

▶ **FILE #:** 3-B-11-UR

AGENDA ITEM # 31

AGENDA DATE: 3/10/2011

▶ **APPLICANT:** KRIS MEYER

OWNER(S): East Tennessee Health Realty, LLC

TAX ID NUMBER: 106 D A 009.07 & 008.09

JURISDICTION: City Council District 3

▶ **LOCATION:** West side of Dowell Springs Blvd., north of Middlebrook Pike.

▶ **APPX. SIZE OF TRACT:** 15.73 acres

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Dowell Springs Blvd, a local street with a 26' pavement width within a 70' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **ZONING:** PC-1 (Retail and Office Park), O-3 (Office Park) & A-1 (General Agricultural)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Medical Facility

HISTORY OF ZONING: Property rezoned to PC-1 (Retail and Office Park) by City Council on September 5, 2000.

SURROUNDING LAND USE AND ZONING: North: Medical and governmental facilities / O-3 (Office Park)

South: Vacant land / O-1 (Office, Medical and Related Services)

East: Mixed office / O-3 (Office Park)

West: Residences / RP-1 (Planned Residential) & O-1 (Office, Medical and Related Services)

NEIGHBORHOOD CONTEXT: This site is located in an office park development, west of the Middlebrook Pike industrial corridor and east of residential and office development.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for a medical facility of approximately 76,200 square feet subject to 8 conditions**

1. Subject to obtaining a variance from the Knoxville Board of Zoning Appeals for the proposed building encroachment into the 50 peripheral setback along the northern property line.
2. Connecting to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of landscaping as shown on the development plan within six months of the issuance of

occupancy permit for this project.

5. Meeting all applicable requirements of the Knoxville City Arborist.
6. Meeting all applicable requirements of Knoxville's Sign Inspector.
7. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
8. There shall be no direct access to Dick Lonas Rd. from this site.

With the conditions noted above, the development plan meets all requirements for the approval of a use on review in the PC-1 Zoning District..

COMMENTS:

The applicant is proposing to develop a 76,158 square foot medical facility in the PC-1 (Retail and Office Park) portion of the Dowell Springs development located on the north side of Middlebrook Pike. While this property borders Dick Lonas Rd., access to the site is from Dowell Springs Blvd. an internal street for the development.

The proposed medical facility is located on the northern third of the 15.73 acre lot that is zoned PC-1. Since the PC-1 zoning does not cover the entire Dowell Springs development, the 50 foot peripheral setback requirement applies to the lot boundary. As designed, the proposed medical building encroaches into the peripheral setback along the northern property line. A setback variance is needed to allow the proposed layout. At this time there is no proposal to subdivide the property to create a separate lot for this facility.

The proposed detention pond for this facility is located on a 0.907 acre lot (zoned A-1(General Agricultural)) located on the west side of Dick Lonas Rd. This lot was created when Dick Lonas Rd. was relocated in conjunction with the Dowell Springs development.

The Traffic Impact Study for the Proton Therapy Center prepared in January, 2011 by Fulghum MacIndoe & Associates, Inc. evaluated the impact of the proposed medical facility and concluded that there is adequate road capacity to handle the traffic generated by this development.

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

1. All public utilities are in place to serve the site.
2. There is adequate road capacity to handle the traffic generated by this development.
3. The proposed development is compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. With the recommended conditions and approval of the variance, the proposal meets all requirements of the PC-1 zoning district, as well as all other criteria for approval of a use on review.
2. The proposed medical 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

