

▶ **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 prior to the issuance of an occupancy permit for 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 is to be posted with the approving agency
6. Completing construction of each roadway improvement identified in the K. Cole letter within one year after occupancy of the surgery/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 Wilber 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. and the existing site access 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 the issuance of an occupancy permit for the proposed Knoxville Orthopedic Clinic building. Additionally, staff will recommend that all improvements be constructed within one year from the date of the issuance of the occupancy permit. 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.

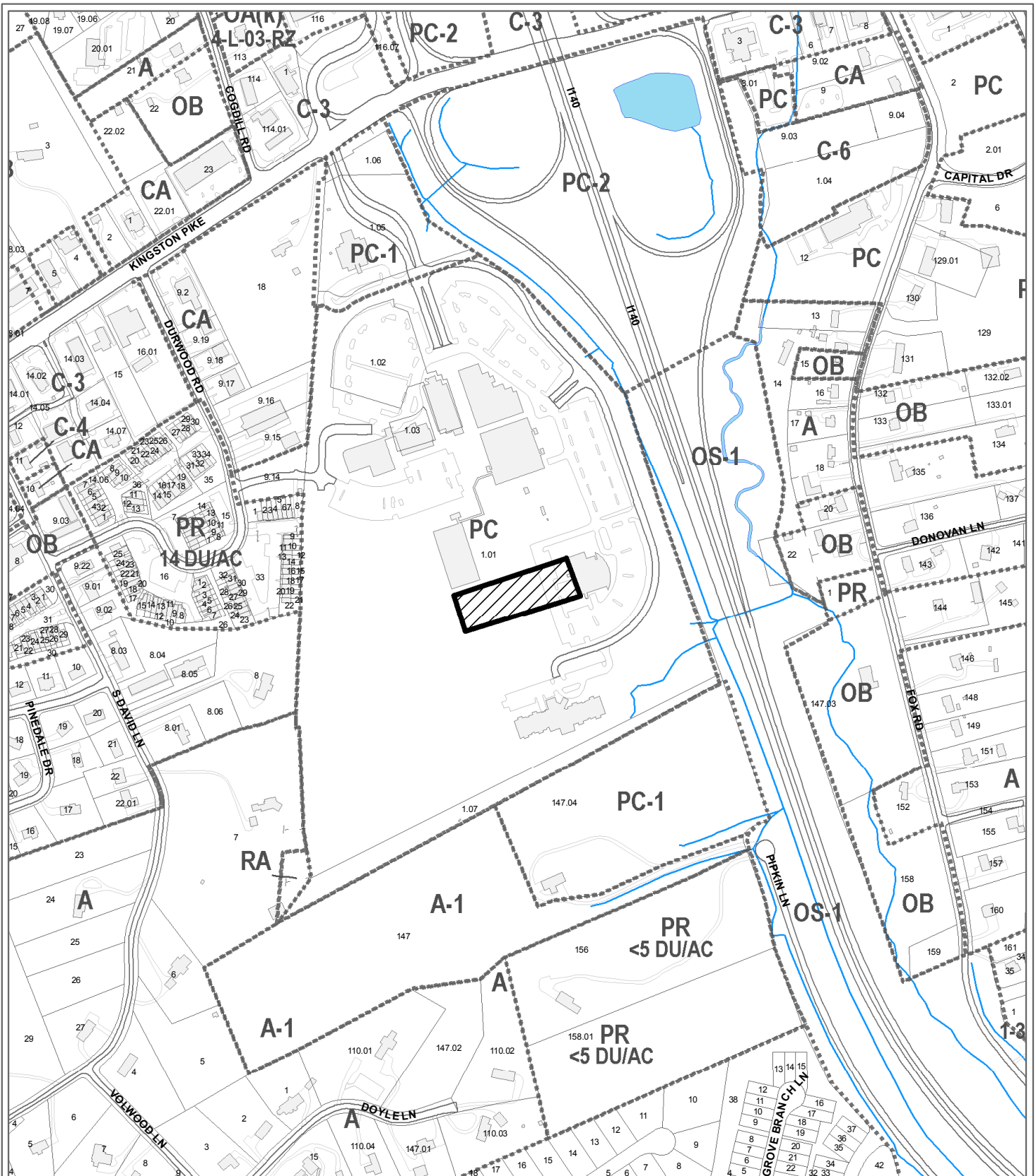
## CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

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.

