

▶ **FILE #:** 3-E-12-UR

**AGENDA ITEM #** 34

**AGENDA DATE:** 3/8/2012

▶ **APPLICANT:** PETE CARPENTER C/O STACY MENARD

**OWNER(S):** East Tennessee Health Realty, LLC

**TAX ID NUMBER:** 106 D A 00910 & 00911

**JURISDICTION:** City Council District 3

▶ **LOCATION:** **West side of Dowell Springs Blvd., east side of Dick Lonas Rd., north of Lonas Spring Dr.**

▶ **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)**

▶ **EXISTING LAND USE:** **Vacant land and residence**

▶ **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 offices / O-3 (Office Park)

West: Residences and vacant land / 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 revised development plan for a medical facility of approximately 76,200 square feet subject to 8 conditions**

1. Connecting to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permit for this project.
4. Meeting all applicable requirements of the Knoxville City Arborist.

5. Meeting all applicable requirements of Knoxville's Sign Inspector.
6. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
7. The proposed access drive to Dick Lonas Rd. shall be for site maintenance vehicles and shall be gated to prevent public access.
8. Additional phases of the proposed medical facility are subject to a separate use on review approval.

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 had obtained a use on review approval to develop a 76,158 square foot medical facility on this site on March 10, 2011 (3-B-11-UR). The facility which is presently under construction, is back before the Planning Commission for approval of a revised site plan. While the building layout has not changed, several features of the site layout have been revised. The previously approved medical facility is the primary treatment building for the Proton Therapy Center which will eventually include several other buildings on this 15.73 acre site. The proposed changes to the approved site plan are being made to improve overall circulation and parking layout for the medical facility.

The primary changes to the site plan include a relocation of the northern driveway of off Dowell Springs approximately 100 feet to the north, a redesign of the parking lot layout for the approved building and a major change in the proposed stormwater plan. The original plan included a proposed detention pond for this facility to be located on a 0.907 acre lot (zoned A-1(General Agricultural)) that is 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 revised plan will provide the primary stormwater facilities within the 15.73 acre tract.

Access to the facility will be from Dowell Springs Blvd. A maintenance access drive is proposed to out to Dick Lonas Rd. and shall be gated to prevent public access at that location.

