AGENDA ITEM \#:
AGENDA DATE: 11/14/2013

- APPLICANT:

OWNER(S):

TAX ID NUMBER:
JURISDICTION: City Council District 5
STREET ADDRESS:

- LOCATION:
- APPX. SIZE OF TRACT:

SECTOR PLAN:
GROWTH POLICY PLAN:
ACCESSIBILITY:

UTILITIES:

WATERSHED:

## - PRESENT ZONING:

- ZONING REQUESTED:
- EXISTING LAND USE:
- PROPOSED USE:

EXTENSION OF ZONE:
HISTORY OF ZONING:
SURROUNDING LAND USE AND ZONING:

Various owners

$$
999999
$$ 200 acres

North City

First and Second Creeks

## R-2 (General Residential)

## Residential

## Residential

 this year ( $8-\mathrm{C}-13-\mathrm{RZ}$ ).
## METROPOLITAN PLANNING COMMISSION

North and south of E. Inskip Dr., southeast of Cedar Ln., northeast of Central Avenue Pike, northwest of Bruhin Rd.,

Urban Growth Area (Inside City Limits)
Primary access streets to the neighborhood are E. Inskip Dr., a major collector street, Cedar Ln., a minor arterial street, Coster Rd., a minor collector street, Bruhin Rd, a minor arterial street, Central Avenue Pike, a minor arterial street and Rowan Rd., a minor collector street.
Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

R-1 (Low Density Residential) or R-1A (Low Density Residential)

Yes, extension of R-1 or R-1A from adjacent neighborhoods
A smaller area of Inskip to the north was approved for R-1 and R-1A earlier
North: Residential / R-1 (Low Density Residential)
South: Central Avenue Pike and I-640, commercial uses / C-4, C-6 and C1 zoning
East: Bruhin Rd. - Residential / R-1 (Low Density Residential)
West: Central Avenue Pike, commercial uses / C-1, C-3, C-4 and C-6

## NEIGHBORHOOD CONTEXT:

The subject area is located within the larger Inskip area, that is primarily developed with various types of residential uses under R-2 zoning.

## STAFF RECOMMENDATION:

- RECOMMEND that City Council APPROVE R-1 (Low Density Residential) and R-1A (Low Density Residential), as shown on attached 'MPC staff recommendation map'.
The R-1 and R-1A zones, as recommended, are consistent with the recommendations of the Inskip Small Area Study, with the exception that the proposed area for R-1 zoning has been expanded. The majority of the subject parcels are developed with detached dwellings on individual lots. The recommended downzoning will prevent the further proliferation of multi-dwelling attached structures within the established neighborhood, as
has been permitted under the current R-2 zoning. The R-1A zoning is recommended for the subject properties that have frontage on collector or arterial streets, which would be more suitable for development of duplexes, as well as consideration of multi-dwelling developments, which would require use on review approval by MPC.


## COMMENTS:

In May 2013, the Knoxville City Council passed a resolution (R-161-2013), requesting the MPC to review all residential land located within the Inskip neighborhood with regard to a potential rezoning to a low density residential district. The purpose of the request is to determine an appropriate means to preserve the integrity, history and stability of the neighborhood. MPC staff held a public meeting in the Inskip Area on November 4, 2013 to explain this proposal to property owners within the area. The meeting was held at 6:00pm at Inskip Baptist Church on Rowan Rd. All property owners within the subject area were mailed a letter (attached) describing the proposal in addition to the usual postcard with information about the rezoning proposal. In addition, nine signs were posted at prominent entrances to the subject areas proposed for rezoning. The letter provided notification of the November 4th meeting and the postcard provided notice of the MPC public hearing on November 14th.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

## 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 rezoning area is all proposed for low density residential uses, consistent with R-1 or R-1A zoning, not with the current R-2 zoning.
2. Most of the area is recommended for R-1 zoning and some is recommended for R-1A. This staff recommendation is generally consistent with the proposal contained in the Inskip Small Area Plan, which was adopted in March 2011. Some excerpts from the Plan are attached describing the recommended general rezoning to R-1 or R-1A. Staff is recommending additional R-1 zoning beyond what the plan calls for, based on the input received at the public meeting with neighborhood residents. R-1A is recommended only for properties that front on a collector or arterial street, which includes Inskip Dr., Coster Rd., Rowan Rd., Central Avenue Pike and Bruhin Rd.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
4. In the Inskip Small Area Plan, it was documented that a majority of the area is considered as single-family residential land use (or detached houses on individual lots); however, the zoning predominantly allows for multifamily residential uses. Such a discrepancy between land use and zoning can have a destabilizing effect on a neighborhood, so the plan recommends rezoning large clusters of single-family houses from the R-2 (General Residential) district to either the R-1 or R-1A (Low Density Residential) district.

