

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 8-F-13-UR **AGENDA ITEM #:** 41
 POSTPONEMENT(S): 8/8/2013 **AGENDA DATE:** 9/12/2013
 ▶ **APPLICANT:** DANIEL LEVY, AIA
 OWNER(S): Harry Koogler

TAX ID NUMBER: 145 037.01, 038 & 042
 JURISDICTION: County Commission District 4
 ▶ **LOCATION:** Southwest side of Tooles Bend Rd., southeast side of S. Northshore Dr.
 ▶ **APPX. SIZE OF TRACT:** 7.3 acres
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via S. Northshore Dr., an arterial street with a 75' wide right-of-way at this location and a pavement width of 20'-22'.
 UTILITIES: Water Source: First Knox Utility District
 Sewer Source: First Knox Utility District
 WATERSHED: Tennessee River

▶ **ZONING:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Residence and vacant land
 ▶ **PROPOSED USE:** Assisted Living Facility

HISTORY OF ZONING: The property was rezoned from A to PR at 4 du/ac on two separate applications in Oct. 2004 and Jan. 2005

SURROUNDING LAND USE AND ZONING:
 North: Detached residential subdivision / PR residential
 South: Detached residences / Agricultural & PR residential
 East: Detached residences / Agricultural
 West: Detached residential subdivision / PR residential

NEIGHBORHOOD CONTEXT: The site is located at the intersection of S. Northshore Dr. and Toole Bend Rd. in an area where the primary land use is detached dwellings. There is another assisted living facility located approximately one mile east of this site. Convenience commercial uses are located approximately one mile west of this site.

STAFF RECOMMENDATION:

- ▶ **APPROVE the request for an assisted living facility at this location with up to 72 units containing a maximum of 80 beds as shown on the site plan subject to 11 conditions**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance
 2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
 3. Meeting all applicable requirements and obtaining all required permits from the State of Tennessee
 4. Obtaining a street connection permit from the Tennessee Department of Transportation.

5. Prior to the issuance of a grading permit certification by the applicant's engineer that there is a minimum of 400 feet of sight distance in both directions along S. Northshore Dr. from the proposed driveway
6. Prior to the issuance of a grading permit certification by the applicant's engineer that there is a minimum of 305 feet of stopping sight distance for west bound S. Northshore Dr. traffic from the proposed entrance
7. Provision of a "Type A" landscape screen along the entire common boundary with Cobblestone Park Subdivision (see attached)
8. Meeting all applicable requirements of the Knox County Fire Marshal
9. All exterior site lighting is to be directed downward and away from all adjoining residences
10. Any proposed signage meeting all applicable requirements of the Knox County Zoning Ordinance
11. Submission of a revised plan to MPC staff for certification reflecting the conditions of this approval prior to the issuance of grading permit

With the conditions noted this plan meets the requirements for approval in the PR (Planned Residential) Zone and the other criteria for approval of a use on review

COMMENTS:

The applicant is proposing to construct an assisted living facility on this 7.3 acre site located in the southwestern quadrant of the intersection of S. Northshore Dr. and Toolles Bend Rd. The facility will contain 72 units and will provide a maximum of 80 client beds. In addition to the assisted living facility, the plan calls for the conversion of the existing dwelling on the site to serve as the leasing office and manager's apartment.

This site was zoned PR (Planned Residential at 4 du/ac in 2004. Since that time various entities have discussed with staff the potential for various types of residential development on this site. This applicant is proposing an assisted living facility which from a traffic impact standpoint will produce the least amount of traffic compared to practically any kind of residential development. However, getting safe access to and from the site is an issue that has to be addressed. Initially plans called for access to Toolles Bend Rd. After field review it was determined that driveway access from Toolles Bend Rd would not meet the minimum required sight distance requirements. The applicant has now proposed access to the project from S. Northshore Dr. Staff has visited the site and believe that adequate sight distance is available at the proposed driveway location. Staff will require the applicant's engineer to certify the sight distance prior to issuance of a grading permit for this project.

The site is adjoined by Cobblestone Park Subdivision. After meeting with the residents of that subdivision the applicant has revised their plans by moving the building and proposing additional landscaping. Staff will require that the common boundary between this project and the residences be extensively landscaped. Additionally, staff will require that all site lighting be directed downward and away from the adjoining residences.

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

1. Public water and sewer utilities are in place to serve the site.
2. The traffic impact will be minimal due to the fact that the great majority of the residents do not drive
3. The proposed facility will place no additional demand on schools.

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

1. The proposed development as recommended is consistent with all relevant requirements of the PR residential zoning, as well as other criteria for approval of a use on review.
2. The development as recommended is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw a substantial amount of additional traffic through residential areas since the site has direct access to an arterial street.