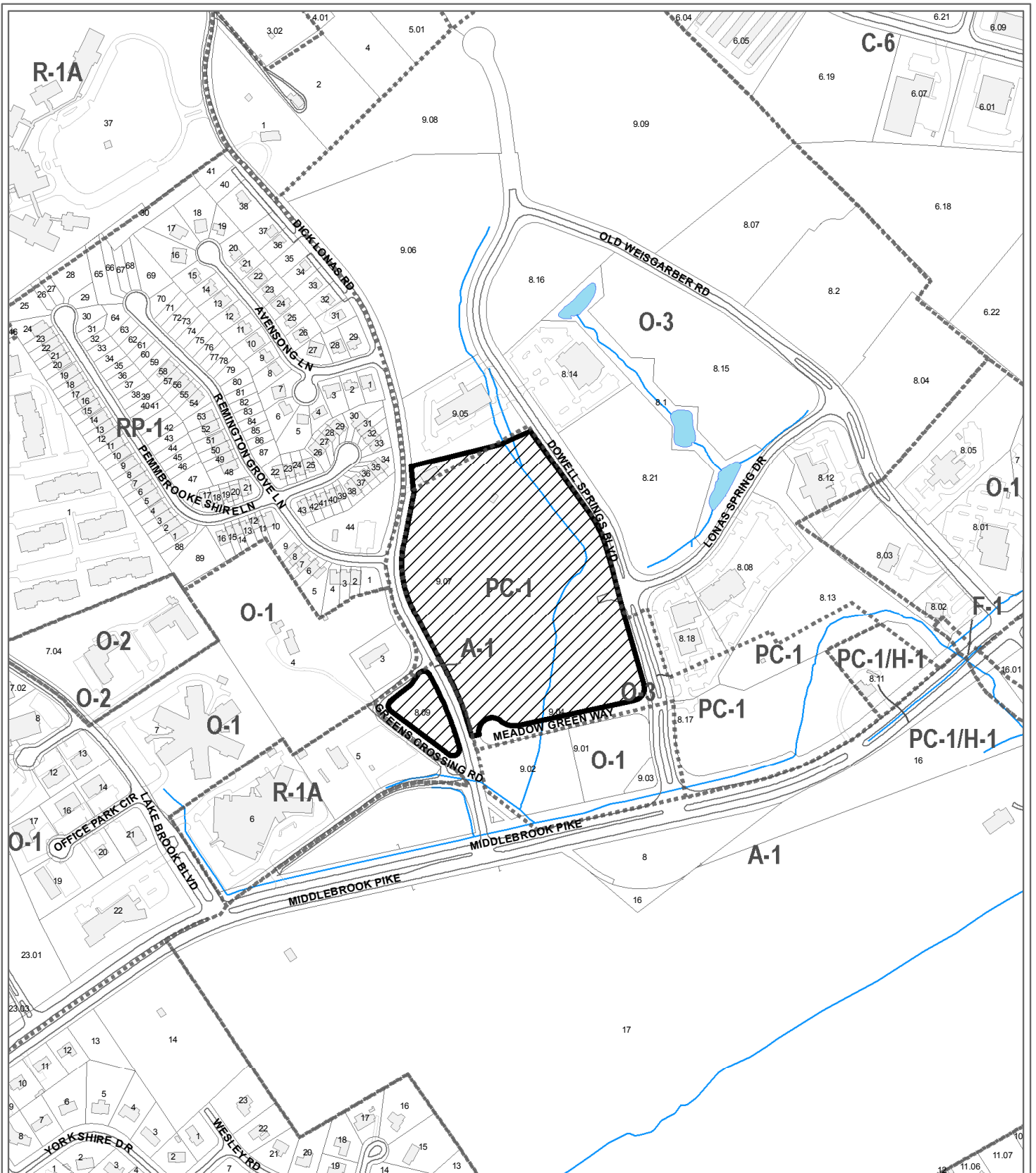
1. The Northwest County Sector Plan proposes office uses for the site, while the City of Knoxville One Year Plan proposes general commercial uses. The proposed facility is consistent with both plans.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 3114 (average daily vehicle trips)

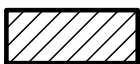
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**3-B-11-UR
USE ON REVIEW**



Medical Facility in PC-1 (Retail and Office Park), O-3 (Office Park) & A-1 (General Agricultural)

