

REZONING REPORT

► **FILE #:** 12-K-22-RZ

AGENDA ITEM #: 13

AGENDA DATE: 12/8/2022

► **APPLICANT:** CAFE INTERNATIONAL LLC

OWNER(S): Randy Guignard Zenith Homes

TAX ID NUMBER: 48 K A 018

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 2990 RIFLE RANGE DR (City portion)

► **LOCATION:** South side of Rifle Range Dr, west of Maynardville Pk

► **APPX. SIZE OF TRACT:** 2.85 acres

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Rifle Range Drive, a minor arterial street with a 20-ft pavement width within an 88-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board, Hallsdale-Powell U

Sewer Source: Knoxville Utilities Board, Hallsdale-Powell U

WATERSHED: Beaver 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:** Agriculture/Forestry/Vacant Land



EXTENSION OF ZONE: No

HISTORY OF ZONING: 6-EE-93-RZ: A to R-1; 11-I-98-RZ: R-1 to R-1A (withdrawn); 5-A-02-RZ: R-1 to R-1A

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural), PR (Planned Residential) up to 5 du/ac

South: Single family residential - EN (Established Residential Neighborhood)

East: Rural residential, agriculture/forestry/vacant - RN-1 (Single-Family Residential Neighborhood), RA (Low Density Residential)

West: Rural residential - AG (General Agricultural)

NEIGHBORHOOD CONTEXT: This area is comprised forested hillside with detached single family and multifamily properties as well as mobile home parks.

STAFF RECOMMENDATION:

► **Approve RN-2 (Single-Family Residential Neighborhood) zoning for a portion of parcel 048KA018 as shown in Exhibit B because it is consistent with the sector plan, topographic conditions and surrounding development. HP (Hillside Protection Overlay) zoning will remain for the entire parcel.**

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. This area of Rifle Range Dr has seen an expansion of residential development since the late 1990s. Two residential communities were completed in 2002 across the street from the subject property. The proposed RN-2 (Single-Family Residential Neighborhood) zoning district is consistent with residential development along this minor arterial and supports ongoing demand for housing options in the City.

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

1. The RN-2 district is intended to accommodate low density single family development on relatively small lots. Duplexes may be allowed through special use approval.
2. The dimensional standards for RN-2 are similar to the lot sizes in the Logans Landing subdivision across the street from the subject property.

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. The subject property is forested and located along the Black Oak Ridge. All of the property is within the Hillside Protection (HP) area, and most of the site is sloped greater than 25%. The recommended disturbance budget is approximately 1/4 of the total site. HP area regulations will support mitigation of potential stormwater and erosion issues.

2. With consideration for the steep slopes and the sparse development pattern along the ridge, staff recommends the more intensive RN-2 zoning district be granted only for the portion of the property that is within a 240-ft distance from the front property line, as shown in Exhibit B. This area relates to the 1240 contour line and prior disturbance that occurred before the HP Overlay zone was adopted. The 240-ft distance is intended to provide a clear zoning district limit that can be interpreted according to guidance described in Article 3.2.B.3 of the zoning code. This boundary reflects the existing residential development accessing Rifle Range Dr, which generally does not surpass the 1240 contour line.

