



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

▶ **FILE #:** 3-D-06-UR

AGENDA ITEM #: 76

AGENDA DATE: 3/9/2006

▶ **APPLICANT:** **WORD AFIRE CHURCH**

OWNER(S): WAYNE MARLER WORD AFIRE CHURCH

TAX ID NUMBER: 109 K F 007

JURISDICTION: City Council District 1

▶ **LOCATION:** **Southeast side of Sevier Heights Road, southwest side of Wallace Drive**

▶ **APPX. SIZE OF TRACT:** **2.77 acres**

SECTOR PLAN: South City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Wallace Road, a local street with a 36' right of way and 16' pavement width, and Sevier Heights Road, a local street with a 32' right of way and 12' pavement width.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **ZONING:** **R-1 (Single Family Residential)**

▶ **EXISTING LAND USE:** **Church**

▶ **PROPOSED USE:** **Day Care Center**

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single Family Dwellings / R-1 (Single Family Residential)

South: Parking Lot / R-1 (Single Family Residential)

East: Parking Lot / R-1 (Single Family Residential)

West: Single Family Dwellings / R-1 (Single Family Residential)

NEIGHBORHOOD CONTEXT: The proposed use will be housed in a portion of Word Afire Church. The site is located in an established single-family neighborhood.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a day care facility for up to 20 children at this location subject to the following 6 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
3. Obtaining the necessary variance from the Knoxville Board of Zoning Appeals to reduce the amount of allowable outdoor play area space.
4. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

COMMENTS:

The applicant is proposing to operate a day care facility to serve up to 20 children. The use will occupy a portion of the existing church (12,400 square feet out of the church's 75,000 square feet). The site is zoned R-1, and day care facilities are considered as a use on review in the R-1 zone. The application meets all of the requirements for a day care except that it does not provide sufficient outdoor play space. A variance to this requirement will have to be granted by the Knoxville Board of Zoning Appeals prior to the issuance of any building permits. The applicant's request will be heard at the March 16, 2006 Board of Zoning Appeals hearing. The building which will house the day care is well removed from both Sevier Heights Road and Wallace Road. The church has more than enough parking to satisfy the needs of the day care facility.

With the conditions noted, the request meets the requirements for approval of a day care facility in the R-1 zone as a use on review.

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

1. The proposed day care center will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed day care center will have minimal impact on traffic because of the facility's hours of operation and the number of children being cared for throughout the course of a business day.
3. The proposed use is consistent with other residential development found in the area.

