

► **FILE #:** 9-A-18-UR

AGENDA ITEM #: 54

AGENDA DATE: 9/13/2018

► **APPLICANT:** FALCONNIER DESIGN CO.

OWNER(S): Worley

TAX ID NUMBER: 81 H B 011.01

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 4036 Gap Rd

► **LOCATION:** East side of Gap Rd., south side of Cassell Dr.

► **APPX. SIZE OF TRACT:** 4.69 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Gap Rd., a major collector street with 19' of pavement width within 45' of right-of-way, or Cassell Dr., a local street with 19' of pavement width within the large combined right-of-way with Gap Rd.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

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

► **EXISTING LAND USE:** Office

► **PROPOSED USE:** Adult day care

HISTORY OF ZONING: Rezoned O-1 in August 2018 (7-C-18-RZ)

SURROUNDING LAND USE AND ZONING: North: Office and dwellings / O-1 (Office, Medical & Related Services) & R-1 (Low Density Residential)

South: Vacant land / R-1 (Low Density Residential)

East: Office and apartments / O-3 (Office Park) & R-2 (General Residential)

West: Dwelling and vacant land / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed residential and office uses under R-1, R-2, O-1 and O-3 zoning.

STAFF RECOMMENDATION:

► **APPROVE the request for an adult day care facility of approximately 2,073 sqft subject to 4 conditions.**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting any relevant requirements of the Knox County Health Department.
3. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.

COMMENTS:

The proposed adult day care facility will be located within an building that was most recently used as an office. The property was rezoned to O-1 in August 2018 and in July 2018 the Planning Commission approved a Similar Use Determination that adult day care facilities can be considered as a use-permitted on review in the O-1, O-2, and O-3 zone districts.

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

1. The proposal will have no impact on schools.
2. Public water and sewer utilities are available to serve the development.
3. Traffic to the facility should have minimal impact on the surrounding development.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed adult day care 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.
2. The proposal meets all relevant requirements of the O-1 zoning district, as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