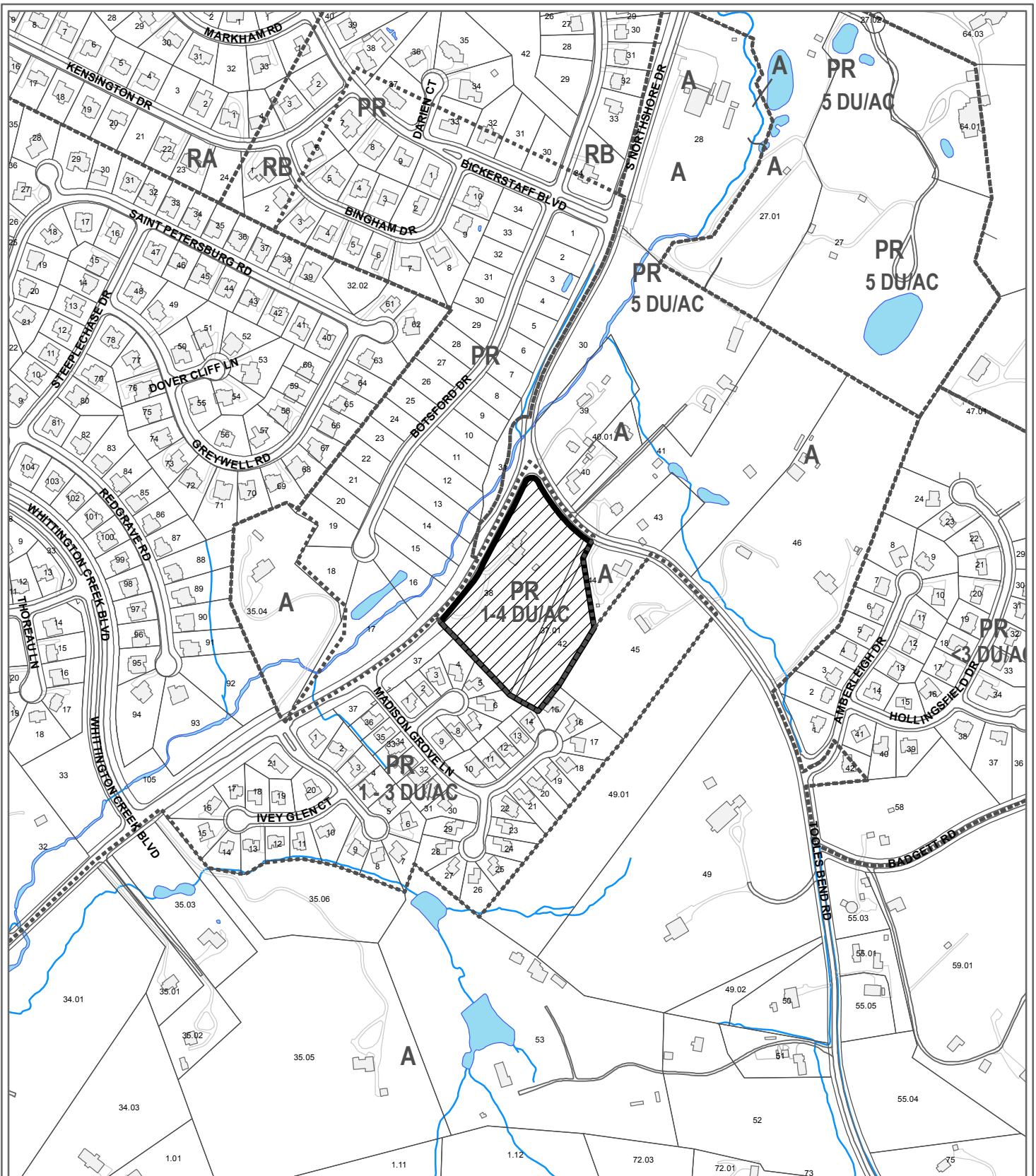
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes low density residential uses for the site. The proposed use is not in conflict with the plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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.



**8-F-13-UR
USE ON REVIEW**

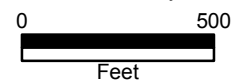


Assisted Living Facility in PR (Planned Residential)

Petitioner: Daniel Levy, AIA

Map No: 145

Jurisdiction: County



Original Print Date: 7/24/2013
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