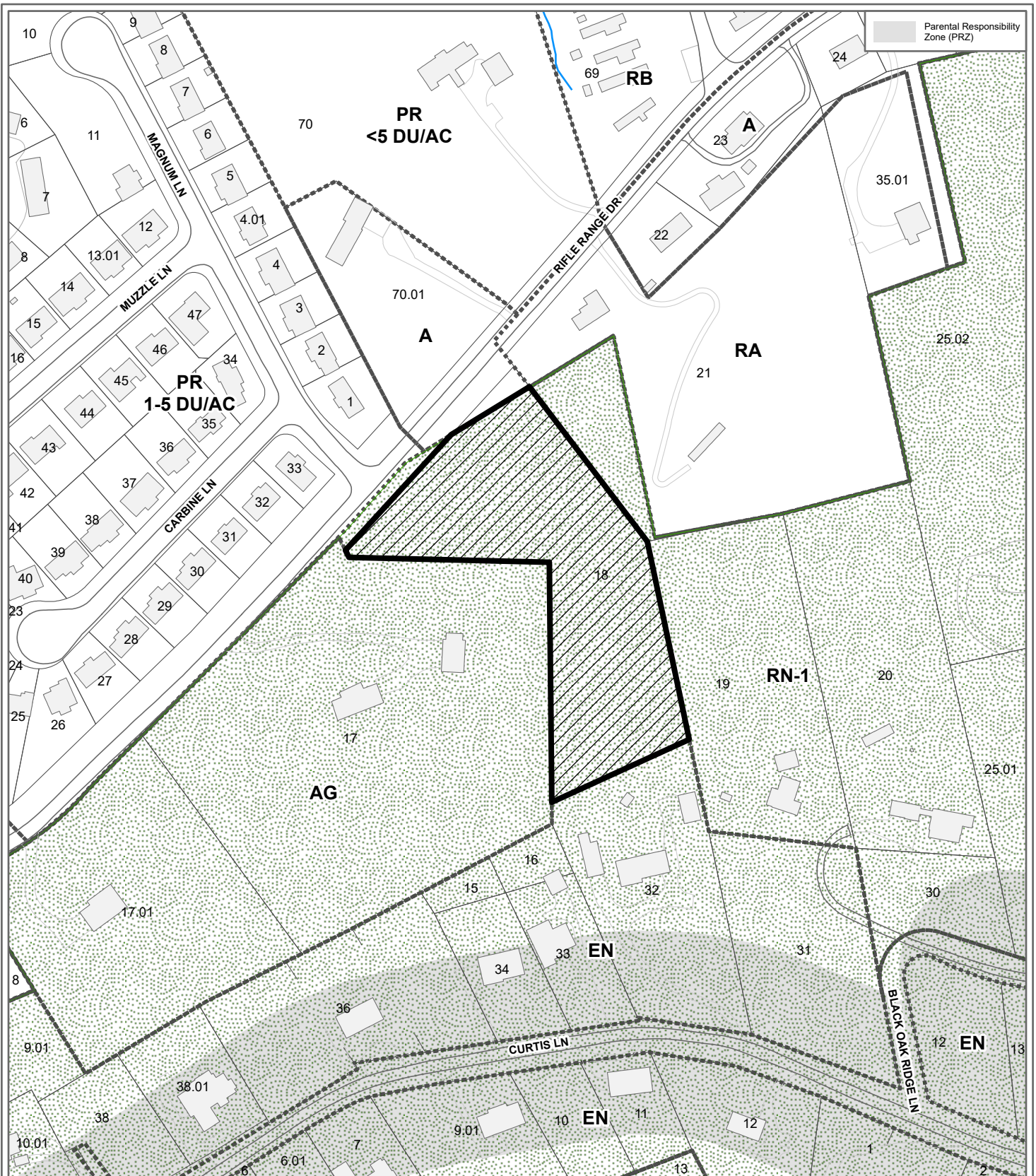
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. A partial rezoning to the RN-2 district is consistent with the North City Sector Plan's LDR (Low Density Residential) land use designation.
2. RN-2 zoning at this location is not in conflict with any other adopted plans or policies.

ESTIMATED TRAFFIC IMPACT: Not required.

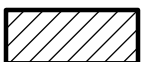
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/10/2023 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-K-22-RZ
REZONING**

