



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

▶ **FILE #:** 4-I-08-UR **AGENDA ITEM #:** 66  
POSTPONEMENT(S): 4/10/2008 **AGENDA DATE:** 5/8/2008

▶ **APPLICANT:** PARK WEST CHURCH OF GOD  
**OWNER(S):** PARK WEST CHURCH OF GOD

**TAX ID NUMBER:** 106 J A 038  
**JURISDICTION:** City Council District 3

▶ **LOCATION:** North side of Middlebrook Pike, south side of Piney Grove Church Rd.

▶ **APPX. SIZE OF TRACT:** 15.87 acres  
**SECTOR PLAN:** Northwest County  
**GROWTH POLICY PLAN:** Urban Growth Area

**ACCESSIBILITY:** Access is via Middlebrook Pike, a minor arterial street with 4 lanes and 112' of right of way, Piney Grove Church Rd., a minor collector street with 21' of pavement width and 40' of right of way, and Adell Ree Farm Way, a local street with 26' of pavement width and 50' of right of way.

**UTILITIES:** Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

**WATERSHED:** Ten Mile Creek

▶ **ZONING:** RP-1 (Planned Residential) & R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Church

▶ **PROPOSED USE:** Child day care facility for up to 80 children

**HISTORY OF ZONING:** A use on review for the church was approved in 1991. Various expansions have been approved since then (5-I-97-UR, 11-C-01-UR).

**SURROUNDING LAND USE AND ZONING:**  
North: Residences / R-1 (Low Density Residential)  
South: Residences / R-1E (Low Density Exclusive Residential) & RP-1 (Planned Residential)  
East: Multi-dwelling structures & residences / RP-1 (Planned Residential), R-2 (General Residential) & O-1 (Office, Medical & Related Services)  
West: Multi-dwelling structures / RP-1 (Planned Residential)

**NEIGHBORHOOD CONTEXT:** This area north of Middlebrook Pike has been developed with detached and attached residential uses and the existing church.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a day care facility for up to 80 children at this location, subject to the following 5 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. The outdoor play area will be required to provide suitable surface material to prevent injuries - (unitary

materials or loose-fill materials).

4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets all requirements for approval in the R-1 and RP-1 zones, as well as other criteria for use on review approval.

#### **COMMENTS:**

The applicant is proposing to operate a day care facility out of the existing Park West Church of God along Middlebrook Pike. The facility will serve up to 80 children and have 10 teachers/staff members. The day care facility/pre-school program will operate Monday – Thursday from 9am to 1:30pm. The use will occupy a 13,650 square foot portion of the existing church and will accommodate a 10,000 square foot outdoor play area. The site is zoned RP-1 & R-1, and day care facilities are considered as a use on review. The application meets all of the requirements for a day care facility in the city. The church currently has more than enough parking to satisfy the requirements of the proposed day care facility.

With the conditions noted, the request meets the requirements for approval of a day care facility in the RP-1 & R-1 zoning 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. Middlebrook Pike is a 4-lane major arterial street and has sufficient capacity to handle the additional traffic that will be generated by the proposed use. Due to the facility's limited hours of operation (9am-1:30pm), traffic will not be heavy at peak periods of the day.
3. There are no changes proposed for the outside of the church. The proposed day care will operate out of the existing church.
4. The proposal is compatible with the surrounding development along Middlebrook Pike and Piney Grove Church Rd.

#### **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.
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 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.

