

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 8-C-20-UR **Related File Number:**
Application Filed: 6/26/2020 **Date of Revision:**
Applicant: CRUNK ENGINEERING, LLC

PROPERTY INFORMATION

General Location: West side of Wise Springs Rd., southeast of Maloneyville Rd., & northwest of Washington Pk
Other Parcel Info.:
Tax ID Number: 40 133 **Jurisdiction:** County
Size of Tract: 42.01 acres
Accessibility: Wise Springs Road is a local road with a pavement width of 18.6 feet inside a 50-foot right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Agricultural
Surrounding Land Use:
Proposed Use: Residential Treatment Center **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** AG (Agricultural) and HP (Hillside Protection Area)
Growth Policy Plan: Rural Area
Neighborhood Context: This area is mostly rural in character with large lot single-family detached houses being the predominant land use, though there are isolated pockets of land that have been developed with smaller lot single-family houses nearby. There is a large parcel to the north that houses uses associated with Knox County correctional facilities.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 4937 Wise Springs Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Michelle Portier

Staff Recomm. (Abbr.):

APPROVE the development plan for a residential treatment facility containing up to 216 beds and comprising 45,420 square feet, subject to the following 7 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
2. Installation of all landscaping as shown on development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
5. If required, meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Health.
6. Any proposed signage would be required to meet all applicable requirements of the Knox County Zoning Ordinance and is subject to Planning staff approval.
7. Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to the maximum occupancy for boarding homes for sheltered care requiring 12 or fewer persons per each dwelling unit.

With the conditions noted, this plan meets the requirements for approval of a boarding home for sheltered care in the PR district and the other criteria for approval of a use on review.

Comments:

This is a request to construct a new residential care facility on a 42-acre site. The applicant recently rezoned the property to PR in order to accommodate this use (File # 2-H-20-RZ). The rezoning took effect in April 2020.

The use on review request was previously heard at the August 8, 2020 Planning Commission, and was postponed. The residential treatment center was evaluated for that meeting as an assisted living facility. However, the Knox County Development Services Department has reviewed correspondence between previous Knox County staff, the previous Executive Director of Planning, and the applicant and found it clear that staff at the time of the rezoning thought this use should be considered a boarding home for sheltered care, and that this use is allowed in the PR zone. Therefore, current staff in the Codes office will honor this interpretation made by previous staff as it would be unfair to change the recommendation at this time in the process. However, the zoning ordinance does give the Planning Commission the authority to evaluate whether or not the proposed use will have an adverse impact on the area in which the site is located (Knox County Code of Ordinances, Appendix A, Article 6.5).

The proposed facility would be new construction consisting of 12 cottages and one administrative building. Each cottage would comprise approximately 5,420 square feet and the administrative building would be 40,000 square feet, for a total building area of 45,420 square feet. Each cottage constitutes two dwelling units, as each has two kitchens and two living areas. Each dwelling unit contains 9 beds. With 12 cottages containing 2 dwelling units each, there are 24 dwelling units, which yields a density of 0.57 du/ac.

Access to the site would be via a driveway off of Wise Springs Road. The proposed driveway completes a loop around the buildings and contains parking along its edges. Proposed parking is sufficient to meet Knox County's zoning ordinance parking requirements. A total of 176 parking spaces would be required for both phases, and 184 spaces are proposed.

The development would be inwardly focused with all cottages surrounding 2 courtyard areas and the administration building. A sidewalk connecting all buildings would be completed in Phase 1. Existing vegetation would be retained around the perimeter of the site. Additional landscaping is proposed that

meets the intent of the Type B landscape buffer required.

The Operations Summary states that 75-100 employees would be on site with 10-20 visitors on an average day. Assuming maximum occupancy of patients (216 people) and staffing at the stated level, the staff-to-patient ratio would be 2-3 staff members per patient. The target population would be youth aged 11-17 years who suffer from trauma from abuse, mood and/or behavioral disorders, chemical dependence, difficulties in academic environments, or family problems.

Security measures include locked doors requiring key card access into all buildings at all entries/exits, and youth would not be able to exit without a member of staff. The interior courtyard would be secured by a 10-foot privacy fence. Additional fencing has been proposed around a portion of the perimeter that is not shown on the site plan but is included in a map submitted at the August 2020 Planning Commission (Exhibit B).

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

1. Public utilities are available to serve the site.
2. The proposed assisted living facility would have minimal impact on the existing street system.
3. The scale of the proposed facility is significantly larger than structures in the surrounding area. However, landscaping provides a visual buffer for the residential properties from the development. Fencing is proposed along a portion of the shared property lines with residential properties.
4. Security measures would minimize the likelihood of patients running away from the facility.

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

1. With the recommended conditions, the proposed facility meets all requirements of the PR zoning district and the criteria for approval of a use on review.
2. The proposed facility is consistent with the general standards for uses permitted on review:
 - The proposal is consistent with the adopted plans and policies of the General Plan and Northeast County Sector Plan. The General Plan allows PR zoning with up to 2 du/ac in the Rural Area of the Growth Plan, and the Northeast County Sector Plan allows PR zoning with up to 1 du/ac in the Rural area of the Growth Plan.
 - Previous staff determined, 1) the use is in harmony with the general purpose and intent of the Zoning Ordinance; 2) the specified use is permitted as a use on review, and the applicant was advised to rezone to PR and submit a use on review application.
 - The use is compatible with institutional properties to the north and west of where it is proposed. The use is more intense than that of the surrounding residential properties to the south, east, and west.
 - The use would not significantly injure the value of adjacent property. Proposed landscaping and fencing is intended to buffer the residential properties and provides a visual barrier from the facility to limit views and noise and lessen potential impacts on property values.
 - The use would not draw substantial additional traffic through residential areas since the patients are youth. Any traffic generated would consist of visitors and staff.
 - No surrounding land uses would pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map and is in the northeast county planning sector.
2. The Northeast County Sector Plan designates the land use classification for this property as AG (Agricultural). The AG land class allows PR zoning with up to 1 du/ac in the Rural area of the Growth Plan. Boarding homes for sheltered care are allowed in the PR zone as a use on review per previous staff interpretation. However, the zoning ordinance does give the Planning Commission the authority to deem this use as not compatible in the PR zone.

Action: Approved

Meeting Date: 9/10/2020

Details of Action:

The Planning Commission approved the use on review according to staff recommendations and adding an additional 6 conditions per an opposition email request received on 9/10/2020 discussed at the meeting and agreed upon by the applicant:

8. Ensuring that site lighting is full-cutoff lighting, adequately shielded, and designed so that no more than 0.1 horizontal and vertical footcandles (1.0 horizontal or vertical lux) of illumination extend 10 feet beyond the property line.
9. The applicant applies for the Knox County Adopt-A-Road program for Wise Springs Road
10. Installation of a ten (10) foot high wooden privacy fence along a portion of the exterior perimeter of the property as shown in Exhibit B.
11. Preservation of existing vegetation along the proposed exterior perimeter fencing for a depth of at least 10 feet, and preservation of existing old-growth cedar trees adjacent to parcels 040134,

04013601, 040136, 041137, 04113701, 04113702, 140173

12. Establishing a communications plan that will inform neighbors of adverse events with phone calls and text messages, and providing the neighbors contact information to facility administrators

13. Establishing a Community Advisory Committee to ensure regular communication and address any issues that may come up.

Summary of Action:

Approved the request per staff's recommendation, which included 7 conditions, and an additional 6 conditions agreed upon by the applicant as detailed above.

Date of Approval:

9/10/2020

Date of Denial:

Postponements:

8/13/2020

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Board of Zoning Appeals

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: