
MEMORANDUM

Agenda Items: # **70**

To: Planning Commission
From: Mark Donaldson, Executive Director
Date: February 7, 2008
**RE: Rezoning of Curtis Lane area of Fountain City from R-1 to R-1EN
(Established Neighborhood) - 2-M-08-RZ**

Staff Recommendation

Staff recommends approval. The proposed rezoning meets the intent of the R-1EN zone district.

Background

The R-1EN zone district was created in 2007 to protect established neighborhoods. It creates dimensional regulations that reflect the existing development and subdivision pattern and enacts minimal design standards that respect the prevalent development character of the neighborhood. The district has been used, to the point, in areas that were developed and subdivided outside the City of Knoxville and subsequently annexed into the city with R-1 zoning. The requirements of the R-1 zone district do not correspond to the actual development pattern of these areas. To date, R-1EN has been applied to the following areas:

- Holston Hills/Chilhowee Hills/Holston Heights area in east Knoxville
 - 1,285 acres with 1,250 lots or parcels
- Highland Drive/Maple Drive area in Fountain City
 - 124 acres with 173 lots or parcels
- Woodcrest Drive/Seminole Road area in Fountain City
 - 114 acres with 192 lots or parcels
- Castle Heights/Sherwood Forest/Ridgecrest/BelCaro area in Fountain City (City Council approval still pending)
 - 154 acres with 245 lots or parcels

MPC staff has been working with the Curtis Lane area over the last several months to apply the R-1EN zone district to this established neighborhood in the Fountain City area. It is located to the north and east of two recently approved R-1EN zone districts: the Woodcrest Drive/Seminole Road area and the Highland Drive/Maple Drive area. If approved, it will extend the R-1EN zone in a northwestern arc around the heart of Fountain City.

The proposed district includes approximately 53 acres and has 54 lots or parcels, a gross density of about 1.0 lot or parcel per acre. The boundary has been drawn to capture the platted lots of a portion of the existing Highland Park subdivision, the Ridgewood Heights subdivision, as well as some other smaller subdivisions. Most of these lots meet the standards of the proposed R-1EN district. Currently platted lots and legal parcels of record will have legal nonconforming status. Petitions in support of the rezoning signed by owners of 34 lots or parcels within the proposed district have been received.

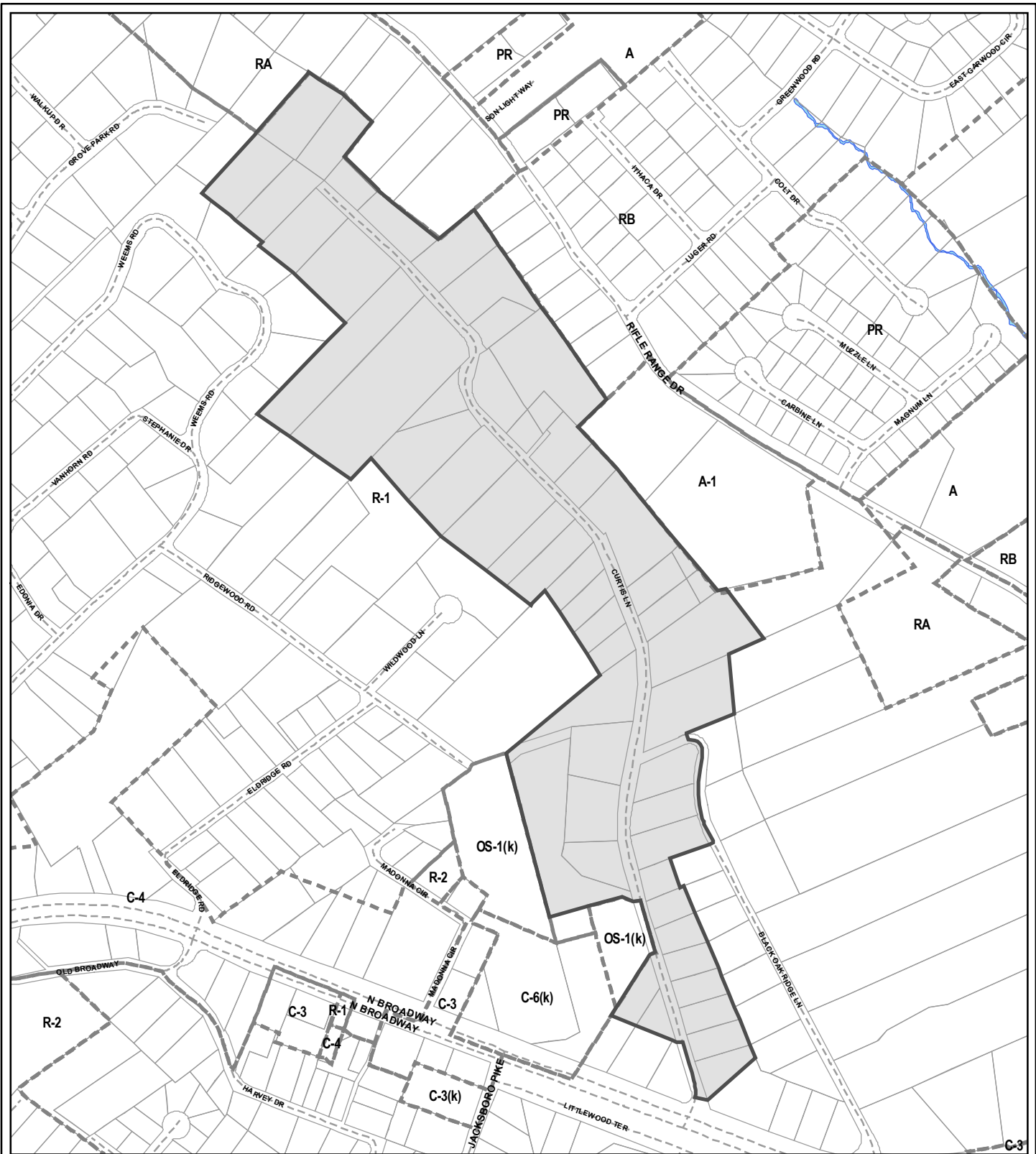
The proposed *R-1EN (Established Neighborhood) Residential Zone District* creates a zone district for established neighborhoods that were developed with significantly larger lots than their current R-1 zoning. Its intent is twofold:

