

REZONING REPORT

▶ **FILE #:** 10-J-24-RZ

AGENDA ITEM #: 21

AGENDA DATE: 10/3/2024

▶ **APPLICANT:** MATTHEW REGAS

OWNER(S): Charles & Debra Hamilton

TAX ID NUMBER: 138 H A 024

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 224 E HENDRON CHAPEL RD

▶ **LOCATION:** Southeast side of E Hendron Chapel Rd, east side of Burnell Ln

▶ **APPX. SIZE OF TRACT:** 2.94 acres

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via E Hedron Chapel Road, a minor arterial street with a pavement width of 22 ft within a ROW width varying from 45-55 ft.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

FIRE DISTRICT: Seymour Volunteer Fire Department

WATERSHED: Hinds Creek

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

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

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

▶ **DENSITY PROPOSED:** up to 4 du/ac

EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential- A (Agricultural)

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

East: Single family residential, agriculture/forestry/vacant land - A (Agricultural)

West: Single family residential- A (Agricultural)

NEIGHBORHOOD CONTEXT: This is a rural, residential area with lot sizes varying from 1/2 acre to multiple acres. It is located near the Chapman Highway commercial corridor.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone up to 2 du/ac because it is consistent with surrounding development and the Growth Policy Plan.**

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. The subject property is located ¼ mile from a commercial corridor along Chapman Highway that continues to see infill development. The most recent nearby development was a large medical campus constructed and opened in 2024 at the corner of Chapman Highway and Mountain Grove Road.
2. In 2022, the Tennessee Department of Transportation (TDOT) widened Chapman Highway south of the property to include a middle turn lane from the county line to the Highland View Drive intersection.
3. The property's close proximity to a major arterial that has seen recent capital improvements and an increase in service-oriented amenities supports consideration of the PR zone at a density of 2 du/ac.

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

1. The intent of the PR zone is to provide for optional methods of development that are responsive to environmental constraints on a site. Residential density is permitted to be clustered in the optimal areas of a property to avoid more environmentally challenged areas such as steep slopes, streams and sinkholes.
2. The subject property's northeastern border includes a stream with mature vegetation. The PR zone will enable development that conserves the stream corridor and is an appropriate zone to consider in this context.

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. A rezoning to PR at 2 du/ac would permit ½-acre lot sizes, which is consistent with lot areas abutting the subject property along E Hendron Chapel Road to the west. A total of 5 residential lots could be accommodated, and this is not anticipated to have an adverse impact on the surrounding area, especially considering the property's close proximity to Chapman Highway.

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 2 du/ac is a partially related zone to the RC (Rural Conservation) place type in the Comprehensive Plan. It meets the additional criteria required of a partially related zone by being consistent with the primary and secondary land uses in the RC place type, which are single-family and attached residences with a conservation pattern.
2. The recommended rezoning is consistent with the Comprehensive Plan's Implementation Policy 9.3 to focus growth in areas served by adequate infrastructure. The property has access to water and sewer utilities, and is located near a major thoroughfare with commercial amenities.
3. The subject property is in the Rural Area of the Growth Policy Plan, and it abuts the Planned Growth Area to the southwest. A density no greater than 2 du/ac can be considered if the property is on a classified street with a minimum pavement width of 18 ft. E Hendron Chapel Road is a minor arterial street with a 20 ft pavement width. The requested PR density of 4 du/ac is not permitted in the Rural Area.

ESTIMATED TRAFFIC IMPACT: 132 (average daily vehicle trips)

