REZONING REPORT

FILE #: 7-D-25-RZ **AGENDA ITEM #: 15**

AGENDA DATE: 7/10/2025

APPLICANT:	**RAJPAUL CHEEMA**
OWNER(S):	Rajpaul Cheema 5 Rivers LLC
TAX ID NUMBER:	58 F A 046 **View map on KGIS**
JURISDICTION:	City Council District 4
STREET ADDRESS:	0 BERNHURST DR
LOCATION:	**North side of Bernhurst Dr, south of Dahlia Dr**
APPX. SIZE OF TRACT:	**15404 square feet**
SECTOR PLAN:	North City
GROWTH POLICY PLAN:	N/A (Within City Limits)
ACCESSIBILITY:	Access is via Bernhurst Drive, an unstriped local street with 19 ft of pavement width within a 48-ft right-of-way.
UTILITIES:	Water Source: Knoxville Utilities Board
	Sewer Source: Knoxville Utilities Board
FIRE DISTRICT:	Knoxville Fire Department
WATERSHED:	First 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, it is not an extension.
HISTORY OF ZONING:	None noted.
SURROUNDING LAND USE AND ZONING:	North: Single family residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
	South: Single family residential - RN-2 (Single-Family Residential Neighborhood)
	East: Single family residential - RN-1 (Single-Family Residential Neighborhood)
	West: Multifamily residential, agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood), RN-4 (General Residential Neighborhood)
NEIGHBORHOOD CONTEXT:	The subject property is in a neighborhood that features a mix of single family houses and small multifamily developments. Gresham Middle School and Fountain City Lake and Park lie within 0.5 miles to the east, with other schools, community amenities, and the N Broadway commercial corridor within a mile radius.

STAFF RECOMMENDATION:

- **Approve the RN-2 (Single-Family Residential Neighborhood) district because it is brings the lots into conformance with the zoning code and is compatible with surrounding development. The HP (Hillside Protection) overlay would be retained.**

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. The subject property is within a section of the Fountain City neighborhood that has remained relatively unchanged since the 1980s, outside of infill construction of single-family houses. Most of the block was developed prior to 1950. The majority of the neighborhood was platted in the 1890s with 50-ft wide lots, which complied with the zoning ordinance in place at the time. Consequently, all of the lots of record on this side of Bernhurst Drive are non-conforming lots of record because they do not meet the 75-ft minimum lot width or the 10,000 square foot minimum lot size of RN-1 (Single-Family Residential Neighborhood), with the exception of one lot platted in 1998.
2. The two lots of record included in this request are 50-ft wide and approximately 7,200 square feet in area. The standards for non-conforming lots of record under the City of Knoxville zoning code adopted in 2020 would allow this property to be developed at a higher density than intended under RN-1 zoning, currently allowing for up to two duplexes on the property (one on each lot). Rezoning to RN-2 (Single-Family Residential Neighborhood) would bring the two lots of record on the parcel in conformance with the zoning code.
3. Although there have not been any recent major infrastructure improvements in the area, there are major improvements scheduled for the nearby N Broadway corridor that are currently in the design phase, including the Broadway Advanced Traffic Management System Project and Fountain City Sidewalk Project.
4. New bus routes and stops along N Broadway were created with KAT Reimagined in 2024, and there are plans to design an accelerated bus corridor along N Broadway to connect to downtown.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:
1. The intent of the RN-2 district is to accommodate traditional low density residential neighborhoods, exhibiting a predominant pattern of single-family homes on relatively small lots with smaller setbacks compared to RN-1. Duplexes may be permitted through special-use approval.
2. The subject property is in an area consistent with this development pattern that features a mix of properties zoned RN-1 and RN-2, and the south side of Bernhurst Drive across the street is zoned RN-2. While the north side of the street is zoned RN-1, the lot width and area of the lots of record are more appropriate for RN-2.
3. The significant slope at the front of the property, resulting from road construction, will encourage front setbacks to be consistent with the existing blockface.

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. No significant adverse impacts are anticipated with the RN-2 district since it allows the same uses as the property's current RN-1 zoning.
2. The two 7,200 square foot lots of record are non-conforming lots for any use within the zone, but it would be possible to build a house on each lot or a duplex on each with Special Use approval under the current RN-1 zoning. The smaller minimum lot areas and lot widths of RN-2 would bring the platted lots in compliance with the zoning code. Although it would be challenging to meet the zoning code and subdivision regulations, the parcel has enough area to be subdivided for up to three dwelling units under RN-2.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.
1. The proposed rezoning is consistent with the General Plan’s Development Policy 8.1, which encourages growth in the existing urban area through infill housing on vacant lots and redevelopment parcels.
2. The subject property is designated LDR (Low Density Residential) under the City’s One Year Plan and North City Sector Plan. The LDR land use type allows consideration of the RN-2 district.

