

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

▶ **FILE #:** 3-I-17-UR **AGENDA ITEM #:** 49
 POSTPONEMENT(S): 3/9/2017-4/13/2017 **AGENDA DATE:** 5/11/2017
 ▶ **APPLICANT:** NANA'S HOUSE LEARNING CENTER
 OWNER(S): Al Greene

TAX ID NUMBER: 82 P L 016 [View map on KGIS](#)
 JURISDICTION: City Council District 6
 STREET ADDRESS: 1711 E Magnolia Ave
 ▶ **LOCATION:** North side of E. Magnolia Ave., west of Austin St.
 ▶ **APPX. SIZE OF TRACT:** 7255 square feet
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via E. Magnolia Ave., a major arterial street with a 5 lane section and a 52' pavement width within a 100' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: First Creek

▶ **ZONING:** O-1 (Office, Medical, and Related Services)
 ▶ **EXISTING LAND USE:** Daycare center
 ▶ **PROPOSED USE:** Daycare center
 NA
 HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: Residences / O-1 (Office, Medical, and Related Services)
 South: Pellissippi State / O-1 (Office, Medical, and Related Services)
 East: Epilepsy Foundation / O-1 (Office, Medical, and Related Services)
 West: Apartments / O-1 (Office, Medical, and Related Services)
 NEIGHBORHOOD CONTEXT: This site is located along E. Magnolia Ave., which has developed with a mix of residential, institutional and commercial uses under O-1, C-3 and SC-1 zoning.

STAFF RECOMMENDATION:

- ▶ **APPROVE the request for a child day care center with a maximum enrollment of up to 16 children at this location subject to the following 5 conditions:**
1. Meeting all applicable requirements of the Knox County Health Department.
 2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
 3. Maintaining the existing fenced outdoor play space.
 4. Meeting all applicable requirements of the Knoxville Department of Engineering.
 5. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the O-1 (Office, Medical, and Related Services) District and the general criteria for approval of a Use-on-Review.

COMMENTS:

The applicant is requesting approval of this existing day care center that is located on the north side of E. Magnolia Ave., west of Austin St. There had been a child day care center at this location prior to the applicant opening Nana's House Learning Center in 2010. The applicant was not aware of the fact that there had not been a use-on-review approval for a child day care facility. Approval had been granted from the State to operate the facility which will serve up to 16 children.

In reviewing the site it was determined that four variance were required from the Knoxville Zoning Ordinance to allow the facility. The variances were for minimum lot size, minimum size of the fenced outdoor play area, minimum setback for the outdoor play area, and the number of required parking spaces. While the four variances were granted by the Knoxville Board of Zoning Appeals (BZA) on March 16, 2017 (see attached BZA Decision), the action of the Board was appealed to Knoxville City Council. On April 25, 2017, Knoxville City Council denied the appeal, upholding the action of the BZA.

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

1. The proposed child day care center will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed child day care center will have minimal impact on traffic since the facility is located on an arterial street. While there is limited on-site parking, on-street parking is allowed along E. Magnolia Ave.
3. The proposed use is consistent with the mix of residential and non-residential development in the area.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed child day care center meets all of the requirements of the Knoxville Zoning Ordinance with the approved variances and recommended conditions.
2. 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 neighborhoods where it is proposed. The use will not significantly injure the value of adjacent property. The use will not have an impact on drawing traffic through residential areas since it is located on an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Central City Sector Plan and the Knoxville One Year Plan identify the site as being within the Magnolia Gateways Mixed Use District and recommend a mix of uses including office, commercial, institutional and residential development. The existing facility conforms with the Plan recommendations.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 190 (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.

DAY CARE CENTER REVIEW

Case No. : 3-I-17-UR

Applicant : Nana's House Learning Center

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 7,500 sq. ft.

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

Required: 4,000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 1,750 sq. ft.

• **Minimum Building Area**

Required: 560 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: 1,300 sq. ft.

