19/2025. 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

1-1-25-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

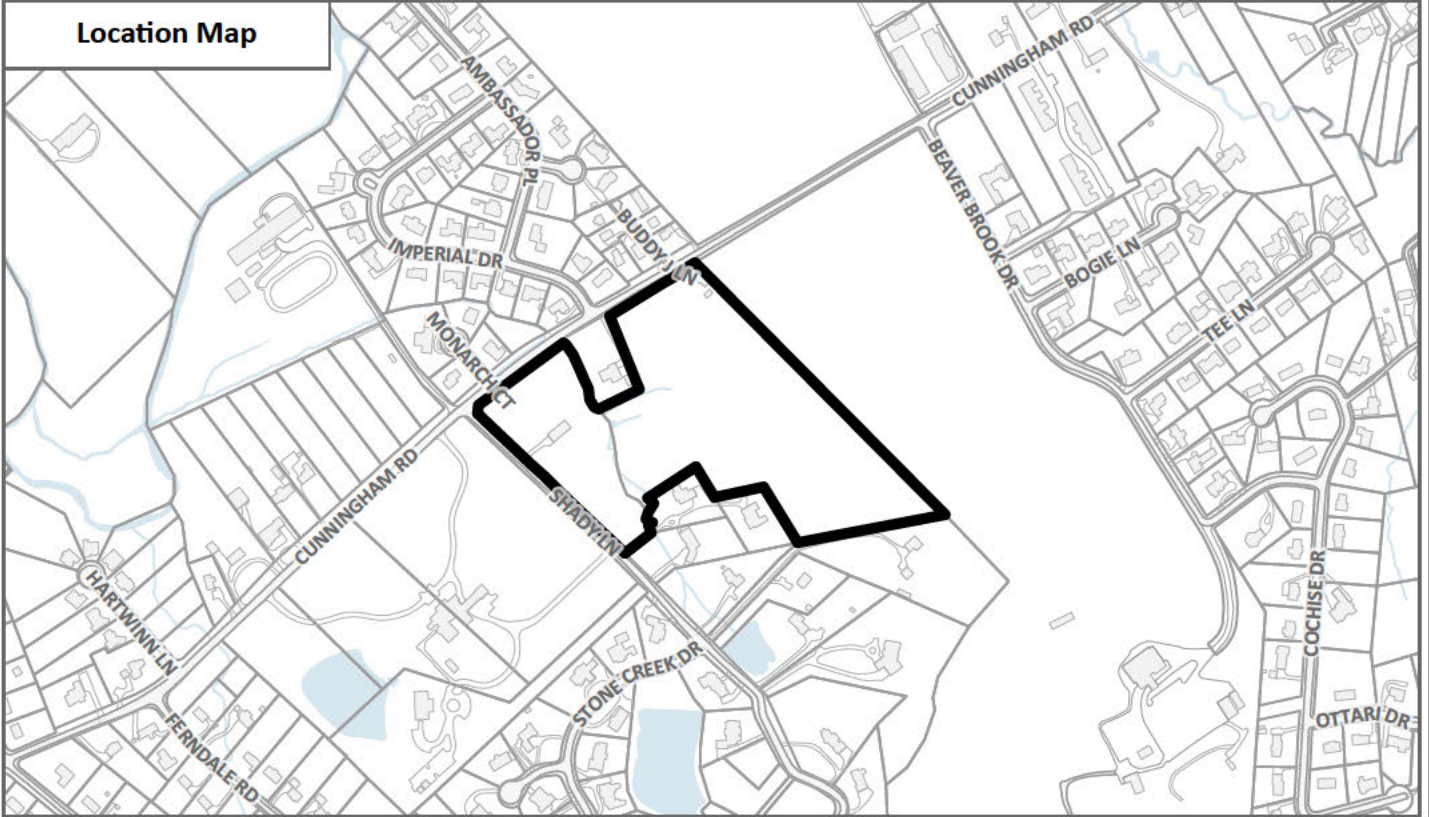
Payee Phone

Payee Address

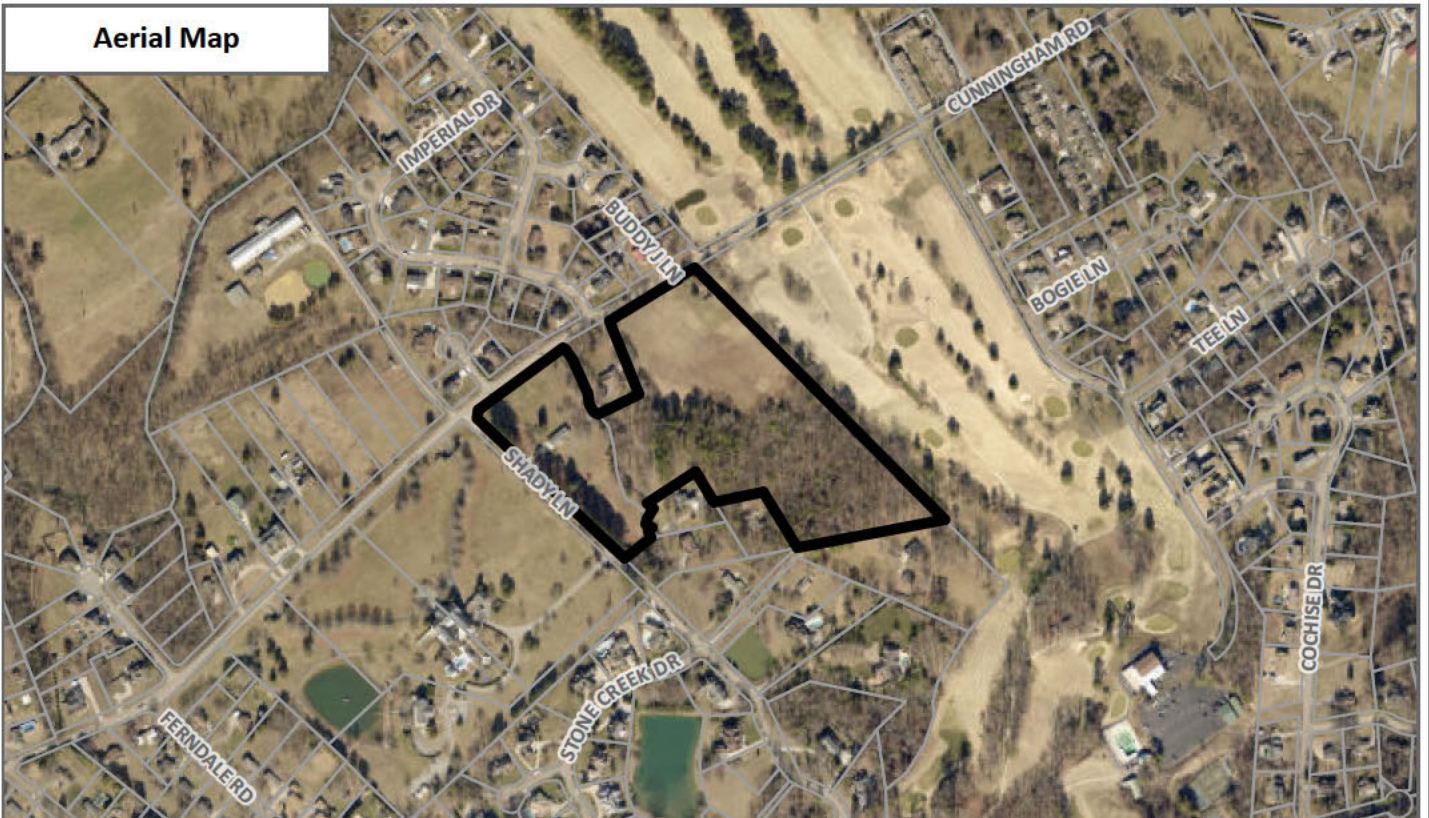


# Exhibit A. Contextual Images

Location Map



Aerial Map

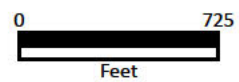


CONTEXTUAL MAPS 1

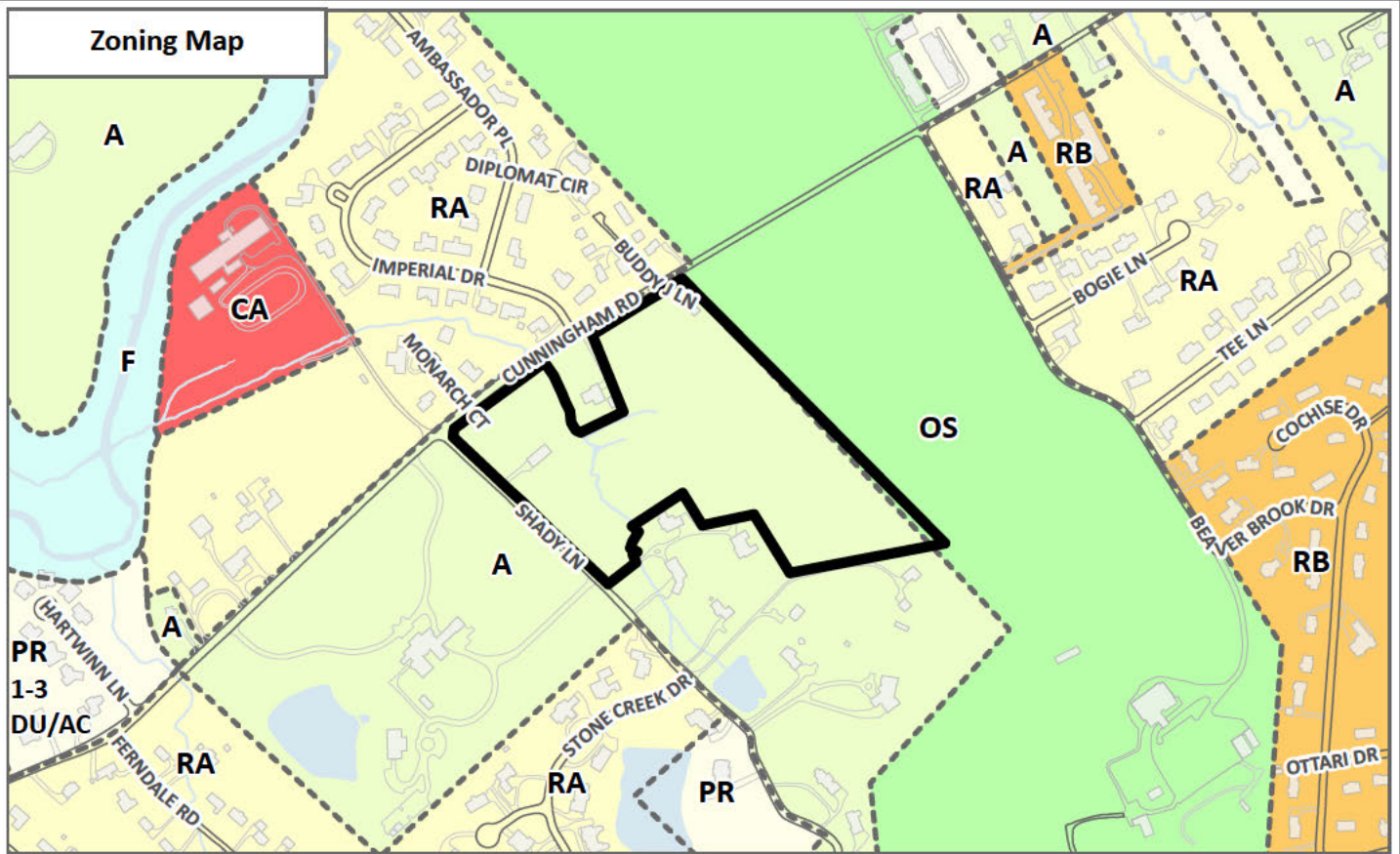
1-1-25-RZ



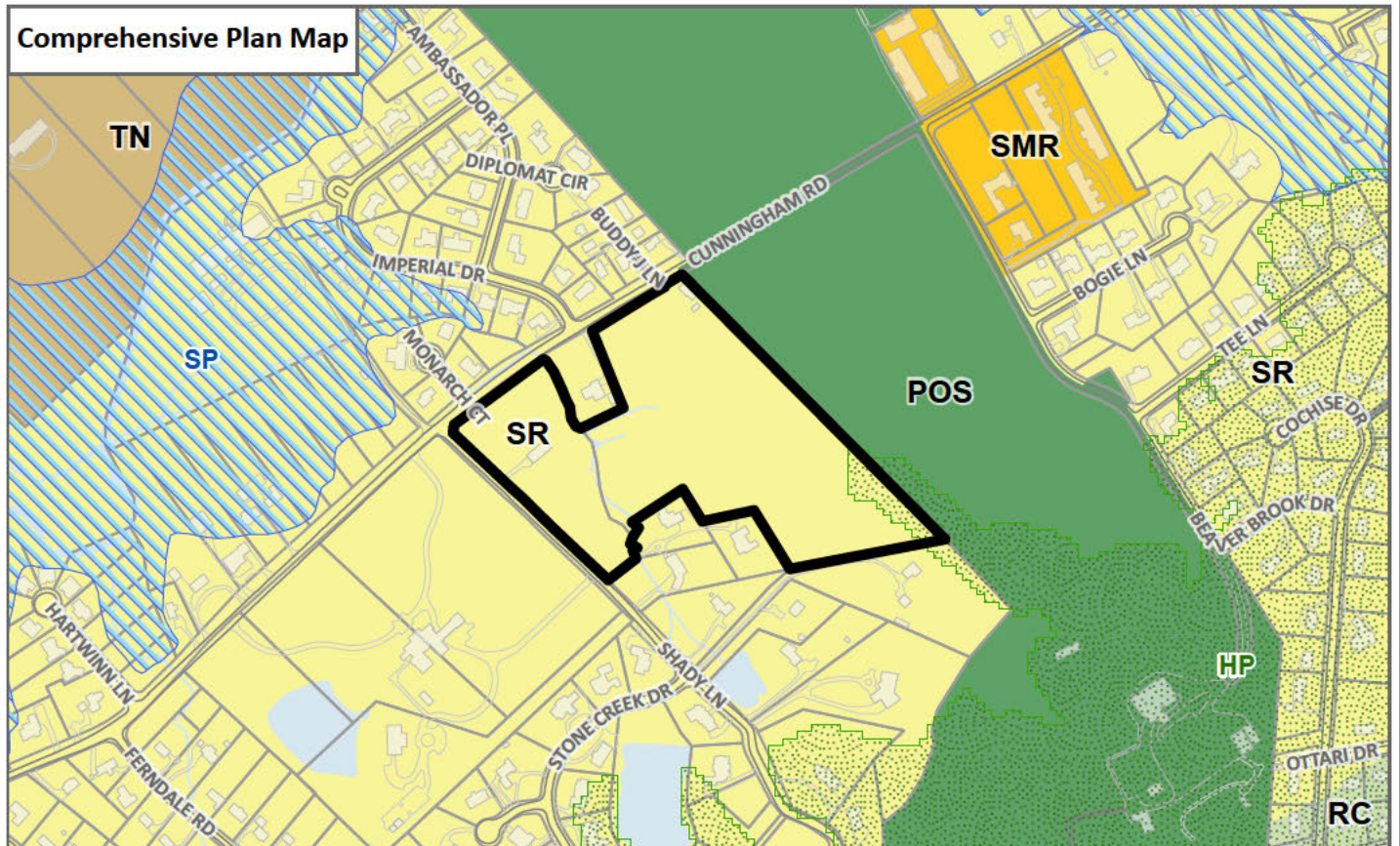
Case boundary



Zoning Map



Comprehensive Plan Map

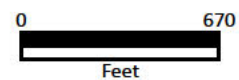


CONTEXTUAL MAPS 2

