

REZONING REPORT

► **FILE #:** 12-D-20-RZ

AGENDA ITEM #: 13

AGENDA DATE: 12/10/2020

► **APPLICANT:** RANDY GUIGNARD

OWNER(S): Café International, Inc.

TAX ID NUMBER: 59 P A 003, 00204 & 00203

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 3107 3117, & 3123 Greenway Dr.

► **LOCATION:** North side of Greenway Dr., northeast of Josephine Rd.

► **APPX. SIZE OF TRACT:** 5.5 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: Greenway Drive is a major collector with a 19-ft pavement width inside a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

► **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection

► **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay) Districts

► **EXISTING LAND USE:** Single family residential and vacant land

► **EXTENSION OF ZONE:** No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Public-quasi public land - OS (Open Space) and HP (Hillside Protection Overlay) Districts

South: Single family residential - RN-1 (Single Family Residential Neighborhood) District

East: Agricultural/forestry/vacant - RN-1 (Single Family Residential Neighborhood) and HP (Hillside Protection Overlay) Districts

West: Single family residential - RN-1 (Single Family Residential Neighborhood) and HP (Hillside Protection Overlay) Districts

NEIGHBORHOOD CONTEXT: Greenway Drive is bordered by large-lot (1 acre and greater) single family detached residential on the north and by a mix of large and small-lot (down to 1/4 acre) single family residential on the south.

STAFF RECOMMENDATION:

► **Approve RN-2 (Single Family Residential Neighborhood) / HP (Hillside Protection Overlay) Districts because they are consistent with the North City Sector Plan designation and would not cause adverse impacts.**

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 GENERALLY:

1. There is an increased need for small-scale housing. The proposed rezoning would create an opportunity for this need to be met.

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

1. The RN-2 (General Residential Neighborhood) District is intended to accommodate traditional low density residential neighborhoods, exhibiting a predominant development pattern of single-family homes on relatively large lots and with generous setbacks. Two-family dwellings may also be allowed by special use approval. Limited nonresidential uses that are compatible with the character of the district may also be permitted.
2. 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.
3. RN-2 allows similar uses to RN-1, but can result in a higher density due to the smaller minimum lot size. RN-1 has a minimum lot size of 10,000 square feet, while RN-2 allows a 5,000 square foot lot.

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 property directly across the street was just rezoned to RN-2 in November (Case 10-G-20-RZ). No adverse impacts are anticipated from additional RN-2 zoning in this area.
2. Plans to subdivide this property into multiple smaller lots per the RN-2 zoning could potentially result in multiple access points located close together across this stretch of land. The applicant has stated that his site plan will feature shared driveways and few access points on Greenway Drive. This cannot be a condition for the rezoning, but it is staff's recommendation to require shared driveways or some other mechanism to limit the access points as a condition of site plan approval with the City of Knoxville.
3. When more than 6 lots is created, the development is considered a major subdivision and requires concept plan review by planning staff.

