

# 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: 4-E-18-UR                      Related File Number:  
Application Filed: 2/26/2018              Date of Revision:  
Applicant: URBAN ENGINEERING, INC.

## PROPERTY INFORMATION

General Location: North side E. Emory Rd, west end of Ideal Dr.  
Other Parcel Info.:  
Tax ID Number: 47 075.04, 075.08                      Jurisdiction: County  
Size of Tract: 7.2 acres  
Accessibility: Access is via E. Emory Rd., a major arterial street with 4 lanes and a center turning lane within 85' of right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Rural & Single Family Residential  
Surrounding Land Use:  
Proposed Use: Independent Living Facility                      Density:  
Sector Plan: North County                      Sector Plan Designation: MDR/O (Medium Density Residential/Office) & LD  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context: This section of E. Emory Rd., is developed with a mix of residential, office and commercial uses under A, PR, RA, CA, CB and PC zoning.

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

Street: 961 E Emory Rd  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning: Rezoned to PR < 5 du/ac in January 2018 (12-K-17-RZ)

## 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:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the development plan for an assisted living facility for up to 119 bedrooms with a mix of studio, one and two bedroom units, subject to the following 9 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Obtaining a TDOT highway entrance permit.
3. Obtaining approval for the boulevard driveway entrance ("alternative driveway layout" shown on sheet C-3) by the Knox County Board of Zoning Appeals, TDOT, and Knox County Engineering and Public Works. Otherwise the driveway entrance as shown on the sheet C-1 shall be installed as permitted by TDOT and Knox County Engineering and Public Works.
4. Construction of all sidewalks and trails as shown on the site plan. All sidewalks and trails must comply with the Americans with Disabilities Act. An exception to this may be made for the trail connection to the Emory Road sidewalk with the approval of Knox County Engineering and Public Works and Planning Commission staff if it is determined infeasible because of topography and location of existing utilities, or an alternative connection can be made.
5. 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.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Meeting all applicable requirements of the Knox County Fire Marshal's Office.
8. 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.
9. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

Comments:

The proposed development will provide apartments for senior citizens. The development will contain 103 units (119 beds) in a two-story structure, including studio, one and two bedroom units. Approximately 50% of the units will include a full kitchen. The total building area is 122,962 square feet (61,481 sqft per floor). A total of 92 parking spaces will be provided. Amenities for residents include a secure courtyard and an asphalt trail around the property. A fenced dog park is also proposed on the eastern side of the property.

The development will be marketed as "independent living senior apartments" which is similar to an assisted living facility in that senior citizens are required to be the primary occupants, however, are differentiated in that assisted living facilities are licensed by the state and provides nursing services and assistance with medications. Whereas an independent living facility is not licensed and do not provide healthcare assistance to residents.

Access to this site will be via E. Emory Rd. and no connection is proposed to Ideal Dr. A sidewalk will be provided to the public sidewalk along Emory Rd. There are two entrance designs proposed because the applicant would like the option of applying for a variance to allow construction of a boulevard entrance. On sheet C.1, the entrance is designed to meet the standards of TDOT and Knox County Zoning Ordinance. On sheet C.3, the boulevard design exceeds the maximum width allowed by the Knox County Zoning Ord. and the lanes are less than typically required by the Fire Marshal (15 feet wide vs. 18 feet wide). A monument sign for the development is proposed in the boulevard median.

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 facility will serve as a transition use between the detached residential subdivisions to the north and east and the nonresidential development to the south.
3. 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 major arterial street.
2. The proposal meets all requirements of the PR zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The North County Sector Plan designates this site for a mix of low and medium density residential, and office uses. Assisted living facilities are consistent with the allowed uses in most residential and office zone districts and is a use permitted on review in the PR district.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 5/10/2018

**Details of Action:**

**Summary of Action:** APPROVE the development plan for an assisted living facility for up to 119 bedrooms with a mix of studio, one and two bedroom units, subject to the following 9 conditions.

**Date of Approval:** 5/10/2018 **Date of Denial:** **Postponements:** 4/12/2018

**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:**