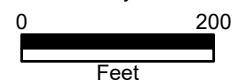
Petitioner: Cafe International LLC



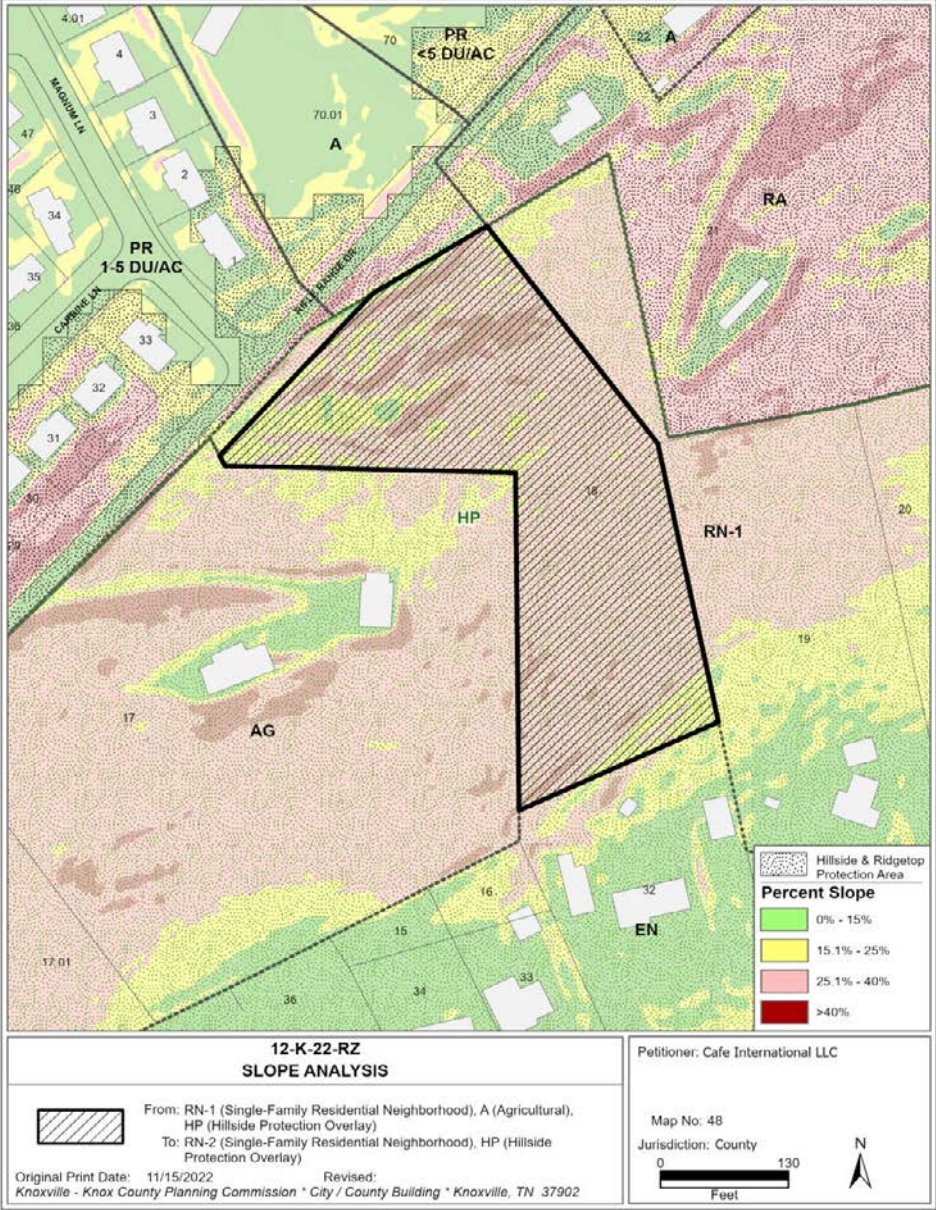
From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
To: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Original Print Date: 11/30/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