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. Bernhurst Drive is a local street, and this section is straight with 19 ft of pavement, which would be minimally

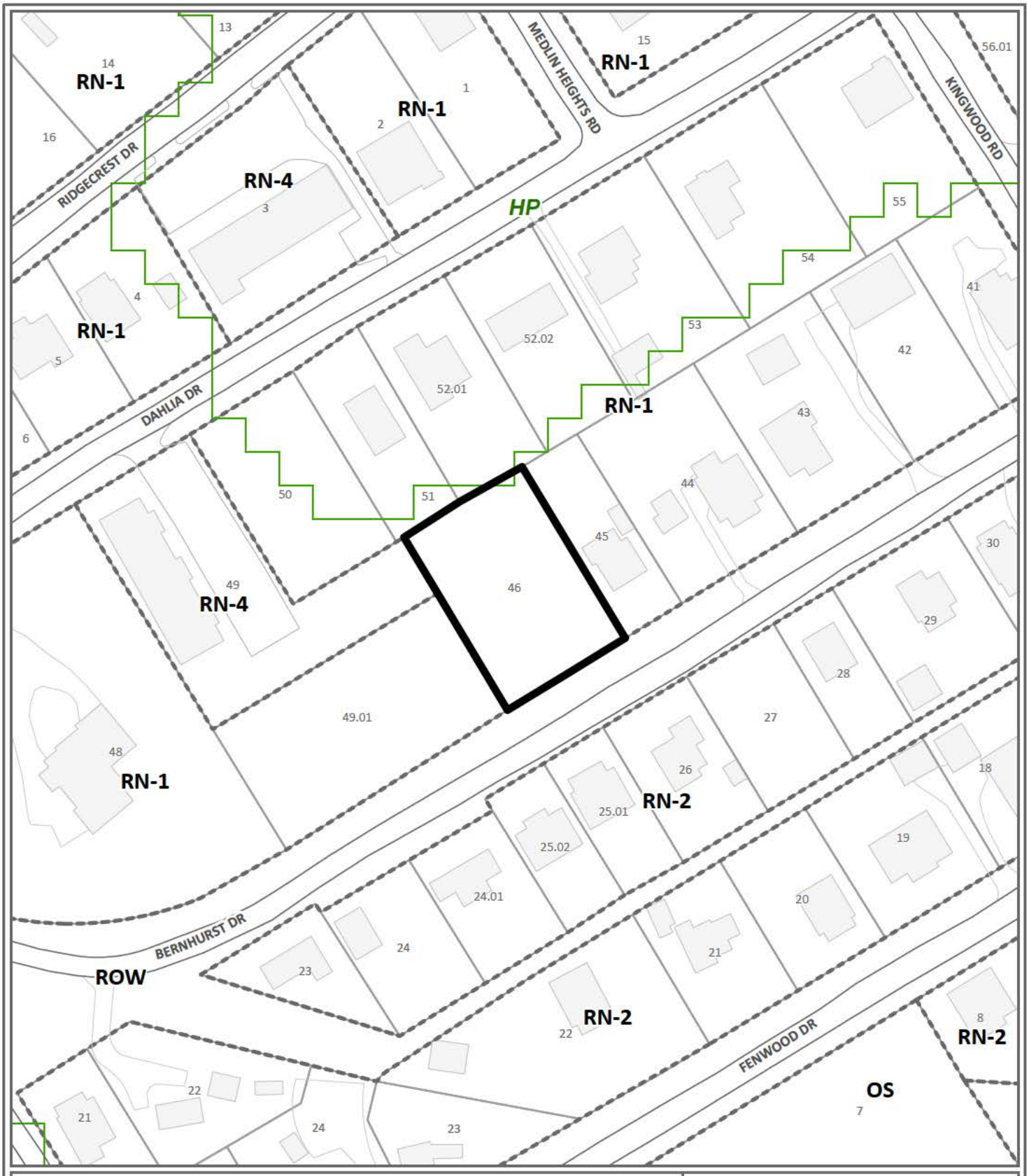
affected by a development of this size. The subject property is in an urbanized area with adequate utility infrastructure.
2. Fountain City Elementary, Gresham Middle, and Central High Schools and Fountain City Lake and Park are all within 1.5 miles of the subject property. Nearby N Broadway is an active commercial corridor served by transit that features amenities, including a grocery store, within a mile radius.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Fountain City Elementary, Gresham Middle, and Central 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.



