

REZONING REPORT

▶ **FILE #:** 7-D-22-RZ

AGENDA ITEM #: 10

AGENDA DATE: 7/14/2022

▶ **APPLICANT:** SCOTT TORBETT / J.A. MURPHY GROUP, LLC

OWNER(S): Forrest L. Preston Knoxville Retirement Investors

TAX ID NUMBER: 120 P B 003 & 004

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 0 Gleason Dr.

▶ **LOCATION:** South side of Gleason Dr., southeast of intersection of S. Gallaher View Rd.

▶ **APPX. SIZE OF TRACT:** 9.9 acres

SECTOR PLAN: West City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Gleason Drive, a minor arterial with a 20-ft pavement width within a 45-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** O (Office) & HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-6 (Multi-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Agricultural/forestry/vacant



EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 9-M-91-RZ: No-Zone to O

SURROUNDING LAND USE AND ZONING: North: Public- quasi public, office - INST (Institutional), C-H-2 (Highway Commercial)

South: Single family residential, rural residential, agricultural/forestry/vacant - RA (Low Density Residential)

East: Multifamily residential - RN-5 (General Residential Neighborhood)

West: Multifamily residential - RN-6 (Multi-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This is an area comprised primarily of multi-family neighborhoods with single family neighborhoods towards the south. There are also office, commercial properties throughout, and a high school is located directly across Gleason Dr. from the subject property.

STAFF RECOMMENDATION:

▶ **Approve RN-6 (Multi-Family Residential Neighborhood) and HP (Hillside Protection Overlay) zoning because it is consistent with the sector plan and with surrounding development.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This area is an established hub of medium to high-density residential communities, as well as institutional and commercial amenities that support residential development. There was a significant roadway improvement and expansion project completed in 2011 at the nearby intersection of Gleason Drive and Gallaher View Road to accommodate traffic volumes.

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

1. The RN-6 Multi-Family Residential Neighborhood Zoning District is intended to accommodate high density neighborhoods. It is characterized by a mixture of all housing types including single-family, two-family, townhouse, and multi-family.

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. 1.99 acres of the subject property are in the Hillside Protection (HP) area. According to the slope analysis, the disturbance budget within the HP area is 1.3 acres.

2. The proposed rezoning represents a minor extension of RN-6 zoning to the west, and is consistent with other residential development 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:

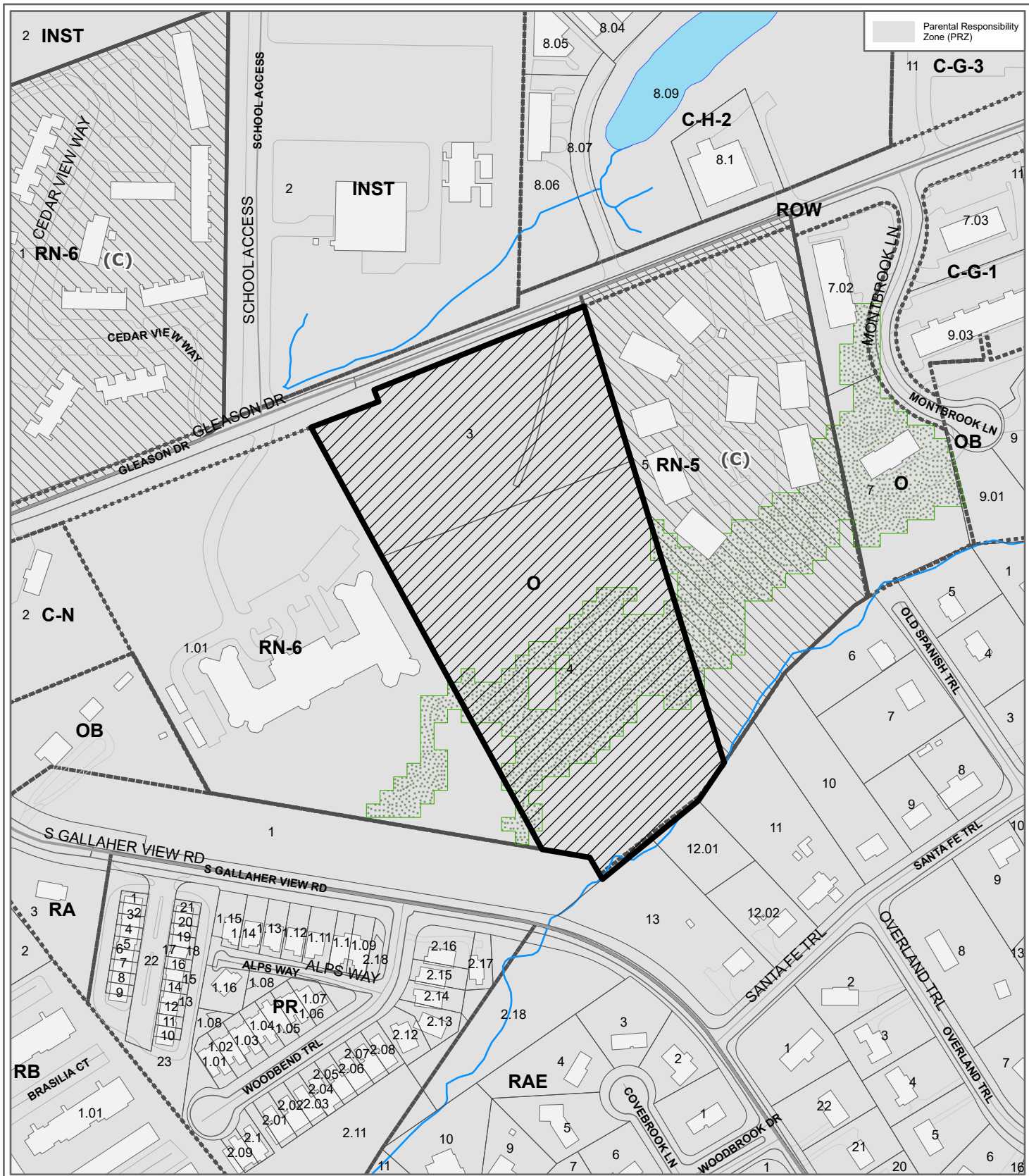
1. RN-6 zoning is recommended by the MDR/O (Medium Density Residential/Office) land use designation in the West City Sector Plan.

2. The proposed zoning change does not conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

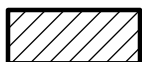
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/9/2022 and 8/23/2022. 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.



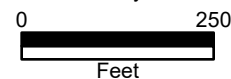
**7-D-22-RZ
REZONING**

From: O (Office) & HP (Hillside Protection)
To: RN-6 (Multi-Family Residential Neighborhood)



Petitioner: Torbett / J.A. Murphy Group, LLC, Scott

Map No: 120
Jurisdiction: City



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	9.85		
Non-Hillside	7.86	N/A	
0-15% Slope	0.59	100%	0.6
15-25% Slope	1.32	50%	0.7
25-40% Slope	0.06	20%	0.0
Greater than 40% Slope	0.01	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	1.99	Recommended disturbance budget within HP Area (acres)	1.3
		Percent of HP Area	0.6

