



**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, installing signage at the exits from the shopping center that identifies the prohibition of left turn movements from the shopping center between the

hours of 7:00 - 9:00 AM and 4:00 - 7:00 PM, Monday - Friday. 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, signage shall be installed at the exits from the shopping center that identifies the prohibition of left turn movements from the shopping center between the hours of 7:00 - 9:00 AM and 4:00 - 7:00 PM, Monday - Friday.

#### **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**

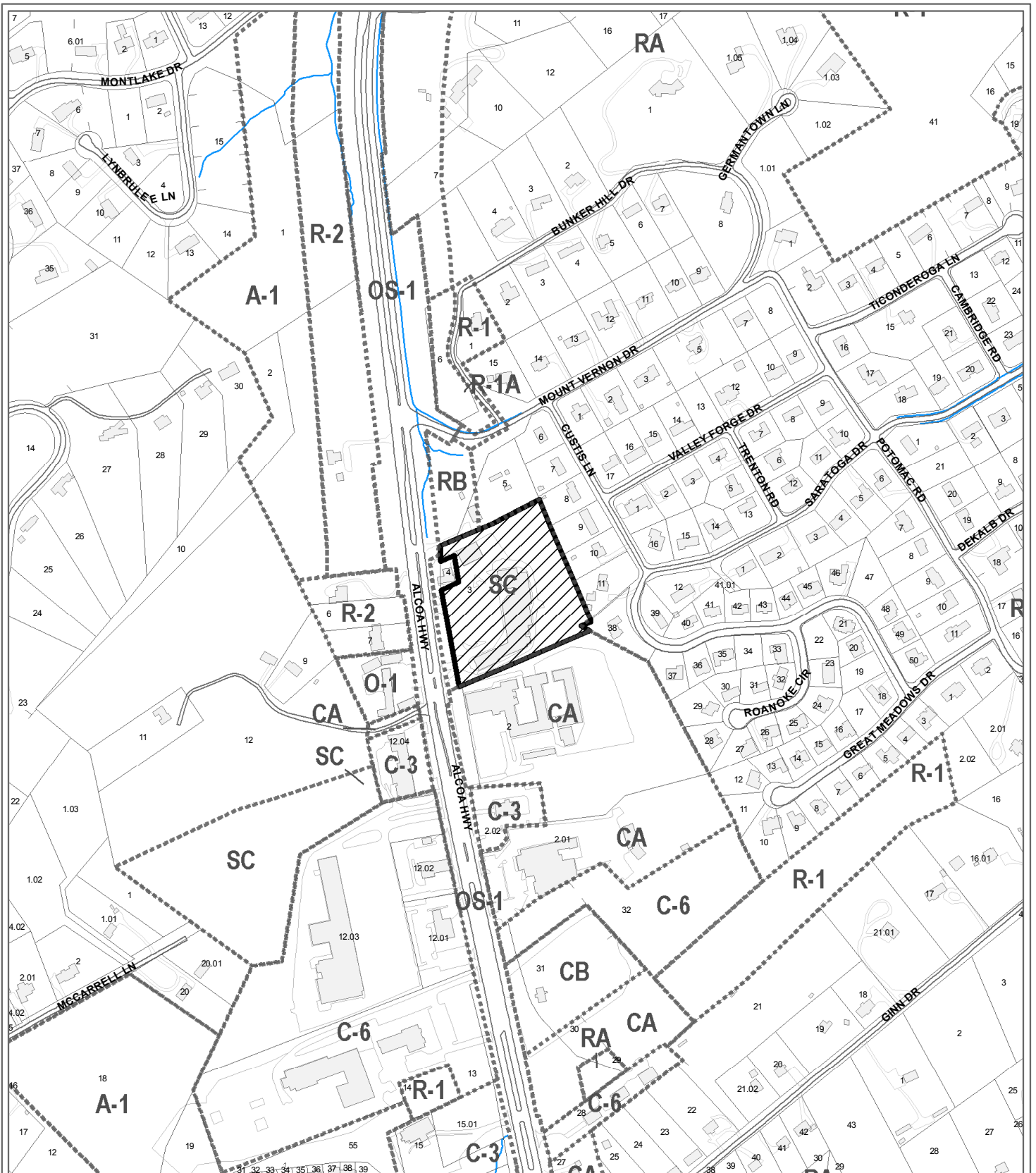
1. The South County Sector Plan proposes commercial uses for this site. A child day care center may be permitted in a commercial area.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan

