

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

▶ **FILE #:** 6-C-12-UR **AGENDA ITEM #:** 20
 POSTPONEMENT(S): 6/14/2012-10/11/2012 **AGENDA DATE:** 11/8/2012
 ▶ **APPLICANT:** **BEVERLY HOLLAND**
 OWNER(S): MPI Business Solutions, Inc.

TAX ID NUMBER: 82 D C 012
 JURISDICTION: City Council District 6
 ▶ **LOCATION:** **Southeast side of Holston Dr., northwest side of Speedway Circle.**
 ▶ **APPX. SIZE OF TRACT:** **37341 square feet**
 SECTOR PLAN: East City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Holston Dr., a minor collector street with a minimum pavement width of 28' within a required 70' right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Love Creek

▶ **ZONING:** **C-3 (General Commercial)**
 ▶ **EXISTING LAND USE:** **Vacant commercial building**
 ▶ **PROPOSED USE:** **Child Day Care Center - up to 100 children**
 HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: Mixed businesses / C-3 (General Commercial) & C-4 (Highway and Arterial Commercial)
 South: Residences / R-1 (Low Density Residential)
 East: Residences / R-1 (Low Density Residential)
 West: Mixed businesses / C-3 (General Commercial) & R-1 (Low Density Residential)
 NEIGHBORHOOD CONTEXT: The proposed child day care site is located in a transition area between an older commercial area to the north and an established residential neighborhood to the south.

STAFF RECOMMENDATION:

- ▶ **APPROVE the request for a child day care center for up to 100 children in the C-3 zoning district, subject to 6 conditions**
1. Meeting all applicable requirements of the Knox County Health Department.
 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 3. Obtaining the Knoxville Zoning Ordinance variances from the Knoxville Board of Zoning Appeals as identified in the comment section below.
 4. Revising the development plan to identify the fence location on all four sides of the outdoor play area, correcting the square footage for the outdoor play area, removing parking spaces 3 and 11 and identifying the new curb line along the alley between parking spaces #7 and #18.

5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Meeting all applicable requirements of the Tennessee Department of Human Services for a child care center.

With the conditions noted above, this request meets all requirements of the C-3 zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to utilize an existing building at the intersection of Holston Dr. and Martin Luther King Jr. Ave. for a child day care center for up to 100 children. The proposal includes conversion of a portion of the existing parking lot for the fenced outdoor play area. As proposed, two variances will be needed from the Knoxville Zoning Ordinance for the fenced in play area. A variance is needed to allow a reduction of the total area from 12,000 square feet to approximately 6,380 square feet and to reduce the required street (Speedway Circle) setback for the fenced area from 35 feet to 12 feet.

The main access for the site will be off of Speedway Circle. The existing driveway cut along the southwestern corner of the property will be closed with the addition of curbing. While that access point is paved out to Martin Luther King Jr. Ave., the access is to the alley, that by City ordinance, runs southwest away from Martin Luther King Jr. Ave. The existing pavement crosses private property.

There will be up to 15 employees at the center. A total 23 parking spaces are required for the center with 25 spaces being shown. Staff is recommending removal of two parking spaces (#s 3 and 11) to improve site circulation.

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. Since the proposed day care center will be located on commercial property there should be minimal impact on the nearby commercial and residential uses
3. The proposal will have no impact on schools.

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

1. With the recommended conditions, 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. Due to the limited number of children, 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 substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
2. With the approval of the two variances, the proposal meets all requirements of the C-3 zoning district and all other applicable requirements of the Knoxville Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

