

▶ **FILE #:** 8-A-10-UR

AGENDA ITEM # 53

AGENDA DATE: 8/12/2010

▶ **APPLICANT:** YOUR KID-N-ME

OWNER(S): LONGMIRE PROPERTIES, LLC

TAX ID NUMBER: 21 01001

JURISDICTION: County Commission District 8

▶ **LOCATION:** West side of Tazewell Pike, north of Fairview Rd.

▶ **APPX. SIZE OF TRACT:** 5.68 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with a 22' pavement width within a 75' right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Beaver Creek

▶ **ZONING:** CA (General Business)

▶ **EXISTING LAND USE:** Shopping center

▶ **PROPOSED USE:** Child Day Care Facility - up to 48 children within a shopping center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Shopping center / CA (General Business)

South: Creek and residence / F (Floodway) & CA (General Business)

East: Mixed businesses / CA (General Business)

West: Vacant land / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The site is located in an area of mixed commercial uses near the intersection of Tazewell Pike and E. Emory Rd.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a child day care center for up to 48 children in the CA zoning district, subject to 5 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
4. Removal of the vegetation along Tazewell Pike just south of the southern entrance for the shopping center in order to improve sight distance to the south along Tazewell Pike.
5. 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 CA 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 48 children at an existing shopping center located on the west side of Tazewell Pike just north of Fairview Rd. and south of E. Emory Rd. The child day care center will occupy approximately 3,600 square feet of the shopping center. A 5,425 square foot fenced outdoor play area will be located on the south side of the shopping center adjacent to the day care center space with direct access to the sidewalk that serves the store fronts in the center. 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. All utilities are in place to serve the existing shopping center.
2. The location of the proposed daycare facility within an existing shopping center minimizes the impact of the proposed use on less intense uses in the area.
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 a minor arterial street.
2. The proposal meets all requirements of the CA zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

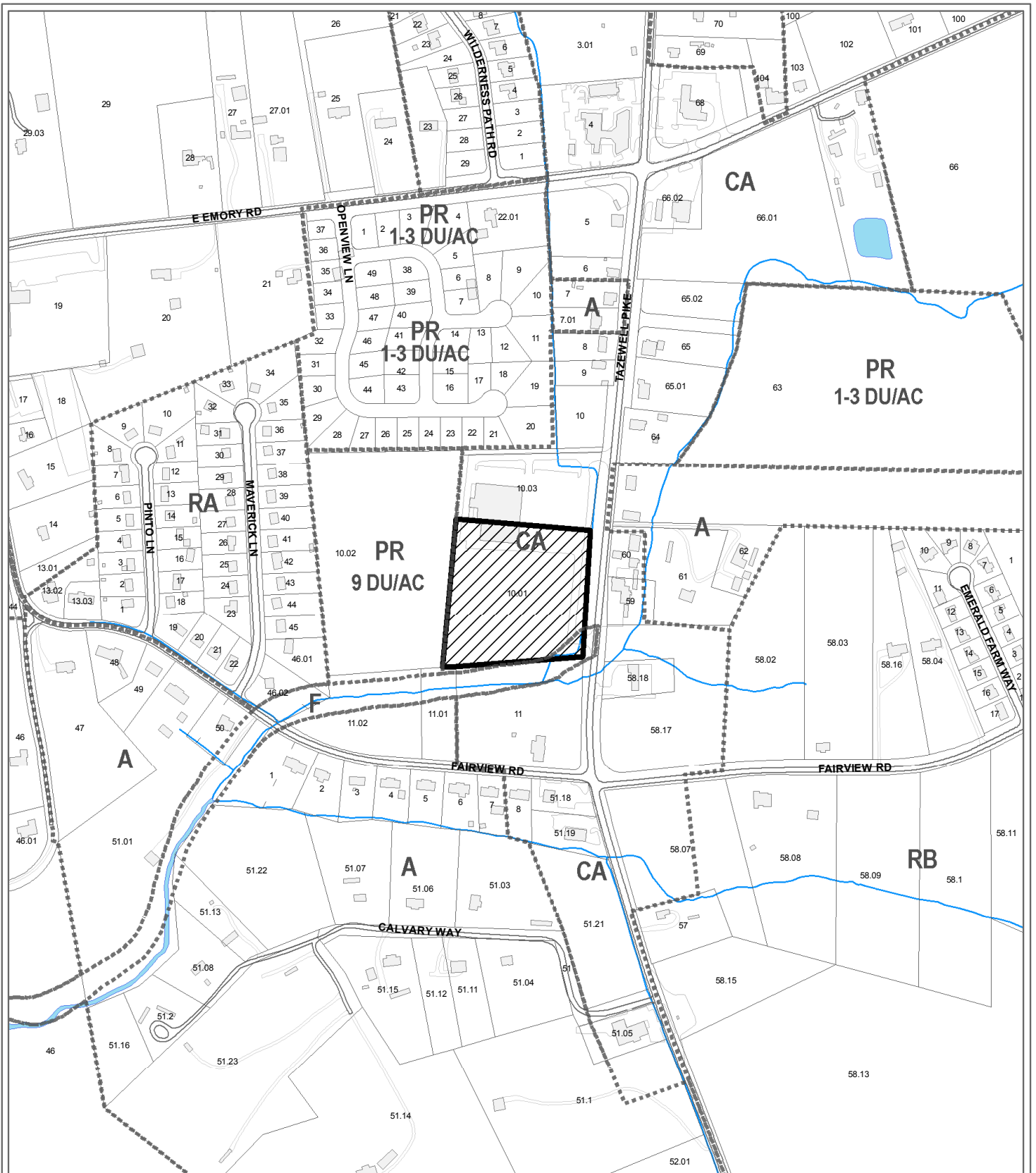
1. The Northeast County Sector Plan designates this site for commercial uses. A child day care center may be permitted in a commercial area.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT 198 (average daily vehicle trips)

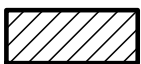
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**8-A-10-UR
USE ON REVIEW**

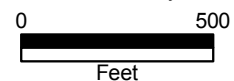


Child Day Care Facility - up to 48 children in CA (General Business)

Petitioner: Your Kid-n-Me

Map No: 21

Jurisdiction: County



Original Print Date: 7/22/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

DAY CARE REVIEW

Case No. 8-A-10-UR

Applicant Your Kid-N-Me

ZONING ORDINANCE REQUIREMENTS (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft

Request: 6.6 acres

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

Required: 5300 sq. ft. (2500 sq. ft. for first 20 children; 100 sq. ft per each additional child)

Request: 5425 sq. ft.

• **Minimum Building Area**

Required: 1440 sq ft. 30 square feet per child

Request: 1490 sq. ft.

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

Required: 9 (13 employees) teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

6 (48 pupils) off-street loading spaces (one (1) off-street loading space per eight (8) pupils)

Request: 15 total teacher/employee spaces

18 spaces available off-street loading spaces
for square footage