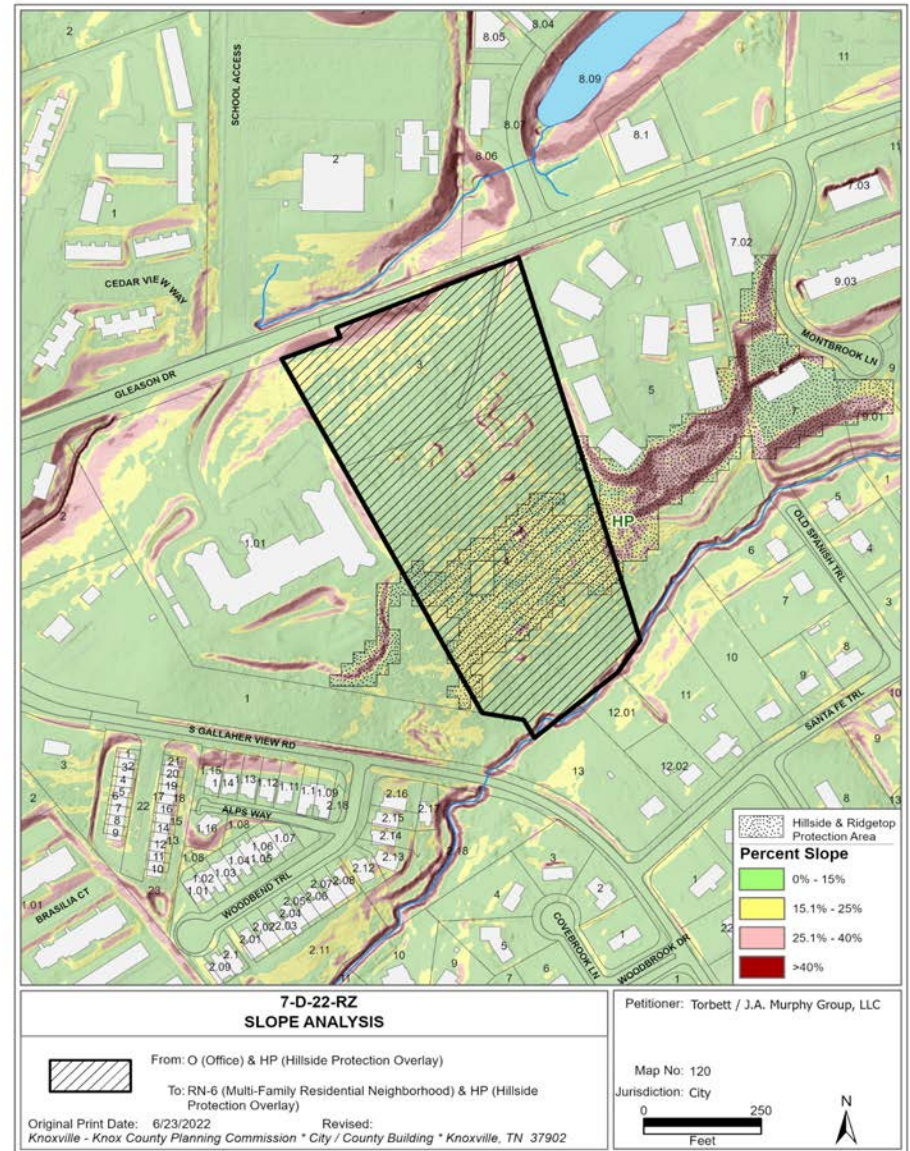
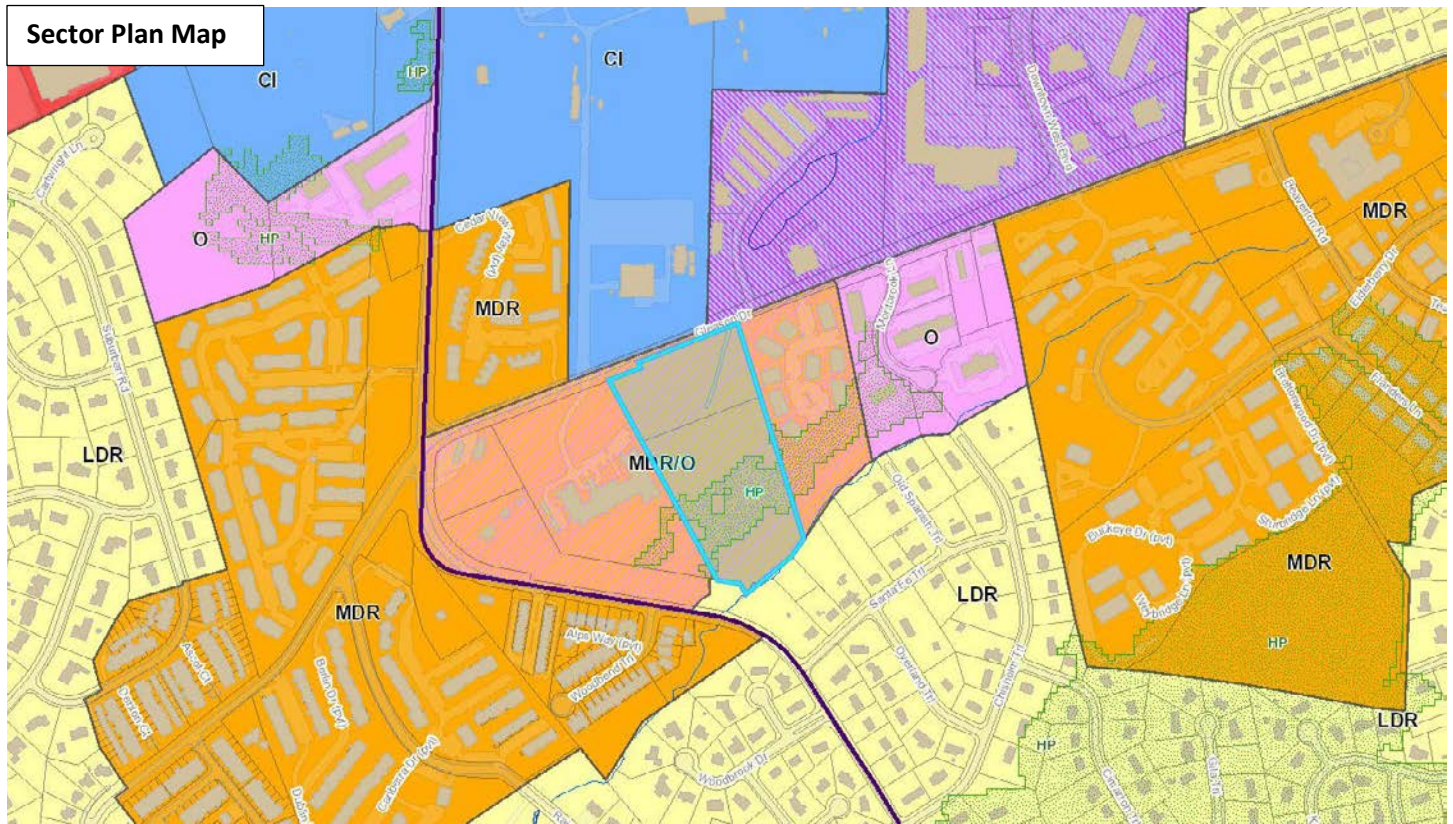
