



# SPECIAL USE REPORT

▶ **FILE #:** 7-C-23-SU

**AGENDA ITEM #:** 25

**AGENDA DATE:** 7/13/2023

▶ **APPLICANT:** JIM ODLE

**OWNER(S):** Jerome Lombardo Dean Hill Apartments, LLC

**TAX ID NUMBER:** 120 K B 003, 006

[View map on KGIS](#)

**JURISDICTION:** City Council District 2

**STREET ADDRESS:** 7720 & 7700 GLEASON DR

▶ **LOCATION:** South of Gleason Dr, west of Morrell Rd, east of Silver Maple Ln

▶ **APPX. SIZE OF TRACT:** 7.11 acres

**SECTOR PLAN:** West City

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

**ACCESSIBILITY:** Access is via Gleason Drive, a minor arterial street with a 60-ft pavement width within an 85-ft right-of-way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Fourth Creek

▶ **ZONING:** RN-5 (C) (General Residential Neighborhood, previously approved planned district), HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Multifamily Residential

▶ **PROPOSED USE:** Removal of the (C) designation indicating a previously approved planned district

**HISTORY OF ZONING:** The property was zoned RP-1 (Planned Residential) with a density of 12 du/ac in 1991 when the property was annexed by the City (6-I-91-91).

**SURROUNDING LAND USE AND ZONING:** North: Multifamily - RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)

South: Single family residential, agriculture/forestry/vacant - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Multifamily, office, agriculture/forestry/vacant - RN-5 (General Residential Neighborhood), O (Office), RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Single family residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

**NEIGHBORHOOD CONTEXT:** This property is part of the Deane Hill Apartment development in an area comprised of multifamily and single family residential neighborhoods. A large service-oriented commercial node including West Town Mall is located directly to the north.

## STAFF RECOMMENDATION:

- ▶ **Approve the request to remove the previously approved planned district designation because the property is in harmony with the intent of the current zoning code and adopted plans for the area.**

**COMMENTS:**

**STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)**

**1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.**

A. The subject property is a portion of the Deane Hill Apartment community, which was zoned RP-1 (Planned Residential) prior to the adoption of the current City of Knoxville zoning ordinance and map, effective on January 1, 2020. A development plan for the subject parcel (see Exhibit A) was submitted and approved in 1991 as part of an annexation rezoning case, which changed the zoning from PR (Planned Residential) in the County to RP-1 in the City (6-I-91-RZ).

B. This Special Use request is to remove the previously approved planned district designation, which requires that the layout, regulations and/or conditions of the 1991 plan be maintained. There is no development proposal tied to this request to remove the previously approved planned district, denoted with a (C). The intent is to allow the current RN-5 (General Residential Neighborhood) zoning district to determine future residential infill potential on the site.

C. The removal of a former planned district to comply with the uses allowed in RN-5 is supported by the General Plan's development policy 8.1 to encourage growth in the existing urban area through infill housing opportunities.

D. The planned district removal is not in conflict with the One Year Plan or West City Sector Plan's MDR (Medium Density Residential) land use classification for the property. The current residential build-out of the subject parcel is approximately 100 units on 7.11 acres, which equates to a density of 14 du/ac. The MDR classification allows consideration of residential densities between 6 and 24 du/ac, so a potential increase within that range would not be out of compliance with the land use criteria.

E. The property is within the HP (Hillside Protection) overlay, and site plans would be required to meet the overlay zone requirements.

**2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.**

A. RN-5 zoning is intended to accommodate medium density residential neighborhoods comprising a heterogeneous mix of single-family, two-family, townhouse, and multi-family dwellings. The district may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods and more intensely developed commercial areas.

B. The Deane Hill Apartment community offers a range of multifamily housing forms, and is located between single-family residential neighborhoods to the south and the West Town Mall commercial node to the north across Gleason Drive. These conditions are consistent with the purpose of RN-5 zoning and support consideration of future development that is permitted within the RN-5 district.

**3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.**

A. This area has an established multifamily presence with several other apartment communities being located to the west. Residential infill within the boundaries of the apartment community is in character with surrounding development.

**4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.**

A. Removing the former planned district designation is not anticipated to cause adverse impact on adjacent properties. Any potential residential development would adhere to the RN-5 dimensional standards and other relevant zoning criteria to protect adjacent properties.

