

# 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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 10-D-17-UR                      **Related File Number:**  
**Application Filed:** 8/28/2017              **Date of Revision:**  
**Applicant:** PRIME SENIOR LIVING

## PROPERTY INFORMATION

**General Location:** Northeast side of Falling Waters Rd., south of Twin Branch Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 154 C E 009 AND PARCEL 154 09902                      **Jurisdiction:** County  
**Size of Tract:** 8 acres  
**Accessibility:** Access is via Falling Waters Rd., a local street with a 26' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Assisted Living Facility                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** O & LDR  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The existing office building to the south was developed around the time of the Falling Waters Subdivision which adjoins this site on the north. Mixed commercial uses are located to the south of the site. Pellissippi Parkway and Northshore Town Center are located west of this site.

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

**Street:** 1920 Falling Waters Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial) & RA (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** The rezoning to PC (Planned Commercial) was approved by the Knox County Commission on September 25, 1995.

## 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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for an assisted living facility for up to 190 bedrooms in one and two bedroom units, subject to the following 7 conditions:

- Staff Recomm. (Full):
1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
  2. The boundary for the "undisturbed" area / 50' buffer shall be clearly marked in the field prior to any site clearing or grading in order to identify the limits of disturbance and protect those areas. If any disturbance of those areas occurs, a replanting plan shall be submitted to Planning Commission staff for review and approval.
  3. Installing all landscaping, as shown on the landscape plan, within six months of issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee installation. The proposed landscape materials shall not interfere with the required sight distances along Falling Water Rd.
  4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  5. Meeting all applicable requirements of the Knox County Fire Marshal's Office..
  6. Any proposed signage will be required to meet all applicable requirements of the Knox County Zoning Ordinance and is subject to approval by Knox County and Planning Commission staff.
  7. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PC (Planned Commercial) and RA (Low Density Residential) districts and the criteria for approval of a use on review.

Comments: The applicant is proposing to develop this 7.49 acre site as an assisted living facility as defined in the Knox County Zoning Ordinance. The site is located on the northeast side of Falling Waters Rd., south of Twin Branch Dr. The facility as proposed will be a three story building with a total building area of 156,951 square feet (52,317 square feet per floor). There will be a total of 190 beds in one and two bedroom units.

This proposed development was before the Planning Commission on August 10, 2017 at which time the Planning Commission denied the request. At that time, the proposed 50' tall building exceeded the maximum height limitation of 35' that applies to this site under Tennessee Code Annotated (TCA), Section 54-17-0114(Q) since the site is located within the Scenic Highway corridor. The proposed facility that is now before the Planning Commission has a maximum building height of 34' 10" above ground level which complies with State requirements.

In response to comments made at the Planning Commission's August meeting, the applicant has made additional changes to the sight layout including the identification of a 50' buffer along the northern, eastern and southern property boundaries. This area is also designated on the development plan as being "undisturbed with mature trees". A detailed landscape plan has also been included that will help reduce the visual impact of the building from the street and adjoining property. The proposed tree plantings in the parking lot and around the building will help to break up the façade of the three story building.

The proposed facility will be served by a single driveway off of Falling Waters Rd. The applicant tried to move the access driveway further to the south but the relocation was restricted by site grades and limited sight distance along Falling Water Rd. at that location. The proposed driveway location allows them to maintain at least 300' of sight distance in each direction along Falling Waters Rd. A total of 124 parking spaces will be provided for the facility.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND

THE COMMUNITY AS A WHOLE

1. All utilities are in place to serve the existing site.
2. The proposed assisted living facility, meets the height restrictions of the Scenic Highway System Act of 1971.
3. The proposed facility will serve as a transition use between the detached residential subdivisions to the north and east and the nonresidential development to the south.
4. Assisted living facilities do not have a significant traffic impact as compared to other residential and nonresidential uses.

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 since the site has direct access to a street that serves nonresidential development.
2. The proposal meets all requirements of the PC zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan designates this site for office uses. The primary office zoning districts allow consideration of assisted living facilities through the use on review process.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 10/12/2017

- Details of Action:**
1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
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**Summary of Action:** APPROVE the development plan for an assisted living facility for up to 190 bedrooms in one and two bedroom units, subject to the following 7 conditions:

**Date of Approval:** 10/12/2017 **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:**