

REZONING REPORT

▶ **FILE #:** 3-G-25-RZ

AGENDA ITEM #: 10

AGENDA DATE: 3/13/2025

▶ **APPLICANT:** JULIO HERRERA

OWNER(S): C Craig Carlton OMBRE DOG INVESTMENTS LLC

TAX ID NUMBER: 69 H G 009

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 413 E INSKIP DR

▶ **LOCATION:** Northwest quadrant of the intersection of E Inskip Drive and Rowan Road

▶ **APPX. SIZE OF TRACT:** 12382 square feet

SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via E Inskip Drive, a major collector street with a pavement width of 20 ft within a 40 ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Second Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood)

▶ **ZONING REQUESTED:** O (Office)

▶ **EXISTING LAND USE:** Single Family Residential

▶ EXTENSION OF ZONE: No, this is not an extension, but the O zone is across the street to the east and south.

HISTORY OF ZONING: Rezoned to R-1 (Low Density Residential) in 2013 as part of a large-scale rezoning in line with the Inskip Small Area Study (11-F-13-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-2 (Single Family Residential Neighborhood)

South: Commercial, single family residential - I-MU (Industrial-Mixed Use), O (Office)

East: Single family residential, commercial - O (Office)

West: Single family residential - RN-1 (Single Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: The area is primarily a mix of single family and multifamily uses. The south side of E Inskip Dr contains a mix of light industrial and commercial uses.

STAFF RECOMMENDATION:

▶ **Approve the O (Office) Zoning District because it is consistent with the City of Knoxville's One Year Plan, the sector plan, and surrounding development.**

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 IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY.

1. Since the early 2000s, development trends in the surrounding area have included a mix of residential, office, and small-scale commercial uses. Residential developments consist of single-family dwellings on various lot sizes and multi-family developments such as duplexes and apartment complexes. Office and commercial uses have been concentrated along E Inskip Drive.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The O (Office) zoning district is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. The O district may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas. The subject property meets the description of the O zoning district.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. The O zoning district allows low intensity uses, along with limited more intensive office and service-related uses through a special use approval. Any special use requests must go through a public review process to ensure they are compatible with the surrounding area and comply with any adopted plans.

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. The O district has dimensional standards that are intended to mitigate adverse impacts on residential areas. When a lot abuts a single-family residential district, nonresidential development must adhere to Section 5.3.B of the City of Knoxville's Zoning Ordinance. Developments must maintain the privacy of adjacent lots through techniques such as decreased height, landscaping and screening measures, and increased setbacks.

2. The O zoning district also has design standards regulating building materials, fenestration design, and pedestrian access. Sites must be designed to minimize potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists and to ensure safe pedestrian access from the public right-of-way.

3. Article 12.8 of the City's zoning ordinance requires a buffer yard between residential and nonresidential districts for any new construction or additions of 30% or more to existing structures.

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 subject property is within the Inskip Small Area Plan and designated MU-SD, NC-11 (Mixed Use-Special District, Inskip Small Area Plan) in the One Year Plan and North City Sector Plan. The Inskip Small Area Plan states that limiting development to low-density residential, medium-density residential, and office for this area is appropriate. The recommended zoning districts include a residential-office form-based or overlay zoning district. Though a form-based overlay was not formally adopted, as previously mentioned, the O zoning district has dimensional and design standards for properties abutting single-family zoning districts.

2. The requested O zoning district supports the General Plan's Development Policy 11.4, to create gradual zoning transition patterns by placing medium-intensity zones and uses such as offices, condominiums, and community buildings between single-family residential areas and higher-intensity uses. The subject property lies at the edge of a neighborhood block that consists of properties zoned RN-1, RN-2, RN-4 (General Residential Neighborhood), and O, and is across the street from properties zoned O and I-MU (Industrial Mixed-Use).

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM 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. This is an urbanized area with ample utility and service infrastructure in place to support a rezoning of this site.