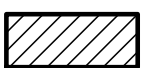
ESTIMATED TRAFFIC IMPACT: Not calculated.

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.



**1-G-09-UR  
USE ON REVIEW**



Expansion of professional office and out patient surgery in PC (Planned Commercial)

Original Print Date: 12/23/2008      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Fortress Corporation

Map No: 131  
Jurisdiction: County



**Knoxville Orthopaedic Surgery Center**  
 Knoxville, Tennessee  
 SITE LAYOUT AND PAVING PLAN



**THE LEWIS GROUP ARCHITECTS**  
 1111 NORTHLAKE DRIVE  
 NASHVILLE, TN 37203  
 TEL: 615-259-3000  
 E: info@lewiscg.com



**THE LEWIS GROUP ARCHITECTS**

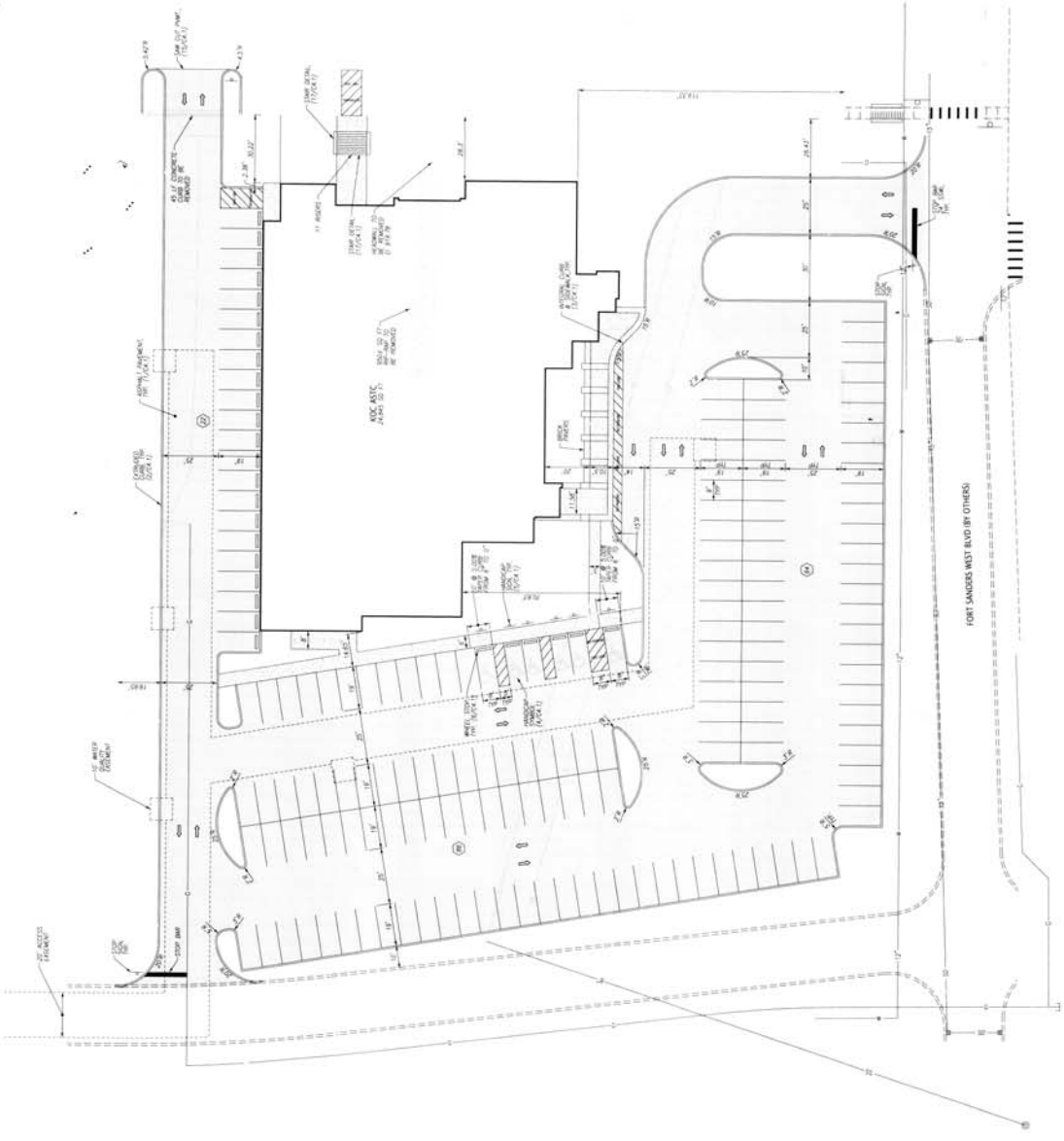
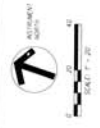
**F. M. MACINDOE & ASSOCIATES, P.C.**  
 CIVIL ENGINEER  
 1000 UNIVERSITY AVENUE, SUITE 201  
 NASHVILLE, TN 37203  
 TEL: 615-259-0344  
 FAX: 615-259-0345  
 E: info@fmma.com