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

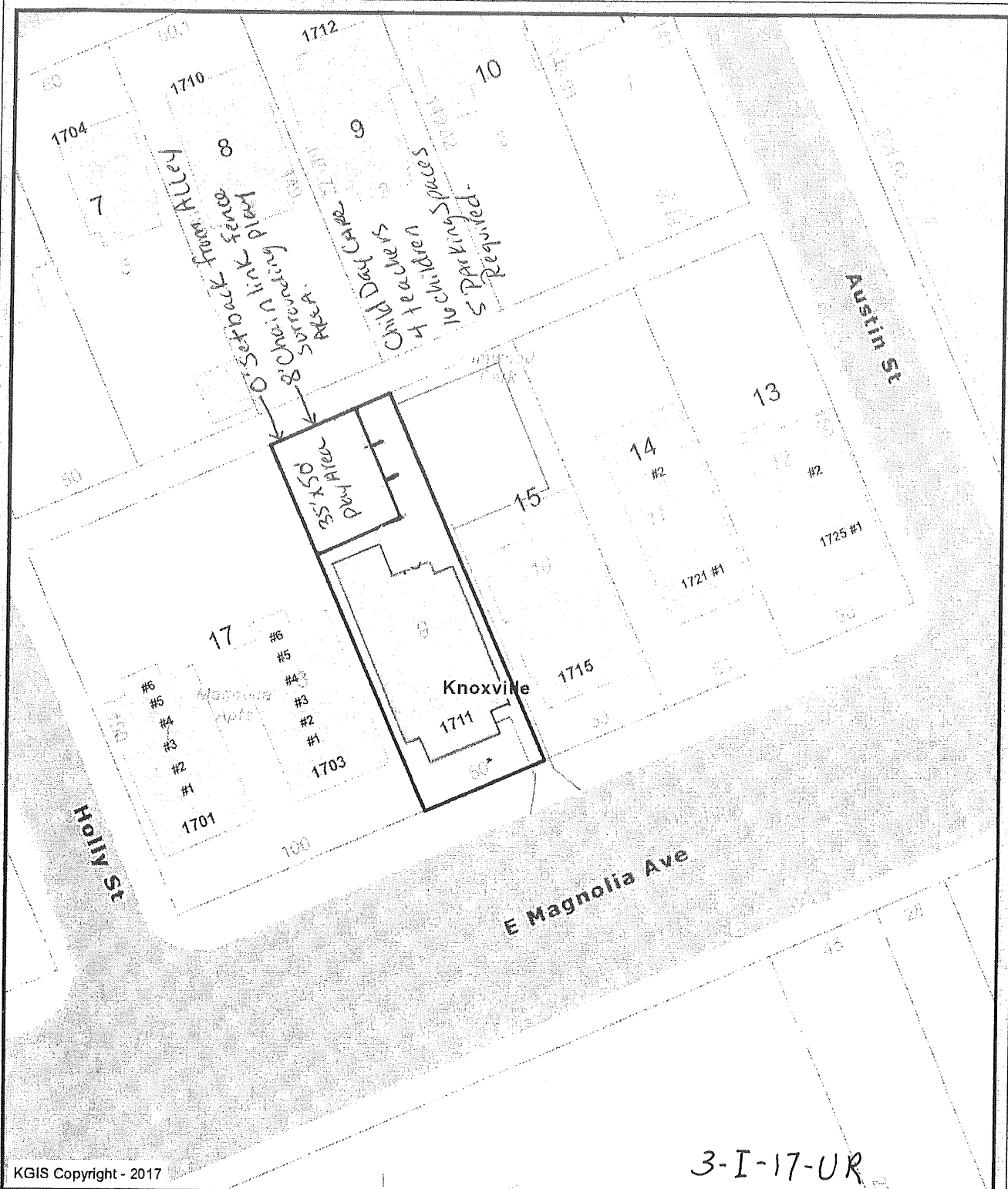
Required: 3 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

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

Request: 0 teacher/employee spaces

0 off street loading spaces

0



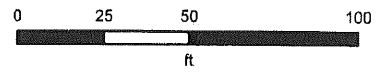
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1711 E Magnolia Ave