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

1. The requested R-1 zone is a restrictive residential district intended for low density residential land uses. It allows detached dwellings on individual lots as a permitted use and duplexes as a use permitted on review. 2. R-1A zoning provides for low to medium population density. The principal uses of land may range from houses to low density multi-dwelling structures or developments. R-1A zoning allows $\mathrm{R}-1$ uses plus duplexes, if minimum lot size requirements can be met, as permitted uses. Multi-dwelling attached development may be considered as a use on review, if the site has frontage on a collector or arterial street.
2. Based on the above descriptions, R-1 and R-1A are appropriate zones for this area.
3. The current R-2 zoning allows multi-dwelling attached residential development as a permitted use, with no public review.

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. R-1 and R-1A are compatible with surrounding development and should have a minimal impact on adjacent properties. Potential negative impact on established single-dwelling uses will be greatly reduced from what is currently permitted under R-2.
2. The recommended downzoning of the subject area should have a stabilizing effect on the overall neighborhood. It would eliminate the possibility of further development of attached, multi-dwelling uses among the detached dwellings. This pattern is allowable under R-2 zoning, and has led to small apartment developments at inappropriate locations in the interior of the neighborhood that are surrounded by detached dwellings. There are some duplexes and multi-dwelling structures within the subject area. If the area is rezoned, they would become legal, nonconforming uses and could continue to exist as is, but could not be expanded. Also, if a duplex is destroyed, it could be rebuilt, but multi-dwelling units could not. New development would need to conform to either R-1 or R-1A zoning.
3. Public water and sewer utilities are available in the area.

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 North City Sector Plan, as amended by the Inskip Small Area Plan, proposes low density residential uses for this area, consistent with the proposed R-1 or R-1A zoning.
2. The City of Knoxville One Year Plan, as amended by the Inskip Small Area Plan, proposes low density residential uses for this area, consistent with the proposed $\mathrm{R}-1$ or $\mathrm{R}-1 \mathrm{~A}$ zoning.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on $12 / 10 / 2013$ and $12 / 19 / 2013$. If denied, MPC'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 an MPC decision in the City.



a set of overlay zone guidelines. There will need to be additional public meetings to gather input, and all property owners will need to be notified before there is a change of zoning on their property.

## Neighborhood Conservation

Rezoning an area that includes a large number of property owners requires a lot of time to make sure everyone that is affected has an opportunity to understand the proposal and have input. The recommendation of the plan is to rezone the majority of the single family detached houses from the General Residential (R-2) zoning district to a low density residential zone such as $\mathrm{R}-1 \mathrm{~A}$ or $\mathrm{R}-1$. The initiation of this rezoning can be by the City Council, Metropolitan Planning Commission or by a group of property owners. The initial considerations for rezoning should be those areas proposed for the R-1 zoning district on Map 7.

## Community Facilities

The plan recommends the addition of park land adjacent to the existing Inskip-Norwood Recreation Facility and Inskip Ballfields. The City of Knoxville Park and Recreations Department, or other parks organization like the Legacy Parks Foundation, should consider the acquisition of this property. Outside funding sources, such as the Land and Water Conservation Fund, should be sought.

The adoption of this plan will amend the Knoxville-Knox County Park, Recreation and Greenways Plan to reflect the recommendations of this plan.

