

REZONING REPORT

► **FILE #:** 12-B-22-RZ

AGENDA ITEM #: 10

AGENDA DATE: 12/8/2022

► **APPLICANT:** RICH DADS, INC.

OWNER(S): Christy Joseph Rich Dads Inc.

TAX ID NUMBER: 68 J B 023

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 901 METLER DR

► **LOCATION:** Northwest side of Metler Dr, north of Clinton Hwy

► **APPX. SIZE OF TRACT:** 0.98 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Metler Drive, a local street with a 20-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

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

► **EXISTING LAND USE:** Single Family Residential

► **EXTENSION OF ZONE:** Yes

HISTORY OF ZONING: None noted

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

South: Multifamily - C-H-1 (Highway Commercial)

East: Commercial - C-H-1 (Highway Commercial)

West: Single family residential - RN-2 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This area is comprised of single family detached homes to the north and commercial properties and a small mobile home park towards Clinton Hwy to the south.

STAFF RECOMMENDATION:

► **Approve RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) zoning because it is consistent with the sector plan and surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, 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. The subject property borders a C-H-1 (Highway Commercial) node to the south and an RN-1 (Single-Family Residential Neighborhood) district to the north. The property adjoins RN-2 (Single-Family Residential Neighborhood) zoning along the rear property line.
2. Considering the subject property's location between land use intensities and its proximity to RN-2 zoning, the proposed RN-2 district is appropriate here.

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

1. The RN-2 zoning district is intended to accommodate low density residential development on relatively small lots with smaller setbacks. Duplexes and limited nonresidential uses that are compatible with the character of the district may be permitted by right or by special use approval.
2. The subject property meets the RN-2 dimensional standards, and permitted uses would not change from its current RN-1 zoning district.

THE 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. There are no adverse impacts anticipated with the proposed rezoning.
2. The subject property is adjacent to a small mobile home park to the south and a single family residence to the north. The changes in dimensional standard flexibility with RN-2 zoning would permit development that is a transition between these land use intensities.
3. Approximately one-third of the parcel is within the Hillside Protection (HP) area, which regulates clearing and grading to mitigate potential stormwater and erosion issues. The recommended disturbance budget within the HP area is 8,257 square feet.

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 proposed RN-2 zoning district is consistent with the LDR (Low Density Residential) classification in the Northwest City Sector Plan.
2. RN-2 zoning is not in conflict with any other adopted plans.