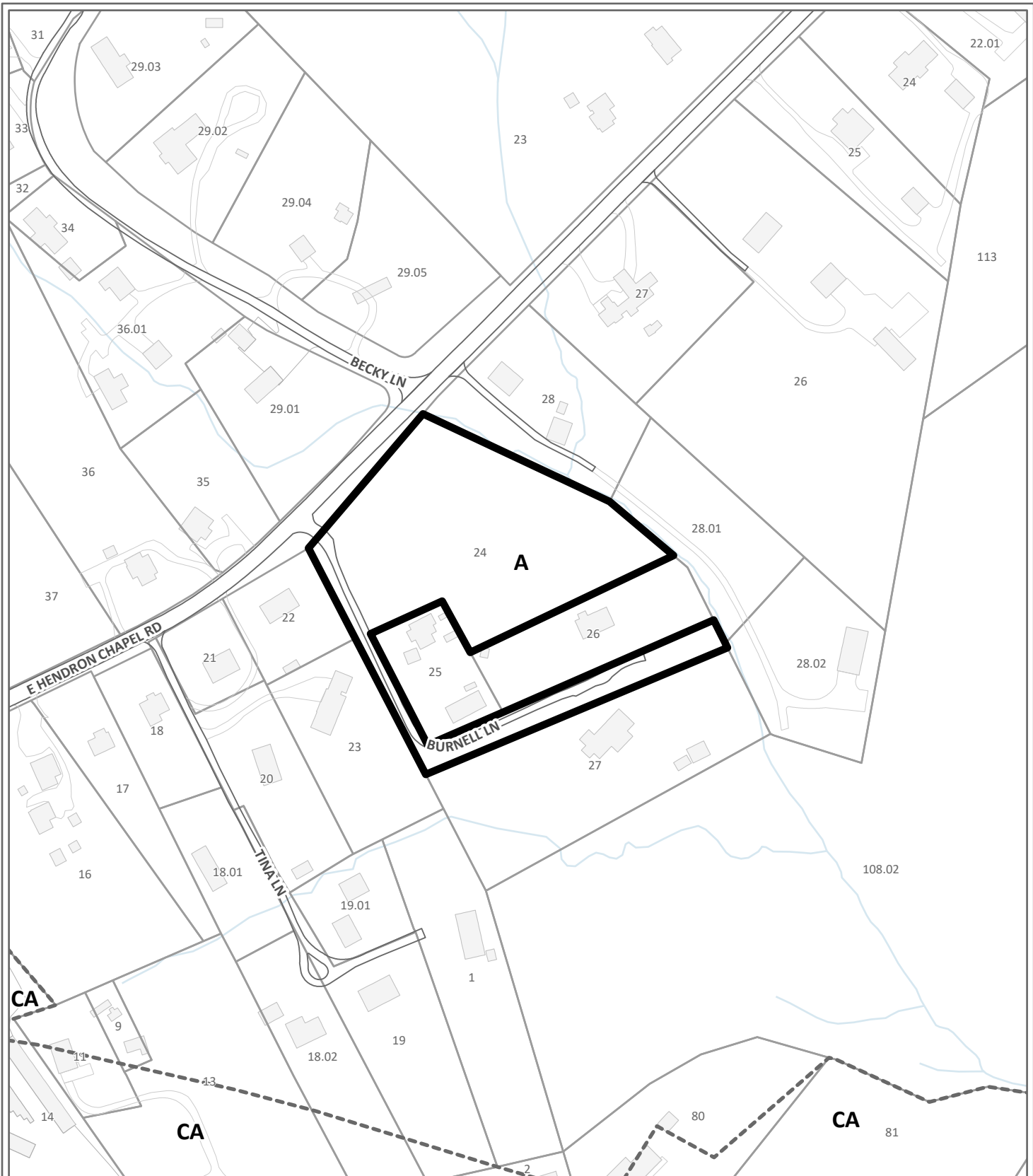
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell 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 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-J-24-RZ

Petitioner: Matthew Regas



From: A (Agricultural)