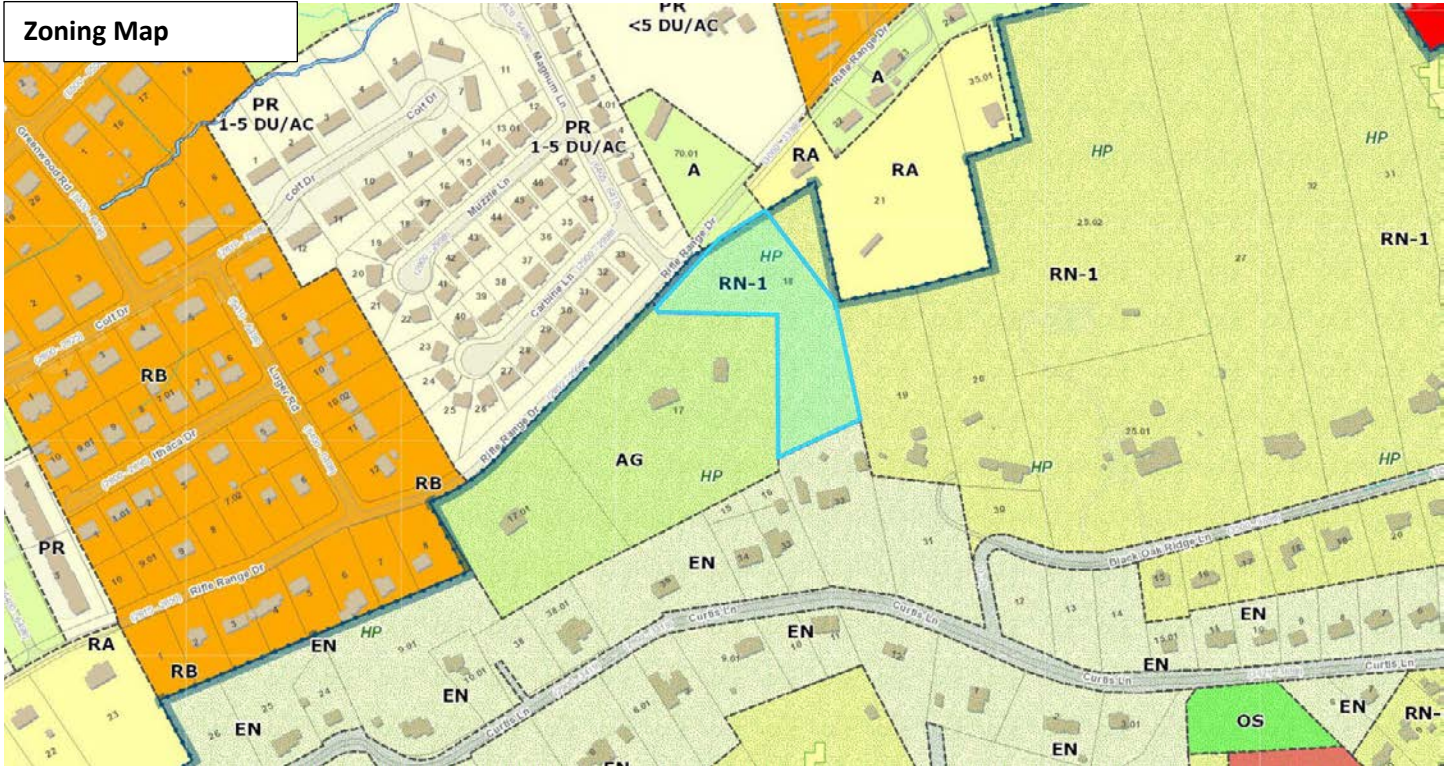
Map No: 48
Jurisdiction: City



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	2.77		
Non-Hillside	0.00	N/A	
0-15% Slope	0.04	100%	0.04
15-25% Slope	0.35	50%	0.2
25-40% Slope	2.07	20%	0.4
Greater than 40% Slope	0.30	10%	0.03
Ridgetops			
Hillside Protection (HP) Area	2.77	Recommended disturbance budget within HP Area (acres)	0.7
		Percent of HP Area	0.2