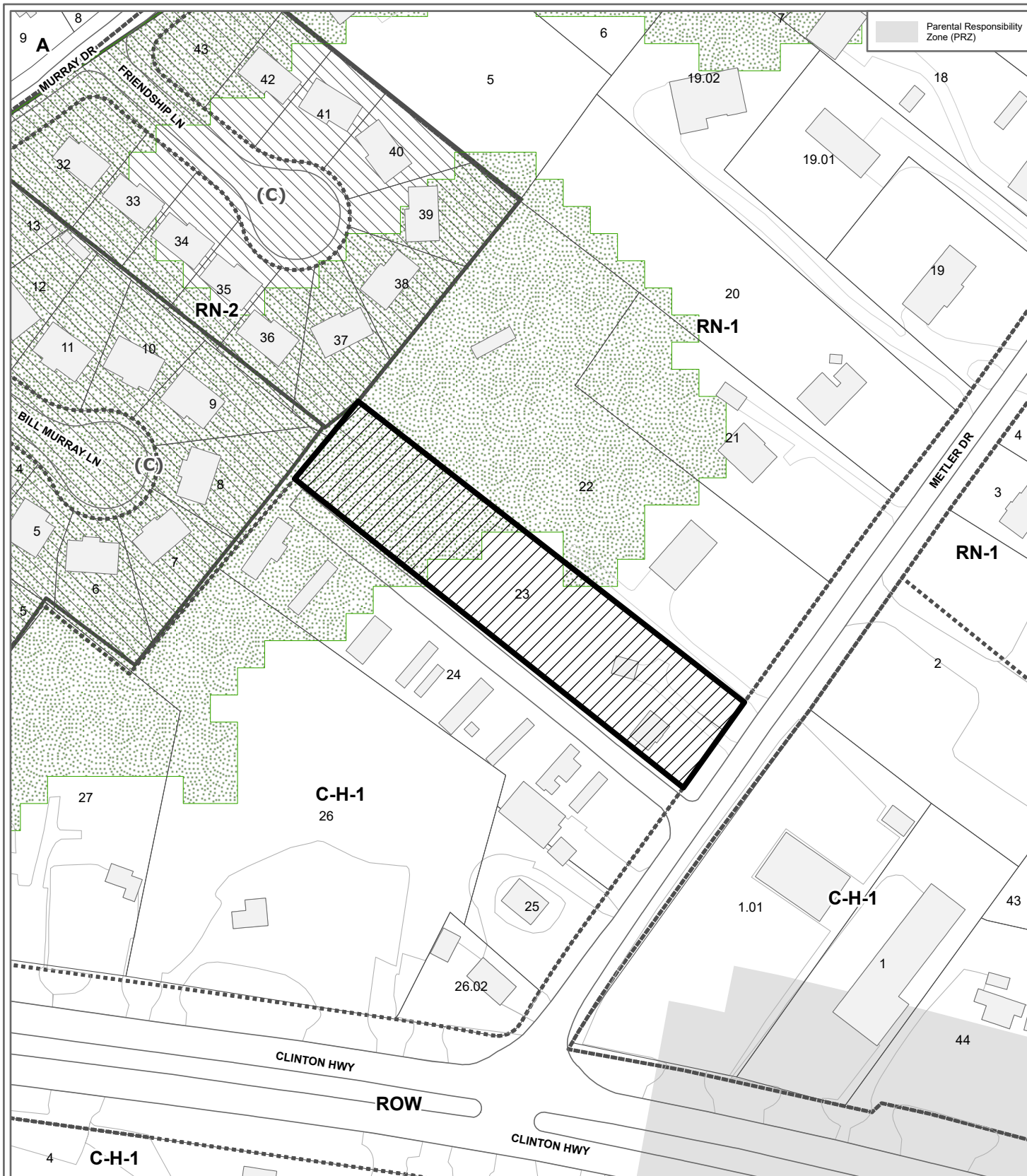
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

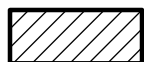
Schools affected by this proposal: Norwood Elementary, Northwest Middle, and Powell High.

- 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 Knoxville City Council for action on 1/10/2023 and 1/24/2023. 