B. The property is within the HP (Hillside Protection) overlay, but most of the property was cleared and graded prior to the adoption of the overlay district. Any further development would likely occur in the area that has been previously disturbed, and would not impact the forest buffer along the south and west sides.

**5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.**

A. Since Gleason Drive is an arterial street with adequate pavement width, it can easily accommodate an increase in traffic should more residential density be pursued here.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

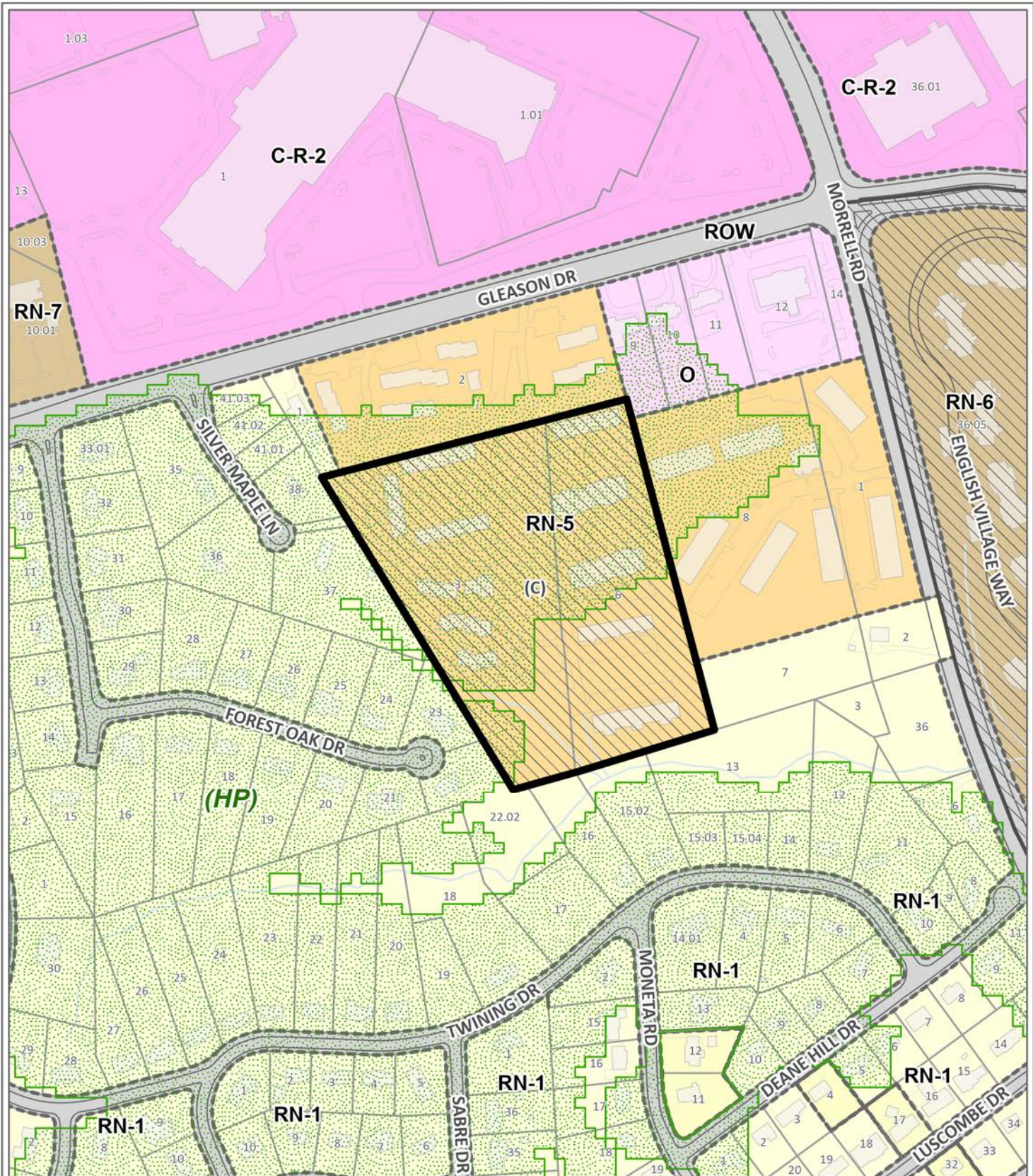
A. There is a blue-line stream running across the south end of the parcel. City Engineering would enforce a minimum 30-ft buffer on either side of the stream if further development was considered there. There are no other aspects of the property that may pose a potential risk to the multifamily community.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/8/2023 and 8/22/2023. 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.





