



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
USE ON REVIEW REPORT**

▶ **FILE #:** 2-A-08-UR

**AGENDA ITEM #:** 77

**AGENDA DATE:** 2/14/2008

▶ **APPLICANT:** JAMES L. MADIGAN

**OWNER(S):** JAMES & MARIANNE MADIGAN MADIGAN LIMITED PARTNERSHIP

**TAX ID NUMBER:** 131 L B PART OF 002

**JURISDICTION:** County Commission District 5

▶ **LOCATION:** West side of Capital Dr., east side of Fox Rd., south of Kingston Pike.

▶ **APPX. SIZE OF TRACT:** 1.455 acres

**SECTOR PLAN:** Southwest County

**GROWTH POLICY PLAN:** Urban Growth Area (Outside City Limits)

**ACCESSIBILITY:** Access is via Capital Dr., a local street with a 36' pavement width within a 50' right-of-way.

**UTILITIES:** Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

**WATERSHED:** Sinking Creek

▶ **ZONING:** PC (Planned Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Medical Office Building

**HISTORY OF ZONING:** None noted

**SURROUNDING LAND USE AND ZONING:** North: Bank / PC-1 (Retail and Office Park)

South: Vacant land / PC (Planned Commercial) & PC-1 (Retail and Office Park)

East: Offices / PC-1 (Retail and Office Park)

West: Residences and office / CA (General Business) & C-6 (General Commercial Park)

**NEIGHBORHOOD CONTEXT:** This site is located in an area of office and mixed commercial uses near the intersections of Kingston Pike, Fox Rd. and Capital Dr.

**STAFF RECOMMENDATION:**

▶ **APPROVE the development plan for the proposed medical office building subject to 7 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinances.
3. Establishing and maintaining the sight visibility easement from the entrance to the south along Capital Dr. to allow for an unobstructed sight distance of 250'. The sight visibility easement shall be established with the recording of a subdivision plat for this tax parcel. Landscaping in the visibility easement and triangles shall not obstruct vision at elevations between two and one-half feet and ten feet above the crown of the adjacent roadway.

4. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knoxville Engineering Division for access to Capital Dr.
7. Street access for this site shall be only from Capital Dr.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the PC district.

**COMMENTS:**

The applicant is proposing to develop 1.455 acres of a 2.833 acre lot within the Capital Court Subdivision as a medical office with approximately 9,500 square feet. While this lot is within the jurisdiction of Knox County, the other lots within the subdivision are within the City of Knoxville. Access to the site is from Capital Dr. which is a City street. The parking being provided on the site exceeds the requirements for either a medical clinic or professional office. A variance was granted by the Knox County Board of Zoning Appeals on January 23, 2008 for a reduction in size of a parking stall from 200 square feet to 152 square feet.

In order to maintain adequate sight distance from the entrance to the south around the curve in Capital Dr., a sight visibility easement will be required. The sight visibility easement shall be established with the recording of a subdivision plat for this tax parcel. Landscaping in the visibility easement and triangles shall not obstruct vision at elevations between two and one-half feet and ten feet above the crown of the adjacent roadway.

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

1. Public water and sewer utilities are available in the area to serve this site.
2. With the maintenance of the visibility easement and triangles at the entrance to the development the traffic impact of this development on Capital Dr. will be reduced.
3. The proposed development is compatible with the scale and intensity of the surrounding development and zoning pattern. The proposal will have no impact on schools.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposal meets all requirements of the PC zoning district as well as the general criteria for approval of a use-on-review.
2. The proposed commercial development is consistent with the following 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. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