- to preserve the existing pattern of development by establishing dimensional requirements that more closely match the existing development, and
- to protect the existing character of development by establishing minimum design requirements for new housing within the neighborhood.

The new zone district will prevent the subdivision of existing platted lots into smaller lots using the current R-1 standards, with a minimum lot size of 7,500 square feet, minimum lot width of 75 feet and a minimum front yard setback of 25 feet. There are many lots in the proposed district that could be subdivided into two or three lots. Exceptionally large parcels could qualify as infill parcels and allowed to develop under the requirements of the R-1EN district if they are at least 2 acres and have at least 250 feet of street frontage.

The new zone district establishes minimum design requirements for any primary structure built or moved into the district. These requirements will assure compatibility with the existing homes in the district.

This effort stems from interest in the nearby rezonings this past year. Meetings were held with a group of neighborhood homeowners on January 17 and area wide on February 11.



KNOXVILLE-KNOX COUNTY

2-M-08-RZ

MPC
METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

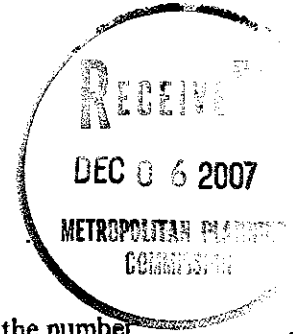
Proposed Area for the R-1EN Zoning District
along Curtis Lane

CLT: 48
FROM: R-1 (Low Density Residential)
TO: R-1EN (Established Neighborhood)

1 inch equals 500 feet
0 500
Feet



December 3, 2007



Mr. Frost:

Here is the Curtis Lane R1-EN Petition. The numbers beside the names represent the number of tracts owned by that person(s) We appreciate all your support.

I have not yet heard the time of the meeting of Mr Donaldson, Mr Dattilo and Dr Borg. When I hear I'll let you know.

Thank you, so much,

Bonnie Peters
 Bonnie Peters

12/5/07
To Mark Donaldson
From Rob Frost
3 pages
2-11-08-RZ

R 1-EN PETITION

We the undersigned do hereby affix our signatures in favor of the proposed R 1-EN rezoning of Curtis Lane.

1. Name WALTER M. TAYLOR Address 3304 CURTIS LN. Owner? Y ²
Phone 688-2583 Date 11/29
2. Name Eleanor H. Clarke Address 3203 Curtis Ln Owner? (Y)N
Phone 687-7977 Date 11-29-07
3. Name Lora Staffell Address 3130 Curtis Owner? (Y)N 2
Phone 688-2738 Date 11-29-07
4. Name TIM M. BORG Address 3131 CURTIS Owner? (Y)N
Phone 687-4446 Date 11-29-07
5. Name Bernie Peters Address 3212 Curtis Lane Owner? (Y)N 3
Phone 1084-3842 Date 11/29/07
6. Name Charles M. Edwards Address 2914 CURTIS Lane Owner? (Y)N 2
Phone 689-5842 Date 11/29/07
7. Name James C. Howard Address 3910 Curtis Lane Owner? (Y)N 2
Phone 688-8538 Date 11/29/07
8. Name William Dean Address 3215 Curtis LN Owner? (Y)N
Phone 865-382-8339 Date 25/11/07
9. Name W. Bernie Berg Address 3409 Curtis Ln Owner? (Y)N
Phone 686-7394 Date NOV. 29 2007
10. Name Bruce M. Sharp Address 3301 Curtis Lane Owner? (Y)N 3
Phone 687-3804 Date NOV 29-07
11. Name Timothy + Janyana Jullent Address 3317 Curtis Lane Owner? (Y)N
Phone 688-2812 Date 11-29-07
12. Name Marjorie + Jude Robinson Address 3310 Curtis Lane Owner? (Y)N 2
Phone 687-3845 Date 11-29-07
13. Name Louis + Delinda Eads Address 3422 Curtis Ln. Owner? (Y)N
Phone 688-8584 Date 11-29-07
14. Name Dale Patterson Address 3504 CURTIS LN Owner? (Y)N
Phone 522-8607 Date 11-29-07
15. Name Stephanie Pera Address 3609 Curtis Lane Owner? (Y)N
Phone 688-8931 Date 11-29-07
16. Name John + Brenda Moulton Address 3601 Curtis Lane Owner? (Y)N
Phone 688-5158 Date 11-29-07
17. Name Alan Dattilo Address 3416 Curtis Lane Owner? (Y)N
Phone 865-281-8745 Date 11-29-07