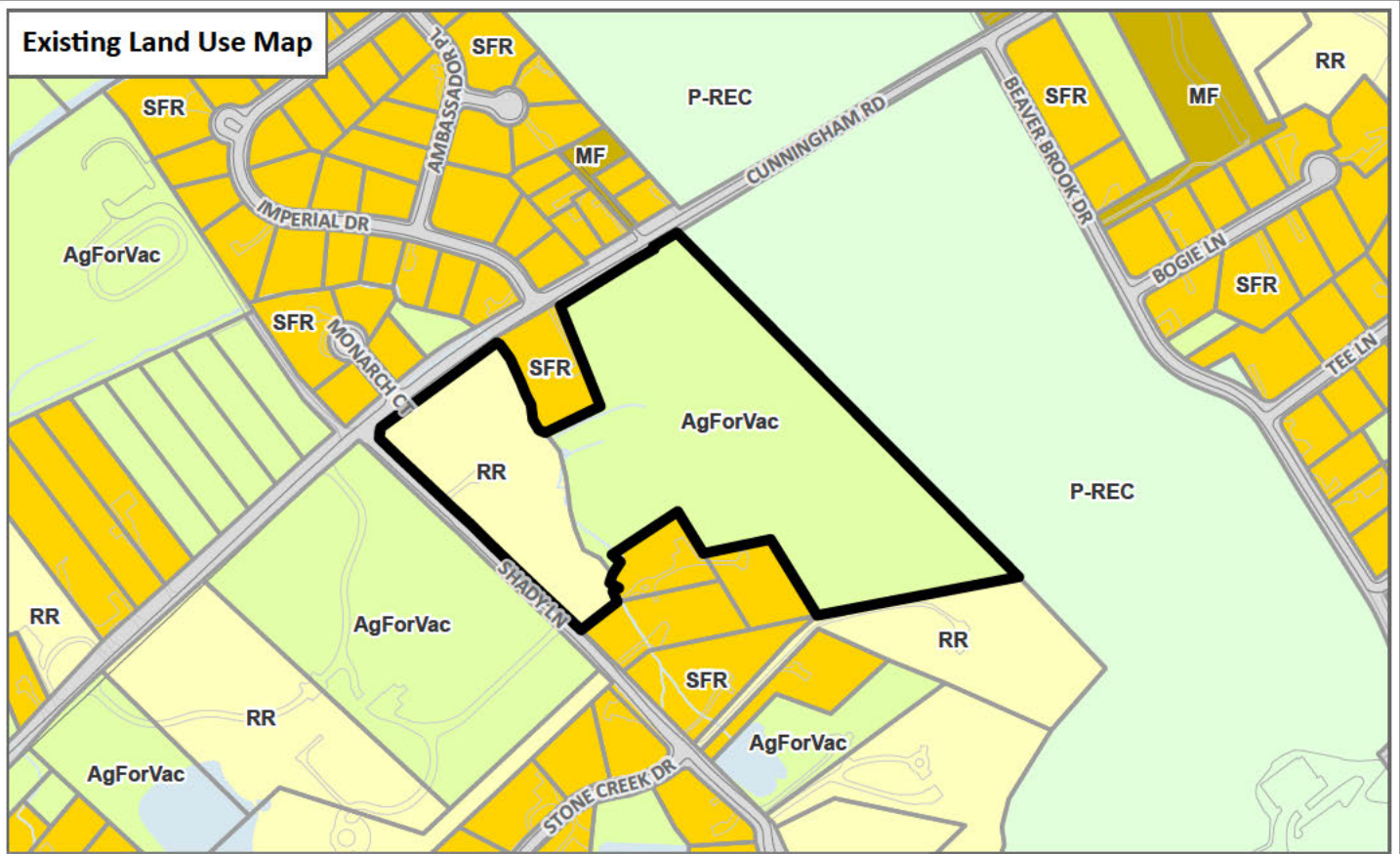
1-I-25-RZ



Case boundary



Existing Land Use Map

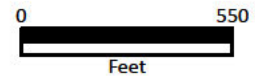


CONTEXTUAL MAPS 3

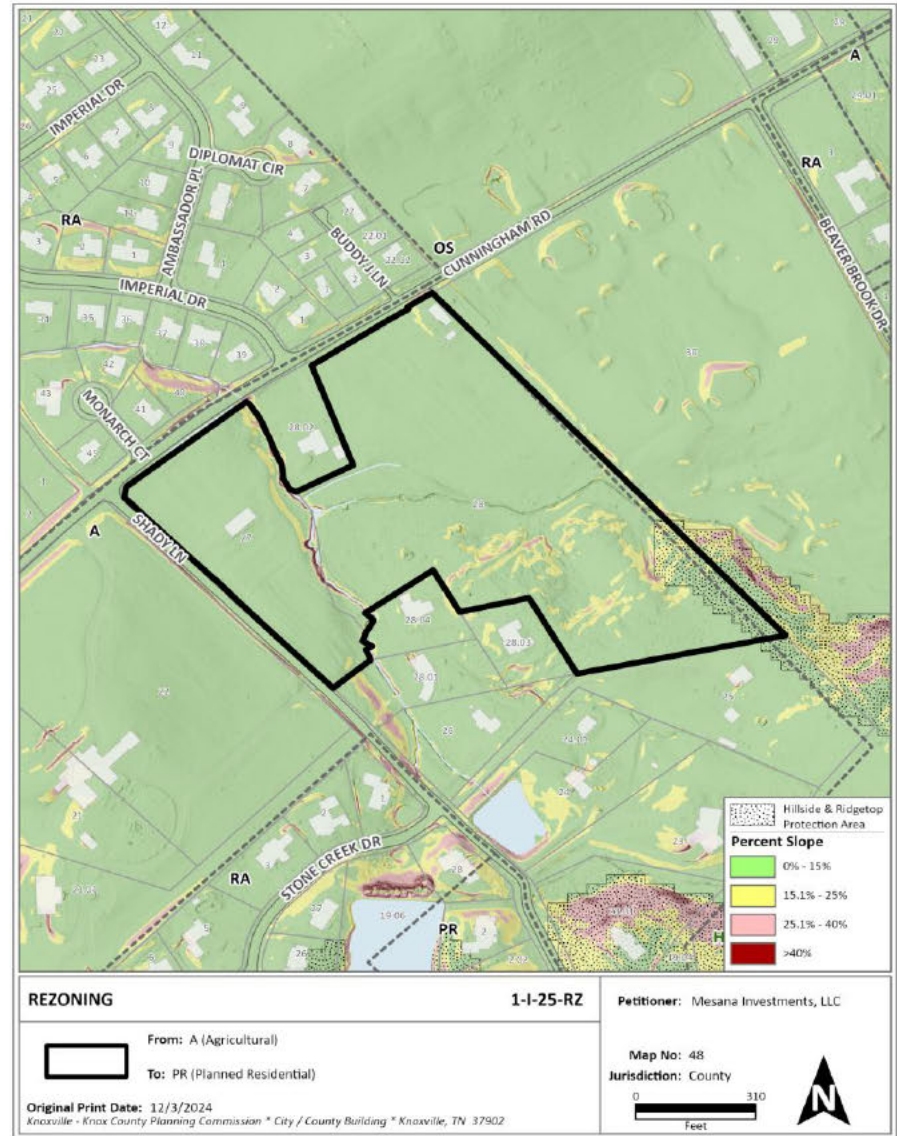
1-I-25-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	19.087		
Non-Hillside	18.283	N/A	
0-15% Slope	0.585	100%	0.585
15-25% Slope	0.217	50%	0.108
25-40% Slope	0.003	20%	0.001
Greater than 40% Slope	0.000	10%	0.000
Ridgetops			
<b>Hillside Protection (HP) Area</b>	0.805	Recommended disturbance budget within HP Area (acres)	0.694
		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**

