



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

▶ **FILE #:** 1-A-08-UR

AGENDA ITEM #: 86

AGENDA DATE: 1/10/2008

▶ **APPLICANT:** HERITAGE CONSTRUCTION

OWNER(S): LIDA KITTRELL BARNETT

TAX ID NUMBER: 90 E B 016

JURISDICTION: County Commission District 6

▶ **LOCATION:** Southeast side of Byington-Beaver Ridge Rd., southwest of Shady Oak Ln.

▶ **APPX. SIZE OF TRACT:** 1.16 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Byington Beaver Ridge Rd., a major collector street with 19' of pavement width within 60' of right of way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** CA (General Business) ((OB (Office, Medical, & Related Services) pending).

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Assisted living facility for up to 31 units

HISTORY OF ZONING: Property was requested for rezoning at the December 13, 2007 MPC meeting. (12-AA-07-RZ/12-L-07-SP).

SURROUNDING LAND USE AND ZONING: North: Church / CA (General Business)

South: Residences / RA (Low Density Residential)

East: Residences / CA (General Business) & RA (Low Density Residential)

West: Residences / CA (General Business) & RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located just south of Oak Ridge Hwy. which includes a carwash, convenience store, restaurant and a church, zoned CA.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a 31 unit assisted living facility, subject to the following 6 conditions:**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.
5. Installing landscaping as shown on the development plan within six months of the issuance of occupancy

permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation.

6. Obtaining an entrance permit from the Tennessee Dept. of Transportation (TDOT) regarding access to Byington-Beaver Ridge Rd.

With the conditions noted above, this request meets the requirements for approval of an assisted living facility in the OB zoning district and other criteria for a use on review.

COMMENTS:

The applicant is proposing to construct an assisted living facility at the corner of Byington-Beaver Ridge Rd. and Shady Oak Ln. MPC recently recommended approval of OB zoning on the subject property in December (12-AA-07-RZ/12-L-07-SP). Knox County Commission will not vote on this item until January 28, 2008. If rezoned, assisted living facilities are a use permitted on review under the OB zoning district.

The proposed 11,820 square foot facility will contain 31 residential units, and a 3,600 square foot common area. In order to satisfy the requirements of the Knoxville Zoning Ordinance, the applicant will be required to provide 15 off-street parking spaces to accommodate both residents and staff. The applicant will be required to have all landscaping installed prior to issuance of occupancy permits to screen the facility from nearby residences. The applicant will also be required to obtain an entrance permit from TDOT in order to have access onto Byington-Beaver Ridge Rd. which is a state right-of-way at this location.

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

1. The proposal will have no impact on schools.
2. Adequate sight distance is available in both directions from the proposed entrance onto Byington-Beaver Ridge Rd.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a major collector street and meets the Knox County Zoning Ordinance requirements for approval of an assisted living facility.
5. The applicant will be required to install a landscaped buffer between the proposed facility and nearby residences, thereby reducing the visual impact on surrounding property owners.

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.
2. The proposal meets all relevant requirements of the OB zoning district and use on review.