Map 7 Neighborhood Conservation Concepts


KNOXVILLE•KNOX COUNTY
M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
www•knoxmpc•org

October 29, 2013
Dear Inskip resident,
Notice: The name(s) and address on the envelope is the owner on record of property within an area being considered for a rezoning to a low density residential district. The details of the potential rezoning and the outcome of studies conducted by the Metropolitan Planning Commission (MPC) will be discussed on the following date:

## November 4, 2013, 6:00 PM <br> Inskip Baptist Church, 4810 Rowan Road

Background: In May 2013, the Knoxville City Council passed a resolution (R-161-2013), requesting the MPC to review all residential land located within the Inskip neighborhood with regard to a potential rezoning to a low density residential district. The purpose of the request is to determine an appropriate means to preserve the integrity, history and stability of the neighborhood. Maps of the study area are shown following this page.

In 2009, City Council made a similar request for MPC to examine the Inskip area for zoning and land use designation irregularities and to create a small area plan, which was adopted by City Council in March 2011. In the Inskip Small Area Plan, it was documented that a majority of the area is considered as singlefamily residential land use (or detached, "single-family" houses on individual lots), however, the zoning predominantly allows for multi-family residential uses. Such a discrepancy between land use and zoning can have destabilizing effect on a neighborhood, so the plan recommends rezoning large clusters of singlefamily houses from the R-2 (General Residential) district to either the R-1 or R-1A (Low Density Residential) district.

Proposed area: MPC staff proposed a phased approach to the potential rezoning to allow for a more thorough review of properties being involved and to have a manageable number of property owners to contact in this regard. "Phase I" was considered by MPC in August and approved by the Knoxville City Council on September 17, 2013. The "Phase II" area is shown on the attached maps where both the R-1 and $\mathrm{R}-1 \mathrm{~A}$ zoning districts are being considered.

Public Participation: Two upcoming meetings provide the opportunity to understand the proposal in greater detail. First, MPC staff will be in the community on November 4 (see above) to describe the objectives and hear your thoughts. Second, there will be a public hearing before the Metropolitan Planning Commission on Thursday, November 14, 2013 at 1:30 in the Large Assembly Room of the City-County Building (see attached postcard).

If you have questions regarding the proposal, please call Mike Reynolds or me at 215-2500.
Sincerely,
Michael Brusseau, AICP Senior Planner

## Support for Inskip Rezoning

We live at 1107 Henrietta Drive in the Inskip Community. We are in support of R1 zoning for the Inskip Community due to the fact that Inskip is the second most populated community in Knoxville, TN. Inskip has lost much of it's character due to the lack of planning. We do not have the infrastructure to support the increase traffic. We lack sidewalks and green space. Our neighborhood is fragmented and disconnected. An R1 zoning would still allow those who own sizable enough property for condominiums to have the possibility for development through use on review.

We are members of the Inskip Community Association. Our group has many hopes and dreams to make Inskip a better community. We are want to work to bring our neighbors together in improving Inskip..
Please consider giving the majority of Inskip an R1 designation. Anita and Bob Case

From: "Betty Jo Mahan" [bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)
To: "Anita \& Bob Case" [anitabobcase11@comcast.net](mailto:anitabobcase11@comcast.net), "Jennifer Mirtes" [jlmirtes@comcast.net](mailto:jlmirtes@comcast.net) Sent: Thursday, November 7, 2013 11:41:09 AM
Subject: Support for Inskip Rezoning

## RE: Rezoning of properties File \#11-F13-RZ

Debbie Phillips [debphillips518@gmail.com](mailto:debphillips518@gmail.com)
Wed, Nov 6, 2013 at 12:31 PM
To: Betty Jo Mahan [bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org), Mike Brusseau [mike.brusseau@knoxmpc.org](mailto:mike.brusseau@knoxmpc.org), mike.reynolds@knoxmpc.org

Thank you Betty Jo for forwarding this to Mike Brusseau. Thank you Mike Brusseau for the phone call.

Mr. Brusseau and Mr. Reynolds:

I work during the day and it is almost impossible for me to take time off to attend the MPC meeting.
I am requesting that my property located at 4109 Coster Rd., Knoxville, TN be"EXEMPT" from the down-zoning for the following reasons:

1. It reduces my property value.
2. It is harder to rezone up, therefore if it is left as it currently is, I would never have to attempt to rezone, if necessary, in the future.
3. The zoning on the property was this zoning when I took possession of it and I do not desire to change the zoning.

Please consider my request to exempt my property from the down-zoning and advise me if I still need to attend the MPC meeting next week.