REZONING **7-D-25-RZ**

Petitioner: Rajpaul Cheema

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

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

Map No: 58

Jurisdiction: City

0 110

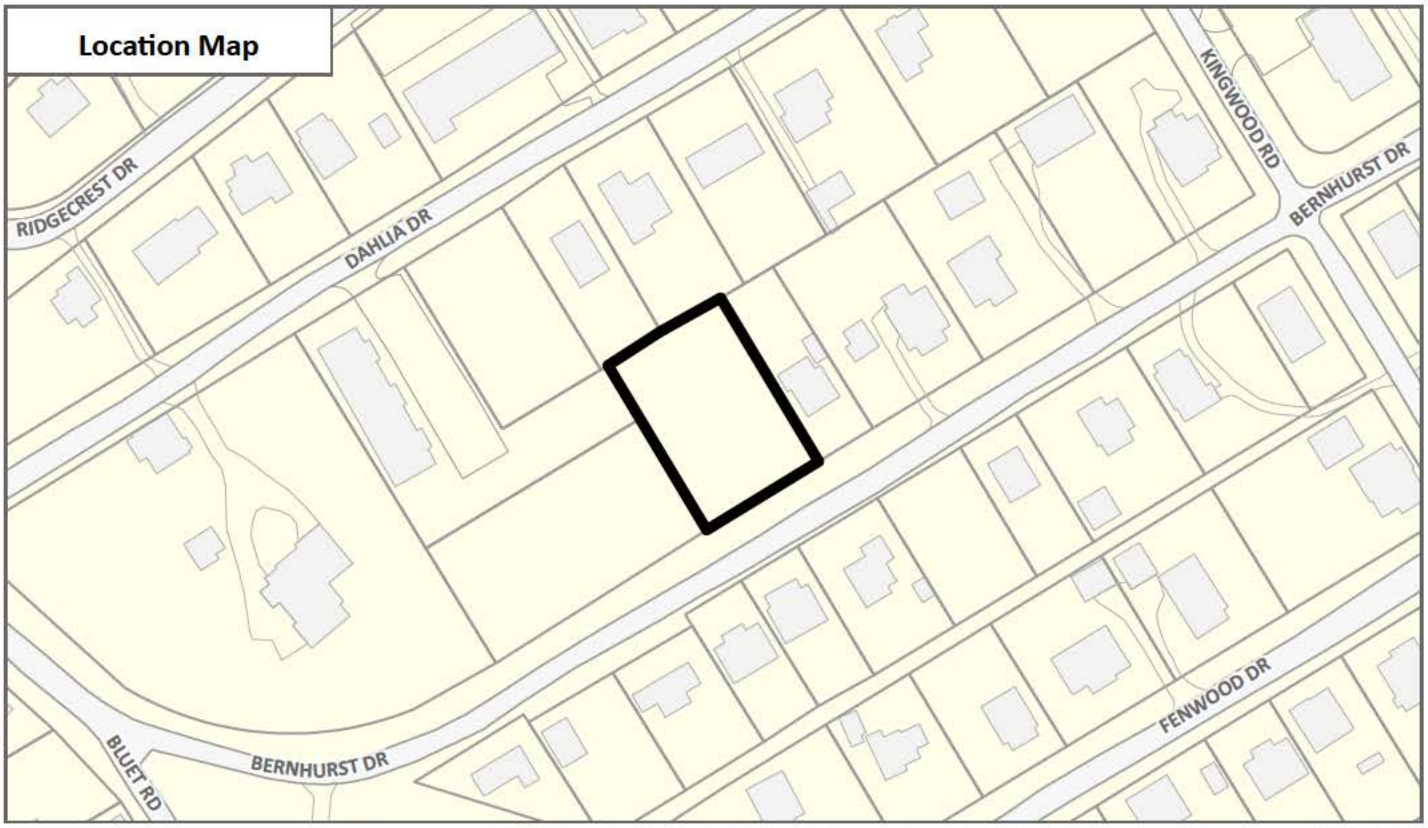
Feet

Original Print Date: 6/3/2025

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

Exhibit A. Contextual Images

Location Map



Aerial Map

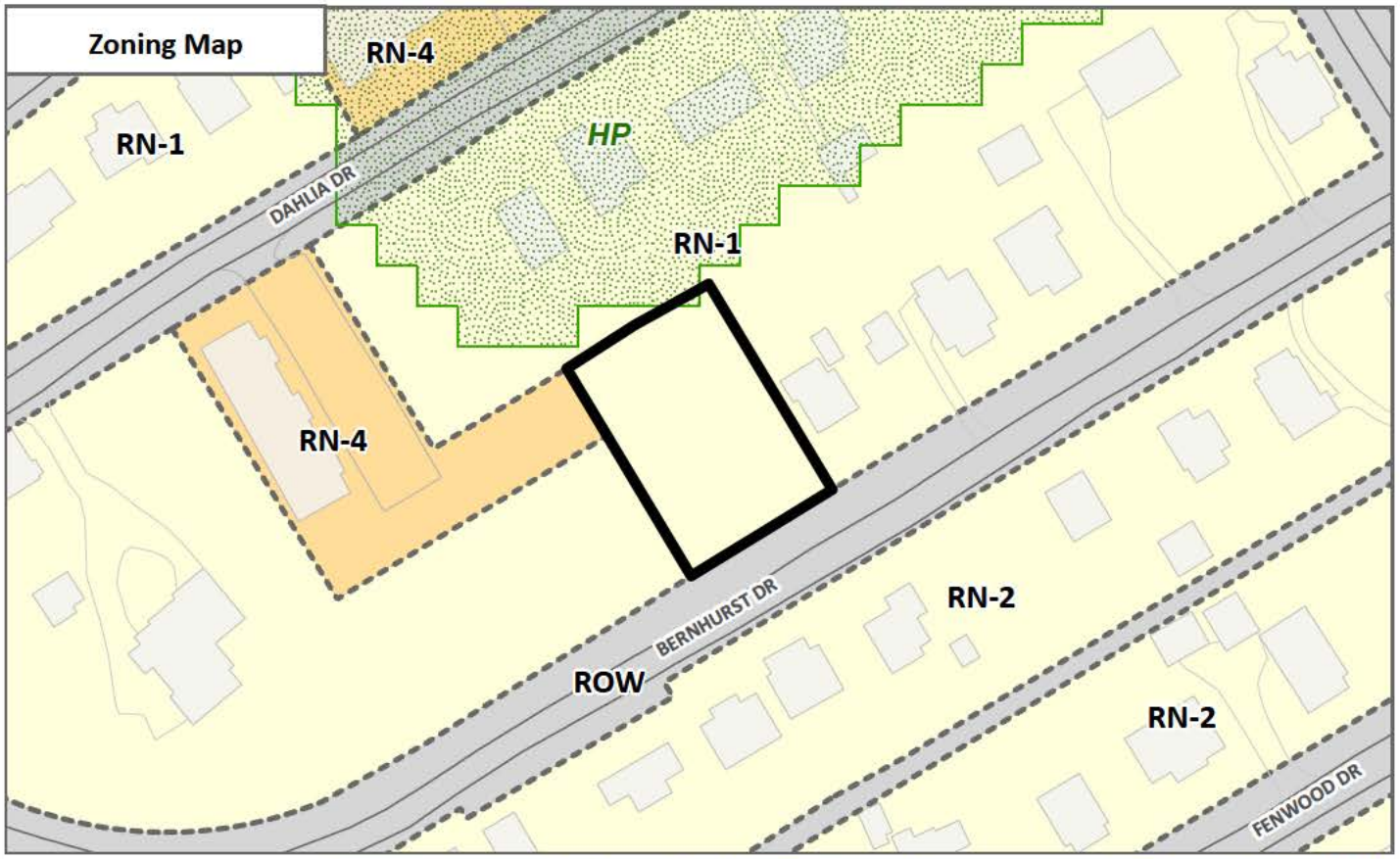
CONTEXTUAL MAPS 1 **7-D-25-RZ**

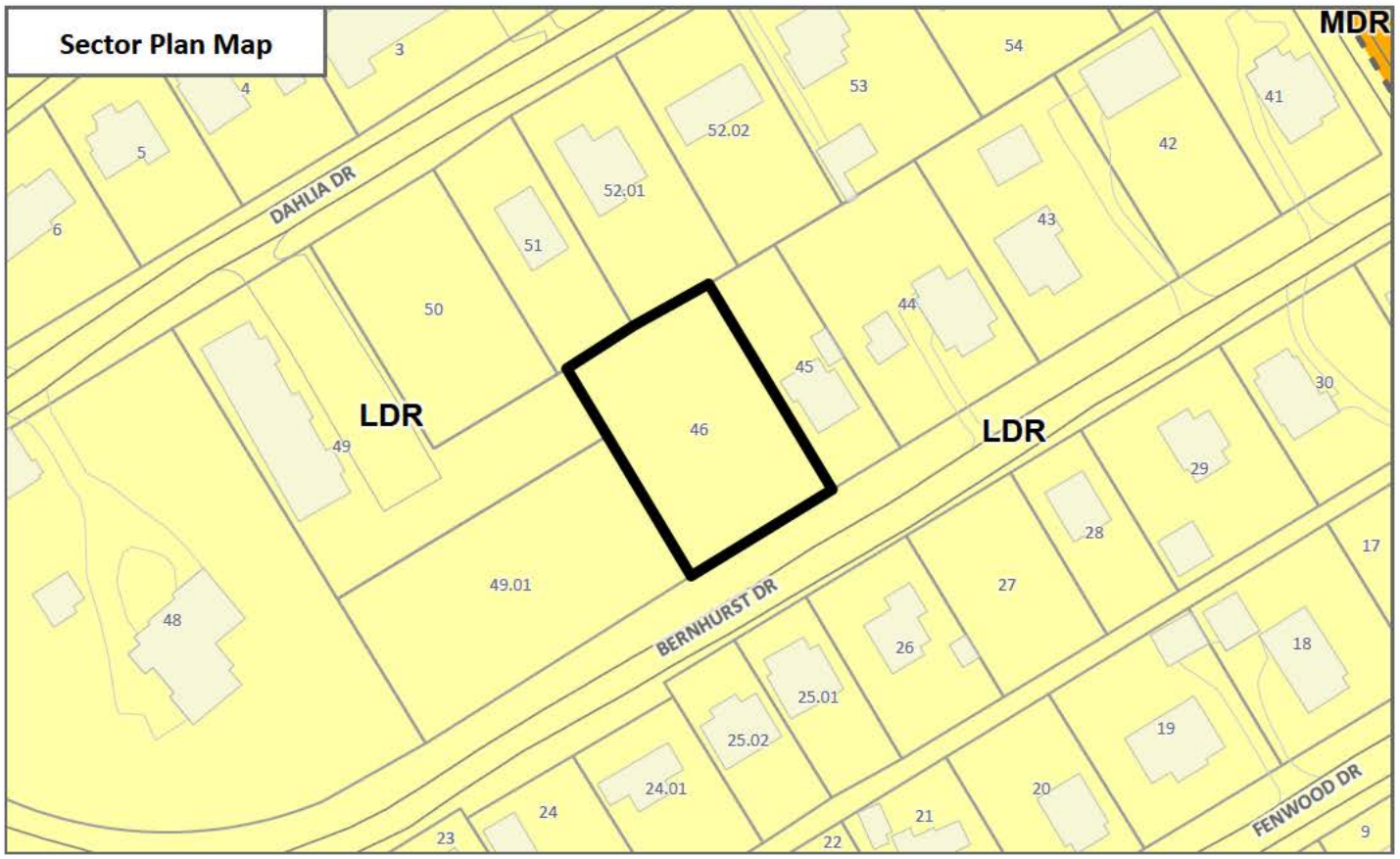
Case boundary

0 160

Feet

