

▶ **FILE #:** 9-A-10-UR

**AGENDA ITEM #** 37

**AGENDA DATE:** 9/9/2010

▶ **APPLICANT:** GARY F. NORVELL

OWNER(S): GARY NORVELL & DAVID POE

TAX ID NUMBER: 107 C F 008 & 009

JURISDICTION: City Council District 6

▶ **LOCATION:** Northeast side of Hollywood Rd., southeast side of Papermill Dr.

▶ **APPX. SIZE OF TRACT:** 0.84 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Hollywood Rd., a major collector street with a 28' pavement width within a 66' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Residence and office

▶ **PROPOSED USE:** Child day care center and existing office

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Mixed businesses / C-3 (General Commercial)

South: Mixed businesses / O-1 (Office, Medical, and Related Services)

East: Residence and mixed businesses / O-1 (Office, Medical, and Related Services) & C-6 (General Commercial Park)

West: Pond Gap Elementary / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: The proposed child day care center will be located within an area of mixed businesses on the north side of I-40 directly across Hollywood Rd. from Pond Gap Elementary school.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a child day care center for up to 20 children in the O-1 zoning district, subject to 4 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. 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 O-1 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 20 children in an existing residential structure located on the east side of Hollywood Rd. just south of Papermill Dr. The existing building which has a total area of approximately 875 square feet will have a primary care area of approximately 711 square feet which meets the requirements for up to 20 children. A 4000 square foot fenced outdoor play area will be located behind the building. There will be a total of four parking spaces provided for the center. The center is intended to serve primarily for after school day care. The proposed center is located directly across Hollywood Rd. from Pond Gap Elementary.

The existing office on the property that fronts onto Papermill Dr. will remain.

**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 child day care facility within an mixed use area directly across from an elementary school should have minimal impact on neighboring uses and traffic patterns.
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 major collector street.
2. The proposal meets all requirements of the O-1 zoning district and all other applicable requirements of the Knoxville Zoning Ordinance.

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

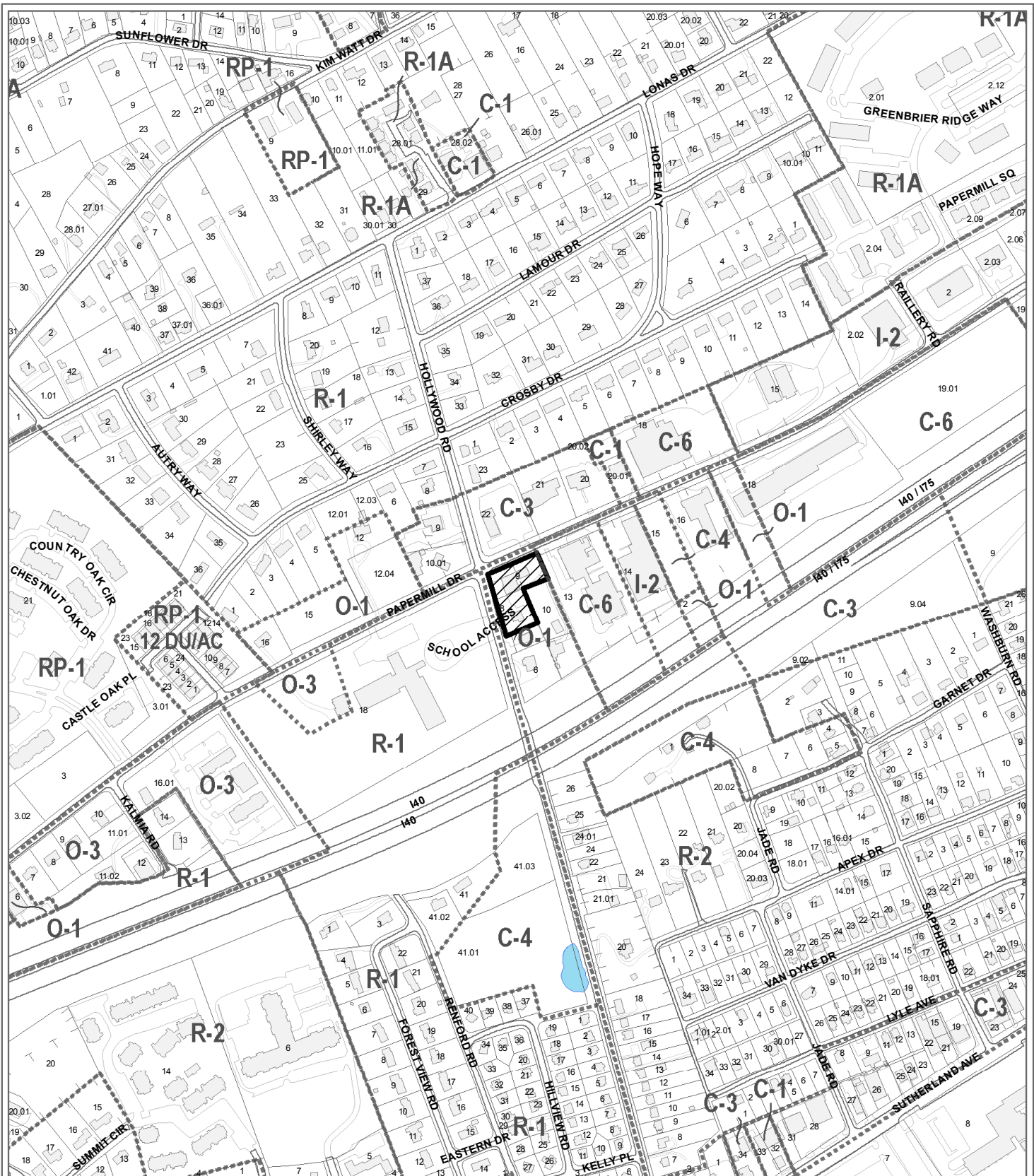
1. The Northwest City Sector Plan and One Year Plan propose office and mixed uses for this site. A child day care center may be permitted in office or mixed use areas.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**ESTIMATED TRAFFIC IMPACT 56 (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.



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



Child day care center in O-1 (Office, Medical, and Related Services)

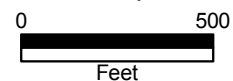
Original Print Date: 8/23/2010  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Norvell, Gary F.

Map No: 107

Jurisdiction: City



**DAY CARE CENTER REVIEW**

Case No. : 9-A-10-UR

Applicant : Gary F. Norvell

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 36,590 sq. ft.

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

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

Request: 4000 sq. ft.

• **Minimum Building Area**

Required: 700 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: 711 sq. ft.

• **Minimum Off-Street Parking (Article 5, Section 7)**

Required: 1.33 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

2.5 off-street loading spaces (one (1) off-street loading space per eight (3.83) 4 spaces (8) pupils)

Request: 1.33 teacher/employee spaces

2.5 off street loading spaces  
(3.83) 4 spaces

