



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

▶ **FILE #:** 12-C-09-UR

AGENDA ITEM #: 44

AGENDA DATE: 12/10/2009

▶ **APPLICANT:** REBEKAH JONES / YALE KIDS ACADEMY

OWNER(S): ALL ELEVEN

TAX ID NUMBER: 80 H C 033

JURISDICTION: City Council District 3

▶ **LOCATION:** **Northeast side of Pleasant Ridge Rd., northwest side of Merchant Dr.**

▶ **APPX. SIZE OF TRACT:** **6.6 acres**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Pleasant Ridge Rd., a minor arterial street with a required right-of-way of 70 feet, and Merchant Dr., a minor arterial street with a required right-of-way of 88 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** **C-3 (General Commercial)**

▶ **EXISTING LAND USE:** **Shopping center**

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

HISTORY OF ZONING: None Noted

SURROUNDING LAND USE AND ZONING: North: Residences / R-1 (Low Density Residential)

South: Vacant land and business / C-3 (General Commercial)

East: Mixed businesses and vacant land / C-3 (General Commercial), O-1 (Office, Medical, and Related Services) & O-3 (Office Park)

West: Creek and apartments / R-1 & R-1A (Low Density Residential) and F-1 (Floodway)

NEIGHBORHOOD CONTEXT: The proposed child day care center will be located within an existing community shopping center in an area that includes low and medium density residential development, mixed businesses and public schools.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a child day care center for up to 40 children in the C-3 zoning district, subject to 6 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all other applicable requirements of the Knoxville Department of Engineering.
4. If the fenced outdoor play area will include playground equipment such as slides and swings a resilient surface shall be provided over the existing asphalt within the fall zone for the equipment.

5. The dumpsters located behind the center shall be relocated a safe distance from the proposed outdoor play area.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

With the conditions noted above, this request meets all requirements of the C-3 zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of a use on review for a child day care center for up to 40 children at an existing shopping center located on the northeast side of Pleasant Ridge Rd. and northwest side of Merchant Dr. The child day care center will occupy approximately 3,600 square feet of the shopping center. A 6,150 square foot fenced outdoor play area will be located behind the shopping center adjacent to the day care center space. Since the play area will be located on a paved surface, a resilient surface shall be provided over the asphalt for the fall zone for any playground equipment such as slides and swings. There is adequate parking on site to handle the traffic that will be generated by the proposed use.

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

1. Public water and sewer utilities are available to serve the site.
2. The location of the proposed daycare facility within an existing shopping center minimizes the impact of the proposed use on less intense uses.
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 child 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 since it has direct access to two minor arterial streets.
2. The proposal meets all requirements of the C-3 zoning district and all other applicable requirements of the Knoxville Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