Thank you,
Debra L. Phillips

865 679-7313

From: Betty Jo Mahan [mailto:bettyjo.mahan@knoxmpc.org]
Sent: Wednesday, November 06, 2013 10:12 AM
To: Debbie Phillips; Mike Brusseau
Subject: Fwd: Rezoning of properties

Debbie, I am sending this message to Mike Brusseau who is the MPC planner in charge of the general rezoning. Since this property is on Coster which is a "collector" I believe your property would be zoned to R-1A which allows a duplex by right and more which I am not sure of enough to tell you. That is why I am including Mike in this email conversation.

I hope you are feeling better after getting rid of that painful tooth. Nothing worse than a toothache!!!

I was planning on attending the Monday night meeting with MPC regarding the down-zoning, but I had to attend an emergency trip to the oral surgeon for the removal of a tooth and was out of it for almost 20 hours.

I do not want my property at 4901 Coster Rd. down-zoned. I am not looking at doing anything with the property anytime in the near future, but I do not want it down zoned, because once down zoned it is hard to get it up-zoned.

I know that you use to be able to tell MPC you wanted your property to be exempt from the down-zoning. Is that still the way it is? What address do I need to send my request to be exempt?

Thank you.
Debbie Phillips
865-679-7313
--
Betty Jo Mahan
Administrative Assistant
Metropolitan Planning Commission
(865) 215-2506

## Re: Inskip calls

Michael Brusseau [mike.brusseau@knoxmpc.org](mailto:mike.brusseau@knoxmpc.org)
Thu, Nov 7, 2013 at 11:37 AM
To: Mike Reynolds [mike.reynolds@knoxmpc.org](mailto:mike.reynolds@knoxmpc.org), Betty Jo Mahan [bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)
Cc: Mike Carberry [mike.carberry@knoxmpc.org](mailto:mike.carberry@knoxmpc.org), Mark Donaldson [mark.donaldson@knoxmpc.org](mailto:mark.donaldson@knoxmpc.org)
She probably should formally submit her request in writing to get into the MPC agenda package. Or I suppose we could just include Mike R's email based on their phone conversation. What do you all think? Mike, do you think she will attend the MPC meeting next week? I assume yes.

On Thu, Nov 7, 2013 at 10:34 AM, Mike Reynolds [mike.reynolds@knoxmpc.org](mailto:mike.reynolds@knoxmpc.org) wrote:
I spoke with Nancy Webb this morning who has been to the public meetings with her husband and they live at 606 Glenoaks Drive (069IE003). She has requested that their property remain R-2. The staff recommendation is R-1 because her property does not front on a classified road.

If you recall, this area is just west of the proposed R-1 area from the Inskip plan that is wedge shaped and has properties that front on Bruhin and Glenoaks. Part of their argument for asking to keep the R-2 is that there are two houses across Glenoaks Drive (633 and 629) from them that house mentally handicapped individuals with multiple staff at each house in rotating shifts. They feel these properties have diminished their property value for a single family home(s) and that a condo development would be more appropriate for the property.

Mike

Michael Reynolds
Planner II

400 Main Street, Suite 403
City County Building
Knoxville, TN 37902
p 865-215-3827
f 865-215-2068
mike.reynolds@knoxmpc.org
www.knoxmpc.org

On Thu, Nov 7, 2013 at 8:57 AM, Mike Carberry [mike.carberry@knoxmpc.org](mailto:mike.carberry@knoxmpc.org) wrote:
That's favorable.

On Wed, Nov 6, 2013 at 11:50 AM, Mike Reynolds [mike.reynolds@knoxmpc.org](mailto:mike.reynolds@knoxmpc.org) wrote:
I have received three calls about the general rezoning and all were okay or in favor with the proposal. Two of the people live in a house (don't know if they own or rent); one lives north of Inskip Drive on Coster Road (near where Helen Ross McNabb is opening their facility) and the other didn't give me his general location. The other call was from an apartment building owner off Inskip Drive near Central Avenue Pike and he was okay with the rezoning as long as it didn't change how he could use the property as it is today.