Zoning Map



Sector Plan Map

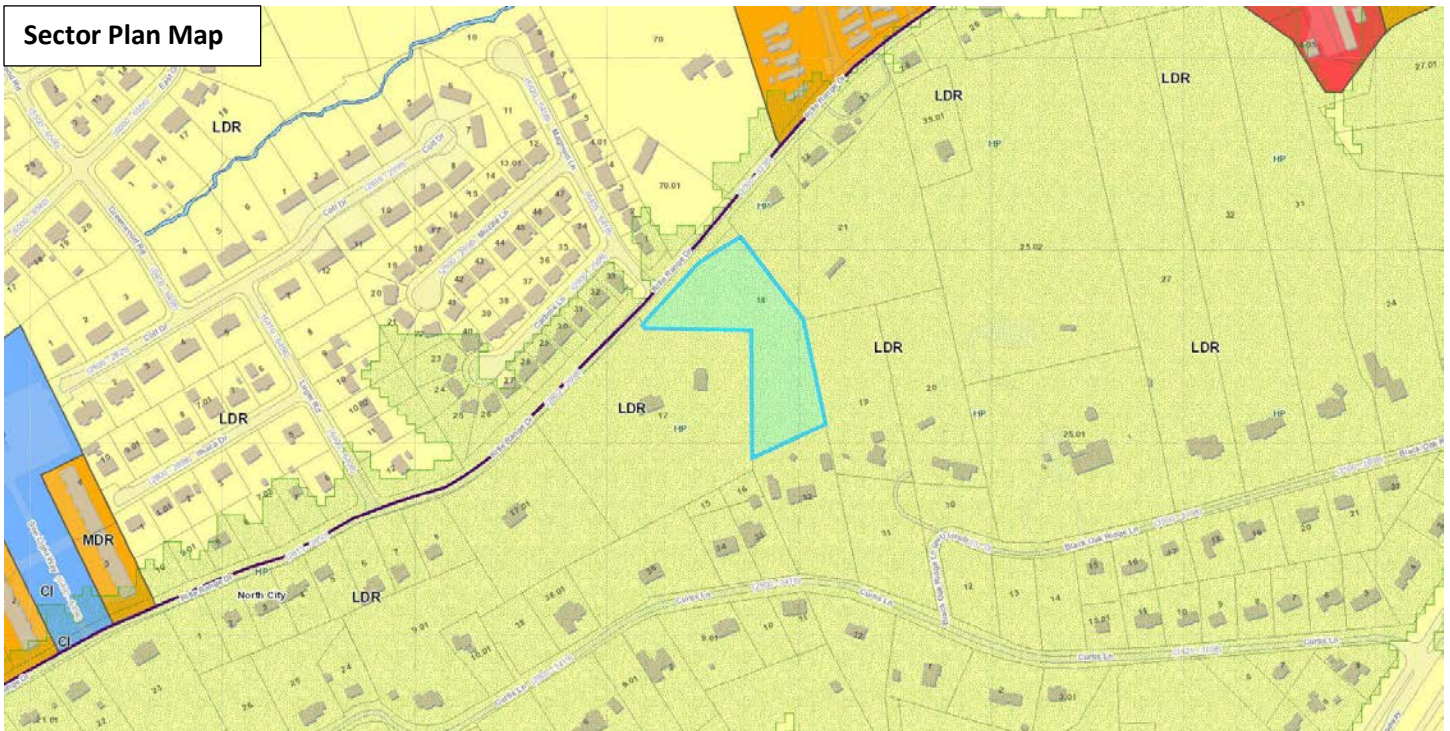
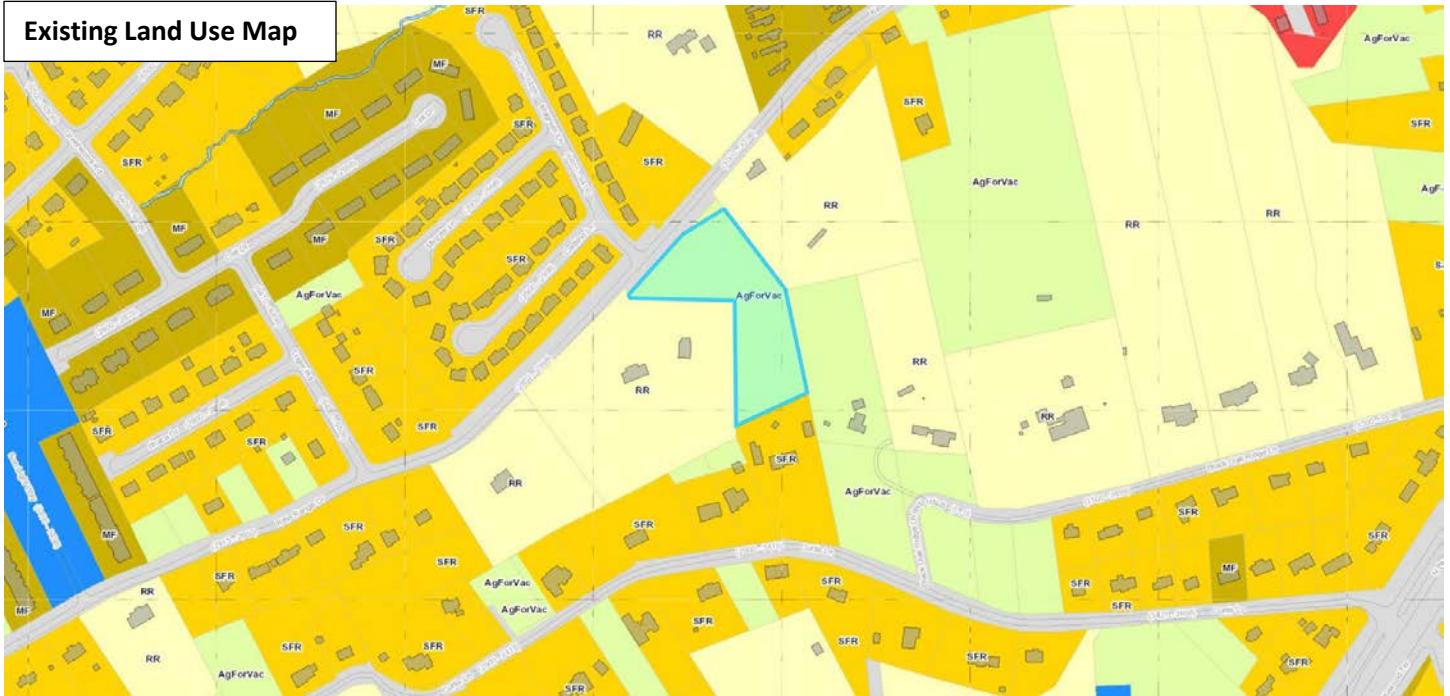


