

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: 7-E-04-UR **Related File Number:**
Application Filed: 6/7/2004 **Date of Revision:**
Applicant: MIDWAY REHABILITATION CENTER
Owner:

PROPERTY INFORMATION

General Location: North side E. Magnolia Ave., east and west sides Myrtle St.
Other Parcel Info.:
Tax ID Number: 82 P L 003, 021 **Jurisdiction:** City
Size of Tract: 1.062 acres
Accessibility: Access to the proposed parking lot is via Myrtle St., a local street with 30-35' of pavement width within 75' of right of way. On street parallel parking occurs on both sides of the street.

GENERAL LAND USE INFORMATION

Existing Land Use: Office building and parking lot
Surrounding Land Use:
Proposed Use: Medical facility (64 occupant drug and alcohol rehabilitation center) **Density:**
Sector Plan: Central City **Sector Plan Designation:** Office and Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This area is developed with office and commercial uses under O-1 and C-3 zoning. Caswell Park is located to the north of the site.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services)
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:

Surveyor:

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:

Michael Brusseau

Staff Recomm. (Abbr.):

APPROVE the development plan for a medical facility (64 occupant drug and alcohol rehabilitation center) in the O-1 zoning district, subject to 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Department of Engineering.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Meeting all applicable licensing requirements of the State of Tennessee.
5. Preserving all existing trees and vegetation on the two parcels.

With the conditions noted above, this request meets all requirements for approval in the O-1 zone, as well as other criteria for approval of a use on review.

Comments:

The applicant is proposing to convert an existing office building fronting on E. Magnolia Ave. for use as a drug and alcohol rehabilitation center for up to 64 occupants. The City of Knoxville Building Inspection Bureau has determined this use to be a "medical facility" that requires use on review approval from MPC. The R-2 zone allows medical facilities with use on review approval. The O-1 zone allows any use permitted on review in the R-2 zone to also be permitted on review in the O-1 zone.

The interior of the office building will be renovated for the proposed use. No exterior changes are proposed. Parking for the facility is located on a separate parcel to the northeast, across Myrtle St. The Zoning Ordinance allows parking on a separate parcel, as long as it is within 400 feet of the building or complex it is intended to serve. The parking lot is within 150 feet from the building in this case. The applicant has provided a detailed description of the nature of the use, as well as some explanation of the renovation plans.

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

1. The request will not place any additional demands on schools and streets. Public water and sewer utilities are in place to serve the site.
2. The proposal is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The building is currently used for offices and is adjacent to a major arterial street, so the impact on surrounding properties should be minimal.

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

1. The proposal meets all requirements of the O-1 zoning district and the Knoxville Zoning Ordinance, as well as other criteria for approval of a use on review.
 1. The proposed drug and alcohol rehabilitation center 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 and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. Both the City of Knoxville One Year Plan and the Central City Sector Plan propose commercial uses

for parcel 21. The sector plan proposes office uses for the parking lot on parcel 3. The proposal is consistent with the plan designations.

MPC Action: Approved **MPC Meeting Date:** 7/8/2004

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Department of Engineering.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Meeting all applicable licensing requirements of the State of Tennessee.
5. Preserving all existing trees and vegetation on the two parcels.

Summary of MPC action: APPROVE the development plan for a medical facility (64 occupant drug and alcohol rehabilitation center) in the O-1 zoning district, subject to 5 conditions:

Date of MPC Approval: 7/8/2004 **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:**