

# 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  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 8-H-17-UR **Related File Number:**  
**Application Filed:** 6/26/2017 **Date of Revision:**  
**Applicant:** PRIME SENIOR LIVING

## PROPERTY INFORMATION

**General Location:** Northeast side of Falling Waters Rd., south of Twin Branch Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 154 C E 009 & 154 09902 **Jurisdiction:** County  
**Size of Tract:** 7.49 acres  
**Accessibility:** Access is via Falling Waters Rd., a local street with a 26' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Assisted Living Facility **Density:**  
**Sector Plan:** Southwest County **Sector Plan Designation:** O and LDR  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The existing office building to the south was developed around the time of the Falling Waters Subdivision which adjoins this site on the north. Mixed commercial uses are located to the south of the site. Pellissippi Parkway and Northshore Town Center are located west of this site.

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

**Street:** 1920 Falling Waters Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial) and RA (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** The rezoning to PC (Planned Commercial) was approved by the Knox County Commission on September 25, 1995.

## 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.):

DENY the request for the assisted living center for the reasons stated below.

Staff Recomm. (Full):

1. The entire property is located within 1000 feet of I-140 which is a designated Scenic Highway under Tennessee Code Annotated (TCA), Section 54-17-0114(Q). (Copy attached)
2. This property is subject to a maximum building height restriction of 35 feet above the ground line on property located above the level of the highway (TCA 54-17-115(a)).
3. As proposed, the four story building has a maximum height of approximately 50 feet and would be in violation of the maximum building height restriction of 35 feet under State law.

Comments:

The applicant is proposing to develop this 7.49 acre site as an assisted living facility as defined in the Knox County zoning ordinance. The facility as proposed includes four stories with a total building area of 156,988 square feet (39,247 square feet per floor). There will be a total of 175 beds in one and two bedroom units.

The site is located on the northeast side of Falling Waters Rd., south of Twin Branch Dr. The facility will be served by a single driveway off of Falling Waters Rd. A total of 143 parking spaces will be provided for the facility.

**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 assisted living facility, if reduced in height to meet the height restrictions of the Scenic Highway System Act of 1971, would 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 street that serves nonresidential development.
2. The proposal meets all requirements of the PC zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

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

1. The Southwest County Sector Plan designates this site for office uses. The primary office zoning districts allow consideration of assisted living facilities through the use on review process.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

Action:

Denied

Meeting Date: 8/10/2017

Details of Action:

**Summary of Action:** DENY the request for the assisted living center for the reasons stated below.

**Date of Approval:** **Date of Denial:** 8/10/2017 **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:**