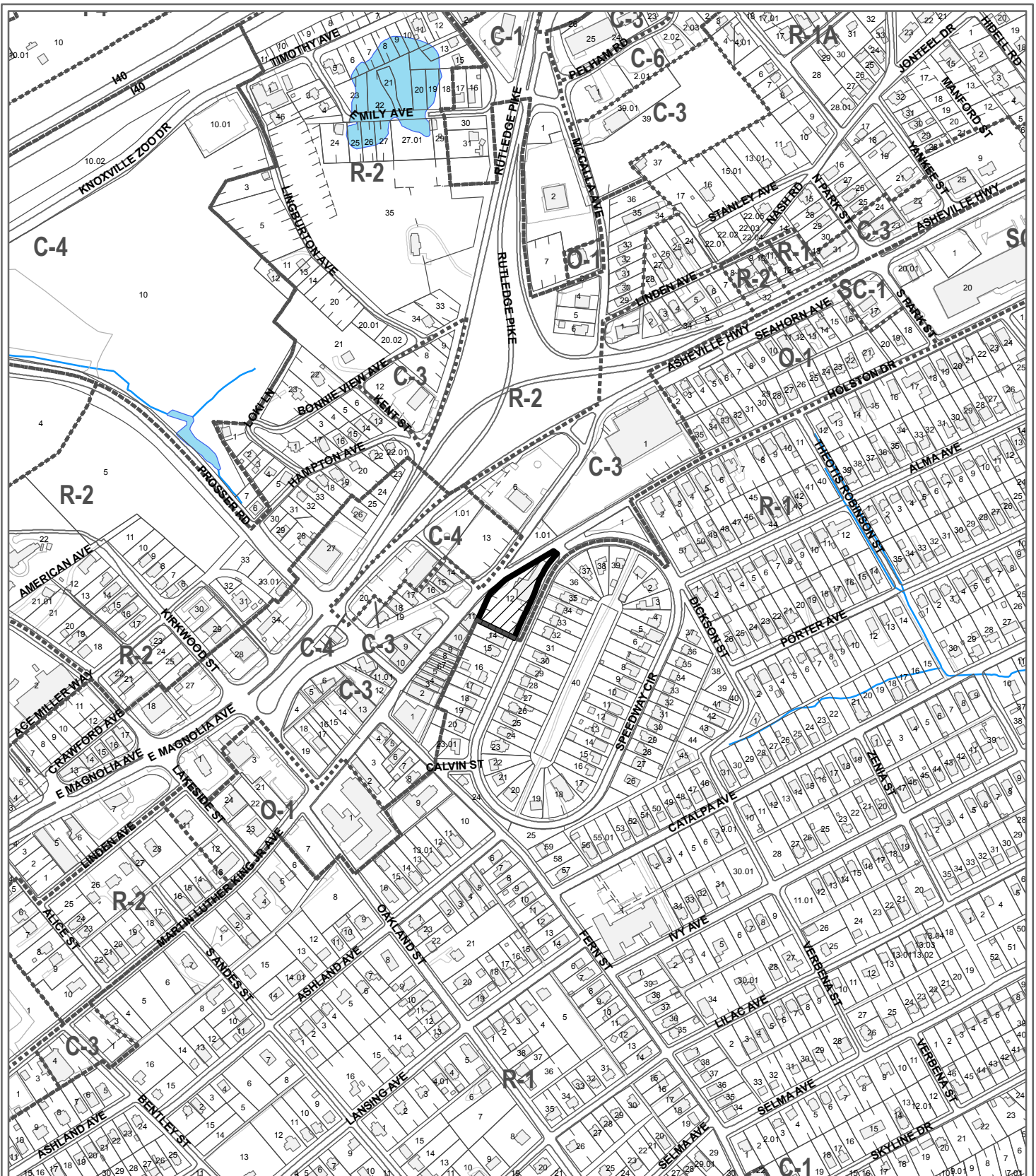
1. The East City Sector Plan and One Year Plan designate the site as being within a mixed use area as identified in the Magnolia Avenue Corridor Plan.
2. The site is located within the Urban Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT 290 (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.



**6-C-12-UR
USE ON REVIEW**



Child Day Care Center - up to 100 children in C-3 (General Commercial)

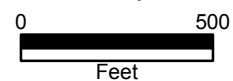
Original Print Date: 5/22/2012
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Holland, Beverly