GUIDELINES LANDSCAPE SCREENING

Type "A" Screen: Dense

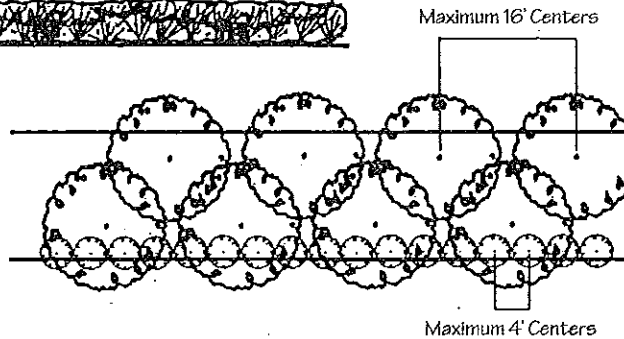
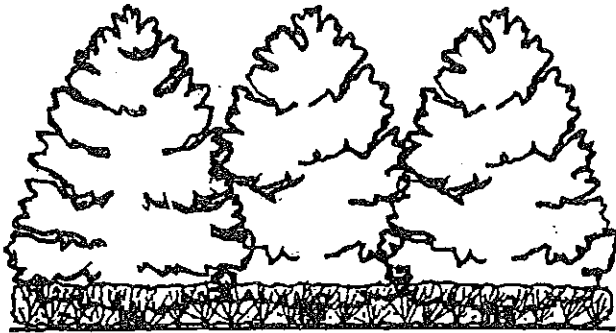
APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

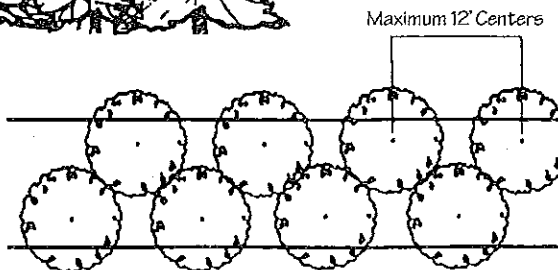
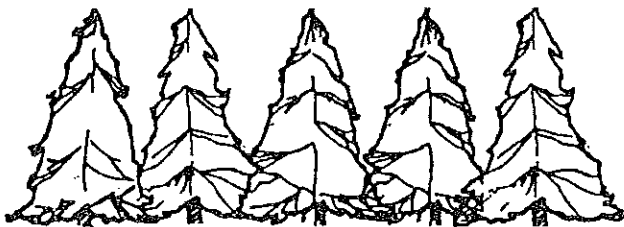
TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



- Two offset rows of evergreen trees with branches touching the ground

TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

For more information:

MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 865 215-2500
Fax: 865 215-2068
Web: www.knoxmpc.org

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.

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**NORTHSHORE
 SENIOR LIVING**
 8804 S. NORTHSHORE
 DR. KNOXVILLE, TN
 37922

