

▶ **FILE #:** 7-A-11-UR

AGENDA ITEM #: 38

AGENDA DATE: 7/14/2011

▶ **APPLICANT:** CHILELU KAKANWA

OWNER(S): Husam Hasan

TAX ID NUMBER: 78 191

JURISDICTION: County Commission District 6

▶ **LOCATION:** Southeast side of Oak Ridge Hwy., southwest side of Dyestone Gap Rd.

▶ **APPX. SIZE OF TRACT:** 1.08 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Oak Ridge Hwy., a major arterial street at a transition between a three lane section with a 34' pavement width to a two lane section with a 22' pavement width within an 80' to 100' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** CA (General Business)

▶ **EXISTING LAND USE:** Vacant office space

▶ **PROPOSED USE:** Adult day care center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences / CA (General Business) & PR (Planned Residential)

South: Residences / A (Agricultural)

East: Mixed businesses / CA (General Business)

West: Vacant business space / CA (General Business)

NEIGHBORHOOD CONTEXT: This area is developed with residential and some commercial uses under CA, A, PR and RA zoning.

STAFF RECOMMENDATION:

▶ **APPROVE an adult day care center for up to 15 adults in the CA zoning district, subject to 5 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Adding a 20' x 20' paved parking area adjacent to the two existing parking spaces so that a total of four parking spaces are provided off the driveway allowing for a turnaround area on site.
4. Any outdoor activity area must be enclosed by a fence with a minimum height of at least 4'.
5. Obtaining approval from the Tennessee Department of Human Services and the Fire Marshal's office.

With the conditions noted above, this proposal meets the requirements for approval in the CA zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of an adult day care center for up to 15 adults at this site that has previously been utilized as an office. There will be up to three employees at the center. The Knox County Zoning Ordinance was amended in 2001, by defining and adding requirements for adult day care centers. The use can be considered in the CA (General Business) district as a use permitted on review.

Since the site has access to Oak Ridge Hwy., a major arterial street, the required parking must be installed so that the driveway can be utilized as a turnaround area on site so that vehicles do not have to back out onto Oak Ridge Hwy. A 20' x 20' paved parking area must be added adjacent to the two existing parking spaces so that a total of four parking spaces are provided.

The building must provide 40 square feet of activity space for each client (600 square feet for 15 adults). Approximately 1000 square feet will be provided. An outdoor activity area of approximately 2500 square feet is proposed. The outdoor activity area must be enclosed by a fence with a minimum height of at least 4'.

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

- 1. The proposal will place no additional demand on schools or streets. Public water and sewer utilities are available to serve the site.
- 2. The site was previously used for an office. The proposed use will have little change in impact.

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

- 1. The proposal meets all applicable requirements of the zoning ordinance, including specific criteria of the CA zone.
- 2. The proposal is consistent with the general standards for uses permitted on review: The proposal is consistent with the policies of the General Plan, Sector Plan and other adopted plans. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the area where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential streets.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

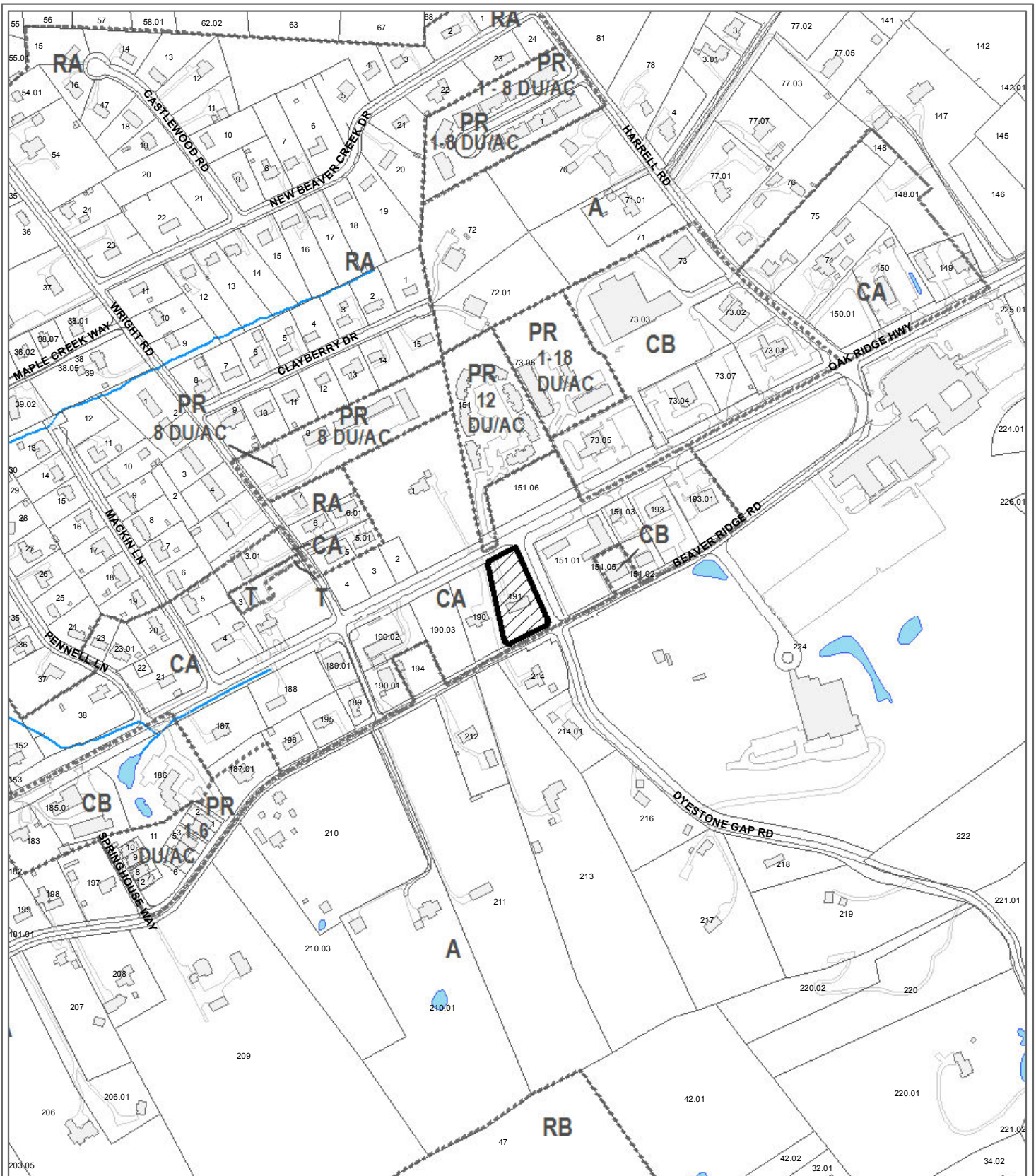
- 1. The Northwest County Sector Plan proposes commercial use for the site, consistent with the request.
- 2. The site is in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT 79 (average daily vehicle trips)

