

▶ **FILE #:** 1-G-09-UR **AGENDA ITEM #:** 60  
 POSTPONEMENT(S): 1/8/2009-2/12/2009 **AGENDA DATE:** 3/12/2009

▶ **APPLICANT:** FORTRESS CORPORATION  
 OWNER(S): FORTRESS CORPORATION

TAX ID NUMBER: 131 L A 00101 (PART OF)  
 JURISDICTION: County Commission District 5  
 ▶ **LOCATION:** South side of Kingston Pike, west side of Pellissippi Parkway.  
 ▶ **APPX. SIZE OF TRACT:** 2.72 acres  
 SECTOR PLAN: Southwest County  
 GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)  
 ACCESSIBILITY: Access to the site is via Ft. Sanders West Blvd., a private drive leading from Kingston Pike. Property to the south and west is zoned A (Agricultural) and PR (Planned Residential).  
 UTILITIES: Water Source: First Knox Utility District  
 Sewer Source: First Knox Utility District  
 WATERSHED: Sinking Creek

▶ **ZONING:** PC (Planned Commercial)  
 ▶ **EXISTING LAND USE:** Medical offices, day care center & health club  
 ▶ **PROPOSED USE:** Out-patient surgery and expansion of professional office space

HISTORY OF ZONING: The original development plan for Fort Sanders West was approved in 1986. Development plans for Knoxville Orthopedic Clinic have been approved in 1992, 1999 and 2003.  
 SURROUNDING LAND USE AND ZONING: North: Medical facility & health club / PC commercial  
 South: Day care center / PC commercial  
 East: I-140 (Pellissippi Parkway) / OS-1 open space  
 West: Attached residential / PR residential  
 NEIGHBORHOOD CONTEXT: The site is located on the south side of Kingston Pk., west of S. Pellissippi Parkway (I-140). It is part of the larger site that contains the Fort Sanders West professional offices and health club.

**STAFF RECOMMENDATION:**

- ▶ **APPROVE the request for expansion of the Knoxville Orthopedic Clinic as shown on the development subject to 8 conditions**
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. Meeting all applicable requirements of the Tennessee Scenic Highway Act
  4. Installation of landscaping as shown on the development plan within one year of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Dept. of Engineering and Public

Works to guarantee its installation

5. Review and approval by the appropriate government agency of the plans for each roadway improvement identified in the K. Cole letter of March 6, 2009 prior to Knox County's final inspection of the proposed surgery center/office building. At the time the plans are approved, a bond in an amount sufficient to cover the cost of construction of the required improvements is to be posted with the approving agencies
6. Completing construction of each roadway improvement identified in the K. Cole letter of March 6, 2009 within one year after occupancy of the surgery center/office building
7. Relocating the driveway to the surgery per the requirements of the Knox County Dept. of Engineering and Public Works
8. A revised site plan reflecting the conditions of approval must be submitted to MPC prior to issuance of and building permits

With conditions noted above, this request meets the requirements of the PC zone and the other criteria for approval of a use on review.

#### **COMMENTS:**

Fortress Corporation which owns the Fort Sanders West medical campus is proposing an addition to the Knoxville Orthopedic Clinic. The applicant is proposing a 32,478 square foot expansion to the facility. The new building will be used primarily as an out-patient surgery center with some additional professional office space.

The Fort Sanders West medical office facility and health club were originally approved by MPC in 1986. Since that time a number of revisions to the original plan have been approved by MPC through the use on review process. Throughout the development of this site traffic safety and control has been a major topic of concern for the staff when reviewing the various plans. As part of this review process, the applicant has been required to prepare a traffic impact analysis. This analysis takes into consideration the existing traffic being generated by the development and the existing traffic on Kingston Pk. These traffic counts are combined with the traffic that is expected to be generated by the proposed expansion to determine the total traffic impact the Fort Sanders West development. The traffic analysis was done by Wilbur Smith and Associates.

The traffic study has reviewed by the MPC transportation staff, the Knox County Dept. of Engineering and Public Works, the City of Knoxville Department of Engineering and the Tennessee Department of Transportation. The study identified a number of improvements to Kingston Pk. that need to be addressed in order to accommodate the anticipated traffic that will be generated by the development in the years to come. These needed improvements have been called out in a letter from Kevin Cole, of Wilbur Smith & Associates, which is included with this report. All of the reviewing agencies agree with the findings of the traffic analysis. Staff has reviewed the findings of the study with representatives of the Fortress Corporation. They have agreed to construct the identified improvements. In order to insure the improvements are made in a timely manner, staff will recommend that the plans for all identified improvements be completed and approved by the appropriate reviewing agency(s) prior to Knox county performing the final building inspection of the proposed Knoxville Orthopedic Clinic building. Additionally, staff will recommend that all improvements be constructed within one year from the date of the final inspection. Based on historic traffic counts, some of the traffic improvements have been needed for a number of years. Traffic congestion in the vicinity of this site is not uncommon. Staff believes the construction of the improvements will have a positive impact on traffic circulation in this area.

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

1. With the proposed road and traffic improvements, the development of this project should enhance traffic operations in the vicinity of this site.
2. The proposed expansion of this medical facility will have minimal impact on local services since all utilities are in place to serve this development.
3. The proposed expansion is consistent with other professional office development approved at this location.

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

1. The proposed expansion of the medical facility meets the standards for development within a PC (Planned Commercial) Zone and all other requirements of the Zoning Ordinance.

2. The proposed medical facility expansion 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.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan identifies this property for office use. The proposed development is consistent with the Sector Plan. MPC has approved numerous development plans for projects located on the fort Sanders West Campus.

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.