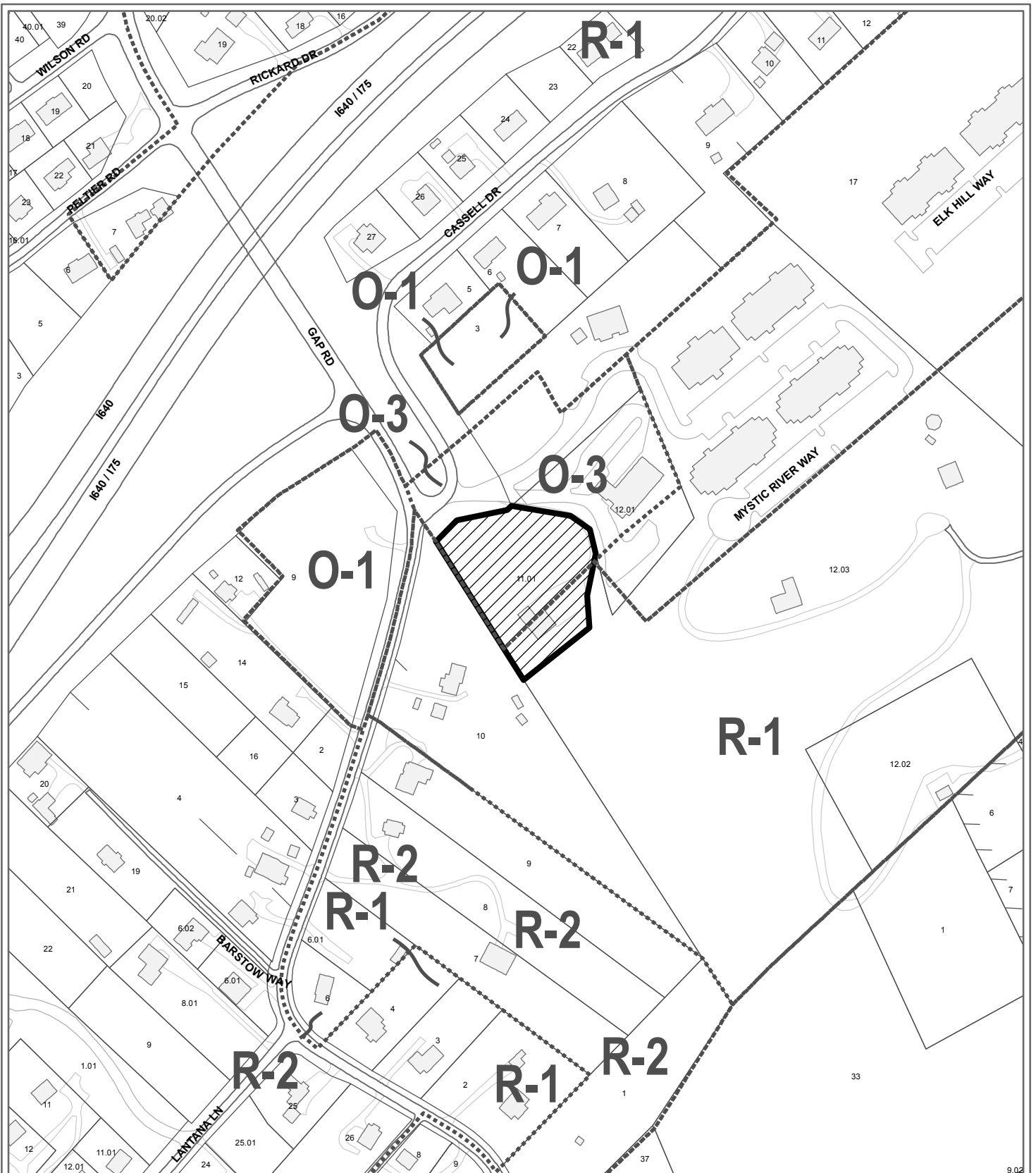
1. The use is in conformity with the Sector Plan and One Year Plan for the property which propose MDR/O (Medium Density Residential / Office) uses for the site.

ESTIMATED TRAFFIC IMPACT: 164 (average daily vehicle trips)

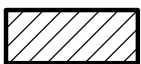
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**9-A-18-UR
USE ON REVIEW**



Adult day care in O-1 (Office, Medical, and Related Services) pending

Petitioner: Falconnier Design Co.

Map No: 81

Jurisdiction: City



Original Print Date: 8/15/2018

Revised:

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

SITE NOTES

MUNICIPAL JURISDICTION: CITY OF KNOXVILLE, TN
 SITE ZONE: 0-3/R-1
 PARCEL ID: 081H01101
 MAGD: 19
 BLOCKS: 19/19444
 SITE SIZES: 4.89 ACRE (CALCULATED), 1.39 ACRE (DEEDED)
 EXISTING BUILDING (TO BE RENOVATED):
 4036 GAP ROAD
 2,073 GROSS SQ.FT.
 1 STORY
 TYPE V-B, UNSPRINKLERED
 B "BUSINESS"

PARKING NOTES:

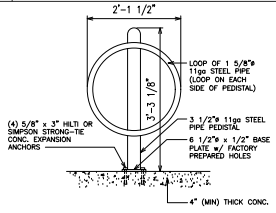
- SINGLE PAVED ACCESSIBLE PARKING SPACE AND ACCESS AISLE AS SHOWN ON PLAN.

