

REZONING REPORT

► **FILE #:** 7-O-25-RZ

AGENDA ITEM #: 21

AGENDA DATE: 7/10/2025

► **APPLICANT:** GARRETT JERNIGAN

OWNER(S): CHARS-WM LLC

TAX ID NUMBER: 70 C D 025

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 4628 WASHINGTON PIKE

► **LOCATION:** South side of Washington Pike, east of Shelbourne Road

► **APPX. SIZE OF TRACT:** 3.94 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Washington Pike, a minor arterial with 24-32 ft of pavement width within a right-of-way width that varies between 41-70 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Loves Creek

► **PRESENT ZONING:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

► **ZONING REQUESTED:** RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)

► **EXISTING LAND USE:** Rural Residential

►
EXTENSION OF ZONE: No, it is not an extension.

HISTORY OF ZONING: In 2023, the property was rezoned from RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay) to RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay) (1-E-23-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single-Family Residential Neighborhood)

South: Rural residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Public/quasi-public land (church) - O (Office), HP (Hillside Protection Overlay)

West: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood), RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: The subject property is in a neighborhood featuring a mix of single family houses on large lots and single family and multifamily subdivisions near the Millertown Pike interchange of I-640 and a regional commercial node. The Amazon warehouse in the former Knoxville Center Mall site is just to the

STAFF RECOMMENDATION:

- **Deny the RN-5 (General Residential Neighborhood) district because it is not compatible with surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. In 2023, the Planning Commission approved a rezoning application for the subject parcel, changing its designation from RN-1 (Single-Family Residential Neighborhood) to RN-4 (General Residential Neighborhood). While the area is experiencing modest residential growth, these changes do not warrant a rezoning to the more intense RN-5 district.
2. Large residential developments in the area are occurring along the edge of the neighborhood near the I-640 interchange on properties zoned commercial (specifically, the under-construction 160-unit apartment complex on Millertown Pike and the 156-unit multifamily development on Washington Pike). The RN-4 district is more appropriate for the subject parcel with regards to its comparatively central location and the surrounding single-family development on three sides.

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

1. The existing RN-4 district is intended to accommodate mixed medium density residential development including single-family houses, duplexes, townhouses, and small-scale multi-family structures. Depending on the number of dwelling units and type of development, townhouse and multifamily developments require either Planning staff approval via administrative review or Planning Commission approval via a special use (Article 4.2.B).
2. The requested RN-5 district is intended to accommodate medium density residential neighborhoods in the City of Knoxville comprising a heterogeneous mix of single-family, two-family, townhouse, and multi-family dwellings. Since townhouses and multifamily developments are allowed by right in RN-5, it does not have the same restrictions on the number of units requiring Planning Commission approval. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. The subject property does not serve as a functional transition as described in the zoning ordinance.
3. Based on minimum lot size requirements only, the 3.94-acre property could accommodate up to 85 multifamily units under the RN-4 districts and up to 114 multifamily units under the RN-5 district, subject to meeting additional dimensional standards.
4. 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.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed rezoning will eliminate the requirement of public hearing and special use approval by the Planning Commission for almost any townhouse or multifamily development.
2. The maximum lot size for multi-family development in the RN-4 zone is 40,000 sq ft, which limits the number of dwelling units to 20 on a single lot. Under the RN-4 standards, the site must be subdivided into multiple lots to allow more than 20 dwelling units, discouraging the development of large apartment complexes that are incompatible with the surrounding houses.
3. The intersection of Washington Pike and Millertown Pike is not suitable for large developments that could be accommodated by the RN-5 district.

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 General Plan's Development Policy 9.3 encourages ensuring that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. With the current RN-4 district, the Planning Commission has the authority to review any large developments on this site to ensure its compatibility with the existing neighborhood.
2. The proposed rezoning would be consistent with the MDR (Medium Density Residential) land use classification of the East City Sector Plan and the City's One Year plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. The property is served by transit services and is close to Spring Hill Elementary, Richard Yoakley, and Knoxville Baptist schools, the Alice Bell Park, and several community-serving commercial amenities.
2. This is an urbanized area with adequate utility infrastructure provided by KUB.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Spring Hill Elementary, Holston Middle, and Fulton High.

If approved, this item will be forwarded to Knoxville City Council for action on 8/5/2025 and 8/19/2025. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



Request to Postpone • Table • Withdraw

Garrett Jernigan

07/03/2025

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

Date of Request

07/10/2025

Scheduled Meeting Date

File Number(s)

7-0-25-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 _____ 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.