#### **CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

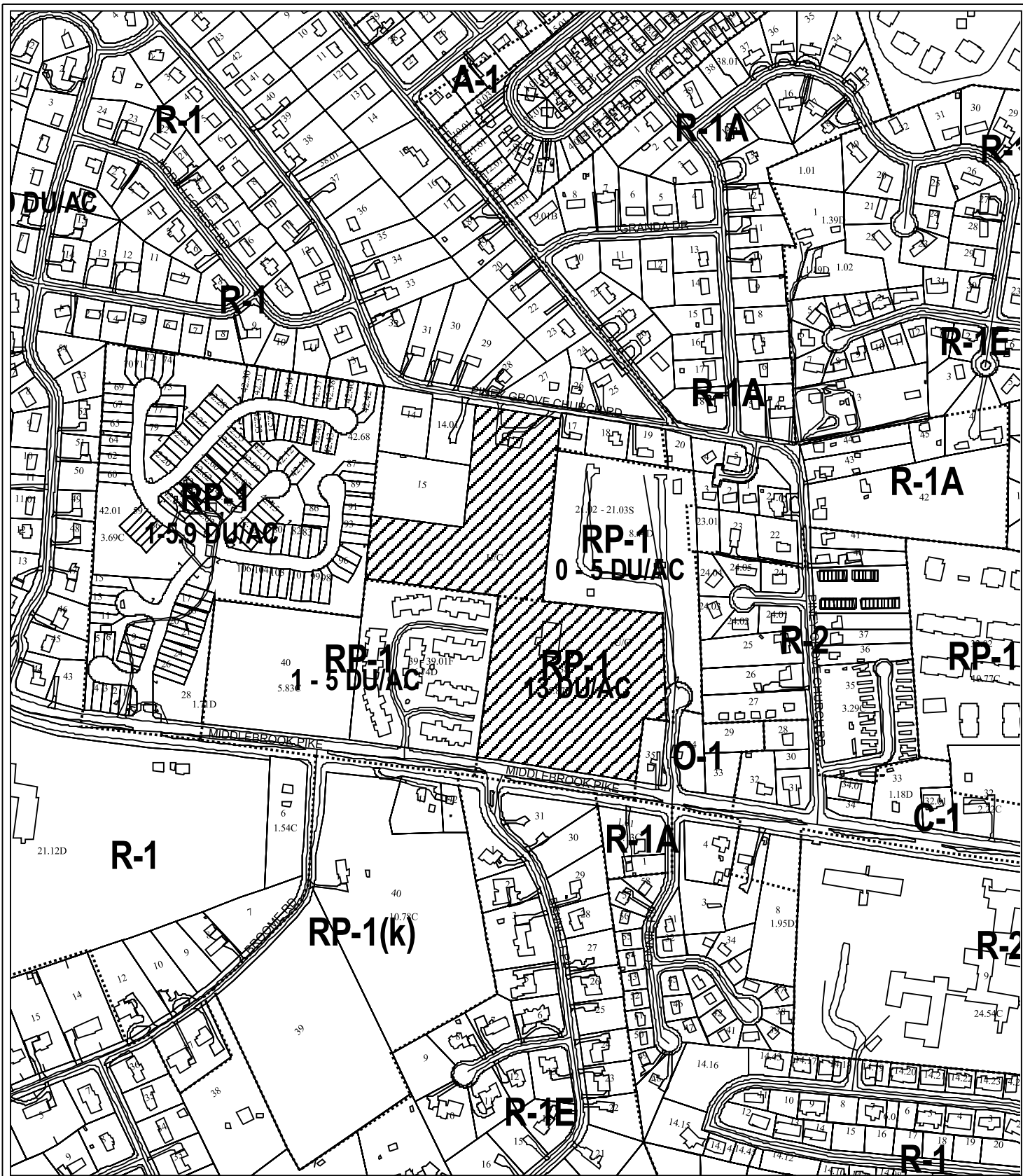
1. The Northwest County Sector Plan identifies the property for Low Density Residential. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the RP-1 & R-1 zoning district

**ESTIMATED TRAFFIC IMPACT:** 1082 (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.



4-I-08-UR  
USE ON REVIEW



Child day care facility for up to 80 children in RP-1 (Planned Residential) & R-1 (Low Density Residential)

Original Print Date: 03/27/08 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Park West Church of God

Map No: 106

Jurisdiction: City



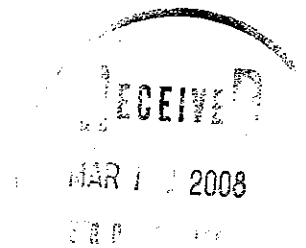
**DAY CARE CENTER REVIEW**

Case No. : 4-I-08-UR

Applicant : Park West Church of God

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

- **Minimum Lot Size**  
Required: 15,000 sq. ft.  
Request: 15 ~~sq. ft.~~ acres
- **Minimum Size for Fenced Outdoor Play Area**  
Required: 10,000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)  
Request: 10,000 sq. ft.
- **Minimum Building Area**  
Required: 2800 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: 12,650 sq. ft.
- **Minimum Off-Street Parking (Article 5, Section 7)**  
Required: 8 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)  
10 off-street loading spaces (one (1) off-street loading space per eight (8) pupils)  
Request: 8 teacher/employee spaces  
10 off street loading spaces



"Discovering identity in Christ through  
Worship, Discipleship & service"  
Park West Church Children's Ministry.

4-I-08-UR

RE: Park West Preschool Narrative

Metropolitan Planning Commission – Use On Review

Park West Preschool's focus would be academically driven with the goal of teaching pre-readiness skills. Children enrolled in the program will develop through various learning centers that will help them develop emotionally, physically, spiritually and academically. Enrichment classes such as music and movement, Spanish, sign language and other opportunities will be offered to challenge the child. Each class will study the Bible daily, learning Scripture that they can apply to their daily life. Chapel will also be offered once per week. This program will not only act as an academic source for our church body, but as an outreach tool to a community that is looking for a place where their children can develop in a safe academic environment.