SITE DEVELOPMENT NOTES:

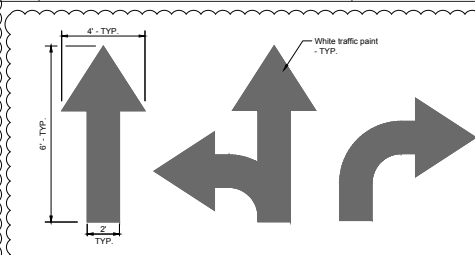
- COORDINATE ALL SITE UTILITIES SIZES AND LOCATIONS WITH KUB OR OTHER LOCAL UTILITY.
- LANDSCAPING IS BY OWNER, INCLUDING ORNAMENTAL HORTICULTURE AND PERMANENT LAWNS.
- SEED AND STRAW BY GC ONLY TO STABILIZE SITE. REPAIR UTILITY EXCAVATIONS AND REPLACE DISTURBED LAWNS.
- EXCAVATION AREA NOT TO EXCEED 2,800 S.F. (EXCLUDING UTILITY TRENCHES).
- EXISTING BUILDING DOES NOT HAVE NATURAL GAS SERVICE.
- SITE PLAN BASED ON ARCHITECT'S FIELD DOCUMENTATION. PUBLICLY AVAILABLE GIS DATA AND ORIGINAL SURVEY/PLAT PREPARED BY LAND DEVELOPMENT SOLUTIONS, DATED JUNE 14, 2015.
- CONCRETE EQUIPMENT PADS SHALL BE 6" THK 4000 PSI CONCRETE W/ 6#x6 @ 4/14 W/W OVER 4" (MIN) COMPACTED CRUSHED STONE BASE. VERIFY REQUIRED SIZES WITH MECHANICAL CONTRACTOR. SLOPE SLIGHTLY TO DRAIN AWAY FROM BUILDING.
- VERIFY SPOT ELEVATIONS IN FIELD. REPORT DISCREPANCIES TO ARCHITECT.
- SITE LIGHTING IS EXISTING TO REMAIN; NO PROPOSED IMPROVEMENTS OR CHANGES.
- LANDSCAPING IS BY OWNER, INCLUDING ORNAMENTAL HORTICULTURE AND PERMANENT LAWNS. LANDSCAPING SHALL COMPLY WITH ALL ASPECTS OF THE KNOXVILLE TREE PROTECTION ORDINANCE.
- SEED AND STRAW BY GC ONLY TO STABILIZE SITE. REPAIR UTILITY EXCAVATIONS AND REPLACE DISTURBED LAWNS.
- TEMPORARY SEEDING IS REQUIRED WHEN GRADING OPERATIONS ARE HALTED OVER 14 DAYS AND ON SOIL STOCKPILES.
- PERMANENT SEEDING IS REQUIRED WHEN GRADING OPERATIONS ARE COMPLETE OR WHEN CONSTRUCTION WILL NOT AFFECT DISTURBED AREAS.