Garrett Jernigan
Applicant Signature

Garrett Jernigan

Please Print

865-567-9663

Phone Number

garrettjernigan@outlook.com

Email

STAFF ONLY

Shelley Gray
Staff Signature

Shelley Gray

Please Print

07/04/2025

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

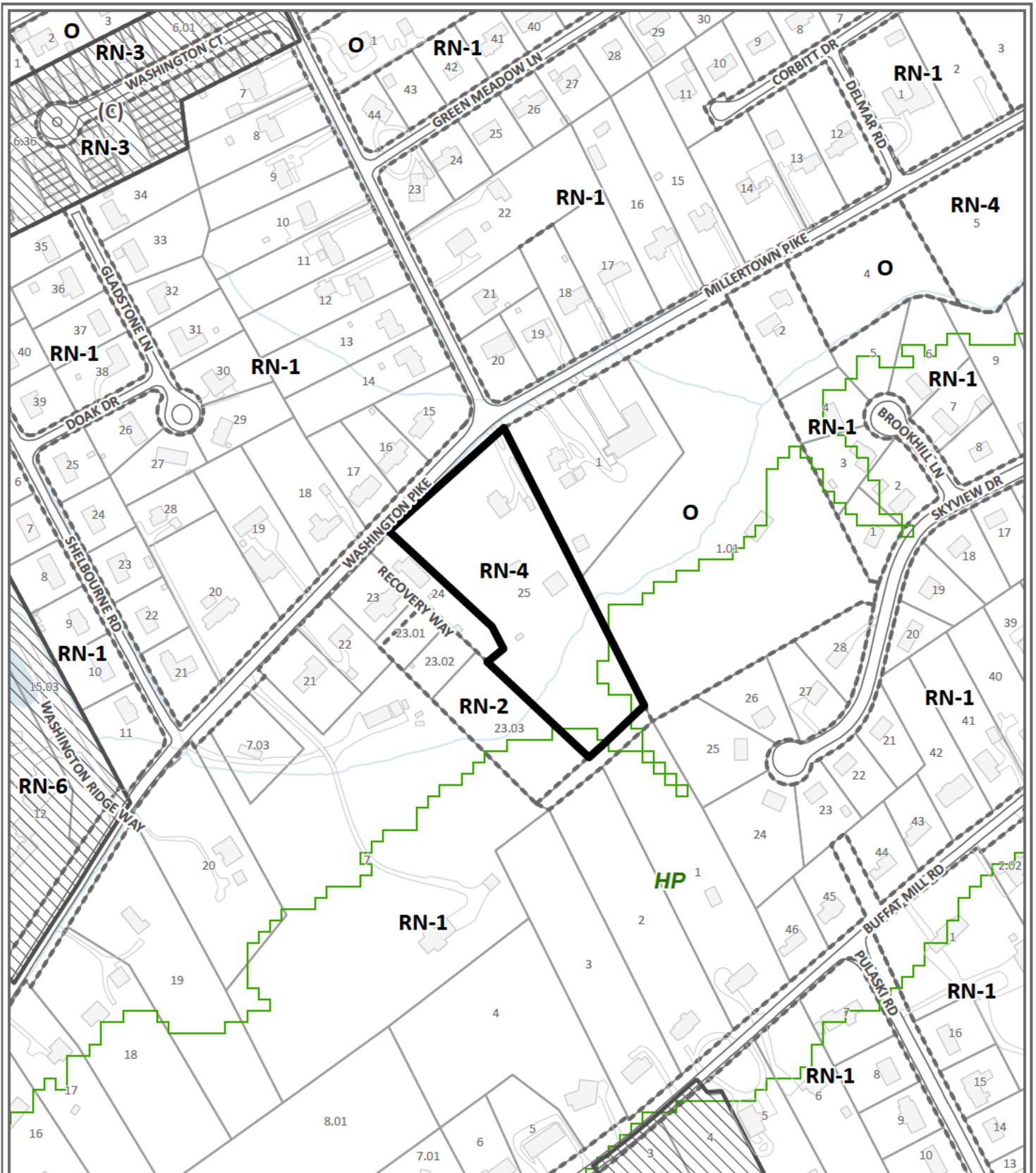
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



REZONING

7-O-25-RZ

Petitioner: Garrett Jernigan



From: RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

To: RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)