2. The subject property is located along a Knoxville Area Transit (KAT) bus route and within 223 ft of a KAT bus stop.

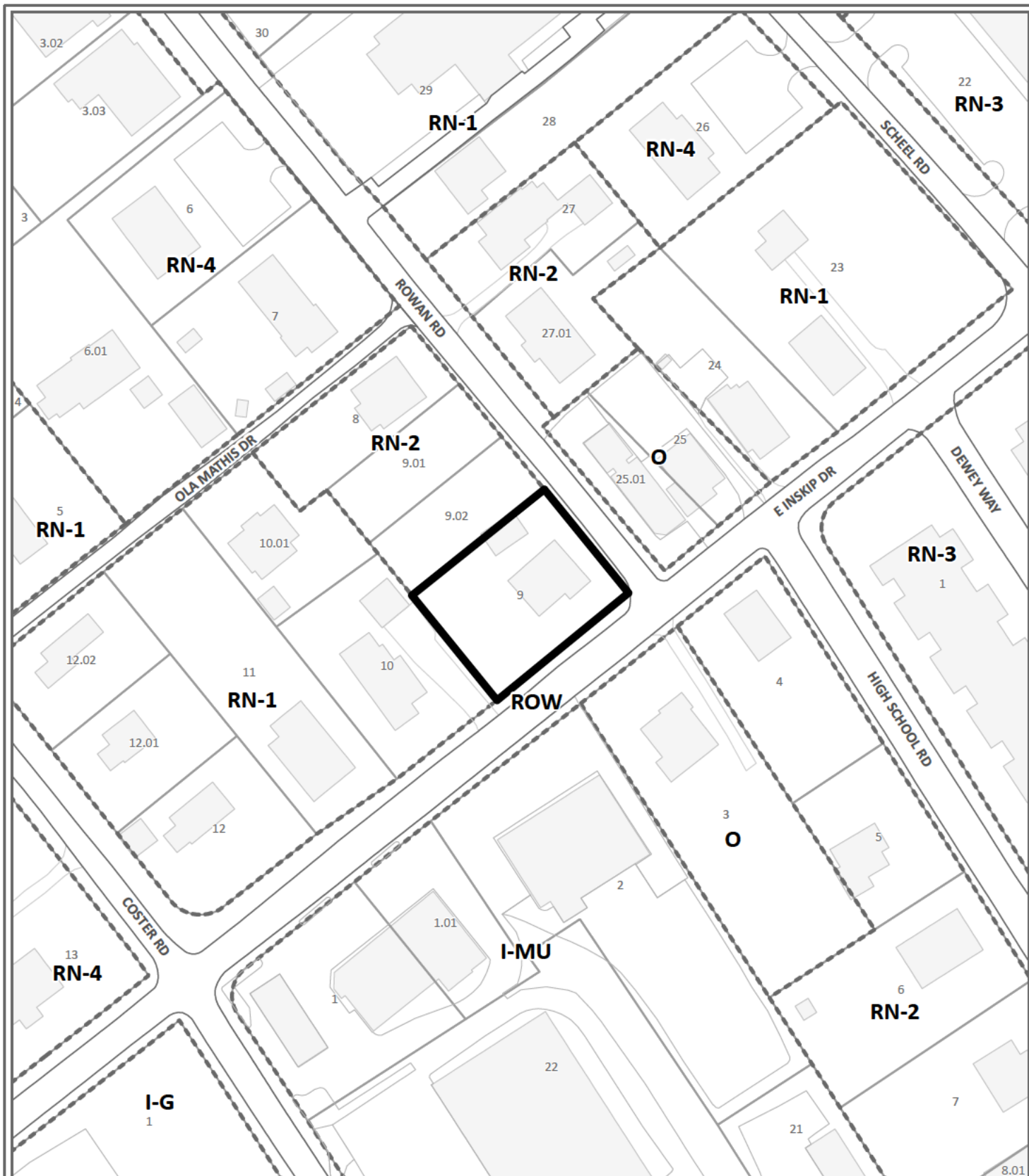
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Inskip Elementary, Gresham Middle, and Central High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knoxville City Council for action on 4/15/2025 and 4/29/2025. 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

3-G-25-RZ

Petitioner: Julio Herrera



From: RN-1 (Single-Family Residential Neighborhood)

To: O (Office)