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

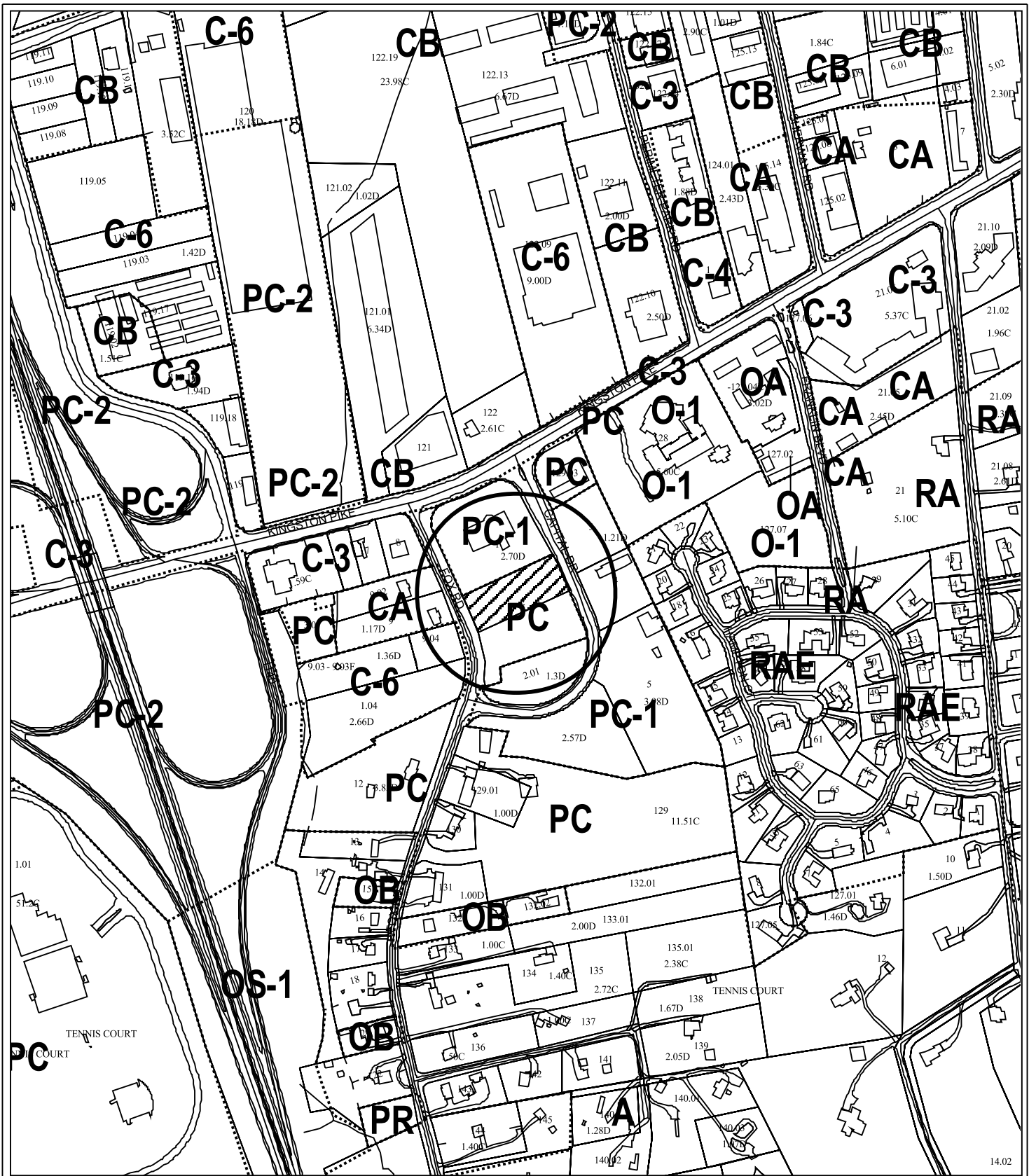
1. The Southwest County Sector Plan proposes commercial uses for the site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**ESTIMATED TRAFFIC IMPACT 388 (average daily vehicle trips)**

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

**ESTIMATED STUDENT YIELD:** Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



2-A-08-UR  
 USE ON REVIEW



Medical Office Building in PC (Planned Commercial)

Original Print Date: 01/28/08 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: James L. Madigan

