

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

▶ **FILE #:** 3-L-17-UR

AGENDA ITEM #: 58

AGENDA DATE: 3/9/2017

▶ **APPLICANT:** HELEN ROSS MCNABB CENTER

OWNER(S): Helen Ross McNabb

TAX ID NUMBER: 93 H B 056

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 3343 Dewine Rd

▶ **LOCATION:** South side Ball Camp Pike, west side Dewine Rd.

▶ **APPX. SIZE OF TRACT:** 1.57 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Dewine Rd., a minor collector with a pavement width of 18' to 20' within a 40' wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Church

▶ **PROPOSED USE:** Behavioral Health Urgent Care Center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Ball Camp Pike & Western Ave. right-of-way / R-1 (low density residential) and RP-1 (planned residential)

South: Detached houses / R-1 (low density residential)

East: Detached houses, Church / R-1 (low density residential) & O-1 (office, medical, and related services)

West: Helen Ross McNabb / O-1 (office, medical, and related services)

NEIGHBORHOOD CONTEXT: The site is in an area of established attached and detached residential development south of Western Ave. The site is adjacent to the Helen Ross McNabb Centerpointe facility which provides alcohol and drug residential rehabilitation, medical detoxification, and crisis stabilization unit services.

STAFF RECOMMENDATION:

▶ **APPROVE** the development plan for an approximate 9,200 sqft hospital with no more than 31 beds, limited to a drug and alcohol rehabilitation treatment, subject to the following 5 conditions.

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Tennessee Department of Health.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

5. Prior to certificate of the development plan approved via use on review, a landscape plan must be submitted to and approved by MPC staff. The landscape plan shall, at a minimum, indicate the following:

- a) Compliance with City of Knoxville Tree Protection Ordinance (trees to be planted shall be of a minimum 2.5" caliper)
- b) Removal of unused parking lot asphalt and replanting with vegetation consisting of groundcover and trees with minimum 2.5" caliper.
- c) Landscaping of parking lot with minimum of 1 tree (minimum 2.5" caliper) and 2 shrubs per 2,000 SF of vehicular use area.
- d) Planting of a landscape buffer with an average width of 15 feet, but no less 10 feet, along the rear property line. Such buffer shall be planted with a minimum of 3 deciduous trees (minimum 2.5" caliper at planting), 4 evergreen trees (minimum 6' height at planting), and 10 shrubs (minimum height at maturity - 30") per 100 linear feet. If the distance between the rear property line and the building makes it impossible to meet the buffer width, the width of the buffer may be reduced provided a solid wood fence with a minimum height of 6' is provided with planting as permitted in the buffer; planting shall be on the side of the fence facing the neighboring property. If the buffer width is less than 10' and there is not room for planting a landscaped buffer, a solid wood fence of a minimum 6' height may be installed without landscaping.
- e) Large maturing trees (Minimum 2.5" caliper at planting) shall be planted along Dewine Road at a minimum ratio of 1 tree per 35' of street frontage.

With the conditions noted above, this request meets all requirements for approval in the O-1 zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The proposed Behavioral Health Urgent Care Center is classified as a hospital which requires use-on-review approval in the O-1 zone. The facility will be operated by the Helen Ross McNabb Center, which owns and operates the adjacent drug and alcohol rehabilitation center which is also classified and approved as a hospital. The proposed facility includes a maximum of 31 beds. The facility will house a similar service already at the adjacent Helen Ross McNabb Center called the Crisis Stabilization Unit (CSU), which provides non-hospital facility-based services that render short-term treatment to facilitate access to services and stabilization to prevent acute psychiatric hospitalization. The difference between two services is that the existing facility accepts adults that arrive voluntarily on their own and the proposed facility will accept adults that are brought only by law enforcement personnel and that voluntarily choose rehabilitation treatment instead of being taken to jail for minor, nonviolent offenses. The facility will not accept anyone that is a sex offender, had a DUI charge, or has committed a crime of violence in the past.