Map No: 69
Jurisdiction: City

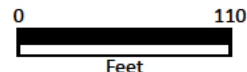
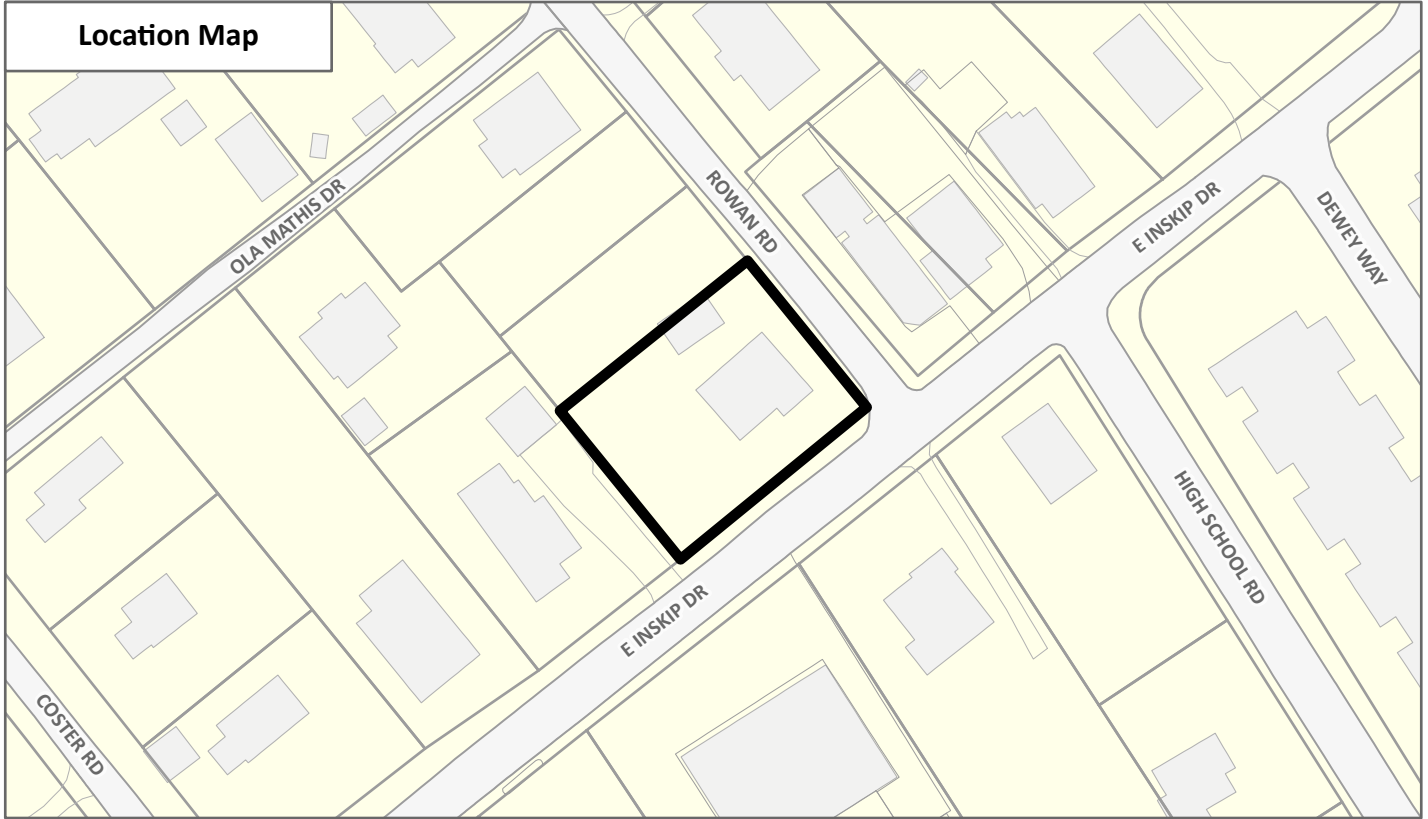


