CASE SUMMARY

APPLICATION TYPE: REZONING

Planning
KNOXVILLE | KNOX COUNTY

File Number: 7-D-25-RZ **Related File Number:**

Application Filed: 5/12/2025 **Date of Revision:**

Applicant: RAJPAUL CHEEMA

PROPERTY INFORMATION

General Location: North side of Bernhurst Dr, south of Dahlia Dr

Other Parcel Info.:

Tax ID Number: 58 F A 046 **Jurisdiction:** City

Size of Tract: 15404 square feet

Accessibility: Access is via Bernhurst Drive, an unstriped local street with 19 ft of pavement width within a 48-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use: **Density:**

Planning Sector: North City **Plan Designation:** LDR (Low Density Residential)

Growth Policy Plan: N/A (Within City Limits)

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.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 0 BERNHURST DR

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

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

Former Zoning:

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

Previous Requests:

Extension of Zone: No, it is not an extension.

History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: **No. of Lots Approved:** 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Malynda Wollert

Staff Recomm. (Abbr.): 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.

Staff Recomm. (Full):

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.

Action: Approved **Meeting Date:** 7/10/2025

Details of Action:

Summary of Action: 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.

Date of Approval: 7/10/2025 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/5/2025 **Date of Legislative Action, Second Reading:** 8/19/2025

Ordinance Number: **Other Ordinance Number References:** O-97-2025

Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**