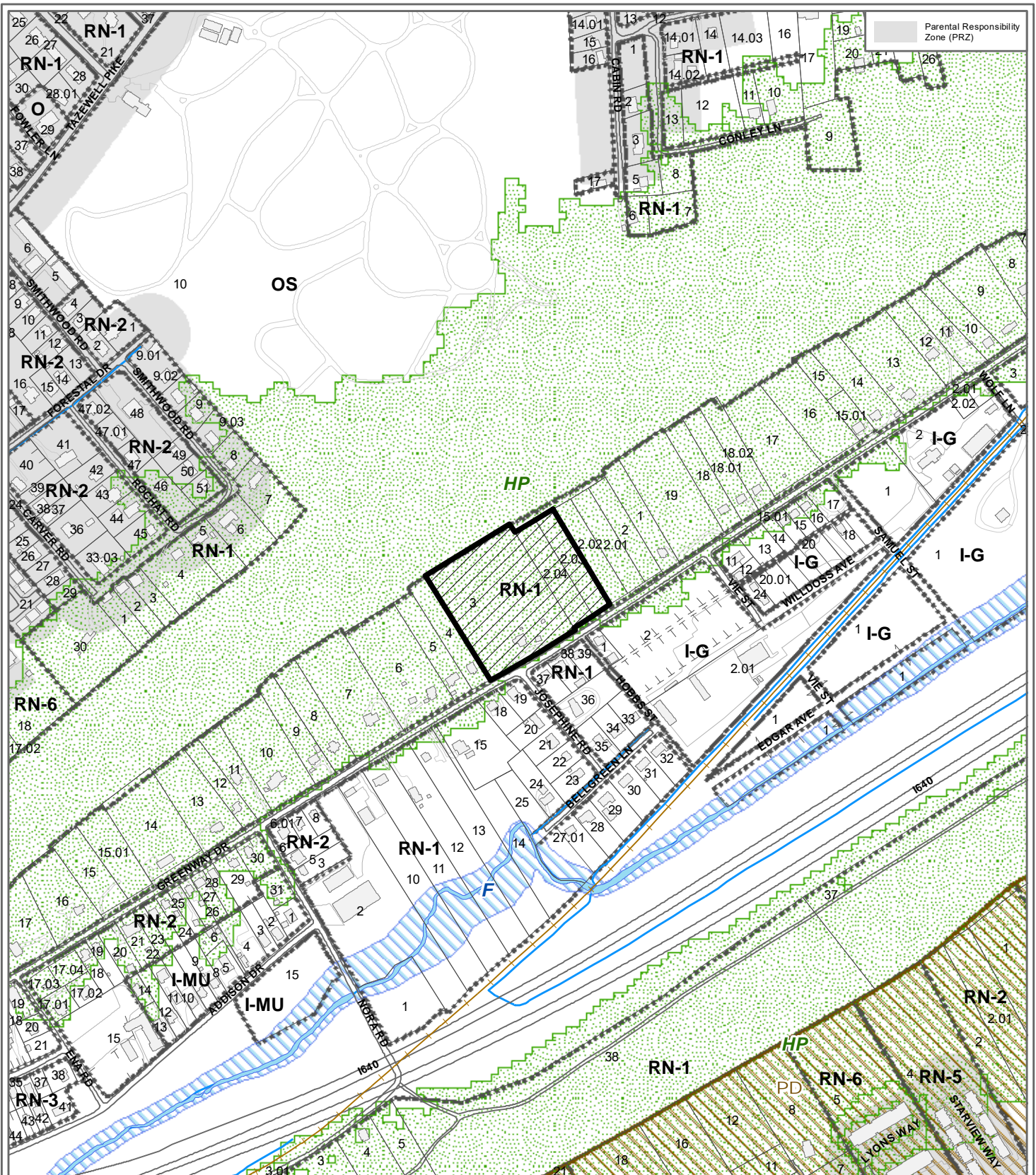
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The North City Sector Plan's current LDR (Low Density Residential) designation supports RN-2 zoning.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/12/2021 and 1/26/2021. 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.



12-D-20-RZ REZONING

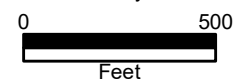


From: RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay) Districts
To: RN-2 (Single-Family Residential Neighborhood) / HP (Hillside Protection Overlay) Districts