N





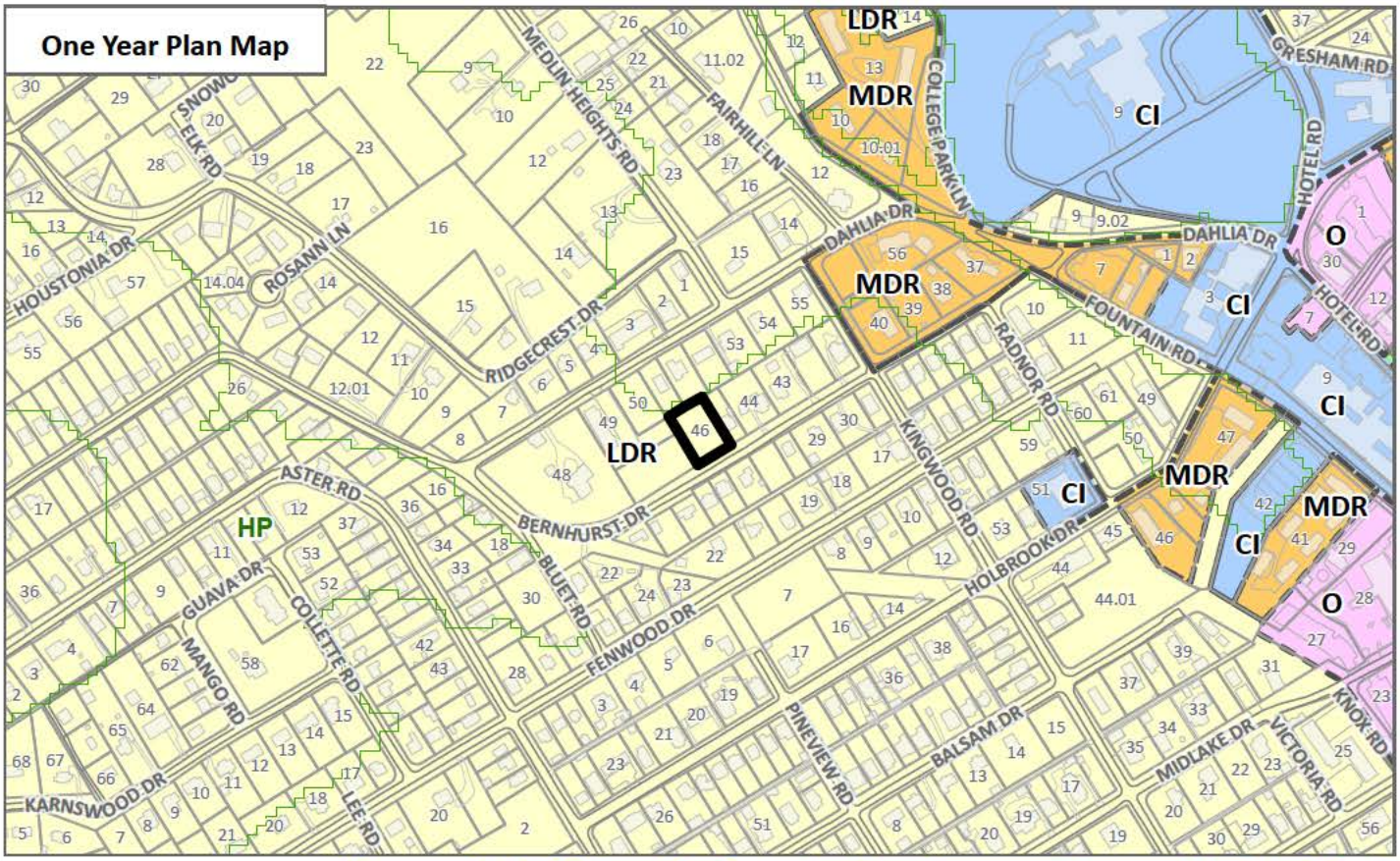
CONTEXTUAL MAPS 2 7-D-25-RZ

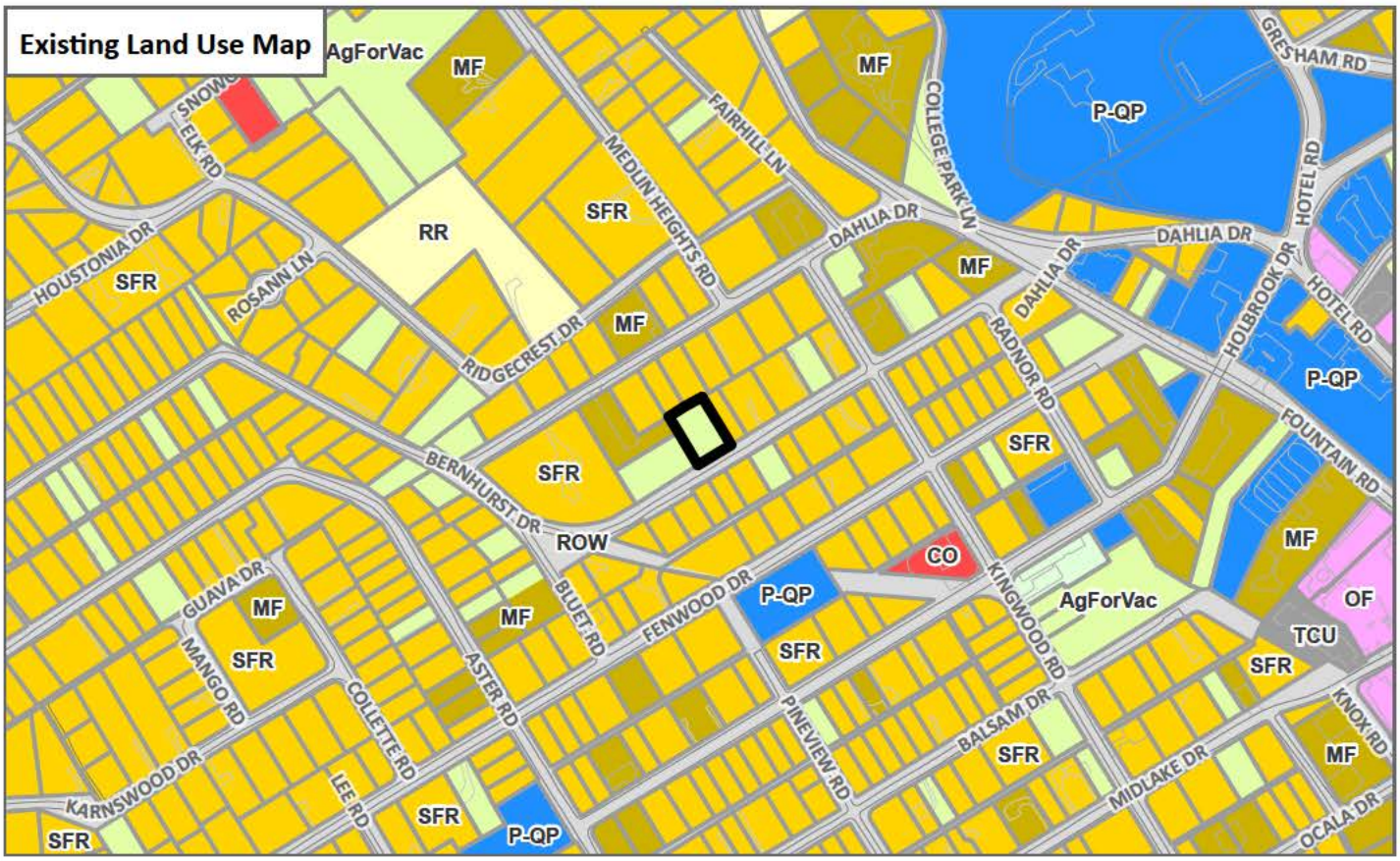
Case boundary

0 120

Feet

N





CONTEXTUAL MAPS 3

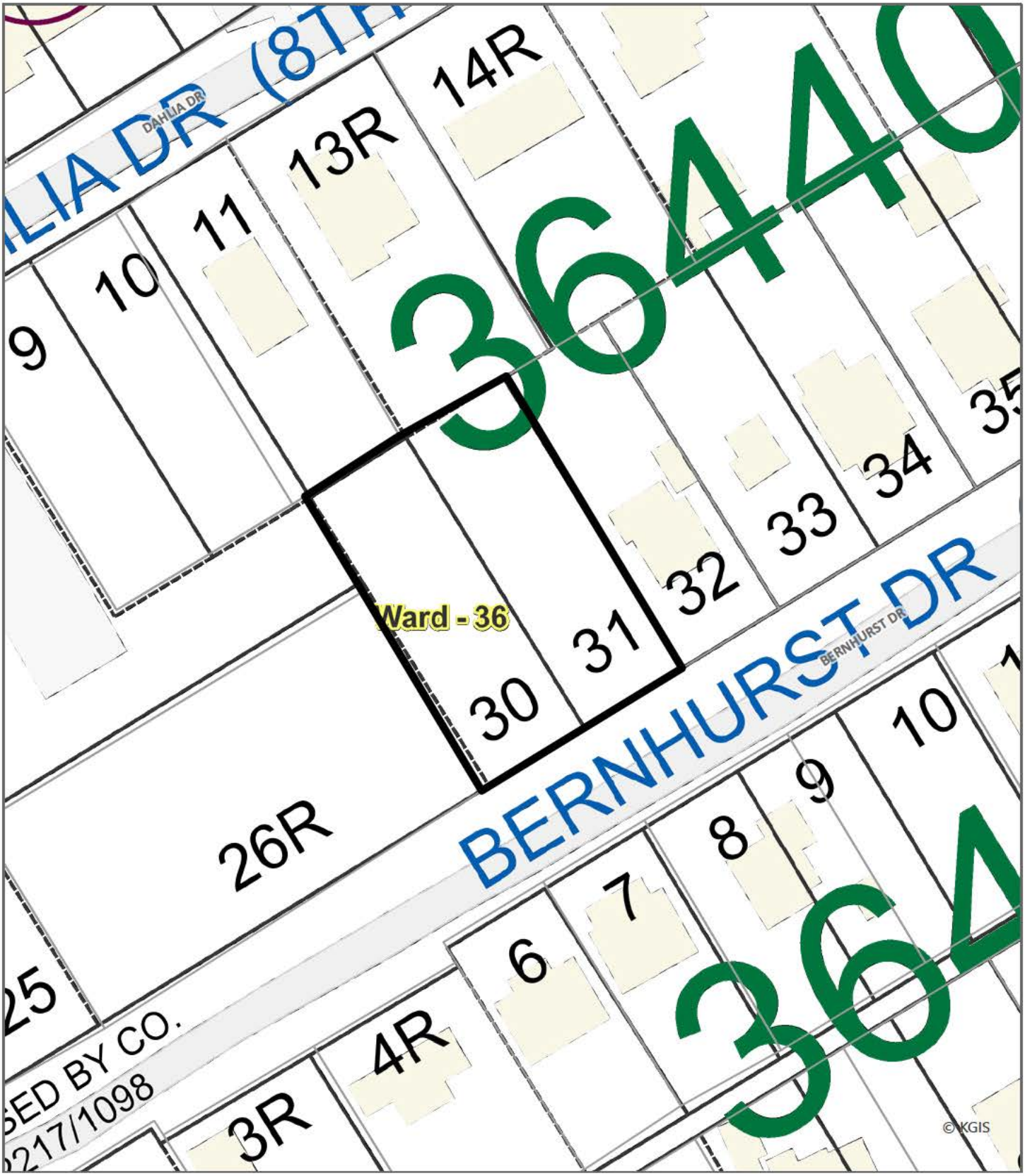
7-D-25-RZ

Case boundary

0 550

Feet

N



Ward Map **7-D-25-RZ**

Petitioner: Rajpaul Cheema

Case Boundary

Map No: 58
Jurisdiction: City

0 60
Feet

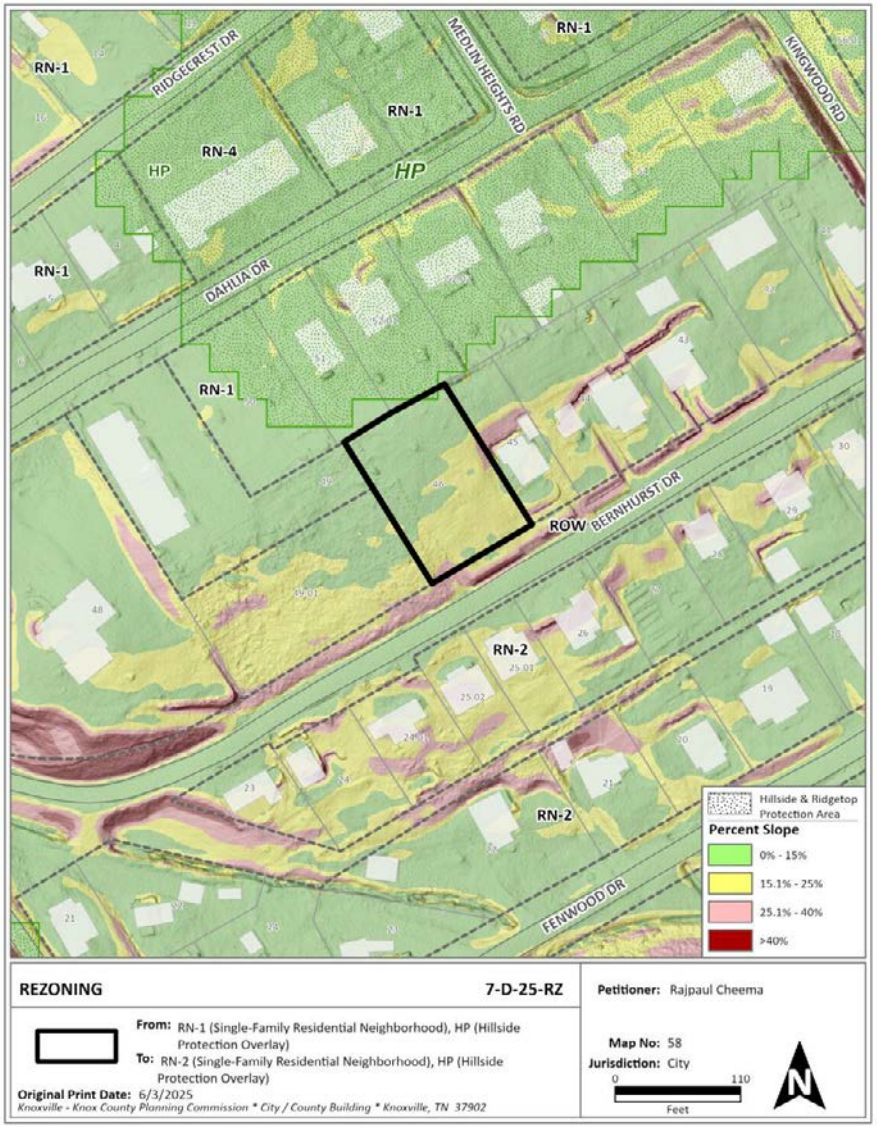
N

Original Print Date: 7/1/2025

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

Staff - Slope Analysis
Case: 7-D-25-RZ