DEMO & SITE USE NOTES

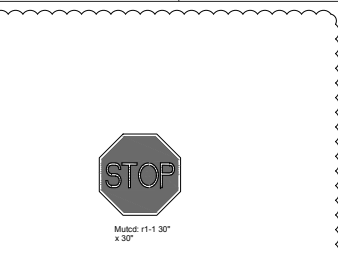
- BLASTING SHALL NOT BE USED IN DEMOLITION WORK. DEBRIS SHALL BE REMOVED BY THE GENERAL CONTRACTOR UNLESS SPECIFICALLY REQUESTED OTHERWISE BY OWNER.
- DEBRIS SHALL NOT BE BURIED OR BURNED ON SITE.
- DECONSTRUCTED ITEMS WHICH THE OWNER DESIGNATES FOR "RE-USE" SHALL BE NEATLY STORED IN LOCATION DETERMINED BY OWNER PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- GENERAL CONTRACTOR SHALL PROVIDE BARRIERS AS REQUIRED TO NOTIFY THE PUBLIC OF THE DANGERS OF CONSTRUCTION AREAS. CONSTRUCTION ACTIVITIES SHALL NOT INHIBIT ACCESS TO THE SITE BY EMERGENCY VEHICLES.
- CARE SHALL BE TAKEN TO PREVENT CONSTRUCTION ACTIVITIES FROM INTERFERING WITH OWNER'S USE OF THE BUILDING. COORDINATE WITH OWNER THE PLACEMENT OF ALL CONSTRUCTION EQUIPMENT, MATERIALS AND DEBRIS.
- CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE EXISTING TO REMAIN AREAS SURROUNDING DEMOLITION AREA. DAMAGE TO EXISTING BUILDINGS, SYSTEMS, VEGETATION, ETC. SHALL BE REPAIRED TO PREVIOUS CONDITION OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PROTECTION OF EXISTING STRUCTURE INCLUDING, BUT NOT LIMITED TO, TEMPORARY SHORING AND BRACING TO PREVENT COLLAPSE OF EXISTING TO REMAIN BUILDINGS AND SERVICES.
- ADEQUATE ADVANCE NOTICE SHALL BE GIVEN TO THE OWNER PRIOR TO THE COMMENCEMENT OF DEMOLITION ACTIVITIES. NO DEMOLITION SHALL PROCEED WITHOUT THE EXPRESS WRITTEN NOTICE AND APPROVAL FROM THE OWNER.
- DEMOLITION SHALL NOT PROCEED UNTIL CONTRACT IS FINALIZED AND FINANCING FOR THE ENTIRE PROJECT IS SECURED.
- PROTECT EXISTING HVAC SYSTEM FROM DUST INGESTION.
- DEMOLITION ACTIVITIES MUST NOT REDUCE ACCESS TO REQUIRED MEANS OF EGRESS.
- SEE ADDITIONAL NOTES & DIRECTIONS IN DIV. 2 SHEET G-101.



D3 BIKE RACK DETAIL
 3/4" = 1'-0"