#### **ESTIMATED TRAFFIC IMPACT 324 (average daily vehicle trips)**

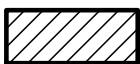
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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.



**9-F-09-UR  
USE ON REVIEW**



Day care center in SC (Shopping Center)

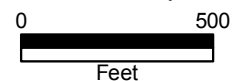
Original Print Date: 8/24/2009  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

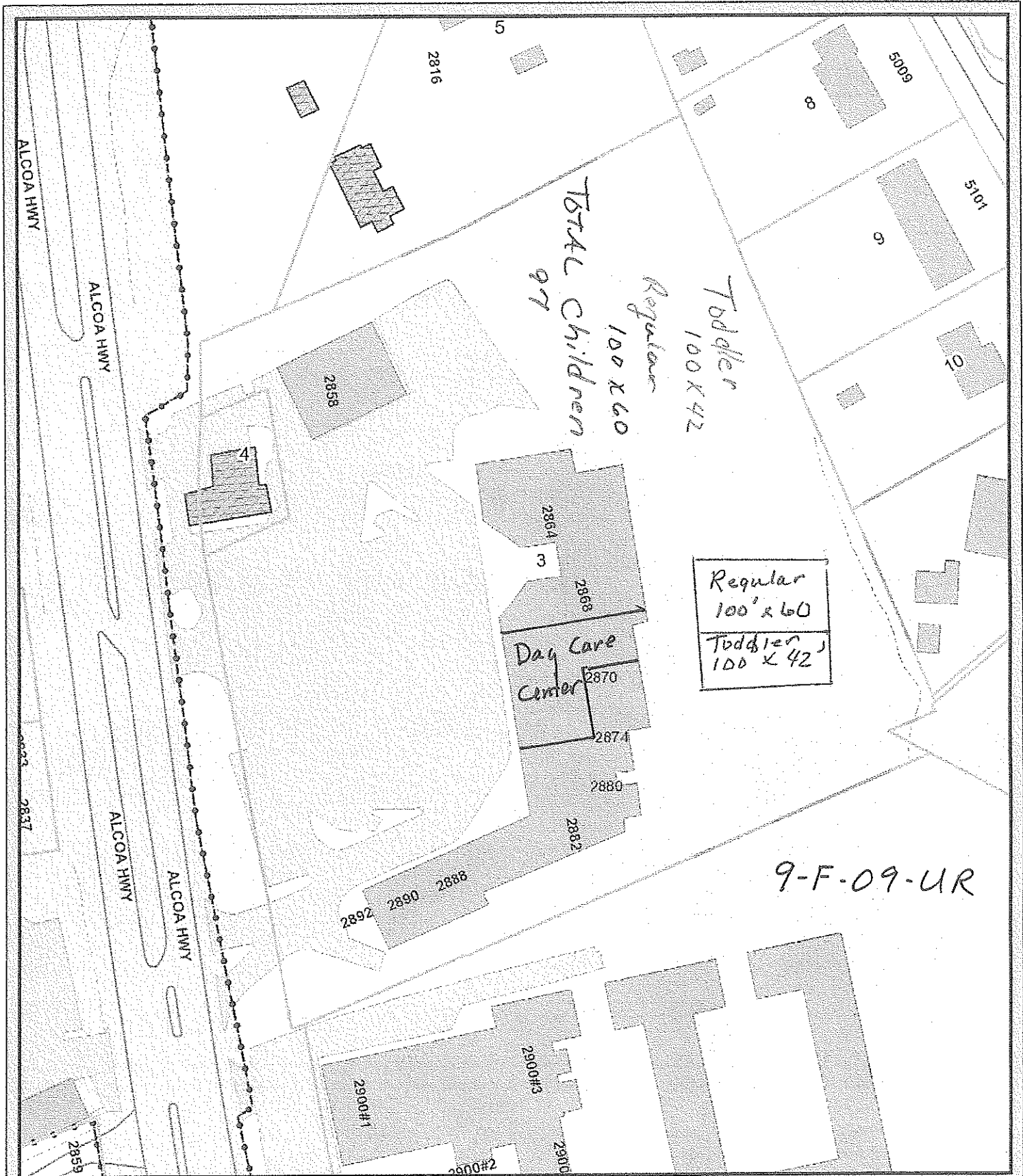
Revised:

Petitioner: Little Disciples

Map No: 122

Jurisdiction: County





Little Disciples Day Care

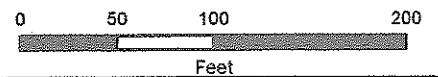
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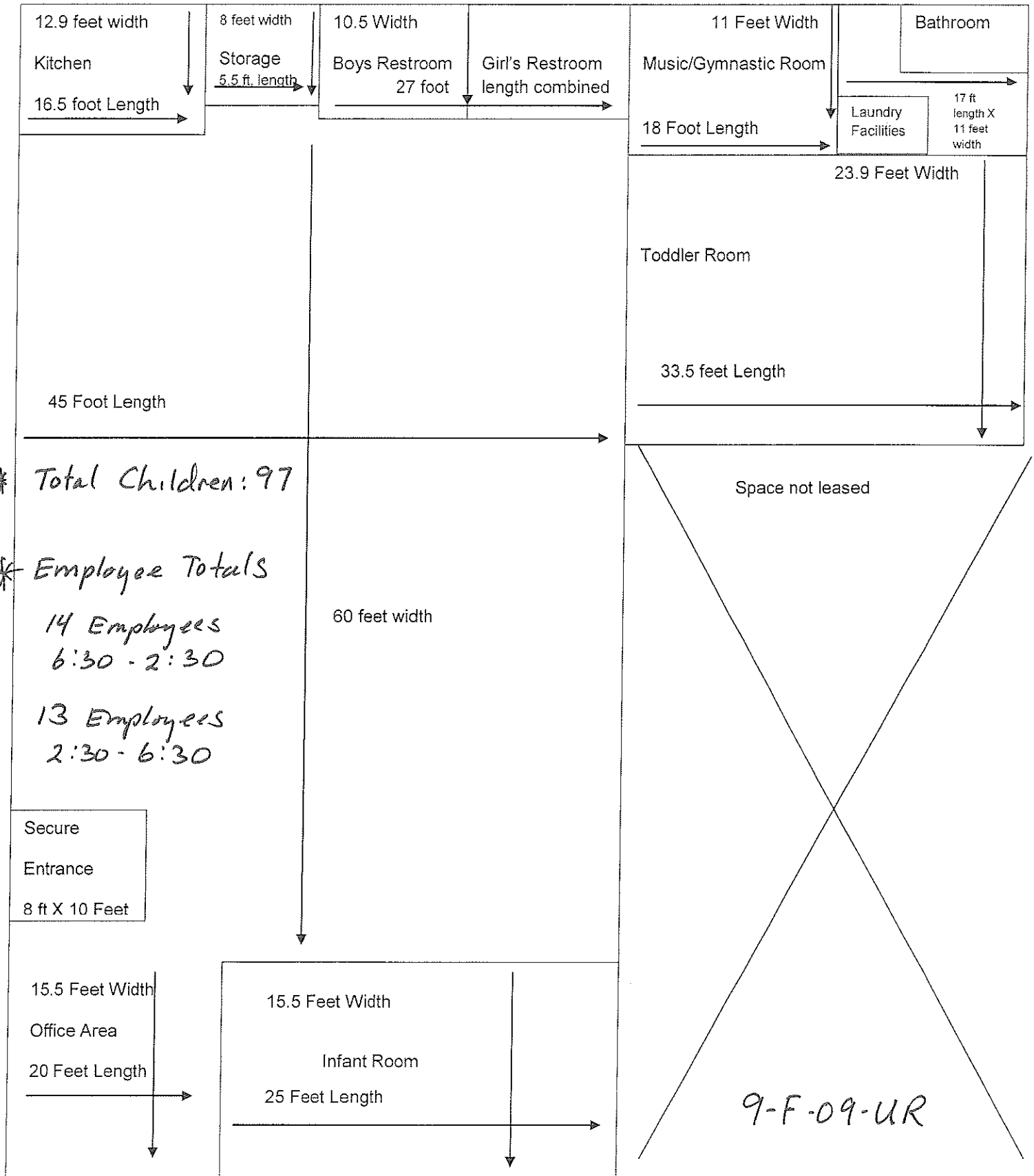
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Knoxville - Knox County - KUB Geographic Information System



