

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: 2-A-08-UR
Application Filed: 12/13/2007
Applicant: JAMES L. MADIGAN

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: West side of Capital Dr., east side of Fox Rd., south of Kingston Pike.
Other Parcel Info.:
Tax ID Number: 131 L B PART OF 002 **Jurisdiction:** County
Size of Tract: 1.455 acres
Accessibility: Access is via Capital Dr., a local street with a 36' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Medical Office Building **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This site is located in an area of office and mixed commercial uses near the intersections of Kingston Pike, Fox Rd. and Capital Dr.

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

Street: 125 Capital Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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 the proposed medical office building subject to 7 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinances.
3. Establishing and maintaining the sight visibility easement from the entrance to the south along Capital Dr. to allow for an unobstructed sight distance of 250'. The sight visibility easement shall be established with the recording of a subdivision plat for this tax parcel. Landscaping in the visibility easement and triangles shall not obstruct vision at elevations between two and one-half feet and ten feet above the crown of the adjacent roadway.
4. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knoxville Engineering Division for access to Capital Dr.
7. Street access for this site shall be only from Capital Dr.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the PC district.

Comments:

The applicant is proposing to develop 1.455 acres of a 2.833 acre lot within the Capital Court Subdivision as a medical office with approximately 9,500 square feet. While this lot is within the jurisdiction of Knox County, the other lots within the subdivision are within the City of Knoxville. Access to the site is from Capital Dr. which is a City street. The parking being provided on the site exceeds the requirements for either a medical clinic or professional office. A variance was granted by the Knox County Board of Zoning Appeals on January 23, 2008 for a reduction in size of a parking stall from 200 square feet to 152 square feet.

In order to maintain adequate sight distance from the entrance to the south around the curve in Capital Dr., a sight visibility easement will be required. The sight visibility easement shall be established with the recording of a subdivision plat for this tax parcel. Landscaping in the visibility easement and triangles shall not obstruct vision at elevations between two and one-half feet and ten feet above the crown of the adjacent roadway.

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

1. Public water and sewer utilities are available in the area to serve this site.
2. With the maintenance of the visibility easement and triangles at the entrance to the development the traffic impact of this development on Capital Dr. will be reduced.
3. The proposed development is compatible with the scale and intensity of the surrounding development and zoning pattern. The proposal will have no impact on schools.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposal meets all requirements of the PC zoning district as well as the general criteria for approval of a use-on-review.
2. The proposed commercial development is consistent with the following general standards for uses permitted on review: The proposal 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 substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes commercial uses for the site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved **MPC Meeting Date:** 2/14/2008

- Details of MPC action:**
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Summary of MPC action: APPROVE the development plan for the proposed medical office building subject to 7 conditions.

Date of MPC Approval: 2/14/2008 **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:**