The facility will have up to 8 staff members if 31 beds are installed, and will always have one law enforcement officer on duty. The facility will only accept patients brought by law enforcement officers and patients will only leave the facility with a law enforcement officer or a family member. The average stay for patients will be 3 days.

The proposed facility will have less vehicular impact on the roads than a traditional hospital but will have more consistent everyday traffic than the previous use of a church. The facility should generate no more traffic per bed than the adjacent Helen Ross McNabb facility, and the majority of traffic is anticipated to come from Western Avenue rather than through the neighborhood since there is not a direct and obvious street network to the south toward Middlebrook Pike. As part of the recent TDOT project, the Western Avenue, Ball Camp Pike and Matlock Drive intersections have been improved which provide safe access to and from this major roadway.

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

1. The proposed treatment facility will provide similar services to the adjacent facility operated by Helen Ross McNabb.
2. The traffic generated by the facility will be more consistent over the full length of the day but should be no more than other office or medical uses that are allowed in the O-1 zone district.
3. The proposal will have no impact on schools.

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

1. The proposed treatment facility meets the standards for development within the O-1 zoning district and all

other requirements of the Zoning Ordinance.

2. The proposed treatment 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 area 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 MPC PLANS

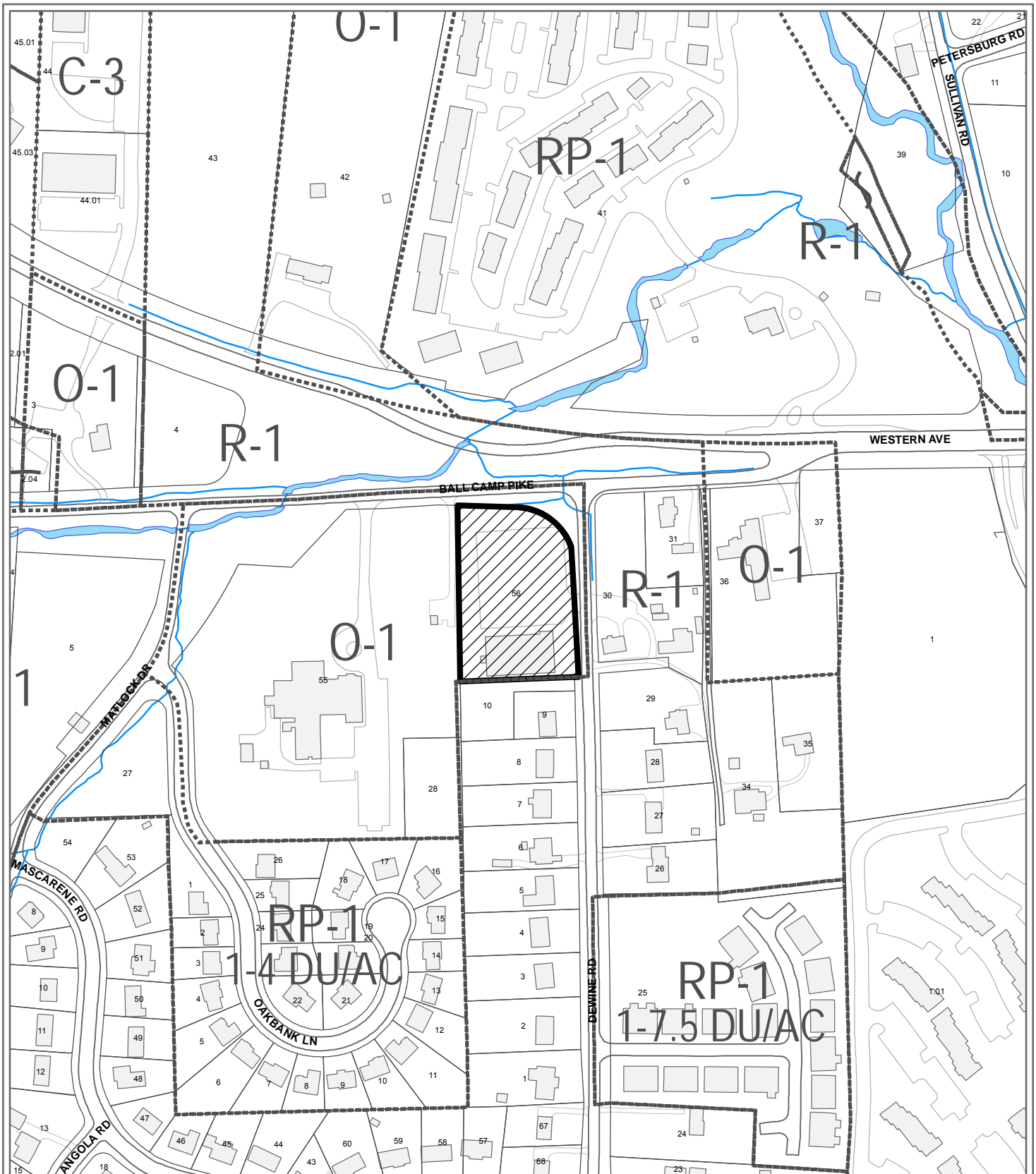
1. The Northwest City Sector Plan and the One Year Plan propose Low Density Residential (LDR) uses for this site, however, the current zoning is O-1 which allows various residential, office and medical uses. The proposed facility is considered a hospital which is a "use permitted on review". The O-1 zone is regularly used as a transitional zone from more intense uses to lower intensity uses such as residential neighborhoods.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 377 (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-L-17-UR
USE ON REVIEW**