Map No: 82

Jurisdiction: City





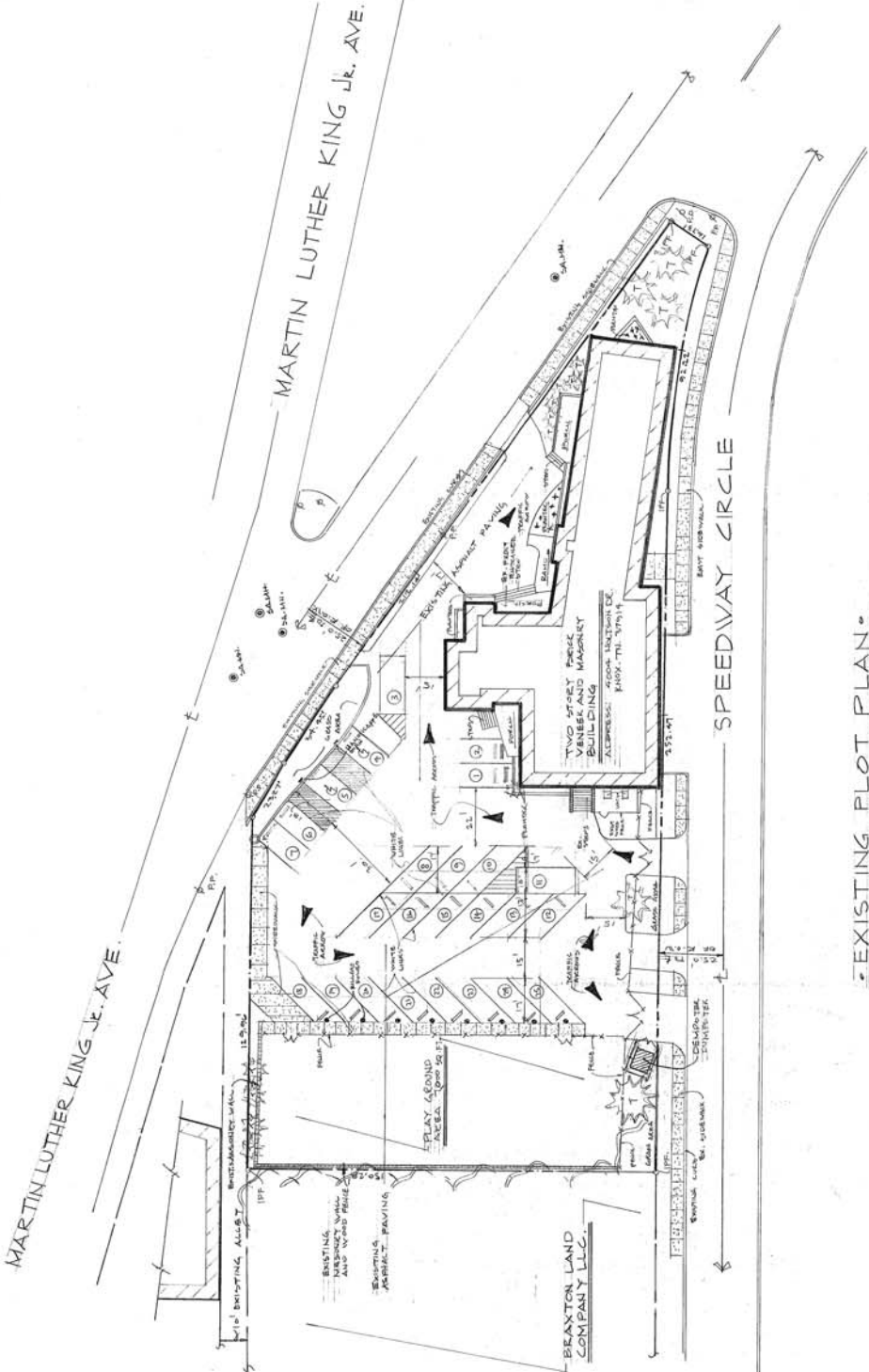
LOCATION MAP

SITE DATA

LOT SIZE: 107,141 SQ. FT. OR 2.44 ACRES
 BUILDING AREA: 15,918 SQ. FT.
 PARKING SPACES: 25 SPACES
 H2O-PARKING: 4922
 PLANTING AREA: 7800 SQ. FT.
 GEL-DC-OIL
 C-3 COMMERCIAL