Original Print Date: 11/6/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

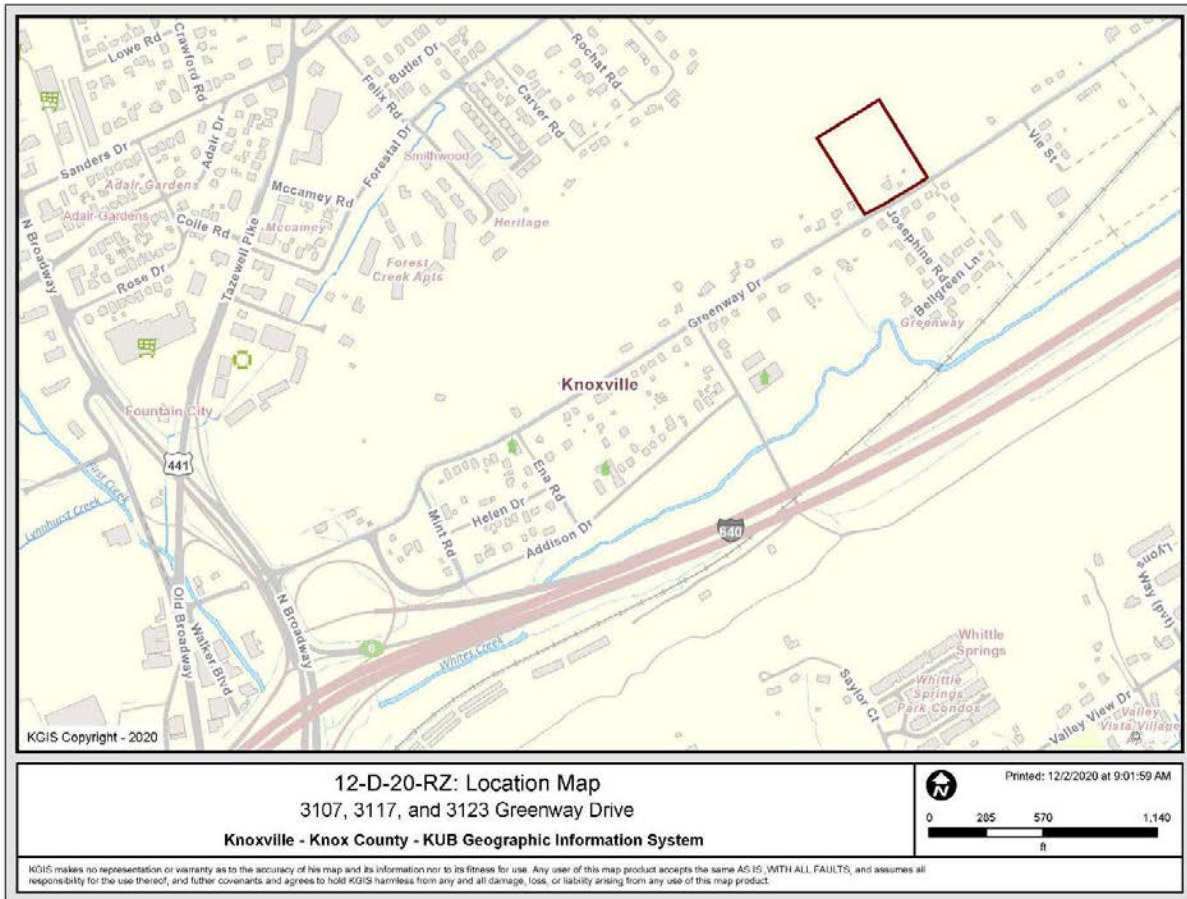
Petitioner: Guignard, Randy

Map No: 59
Jurisdiction: City