Behavioral Health Urgent Care Center in O-1 (Office, Medical, and Related Services)

Original Print Date: 2/15/2017

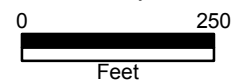
Revised:

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

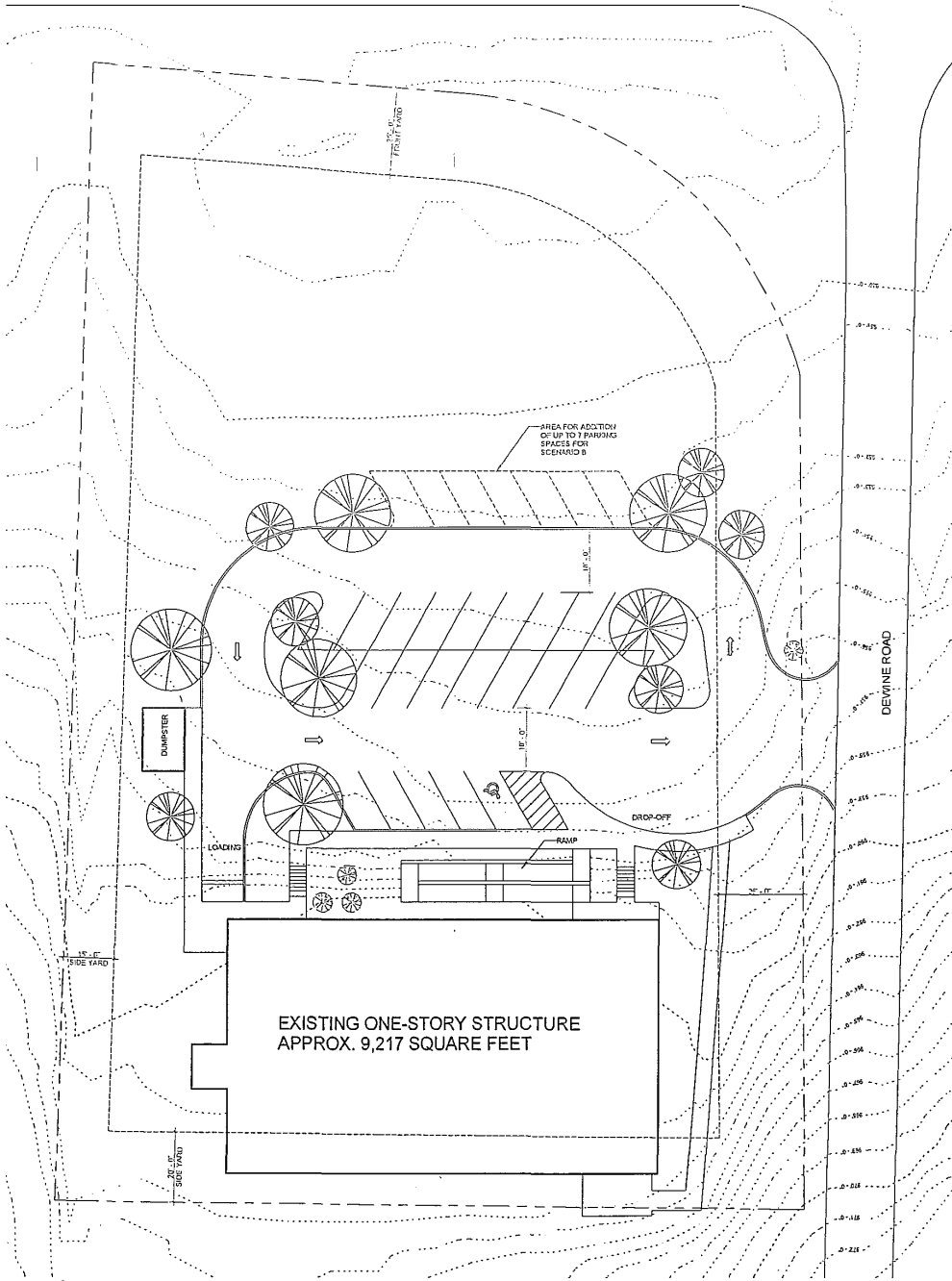
Petitioner: Helen Ross McNabb Center

Map No: 93

Jurisdiction: City



BALL CAMP PIKE



3343 DEWINE ROAD
 KNOXVILLE, TN 37921
 AREA: 1.57 ACRES
 PARCEL ID: 093HB056

ZONING O-1
 PROPOSED USE: HOSPITAL

PARKING REQUIREMENTS:
 Two (2) class "B" spaces per three (3) patient beds, exclusive of bassinets, plus one (1) class "B" space for each staff doctor, plus one and one-half (1½) class "B" space for each two (2) employees including nurses on the maximum working shift, plus adequate parking for emergency vehicles.

SCENARIO A:
 PATIENT BEDS: 24
 STAFF: 6
 REQUIRED PARKING: 22
 PROPOSED PARKING: 22

SCENARIO B:
 UP TO 31 TOTAL BEDS
 STAFF: 8
 REQUIRED PARKING: 29
 PROPOSED PARKING: 29

REQUIRED TREES: 13

3-L-17-UR
 1/30/2017

PROPOSED SITE PLAN

A BEHAVIORAL HEALTH URGENT CARE CENTER
 USE ON REVIEW SITE PLAN
 3343 DEWINE ROAD - HELEN ROSS McNABB CENTER

dmc BARBERMcMURRY
 architects since 1915
 17999



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

[MPC Comment] Concerned Resident RE: Behavioral Health Urgent Care Center1 message

Jeffery Romaniuk <communications@maplegroveknoxville.com>

Sun, Feb 26, 2017 at 11:03 AM

Reply-To: communications@maplegroveknoxville.com

To: commission@knoxmpc.org

Commission,

My name is Jeff Romaniuk and I am a resident and the communications chair for Maple Grove Homeowners Association located on Ballcamp Rd. and the McKamey intersection. We learned recently that Helen Ross McNabb was putting in a proposal to acquire the adjacent building next to their current drug detox facility to renovate into a 'safety' center. While I can empathize with the City for wanting to help individuals mental health issues I have the following concerns outlined below:

The name of this center has changed from a Safety Center to Behavioral Health Urgent Care Center. After getting a better understanding of what services will be offered it appears to be more about individuals with drug and alcohol issues and getting them off the street and putting them in a facility that isn't a jail cell. This to me contradicts, or at minimum stretches, the the proposed mission statement for this facility: Behavioral Health (which many construe to mean mental health issues). Although the services will generally cover people with mental issues it is definitely geared to stabilizing individuals with drug problems and doesn't go far enough to help those in real need of mental help. I think we could all agree that three days is not long enough to help someone going through severe mental health issues.