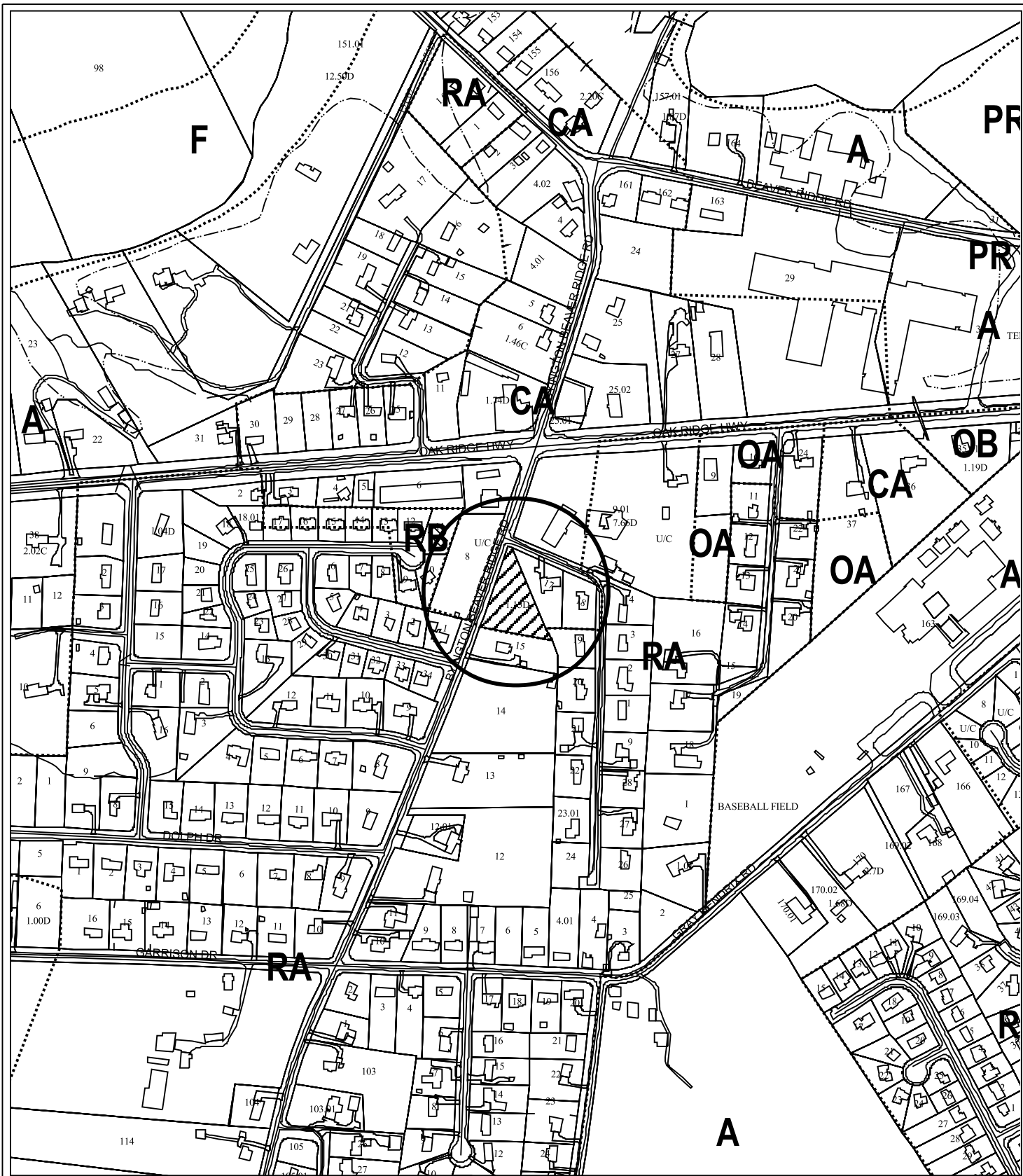
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. If approved by Knox County Commission, the Northwest County Sector Plan will propose office uses for this site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

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.



1-A-08-UR
 USE ON REVIEW



Assisted living facility for up to 31 units in CA (General Business)

Original Print Date: 12/28/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Heritage Construction

Map No: 90

Jurisdiction: County



1-10-08-UR

Heritage Construction

9122 Linksvue Drive
Knoxville, Tennessee 37922

November 29, 2007

Knoxville – Knox County
Metropolitan Planning Commission
City County Building Suite 403
Knoxville, Tennessee 37902

Reference: Heritage Construction
Rezoning Request 12-AA-07-RZ
Plan Amendment 12- L-07-SP

Dear MPC,

Please accept this correspondence as the requested narrative summary for the proposed project located at the corner of Byington – Beaver Ridge Road and Shady Oak Lane in the Karns Community of Knox County. This Karns project will be called Autumn Care and will be designed to reflect a homelike appearance and atmosphere.

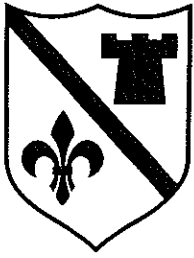
My name is Peter Falk and I will be the principle developer and Contractor for this project. I have lived in Knoxville since 1993. I have over 25 years experience in senior housing development and management. This project will be the fourth project that I've completed in Knox County. Prior projects have included 24 units at Heritage Assisted Living at 1545 Coleman Road, 28 units at 144 Felix Road, and 36 units at 273 South Peters Road.

Autumn Care will offer the normal Assisted Living type services including 24 hour staffing, meals, activities, housekeeping and laundry, assistance with activities of daily living, etc. The licensing, services, and management will meet all State regulations for operating an Assisted Living facility in Tennessee.

The small size of this project has proven to be a very pleasing home for the residents and very well accepted by the community. It is a low impact foot print with a residential appearance and landscaping and offers a quiet on-going business operation. The largest staffing shift would be on day shift with an expected total of seven employees. The external services are normally once per week for food delivery and trash pick-up. These normally occur during normal business hours.