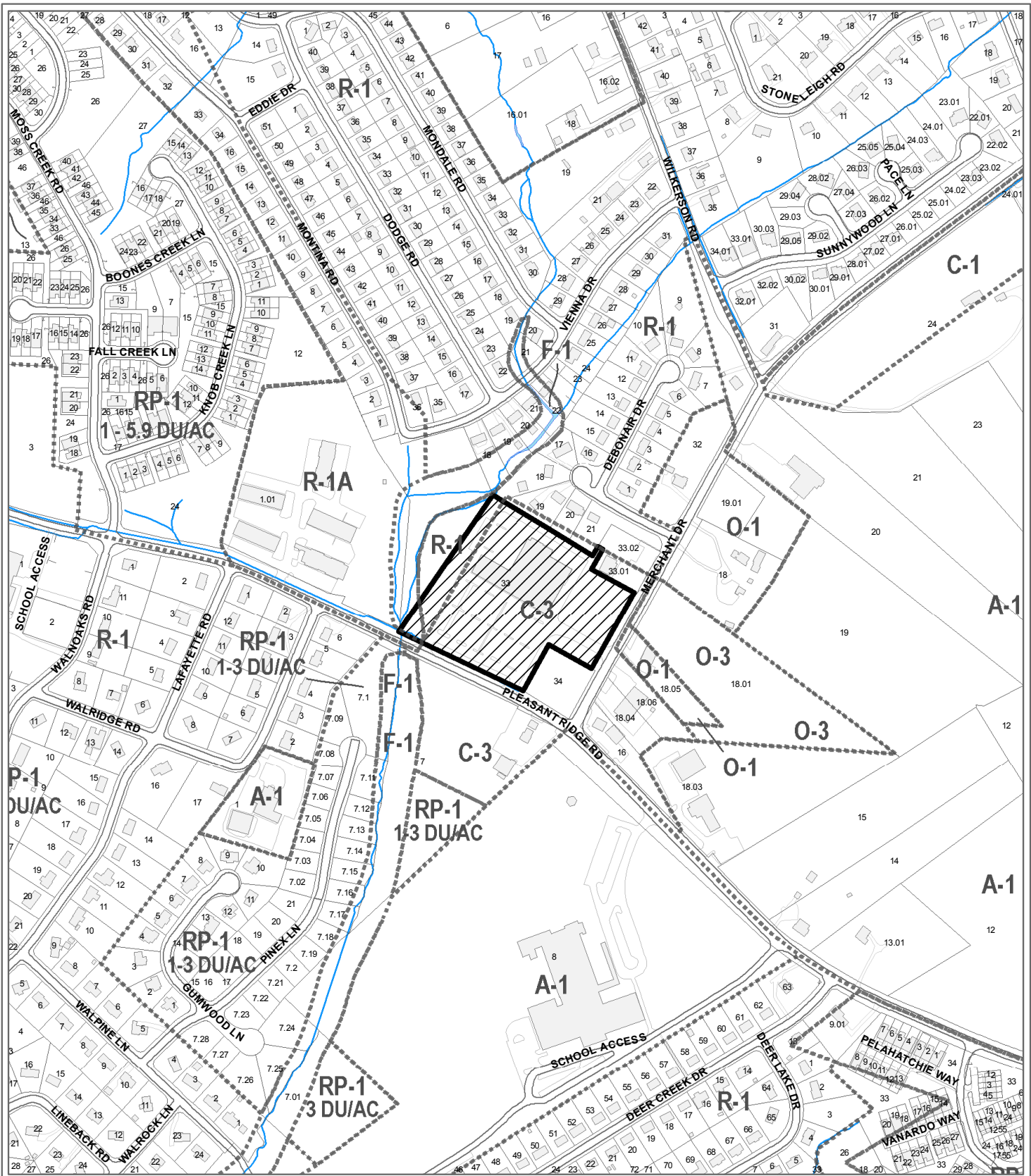
1. The Northwest City Sector Plan and One Year Plan propose commercial uses for this site. A child day care center may be permitted in a commercial area.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan

ESTIMATED TRAFFIC IMPACT 285 (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.



**12-C-09-UR
USE ON REVIEW**

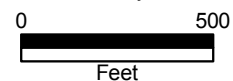


Child Day Care Center in C-3 (General Commercial)