The other primary issue I have is with the proposed location. Our neighborhood already offers the largest drug detox center in the county and we are concerned that by putting in this new facility right next to it, it will strengthen the concentration of individuals with drug and alcohol issues in our immediate neighborhood proximity. Helen McNabb tells us that this proposed facility is already the type of facility we have but that isn't true. The current building is voluntary whereas the proposed building is in lieu of going to jail. Two very different things. I think it is reasonable and fair that the entirety of the County share the effort in helping individuals in need and this responsibility requires that these facilities be distributed as evenly as possible throughout the communities across Knox County.

The current building has served as a local gymnasium and a community church which proves that there are other practical applications for this building that would better serve our neighborhood. We feel that this safety center is beyond the original intent of that structure.

I humbly ask that you work with Helen Ross McNabb to consider other locations within Knox County that allow for more fair and even distribution of these types of treatment centers.

Best Regards,

Jeff Romaniuk

3348 Maple Grove Way, Knoxville, TN, 37921

[865-789-6065](tel:865-789-6065)--



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

[MPC Comment] Behavioral Health Urgent Care Center

1 message

Harry Livergood <livergoodhw@knology.net>

Fri, Feb 24, 2017 at 12:49 PM

Reply-To: livergoodhw@knology.net

To: commission@knoxmpc.org

As a longtime resident and Knox County tax payer I am strongly opposed to any zoning change or plan to use property proposed location of on Dewine Road and Ball Camp Pike for a Behavioral Health Urgent Care Center.

The proposal is outside the **following** general standards of the MPC:

1. The use is in harmony with the general purpose and intent of these zoning regulations
notes: Previously the proposed building was mixed-use. It held a gymnasium and a church. Both of which seem appropriate next to residential zoning.
2. The use is compatible with the character of the neighborhood where it is proposed and with the size and location of buildings in the vicinity
notes: Our neighborhoods already have the largest drug rehab facility (42 beds) in the county and adding an additional 24-31 beds in a new building means a much larger concentration of individuals located in multiple structures in close proximity to residential zoning.
3. The use will not significantly injure the value of adjacent property or by noises, lights, fumes, orders, vibration, traffic, congestion or other impacts detract from the immediate environment
notes: Police will maintain a presence at the facility. This could also contribute to an increase in traffic, detract from commercial properties on Western Ave., and reduce property values for surrounding residents.
4. The use is not of a nature or so located as to draw substantial additional traffic through residential streets
notes: Similar to above, there will be additional traffic on the roads surrounding this proposed building: Ball camp and Dewine Rd.
5. The nature of development in the surrounding area is not such as to pose a potential hazard to the proposed use or to create and undesirable environment for the purposed use
notes: Individuals that are picked up by the police may choose to go to this proposed facility instead of going to jail if arrested for certain things (mostly drug-related). Individuals will generally be released after 3 days and it is unclear what happens once they are released. Do they have a place to go? Will they be picked up? Will there be additional people waiting around for individuals to be released? What about school bus stops in close proximity?

Doesn't Knox County owns a large track of land at the Roger D. Wilson Detention Facility on Maloneyville Rd. 12.6 miles from downtown Knoxville? Are the taxpayers already paying taxes for the property? Why can't the Urgent Care Center be built there? It is a perfect spot since it is an intake facility. Ideal location. This is what the citizens that you are representing want!