Exhibit A. 12-K-22-RZ Context Images

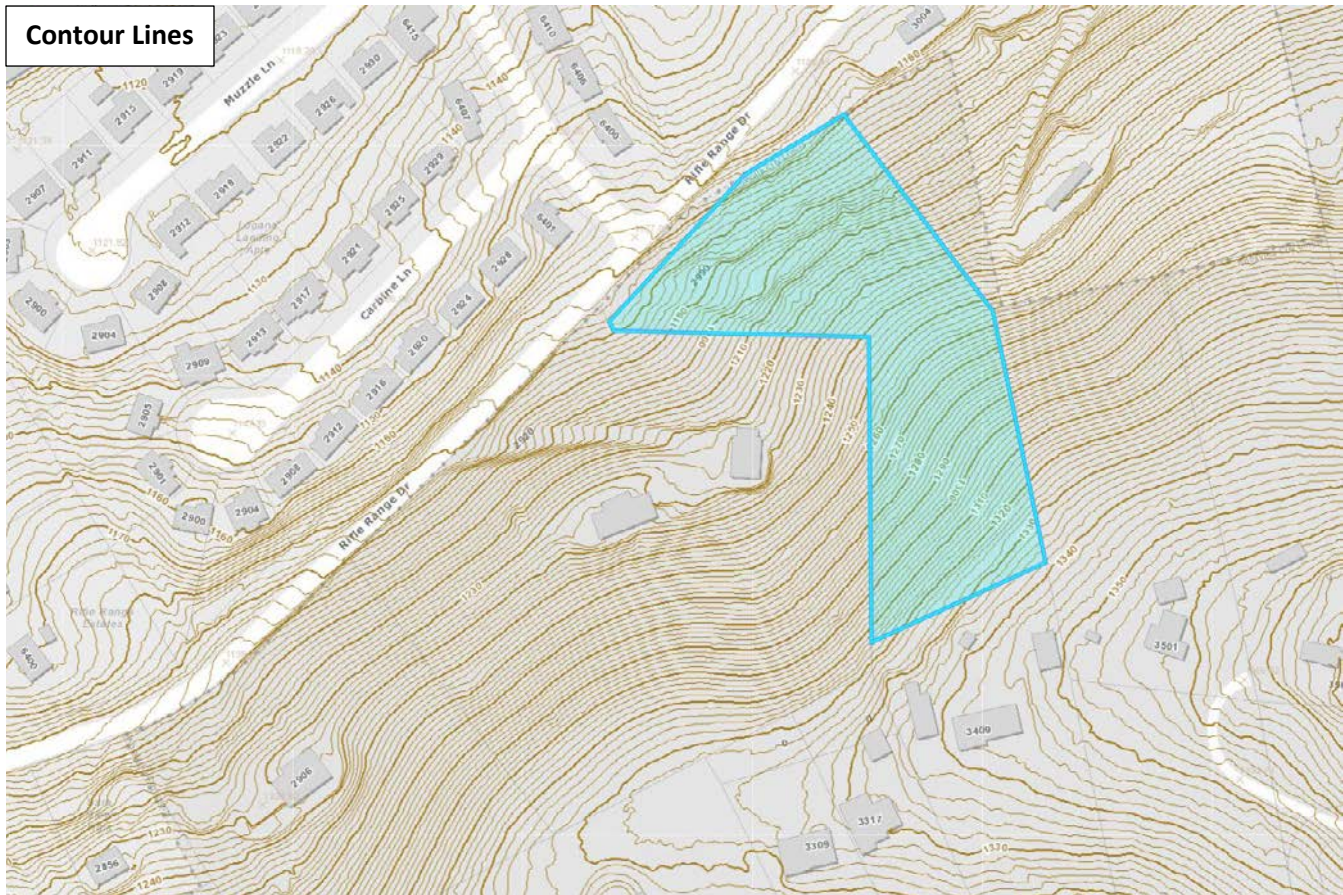
Existing Land Use Map

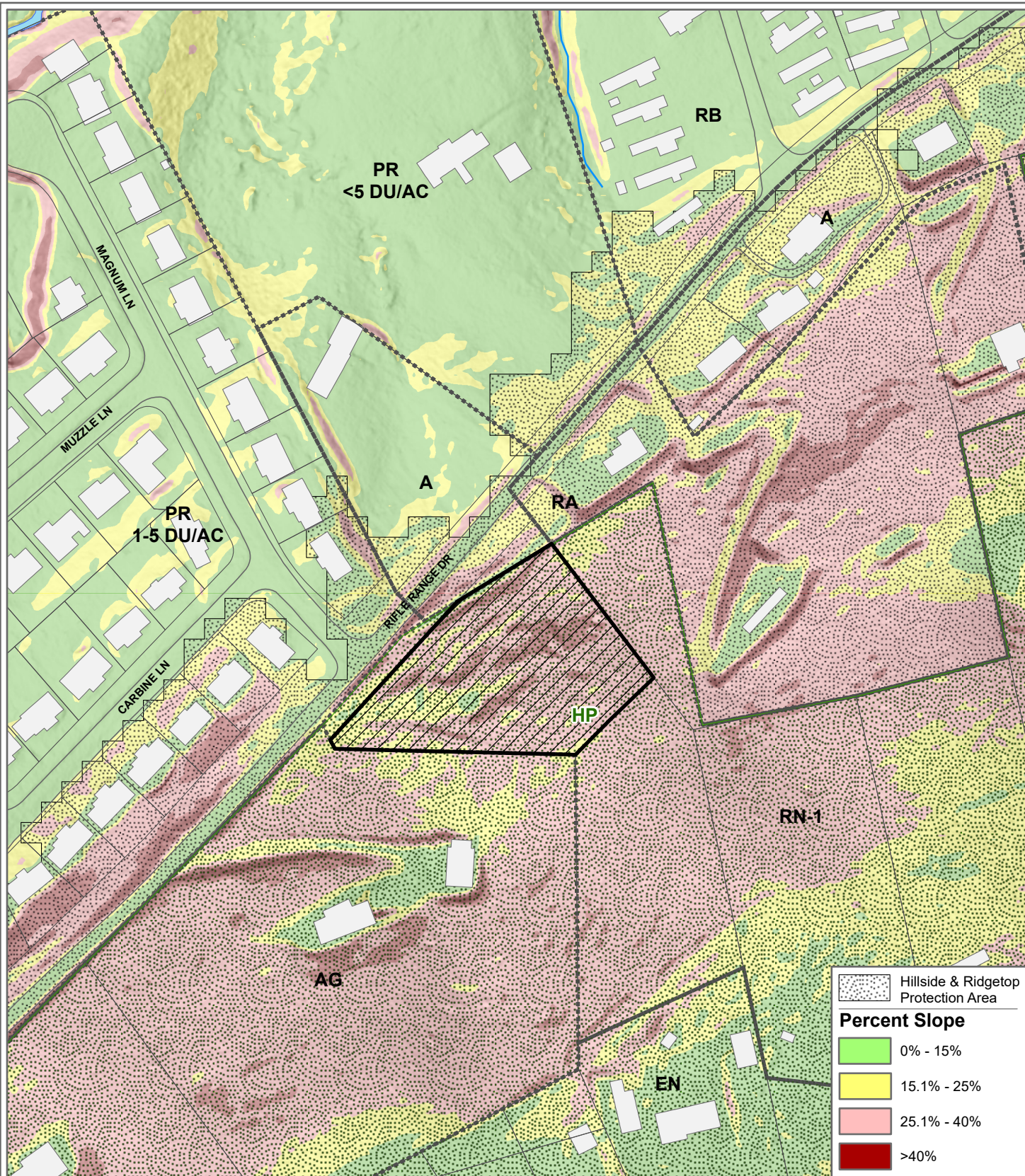


Aerial Map

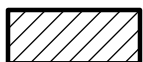


Exhibit A. 12-K-22-RZ Context Images





12-K-22-RZ
Exhibit B: Staff Recommended Area for Rezoning



Recommended area for rezoning

Original Print Date: 11/30/2022
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner:

Map No.: 048

Jurisdiction: City





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

Cafe International LLC

Applicant Name

Affiliation

10/24/2022

Date Filed

12/8/2022

Meeting Date (if applicable)

12-K-22-RZ

File Number(s)

CORRESPONDENCE

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

Randy Guignard Zenith Homes

Name / Company

5408 Fountain Gate Rd. Rd. Knoxville TN 37918

Address

865-244-8050 / randy@fourseasonscorp.com

Phone / Email

CURRENT PROPERTY INFO

Randy Guignard Zenith Homes

Owner Name (if different)

5408 Fountain Gate Rd. Rd. Knoxville TN 37918

Owner Address

865-244-8050 / randy@foursea

Owner Phone / Email

2990 RIFLE RANGE DR

Property Address

48 K A 018

Parcel ID

2.85 acres

Tract Size

Knoxville Utilities Board, Hallsdale-Powell U

Sewer Provider

Knoxville Utilities Board, Hallsdale-Powell U

Water Provider

Septic (Y/N)

STAFF USE ONLY

S of Rifle Range Rd, west of Maynardville Pk

General Location

☐ City

Commission District 7,

RN-1 (Single-Family Residential Neighborhood) / HP

Agriculture/Forestry/Vacant Land

☒ Count

District

Zoning District

Existing Land Use

North City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit

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

Cafe International LLC

10/24/2022

Applicant Signature

Please Print

Date

Phone / Email

Randy Guignard Zenith Homes

10/24/2022

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.



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

Cafe International LLC

Developer

Applicant Name

Affiliation

10-8-22

December 8

File Number(s)

Date Filed

Meeting Date (if applicable)

12-K-22-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

Randy Guignard

Zenith Homes

Name

Company

5408 Fountain Gate Rd.

Knoxville

Tn

37918

Address

City

State

ZIP

865 2448 050

randy@zenithhomes.net

randy@fourseasonscorp.com

Phone

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2990 Rifle Range Rd.