No.	Description	Date

8-F-13-VR
PROJECT COVER

Project number DK201
 Date 06.24.2013
 Drawn by Author
 Checked by Checker

A000

Scale

NORTHSHORE SENIOR LIVING
A PROPOSAL FOR A 72 UNIT
37,300 SQUARE FEET
ASSISTED LIVING FACILITY



PROJECT ADDRESSES
 8804 S. NORTHSHORE DRIVE, KNOXVILLE, TN 37922
 2019 TOOLE'S BEND ROAD, KNOXVILLE, TN 37922

PARCEL ID
 145 039
 145 03701
 145 042



AERIAL PHOTO



LOCATION MAP



ZONING MAP

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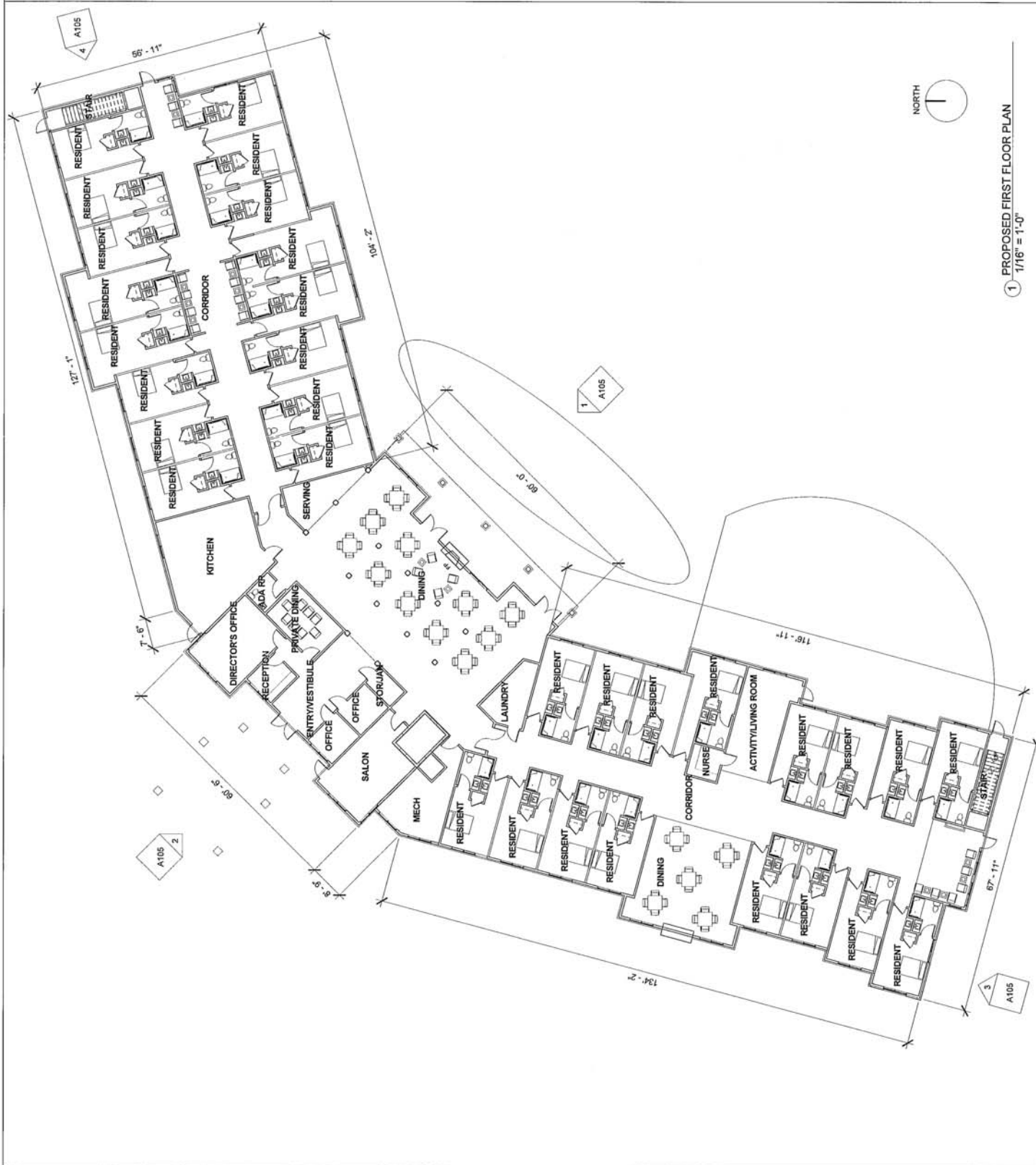
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37922

No.	Description	Date

FIRST FLOOR PLAN
8.F-13-UR

Project number DK201
Date 06.24.2013
Drawn by Author
Checked by Checker

A103
Scale 1/16" = 1'-0"



1 PROPOSED FIRST FLOOR PLAN
1/16" = 1'-0"

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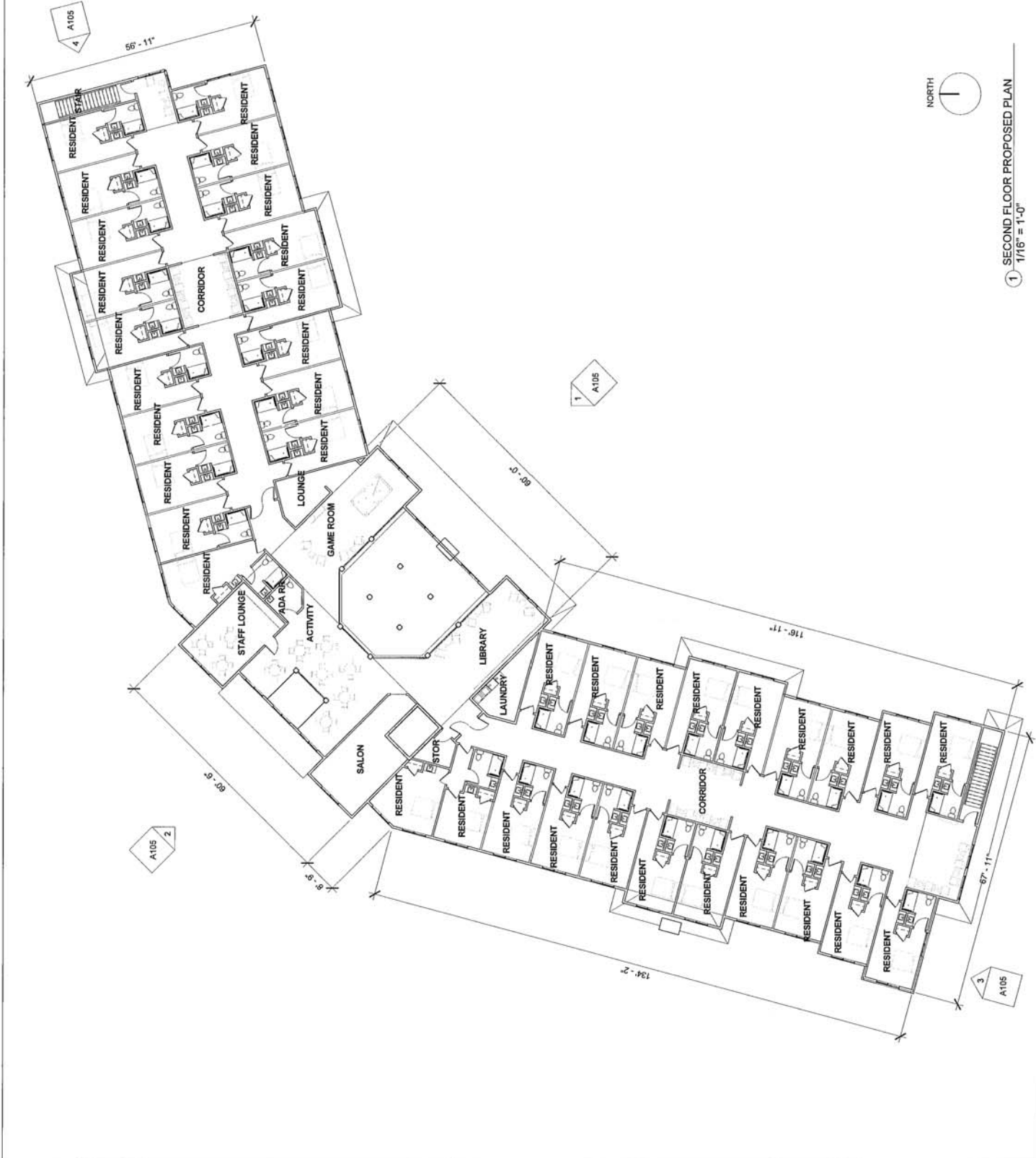
No.	Description	Date