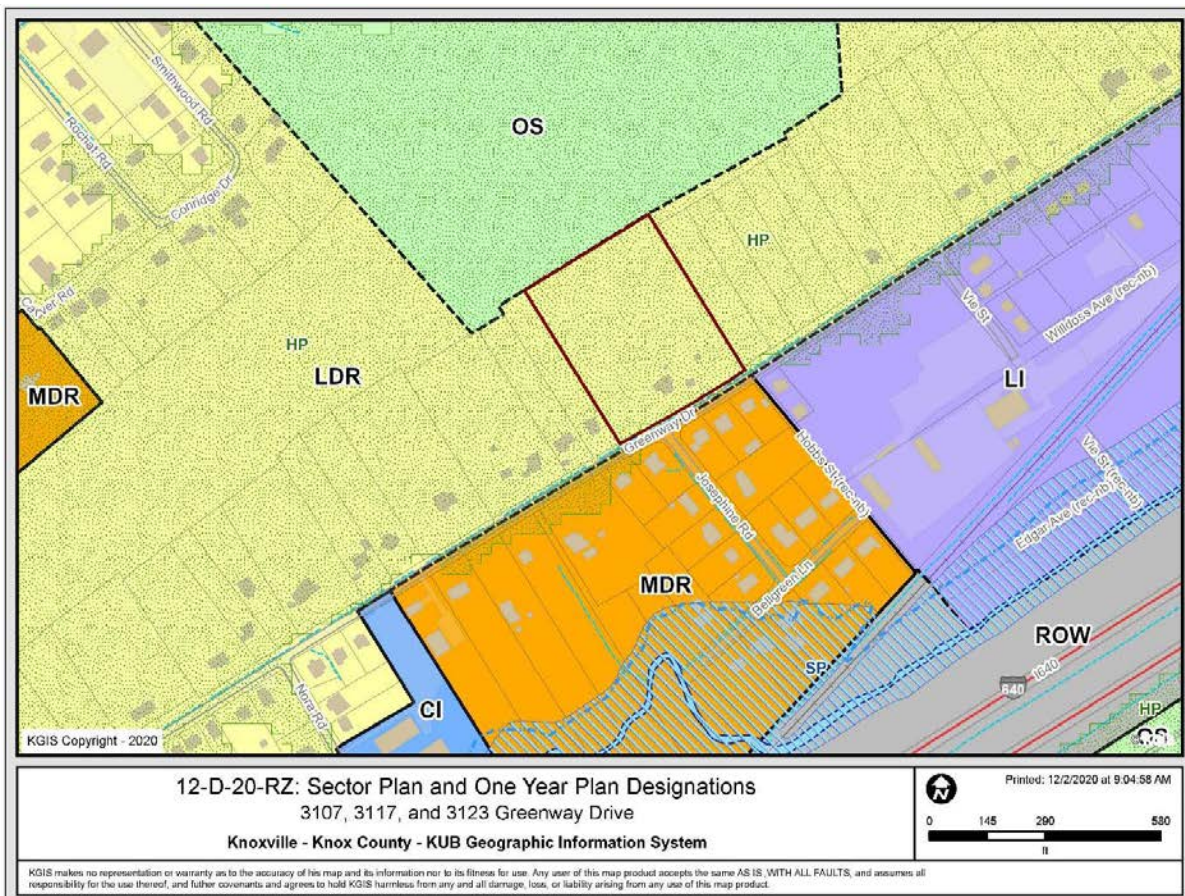
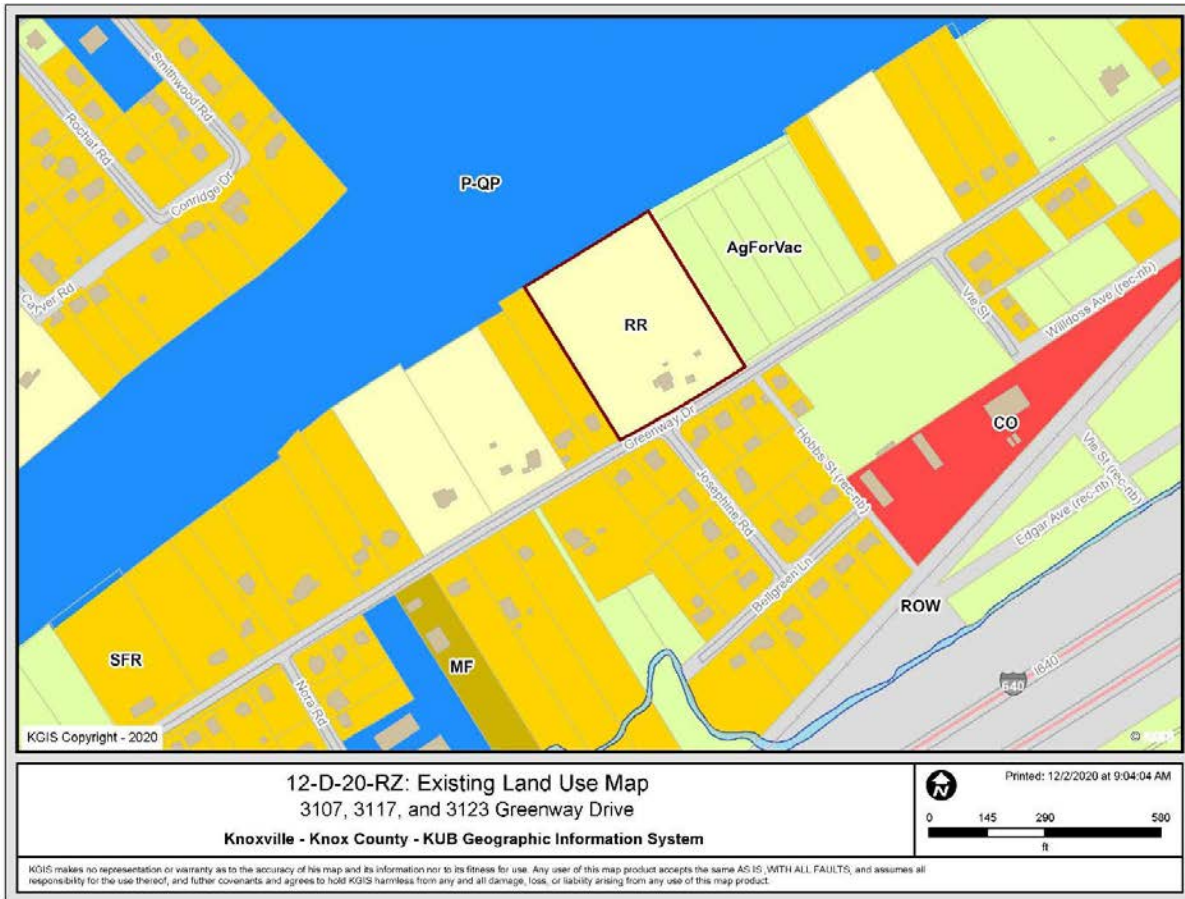
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EXHIBIT A. Contextual Images