Original Print Date: 6/4/2025

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

Map No: 70

Jurisdiction: City

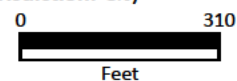
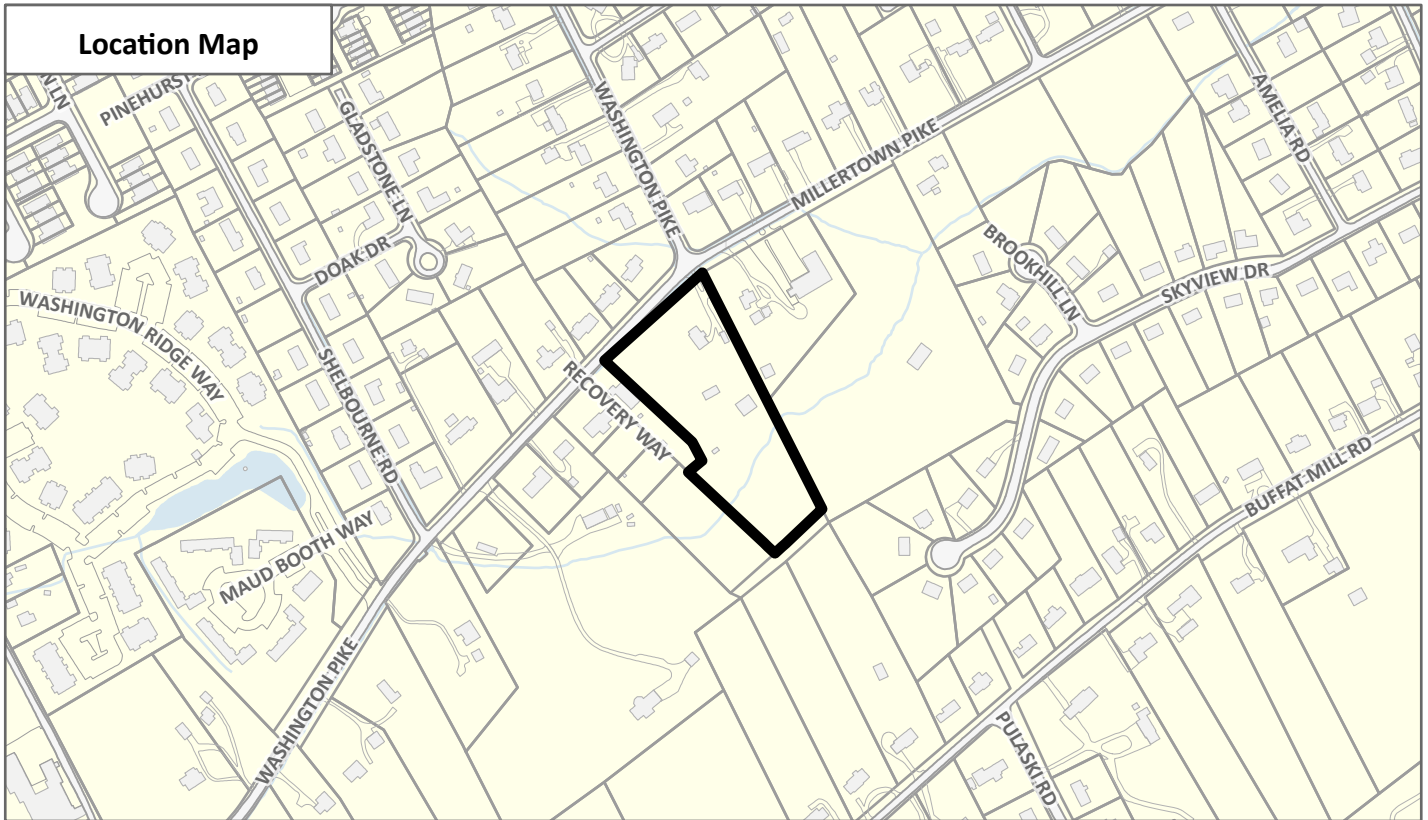


