

# CASE SUMMARY

APPLICATION TYPE: TTCDA

BUILDING PERMIT



File Number: 8-A-23-TOB                      Related File Number:  
Application Filed: 6/26/2023                      Date of Revision:  
Applicant: JOHN A. ANDERSON SITE, INC.

## PROPERTY INFORMATION

General Location: West side of Reagan Rd, north of Hardin Valley Rd.  
Other Parcel Info.:  
Tax ID Number: 104 01101                      Jurisdiction: County  
Size of Tract: 15.16 acres  
Accessibility: Access is via Reagan Road, a minor collector street with a 20-ft pavement width within a 60-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forest/vacant  
Surrounding Land Use:  
Proposed Use: 80-unit memory care facility.                      Density:  
Sector Plan: Northwest City                      Sector Plan Designation: MDR (Medium Density Residential)  
Growth Policy Plan:  
Neighborhood Context:

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

Street: 2433 Reagan Rd.  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 10 du/ac / TO (Technology Overlay)  
Former Zoning:  
Requested Zoning: N/A  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category:  
Requested Plan Category:

## WAIVERS AND VARIANCES REQUESTED

- Variations Requested:**
1. Reduce the required 100-ft setback when the property abuts a residential zone to 60 feet.
  2. Reduce the minimum number of parking spaces required from 99 to 40.
  3. Increase the lighting level at building entries from 5.0 footcandle (fc)s to up to 14.3 fc.
  4. Increase the lighting level on sidewalks from 1.0 fc to 20.5 fc.
  5. Increase the lighting level in parking areas from 2.5 fc to 12.8 fc.
  6. Increase the lighting level in the entry drive from 1.0 fc to 12.9 fc.

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## TTCDA ACTION AND DISPOSITION

**Planner In Charge:** Naomi Hansen

**Staff Recomm. (Abbr.):**

**Staff Recomm. (Full):**

Staff recommends the following actions on the required waivers from the Design Guidelines:

1. Approve the waiver to reduce the required 100-ft setback when the property abuts a residential zone since the proposed use is similar to a medium density residential development and would retain a non-distrbance area.
2. Approve the waiver to reduce the minimum number of parking spaces from 99 to 40 to allow compliance with the Knox County Zoning Ordinance standards and avoid a parking lot larger than is necessary.
3. Approve the waiver to increase the lighting levels as listed below due to safety and security concerns, in particular relating to the unique nature of the facility.
  - A. Building entries from 5.0 footcandle (fc)s to up to 14.3 fc.
  - B. Approve the waiver to increase the lighting level on sidewalks from 1.0 fc to 20.5 fc.
  - C. Approve the waiver to increase the lighting level in parking areas from 2.5 fc to 12.8.
  - D. Approve the waiver to increase the lighting level in the entry drive from 1.0 fc to 12.9 fc.

Staff recommends approval of this request for a Certificate of Appropriateness for a building permit, subject to six conditions:

- 1) Obtaining Planning Commission approval of the use on review case associated with this request prior to applying for permits. A request for development plan approval is on August 10, 2023. Planning Commission agenda (Case 8-C-23-UR).
- 2) Installation of all landscaping as shown on development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 3) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 4) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 5) Obtaining TTCDA approval of signage in a separate application if additional signage is desired in the future.
- 6) Preservation of existing vegetation along shared lot lines with residential uses as identified on the site plans.

**Comments:**

The applicant is requesting approval of a memory care facility with an area of approximately 49,575 sq ft consisting of 80 rooms on a 15-acre site.

Access would be off Reagan Road, a minor collector that shares the driveway with the existing, adjacent assisted living facility. While this is not a phased development, it is an extension of services to the adjacent facility, as Hardin Valley Assisted Living Facility is to the north.

PURSUANT TO ARTICLE V, SECTION 2 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE REQUESTS FOR BUILDING PERMIT CERTIFICATES OF APPROPRIATENESS MUST BE BASED ON THE FOLLOWING CRITERIA:

A. CONFORMITY OF THE PROPOSAL WITH THE TENNESSEE TECHNOLOGY CORRIDOR DESIGN GUIDELINES.

- 1) The proposed ground area coverage (GAC), Floor Area Ratio (FAR), and Impervious Area Ratio (IAR) are within the maximum allowed by the Design Guidelines.
- 2) The TTCDA Design Guidelines require a 100-ft setback along shared lot lines with a residential zone, and this is applicable in the northwest corner and along the western lot line of this site. The applicant is requesting a waiver to reduce the setback requirement along the shared property lines with

residential zones to 60 feet, citing site layout constraints, and the applicant proposes to keep the existing vegetation as a non-disturbance area to visually screen the existing homes. The 60 ft proposed exceeds the underlying PR (Planned Residential) zone's peripheral boundary 35 feet, but it should be noted that the PR zone anticipates residential uses. Planning supports this waiver because this facility is similar in nature to a medium density residential (MDR) development, which would not require the 100-ft setback. The proposed memory care facility is less intense in terms of traffic and facility activities than an MDR development would likely be.