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	**15,404.1**	**0.354**			
Non-Hillside	15,305.0	0.351	N/A		
0-15% Slope	99.1	0.002	100%	99.1	0.002
15-25% Slope	0.0	0.000	50%	0.0	0.000
25-40% Slope	0.0	0.000	20%	0.0	0.000
Greater than 40% Slope	0.0	0.000	10%	0.0	0.000
Ridgetops					
Hillside Protection (HP) Area	99.1	0.002	Recommended disturbance budget within HP Area	**99.1**	**0.002**
			Percent of HP Area	**100.0%**	



Planning
KNOXVILLE | KNOX COUNTY

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.

Rajpaul Cheema	Owner
Applicant Name	Affiliation
5/12/2025	07/10/2025
Date Filed	Meeting Date (if applicable)

File Number(s): 7-D-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

Rajpaul Cheema	5 Rivers LLC		
Name	Company		
527 Andrew Johnson Highway	Strawplains	TN	37871
Address	City	State	ZIP
865-466-7240	[redacted]		
Phone	Email		

Current Property Info

5 River LLC	527 Andrew Johnson Highway Strawplains, 865-466-7240	
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
0 Bernhurst Drive Knoxville, TN 37918	058FA046	
Property Address	Parcel ID	
KUB	KUB	
Sewer Provider	Water Provider	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

RELATED REZONING FILE NUMBER

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel Proposed Number of Lots (total)

☐ Other (specify)

Specify if requesting: ☐ Variance ☐ Alternative design standard

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

Zoning Request

RN-2

PENDING PLAT FILE NUMBER

■ Zoning Change

Proposed Zoning Proposed Density (units/acre, for PR zone only)

☐ Sector Plan ☐ One Year Plan ☐ Comprehensive Plan

☐ Plan Amendment Change

Proposed Plan Designation(s)

☐ If, in Knox county, submit plan amendment request with application

Previous Rezoning Requests

☐ 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*

Applicant Signature

Rajpaul Cheema

Print Name / Affiliation

5-12-2025

Date

865-466-7240

Phone Number

[redacted]

Email

Property Owner Signature

Rajpaul Cheema

Please Print

05/12/2025,SG

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

Rajpaul Cheema

Applicant Name

5-12-25

Date