Respectfully,

Harry and Nancy Livergood, 5123 McKamey Rd Knoxville, TN 37921 865 693-1081



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

[MPC Comment] Proposed Urgent Behavioral Health Care Center

1 message

Jack Copeland <jackcopeland@maplegroveknoxville.com>
Reply-To: jackcopeland@maplegroveknoxville.com
To: commission@knoxmpc.org

Wed, Feb 22, 2017 at 3:30 PM

Knox Metropolitan Planning Commission,

Re: Proposed Urgent Behavioral Health Care Center on Dewine Rd adjacent to the Helen Ross McNabb Center location on Ball Camp Rd.

As Chairman of the Maple Grove Homeowners Association consisting of 38 families, we are in opposition to the proposed Urgent Behavioral Health Care Center being located at the corner of Dewine Rd and Ball Camp Rd. We are concerned of its likelihood of lowering property values and other detrimental effects on our community.

We suggest/recommend you either enlarge the present facility or place the new facility on Springdale Ave.

Thank you for your
Time and attention,

Jack Copeland

MGHA Chairman

3435 Maple Grove Way

Knoxville, TN 37921

865 385 8784

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This message was directed to commission@knoxmpc.org



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

[MPC Comment] Impending Urgent Care Facility Meeting

1 message

'Mary Kistler' via Commission <commission@knoxmpc.org>

Wed, Feb 22, 2017 at 7:42 PM

Reply-To: kistler9mary@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I wish to state my strong opposition to the proposed rezoning to allow an Urgent Care Center at the corner of Dewine Road and Ball Camp Pike.

1. The proposed use for this property is not in harmony with the area. This building was a gymnastics Center for many years, then a church. Those were appropriate business for a residential area. The proposed is not.

2. Our area already has a drug rehab facility, however it is not inhabited by those who have th choice of going there or going to jail. We are not an area that is appropriate for a higher concentration of not only the inmates/"patients" but also their acquaintances. It already takes an inordinate amount of time for police response in our area. Adding more citizens who have disregard for their own well-being and the law will most certainly create additional difficulty in our area.

3. The presence of people who are unwilling/unable to maintain their stability due to drugs and mental illness will definitely injure our property values, our peace of mind, our health and well-being. The additional traffic, noise, additional security lighting will all disturb neighbors. Not to mention the unpleasant addition of security around the building, and if ther is no perimeter security, the fear of criminals/"patients" escaping this facility into our yards.

4. This facility will definitely ramp up traffic that has already increased due to the UNWANTED and UNASKED for Walmart neighborhood market that opened at the corner of Ball Camp and McKamey Road. Getting on and off Oak Ridge Hwy has become very difficult and traffic accidents are increasing.

5. We feel that this facility places a danger in our area that is not tenable. These inmates/"patients" will choosing to go to this facility rather than jail, and then be released after a short duration..usually three days. Are you providing them transport back to their homes or are they going to be picked up by their acquaintances..who very likely would be of the same ilk? Or will they just be allowed to wander off about the neighborhood ?We have children waiting for buses, elderly people who live alone (who often have the very sorts of medications on hand that might make them a target for someone who has had a couple days to "dry out" but is now back to temptation again.

We are a quiet family NEIGHBORHOOD. You have the option of putting this facility elsewhere. There seems to be plenty of room out east by the Knox County detention center. We beg you to PLEASE don't ruin our quiet neighborhood life with this type of facility.

Mary Kistler
3356 Maple Grove Way
Knoxville TN 37921

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This message was directed to commission@knoxmpc.org

You're Invited!

We are pleased to share information regarding the proposed Urgent Care Center for Behavioral Health in our community. The facility will be an expansion of the Helen Ross McNabb Center's CenterPointe services at the adjoining site located at 3343 Dewine Road NW, Knoxville, TN 37921.

In keeping with our philosophy of reaching out to the communities we serve, we have scheduled a neighborhood meeting to provide information on the project. Representatives from Knox County, City of Knoxville and the Helen Ross McNabb Center will be present to answer questions regarding the Urgent Care Center for Behavioral Health.

Location: Cumberland Baptist Church
5600 Western Avenue
Knoxville, TN 37922

Date: February 23, 2017

Time: 6:00 p.m. – 7:00 p.m.