3) The TTCDA parking requirements section does not address this use specially. When this occurs, the standard for "All Other Non-Residential uses" is utilized, but in this case, that would lead to a massively over-parked development with a minimum of 99 spaces. The proposed use is most similar to an assisted living facility use classification as defined by the Knox County Zoning Ordinance, and this standard was applied to the project. A memory care facility of this size would require a minimum of 40 spaces according to the Knox County Zoning Ordinance, and there is no maximum number of spaces. The plans propose 68 spaces, which meets the minimum required by the Knox County Zoning Ordinance. However, this is below the minimum threshold required by the TTCDA Guidelines, and the applicant needs a waiver. Staff supports the waiver to avoid an unnecessarily large parking lot on the site. This is supported by Section 1.7.1 of the TTCDA Guidelines, which requires compliance with the applicable zoning ordinance.

4) As mentioned previously, the subject property abuts single family residential neighborhoods to the north and west. The plan demonstrates a 15-ft non disturbance area along these lot lines, which is the minimum required by the Type A – Dense Landscape Screen in the Knox County Zoning Ordinance.

5) The landscape plans demonstrate compliance with this standard as well as the TTCDA landscaping guidelines. Plant materials will be planted along the entry and are designed to enhance the overall experience of the property. Adequate plantings will be along all entryways. The applicant proposes to preserve the existing vegetation and will plant a mix of deciduous and evergreen trees.

6) The building façade features a mix of masonry and fiber cement siding, and additional design features include an entry portico with a cupola and a weather main.

7) The proposed lighting includes full cut off fixtures including 20-ft LED site pole lights and neutral LED bollards to illuminate the parking lot and sidewalks. The light fixtures meet the requirements of the TTCDA Design Guidelines. However, a number of waivers are required to increase lighting levels throughout the parking area and areas adjacent to the building. Staff supports approval of these waivers due to the unique nature of this facility. There will be a large percentage of visitors who are elderly, visiting spouses residing at the facility. The increase in lighting levels will help elderly drivers better navigate the site in vehicles and on foot. The following waivers will be required:

- a. Increase the lighting level at building entries from 5.0 footcandle (fc)s to up to 14.3 fc.
- b. Increase the lighting level on sidewalks from 1.0 fc to 20.5 fc.
- c. Increase the lighting level in parking areas from 2.5 fc to 12.8 fc.
- d. Increase the lighting level in the entry drive from 1.0 fc to 12.9 fc.

8) The proposed yard sign is 6 ft in height and the sign's message area has an area of 17.5 sq. ft. per side, or 35 ft total. The sign structure measures approximately 78 sq. ft., which exceeds the maximum allowed for a sign structure, which is to be capped at 1.5 times the message area. The applicant needs a waiver to increase the sign's structure area from 52.5 sq ft to 78 sq ft. Staff supports the waiver since the sign is set so far back from the street and is therefore less visible. The sign structure features masonry to match that of the main building.

#### B. CONFORMITY OF THE PROPOSAL WITH THE KNOXVILLE-KNOX COUNTY MINIMUM SUBDIVISION REGULATIONS AND EITHER THE KNOXVILLE ZONING ORDINANCE, OR THE KNOX COUNTY ZONING ORDINANCE, AS APPROPRIATE.

1) The 15.08-acre site is zoned PR up to 10 du/ac and is in the TO (Technology Overlay). Memory care facilities are allowed in the PR zone but require use on review approval by the Planning Commission. This item is scheduled for August 10, 2023 Planning Commission meeting (Case 8-C-23-UR).

#### C. EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE.

1) As stated previously, Planning supports the landscaping plan as proposed. It adheres to the TTCDA standards, preserves natural vegetation, and enhances landscaping around the building and parking lots.

5) The applicant proposes to preserve the existing vegetation north of the existing pond and along the residential homes, and vegetation will screen the existing subdivision to the north that is adjacent to the assisted living facility.

#### D. CONSISTENCY OF THE PROPOSAL WITH THE REQUIREMENTS OF KNOX COUNTY DEPARTMENTS, AS APPROPRIATE.

1) The proposed access meets the standards of the Knox County Department of Engineering and Public Works.

2) The stormwater division within Knox County Engineering had no comments on the plans.

**Action:** Approved

**Meeting Date:** 8/7/2023

**Details of Action:**

Staff recommends the following actions on the required waivers from the Design Guidelines:

1. Approve the waiver to reduce the required 100-ft setback when the property abuts a residential zone since the proposed use is similar to a medium density residential development and would retain a non-distrbance area.
2. Approve the waiver to reduce the minimum number of parking spaces from 99 to 40 to allow compliance with the Knox County Zoning Ordinance standards and avoid a parking lot larger than is necessary.
3. Approve the waiver to increase the lighting levels as listed below due to safety and security concerns, in particular relating to the unique nature of the facility.
  - a. Building entries from 5.0 footcandle (fc)s to up to 14.3 fc.
  - b. Approve the waiver to increase the lighting level on sidewalks from 1.0 fc to 20.5 fc.
  - C. Approve the waiver to increase the lighting level in parking areas from 2.5 fc to 12.8.
  - D. Approve the waiver to increase the lighting level in the entry drive from 1.0 fc to 12.9 fc.

Staff recommends approval of this request for a Certificate of Appropriateness for a building permit, subject to six conditions:

- 1) Obtaining Planning Commission approval of the use on review case associated with this request prior to applying for permits. A request for development plan approval is on August 10, 2023. Planning Commission agenda (Case 8-C-23-UR).
- 2) Installation of all landscaping as shown on development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 3) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 4) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 5) Obtaining TTCDA approval of signage in a separate application if additional signage is desired in the future.
- 6) Preservation of existing vegetation along shared lot lines with residential uses as identified on the site plans.

**Summary of Action:**

**Date of Approval:** 8/7/2023

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**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:**