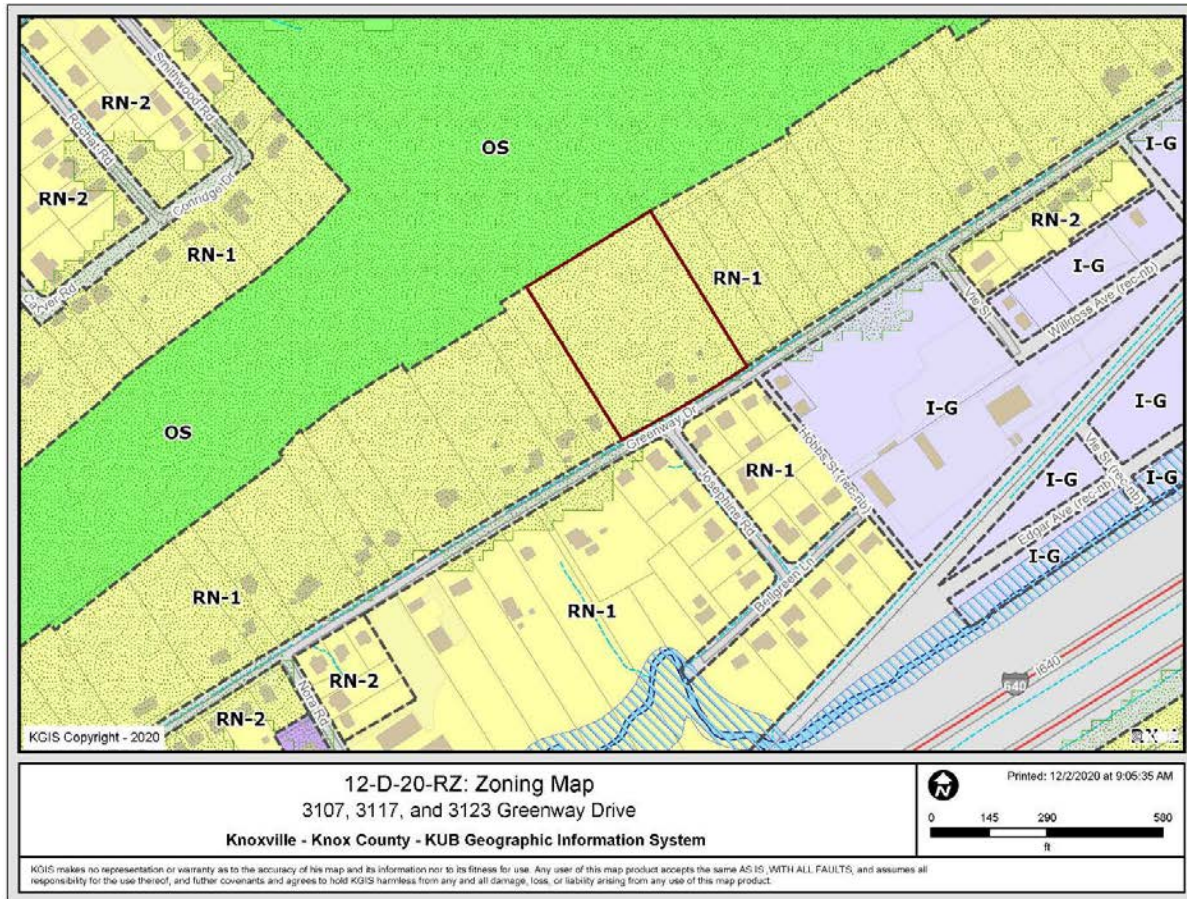
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EXHIBIT A. Contextual Images