Exhibit A. Contextual Images

Location Map



Aerial Map

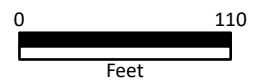


CONTEXTUAL MAPS 1

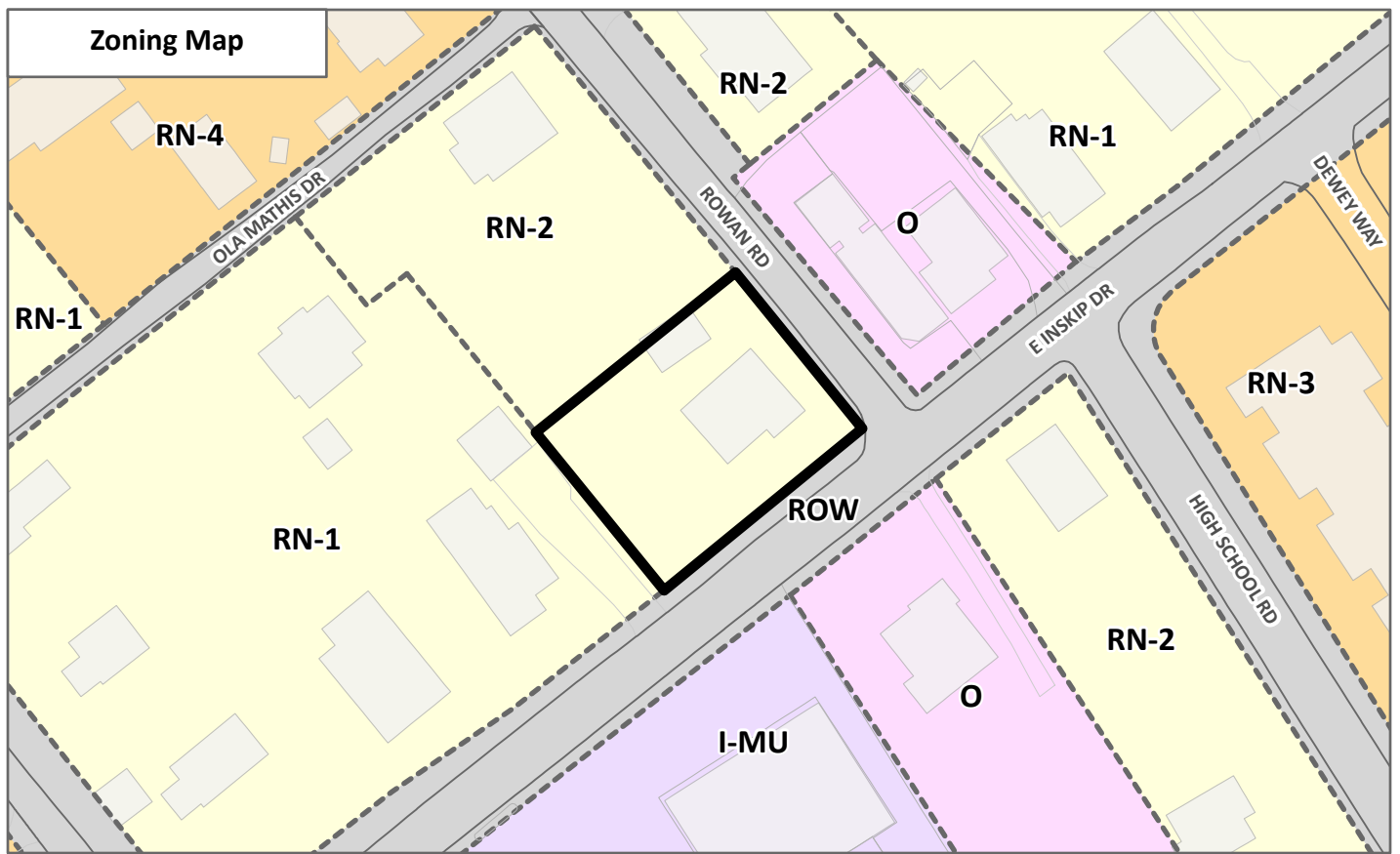