**NOTES:**

1. THE FOUNDATION & STRUCTURE SHALL BE PROVIDED BY THE ARCHITECT'S CONSULTANTS. THIS SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.
2. ALL UTILITIES SHOWN ARE BASED ON THE LATEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
3. ALL UTILITIES SHALL BE DEEPENED AND COVERED TO A MINIMUM OF 3.0 FEET BELOW FINISHED GRADE.
4. CONCRETE CURBS AND RAMPWAYS SHALL BE A MINIMUM OF 6 INCHES HIGH AND 4 INCHES WIDE.
5. CONCRETE SHALL BE 3000 PSI COMPRESSIVE STRENGTH.
6. ALL CONCRETE SHALL BE FINISHED TO A MAXIMUM OF 1/8 INCH.
7. ALL CONCRETE SHALL BE FINISHED TO A MAXIMUM OF 1/8 INCH.
8. ALL CONCRETE SHALL BE FINISHED TO A MAXIMUM OF 1/8 INCH.
9. ALL CONCRETE SHALL BE FINISHED TO A MAXIMUM OF 1/8 INCH.

**REVISIONS:**

1. REVISION NO. 1 - ADDED UTILITY ACCESS ELEVATIONS.
2. REVISION NO. 2 - ADDED UTILITY ACCESS ELEVATIONS.
3. REVISION NO. 3 - ADDED UTILITY ACCESS ELEVATIONS.

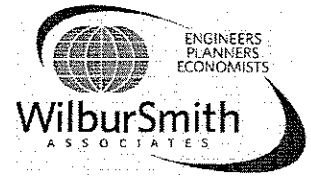


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**THE LEWIS GROUP ARCHITECTS**

1-6-09-UR

January 23, 2008



Nathan Benditz, EIT  
Knoxville/Knox County Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

SUBJECT: Fort Sanders West KOSC Building Project

Dear Mr Benditz:

Thanks to the MPC, Knox County, TDOT and the City of Knoxville engineering departments for the meeting to discuss the comments on the traffic impact study conducted for the KOSC building project on the Fort Sanders West campus. We received your summary letter from that meeting and the request for peak hour counts at the intersection of the rear hospital access to Durwood Road. It is our understanding the roadway improvements that need to occur as a result of the KOSC building are listed as follows and depicted in the attached drawing:

- Stripe southbound I-140 off ramp to provide maximum storage within existing ramp width.
- Provide a minimum 200-foot dual westbound left-turn lane on Kingston Pike at the intersection with the Fort Sanders West entrance.
- Reconstruct existing westbound Kingston Pike right-turn lane with same storage and tapers lengths due to the construction of the dual left-turn lanes.
- Provide a 125-foot northbound single left-turn lane in addition to the thru and right-turn lanes as shown in the attached drawing.
- Restriping of Kingston Pike will be accomplished by an asphalt overlap and new thermoplastic striping in accordance with the MUTCD standards and Knox County Department of Engineering criteria.
- Modify traffic signal to re-align signal heads, install new heads as needed, and implement 8-phase signal operations.
- Peak Hour turning movement count at the rear hospital access to Durwood Road.