**SECOND FLOOR
 PLAN**
 8-F-13-UR

Project number: DK201
 Date: 06.24.2013
 Drawn by: Author
 Checked by: Checker

A104

Scale: 1/16" = 1'-0"



① SECOND FLOOR PROPOSED PLAN
 1/16" = 1'-0"

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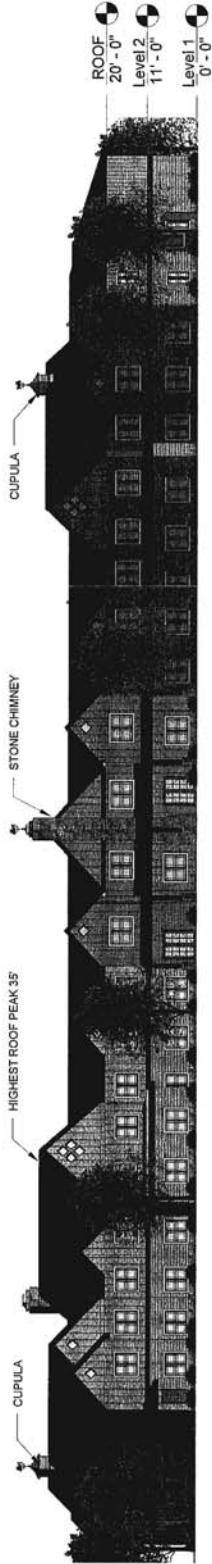
No.	Description	Date

**BUILDING
 ELEVATIONS**
 8-F-13-UR

Project number DK201
 Date 06.24.2013
 Drawn by Author
 Checked by Checker

A105

Scale 1" = 20'-0"



① SOUTH ELEVATION
 1" = 20'-0"



② NORTH ELEVATION
 1" = 20'-0"

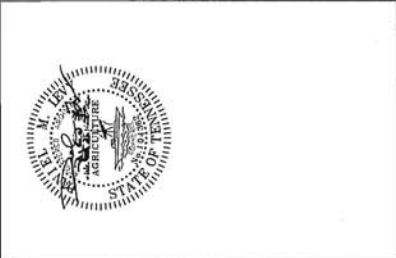


③ WEST ELEVATION
 1" = 20'-0"



④ EAST ELEVATION
 1" = 20'-0"