**SPECIAL USE**

**7-C-23-SU**

**Petitioner:** Jim Odle



Removal of a previously approved planned district in RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay), PD (Planned Development)

**Map No:** 120  
**Jurisdiction:** City

**Original Print Date:** 6/13/2023

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902





Exhibit A: Previously approved development plan

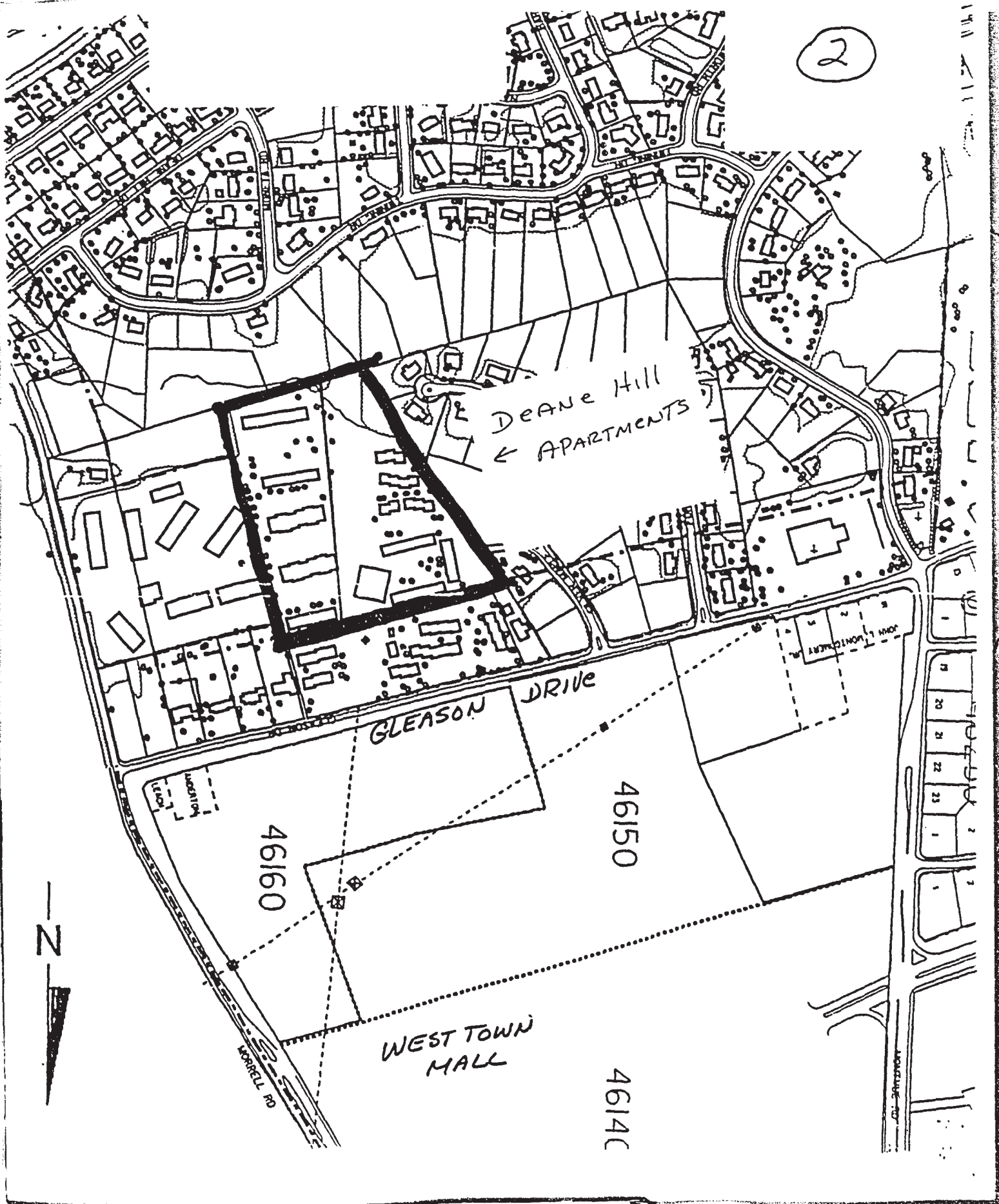
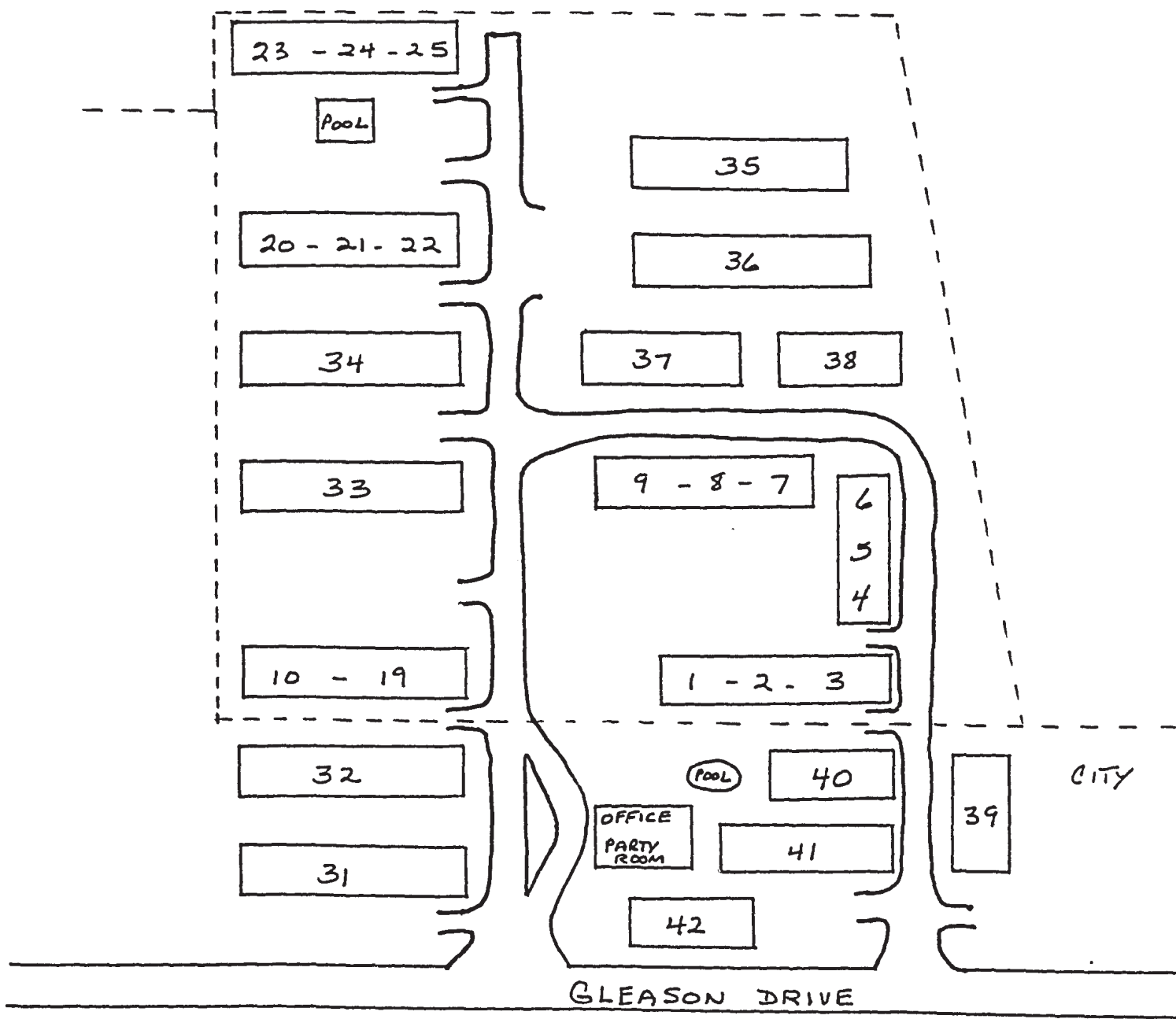


Exhibit A: Previously approved development plan

(2A)

DEANE HILL APARTMENTS  
7700 GLEASON DRIVE



← TO MORROLL ROAD



# Development Request

### DEVELOPMENT

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

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
  - Sector Plan
  - One Year Plan
- Rezoning