#### **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, 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**

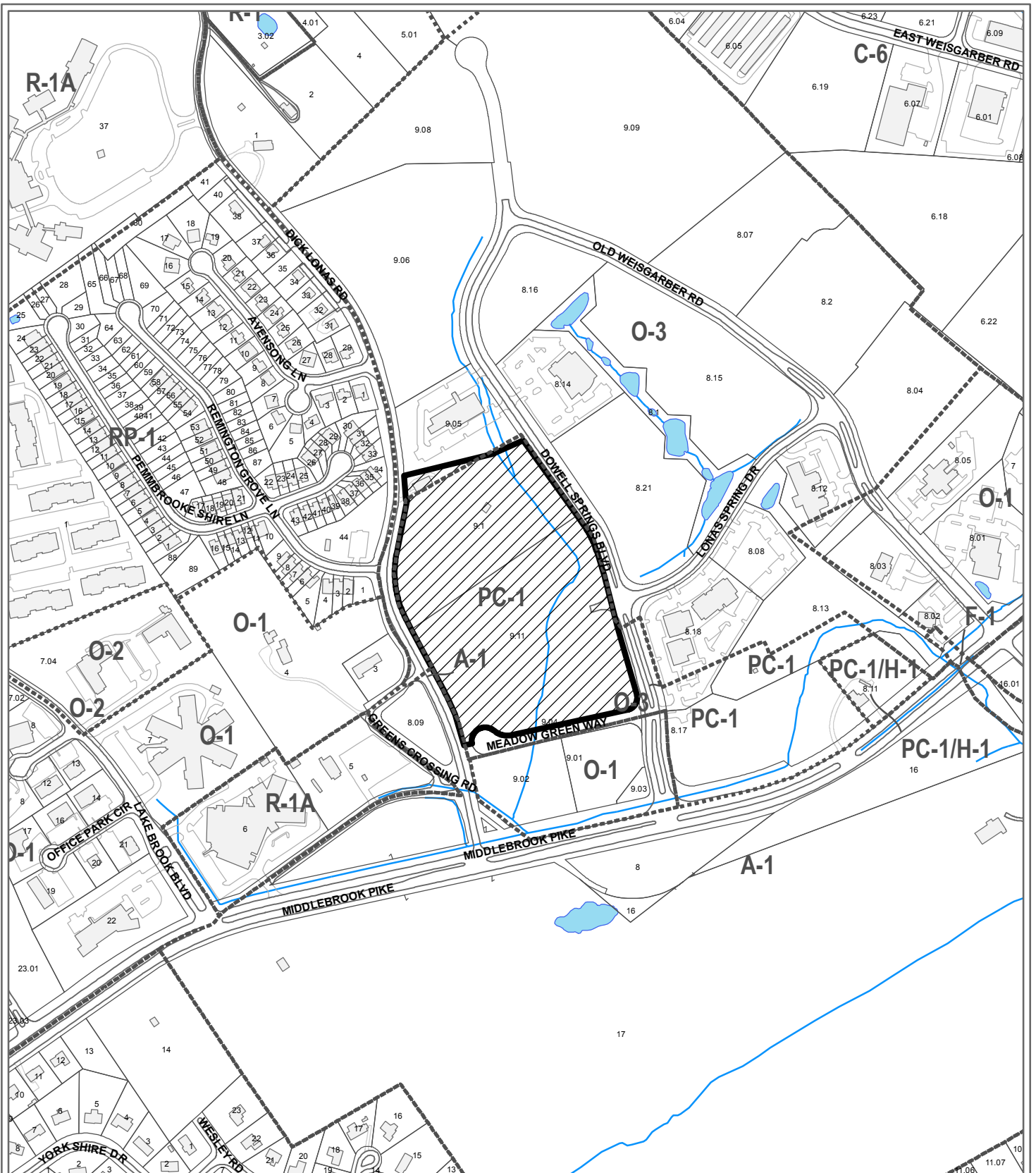
1. The Northwest County Sector Plan proposes office uses for the site, while the City of Knoxville One Year Plan proposes general commercial uses. The proposed facility is consistent with both plans.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy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

ESTIMATED TRAFFIC IMPACT 3116 (average daily vehicle trips)

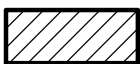
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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.



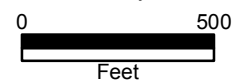
**3-E-12-UR  
USE ON REVIEW**



Medical Facility in PC-1 (Retail and Office Park) & O-3 (Office Park)

Petitioner: Carpenter, Pete, c/o Stacy Menard

Map No: 106  
Jurisdiction: City



Original Print Date: 2/17/2012      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