Printed: August 19, 2009





Office - 310 Square Feet  
 Infant Room - 387.5 Square Feet  
 Entrance - 80 Square Feet  
 3 and 4 year old space - 2,700 Square Feet

Bathroom areas - 283.5 Square Feet  
 Kitchen and pantry area - 459.8 Square Feet  
 Toddler Room - 800.65 Square Feet  
 Music/Gymnastic Room - 198 Square Feet

**DAY CARE REVIEW**

Case No. 9-F-09-UR  
Applicant Little Disciples

**ZONING ORDINANCE REQUIREMENTS** (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.  
Request: 5.56 acres

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

Required: 10,200 sq. ft. sq. ft. (2500 sq. ft. for first 20 children; 100 sq. ft. per each additional child)  
Request: 10,200 sq. ft. sq. ft.

• **Minimum Building Area**

Required: 2910 sq. ft. 30 square feet per child  
Request: 4086 sq. ft. sq. ft.

• **Minimum Off-Street Parking (Article 3, Section 3.50)**

Required: 10 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)  
13 off-street loading spaces (one (1) off-street loading space per eight (8) pupils)  
Request: 10 teacher/employee spaces  
13 off-street loading spaces



9-F-09-UR

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
REGION ONE TRAFFIC DEPARTMENT  
7345 REGION LANE  
KNOXVILLE, TENNESSEE 37914  
(865) 594-2456  
(865) 594-3948 FAX

GERALD NICELY  
COMMISSIONER

PHIL BREDESEN  
GOVERNOR

September 2, 2009

Mr. Tom Brechko  
Knoxville/Knox County Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

RE: **Proposed Daycare facility  
Southgate Center  
State Route 115  
Knox County**

Dear Mr. Brechko:

The Regional Traffic Office has been contacted by Knox County Engineering and Public Works regarding the proposed change in land use for the Southgate Center on State Route 115 (Alcoa Highway) near Mt. Vernon Drive.

Upon consultation with the Regional Right-of-Way office, we have been informed that the Southgate property owner has been advised of the Department's plans for the roadway project to widen SR 115 along this section. The current design plans show the consolidation of the two driveways on the south end of the property. With the proposed land use change, we recommend that the entrances be combined to allow safe ingress and egress to the property and reduce potential conflicts the separate driveways may cause. Further, we recommend that the entrance be restricted to right-in/right-out movements. Regarding the entrance on the north end of the property, we recommend that it remain restricted to left turning movements exiting the property. In order to reinforce the movements at both entrances, we recommend the property owner establish pavement markings to delineate the lane use at the highway entrances and erect signage to indicate the regulatory "No Left Turn" prohibition. The proposed recommendation on a "No Left Turn" hourly restriction would be a local enforcement issue.

We have provided a sketch of our recommendations for your review. If you have questions or need additional information, please contact our office.

Sincerely,

Amanda Snowden, P E  
Regional Traffic Engineer

Enclosure