#### ***Staffing***

- 1 Director
- 1 Administrative Assistant
- 8 Teachers

#### ***Student Maximum Ratios***

- 1 Yr. Olds – 6 Children
- 2 Yr. Olds – 14 Children
- 3 Yr. Olds – 18 Children
- 4 Yr. Olds – 20 Children
- 5 Yr. Olds – 20 Children

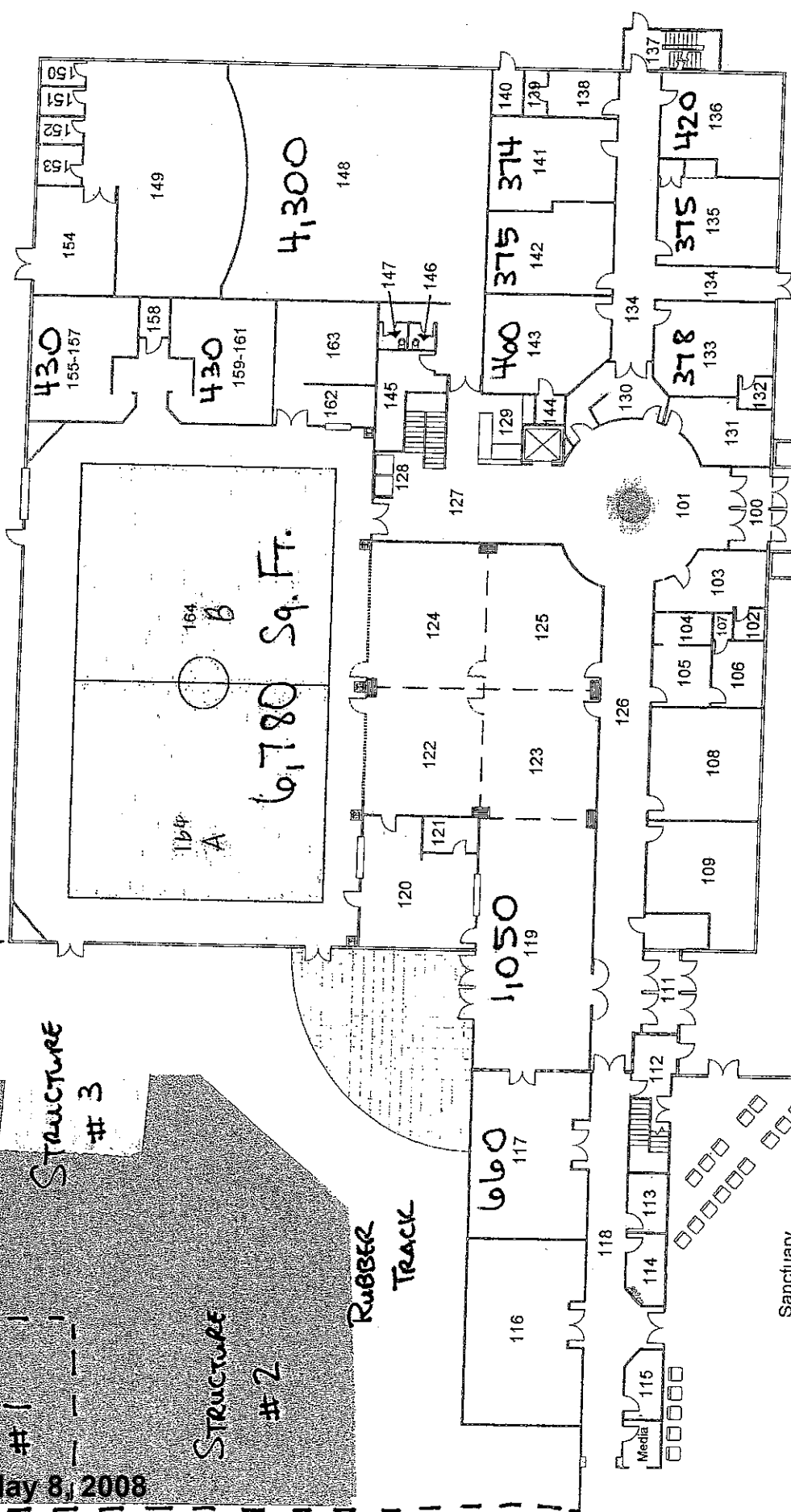
Park West Preschool would be in operation Monday – Thursday from 9:00 AM – 1:30 PM and would mirror Knox County School's yearly calendar. If you have any questions, you can contact me direct at (865) 862-7713 or (865) 607-4386.