Map No: 131

Jurisdiction: County





**WILL ROBINSON & ASSOCIATES**  
 111 Brentwood Dr  
 Oak Ridge, TN 37830  
 (865) 426-7918



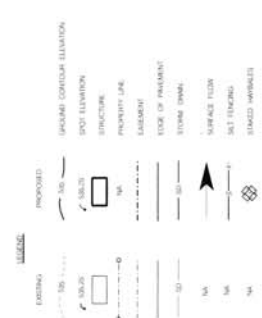
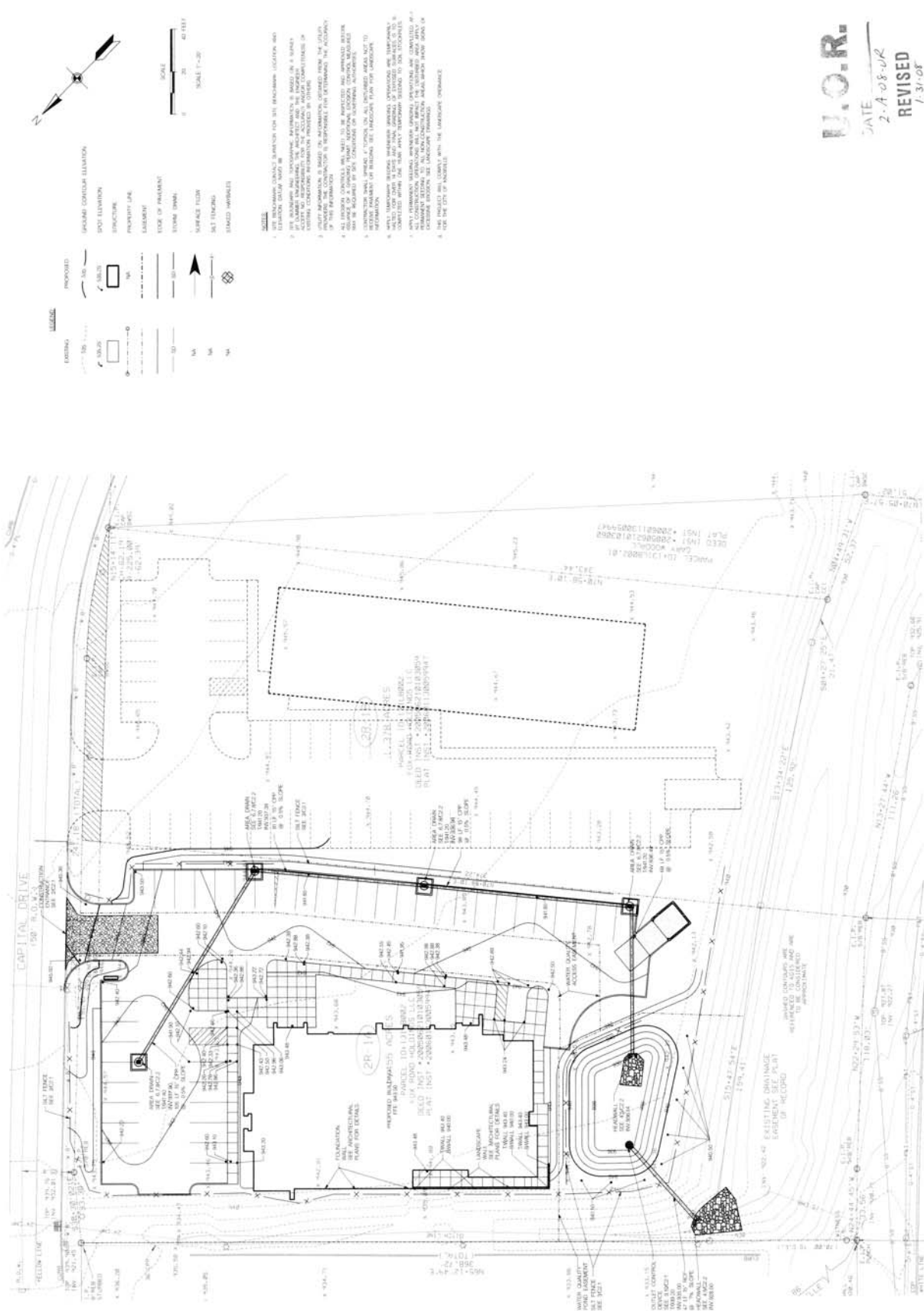
**Dr. James Madigan**  
 Capital Drive  
 Knoxville, Tennessee

REVISIONS  
 SHEET OWNER REVISION  
 NUMBER DESIGN PERM.

DRAWN BY: WMR  
 CHECKED BY: WMR  
 DATE: 08-20-07  
 REF. A. ME.  
 PROJECT T. NO.

**C1.2**  
 SITE GRADING PLAN  
 DRAWING

**U.O.R.**  
 DATE: 2-4-08-UR  
 REVISED: 7-31-08



- NOTES:**
1. SITE INFORMATION CONTAINS INFORMATION FOR SET BACKS (SEE PLAN SHEET) (LOCATION 400)
  2. ELEVATION DATA WAS OBTAINED FROM THE FOLLOWING SOURCES: (LOCATION 400)
  3. ALL ELEVATIONS ARE IN FEET AND DECIMALS THEREOF. (LOCATION 400)
  4. ALL ELEVATIONS ARE TO THE FINISHED GRADE UNLESS OTHERWISE NOTED. (LOCATION 400)
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