Petitioner: Rebekah Jones / Yale Kids Academy

Map No: 80

Jurisdiction: City



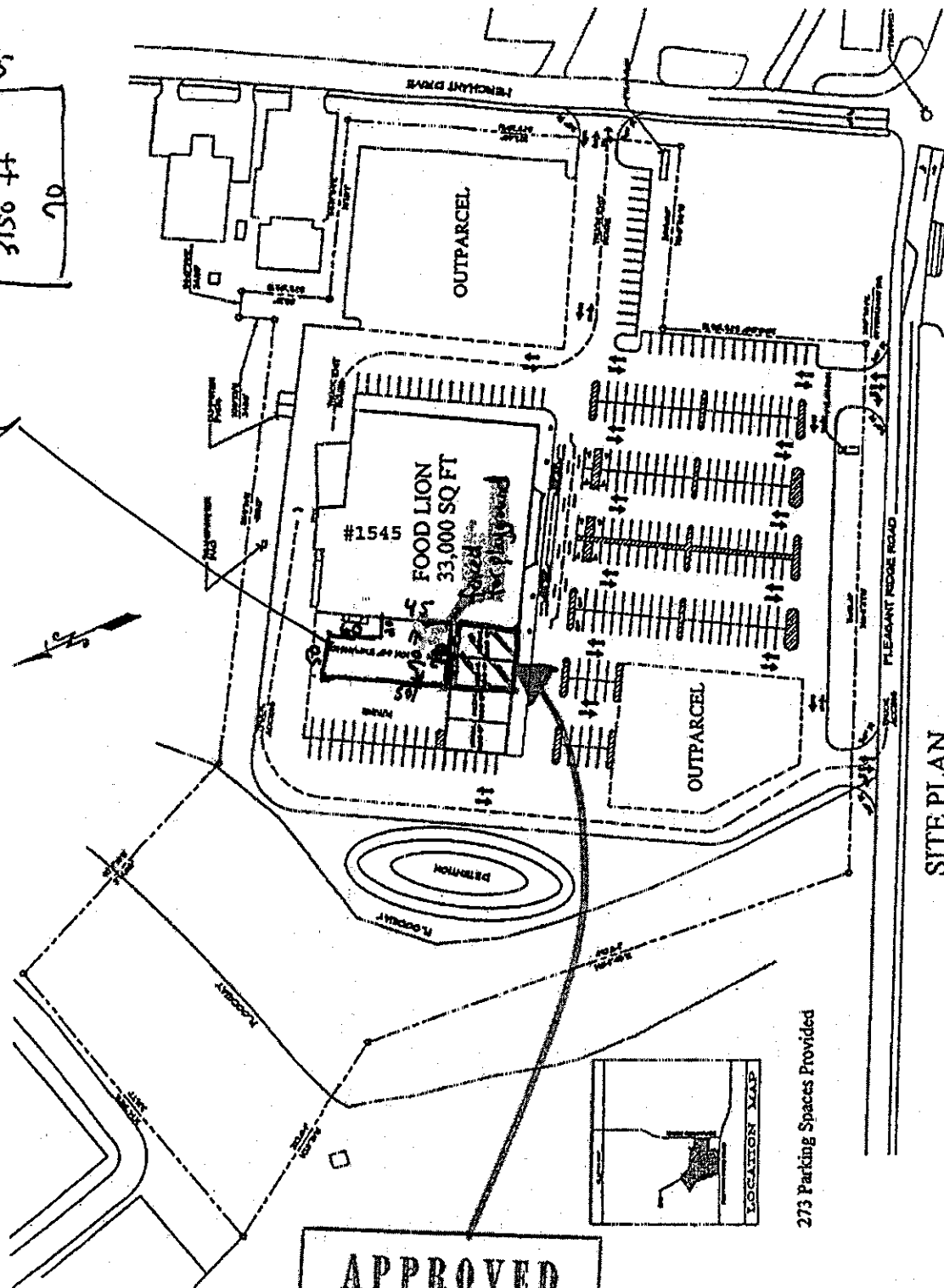
Original Print Date: 11/19/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

total
6150 sq ft

50 8 3000 sq ft
20 70 3150 sq ft

Proposed Child Care Center

Plot area



FOR LEASING INFORMATION
CALL 423 637-2674

SITE PLAN
Knoxville Tennessee

273 Parking Spaces Provided

APPROVED
for a Child Care Facility
FOOD LION, LLC
By: *SB*
Date: *8/21/09*

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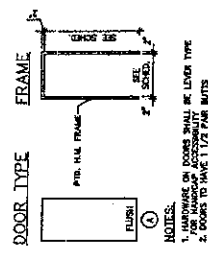
FINISH SCHEDULE

NO.	ROOM NAME	FLOOR	BASE	WALL	CEILING	CFL. VTL.	REMARKS
101	PLAY AREA/CLASSES	1ST	WHTL.	PART.	EXST.	-	-
102	PLAY AREA/CLASSES	1ST	WHTL.	PART.	EXST.	-	-
103	BRNDR.	1ST	WHTL.	PART.	EXST.	8'-0"	-
104	UNISEX	1ST	WHTL.	PART.	ACT.	8'-0"	-
105	LIBRARY	1ST	WHTL.	PART.	ACT.	8'-0"	-
106	KITCHEN	1ST	WHTL.	PART.	ACT.	8'-0"	-
107	MEN	1ST	WHTL.	PART.	ACT.	8'-0"	-
108	KITCHEN	1ST	WHTL.	PART.	ACT.	8'-0"	-

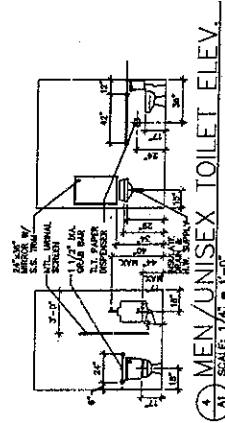
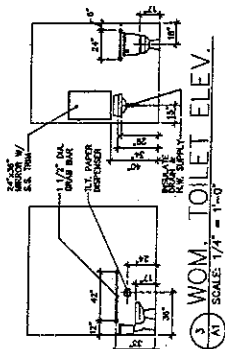
NOTES:
1. INTERIOR FINISHES SHALL COMPLY WITH SECTION 704 STANDARD BUILDING CODE 1989 EDITION.