Sincerely,

Randy Ball

FENCE (6 FT CHAIN LINK)

MPC May 8, 2008



STRUCTURE # 3

STRUCTURE # 2

Rubber Track

Sanctuary

DRIVE THRU

Drop Off (Pick Up)

TRAFFIC FLOW

TRAFFIC FLOW

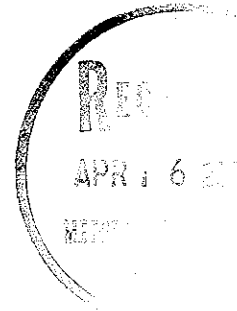
PARKING

PARKING

PARKING

April 14, 2008

Mr. Mark Donaldson  
MPC Executive Director  
Suite 403, City/County Building  
Knoxville, Tennessee 37902



Re: Propose Use on Review  
Child Day Care Facility  
Park West Church of God  
File Number: 4-1-08-UR

**Attention:**

**Mr. Mark Donaldson, MPC Executive Director and  
Knoxville/Knox County Metropolitan Planning Commissioners:**

Mr. Bart Carey  
Mr. Art Clancy, III  
Mr. Herbert L. Donaldson, Sr.  
Mr. Richard Graf  
Ms. Kimberly K. Henry  
Mr. Michael A. Kane  
Mr. Jack Sharp

Mr. Robert Anders (V-Chair)  
Mr. Trey Benefield (Chair)  
Ms. Laura Cole  
Mr. Stan Johnson  
Mr. Robert M. Lobetti  
Ms. Rebecca Longmire  
Mr. Nick Pavlis  
Mr. Wes Stowers

Dear Director Donaldson:

I would like to object to the Agenda of Park West Church of God's request to have a Day Care Facility at this location due to a few of the following items of objections:

The Neighbors of this Church is a community consisting of 41 Condos that are composed mostly of retired homeowners called the Adell Ree Homeowners, Inc. with its Mailing address as:

Adell Ree Homeowners, Inc.  
1018 Ree Way  
Knoxville, Tennessee 37909-2365

**With the location of the Church and this area we would receive much noise form a group of 80 Children. Being retired many of the folks are in bed late in the day or taking naps in the afternoons. Even on Wednesdays and Sundays evenings sometimes it is very noisy with the Children out in the play area. This we can bear with the Church; however, daily use of the play area we have reason to be concern if this is approved as use for a Day Care. The Church is very close to a group of homes on a bank that slopes down to this play area and the noise seems to be funneled right up this bank into the bedrooms, the screen porches and other areas that are used during the day thus making life hard to cope with this type of disturbances.**

**Another concern is the increase of traffic in and around the residential Neighborhood which already has experienced a history of accidents. The Church private street exit to the City Street that is used by the Adell Ree residents. At present this street does not have a STOP sign; however, the Pastor has agreed to have a STOP SIGN place at this location per request.**

**I am sure the Day Care Center will be required to have a place fenced off for the use of a playground; however, even with this it can make a creation of “attractive nuisance” (i.e. the existence of a playground will become a prized place for neighbor kids to “hang out at hours” at all hours of the day and night). With the Church and this Adell Ree having had some experience of vandalism with outside person(s) coming into the area and some maliciously destroy property from this source. This could and no doubt would add to that problem with outside person thinking that they would not be as easy spotted with the coming and going of the added traffic flow. This community has just recently been having the engagement of the Police Department with the beginning of and formation of a ‘NEIGHBOR WATCH PROGRAM’ for the Adell Ree Condo complex.**

**Most of the Residents of this Condo Complex are retired Seniors that made this purchase in this area due to the care and the attention the Adell Ree Condo Association gives the grounds, the appearance and the maintenance of the outside area. The value of the Condos has held a place on the Market at the present time with a fair value if the need to sale should ever have to be made. With the age of the Residents a time will come that the unit may have to be placed on the market for the Resident to go to an Assisted Living place. With the added cost of being in an Assisted Living Place all the funds possible from the sell of the property would surely be of help in such a location.**



Some have made the purchase with that in mind and with being able to sell the property with the market value that is fair as far as when the purchase was made in the beginning. If a Day Care Center is placed and the problems arise as the above items of situations has stated the value could be much lower due to this condition and the Resident having made the purchase with this in mind finds that there in NO MARKET as far as market value for their property! We hope the Commission will take this into consideration when making a decision of the Church's request. It is hoped that the request for Day Care Facility for 80 Children is denied for the good of the members of this community of retired persons.

Thank each of you for your consideration of the items above when you make your review and make recommendation as to this important item(s) that face this group of Residents that will have some problems that would have to be over come in having this type program so close to this area of retired residents that have had a great place to live.

Sincerely,



David C. Duckett  
7702 Ester Way  
Knoxville, Tennessee 37909-2366

### Items of Concern Summary:

- Noise from the Playground during the day which would cause life as known at present to be changed by the Retired Homeowners.
- Increase of traffic for the Seniors/Homeowners upon exit and entrance of the Condo Area.
- More People and more possible Vandalism in the area from the 'Attractive Nuisance' - the playground.
- A Decrease of Property Value to Homeowners due to the increase noise level and problems of selling the property when it becomes necessary
- Please give this much consideration for us, the retired persons, here!