This is our client's understanding of the improvements that will need to be implemented to provide traffic operation at the same level or better than experienced currently. Thank you for your input and consideration on this matter.

Sincerely,

Kevin A. Cole, PE  
Wilbur Smith Associates

C: Dan Kelly, MPC  
W. Mark Geldmeier, City of Knoxville  
Cindy Pionke, Knox County  
Amanda Snowden, TDOT

1-6-09-UR

FAX TRANSMISSION COVER SHEET

TOTAL PAGES: 3  
 (including cover sheet)  
 PROJECT NAME: Fort Sanders West  
 KOC ASTC  
 PROJECT NUMBER: 0761  
 DATE: 02/10/09  
 TO: Mark Donaldson  
 COMPANY: Metropolitan Planning Commission  
 FAX NUMBER: (865) 215-2068  
 FROM: Jerry Lewis

## COMMENTS:

-This is a follow up to our conversations of yesterday regarding the KOSC project at Fort Sanders West. We are currently in discussions with Fort Sanders encouraging them to be prepared to respond to MPC's requirements at the February 12 meeting. I have contacted Dan Kelly to see if we can remain on the agenda. If you should have any questions, please do not hesitate to call.

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**THE LEWIS  
GROUP**  
ARCHITECTS

YOUR VISION  
OUR PASSION

1-6-09-UR

February 9, 2009



Mr. Mark Donaldson  
Executive Director  
Metropolitan Planning Commission  
Fourth Floor, Suite 403  
City County Building  
400 Main Street  
Knoxville, TN 37902

RE: Knoxville Orthopaedic Surgery Center  
Fort Sanders West Campus  
Knoxville, Tennessee

Dear Mr. Donaldson:

I am writing as a follow up to our conversations today concerning the above referenced project.

As you will recall, the Metropolitan Planning Commission hear our appeal regarding the required Traffic Study for the above referenced project at the January meeting. At that time we were allowed to proceed with an application for a grading permit pending resolution of some issues associated with the main Campus entrance at Kingston Pike.

A meeting with staff was held on January 20, 2009. Various options were discussed with representatives of KOSC, Fortress Corporation, the Lewis Group, and Wilbur Smith, traffic engineers. We left that meeting with an understanding that the conditions for further approvals would include a commitment in the form of a letter outlining the corrective action required for that intersection. Additionally, we were given to understand that a final occupancy permit would not be issued until the corrections had been made or a bond posted by Fortress indicating when such improvements would be completed. That letter was to be presented at the February 12 MPC meeting.

We have been given to understand that Fortress will be requesting a delay to the March 12 meeting because of the need to evaluate the various options that have been presented and the costs associated with them.

We have also been given to understand that we will not be able to apply for a building permit until after the March 12 meeting. The Plans Examiners have said that process would require two weeks subsequent to the March 12 meeting. We also understand that while we are allowed to grade the site and excavate for footings, no under-slab work can proceed without a building permit.

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As everyone is aware, the Knoxville Orthopaedic Surgery Center is under a time constraint with respect to the issued Certificate of Need from the State Department of Health. Delays will create significant challenges in meeting the deadlines.

We are requesting that we be allowed to proceed with the installation of the installation of underground utilities within the building perimeter with the understanding that the work will conform to the applicable requirements and not be covered by construction until such time as the building permit is issued.

We would hope for your favorable consideration of our request.

Thanks for your help. We will be in touch.



L. A. "Butch" Robertson

CC: Eric Erfman - Messer Construction  
William Fulghum - Fulghum MacIndoe  
Norm Brinkman - Brinkman MDC  
Dan Kelly, Metropolitan Planning Commission  
Bruce Wuehrich - Knox County Engineering  
Danny Edsell - Covenant Health  
Greg Tampas - Covenant Health  
Glen Sumner - KOSC  
Teresa Copeland - KOSC  
Ken Phillips - LGA  
Tim Lucas - LGA