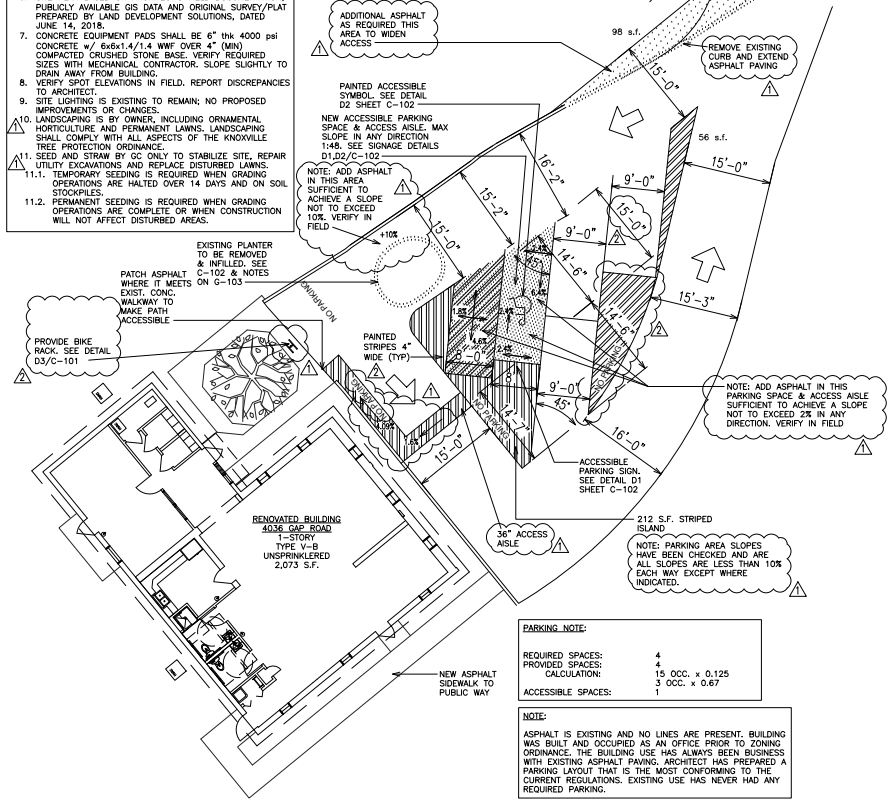


D4 TRAFFIC DIRECTION ARROWS
 NO SCALE

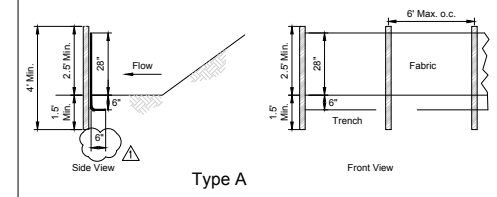


D5 SIGNAGE
 NO SCALE

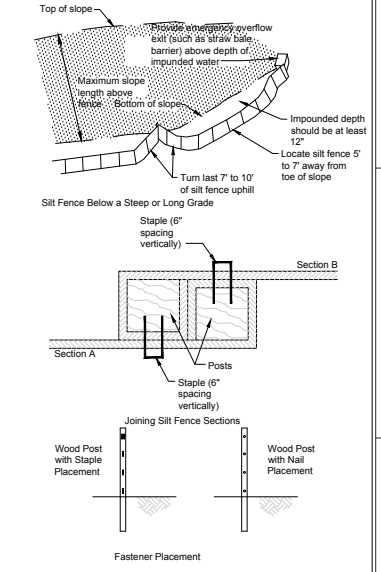
All signs shall be installed in accordance with the manual on uniform traffic control devices (mutcd). Use post per accessible sign detail D14-C-101.



A1 SITE LAYOUT PLAN
 1" = 10'-0"



A4 SILT FENCE & SPECIFICATION
 NO SCALE



Construction
 Silt fence should be placed on the contour. On slopes with grades greater than 7%, the silt fence should be located at least 5 to 7 feet beyond base. Turn the ends of the silt fence upright so that a certain depth storm water may be retained in front of the silt fence. The impounded depth should be at least 12 inches, but no more than the height of the silt fence. Hay or straw bales should be staked in place at the end of the row of silt fence as an emergency overflow. This will allow detained water, exceeding the capacity of the silt fence, to be filtered and released safely.

The silt fence should be purchased in a continuous roll not cut by length of the barrier to avoid the use of joints. Where joints are unavoidable, filter cloth should be spliced together only at a supporting post, with a minimum 6 inch overlap and securely sealed.

Post installation should start at the center of the low point (if applicable) with remaining posts spaced 6 feet apart for Type A and B silt fences and 4 feet apart for Type C silt fence. While Type A and B silt fences can be used with both wood and steel posts, only steel posts should be used with Type C silt fence due to the low capacity of the fabric.

Inspection
 Inspect silt fence before anticipated storm events (or series of storm events such as intermittent showers over one or more days) and within 24 hours after the end of a storm event of 0.5 inches or greater, and at least once every fourteen calendar days. Where sites have been finally or temporarily stabilized, such inspections may be conducted only once per month.

Maintenance
 Sediment should be removed once it has accumulated to one-half the original height of the barrier. Filter fabric should be replaced whenever it has deteriorated to such an extent that the effectiveness of the fabric is reduced (approximately six months). Silt fence should remain in place until disturbed areas have been permanently stabilized. All sediment accumulated at the fence should be removed and properly disposed of before fence is removed.

Silt Fence Specifications

Type Fence	A	W	Wsp
Tensile Strength (lbs. Min.) (U/ASTM D-4632)	40	120	150
Elongation (% Max.) (ASTM D-4632)	40		
AOS (Apparent Opening Size) (Max. Sieve Size) (ASTM D-4751)	#30		
Flow Rate (Gal/Min/Sq. Ft.) (GDOT #7)	25		
Disinfectant Stability (2) (ASTM D-4632 after 300 hours weathering in accordance with ASTM D-4355)	80		
Bursting Strength (PST Test) (ASTM D-3786 Diaphragm Bursting Strength Tester)	175		
Minimum Fabric Width (inches)	36		

Post Size & Fastener Requirements

Type	Post Length	Post Size		
		Type of Post	Size of Post	Size of Post
Type A	4'	Soft Wood	3" dia. or 2 1/2"	1 1/2" x 1 1/2"
		Steel	1.38 in. dia.	1.38 in. x 1.38 in.
Type B	3'	Soft Wood	3" dia. or 2 1/2"	1" x 1"
		Steel	1.38 in. dia.	1.38 in. x 1.38 in.
Type C	4'	Steel	1.38 in. dia.	1.38 in. x 1.38 in.