To: PR (Planned Residential) 4 du/ac

Map No: 138

Jurisdiction: County

Original Print Date: 8/26/2024

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

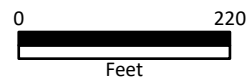
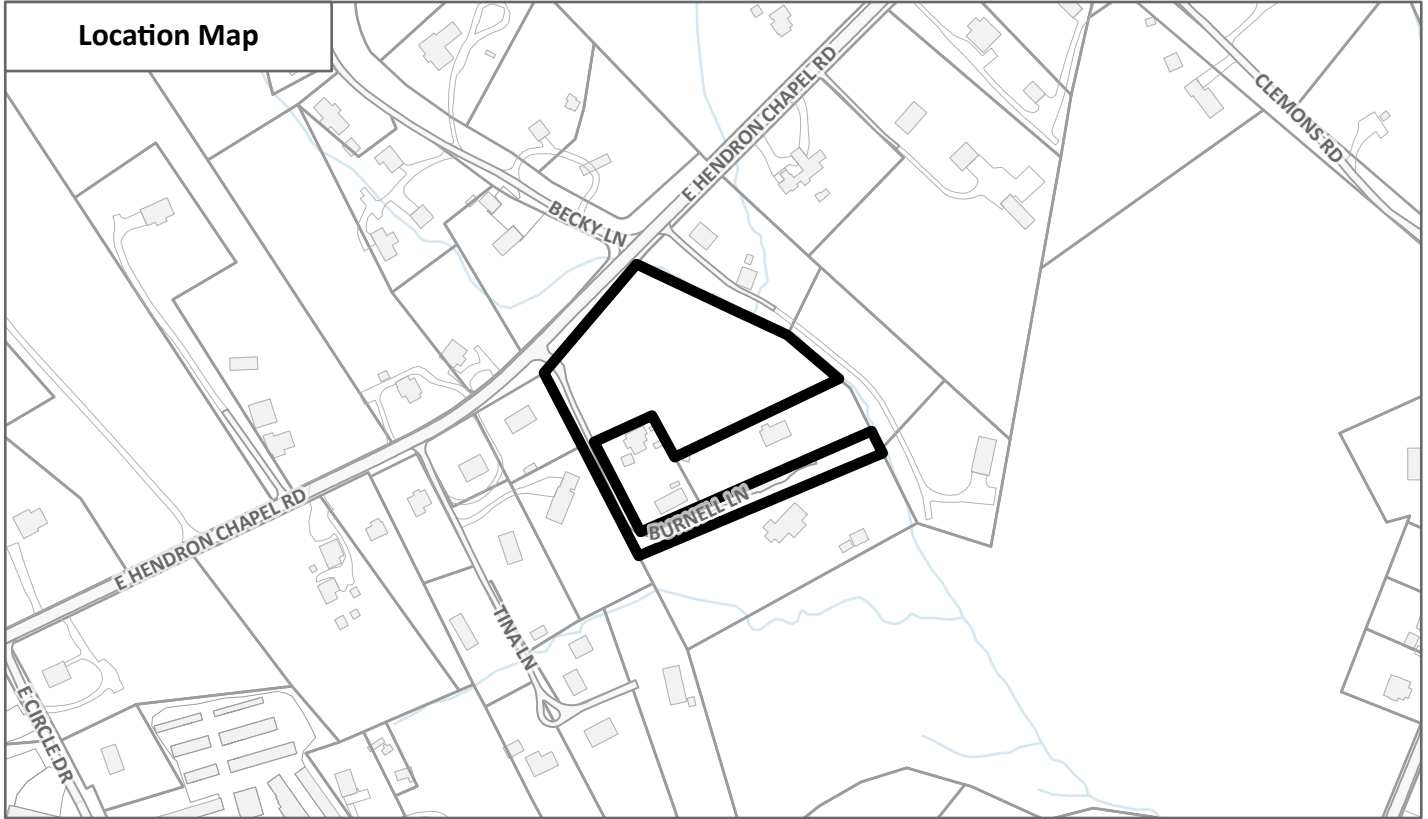