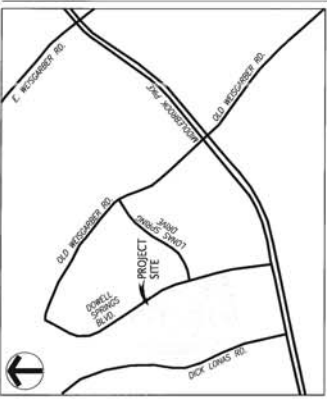


**THE PROTON THERAPY CENTER**  
 1445 DOWELL SPRINGS BLVD  
 KNOXVILLE, TENNESSEE 37909

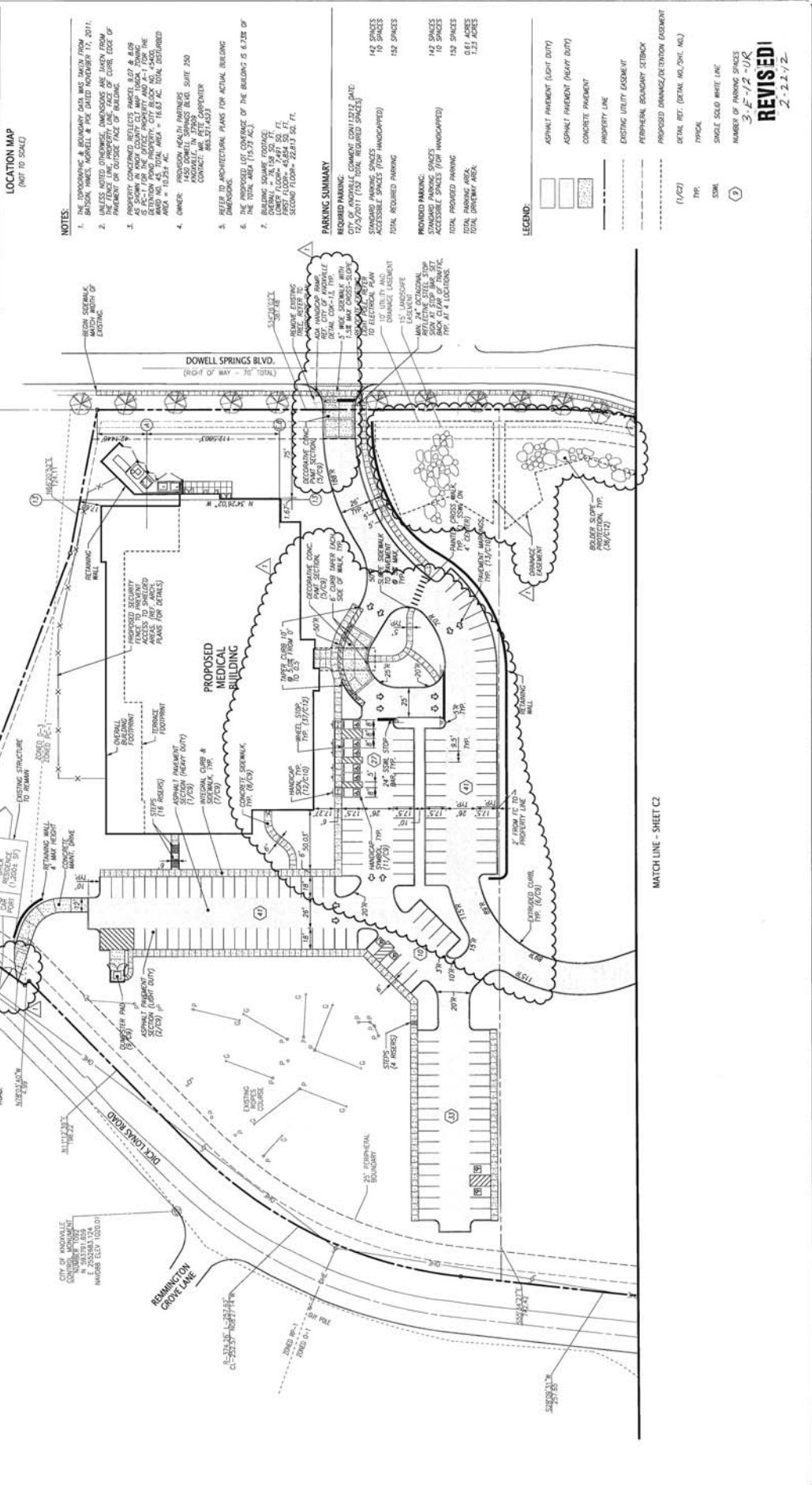
**PROVISION HEALTH PARTNERS**  
 1450 DOWELL SPRINGS BLVD, SUITE 250  
 KNOXVILLE, TN 37909  
 CONTACT: PETE CARPENTER  
 TELEPHONE NO. 865.321.4523  
 EMAIL: PETE.CARPENTER@PROVISIONHP.COM

**SITE LAYOUT AND PAVING PLAN**

DATE	2/16/12
ISSUED FOR CONSTRUCTION	2/16/12
REVISIONS PER CDM COMMENTS	
NO. REV.	DATE
1	1/17/12
2	2/16/12



- VARIANCES**
- REDUCE THE PERIPHERAL BOUNDARY ON DICK LOUNDS ROAD FROM 50 FT TO 25 FT AS SHOWN ON EXHIBIT A (APPROVED 3/17/2011)
  - REDUCE THE PERIPHERAL BOUNDARY ON MADOW GROVE WAY FROM 50 FT TO 25 FT AS SHOWN ON EXHIBIT B (APPROVED 3/17/2011)
  - REDUCE THE PERIPHERAL BOUNDARY ON MADOW GROVE WAY FROM 50 FT TO 25 FT AS SHOWN ON EXHIBIT C (APPROVED 3/17/2011)
  - REDUCE THE NORTH SIDE PERIPHERAL BOUNDARY FROM 50 FT TO 25 FT AS SHOWN ON EXHIBIT D (APPROVED 3/17/2011)





