

▶ **FILE #:** 7-B-11-RZ

AGENDA ITEM # 31

AGENDA DATE: 7/14/2011

▶ **APPLICANT:** AUTUMN CARE, LLC II

OWNER(S): Peter Falk

TAX ID NUMBER: 131 04515

JURISDICTION: County Commission District 5

▶ **LOCATION:** East side Canton Hollow Rd., west end Flickenger Ln., south of Kingston Pike

▶ **APPX. SIZE OF TRACT:** 1.09 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Current access is via Flickenger Ln., a local street with 25' of pavement width within 50' of right-of-way. The site also has street frontage on Canton Hollow Rd., a major collector street with 19' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

▶ **PRESENT ZONING:** CA (General Business)

▶ **ZONING REQUESTED:** OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Assisted living facility

DENSITY PROPOSED: 48 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

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

South: House / RA (Low Density Residential)

East: Vacant lot / CA (General Business)

West: Canton Hollow Rd. - Retail center / CA (General Business)

NEIGHBORHOOD CONTEXT: The area to the north of this site, along Kingston Pike, is developed with commercial uses under primarily CA zoning. To the south of the site is residential development, zoned RA and PR.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) zoning.**

OB zoning is consistent with the sector plan designation for the property and is compatible with surrounding development and zoning.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. OB zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. OB is a less intense zone than CA. There are several properties about 700 feet to the west, on the other side of the retail center, zoned OB.
3. The proposed OB zoning is consistent with the Southwest County Sector Plan proposal for the site.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. OB zoning provides areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and dental offices near residential neighborhoods.
2. Based on the above description, this site is appropriate for OB zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The impact to the street system will be minimal.
3. The proposed zoning is compatible with surrounding development, and the impact should be minimal.
4. The applicant wishes to construct an assisted living facility at this location, which is not permitted under CA zoning. The requested OB zoning will allow the proposed use to be considered by MPC as a use on review. A use in review application and plan has been submitted for consideration at the August 11, 2011 meeting (8-B-11-UR).

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan proposes office uses for the site, consistent with the proposed OB zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for OB zoning on surrounding properties zoned CA, which is consistent with the sector plan proposal for office uses in the area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/22/2011. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.