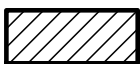
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**7-A-11-UR
USE ON REVIEW**

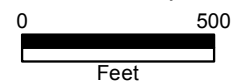


Adult day care in CA (General Business)

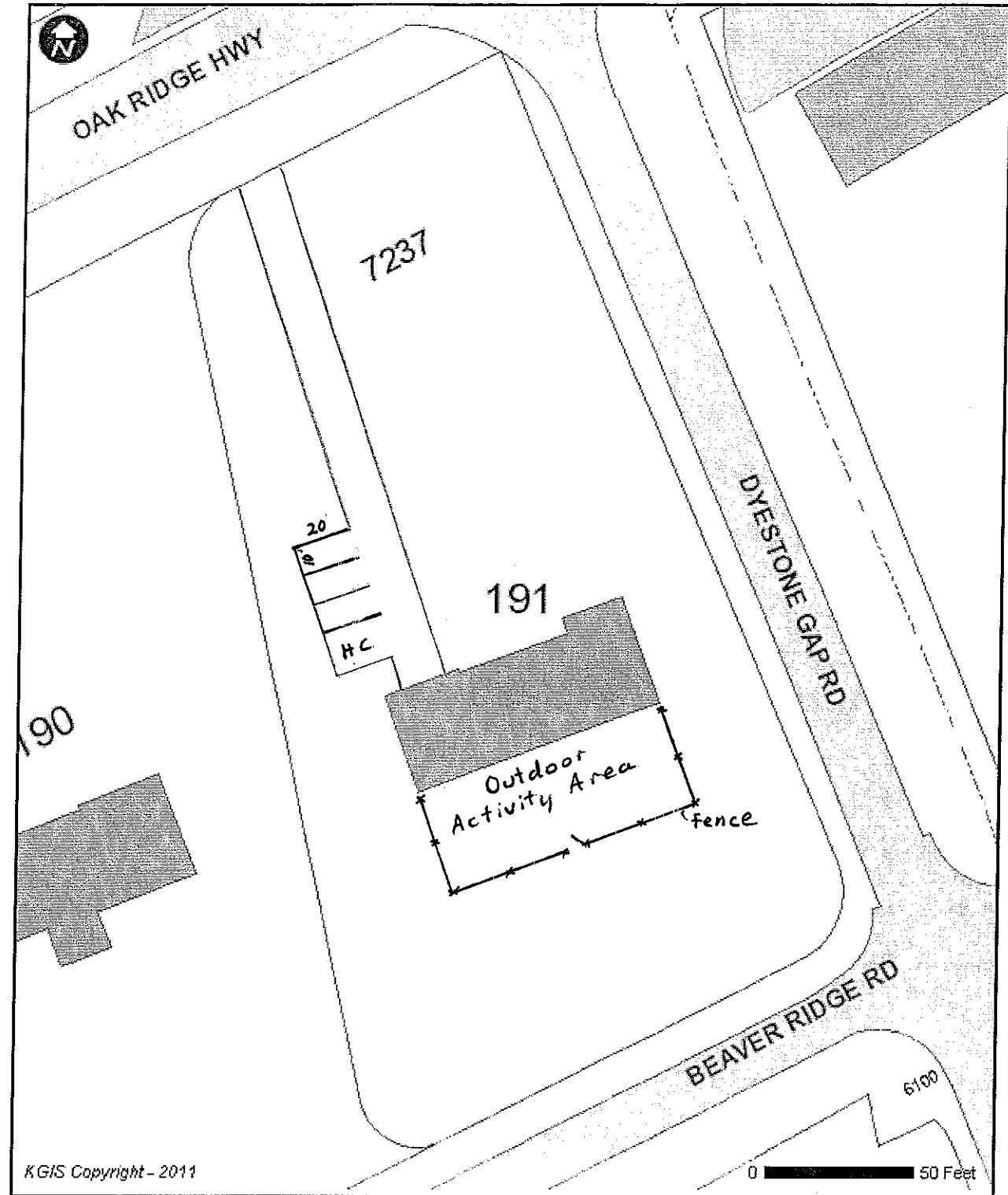
Petitioner: Kakanwa, Chilelu

Map No: 78

Jurisdiction: County