**Jim Odle**

Applicant Name

Affiliation

**5/31/2023**

Date Filed

**7/13/2023**

Meeting Date (if applicable)

**7-C-23-SU**

File Number(s)

## CORRESPONDENCE

*All correspondence related to this application should be directed to the approved contact listed below.*

**Jim Odle OYSK3 Architects**

Name / Company

**1545 Western Ave Knoxville TN 37921**

Address

**865-803-4237 / hun@oysk3architects.com**

Phone / Email

## CURRENT PROPERTY INFO

**Jerome Lombardo Dean Hill Apartments, 7720 Gleason Dr Knoxville TN**

Owner Name (if different)

Owner Address

**423-526-9148**

Owner Phone / Email

**7720 GLEASON DR / 7700 Gleason Dr**

Property Address

**120 K B 003, 006**

Parcel ID

Part of Parcel (Y/N)?

**7.11 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**South of Gleason Dr, west of Morrell Rd, east of Silver Maple Ln**

General Location

City

**Council District 2**

**RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay), PD (Planned Development)**

**Multifamily Residential**

County District

Zoning District

Existing Land Use

**West City**

Planning Sector

**MDR (Medium Density Residential), HP (Hillside Protecti**

Sector Plan Land Use Classification

**N/A (Within City Limits)**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) <b>Removal of a previously approved planned district</b>	

## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Plan Designation(s)		
Proposed Density (units/acre)    Previous Zoning Requests		
Additional Information		

## STAFF USE ONLY

### PLAT TYPE

- Staff Review     Planning Commission

### ATTACHMENTS

- Property Owners / Option Holders     Variance Request

### ADDITIONAL REQUIREMENTS

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

Fee 1	Total
<b>\$1,000.00</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

- 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.

Applicant Signature	<b>Jim Odle</b> Please Print	<b>5/31/2023</b> Date
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Phone / Email		
Property Owner Signature	<b>Jerome Lombardo Dean Hill Apartments, LLC</b> Please Print	<b>5/31/2023</b> Date





# 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

Applicant Name Jim Odle

Affiliation oysk3 architects

Date Filed May 30, 2023

Meeting Date (if applicable)

File Number(s)  
**7-C-23-SU**

### 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

Name Jim Odle, Architect

Company oysk3 architects

Address 1545 Western Avenue

City Knoxville TN State 37921 ZIP

Phone 603/803-4237

Email jim@oysk3architects.com

### CURRENT PROPERTY INFO

Property Owner Name (if different) Deane Hill Apartments LLC

Property Owner Address 7720 Gleason Dr.

Property Owner Phone 423/526-9148

Property Address 7720 Gleason Dr.

Parcel ID 120 KB003

Sewer Provider KUB

Water Provider KUB

Septic (Y/N) N

### STAFF USE ONLY

General Location

Tract Size

City  County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

**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) *Removal of planned district*

**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 *Removal of planned district RP-1*  
 Proposed Zoning *back to RN-5*

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	Total
	Fee 2	
	Fee 3	

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

*James E. Odle*  
 Applicant Signature

Please Print *Jim Odle*

Date *05/30/23*

Phone Number

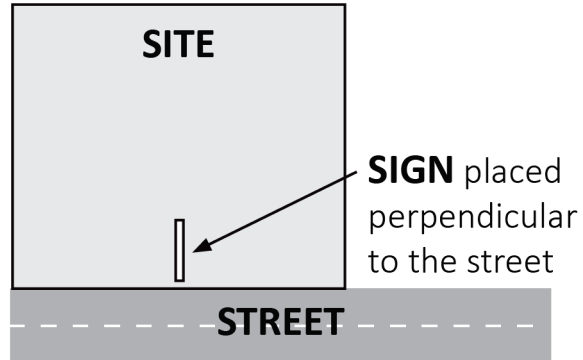
Email

*[Signature]*  
 Property Owner Signature

*Jerome Lombardo*  
 Please Print

Date Paid

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 30, 2023 \_\_\_\_\_ and \_\_\_\_\_ July 14, 2023 \_\_\_\_\_  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jim Odle

Date: 5/31/2023

File Number: 7-C-23-SU



Sign posted by Staff



Sign posted by Applicant