

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

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

T E N N E S S E E

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File Number: 1-A-08-UR **Related File Number:**
Application Filed: 12/3/2007 **Date of Revision:**
Applicant: HERITAGE CONSTRUCTION

PROPERTY INFORMATION

General Location: Southeast side of Byington-Beaver Ridge Rd., southwest of Shady Oak Ln.
Other Parcel Info.:
Tax ID Number: 90 E B 016 **Jurisdiction:** County
Size of Tract: 1.16 acres
Accessibility: Access is via Byington Beaver Ridge Rd., a major collector street with 19' of pavement width within 60' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Assisted living facility for up to 31 units **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is located just south of Oak Ridge Hwy. which includes a carwash, convenience store, restaurant and a church, zoned CA.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business) ((OB (Office, Medical, & Related Services) pending).
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was requested for rezoning at the December 13, 2007 MPC meeting. (12-AA-07-RZ/12-L-07-SP).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a 31 unit assisted living facility, subject to the following 6 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Zoning Ordinance
 2. Meeting all applicable requirements of the Knox County Health Department.
 3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.
 5. Installing landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation.
 6. Obtaining a entrance permit from the Tennessee Dept. of Transportation (TDOT) regarding access to Byington-Beaver Ridge Rd.

With the conditions noted above, this request meets the requirements for approval of an assisted living facility in the OB zoning district and other criteria for a use on review.

Comments: The applicant is proposing to construct an assisted living facility at the corner of Byington-Beaver Ridge Rd. and Shady Oak Ln. MPC recently recommended approval of OB zoning on the subject property in December (12-AA-07-RZ/12-L-07-SP). Knox County Commission will not vote on this item until January 28, 2008. If rezoned, assisted living facilities are a use permitted on review under the OB zoning district.

The proposed 11,820 square foot facility will contain 31 residential units, and a 3,600 square foot common area. In order to satisfy the requirements of the Knoxville Zoning Ordinance, the applicant will be required to provide 15 off-street parking spaces to accommodate both residents and staff. The applicant will be required to have all landscaping installed prior to issuance of occupancy permits to screen the facility from nearby residences. The applicant will also be required to obtain an entrance permit from TDOT in order to have access onto Byington-Beaver Ridge Rd. which is a state right-of-way at this location.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. The proposal will have no impact on schools.
2. Adequate sight distance is available in both directions from the proposed entrance onto Byington-Beaver Ridge Rd.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a major collector street and meets the Knox County Zoning Ordinance requirements for approval of an assisted living facility.
5. The applicant will be required to install a landscaped buffer between the proposed facility and nearby residences, thereby reducing the visual impact on surrounding property owners.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed assisted living facility is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

2. The proposal meets all relevant requirements of the OB zoning district and use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. If approved by Knox County Commission, the Northwest County Sector Plan will propose office uses for this site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action: Approved **MPC Meeting Date:** 1/10/2008

- Details of MPC action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance
 2. Meeting all applicable requirements of the Knox County Health Department.
 3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
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With the conditions noted above, this request meets the requirements for approval of an assisted living facility in the OB zoning district and other criteria for a use on review.

Summary of MPC action: APPROVE the request for a 31 unit assisted living facility, subject to the following 6 conditions:

Date of MPC Approval: 1/10/2008 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**