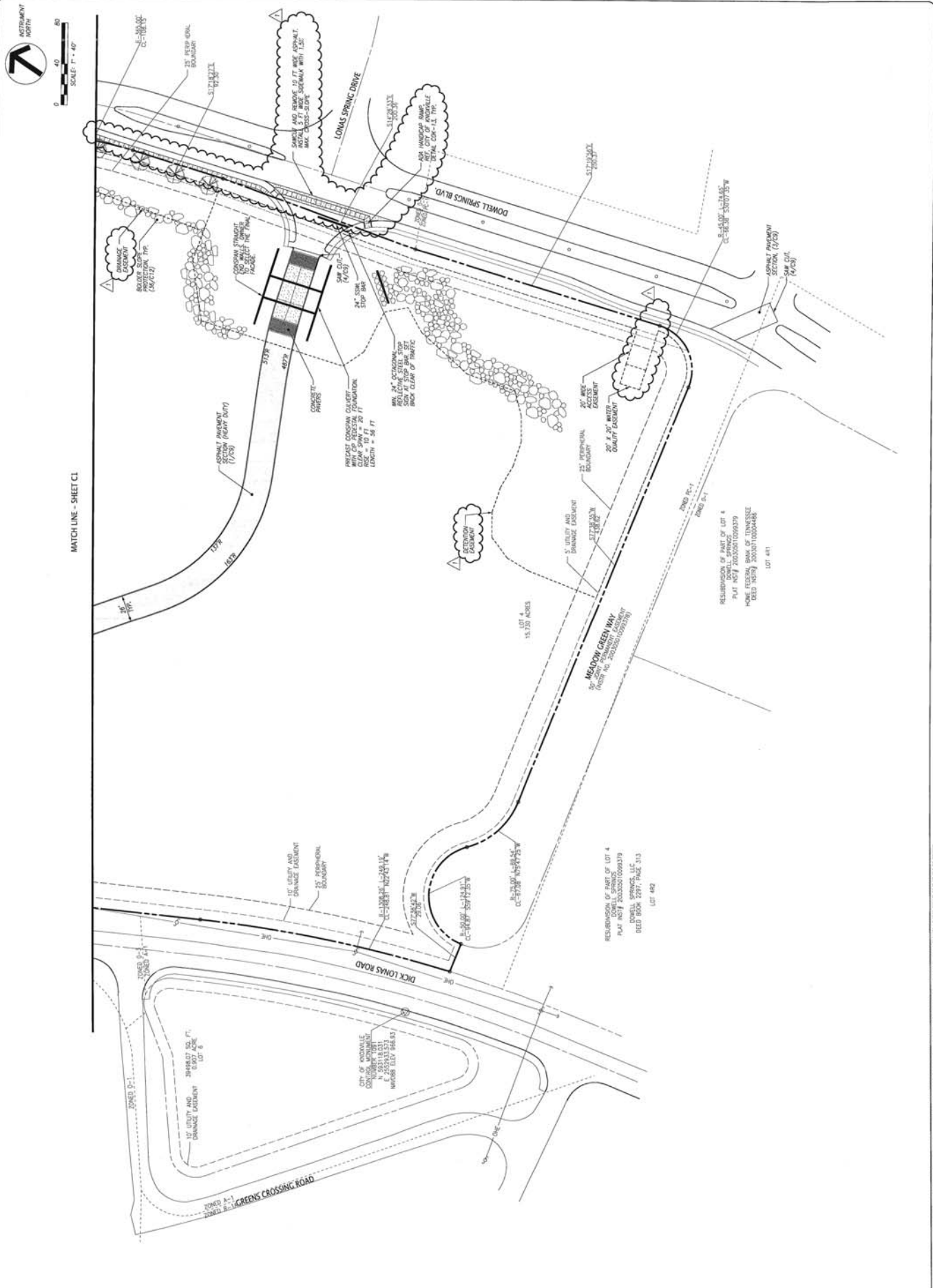
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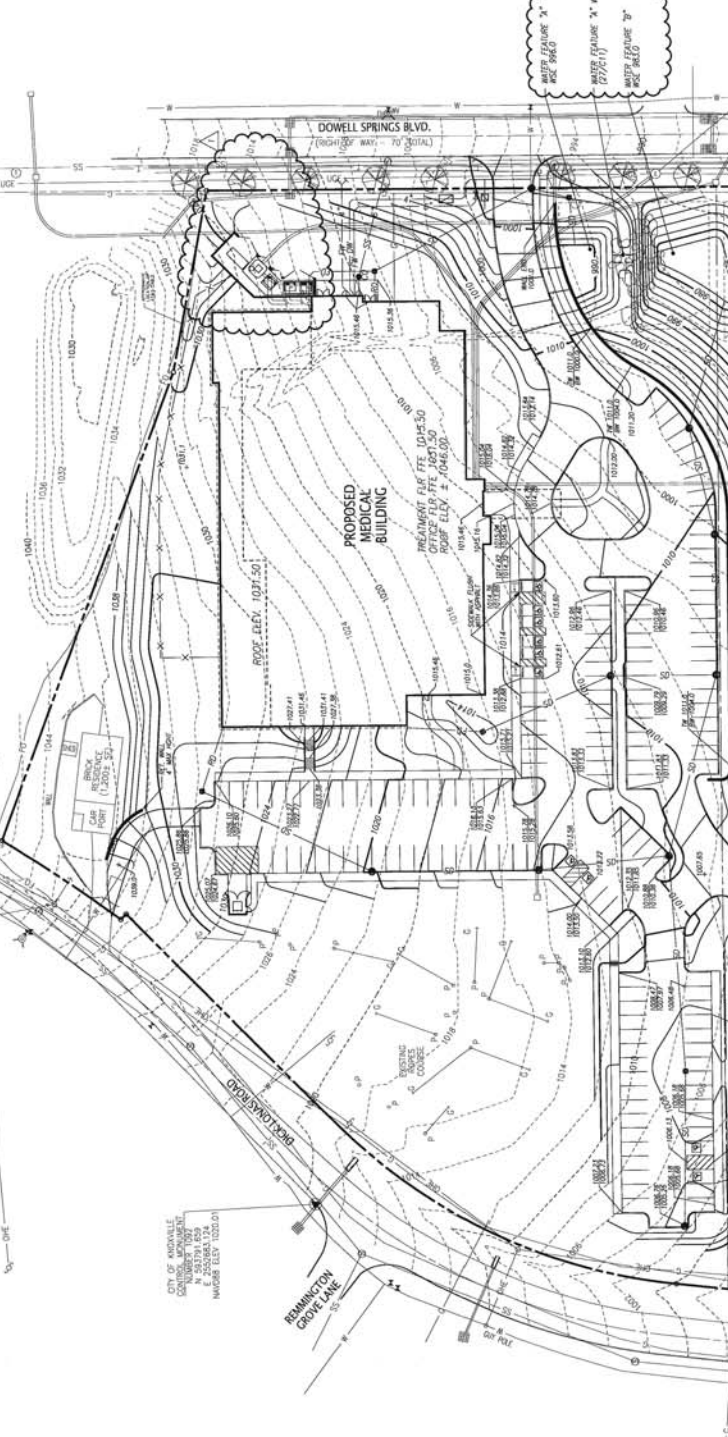
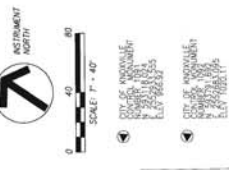
No.	Revision/Issue	Date
1	ISSUED FOR CONSTRUCTION	1/8/12
2	REVISED PER CDR COMMENTS	2/16/12

