



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

▶ **FILE #:** 9-F-09-UR

AGENDA ITEM #: 47

AGENDA DATE: 9/10/2009

▶ **APPLICANT:** LITTLE DISCIPLES

OWNER(S): DON AND CHAD HIERS HIERS ENTERPRISES LLC

TAX ID NUMBER: 122 O J 003

JURISDICTION: County Commission District 9

▶ **LOCATION:** East side of Alcoa Hwy., south of Mount Vernon Dr.

▶ **APPX. SIZE OF TRACT:** 5.56 acres

SECTOR PLAN: South County

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

ACCESSIBILITY: Access is via Alcoa Hwy, an expressway with a four lane divided median section within a required right-of-way of 180'.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **ZONING:** SC (Shopping Center)

▶ **EXISTING LAND USE:** Shopping center

▶ **PROPOSED USE:** Day care center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / RB (General Residential) & RA (Low Density Residential)

South: Mixed businesses / CA (General Business)

East: Residences / RA (Low Density Residential)

West: Alcoa Hwy, residence & businesses / OS-1 (Open Space Preservation), R-2 (General Residential) & O-1 (Office, Medical, and Related Services)

NEIGHBORHOOD CONTEXT: The site is located along Alcoa Hwy. at the transition between residential development to the north and commercial development to the south.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a child day care center for up to 97 children as shown on the development plan subject to 6 conditions**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Providing supervised transition for the children between the day care center building and the fenced outdoor play area.
4. Subject to approval by the Tennessee Department of Transportation, Knoxville Engineering Department and the Knox County Department of Engineering and Public Works, installing signage at the two southern exits

from the shopping center that identifies the prohibition of left turn movements from the shopping center during the AM and PM peak traffic hours, Monday - Friday, and installing signage at the two northern exits from the shopping center that prohibits left turns. All approved signage shall be installed prior to the opening of the child day care center.

5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
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 SC 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 facility for up to 97 children at an existing shopping center located on the east side of Alcoa Hwy south of Mount Vernon Dr. The child day care facility will occupy approximately 5,200 square feet of the shopping center. A 4,200 square foot fenced outdoor play area will be located in a grassed area behind the center. Since the play area is separated from the building by a limited access service drive, the transition of children between the two must be supervised. There is adequate parking on site to handle the traffic that will be generated by the proposed use.

There are four curb cuts onto Alcoa Hwy. for this existing shopping center. One of the southern curb cuts allows access to a median cut that allows for a left turn movement out of the shopping center. This median cut also serves as a short left turn lane for south bound traffic on Alcoa Hwy. Staff has expressed concern about the proposed day care use at this location due to the concentration of trips during the am and pm peak hours and the difficulty in making left turns out of the center. The Tennessee Department of Transportation has also expressed concern about the left turn movements (See attached letter). To help address this issue, Staff has recommended a condition that subject to approval by the Tennessee Department of Transportation, Knoxville Engineering Department and the Knox County Department of Engineering and Public Works signage shall be installed at the two southern exits from the shopping center that identifies the prohibition of left turn movements from the shopping center during the AM and PM peak traffic hours, Monday - Friday, and signage shall be installed at the two northern exits from the shopping center that prohibits left turns.

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. The addition of signage restricting left turn movements from the shopping center should improve traffic safety for the area.
3. Public water and sewer utilities are available to serve the site.

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

1. The proposed child 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 requirements of the SC zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The South County Sector Plan proposes 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 324 (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 Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.