Please join us for an informal neighborhood meeting and refreshments. We look forward to seeing you.



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

[MPC Comment] Planned Urgent Care Facility at Dewine and McKamey

1 message

Jessica Emert <jemert01@gmail.com>

Wed, Feb 22, 2017 at 10:08 AM

Reply-To: jemert01@gmail.com

To: "Houston.smelcer@mcnabb.org" <Houston.smelcer@mcnabb.org>, "commission@knoxcounty.org" <commission@knoxcounty.org>, "commission@knoxmpc.org" <commission@knoxmpc.org>, "eason.mpc@gmail.com" <eason.mpc@gmail.com>, "gerald.green@knoxmpc.org" <gerald.green@knoxmpc.org>, "herb@claibornehauling.com" <herb@claibornehauling.com>, "jtocher.mpc@gmail.com" <jtocher.mpc@gmail.com>, "mgoodwin.mpc@gmail.com" <mgoodwin.mpc@gmail.com>, "tim.burchett@knoxcounty.org" <tim.burchett@knoxcounty.org>

Good morning. I am writing in regards to the proposed development of the Urgent Care Center on Dewine and McKamey. I have some concerns.

- 1. What other areas are being considered for this facility?**
- 2. Why in our neighborhood? If we already have the largest drug rehab facility in our neighborhoods, wouldn't it make sense to allocate beds to other areas?**
- 3. With the addition of Wal-Mart, we have already seen an increase in traffic. The two lane roads that incase our neighborhood are becoming more congested as it is.**
- 4. A police presence will hinder people from seeing our neighborhoods as a safe place to live and raise a family.**
- 5. What about children waiting for school buses? There are so many neighborhoods with school stops within a short distance from the planned facility. This could be a dangerous situation.**
- 6. What if individuals escape the facility?**

I strongly oppose building this facility in my neighborhood at McKamey and Dewine. We are a peaceful, law-abiding area and our neighborhoods have already been impacted by the new Wal-Mart and the traffic it now has caused. The store is very nice though and the road improvements and landscaping are a nice addition. They were greatly needed.

I strongly encourage you to reconsider. I look forward to receiving your feedback.

Thank you for your time.

Jessica Emert

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This message was directed to commission@knoxmpc.org

Use on Review Development Plan

Name of Applicant: Helen Ross McNabb Center

Date Filed: 1-30-17 Meeting Date: 3-9-17

Application Accepted by: GERALD GREEN

Fee Amount: N/A File Number: Development Plan _____

Fee Amount: N/A File Number: Use on Review 3-2-17-UR



PROPERTY INFORMATION

Address: 3343 Dewine Road 37921

General Location: Cumberland Estates, South of Western Ave., West of Dewine

Tract Size: 1.57 Acres No. of Units: 31

Zoning District: 0-1

Existing Land Use: Vacant building - Former Church

Planning Sector: Northwest City

Sector Plan Proposed Land Use Classification: LDR

Growth Policy Plan Designation: URBAN

Census Tract: 38.02

Traffic Zone: _____

Parcel ID Number(s): 093HB056

Jurisdiction: City Council 3 District
 County Commission 3 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Helen Ross McNabb Center

Company: _____

Address: 201 W. Springdale Ave

City: Knoxville State: TN Zip: 37917

Telephone: 865-637-9711

Fax: _____

E-mail: houston-smelcer@mcnabb.org

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Houston Smelcer

Company: Helen Ross McNabb Center

Address: 201 W. Springdale Ave

City: Knoxville State: TN Zip: 37917

Telephone: 865-329-9119

Fax: _____

E-mail: houston-smelcer@mcnabb.org

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)
Behavioral Health Urgent Care Center

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Houston Smelcer

PLEASE PRINT
Name: Houston Smelcer

Company: Helen Ross McNabb Center

Address: 201 W Springdale Ave.

City: Knoxville State: TN Zip: 37917

Telephone: 865-329-9119

E-mail: houston-smelcer@mcnabb.org