**C2**



- GRADING NOTES:**
- UNLESS NOTED OTHERWISE, THE PROPOSED GRADES SHOWN ON THIS PLAN SHALL BE CONSIDERED TO BE FINISHED GRADES AND PROPOSED CONTOURS ARE SHOWN AT 2'-FT. INTERVALS.
  - THE ACCURACY OF THE GRADES IS DEPENDANT ON THE DATA PROVIDED BY THE OWNER OR ANY OTHER RESPONSIBLE PARTY. FIELD SURVEY SHALL BE CONDUCTED TO VERIFY ALL DATA.
  - THE SITE SHALL BE CLEARED AND COMBED WITHIN THE LINES OF EXCAVATION, COMPLETELY EXPOSED OF ALL EXISTING UTILITIES SHALL BE RECORDED AND REPAIRED PRIOR TO CONSTRUCTION. EXCAVATION SHALL NOT BE PERMITTED UNLESS PRIOR TO CONSTRUCTION, THE CONTRACTOR MUST OBTAIN A PERMIT AND MET ALL OF THE REQUIREMENTS AS SPECIFIED BY THE FIRE DEPARTMENT.
  - ALL TREES STUMPS, ROOTS, AND OTHER OBSTRUCTIONS, UNLESS SPECIFICALLY NOTED OTHERWISE, SHALL BE REMOVED TO A DEPTH OF 1 FT BELOW SURFACE.
  - STUMP REMOVAL SHALL BE ACCORDING TO THE PROVISION HEALTH PARTNERS AND ANY REGULATORY AGENCIES. EXISTING UTILITIES, STRUCTURES OR THE OTHER APPROVED ENGINEERING CONTROL, STRUCTURES ON THE SITE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
  - PROOF ROLL ALL AREAS TO BESEEN TO BE PROOF ROLL WHILE EXISTING UTILITIES ARE PRESENT WITH A FULLY LOADED CONSTRUCTION EQUIPMENT OF SIMILAR WEIGHT UNDER A PROOF ROLL SHALL BE INDEXED AND BACKFILLED USING AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL.
  - GRADE THAT EXCEEDS 2% FOR OTHERS UNDESIRABLE CONDITIONS SHALL BE LAUNCHED TO A MINIMUM OF 1:10 AND SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL, OR SUBSTITUTED BY A METRIC APPROVED FILL.
  - FILL MATERIAL SHALL BE CONSTRUCTION MATERIAL FREE FROM ROOTS AND OTHER ORGANIC MATERIAL. FILLER SHALL BE OF STONE OR OTHER MATERIAL LARGER THAN 8 IN. AND LARGER THAN 4 IN. IN THE TOP 8 IN. OF AN EMBANKMENT.
  - THE TOP OF MOST EXISTING SOILS (EXISTENT AND EXPOSED) SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL. SOILS SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL.
  - SOILS SHALL BE INDEXED IN EACH HORIZONTAL, VERTICAL AND DIAGONAL LINES. THICKNESS COMPARISON LISTS NOT EXCEEDING 8 IN. THICKNESS COMPARISON LISTS SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL.
  - NO SLOPE SHALL EXCEED 3:1 UNLESS PROPOSED EROSION CONTROL MEASURES ARE INSTALLED.
  - PROTECT AND MAINTAIN SUBGRADE UNTIL PLACEMENT OF THE FINAL SURFACE IS ACHIEVED.
  - CONSTRUCTION SHALL BE RESPONSIBLE TO USE OF THE ROAD DESIGN PARAMETERS AS IDENTIFIED ABOVE. ONLY CHANGING AS-BUILT SURVEY FOR THE OWNER'S REVIEW.
  - VERTICAL GRADES WHERE NECESSARY TO BRING THE PROPOSED GRADES TO EXISTING GRADES AND CROSS-SECTIONS SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL. ROAD DESIGN PARAMETERS AS IDENTIFIED ABOVE. ONLY CHANGING AS-BUILT SURVEY FOR THE OWNER'S REVIEW.
  - SLOPE GREATER THAN 4:1 SHALL BE INDEXED AND BACKFILLED WITH AN ENGINEERED FILL OR SUBSTITUTED BY A METRIC APPROVED FILL TO EXISTING SURFACE.

- LEGEND:**
- PROPERTY LINE
  - EXISTING SANITARY SEWER MANHOLE
  - EXISTING LIGHT POLE
  - EXISTING SANITARY SEWER LINE
  - EXISTING OVERHEAD ELECTRIC LINE
  - EXISTING UNDERGROUND ELECTRIC LINE
  - EXISTING GAS LINE
  - EXISTING WATER LINE
  - EXISTING STORM SEWER
  - DETAIL REF. (DETAIL AS SHOWN, NO.)
  - TYPICAL
  - EXISTING STORM STRUCTURE
  - EXISTING UTILITY PILE
  - PROPOSED STORM SUMP
  - PROPOSED ROOF DRAIN
  - PROPOSED STORM STRUCTURE
  - PROPOSED CONTOUR
  - EXISTING CONTOUR