12-D-20-RZ

EXHIBIT A. Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

Randy Guignard

Applicant Name

owner

Affiliation

10-29-20

Date Filed

December 10, 2020

Meeting Date (if applicable)

File Number(s)

12-D-20-RZ

CORRESPONDENCE

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

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

Randy Guignard

Name

Cafe International LLC

Company

5408 Fountain Gate Rd Knoxville TN 37918

Address

City

State

ZIP

865-244-8050

Phone

randy@fourseasonscorp.com

Email

CURRENT PROPERTY INFO

Cape International, LLC 5408 Fountain Gate Rd. 37918

Owner Name (if different)

Owner Address

Owner Phone

3107 / 3117 / 3123 Greenway Dr.

Property Address

Parcel ID

059 PA 003 4.0 ac
059 PA 00204 .8 ac
059 PA 00203 .7 ac

Note:

STAFF USE ONLY

before Recode - 3117 and 3123 were in a denser zone 5.5 ac.

N/S Greenway Dr., NE of Josephine Rd.

General Location

Tract Size

5.5

4th

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

RN-1 / HP

North City

Planning Sector

LDR

Sector Plan Land Use Classification

N/A

Growth Policy Plan Designation

RR / Vacant

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

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

Proposed Zoning

RN-2

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

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

ADDITIONAL REQUIREMENTS

- ☐ Design Plan Certification (Final Plat)
☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