Petitioner: Meyer, Kris

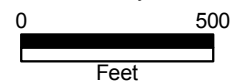
Map No: 106

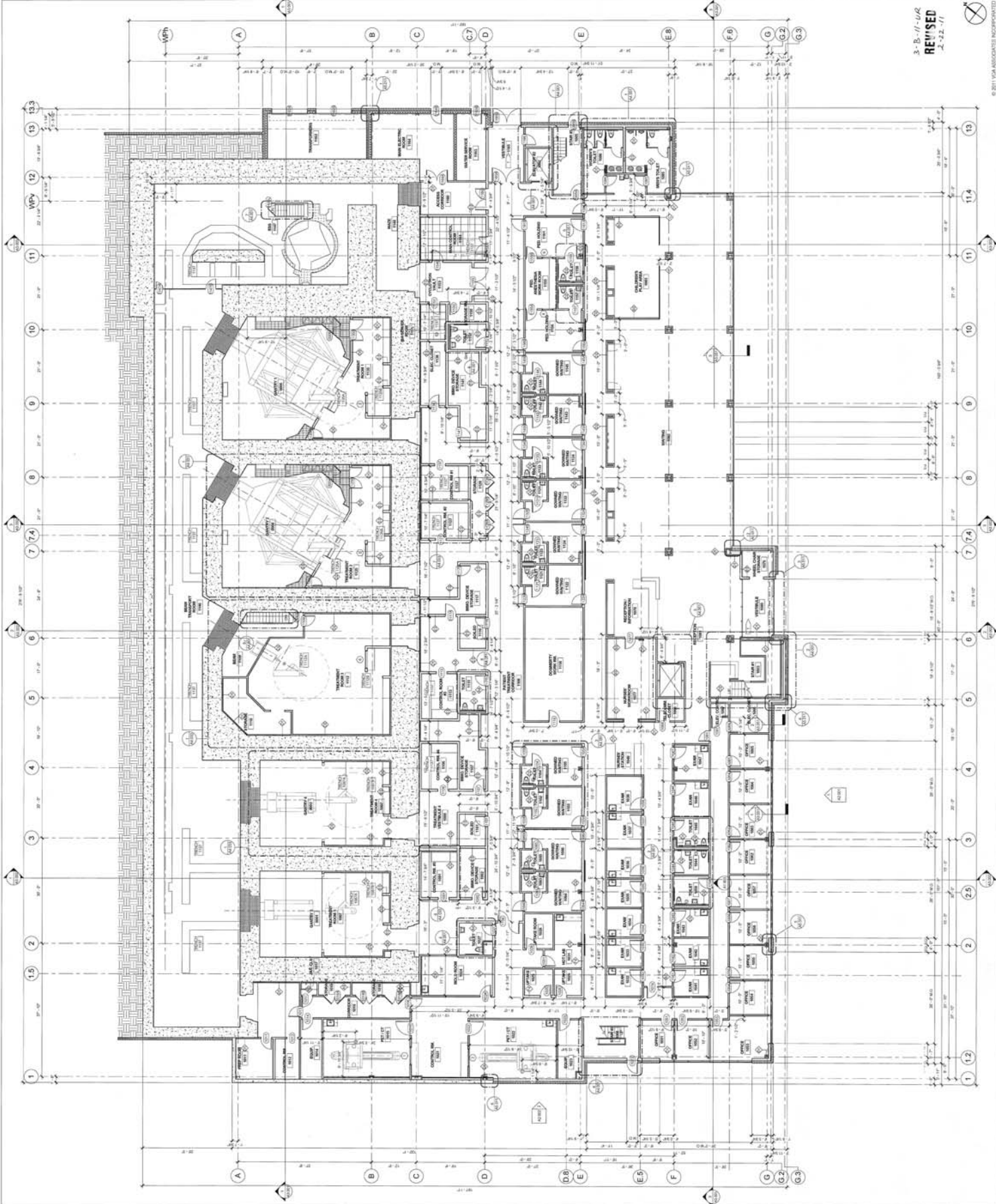
Jurisdiction: City

Original Print Date: 2/23/2011