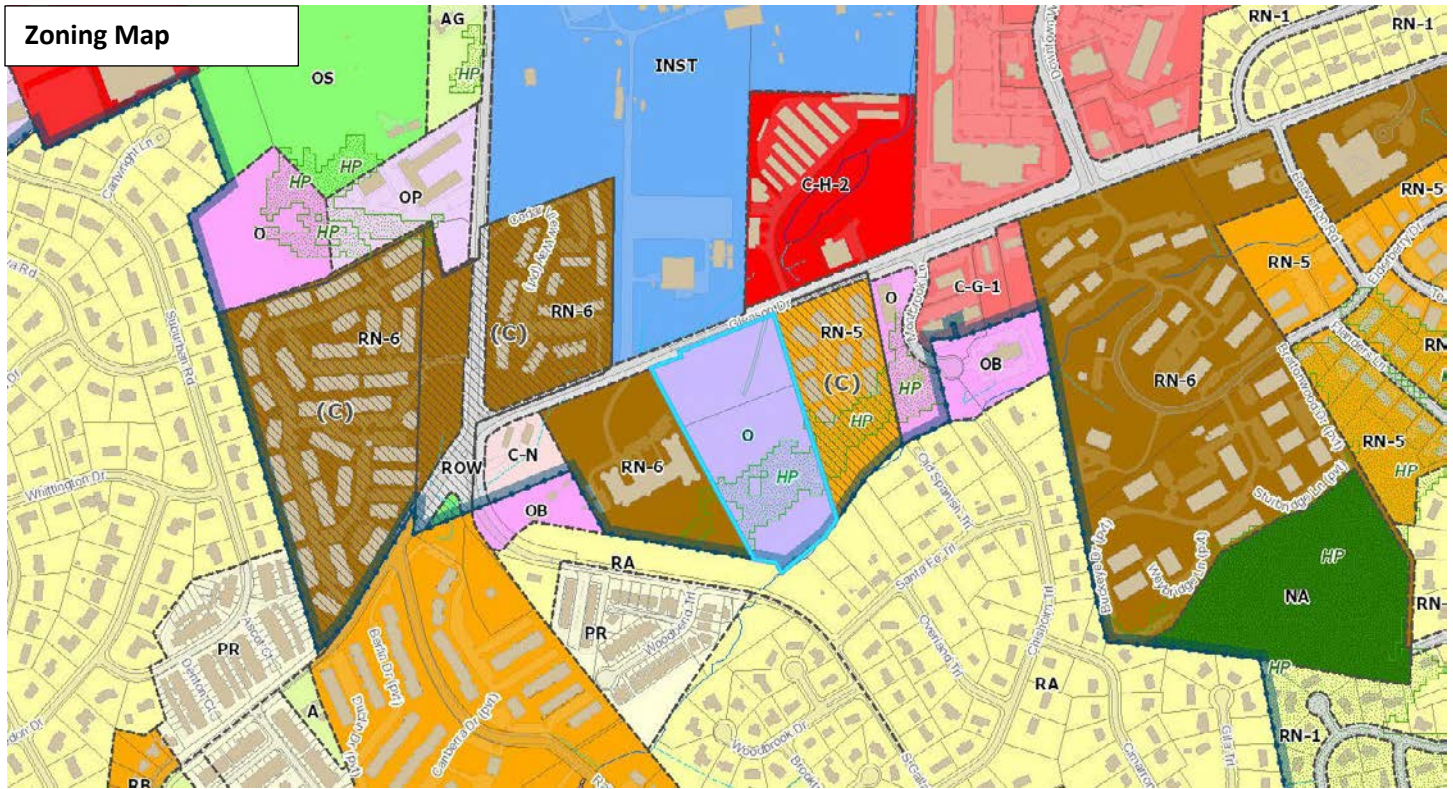