Exhibit A. Contextual Images

Location Map



Aerial Map

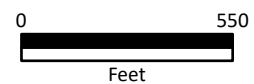


CONTEXTUAL MAPS 1

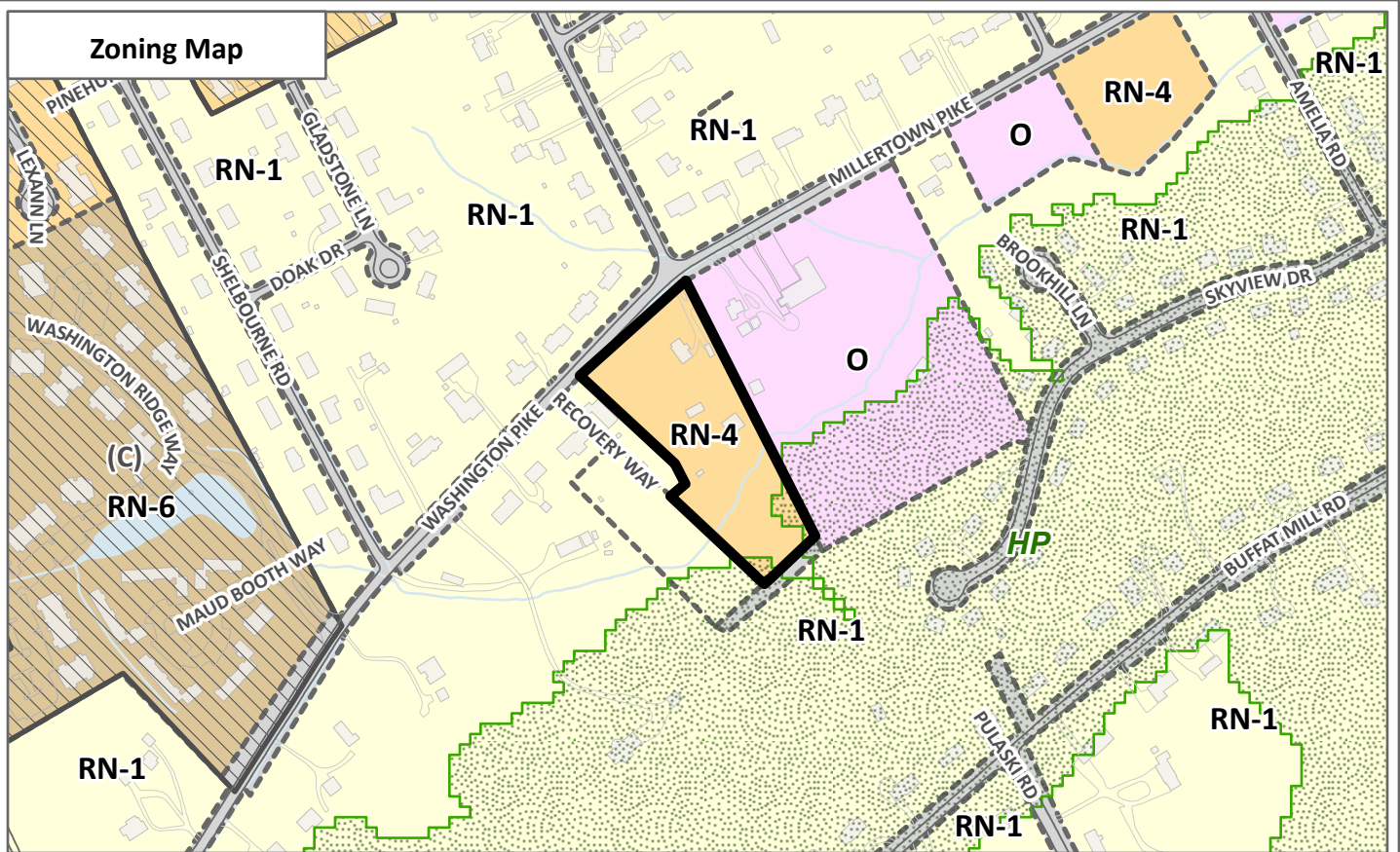
