

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 9-L-24-RZ                      **Related File Number:**  
**Application Filed:** 7/26/2024              **Date of Revision:**  
**Applicant:** MESANA INVESTMENTS, LLC

## PROPERTY INFORMATION

**General Location:** South side of W Governor John Sevier Hwy, north side of Tipton Station Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 137 53                      **Jurisdiction:** County  
**Size of Tract:** 27.63 acres  
**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.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:** up to 6 du/ac  
**Planning Sector:** South County              **Plan Designation:** TN (Traditional Neighborhood)  
**Growth Policy Plan:** Planned Growth Area  
**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.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 1413 TIPTON STATION RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) up to 3 du/ac  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**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).

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.): 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.

Staff Recomm. (Full): 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.

**Action:** Approved with Conditions **Meeting Date:** 9/12/2024

**Details of Action:** 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 the one condition noted in the staff report, with the additional condition that access to the subdivision only be allowed via Gov. John Sevier Highway, with the exception of five individual single family home driveways accessing Tipton Station Road.

**Summary of Action:** 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 the one condition noted in the staff report, with the additional condition that access to the subdivision only be allowed via Gov. John Sevier Highway, with the exception of five individual single family home driveways accessing Tipton Station Road.

**Date of Approval:** 9/12/2024 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 10/21/2024

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**