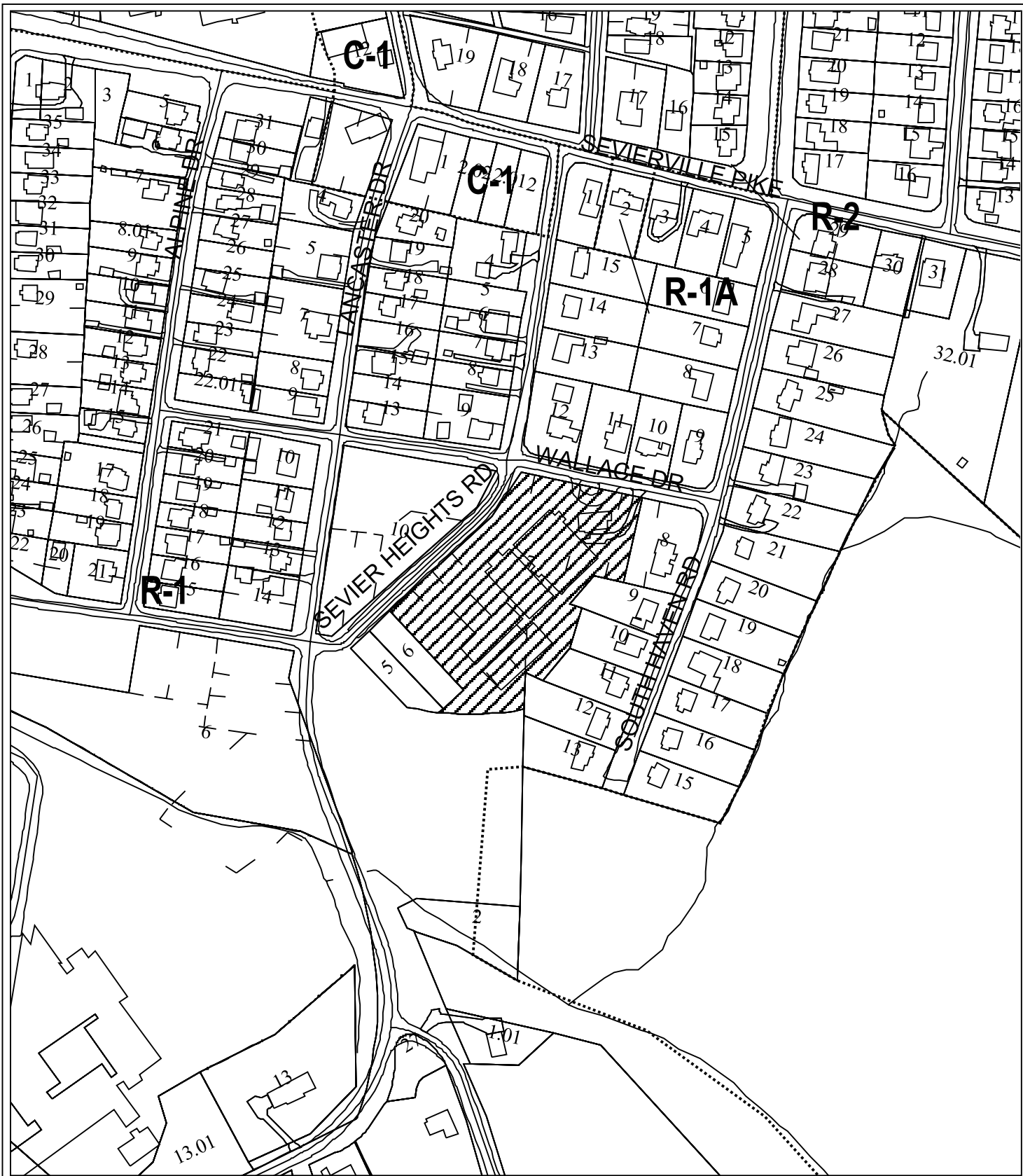
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed day care center meets all of the requirements of Article 5, Section 3, G.4 of the Knoxville Zoning Ordinance, except for the outdoor play area which the applicant is in the process of requesting a variance.
2. The proposed day care center 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 neighborhoods 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 South City Sector Plan identifies the property for Low Density Residential. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the R-1 zoning district.

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-D-06-UR
 USE ON REVIEW

 Day Care Center in R-1 (Single Family Residential)

Original Print Date: 02/23/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Word Afire Church

Map No: 109

Jurisdiction: City



DAY CARE CENTER REVIEW

3-D-06-UR
#76

Case No. : 3-D-06 UR

Applicant : Word Afire Church

Zoning Ordinance Requirements (Article 5, Section 3, G.4)

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: ~ 120,661 sq. ft.

• **Minimum Size for Fenced Outdoor Play Area**

Required: 4,000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 2,700 sq. ft.

• **Minimum Building Area**

Required: 700 sq. ft. (35 sq. ft. per child, with not less than 75% of this space provided in the primary care area of the building)

Request: 12,400 sq. ft.