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Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



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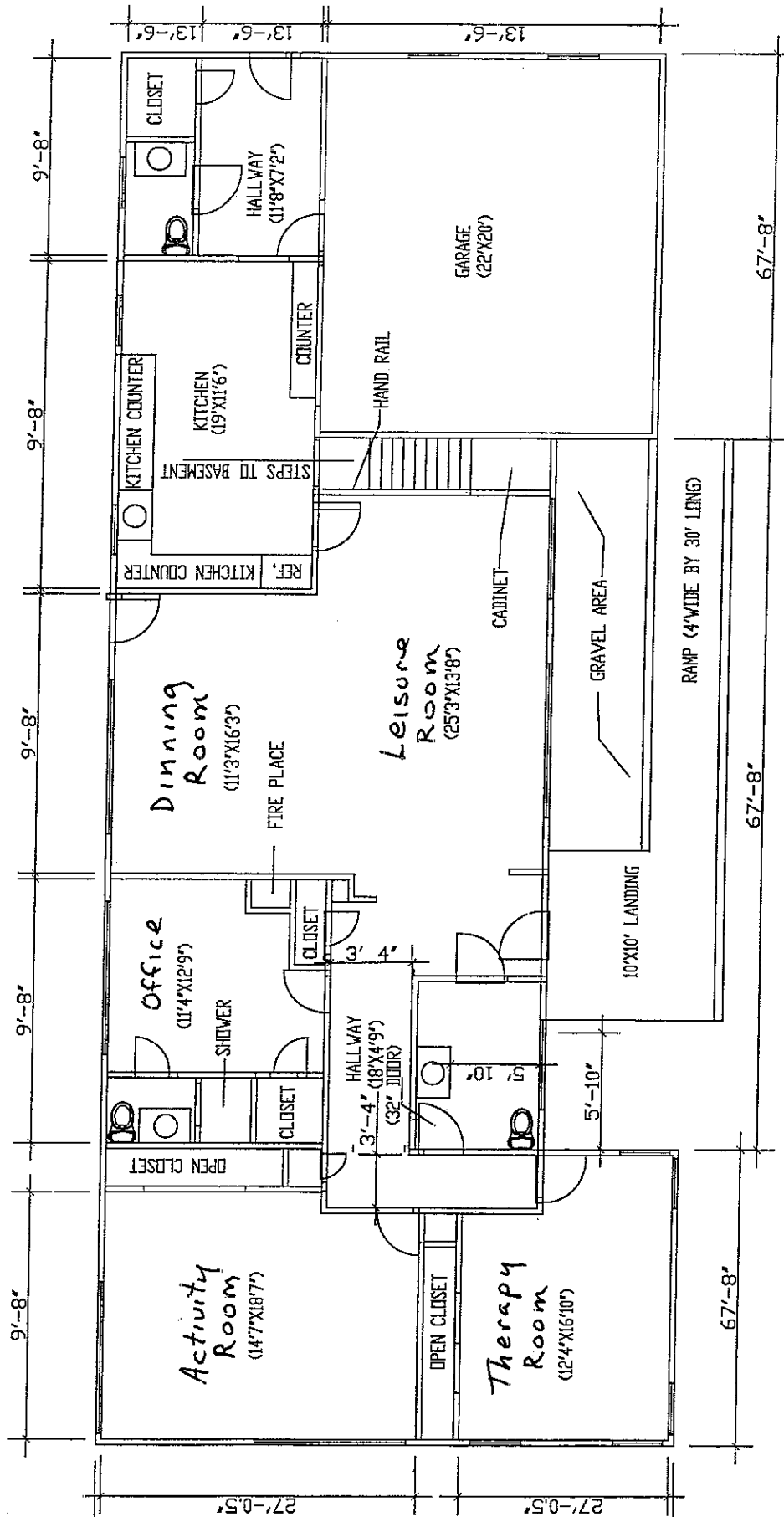
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MAIN FLOOR PLAN

SCALE: 1/8"

HUSAM HASAN
 7237 OAK RIDGE HWY
 KNOXVILLE, TN 37931

5-31-11
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