7-O-25-RZ



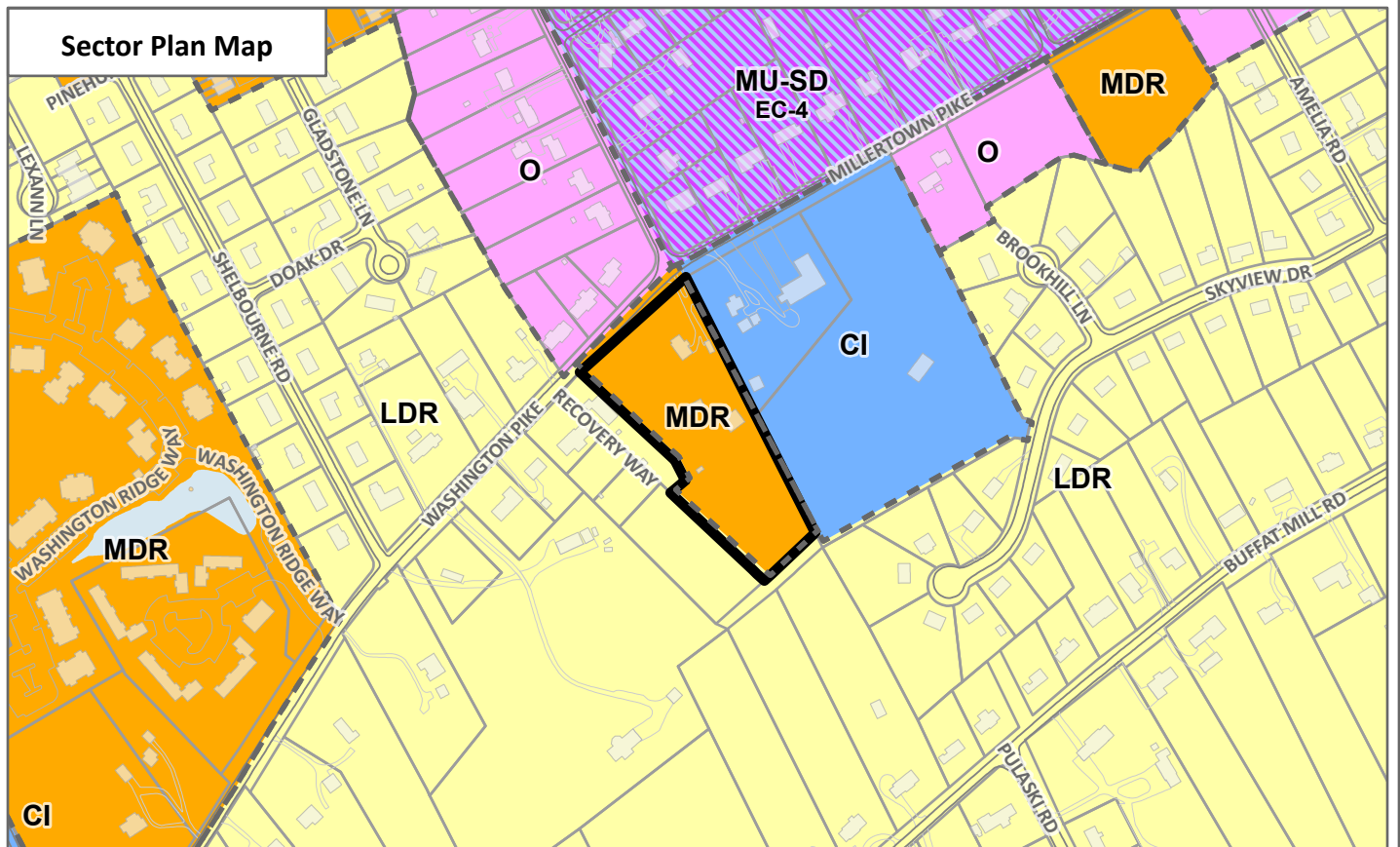
Case boundary



Zoning Map



Sector Plan Map

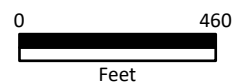


CONTEXTUAL MAPS 2