Exhibit A. 7-D-22-RZ Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Scott Torbett

VP of Acquisitions

Applicant Name

Affiliation

~~5/16/2022~~ 5/19/2022

5/31/2022

File Number(s)

Date Filed

Meeting Date (if applicable)

7-D-22-RZ

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

Scott Torbett

J.A. Murphy Group LLC

Name

Company

6514 Deane Hill Drive

Knoxville

TN

37919

Address

City

State

ZIP

865-558-0577

Scott@jamurphygroup.com

Phone

Email

CURRENT PROPERTY INFO

Knoxville Retirement Investors, Ltd.

3001 Keith Street, Cleveland, TN 37312

423-473-5700

Property Owner Name (if different)

Property Owner Address

(3.46 ac) (6.53 ac) Property Owner Phone

0 Gleason Drive

120PB003, 120PB004

Property Address

Parcel ID

Yes

Yes

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Gleason Dr., southeast of intersection of S. Gallaher

9.9 acres

General Location **View Rd.**

Tract Size

City County

2nd
District

O & HP
Zoning District

AgForVac
Existing Land Use

West City

MDR / O

N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change **RN-6 / HP**
Proposed Zoning

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) Previous Rezoning Requests

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

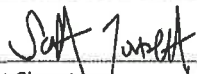
ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1 base fee 0325	600.00	Total
Fee 2 +\$50.00 x 9.9 ac	495.00	
Fee 3		
		\$1095.00


Applicant Signature

Scott Torbett

5/17/2022

Please Print

Date

865-558-0577

Scott@jamurphygroup.com

Phone Number

Email

Knoxville Retirement Investors, Ltd.
By: Life Care Affiliates II Limited Partnership, sole general partner
By: Developers Investment Company, Inc., Forrest Preston
corporate general partner

5/17/2022

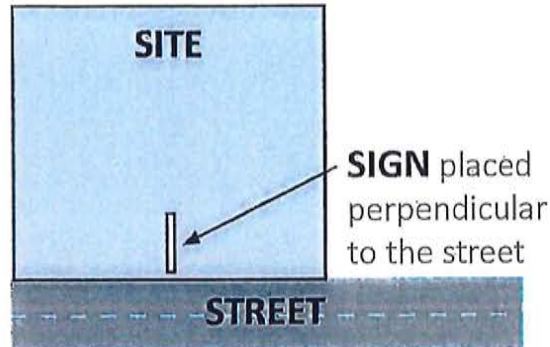
Property Owner Signature

Please Print

Date

By: 
Forrest L. Preston, President

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, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

June 29, 2022 and July 15, 2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Scott Sorbett
 Date: 5/19/2022
 File Number: 5-X-22

Sign posted by Staff
 Sign posted by Applicant