3-G-25-RZ



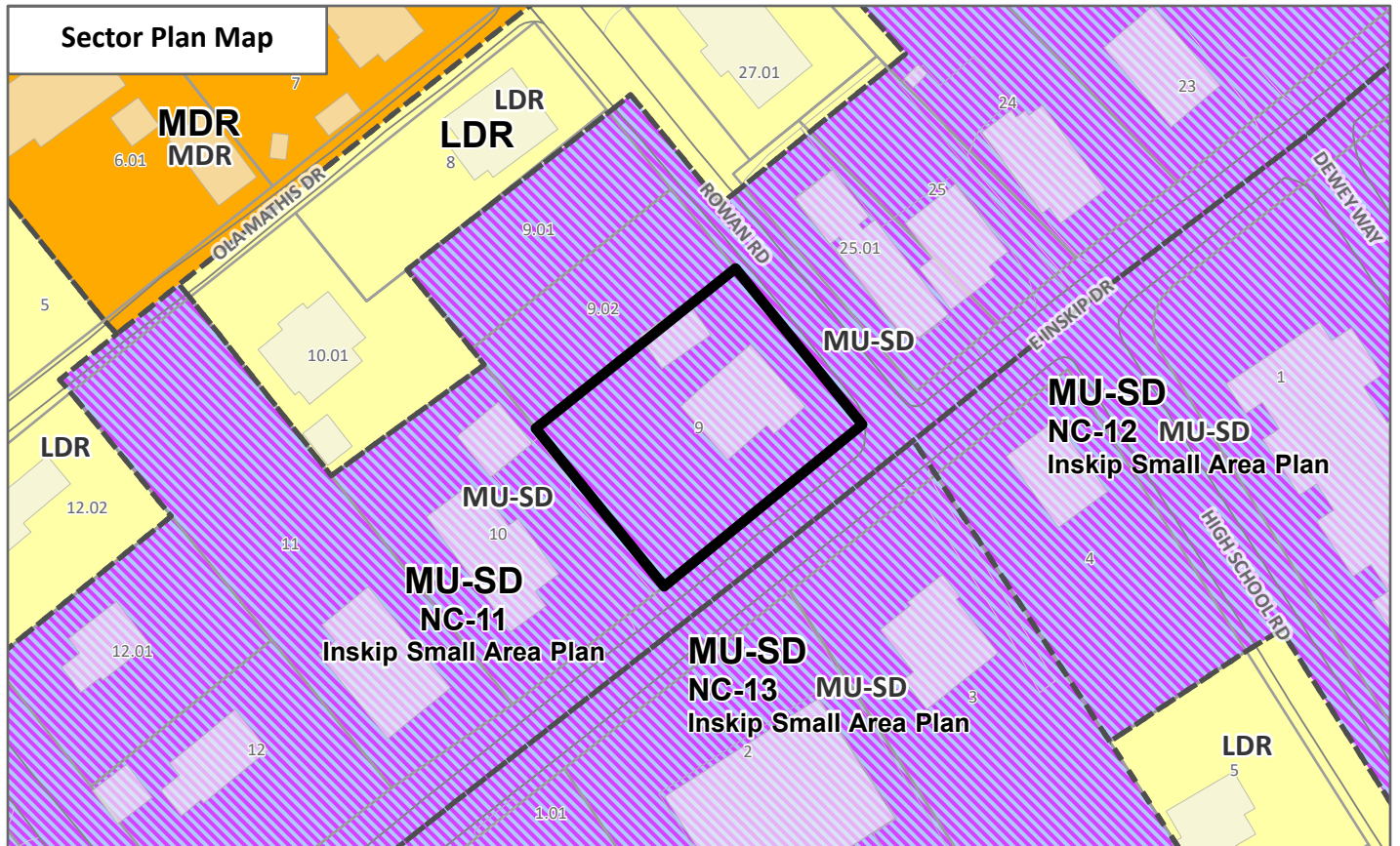
Case boundary



Zoning Map



Sector Plan Map

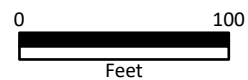


CONTEXTUAL MAPS 2