Mike
Michael Reynolds Planner II

MPC November 14, 2013
Agenda Item \# 30
400 Main Street, Suite 403

314 East Inskip Drive
Knoxville, TN 37192
November 4, 2013

Knoxville-Knox County Metropolitan Planning Commission
Attn: Senior Planner Michael Brusseau, AICP
Suite 403, City County Building
400 Main Street
Knoxville, TN 37902

Dear Mr. Brusseau and Members of the Metropolitan Planning Commission,

We, the owners of the property at 314 East Inskip Drive (Parcel ID 069HG013), respectfully request that our property not be included in the area being considered for rezoning from R-2 (General Residential) to R-1 or R-1A (Low Density Residential).

There are multiple factors that do not support rezoning our property at 314 East Inskip Drive to R-1 or R-1A, including the following:

1. Our property (zoned R-2) is a residence on the corner lot of East Inskip Drive and Coster Road. It is one of only two properties facing East Inskip Drive between Coster Road and the railroad track/crossing. The property next door at 311 East Inskip (zoned R-2), owned by Exterior Home Improvements LLC, is a house that they renovated as an office for their roofing company. The Gerdau Steel Company (zoned 1-3) faces both of these properties across East Inskip. The Inskip Market/Gas Station/Coin-Laundry (zoned I-2) is located on the opposite corner of East Inskip and Coster.
2. The Exterior Home Improvements property at 311 East Inskip has been excluded from the proposed rezoning from R-2 to R-1 or R-1A, according to map "11-F-13-RZ Governmental Rezoning" that we received with a notice of the MPC public hearing on November 14. Therefore, our property is the only one remaining on East lnskip between Coster Road and the railroad track for which rezoning to R-1 or R-1A has been proposed.

Given that (1) the corner lot of 314 East Inskip Drive and the property at 311 East Inskip are the only two properties between the corner and the railroad track and (2) the property at 311 East Inskip will retain an R-2 zoning, we, the owners, request that our property at 314 East Inskip Drive also retain its current R-2 zoning.

While we understand the concerns of the Inskip community and generally agree with many of the efforts to protect and to improve our home community, such as installing sidewalks, we must also consider our options for the future. We believe that retaining R-2 zoning for our property is essential to keeping those options open.

Sincerely,

Mary Robertson Bryant (865) 384-9510, 314 East Inskip Drive
James G. "Jim" Robertson, Demorest, Georgia
Jenny Robertson Peek (865) 254-4011, Knoxville

## 314 E INSKIP DR - Property Map and Details Report



Property Information

| Location Address: | 314 E INSKIP DR |
| :--- | :--- |
| CLT Map: | 69 |
| Insert: | H |
| Group: | G |
| Condo Letter: |  |
| Parce: | 13 |
| Paceel ID: | $069 \mathrm{HGO13}$ |
| Parcel Type: |  |
| District: | 38 |
| Ward: | 38 |
| City Block: | 38560 |
| Subdivision: | SHADY GROVE ADD |
| Rec. Acreage: | 0 |
| Calc. ANSKIP |  |
| Recordege: | 0 |
| Recorded Deed: | $7-133$ |
| Deed Type: | $938-187$ |
| Deed Date: | Deed:Special Wa |
|  | 1/23/1954 |
|  |  |

Address Information

| Site Address: | 314 E INSKIP DR |
| :--- | :--- |
|  | KNOXVILLE -37912 |
| Address Type: | RESIDENTIAL |
| Site Name: |  |

## Jurisdictlon Information

| County: | KNOX COUNTY |
| :--- | :--- |
| City / Township: | Knoxville |



Owner Information
ROBERTSON THEODORA S \% MARY R BRYANT 314 E INSKIP DR KNOXVILLE, TN 37912
The owner information shown in this section does not necessarily reflect the person(s) responstble for Last Year's property taxes. Regort any errors to the Knox County Property Assessor's office at (865) 215-2365.

| MPC Information |  |
| :--- | :--- |
| Census Tract: |  |
| Planning Sector: $\quad 40$ |  |
| 1990 Traffic Zone: $\quad 146$ |  |
| 2000 Traffic Zone: $\quad 146$ |  |
| Pease contact Knox County Metropolitan Planning Commission (MPC) at |  |
| (865) $215-2500$ If you have questions. |  |

## School Zones

Political Districts