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-B-22-RZ REZONING



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

Original Print Date: 11/15/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Rich Dads, Inc.

Map No: 68
Jurisdiction: City

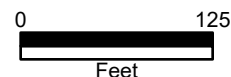
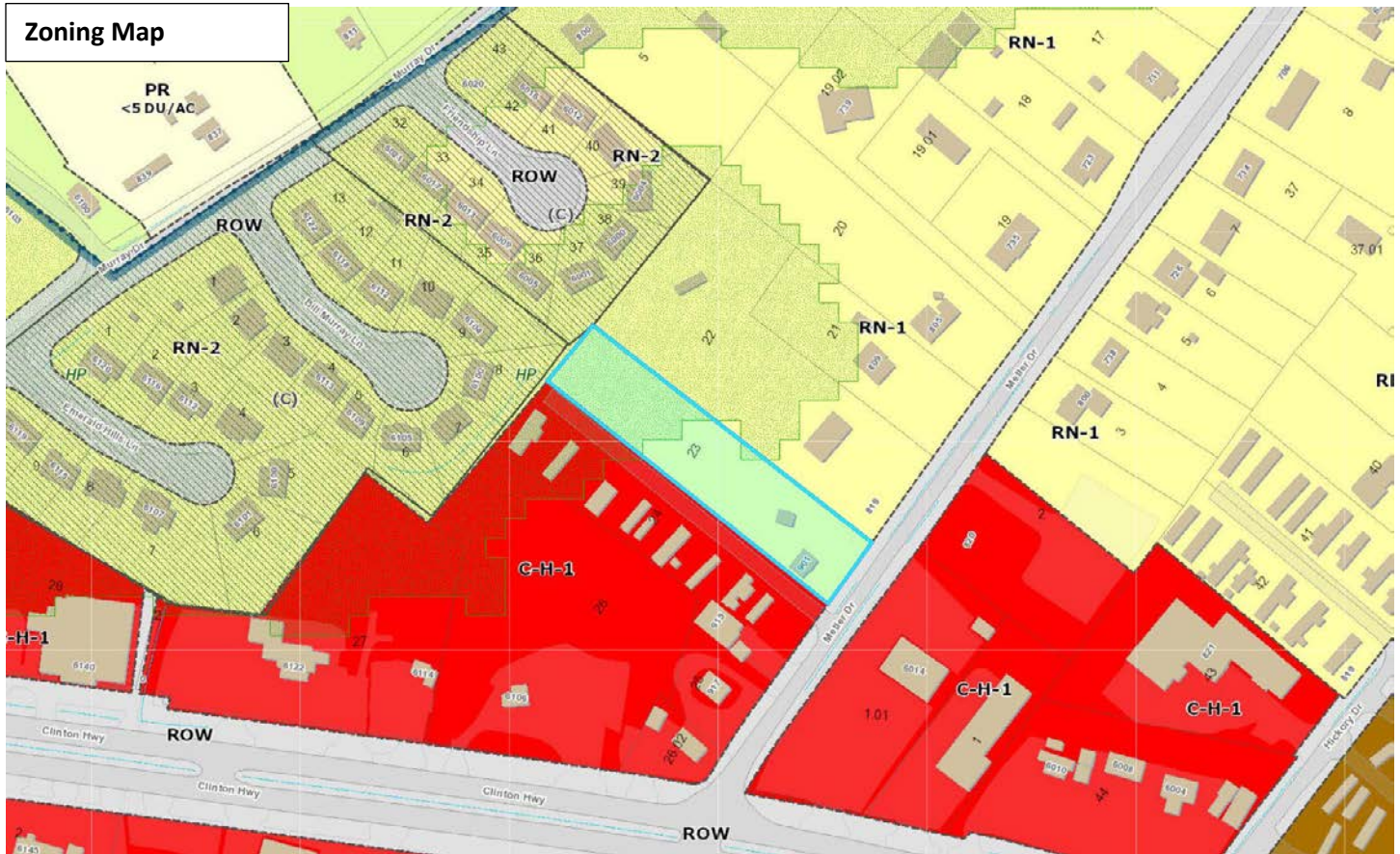