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No.	Description	Date

AMENITY PLAN
8-F-13-UR

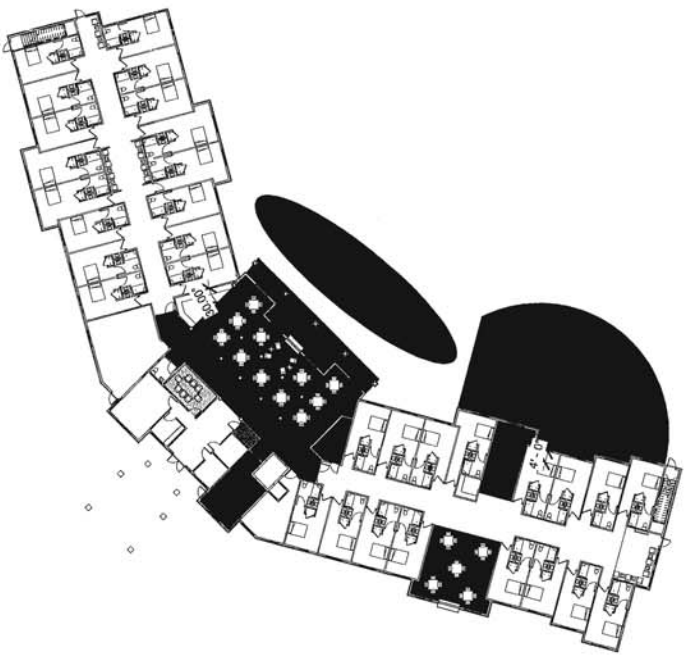
Project number: DK201
Date: 06.24.2013
Drawn by: Author
Checked by: Checker

A106

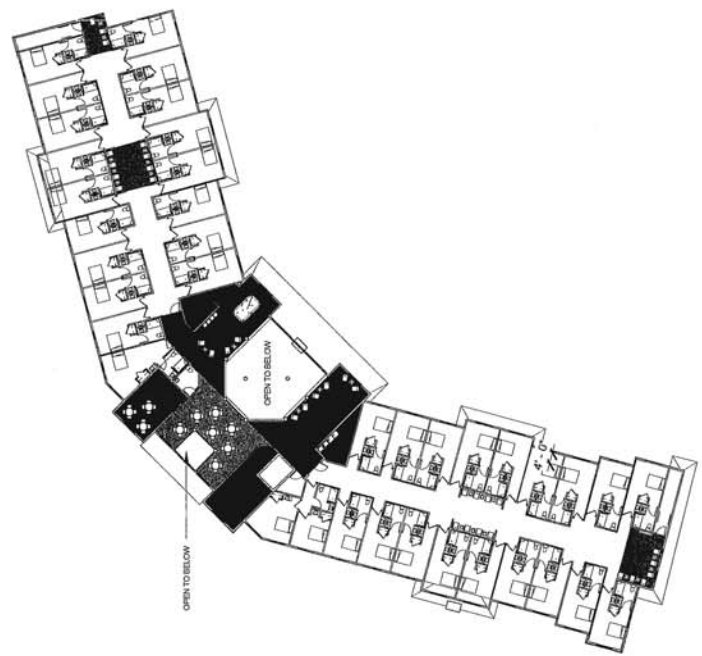
Scale: 1/32" = 1'-0"

- AMENITY LEGEND**
- ACTIVITY/LIVING ROOM
 - DINING
 - EXTERIOR COVERED SITTING AREA
 - EXTERIOR GARDENS
 - LAUNDRY
 - MAIL
 - PRIVATE DINING
 - SALON
 - SECURED COURTYARD

- AMENITY LEGEND**
- ACTIVITY
 - GAME ROOM
 - LAUNDRY
 - LIBRARY
 - LOUNGE
 - SALON
 - SITTING AREA
 - STAFF LOUNGE



① FIRST FLOOR AMENITY PLAN
1/32" = 1'-0"



② SECOND FLOOR AMENITY PLAN
1/32" = 1'-0"