• **Minimum Off-Street Parking (Article 5, Section 7)**

Required: 4 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

3 off-street loading spaces (one (1) off-street loading space per eight (8) pupils)

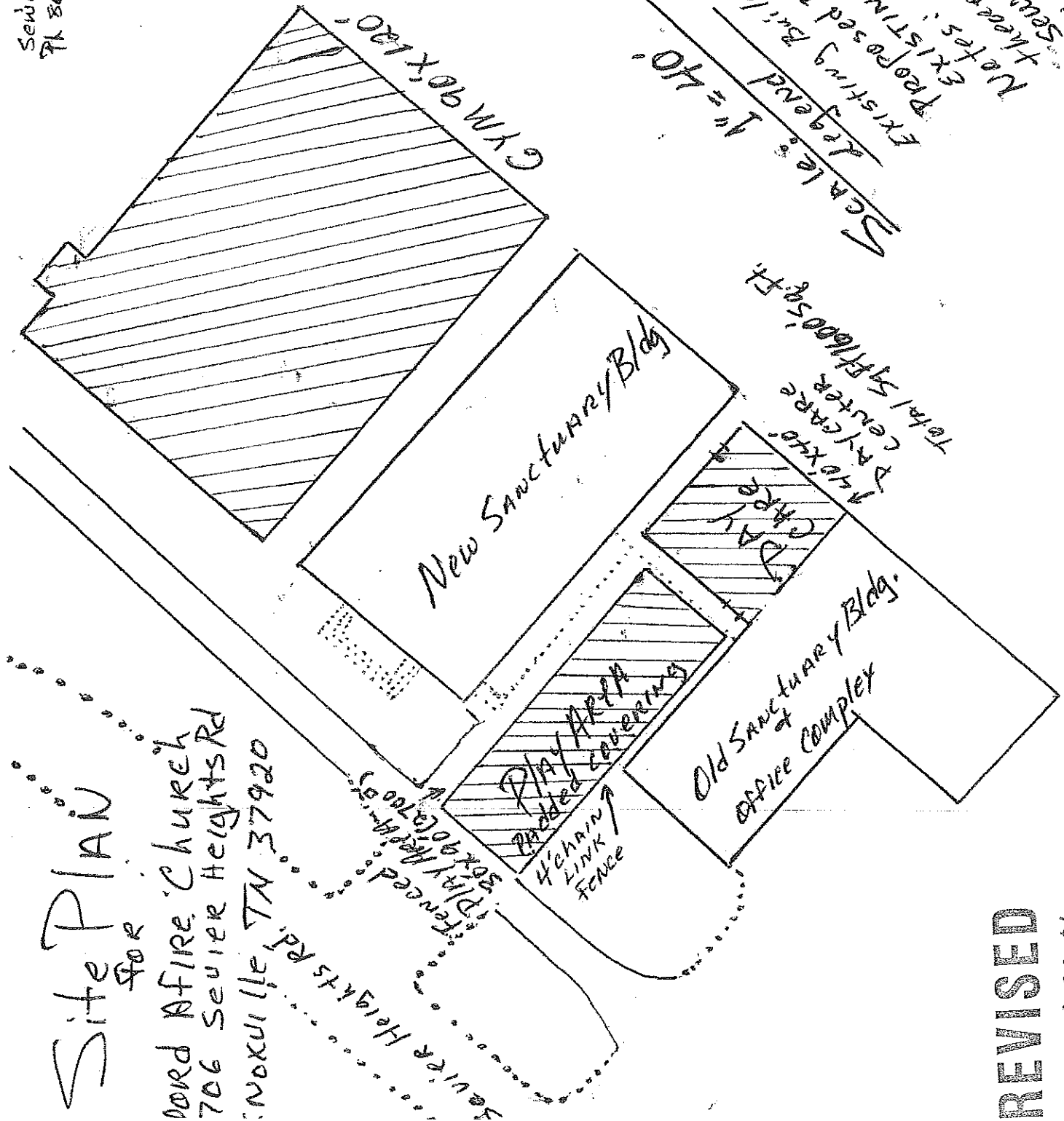
Request: 4 teacher/employee spaces

3 off street loading spaces

Senior Pastor Wayne Walker
PK 865-579-6228 EXT 201

Site PLAN

FOR
Word of Fire Church
706 Sevier Heights Rd
Moxville, TN 37920



Scale: 1/4" = 10'

Legend:
Existing Building [hatched box]
Proposed Building [solid box]
Underground Lines [dashed line]

Notes:
There are 9 as lines of sewer
lines on the play ground area
There are no underground
sewers in 9 as lines of sewer
lines on the play ground area

REVISED

2-23-06



WORD AFIRE CHURCH
P.O. Box 9777 • 3706 SEVIER HEIGHTS ROAD • KNOXVILLE, TN 37940-9777 • *A Division of Wayne Marler Crusades, Inc.