Post Size & Fastener Requirements			
Wire Staples	Post Size		
	Gauge	Crown	Legs
17 Min.	3/4" wide	1/2" long	5 Min.
Nails	Post Size		
	Gauge	Length	Buttons
14 Min.	1"	3/4"	4 Min.

Note: Filter fabric may also be attached to the post by wire, cord, and pockets.

FALCONNIER DESIGN COMPANY
 4622 Chambliss Avenue
 Knoxville, TN 37919
 Phone: 865.584.7868
 Fax: 865.584.3139
 falconnierd@gmail.com
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4036 GAP ROAD
 KNOXVILLE, TN 37912

SITE LAYOUT & PARKING PLAN

AS INSTRUMENTS OF SERVICE, THESE DRAWINGS AND THE DESIGN REPRESENTED BY THEM ARE THE PROPERTY OF DAMON A. FALCONNIER AND AS SUCH ARE PROTECTED BY STATE AND FEDERAL COPYRIGHT LAWS. REPRODUCTION OR USE OF THESE DRAWINGS OTHER THAN FOR THE PROJECT INTENDED WITHOUT WRITTEN CONSENT FROM DAMON A. FALCONNIER IS PROHIBITED. UNAUTHORIZED USE WILL BE SUBJECT TO LEGAL ACTION.

DRAWN BY: JK/AG/GHF
 CHECKED BY: DAF
 ISSUED: 07-06-18
 REVISION(S):
 08/13/18 08/28/18
 FILE: 2018-041

C-101

PRELIMINARY
NOT FOR CONSTRUCTION
05/24/18

ADULT DAY CARE

4036 GAP ROAD,
KNOXVILLE, TN 37912

PROPOSED
ELEVATIONS

AS INSTRUMENTS OF SERVICE, THESE DRAWINGS AND THE DESIGN REPRESENTED BY THEM ARE THE PROPERTY OF DAWSON A. FALCONNIER AND AS SUCH ARE PROTECTED BY STATE AND FEDERAL COPYRIGHT LAWS. REPRODUCTION OR USE OF THESE DRAWINGS OTHER THAN FOR THE PROJECT INTENDED HEREIN WITHOUT WRITTEN CONSENT FROM DAWSON A. FALCONNIER IS PROHIBITED. UNAUTHORIZED USE WILL BE SUBJECT TO LEGAL ACTION.

DRAWN BY: JK
CHECKED BY: DAF
ISSUED: ~
REVISION(S):

△	~	△	~

FILE: 2018-041

A-201



9-A-18-UR
7/12/2018

Rezoned 7-C-18-RZ

KNOXVILLE KNOX COUNTY

M P C METROPOLITAN PLANNING COMMISSION

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

Use on Review Development Plan

Name of Applicant: Falconnier Design Co

Date Filed: May 29, 2018

Meeting Date: July 12, 2018



Application Accepted by: Emily Dills

Fee Amount: _____ File Number: Development Plan

Fee Amount: \$1500 File Number: Use on Review 9-A-18-UR

PROPERTY INFORMATION

Address: 4036 Gap Road

General Location: Near intersection of I-640 and Gap Road

E/S Gap Rd, S/S Cassel Dr

Tract Size: 4.69ac ± No. of Units: _____

Zoning District: O-1 - will be - Today's pending 0-3 & R-1

Existing Land Use: OFFICE

Planning Sector: Central City

Sector Plan Proposed Land Use Classification:

MDR/O

Growth Policy Plan Designation: Urban

Census Tract: 28

Traffic Zone: 149

Parcel ID Number(s): 081 HB 011.01

Jurisdiction: City Council 5 District

County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: ~~Laura Gill Bailey~~ VICKI C. WORLEY

Company: Larry V & Laura Gill Bailey Trust

Address: PO Box 9 6633 LAMMIE BRANCH LN.

City: POWELL KNOXVILLE State: TN Zip: 37849 37938

Telephone: CELL 865-748-0080

Fax: _____

E-mail: ~~wes@fuffow.com~~ vcm.hopespringsadcc@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Damon Falconnier

Company: Falconnier Design Co

Address: 4622 Chambliss Ave

City: Knoxville State: TN Zip: 37919

Telephone: 865-584-7868

Fax: 865-584-3139

E-mail: faldesco@gmail.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Adult Day Care

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: [Signature]

PLEASE PRINT

Name: Damon Falconnier

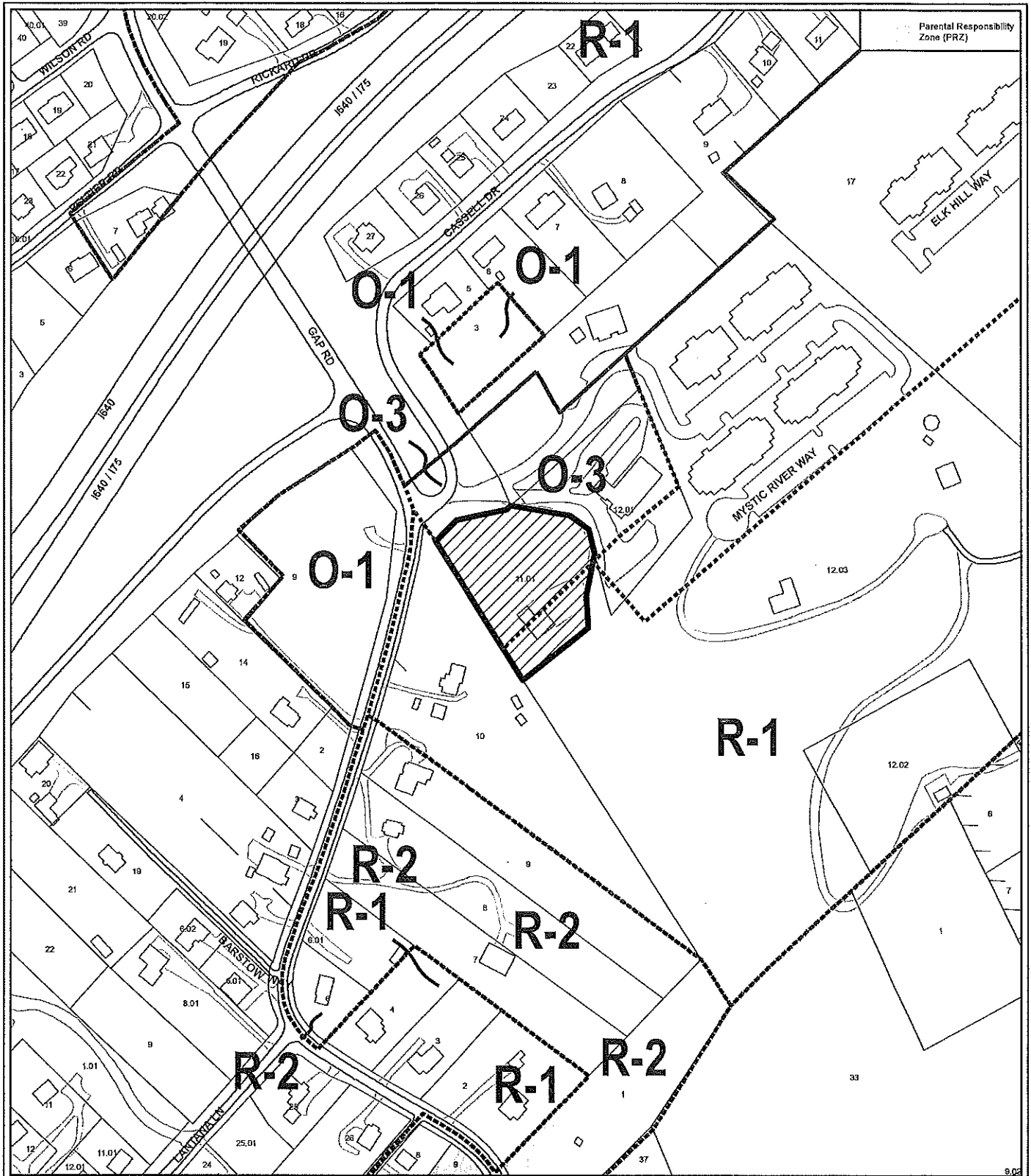
Company: Falconnier Design Co

Address: 4622 Chambliss Ave

City: Knoxville State: TN Zip: 37919

Telephone: 865-584-7868

E-mail: faldesco@gmail.com



**7-C-18-RZ
REZONING**

From: O-3 (Office Park) & R-1 (Low Density Residential)

To: O-1 (Office, Medical, and Related Services)



Petitioner: Falconnier Design Co.

Map No: 81

Jurisdiction: City



Original Print Date: 6/20/2018

Revised:

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



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
REZONING REPORT**

▶ **FILE #:** 7-C-18-RZ

AGENDA ITEM #: 34

AGENDA DATE: 7/12/2018

▶ **APPLICANT:** FALCONNIER DESIGN CO.

OWNER(S): Laura Gill Bailey

TAX ID NUMBER: 81 H B 011.01

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 4036 Gap Rd

▶ **LOCATION:** East side Gap Rd., south side Cassell Dr.

