CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 8-I-20-UR Related File Number:

Application Filed: 6/26/2020 **Date of Revision:**

Applicant: PAUL SOREY

PROPERTY INFORMATION

General Location: North side of Dry Gap Pk & E. Emory Rd.

Other Parcel Info.:

Tax ID Number: 47 123 Jurisdiction: County

Size of Tract: 6.86 acres

Accessibility: E. Emory Road is a major arterial with a pavement width of approximately 58 feet inside a right-of-way

that varies from 64 feet to 68 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: RR (Rural Residential)

Surrounding Land Use:

Proposed Use: Assisted Living Facility Density:

Sector Plan: North County Sector Plan Designation: GC (General Business) and MDR (Medium Density

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is within 1.5 miles of the I-75 interchange with Emory Road. It is a commercial, office and

medium density residential node with Dry Gap Pike, near Brickey McCloud Elementary School. Single

family residential neighborhoods surround the commercial node.

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

Street: 1509 E. Emory Rd.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business) and OB (Office, Medical & Related Services)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: Rezoned from Commercial A and Agricultural zoned to Residential A zone in 1986 (6-G-86-RZ); the

flag stem was rezoned from RA to CA in 1994 (8-A-94-RZ); and the main portion of the property was

rezoned from CA to OB in 2019 (9-I-19-RZ)

PLAN INFORMATION (where applicable)

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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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

APPROVE the development plan for an assisted living/memory care facility with up to 130 beds in a building comprising approximately 75,456 square feet, subject to the following 8 conditions.

Staff Recomm. (Full):

- 1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
- 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 Fire Prevention Bureau.
- 5. If required, meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Health.
- 6. Any proposed signage will be required to meet all applicable requirements of the Knox County Zoning Ordinance and is subject to Planning staff approval.
- 7. Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 8. Meeting all applicable requirements of the Tennessee Department of Transportation.

With the conditions noted, this plan meets the requirements for approval of an assisted living/memory care facility in the CA/OB (General Business/Office, Medical and Related Services) districts and the other criteria for approval of a use on review.

Comments:

This is a request to construct a new assisted living and memory care facility on E. Emory Road west of the I-75 interchange. The proposed two-story facility will consist of approximately 75,456 square feet. There will be a total of 94 units within the facility. 65 units are studio, 20 units have one-bedroom, and 9 units have two-bedrooms. 24 units are devoted to memory care, and the remaining 72 are assisted living.

This parcel could be considered a flag lot even though the "flag stem" portion of the lot is larger than what is typical. The facility will sit at the rear of the site on the larger portion of the property behind another parcel fronting E. Emory Road. Rather than providing access along the flag stem frontage on E. Emory Road, the applicant proposes access traversing across the parcel directly in front of the facility to the side of the flag stem. This access point is preferable to utilizing the flag stem since it is aligned with Dry Gap Pike and can be signalized. An agreement document was provided with the application that details the sale of the right-of-way to provide property for a private road connecting the assisted living facility to E. Emory Road.

Sidewalks connect the parking lot to E. Emory Road along one side of the private road entry. The proposed parking meets the Knox County zoning ordinance requirements. 46 spaces are required; 58 spaces are proposed. The parking area will need to incorporate ADA parking spaces, and this will be worked through during the site plan review process with the County. The fire lane at the rear of the property will require revision to accommodate turn-around space for fire trucks and the applicant has worked with the Fire Department on the necessary changes. The proposal will not alter the plans significantly and will be worked through during the site plan review process with the County.

Type B Landscaping is proposed on the northern, western, and southern property boundaries of the main body of the parcel. Type B landscaping is required when parking areas are adjacent to residential zones or uses.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND

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THE COMMUNITY AS A WHOLE

- 1. Public utilities are available to serve the site.
- 2. The proposed assisted living/memory care facility will have minimal impact on the existing street
- 3. The proposed facility is compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING **ORDINANCE**

- 1. The parcel has dual zoning with CA (General Business) zoning on the narrow portion of the site fronting E. Emory Road and OB (Office, medical and Related Services) on the main body of the lot housing the facility. With the recommended conditions, the proposed facility meets all requirements of the OB zoning district and the criteria for approval of a use on review.
- 2. The proposed facility is consistent with the 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 since the site is located on a major arterial street.
- No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use. Nor should this use pose a hazard or create an unsuitable environment for the surrounding properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The North County Sector Plan proposes medium density residential and general commercial uses on this property. OB zoning allows consideration of an assisted living facility through the use on review process. The proposed use is in conformance with the Sector Plan.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved Meeting Date: 8/13/2020 Details of Action: Summary of Action: APPROVE the development plan for an assisted living/memory care facility with up to 130 beds in a building comprising approximately 75,456 square feet, subject to the following 8 conditions. Date of Approval: 8/13/2020 Date of Denial: Postponements:	Date of Withdrawal:	al: Withdrawn prior to publication?: Action Appealed?:			
Details of Action: Summary of Action: APPROVE the development plan for an assisted living/memory care facility with up to 130 beds in a	Date of Approval:	8/13/2020	Date of Denial:	Postponements:	
	Summary of Action:				
Action: Approved Meeting Date: 8/13/2020	Details of Action:				
	Action:	Approved		Meeting Date: 8/13/2020	

LEGISLATIVE ACTION AND DISPOSITION				
Legislative Body:	Knoxville 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:		

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