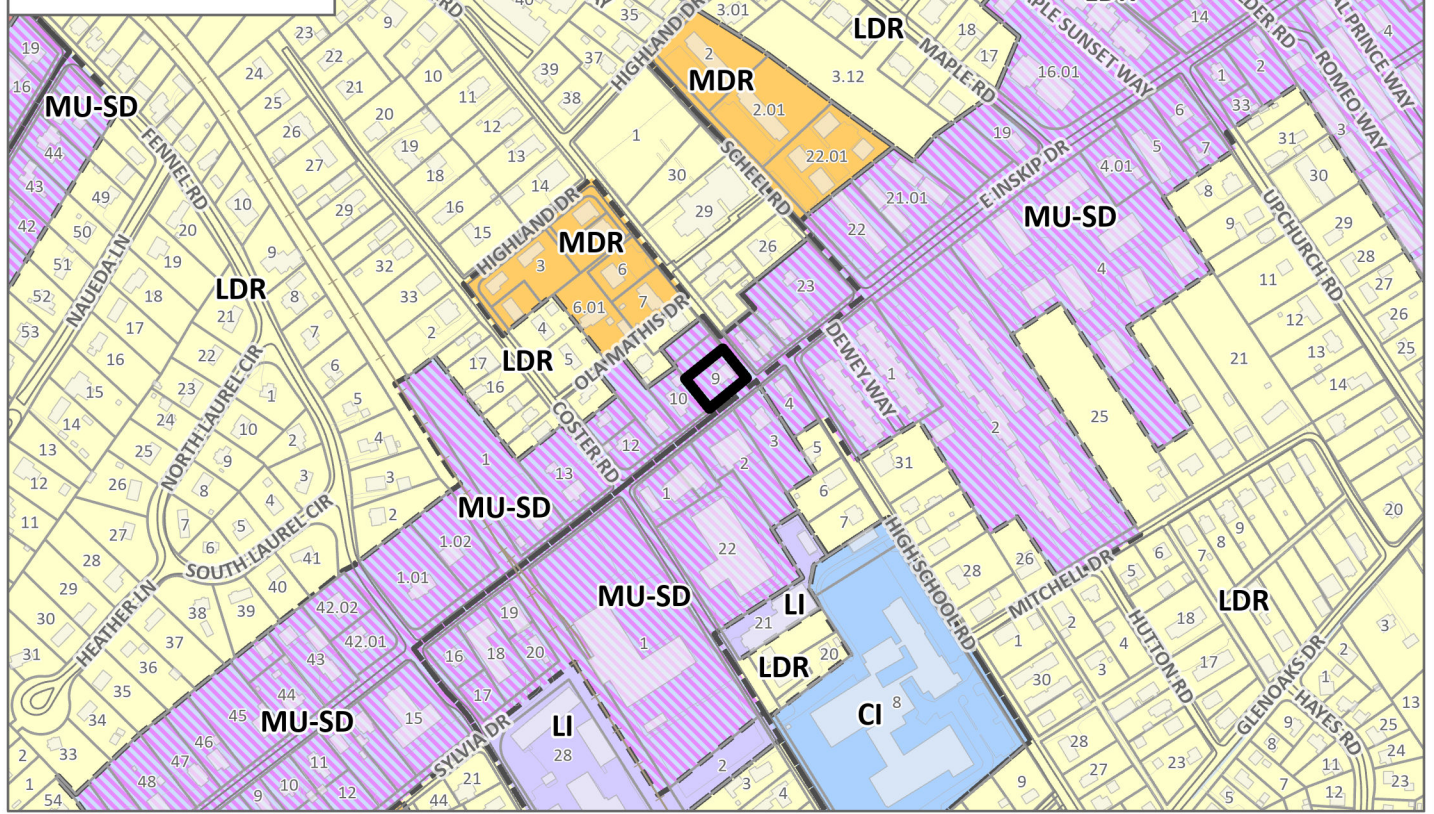
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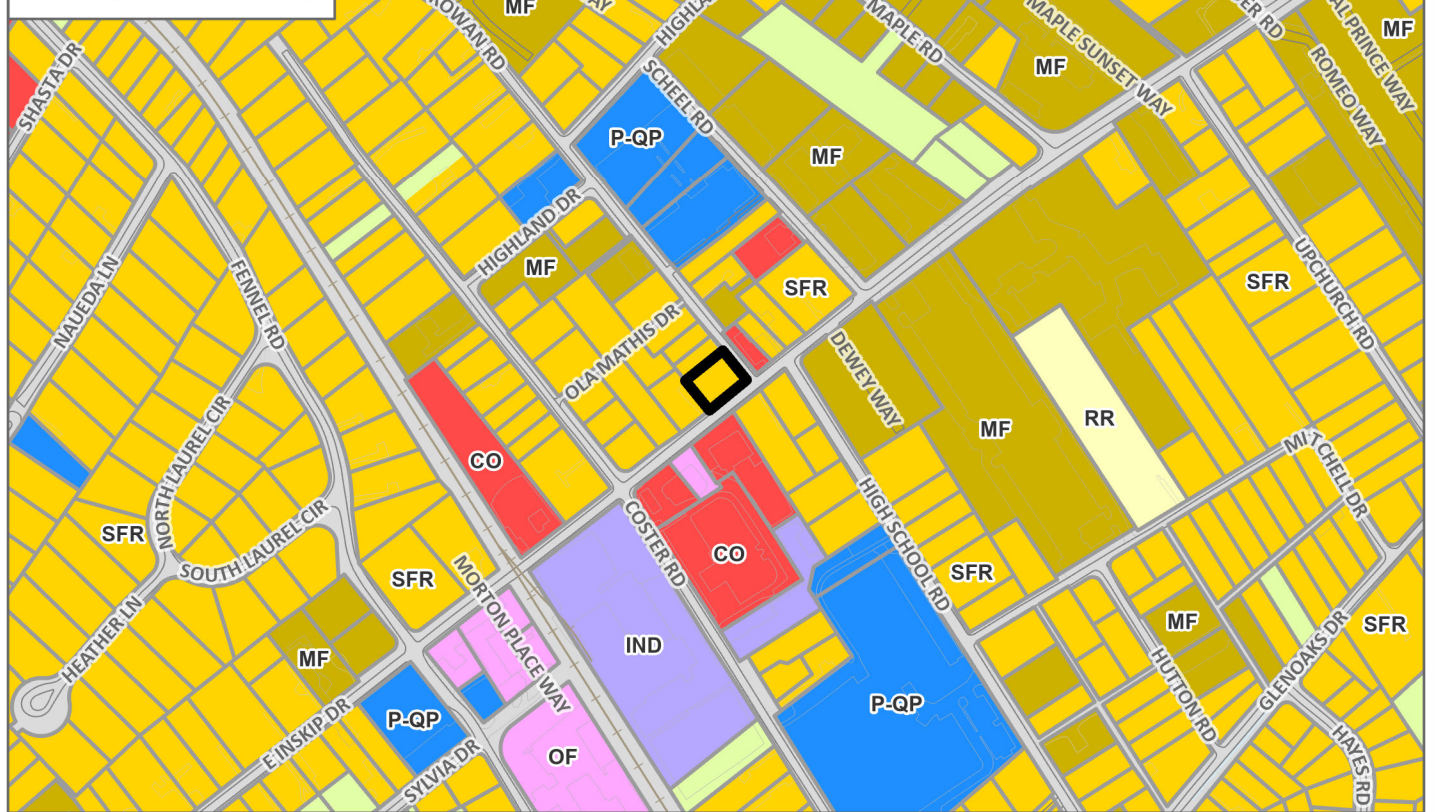
Case boundary