048KA018 (part of - city portion only)

Property Address

Parcel ID

Hallsdale / Powell

Hallsdale ' Powell

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South of Rifle Range Rd, west of Maynardville Pk

~~2.85 acres~~ 2.81 acres

General Location

Tract Size

☒ City ☐ County
4
District

RN-1, HP
Zoning District

AgForVac
Existing Land Use

North City
Planning Sector

LDR
Sector Plan Land Use Classification

N/A
Growth Policy Plan Designation

August 29, 2022

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-3~~ Revised to RN-2

Proposed Zoning

☒ Plan Amendment Change

~~MDR~~

~~Adrian Burnette new addition on school~~

Proposed Plan Designation(s)

~~8 DUs~~ ~~2 four plex town houses~~

Proposed Density (units/acre)

Previous Rezoning Requests

☒ Other (specify)

~~one year plan~~

Pending Plat File Number

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
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AUTHORIZATION

M. Jones

Applicant Signature

Cafe International LLC

10-8-22

Please Print

Date

865 244 8050

randy@zenithhomes.net

Phone Number

Email

Randy Guignard

10-8-22

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.

[Applications] Applications

Randy Guignard <randy@zenithhomes.net>

Wed, Nov 9, 2022 at 4:49 PM

To: Jessie Hillman <jessie.hillman@knoxplanning.org>, Missy Jones <missy.jones@knoxplanning.org>

Cc: Applications <applications@knoxplanning.org>

Yes that is correct I called in and messy help me and we redid it to the RN too That's correct and we're not including the little county part that's correct

Randy Guignard
Zenith Homes LLC
865 244 8050
zenithhomes.net

From: Jessie Hillman <jessie.hillman@knoxplanning.org>**Sent:** Wednesday, November 9, 2022 3:07:12 PM**To:** Missy Jones <missy.jones@knoxplanning.org>**Cc:** Randy Guignard <randy@zenithhomes.net>; Applications <applications@knoxplanning.org>**Subject:** Re: [Applications] Applications

Hi Randy,

Please confirm approval of the changes we discussed by responding to this email chain. You asked for the concept plan to be removed, and agreed to having the rezoning request pertain only to the city portion of the property. Those changes to your application are attached for review.

On Mon, Oct 24, 2022 at 2:27 PM Missy Jones <missy.jones@knoxplanning.org> wrote:

Thank you for your payment. A copy of your receipts and completed application for File # 12-K-22-RZ is attached. **This request will be heard by the Planning Commission at 1:30 pm on 12/8/22.** Please [register to speak](#) by 9 am the day of the meeting.

If recommended for approval by the Planning Commission, this request will require legislative approval from either Knoxville City Council or Knox County Commission. The applicant must attend all meetings listed on the staff report, which will be emailed to the applicant and will be available on Planning's website at knoxplanning.org/cases.

For information on the legislative approval process please call the appropriate jurisdiction:

- Knoxville City Council, City Recorder's Office: 865.215.2075
- Knox County Commission: 865.215.2534

Please review the attached Sign Posting and Removal Requirement. This document provides the date when the public notice sign must be posted on the property and the date it must be removed.

Thank you,

Missy Jones
Planning Technician
865.215.4186



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

On Tue, Oct 11, 2022 at 9:45 AM Missy Jones <missy.jones@knoxplanning.org> wrote:

Randy,

I realized the total might look a little off to you. I put the comma in the wrong place. The total for this application is \$1,700.00

Thanks,

Missy Jones
Planning Technician
865.215.4186



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

----- Forwarded message -----

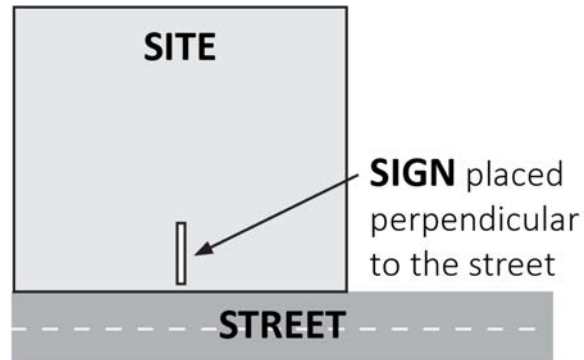
From: **Missy Jones** <missy.jones@knoxplanning.org>

Date: Tue, Oct 11, 2022 at 9:40 AM

Subject: Re: [Applications] Applications

To: Jessie Hillman <jessie.hillman@knoxplanning.org>

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: Cafe International

Date: 10/24/22

File Number: 12-K-22-RZ

☒

Sign posted by Staff

☐

Sign posted by Applicant