DOOR SCHEDULE

MARK	W	H	SIZE	RATING	MATERIAL	TYPE	FRAME	FINISH	SET	REMARKS
101	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
102	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
103	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
104	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
105	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
106	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
107	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-
108	3'-0"	8'-0"	1-3/4"	A	1/2" PLY	A	1/2" PLY	1/2" PLY	1/2" PLY	-

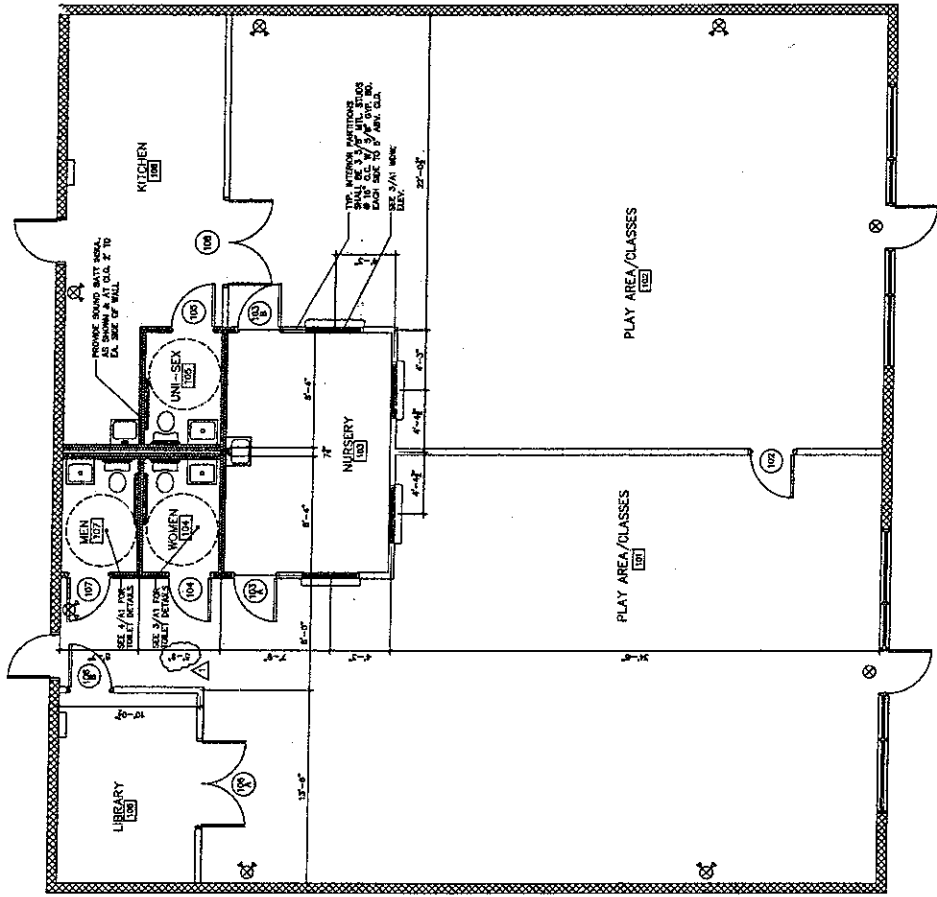


2 WINDOW ELEV.
SCALE: 1/4" = 1'-0"



3 WOM. TOILET ELEV.
SCALE: 1/4" = 1'-0"

4 MEN/UNISEX TOILET ELEV.
SCALE: 1/4" = 1'-0"



YALE KIDS ACADEMY

WALL LEGEND:
 1. NON-INSULATED WALL TYP. - 4-7/8" MAX.
 2. INSULATED WALL TYP. - 8-1/2" MAX.
 3. NEW BOARD INSUL. WALL TYP. - 4-7/8" THICK.
 4. 2-8/8" INS. STUDS @ 16" O.C. MAX. W/ 2" X 4" W. WALL CAVITY. EXTEND WALL TO CEILING.
 5. EXISTING TO REMAIN

1 FLOOR PLAN
SCALE: 1/4" = 1'-0" 3,516 S.F.

Proposed use:
baycare Center

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DAY CARE CENTER REVIEW

Case No. : 12-C-09-UR

Applicant : Rebekah Jones / Yale Kids Academy

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 6.6 sq. ft. acres zoned C-3

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

Required: 6000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 6150 sq. ft.

• **Minimum Building Area**

Required: 1400 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: 2568 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)

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

Request: 4 teacher/employee spaces

5 off street loading spaces