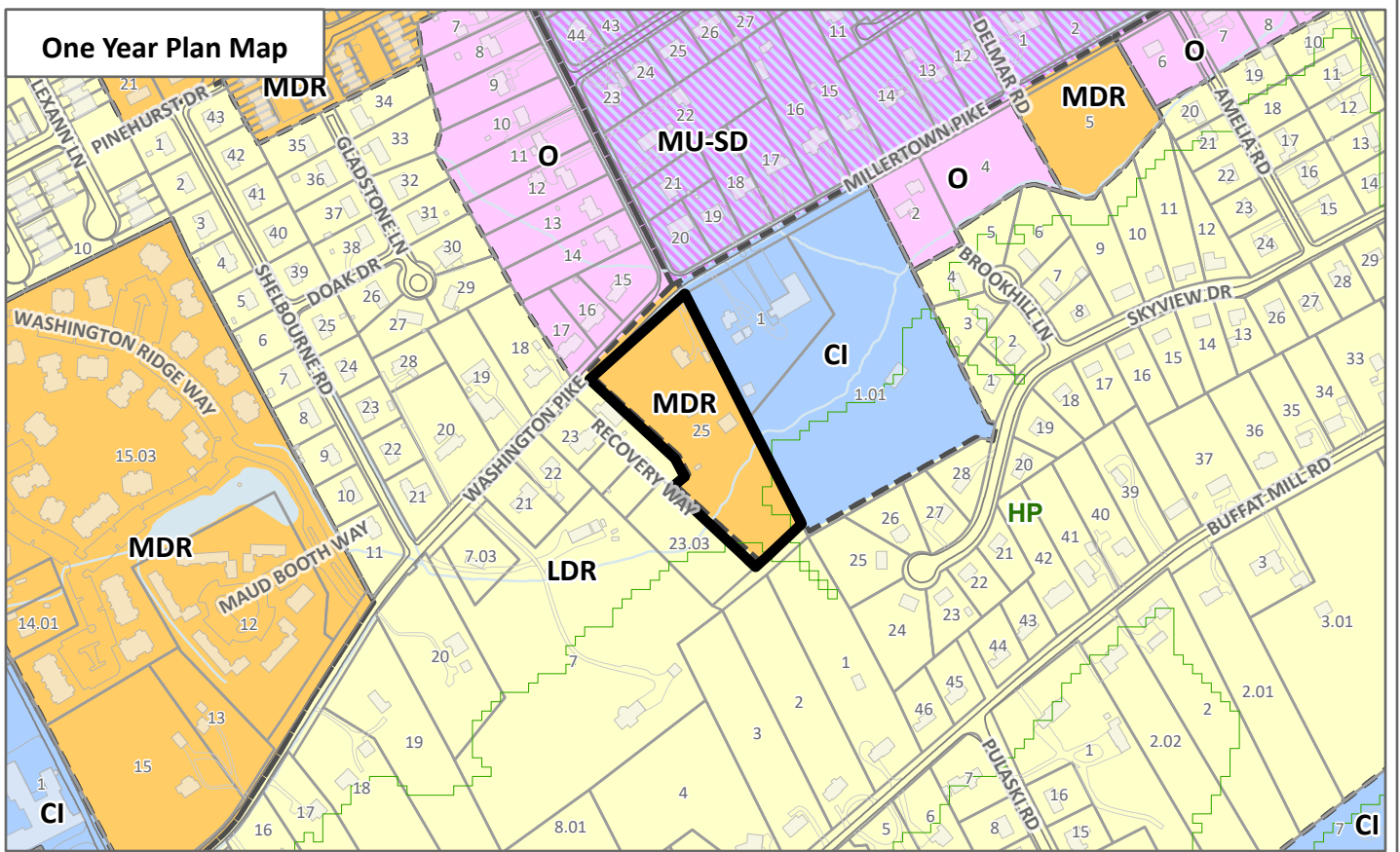
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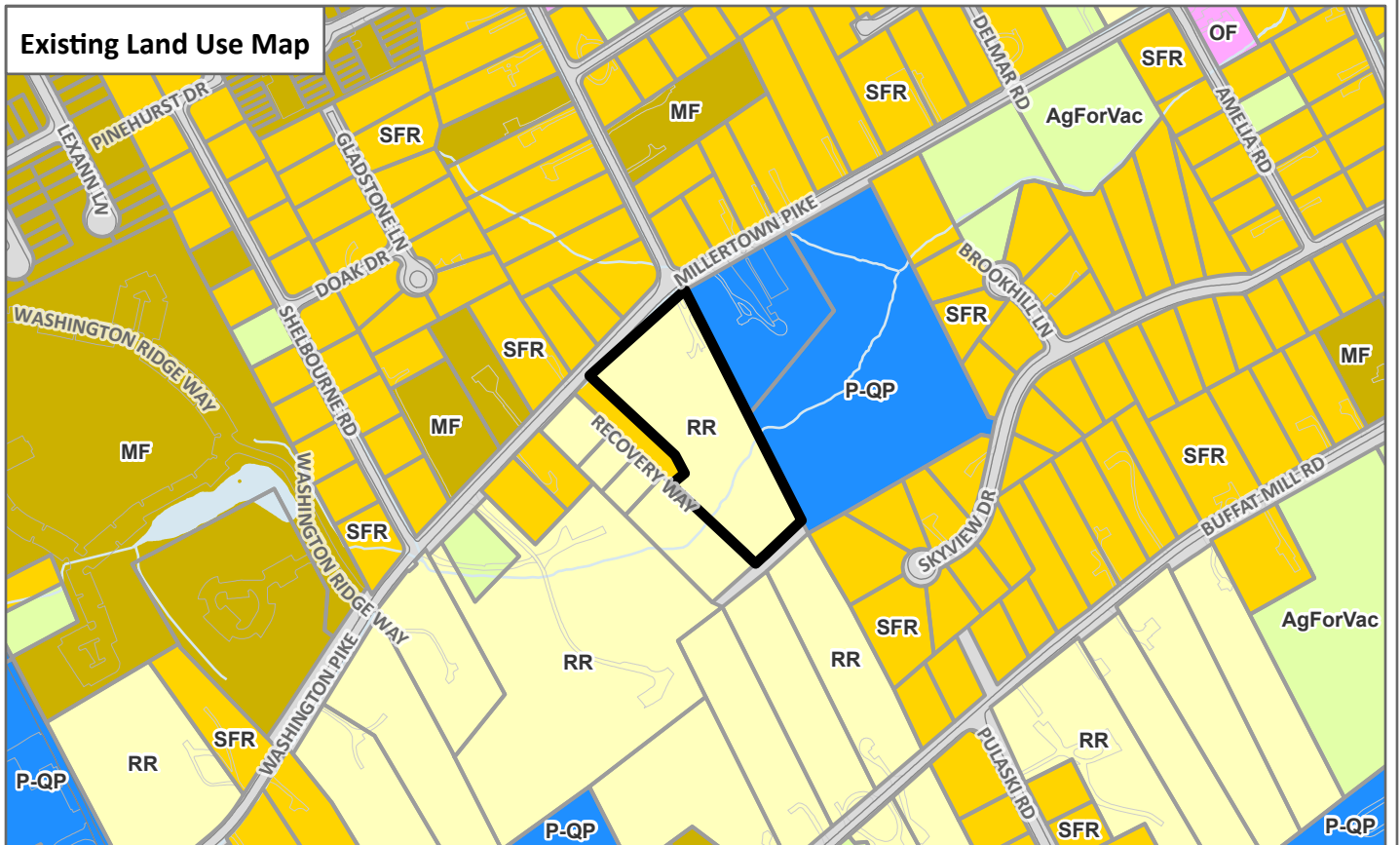
Case boundary