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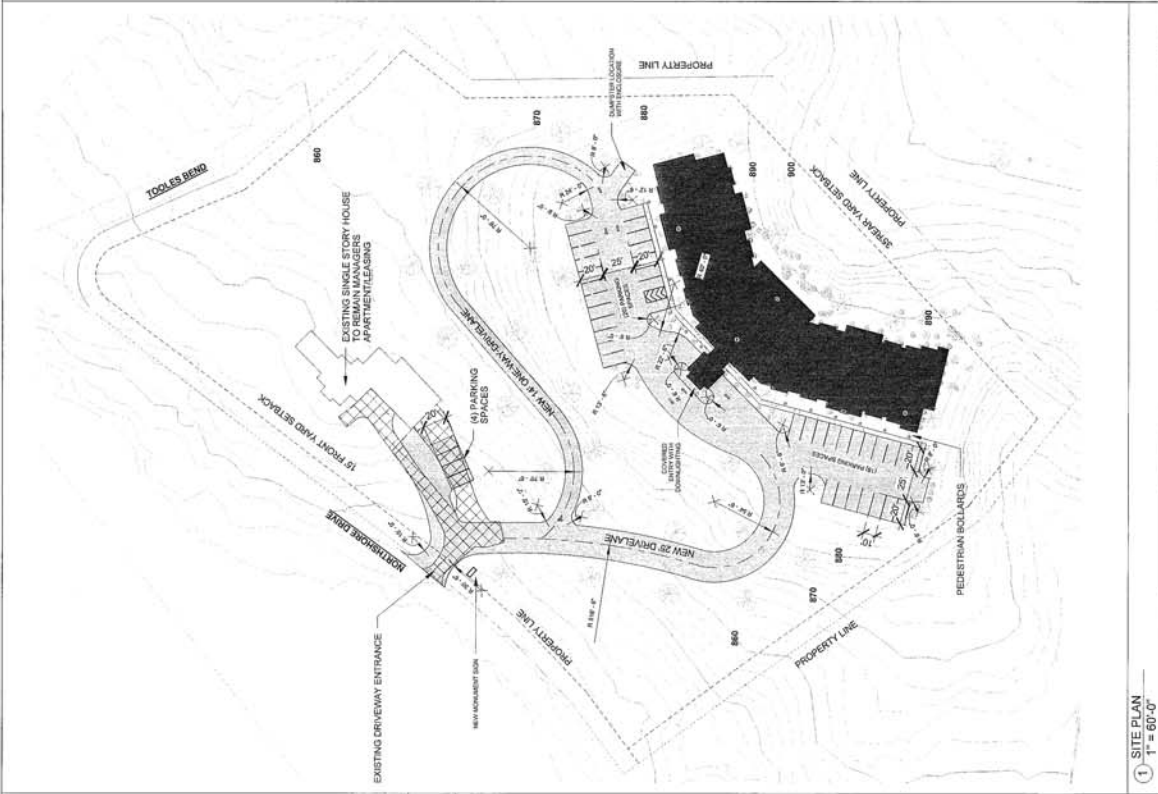
No.	Description	Date

SITE PLAN

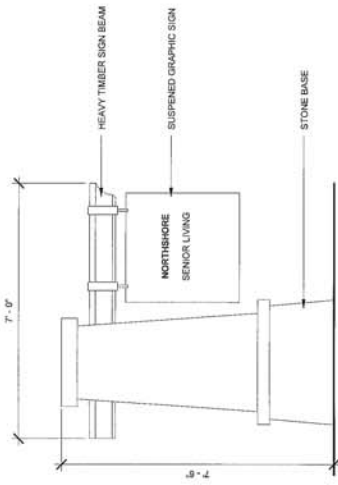
Project number: DK201
 Date: 06/24/2013
 Drawn by: Author
 Checked by: Checker

A100

Scale: As indicated



① SITE PLAN
 1" = 60'-0"



② PROPOSED MONUMENT SIGN
 1/2" = 1'-0"

PARKING REQUIRED
 X
 1 SPACE / 4 BEDS - STAFF AT PEAK
PARKING PROVIDED
 72 UNIT - 80 BED - 20 PARKING SPACES
 18 STAFF SPACES
 2 ADA SPACES (1 VAN ACCESSIBLE)
**TOTAL PARKING PROVIDED (DB SPACES MAIN BUILDING - 60) MANAGER OFFICE
 21,000 SF OFF-STREET PARKING**



8-F-13-UR

RE/USED
 7/23/13

7/23/13 10:28:27 AM

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**NORTHSHORE
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 DR. KNOXVILLE, TN
 37922

No.	Description	Date

LANDSCAPE PLAN

Project number DK201
 Date 06.24.2013
 Drawn by SM
 Checked by DL

A101

Scale 1" = 60'-0"

7/23/2013 10:29:38 AM

8-F-13-UR
REVISED!
 7-2-13





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Letter regarding File # 8-F-13-UR (Daniel Levy) from Cobblestone Park HOA

2 messages

Judy Horn <hornj5@yahoo.com>

Mon, Sep 2, 2013 at 1:40 PM

To: "bettyjo.mahan@knoxmpc.org" <bettyjo.mahan@knoxmpc.org>

Cc: buz.johnson@knoxmpc.org, "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

To: MPC Commissioners

The Cobblestone Park subdivision is adjacent to the proposed assisted living facility, which is coming up for Use on Review at the September 12 MPC meeting. Attached please find our two-page letter which expresses concerns we have about the project.

Best Regards,

Judy Horn, Board Member
Cobblestone Park HOA

8809 Laurel Grove Lane
Knoxville, TN 37922
[865-539-7885](tel:865-539-7885)
email: hornj5@yahoo.com



MPC-8F13UR-CPHOA.pdf
205K

Dan Kelly <dan.kelly@knoxmpc.org>

Tue, Sep 3, 2013 at 8:25 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[Quoted text hidden]

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Dan Kelly
MPC, Development Services Manager
[\(865\) 215-2500](tel:865-215-2500)



MPC-8F13UR-CPHOA.pdf
205K



September 1, 2013

To: MPC Commissioners

Subject: File # 8-F-13-UR, Applicant Daniel Levy, AIA. Proposed: Assisted Living Facility

Architect Daniel Levy is proposing an assisted living facility on 7.3 acres at the intersection of S. Northshore Drive and Toolles Bend Road.