Exhibit A. Contextual Images

Location Map



Aerial Map

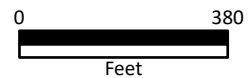


CONTEXTUAL MAPS 1

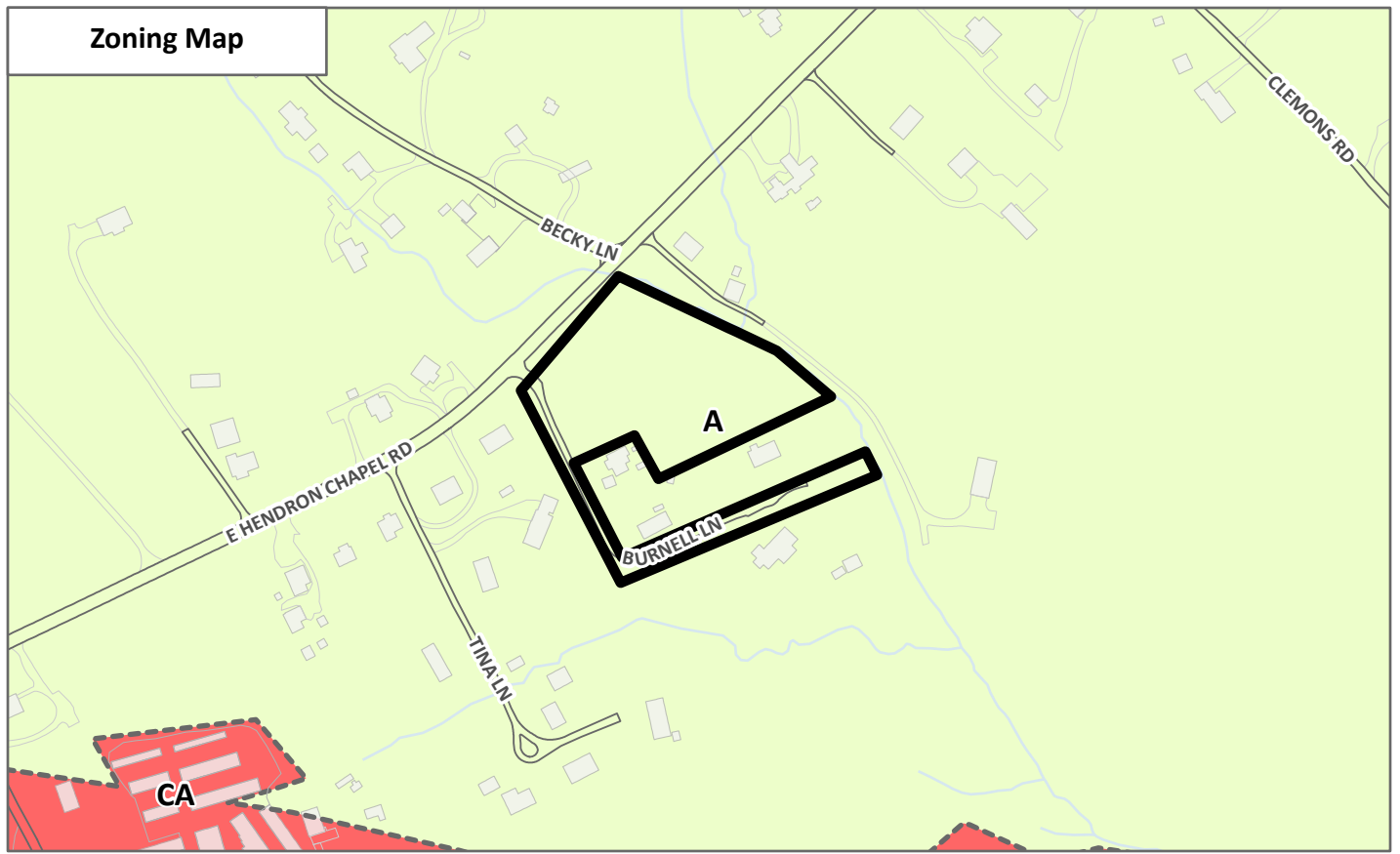
10-J-24-RZ



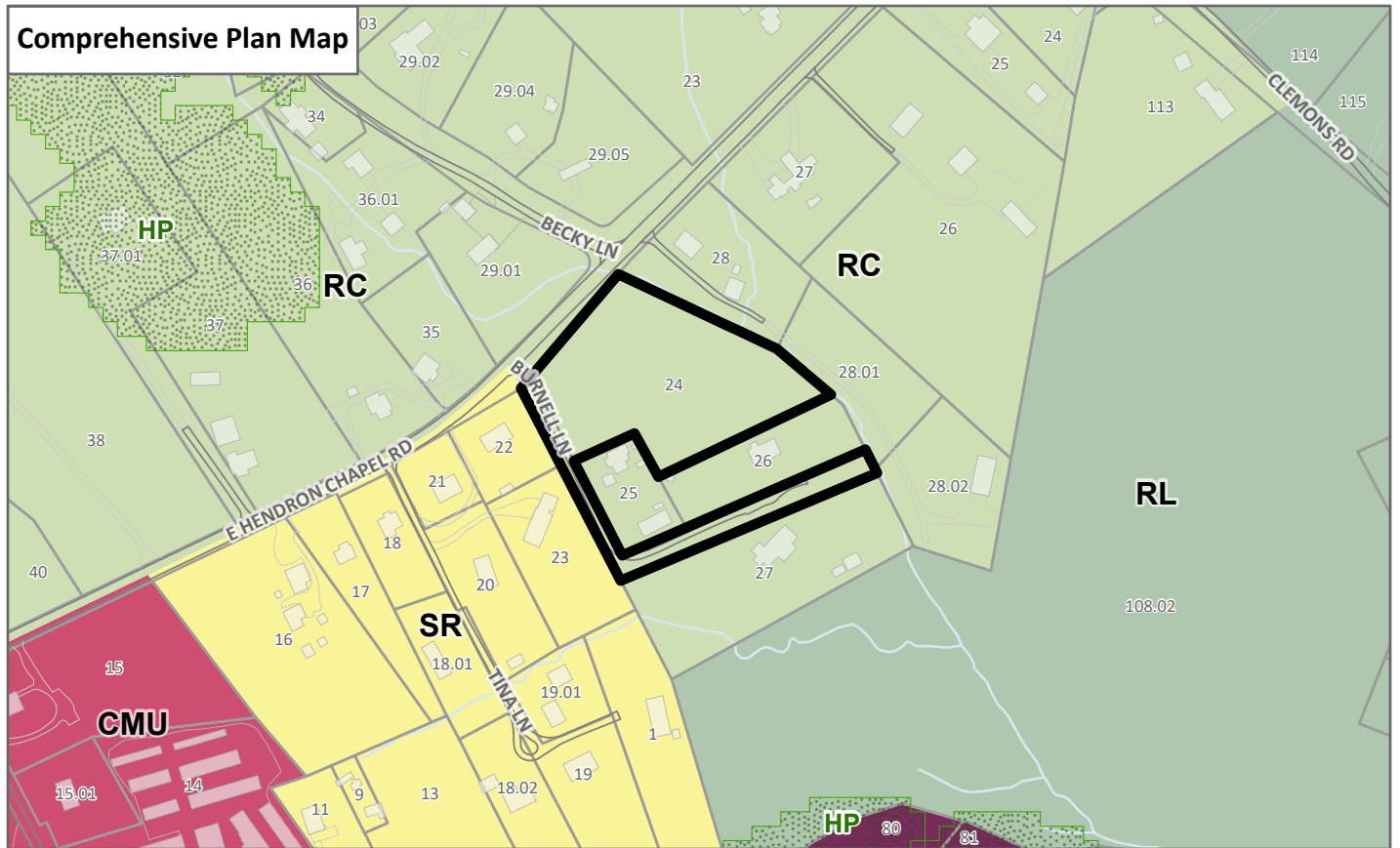
Case boundary



Zoning Map



Comprehensive Plan Map

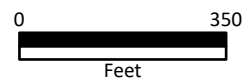


CONTEXTUAL MAPS 2

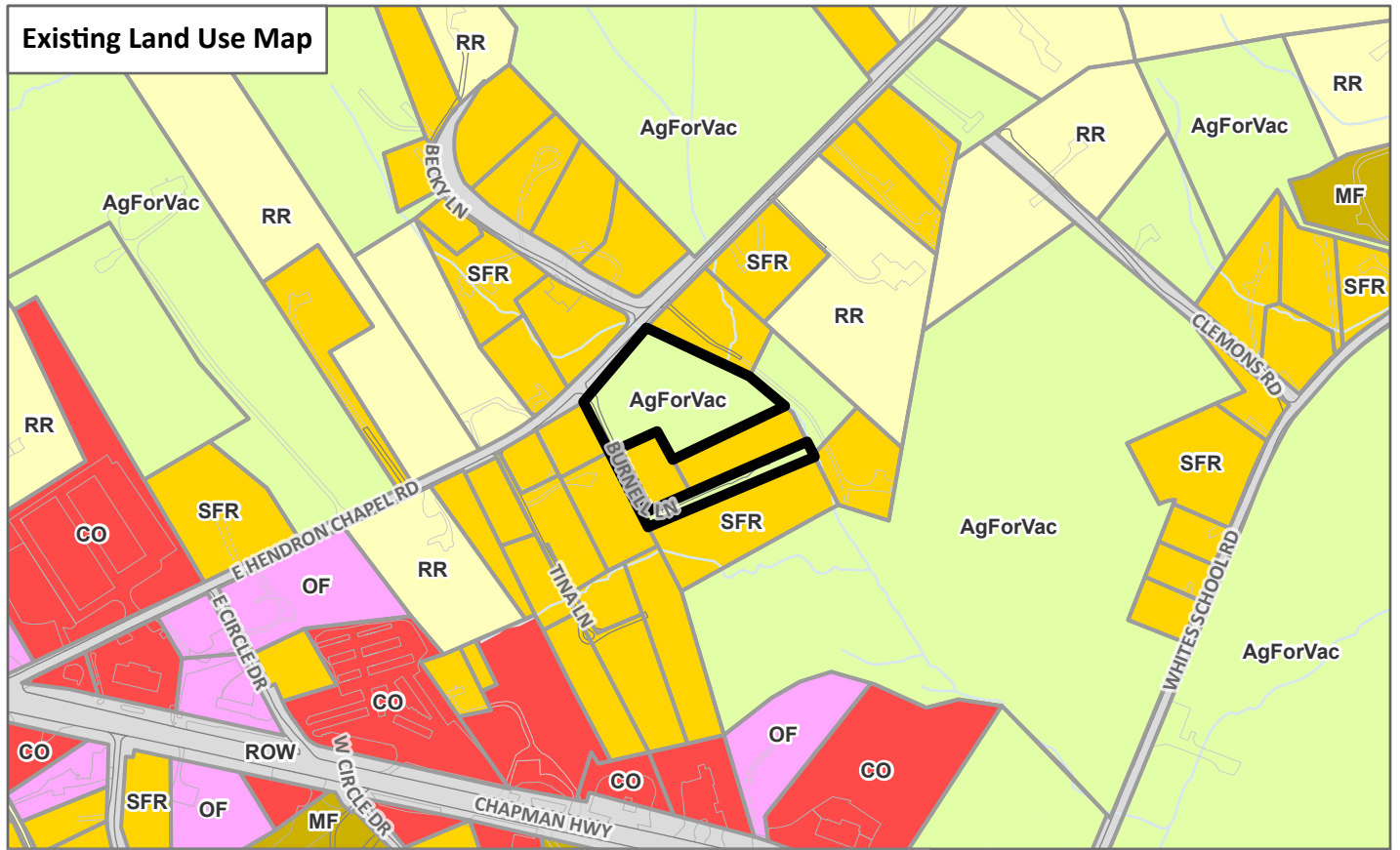
10-J-24-RZ



Case boundary



Existing Land Use Map

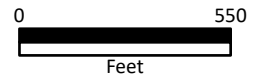


CONTEXTUAL MAPS 3

10-J-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

Matthew Regas

Applicant Name

Affiliation

8/19/2024

Date Filed

10/3/2024

Meeting Date (if applicable)

10-J-24-RZ

File Number(s)

CORRESPONDENCE

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

Matthew Regas

Name / Company

1712 Bickerstaff Blvd Knoxville TN 37922

Address

865-235-9587 / Matthew.regas@mac.com

Phone / Email

CURRENT PROPERTY INFO

Charles & Debra Hamilton

Owner Name (if different)

149 Vanderview Dr

Owner Address

Owner Phone / Email

224 E HENDRON CHAPEL RD