One Year Plan Map



Existing Land Use Map



CONTEXTUAL MAPS 3

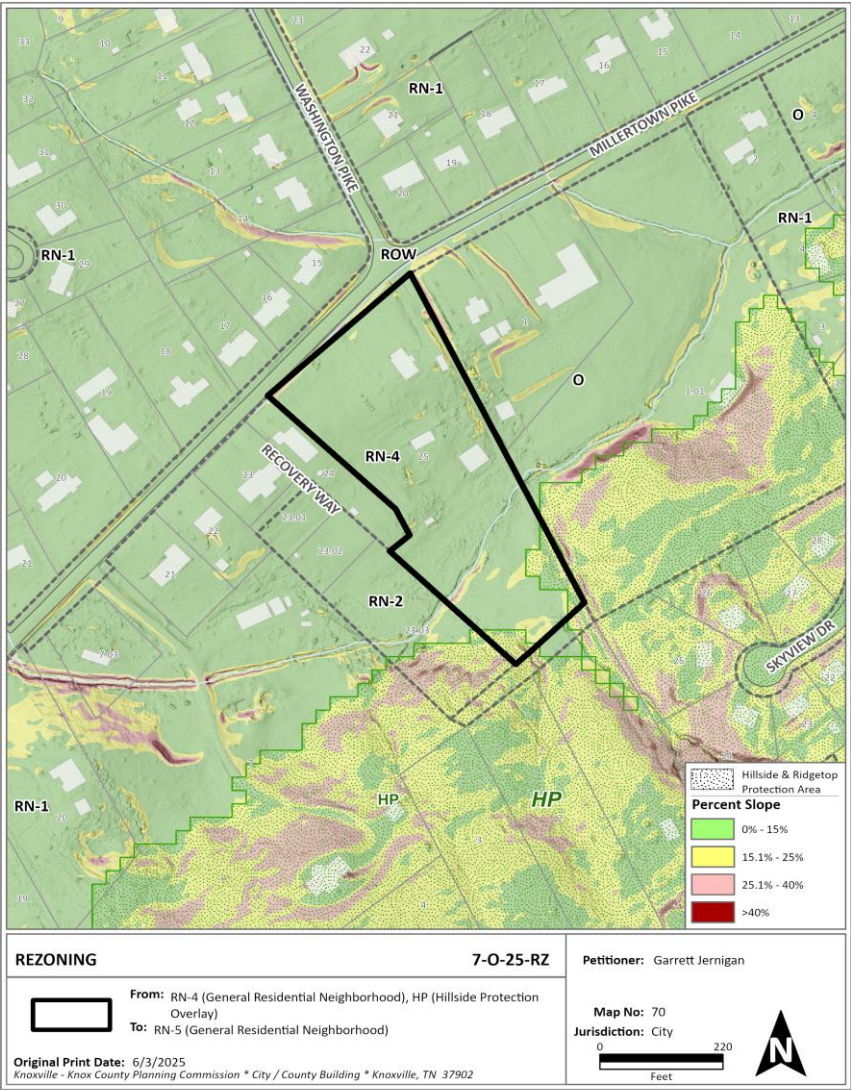
7-O-25-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	168,686.9	3.87			
Non-Hillside	158,449.0	3.64	N/A		
0-15% Slope	3,988.4278	0.09	100%	3,988.4	0.09
15-25% Slope	5,258.9039	0.12	50%	2,629.5	0.06
25-40% Slope	990.5752	0.02	20%	198.1	0.00
Greater than 40% Slope	0.0000	0.00	10%	0.0	0.00
Ridgetops					
Hillside Protection (HP) Area	10,237.9	0.24	Recommended disturbance budget within HP Area	6,816.0	0.16
			Percent of HP Area	66.6%	