Cobblestone Park (CP) subdivision is the closest neighbor to this property and contains 36 homes. Five of these homes, on the east side of CP, have back or side boundaries that border directly on this assisted living property. Most homes in the neighborhood are within 300 feet of the property and all will be, to some extent, impacted by the proposed project.

To learn about the proposal, the CP Homeowners Association (CP HOA) board and a few neighbors met with Daniel Levy on August 5. As a result of the meeting, Mr. Levy made modifications to the plan. He moved the building corners 18 feet farther away from the rear property line and 15 feet further from the side yard. He reduced the side parking lot by removing some spaces, creating the desired 50-foot buffer we suggested. He added conifer landscaping as buffer along the sides of concern, further shielding the building from view of those in Cobblestone Park. He emphasized that low-lighting and natural landscape buffering will help provide privacy for the close neighbors. At the driveway entrance he added a turn-in space for right turns off of Northshore Drive.

He demonstrated that he and the developer are willing to work with Cobblestone Park residents.

At a subsequent meeting on August 26, two-thirds of the neighbors in Cobblestone Park met with Daniel Levy concerning the proposal. This answered many questions and made us more comfortable with the overall plan. The CP neighborhood will meet with the developer on September 3.

Major concerns that need further attention were brought up at the August 26 meeting. These included:

1. Landscaping: Everyone in Cobblestone Park is concerned about what we will see when we look over toward the assisted living property. Those who live closest to that property are especially anxious about this. Due to the many children in the neighborhood, several back yards have playground equipment near the rear boundary that is shared with the assisted living property. An attractive, year-round landscape barrier between our properties and the assisted living building is needed, for visual and sound buffering. Adding conifers to the existing natural landscape will help, but more planning and action may be needed, with attention to design, horticulture, and nurturing to create an effective green barrier on such rocky land with varied topography. Neighbors in some homes will look down on the assisted living facility from their decks. Others will be looking up to the property from yards. Mr. Levy has suggested that Cobblestone Park may work with the developer to ensure that the landscape offers good buffering and pleasing views for Cobblestone residents. We hope to do this very soon.

2. Access: Entering and leaving the assisted living facility directly from Northshore Drive is very likely to cause traffic problems. The intersection at Tooles Bend combined with the S-curve of Northshore Drive require careful navigating. Also, there is limited line-of-sight from the Cobblestone Park entrance to the place where the new assisted living driveway will be. This makes it harder for vehicles to safely turn left onto Northshore when coming out of CP. Perhaps access via Tooles Bend would be a reasonable solution.
3. Lighting: Current lighting plans include outdoor lighting that is minimal and non-intrusive. However we would like to be sure that tall pole lighting or other bright glaring lights will not be added in the future.
4. Parking Lots and Exterior Structures: Some of the assisted living parking places are still quite close to the Cobblestone Park boundaries. We would like the developer to continue working with us to place parking and other exterior structures well away from Cobblestone Park.
5. Fencing: While there are no current plans to fence the property, we would like assurance that if perimeter fencing is added in the future, it will be made of appropriate and attractive materials (such as wood, masonry, decorative metal), will not be more than six feet high, and that there will be no cyclone fence, barbed wire, or chicken wire.
6. Drainage: When it rains, a lot of run-off flows along the back portion of the assisted living property and then streams down into the yards of nearby Cobblestone neighbors. Sometimes there is standing water for days. Those Cobblestone neighbors are worried that after the assisted living facility is built there will be even more run off. There is concern that our subdivision's drainage system will not be able to handle the increased volume.
7. Blasting: There is a high level of concern that if, due to the significant amount of rock on the property, blasting is done during construction, it will damage our homes and home foundations. We seek assurance that blasting will be minimal, that we will be informed before it takes place, and that blast surveys will be done beforehand.
8. Future: We are concerned about changes to the assisted living facility that may occur as time goes on. We want to make sure that what might be agreed on now remains true going forward.

We have presented our concerns here with the goal of understanding what the assisted living facility will be like and how it will impact our neighborhood. We look forward to being good neighbors. Please contact us if you would like additional information.

Sincerely,
Cobblestone Park Homeowners Association, Inc.

Judy Horn, (contact), Board Member, email: hornj5@yahoo.com phone: 539-7885 8809 Laurel Grove Lane 37922

Shefali Kimel, President of Board, adjoins proposed development

Kim Malik, Board Member

Michael LaCasse, Board Member

Lee Butler, Board Member, adjoins proposed development