late
fee

Fee 1

0325 | 875.00

Fee 2

60% | 525.00

Fee 3

Total

\$ 1400.00

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Please Print

Date

Phone Number

Email

Date

Staff Signature

Please Print

865-244-8050

randy@fourseasonscorp.com

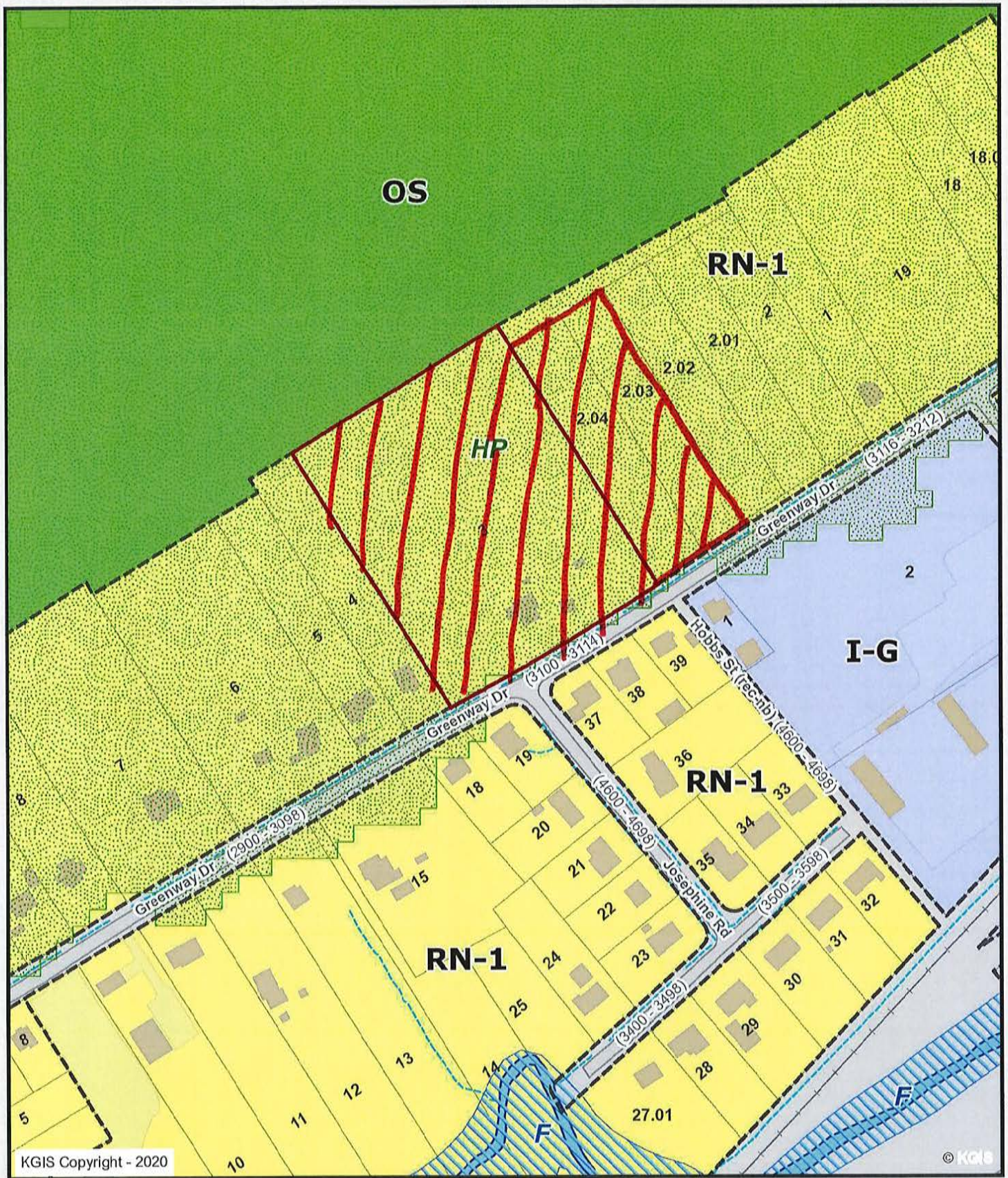
Sherry Muchienzi

SHERRY MUCHIENZI

10/29/2020

Randy Guignard

10-29-20

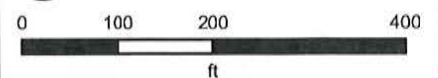


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/29/2020 at 2:43:19 PM



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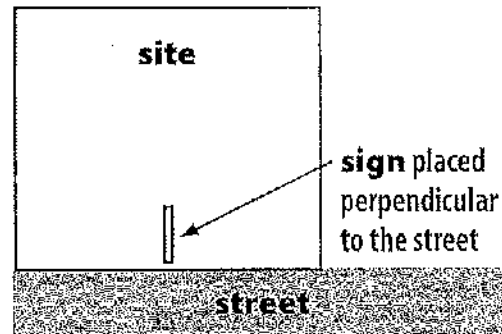
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then 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 15 days before 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 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Nov. 24, 2020 and Dec. 11, 2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Handwritten Signature]

Printed Name: Randy Goignard

Phone: 865 244-8050 Email: randy@fourseasonscorp.com

Date: 1/18/20

File Number: 12-D-20-RZ