**1/9/2025**

**1-I-25-RZ**

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.*

- 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.**

**6916 Shady Ln Knoxville TN**

Owner Name (if different)

Owner Address

Owner Phone / Email

**6930 SHADY LN / 2748 CUNNINGHAM RD**

Property Address

**48 027,028**

**19.09 acres**

Parcel ID

Part of Parcel (Y/N)?

Tract Size

**Hallsdale-Powell Utility District**

**Hallsdale-Powell Utility District**

**No**

Sewer Provider

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	
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> 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>\$1,604.50</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.*

Applicant Signature	<b>Mesana Investments, LLC</b> Please Print	<b>11/25/2024</b> Date
---------------------	------------------------------------------------	---------------------------

Property Owner Signature	<b>Robert Butcher, Et. al.</b> Please Print	<b>11/25/2024</b> Date
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Download and fill out this form at your convenience.  
Sign the application digitally (or print, sign, and scan).

OR 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	
11/25/2024	1/9/2025	<div style="border: 1px solid black; padding: 10px; display: inline-block;">           File Number(s)   <span style="color: red; font-weight: bold; font-size: 1.2em;">1-I-25-RZ</span> </div>	
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

Name		Company	
Scott Davis		Mesana Investments, LLC	
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	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](#)

## 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

Combine Parcels   
  Divide Parcel

Total Number of Lots Created

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

Attachments / Additional Requirements

## ZONING REQUEST

Pending Plat File Number

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) \_\_\_\_\_

## 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	<b>\$1,600.00</b>
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-X0L9-RMYQ

Lynn Bailey

dotloop verified  
11/24/24 5:04 PM EST  
DUID-LF9Y-URMJ-B9GV

11/25/2024, SG

Property Owner Sign

Penny Brewer

dotloop verified  
11/24/24 4:07 PM  
CST  
E0N-V8IL-G0IL-0XPY

Date Paid