▶ **APPX. SIZE OF TRACT:** 4.69 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Gap Rd., a major collector street with 19' of pavement width within 45' of right-of-way, or Cassell Dr., a local street with 19' of pavement width within the large combined right-of-way with Gap Rd.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** O-3 (Office Park) & R-1 (Low Density Residential)

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

▶ **EXISTING LAND USE:** Office

▶ **PROPOSED USE:** Adult day care

EXTENSION OF ZONE: Yes, extension of O-1 from the north and west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office and dwellings / O-1 (Office, Medical & Related Services) and R-1 (Low Density Residential)

South: Vacant land / R-1 (Low Density Residential)

East: Office and apartments / O-3 (Office Park) and R-2 (General Residential)

West: Dwelling and vacant land / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed residential and office uses under R-1, R-2, O-1 and O-3 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND** that City Council **APPROVE O-1 (Office, Medical & Related Services)** zoning.

O-1 is a logical extension of office zoning from the north and west, is compatible with the scale and intensity of surrounding development and zoning pattern and is consistent with the adopted future land use plans for the area.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

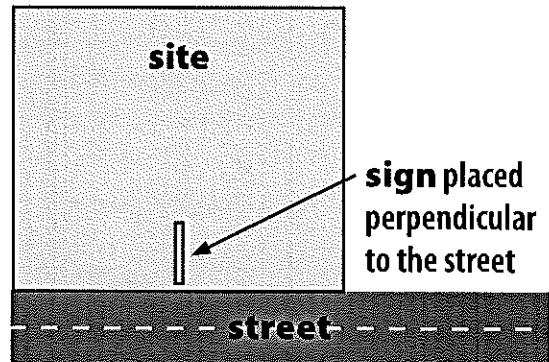
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

August 29 and September 14
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: Falconier Development Co.

Phone: _____ Email: _____

Date: 7-12-18

MPC File Number: 9-A-18-WR