Your consideration of the requested rezoning and use on review is very much appreciated. If you require any additional information, please do not hesitate to contact me at (865) 680-3009.

Respectfully Submitted,
Peter Falk



Heritage Construction

Commercial • Industrial • Residential

PETER D FALK
Contractor

1-A-08-UR

December 31, 2007

Ms. Kelly Swartz
Knox County Metropolitan Planning Commission

Reference: Heritage Construction – Autumn Care Assisted Living
Use on Review 1/10/08
Byington-Beaver Ridge Road - Karns Community – Knox County

Dear Kelly,

I have made efforts to obtain the additional information that you requested on 12/21/07 and would like to use this cover letter to better explain some of the details.

1. Confirm Center Line of Knox County road Byington-Beaver Ridge Road and State Route SR131?

I was able to meet with Mr. James R. Lawson of the IDOT and obtain confirmation that the Center Line is 17' (seventeen) feet. The total right to way is recorded with the IDOT as being 34' (thirty four) feet. See attached document provided by IDOT.

2. Radius at the corner of Byington-Beaver Ridge Road and Shady Oak Lane?

I discussed this question with Mr. Lawson at IDOT and he has no information available that would provide confirmation of the Radius at this intersection. I searched the KGIS system for information concerning the Radius at this intersection and was not able to find any records available. I spoke with my Architect concerning this question and he was not able to determine the Radius at this intersection with the information available at this time. This lot only has 19.5' (nineteen and one half) feet that fronts Shady Oak Lane and would have minimal impact from a variance in the radius. Therefore, I would request that this question be withdrawn.

3. Kitchen Location? I've meet with my Architect and considered the options for the proposed location of the kitchen. See the attached revised preliminary Use on Review drawings.

4. Typical Unit? This project will be the fourth Assisted Living project that I've developed in Knox County. I've made a copy of a typical floor plan that I've used on other projects. See the attached copy of previous project drawing for a typical unit.

5. Turn-around design for parking spaces? I've meet with my Architect and determined that there is a 25' (twenty five) foot wide drive lane available in the center of the parking lot. This was specifically designed to allow access into and out of each parking space. There is also a 5' (five) foot extension at the end of the parking lot that allows vehicles to utilize this if needed for entering or exiting a parking space.

I've attached copies of the documents that are referenced in this cover letter for your review and records. If you require any additional information or documentation, please contact me at (865) 680-3009.

Peter Falk
Owner/Developer/Contractor

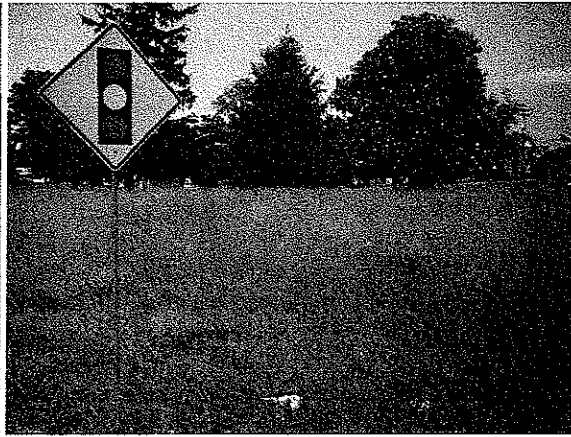
Milepoint

6.785

Direction N

Signing +

Date Collected 07/19/2006



County: **KNOX** Route: **SR131** Special Case: **0-NONE** County Sequence: **1** **Find Now**
 From: **6.785** To: **6.785** Start Year: End Year: **Clear All**
Cancel

Accident Grand Totals
 Accident Rate: **0.0000** # Fatal Accidents: **0** # Injury Accidents: **0** Total Property Damage Accidents: **0**

Roadway Characteristics

1.0'	20.0'	1.0'
soil (dirt)	asphalt concrete	soil (dirt)
shoulder (outside)	pavement	shoulder (outside)

Segment 1 of 1 BLM: **6.785** ELM: **6.785**

Traffic & Geometric Data
 ADT: **8870** % Truck: **3** ROW: **34** Land Use: **7-RESIDENTIAL** # Lanes: **2**

Fields in BLUE are required.

[Photolog Viewer](#)

[Photolog Summary](#)

TENNESSEE DEPARTMENT OF TRANSPORTATION



JAMES R. LAWSON
 Highway Maintenance
 Superintendent 1
 Phone (865) 594-2718

Bureau of Operations
 1045 Maintenance Lane
 P. O. Box 58
 Knoxville, TN 37901