Development Request

Subdivision ☐ Concept Plan* ☐ Final Plat
Zoning ☒ Rezoning ☐ Plan Amendment*

Development ☐ Development Plan* ☐ Planned Development* ☐ Use on Review / Special Use* ☐ Hillside Protection COA*

*These application types require a pre-application consultation with Planning staff.

GARRETT JERNIGAN

Applicant Name

Affiliation

05/27/25

Date Filed

07/10/2025

Meeting Date (if applicable)

File Number(s)

7-O-25-RZ

Correspondence

All correspondence will be directed to the approved contact listed below.

☒ Applicant ☐ Property Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

GARRETT JERNIGAN

Name

Company

5246 BENT RIVER BLVD

Address

KNOXVILLE

City

TN

State

37919

ZIP

865-567-9663

Phone

Email

Current Property Info

CHRS-WM, LLC

Property Owner Name (if different)

8155 Sunnydale Road

Property Owner Address

865-207-9663

Property Owner Phone

4628 WASHINGTON PIKE

Property Address

070CD025

Parcel ID

KCB

Sewer Provider

KCB

Water Provider

N

Septic (Y/N)

Development Request

☐ Residential ☐ Non-Residential

RELATED CITY PERMIT NUMBER

Proposed Use

Specify if a traffic impact study is required: ☐ Yes (required to be submitted with application) ☐ No

Subdivision Request

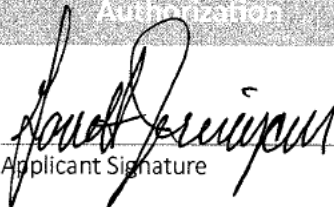
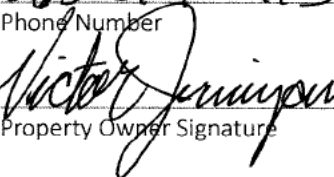
Proposed Subdivision Name		RELATED REZONING FILE NUMBER
Unit / Phase Number	<input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel	
Proposed Number of Lots (total)		
<input type="checkbox"/> Other (specify) _____		
Specify if requesting: <input type="checkbox"/> Variance <input type="checkbox"/> Alternative design standard		
Specify if a traffic impact study is required: <input type="checkbox"/> Yes (required to be submitted with application) <input type="checkbox"/> No		

Zoning Request

<input checked="" type="checkbox"/> Zoning Change <u>RW-5</u>	PENDING PLAT FILE NUMBER
Proposed Zoning Proposed Density (units/acre, for PR zone only)	
<input type="checkbox"/> Sector Plan <input type="checkbox"/> One Year Plan <input type="checkbox"/> Comprehensive Plan	
<input type="checkbox"/> Plan Amendment Change _____	
Proposed Plan Designation(s)	
<input type="checkbox"/> If, in Knox county, submit plan amendment request with application	Previous Rezoning Requests
<input type="checkbox"/> Other (specify) _____	

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

	GARRETT JERNIGAN	05/27/25
Applicant Signature	Print Name / Affiliation	Date
065-567-9663	[REDACTED]	
Phone Number	Email	
	VICTOR JERNIGAN	05/28/2025, SG
Property Owner Signature	Please Print	Date Paid

Staff Use Only

☐ Administrative Review

ADDITIONAL REQUIREMENTS

☐ Property Owners / Option Holders

FEE 1	FEE 2	FEE 3	TOTAL
0801			\$650.00

Public Notice and 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). We require applicants to acknowledge their role in this process.

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.

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.

06/27/2025

Date to be Posted

07/11/2025

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

Applicant Signature

Applicant Name

Date



Garrett Jorgensen

06/27/25