Exhibit A. 12-B-22-RZ Context Images

Zoning Map

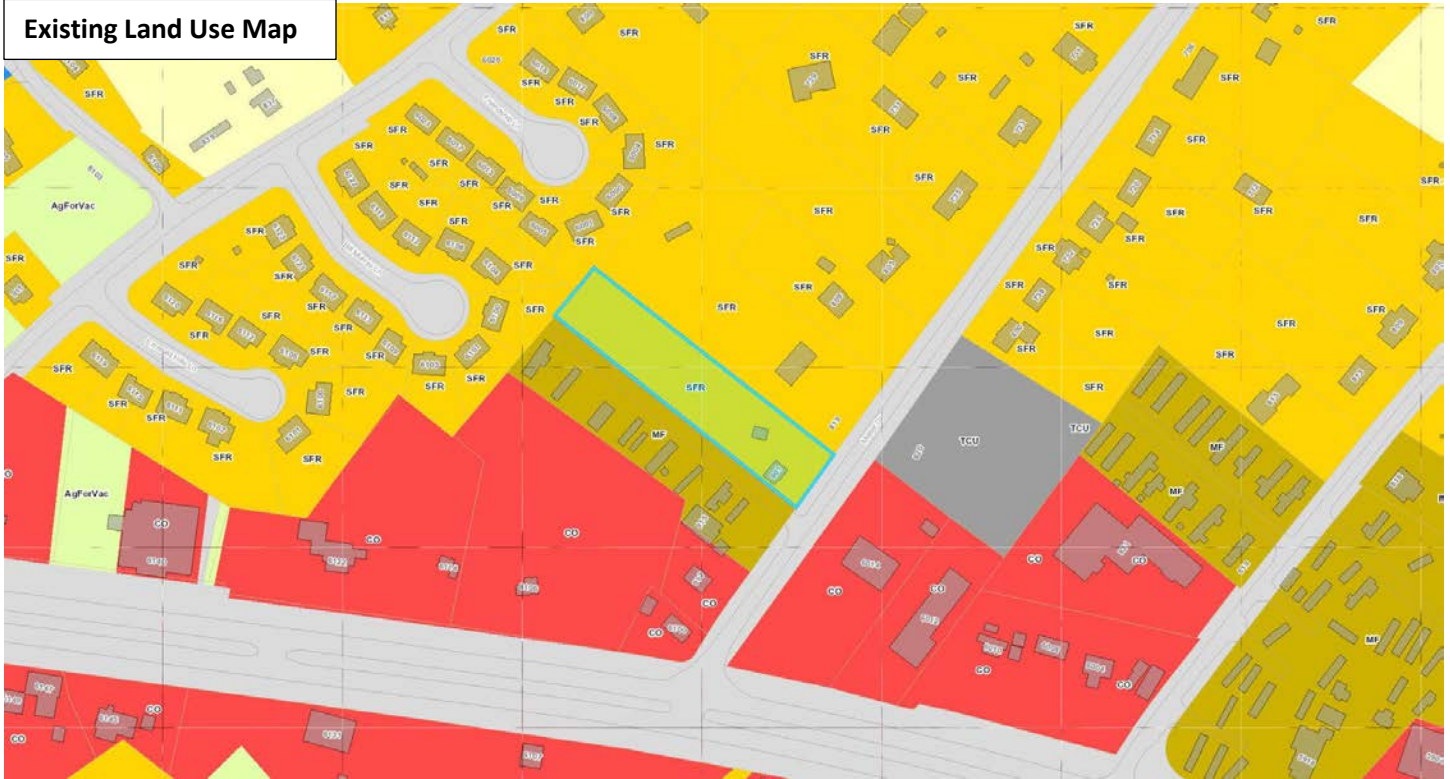


Sector Plan Map



Exhibit A. 12-B-22-RZ Context Images

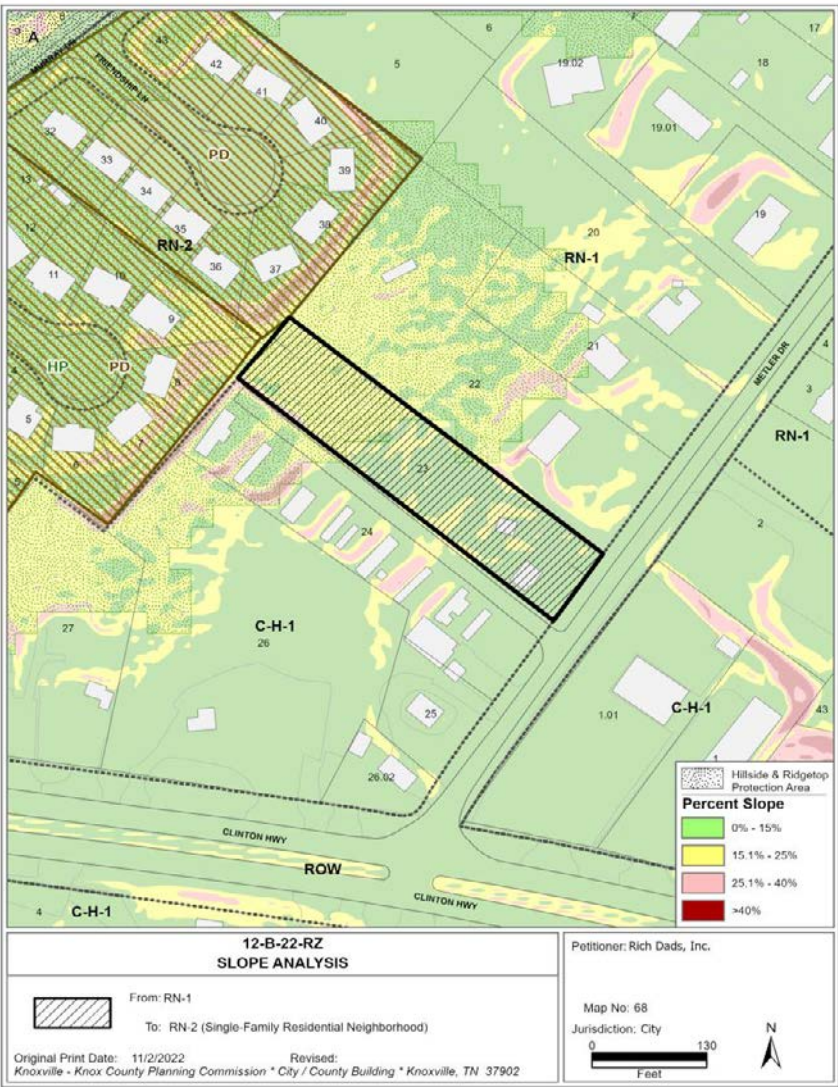
Existing Land Use Map



Aerial Map



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	42,443	0.97			
Non-Hillside	27,056	0.62	N/A		
0-15% Slope	1,307	0.03	100%	1,307	0.03
15-25% Slope	13,780	0.32	50%	6,890	0.2
25-40% Slope	300	0.01	20%	60	0.001
Greater than 40% Slope	0	0.00	10%	0	0.0
Ridgetops					
Hillside Protection (HP) Area	15,387	0.35	Recommended disturbance budget within HP Area	8,257	0.2
			Percent of HP Area	0.5	