LEGEND

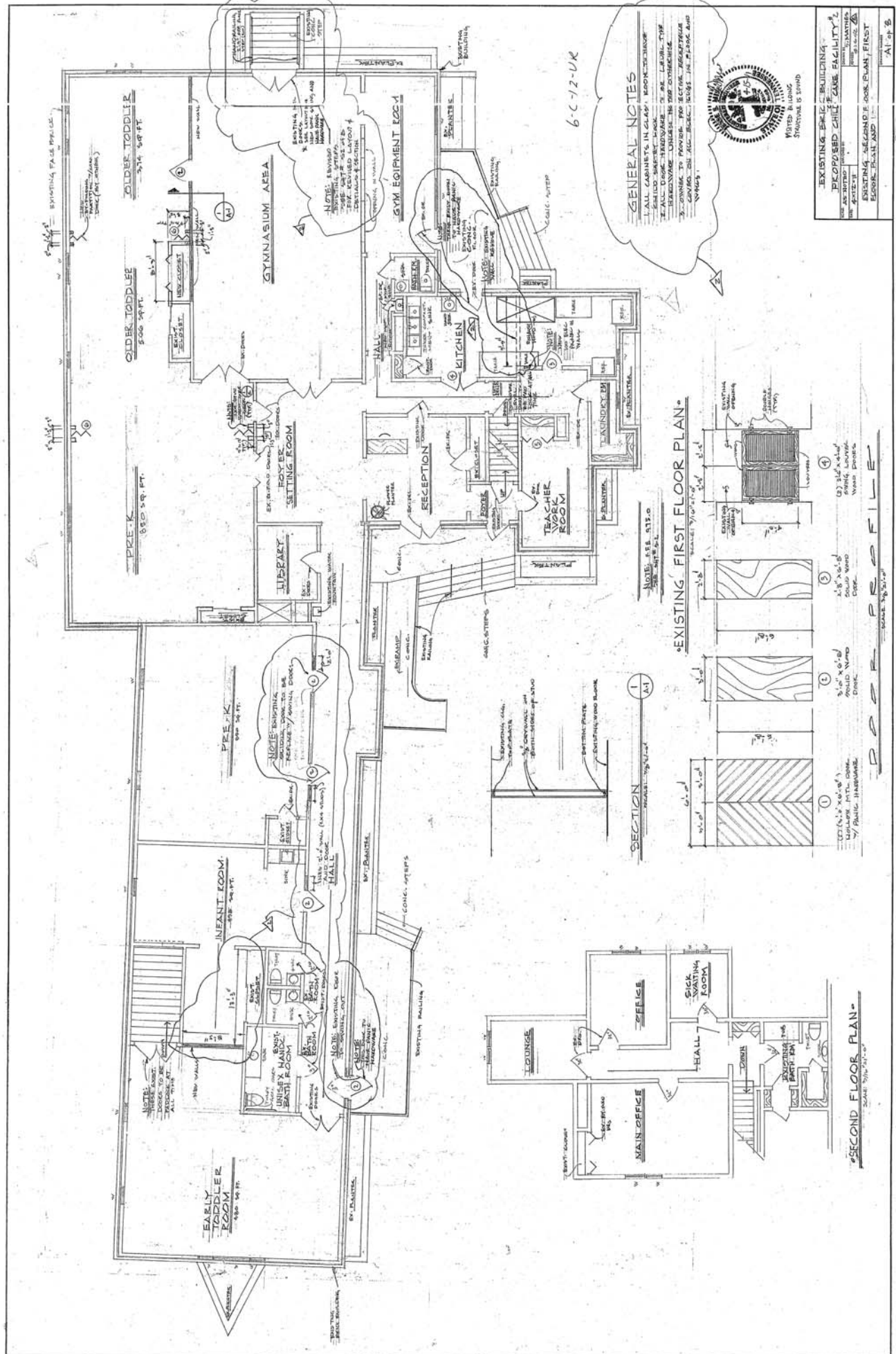
- 1. PROPERTY CORNER
- 2. IRON PIN FOUND
- 3. EIGHT-CP-WAY
- 4. UTILITY POLES
- 5. CENTER LINE
- 6. MAINWAY CENTER
- 7. SQUARE FEET
- 8. BILLIARD'S POLES
- 9. TRAFFIC FLAG
- 10. HANDICAPPED SIGN



EXISTING PLOT PLAN

SCALE: 1/8" = 1'-0"

6-C-12-UR
 REVISED
 10-15-2012



GENERAL NOTES

1. ALL CABINETS IN CLASS ROOM, KITCHEN, TRAINING ROOM, GYM EQUIPMENT ROOM, AND ALL DOOR-FRONTERS TO BE LAMINATED.
2. ALL DOOR-FRONTERS TO BE LAMINATED.
3. CONDO. ON ALL DOOR-FRONTERS TO BE LAMINATED.
4. CONDO. ON ALL DOOR-FRONTERS TO BE LAMINATED.



EXISTING CHILD CARE FACILITY
PROPOSED CHILD CARE FACILITY
 ARCHITECT: [Name]
 DATE: [Date]
 SHEET: [Number]
 TOTAL SHEETS: [Total]
 SCALE: 1/8" = 1'-0"

EXISTING FIRST FLOOR PLAN

NOTE: SEE 317.0 FOR FINISHES.

SECTION A-A



- 1. 3'-0" x 6'-0" 1/2" Panel Hardware
- 2. 3'-0" x 6'-0" 1/2" Panel Hardware
- 3. 2'-8" x 6'-0" 1/2" Door
- 4. 3'-0" x 6'-0" 1/2" Door

SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

DOOR PROFILE
 SCALE: 1/8" = 1'-0"

DAY CARE CENTER REVIEW

Case No. : 6-C-12-UR

Applicant : Beverly Holland

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 37,341 sq. ft.

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

Required: 12,000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 6380 sq. ft.

• **Minimum Building Area**

Required: 3500 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: 3658 sq. ft.

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

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) $100 \div 8 = 12.5$

Request: 10 teacher/employee spaces

13 off street loading spaces