

# 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:** 9-D-10-UR                      **Related File Number:**  
**Application Filed:** 8/2/2010              **Date of Revision:**  
**Applicant:** DOMINION RAINTREE GENERAL PARTNERSHIP

## **PROPERTY INFORMATION**

**General Location:** North of Raindrop Dr., west side of Rain Forest Rd..  
**Other Parcel Info.:**  
**Tax ID Number:** 133 A J 005                      **Jurisdiction:** County  
**Size of Tract:** 9.72 acres  
**Accessibility:** Access is via Rain Forest Rd., a local street with a pavement width of 26' within a 50' wide 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:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area that is practically surrounded by medium density residential development consisting of apartments, condominium and attached residential subdivisions. The zoning in the area is RB, PR and Rae residential.

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

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

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** RB (General Residential)  
**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:

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: Dan Kelly

Staff Recomm. (Abbr.): A)APPROVE the request for an assisted living facility with 60 units and up to 72 beds as shown on the development plan subject to 11 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
3. Provision of a street name for the proposed driveway which is consistent with the Uniform Street Naming and Addressing System in Knox County
4. Installation of landscaping and the walking trail as shown on the development plan prior to issuance of an occupancy permit or posting a bond with the Knox County Dept. of Engineering and Public Works guaranteeing the installation within one year of the issuance of an occupancy permit
5. Meeting all applicable requirements of the Knox County Stormwater Ordinance which will include, but not limited to, stream bank restoration, stream buffering, stormwater retention and any other applicable requirement of the Knox County Dept. of Engineering and Public Works.
6. Meeting all requirements and obtaining all required permits from the Tennessee Dept. of Environment and Conservation
7. Meeting all requirements and obtaining all required permits from the Tennessee Valley Authority prior to commencing grading within the power line easement
8. Obtaining and maintaining in good standing all required permits from the appropriate State of Tennessee agencies required for the operation of the assisted living facility
9. Certification on the grading plan by the applicant's engineer that there is 300 ft. of sight distance in each direction on Rain Forest Rd. from the proposed driveway
10. Provision of a 25 ft. corner pavement radius at the driveway entrance. Constructing the driveway per a design approved by the Knox county Dept. of Engineering and Public Works
11. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to issuance of a building permit

Comments: The applicant's have submitted a plan for an assisted living facility that will contain 60 units and up to 72 client beds. The facility will be located in an area of multiple medium density residential developments.

A tributary to Ten Mile Creek and a Tennessee Valley Authority (TVA) power line easement cross the site from east to west. A part of the proposed parking lot is located within the TVA easement. A power transmission tower is located on this site. Before the applicant begins any type of site preparation within the TVA easement, they will be required to obtain a permit from TVA in order to do any work within the easement.

Drainage from and through the site will have an impact on the development of this site. The banks of the tributary to Ten Mile Creek that crosses the site are severely eroded. Stream bank restoration and stream buffering will be required to be addressed as part of the drainage and stormwater plan. Permits from the Knox County Department of Engineering and Public Works and the Tennessee Department of Environment and Conservation will be required before any grading can commence on the site. Because the site is located within the Ten Mile Creek drainage basin, retention rather than detention of stormwater will be required. Retention basins are typically larger than detention basins because they are designed to retain the stormwater on site.

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

1. Public water and sewer utilities are available to serve the site.
2. The location of the proposed assisted living facility within an area of medium density residential

uses should have minimal impact on neighboring uses and traffic patterns.  
3. The proposal will have no impact on schools.

**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 non-residential traffic through residential areas.
2. The proposal meets all requirements of the RB zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

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

1. The Southwest City Sector Plan recommends low density residential (LDR) use for this site.. An assisted living facility may be permitted in an LDR area.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 9/9/2010

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance
  2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.
  3. Provision of a street name for the proposed driveway which is consistent with the Uniform Street Naming and Addressing System in Knox County
  4. Installation of landscaping and the walking trail as shown on the development plan prior to issuance of an occupancy permit or posting a bond with the Knox County Dept. of Engineering and Public Works guaranteeing the installation within one year of the issuance of an occupancy permit
  5. Meeting all applicable requirements of the Knox County Stormwater Ordinance which will include, but not limited to, stream bank restoration, stream buffering, stormwater retention and any other applicable requirement of the Knox County Dept. of Engineering and Public Works.
  6. Meeting all requirements and obtaining all required permits from the Tennessee Dept. of Environment and Conservation
  7. Meeting all requirements and obtaining all required permits from the Tennessee Valley Authority prior to commencing grading within the power line easement
  8. Obtaining and maintaining in good standing all required permits from the appropriate State of Tennessee agencies required for the operation of the assisted living facility
  9. Certification on the grading plan by the applicant's engineer that there is 300 ft. of sight distance in each direction on Rain Forest Rd. from the proposed driveway
  10. Provision of a 25 ft. corner pavement radius at the driveway entrance. Constructing the driveway per a design approved by the Knox county Dept. of Engineering and Public Works
  11. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to issuance of a building permit

**Summary of Action:** A)PPROVE the request for an assisted living facility with 60 units and up to 72 beds as shown on the development plan subject to 11 conditions

**Date of Approval:** 9/9/2010 **Date of Denial:** **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:**