One Year Plan Map



Existing Land Use Map



CONTEXTUAL MAPS 3

3-G-25-RZ



Case boundary





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- SP PA
- Rezoning

Julio Herrera Applicant Name Buyer Affiliation

1/27/2025 Date Filed March 13, 2025 Meeting Date (if applicable) 3-G-25-RZ File Number(s)

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

Julio Herrera Name _____ Company

29 Cheshire Terrace, West Orange, NJ, 07052 Address City State ZIP

1-551-267-5473 Phone _____ Email

512-476-4282
↑
extension 131

CURRENT PROPERTY INFO

C Craig Carlton Property Owner Name (if different) 3102 Bee Caves Rd Ste 209 Austin, TX Property Owner Address 78746 Property Owner Phone

413 E. Inskip Dr, 37912, 069 HG 00.9 Property Address Parcel ID

Knoxville Utilities Board, Knoxville Utilities Board Sewer Provider No Septic (Y/N) Knoxville Utilities Board Water Provider

Ombre Dog Investments, LLC

COMMUNITY ENGAGEMENT

Sign and return the Public Notice & Community Engagement form with this application.

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 cases. We require applicants to acknowledge their role in this process.

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 Office
Proposed Zoning

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

Use on Review / Special Use (Concept Plan)

Traffic Impact Study

COA Checklist (Hillside Protection)

Fee 1	Total
	650.
Fee 2	
Fee 3	

AUTHORIZATION

By signing below, 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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.

[Signature] Julio Herrera / Buyer 1/27/2025
Applicant Signature Print Name / Affiliation Date

1-551-267-5473 [Redacted]
Phone Number Email

C Craig Carlton C Craig Carlton 1/27/2025 SH
Property Owner Signature Please Print Date Paid

↳ Ombre Dog Investments LLC



Public Notice and Community Engagement

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.

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).

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.

02/28/2025

03/14/2025

Date to be Posted

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

Sarah Emily Still

Applicant Signature

Julio Herrera

Applicant Name

1/27/25

Date

for Julio Herrera

3-G-25-RZ

FILE NUMBER