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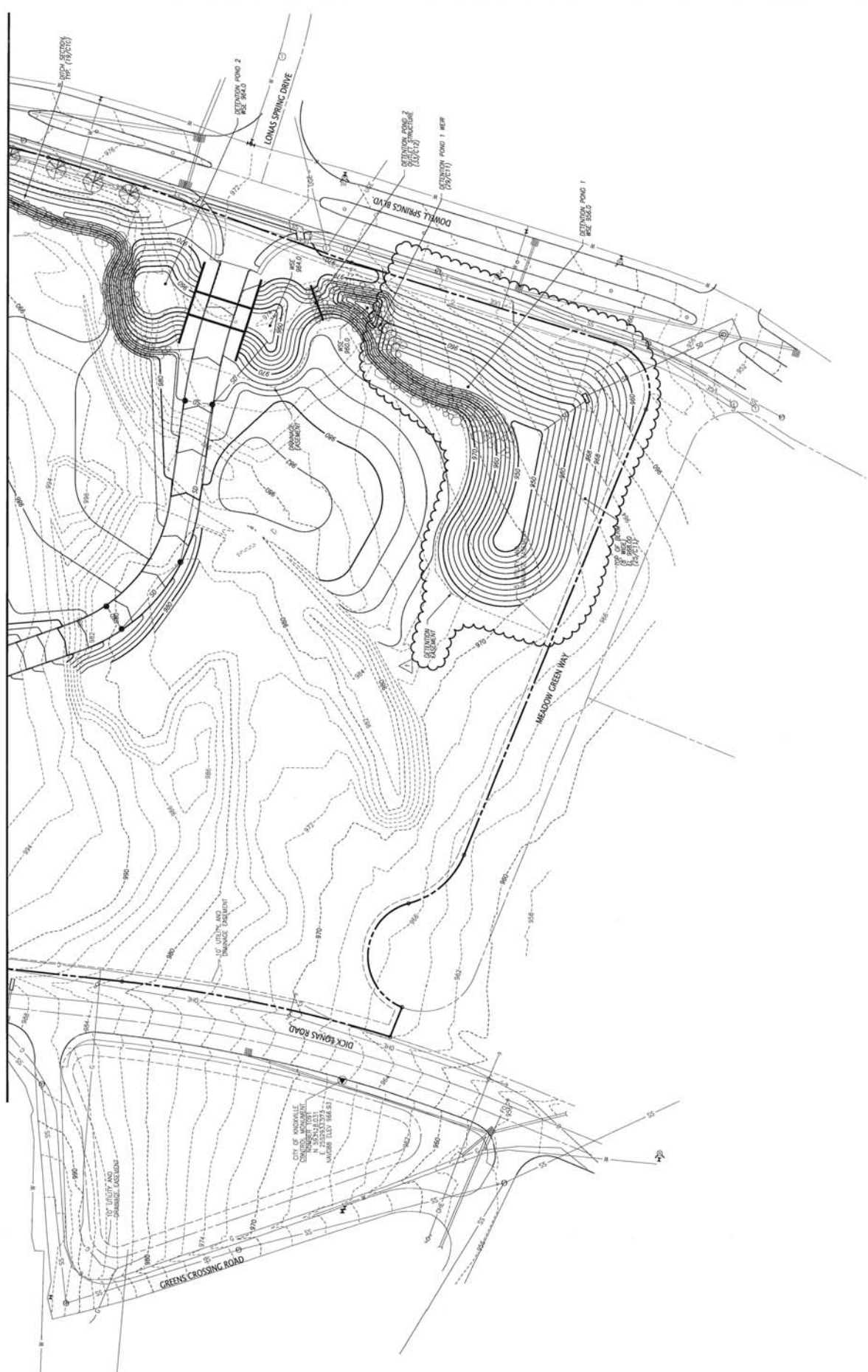
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SITE GRADING PLAN

Project	4153001.J
Sheet	C4
Date	02/16/12
Revision/Issue	ISSUED FOR CONSTRUCTION 1/8/12 02/16/12



MATCH LINE - SHEET C3



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