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



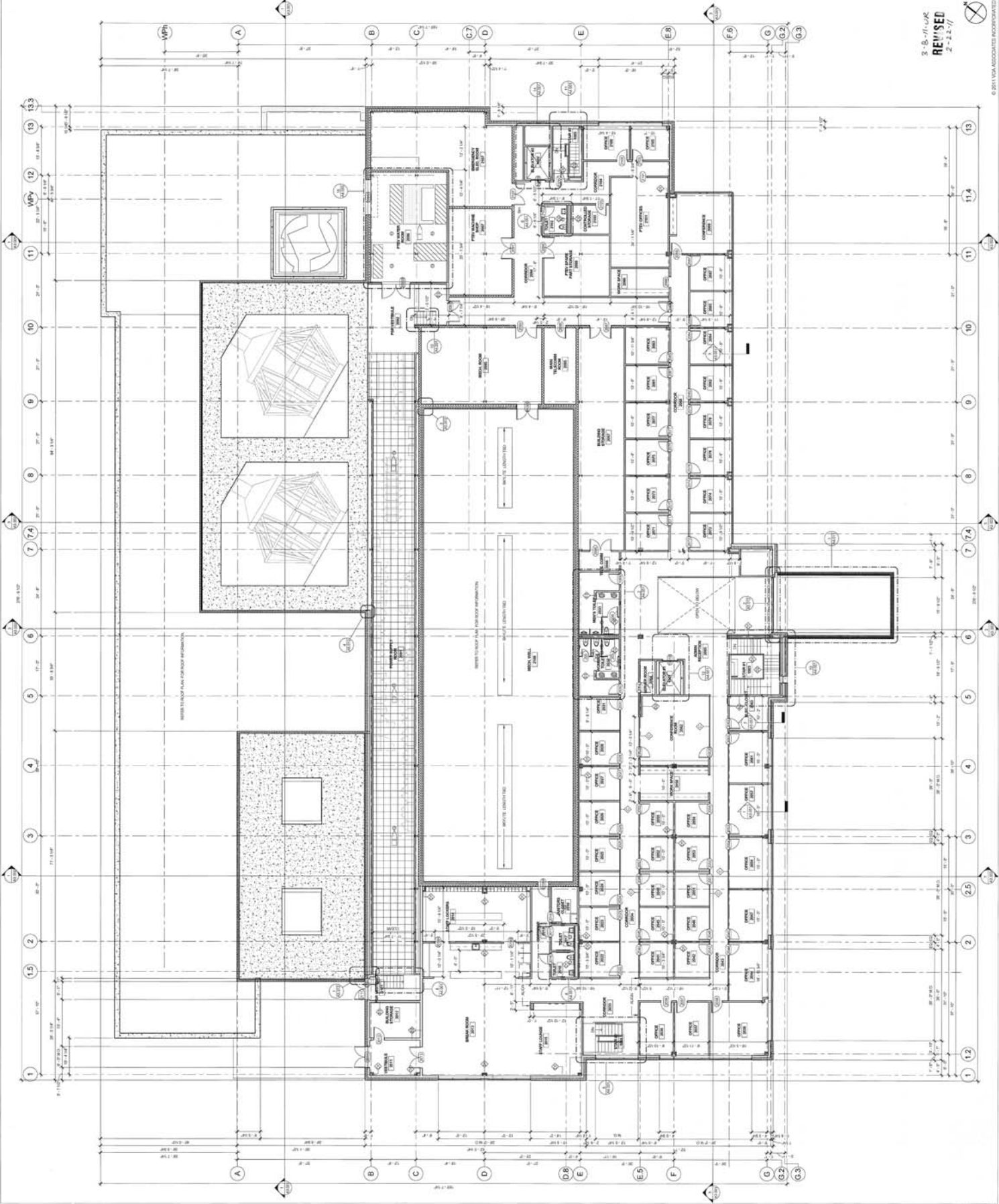


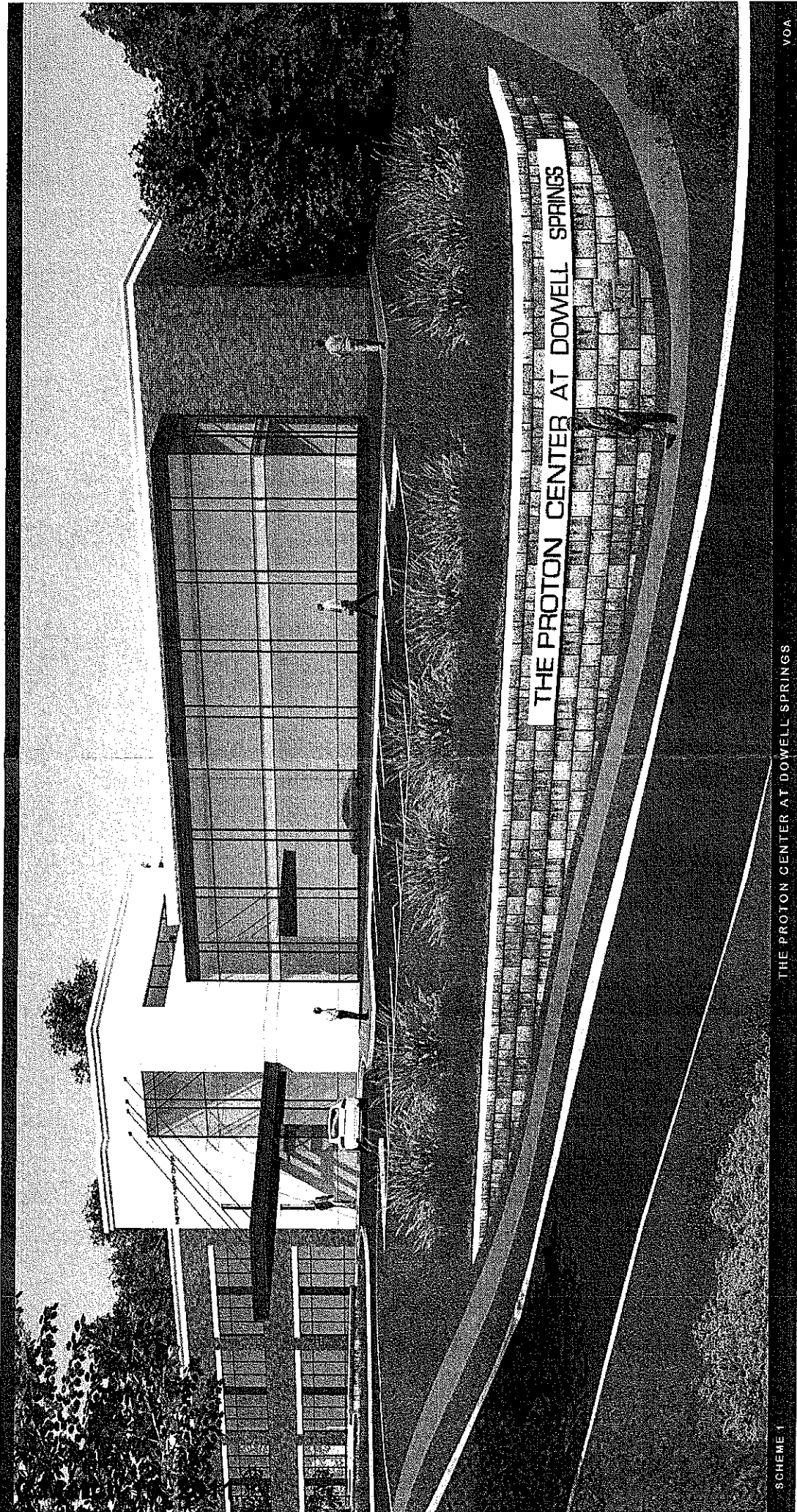
THE PROTON THERAPY CENTER
 1448 O'Connell Springs Blvd
 Huntsville, TN 37403

3-B-11-0/2
 REVISED
 2-22-11

3-B-11-0/2
 REVISED
 2-22-11

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SCHEME 1

THE PROTON CENTER AT DOWELL SPRINGS

VOA

3-B-11-UR