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
- ☐ Final Plat

ZONING

- ☐ Plan Amendment
 - ☐ Sector Plan
 - ☐ One Year Plan
- ☒ Rezoning

Rich Dads, Inc.

Applicant Name

Affiliation

10/11/2022

Date Filed

12/8/2022

Meeting Date (if applicable)

12-B-22-RZ

File Number(s)

CORRESPONDENCE

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

Christy Joseph Rich Dads Inc.

Name / Company

2004 Radiance Dr Knoxville TN 37912

Address

865-282-5652

Phone / Email

CURRENT PROPERTY INFO

Christy Joseph Rich Dads Inc.

Owner Name (if different)

2004 Radiance Dr Knoxville TN 37912

Owner Address

865-282-5652

Owner Phone / Email

901 METLER DR

Property Address

68 J B 023

Parcel ID

Part of Parcel (Y/N)?

0.98 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

NW of Metler Dr, north of Clinton Hwy

General Location

☒ City

Council District 5

RN-1 / HP

SFR

☐ Count

District

Zoning District

Existing Land Use

Northwest City

Planning Sector

LDR

Sector Plan Land Use Classification

N/A

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **RN-2 (Single-Family Residential Neighborhood) / HP**
Proposed Zoning

Pending Plat File Number

- ☐ Plan
Amendment Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Zoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☒ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1

\$650.00

Total

Fee 2

Fee 3

AUTHORIZATION

Rich Dads, Inc.

10/11/2022

Applicant Signature

Please Print

Date

Phone / Email

Christy Joseph Rich Dads Inc.

10/11/2022

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



**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
Christy Joseph	2004 Radiance Dr Knoxville, TN 37912	



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

Rich Dads, INC.

Applicant Name

10/4/2022

Date Filed

Meeting Date (if applicable)

Affiliation

File Number(s)

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

Hani Joseph

Rich Dads, INC.

Name

Company

2004 Radiance DR.

Knoxville

TN

37912

Address

City

State

ZIP

865-282-5652

hanijoseph7@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Hani & Christy Joseph (Rich Dads, INC.)

2004 Radiance Dr. Knoxville, TN 37912

865-282-5652

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

901 Metler DR. Knoxville, TN 37912

Property Address

Parcel ID

Knoxville Utility Board

Knoxville Utility Board

No

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

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 **RN-2**
Proposed Zoning

☐ 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*)

Fee 1

Total

Fee 2

Fee 3

AUTHORIZATION

Applicant Signature

Rich Dads, INC.

Please Print

10/4/2022

Date

865-282-5652

Phone Number

hanijoseph7@gmail.com

Email



Property Owner Signature

Hani Joseph

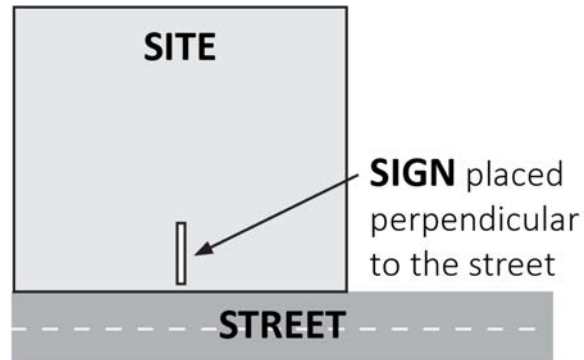
Please Print

10/4/2022

Date

I declare under penalty of perjury the foregoing to be true and correct. I am the owner of the property and that the application and all associated

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, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 11/25/2022 _____ and _____ 12/9/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____ Rich Dads, Inc. _____

Date: _____ 10/11/22 _____

File Number: _____ 12-B-22-RZ _____

☒ Sign posted by Staff
☐ Sign posted by Applicant