

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-M-19-RZ                      **Related File Number:**  
**Application Filed:** 6/27/2019              **Date of Revision:**  
**Applicant:** BENJAMIN C. MULLINS / ACADIA HEALTHCARE COMPANY, INC.

## PROPERTY INFORMATION

**General Location:** At the intersection of Dowell Springs Boulevard and Old Weisgarber Road  
**Other Parcel Info.:**  
**Tax ID Number:** 106 D A 00915                      **Jurisdiction:** City  
**Size of Tract:** 5.47 acres  
**Accessibility:** The site could potentially be accessed from either Dowell Springs Boulevard or Old Weisgarber Road. Dowell Springs Boulevard is classified a local road in front of this parcel and has a pavement width of 24 feet and a right-of-way of 70 feet. Old Weisgarber Road is a minor collector with a pavement width of 24 feet and a right-of-way of 62 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Acute psychiatric care facility (hospital for 24-hr monitored care of persons in crisis)                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** O (Office)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** Old Weisgarber Road is just south of fairly intense commercial uses on Middlebrook Pike. There are warehouses and large office complexes with large surface lots in the area. There is a residential neighborhood that abuts the rear of the lot across Dowell Springs Boulevard to the northwest, but no residences are within 500 feet of this parcel.

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

**Street:** 0 Dowell Springs Boulevard  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** O-3 (Office Park)  
**Former Zoning:**  
**Requested Zoning:** O-1 (Office, Medical, and Related Services)  
**Previous Requests:** 4-AA-94-RZ, 12-J-97-RZ  
**Extension of Zone:** No  
**History of Zoning:** This parcel was rezoned from O-1 (Office, Medical, and Related Services District) to O-3 (Office Park District) in February, 1998 (Case No. 12-J-97-RZ) as part of a number of tracts being rezoned at that

time.

### **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.:

### **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the requested O-1 (Office, Medical, and Related Services District) zoning.

Staff Recomm. (Full):

Staff recommends approval of the requested O-1 (Office, Medical, and Related Services District) zoning since the parcel was originally zoned O-1 and was rezoned to O-3 (Office Park District) in February, 1998 and Old Weisgarber Road has developed with large medical facilities already, and this proposal would require development review.

Comments:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. There are no significant recent changes that would warrant a rezoning. However, Old Weisgarber Road has been developed with multiple large medical facilities since the early 2000s.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. This property was originally zoned O-1 and was rezoned to O-3 in February, 1998.  
2. The proposed amendment to O-1 zoning is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical and dental offices, as well as suburban locations near residential neighborhoods.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. O-1 zoning is compatible with the Office Sector Plan designation.  
2. Surrounding uses include Knoxville Orthopedic Clinic, ProVision, Southeast Eye Specialists, and Family Care Specialists. All of these are large medical facilities, with which a 24-hour psychiatric care facility would be compatible.  
3. Permitted uses on review in this district include hospitals, halfway houses, etc. A 24-hour psychiatric care facility is similar to these uses. Therefore, staff interprets this as a use permitted on review and the site and building plans would require approval from the planning commission.  
4. The property is located in FEMA Flood Zone X, but it is not located in a floodway or a floodplain.  
5. A large portion of this parcel on the east is in the HP (Hillside and Ridgetop Protection Area) and a portion of the site features a slope with a grade of 25-40%. Any adverse effects would be addressed through the development review process since this use requires a use on review.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment is consistent with and not in conflict with any adopted plans.

**Action:** Approved **Meeting Date:** 8/8/2019

**Details of Action:**

**Summary of Action:** Approve the requested O-1 (Office, Medical, and Related Services District) zoning.

**Date of Approval:** 8/8/2019 **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:** 9/10/2019 **Date of Legislative Action, Second Reading:** 9/24/2019

**Ordinance Number:** **Other Ordinance Number References:** O-132-2019

**Disposition of Case:** Approved **Disposition of Case, Second Reading:** Approved

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**