

# 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  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 5-I-16-UR **Related File Number:**  
**Application Filed:** 4/4/2016 **Date of Revision:**  
**Applicant:** HR ACQUISITIONS, L.L.C. G. MARSHALL HART, JR.

## PROPERTY INFORMATION

**General Location:** East side of Gallaher View Rd., South side of Middlebrook Pike, and North side of Mars Hill Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 106 P A 037 **Jurisdiction:** City  
**Size of Tract:** 3.95 acres  
**Accessibility:** Access is via N. Gallaher View Rd., a minor arterial street with 4 lanes and a center turn lane within a large right-of-way of varied width. The property does not have frontage on Middlebrook Pike.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural residential, vacant house  
**Surrounding Land Use:**  
**Proposed Use:** 38,000 square-foot Memory Care of Knoxville Assisted Living Facility **Density:** (64 beds)  
**Sector Plan:** Northwest City **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The southeast quadrant of the intersection of Middlebrook Pike and N. Gallaher View Rd. is developed with residential uses under R-1E zoning. The broader area is developed with a mix of small and large commercial/office development, detached and attached houses, and apartments.

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

**Street:** 962 N Gallaher View Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential) up to 1 du/ac  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Rezoned to RP-1 up to 1 du/ac from R-1E in February 2016.

## 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 approximate 38,000 sq ft memory care facility with up to 64 beds, subject to the following 9 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Connecting to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
  3. Meeting all applicable requirements of the Knoxville Department of Engineering.
  4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.
  5. Meeting all applicable requirements of the Knoxville Fire Marshall's Office.
  6. Proposed signage shall meet all the applicable requirements of Article 8 (Signs, billboards, and other advertising structure) of the Knoxville Zoning Ordinance.
  7. Completion of a "no rise" analysis by the applicant regarding the impact of raising the elevation of the driveway on the floodplain of Ten Mile Creek, and approval of the findings by the Knoxville Department of Engineering during permitting.
  8. Obtaining a variance to the utility and drainage easement on the north property line, when the property is platted, due to a retaining wall being too close to the property line.
  9. Install all required landscaping within six months of the issuance of occupancy permit for this project.

With the conditions noted above, this request meets the requirements for approval of a memory care facility in the RP-1 zoning district, and the other criteria for approval of a use on review.

Comments: The proposed memory care facility is located near the intersection of N. Gallaher View Rd. and Middlebrook Pike. The current access to the site is from N. Gallaher View Rd., near the intersection with Mars Hill Rd. The subject property does not have direct frontage along Mars Hill Rd. but because of previous realignments of Gallaher View Rd. and Middlebrook Pike, the right-of-way along Gallaher View Rd. is very wide and the driveway could connect to Mars Hill Rd. Staff feels that this connection could be a better alternative to than the Gallaher View Rd. access because of the close proximity to Mars Hills Rd. and potential turning conflicts. Mars Hill Rd. is a short deadend street that currently serves 6 houses. If the memory care facility decides to provide access to Mars Hill Rd. rather than Gallaher View Rd., this should be allowed with the approval from the Knoxville Department of Engineering.

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

1. The proposed memory care facility will have minimal impact on local services since water and sewer utilities are available to serve this site, and there will not be an impact on public schools.
2. The proposed facility has 64 beds and is approximately 38,000 sq ft. Facilities such as this do not have a density calculated because the individual beds do not constitute a dwelling unit. The size of the facility is compatible with the surrounding residential development and the traffic generated should not have a negative effect on the area.

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

1. The proposed memory care facility meets the standards for development within a RP-1 zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed memory care facility is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted One Year 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 traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest City Sector Plan designates this property for low density residential use. The proposed memory care facility is consistent with the adopted plans and zoning designation.
- 2. The site is located within the Urban Growth Boundary (Inside City) on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/12/2016

- Details of Action:**
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  - 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
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**Summary of Action:** APPROVE the development plan for an approximate 38,000 sq ft memory care facility with up to 64 beds, subject to the following 9 conditions:

**Date of Approval:** 5/12/2016 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**