- Cindy Popinski*
18. Name Mike Richards Address 3260 Curtis Ln Owner? Y N
Phone 958-2189 Date 11-30-07
 19. Name Suy A. Kirtuan Address 3520 CURTIS LN Owner? Y N
Phone 688-2360 Date 11-30-07
 20. Name SAM TRUAN Address 3309 CURTIS Owner? Y N
Phone 688 2714 Date 12-1-07
 21. Name Andre F Andre Hinz Address 3133 CURTIS Owner? Y N
Phone 689-7481 Date 12-1-2007
 22. Name Donald E. Raby Address 2906 Curtis LN Owner? Y N 2
Phone 688-2679 Date 12-3-2007
 23. Name Ann Howard Address 3226 Curtis Ln Owner? Y N
Phone 257-2081 Date 12-3-07
 24. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 25. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 26. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 27. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 28. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 29. Name _____ Address _____ Owner? Y N
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 30. Name _____ Address _____ Owner? Y N
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 31. Name _____ Address _____ Owner? Y N
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 32. Name _____ Address _____ Owner? Y N
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 33. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 34. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 35. Name _____ Address _____ Owner? Y N
Phone _____ Date _____
 36. Name _____ Address _____ Owner? Y N
Phone _____ Date _____

SHEPPEARD, SWANSON & MYNATT, PLC

ATTORNEYS AT LAW

618 W HILL AVENUE

KNOXVILLE, TENNESSEE 37902

SARAH Y SHEPPEARD†

CHARLES W SWANSON*

WILLIAM A. MYNATT JR.

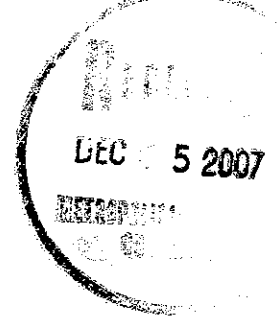
MAILING ADDRESS
POST OFFICE BOX 2149
KNOXVILLE TENNESSEE 37901-2149

TELEPHONE (865) 546-3653
FACSIMILE (865) 637-7300

†CERTIFIED CIVIL TRIAL SPECIALIST
*SUPREME COURT RULE 31 MEDIATOR

December 4, 2007

Mr. Mark Donaldson
Executive Director
Metropolitan Planning Commission
400 Main Street, 4th Floor
City/County Building
Knoxville, TN 37901



Re: Front Yard Parking in Residential Areas

Dear Mr. Donaldson:

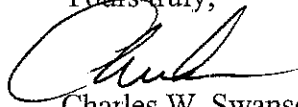
I am writing at the request of some of the members of City Council to express a concern with regard to the provisions of the zoning ordinance which regulate parking in front yards. The current provisions of our code do regulate the amount of paving which is permitted in front yards but that does not necessarily limit the number of vehicles which may be parked in the front yard. In a number of our neighborhoods, and particularly in those neighborhoods which historically have deteriorated to some extent but now have become emerging jewels through a process of rehabilitation, the "cluttered" look which is created by parking numerous vehicles in the front yard area seriously detracts from the aesthetics of the neighborhood and has an adverse impact upon the rehabilitation process.

The negative consequences of excessive front yard parking present a serious challenge to the efforts of many who seek to revive and revitalize neighborhoods which are so important to the City of Knoxville. An excellent example is in the Lonsdale neighborhood where so much effort and investment has resulted in a wonderful, newly energized neighborhood in so many ways. The front yard parking issue, however, presents a critical challenge to continued progress. Consequently, the purpose of this letter is to respectfully request that you and the members of the professional staff at the Metropolitan Planning Commission undertake a review and analysis of this problem situation so as to come up with reasonable modifications to the zoning ordinance which will provide a solution to this situation. The answer may be something as simple as restricting front yard parking to paved areas but we would rely upon your considerable experience and expertise to advise with respect to the most appropriate solution to this problem.

On behalf of the members of City Council, I would like to express to you our appreciation for any assistance you might provide with respect to this matter. Of course, if you have any questions or desire further information concerning any of the foregoing, please do not hesitate to contact me or the members of Council noted below.

Thank you so much for your anticipated courtesy and cooperation in this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Charles W. Swanson". The signature is fluid and cursive, with a large initial "C" and "S".

Charles W. Swanson

CWS/akm

cc: Councilmember Rob Frost
Councilmember Bob Becker