February 22, 2006

Metropolitan Planning Commission
City County Bldg., Suite 403
400 Main Street
Knoxville, TN 37902

FEB 23 2006

(3-D-06-UR)

Dear Kelli:

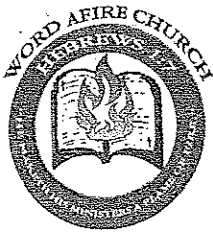
I am writing in regard to the questions you asked by phone concerning our application for a day care at our Church.

You requested to know the number of students and teachers we will have at our day care. We will be seeking a license through the Department of Human Resources for a day care for less than 20 children. Requirements for adult supervision vary according to the ages of the children. We anticipate an enrollment that would require us to have 4 adults as day care workers. With regard to parking, the day care will operate at different hours than the church. The church staff will be here at the same time the day care providers however, there is more than adequate parking space available for both the church staff and the day care providers. Currently, there are only two employees on staff at the Church.

With regard to the play ground area we are aware that padding or wood chips is a requirement. As I stated earlier we are in the process of applying for the day care license through the Department of Human Resources. If you need any additional information please give me a call at 579-6228 ext. 201

In His Service,

Wayne Marler
Senior Pastor



WORD AFIRE CHURCH

P.O. Box 9777 • 3706 SEVIER HEIGHTS ROAD • KNOXVILLE, TN 37940-9777 • *A Division of Wayne Marler Crusades, Inc.

February 3, 2006

3-D-06-UR

Metropolitan Planning Commission
City County Bldg., Suite 403
400 Main Street
Knoxville, TN 37902

Dear MPC:

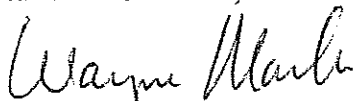
In regard to the play ground area for the day care I am asking for a variance. The area we would like to designate for the play ground would be between the old and new sanctuaries. This area is roughly 90ft. X 30 ft. The day care will access to the gym in addition to the play area.

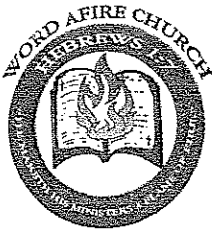
This area is not part of the parking area which consists of over 275 parking spaces. According to MPC's General Provisions we are required to have one parking space per four seats or one per 30 square feet of useable floor area of the auditorium, whichever is greater. Taking the greater, our auditorium is 60X120 (outside dimension), 7200 sq. ft. This translates into 240 parking spaces of which we have 275 marked spaces.

We clearly have enough parking for the requirement, however, I am requesting a variance on the necessary square footage for the fenced in play ground.

A map/drawing indicates the area for the play ground. Thanks in advance and God bless the MPC.

In His Service,


Wayne Marler
Senior Pastor



WORD AFIRE CHURCH

P.O. Box 9777 • 3706 SEVIER HEIGHTS ROAD • KNOXVILLE, TN 37940-9777 • A Division of Wayne Marler Crusades, Inc.

February 1, 2006

Metropolitan Planning Commission
City County Bldg., Suite 403
400 Main Street
Knoxville, TN 37902

Dear MPC:

It is the intension of Word Afire Church to start a day care at their facility. The operating hours will be Monday through Friday from 6am until 6pm. We would like to begin in May or June of this year.

WAC has over 75,000 square feet of building space available and over 2 acres of parking. Recently, the Knox County Fire Marshall inspected our facility and we are current with all the requests made.

We will be glad to furnish any additional information to the MPC at your request.

We have adequate play ground areas, however at the present they are not fenced. Our plan is to have this completed in the near future.

Thank you in advance for your assistance in this matter. God bless you.

In His Service,

Wayne Marler
Senior Pastor

U.O.R.

DATE 2/6/06

3-D-06UR