Property Address

138 H A 024

Parcel ID

2.94 acres

Tract Size

Part of Parcel (Y/N)?

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

ZONING REQUEST

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

u to 4 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
\$650.00	
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	Matthew Regas Please Print	8/19/2024 Date
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Phone / Email		
Property Owner Signature	Charles & Debra Hamilton Please Print	8/19/2024 Date



**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
Matthew Regas	1712 Bickerstaff Blvd Knoxville, TN 37922	Holder



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

Matthew Regas

Option/Contract Holder

Applicant Name

Affiliation

8/14/2024

10/03/2024

File Number(s)

Date Filed

Meeting Date (if applicable)

10-J-24-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

Matthew Regas

Name

Company

1712 Bickerstaff Blvd

Knoxville

TN

37922

Address

City

State

ZIP

865-235-9587

Matthew.regas@mac.com

Phone

Email

CURRENT PROPERTY INFO

Charles & Debra Hamilton

149 Vanderview Drive

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

224 E. Hendron Chapel Road

138HA024

Property Address

Parcel ID

Knox Chapman Utility District

Knox Chapman Utility District

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

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-4/AC (Planned Residential)

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

4/Acre

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

Fee 2

Fee 3

Total

\$650.00

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

Matthew Regas

8/14/2024

Applicant Signature

Please Print

Date

865-235-9587

Matthew.regas@mac.com

Phone Number

Email

08/19/2024, SG

Property Owner Signature

Please Print

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.

09/20/2024
~~8/30/24~~

10/04/2024
~~9/10/24~~

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

Applicant Signature

Matthew C. Rees

Applicant Name

8-15-24

Date

10-J-24-RZ

FILE NUMBER