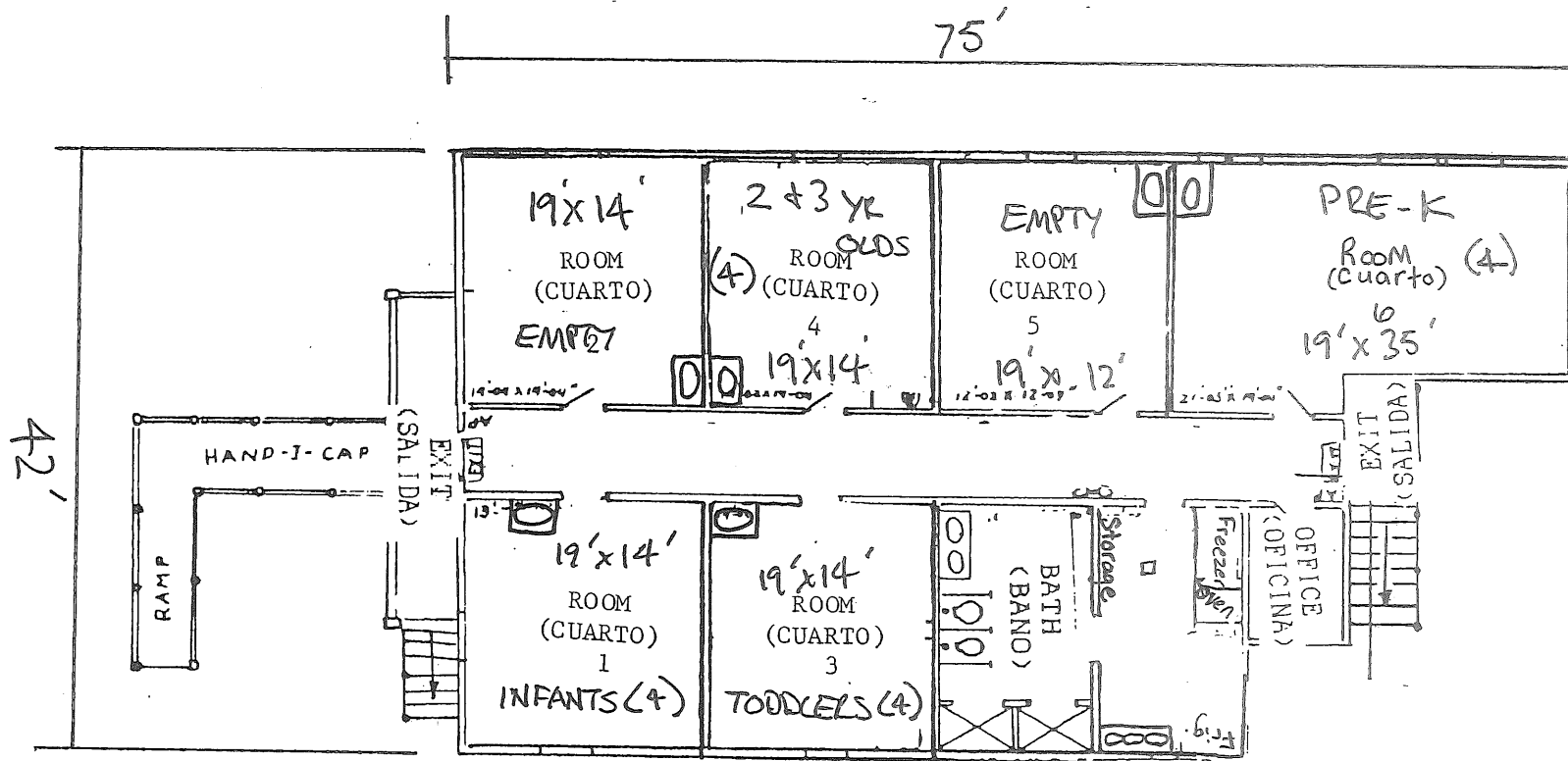
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REVISED



3-I-17-UR

LEGEND (LEYENDA)

- EXTINGUISHER (MATAFUEGOS) ○
- FUSE BOX (CASA DE FUSIBLES) △
- SMOKE ALARM (ALARMA DE HUMO) □
- ALARM PULL (VARILLA DE ALARMA) AP
- EMERGENCY LIGHT (LUCES DE EMERGENCIA) ○○
- ALARM HORN (CLAXON DE ALARMA) ⊞
- FIRST AID (MEDICINA DE EMERGENCIA) +

ACTION PLANS (PLAN DE ACION)

1. EVACUATE IMMEDIATE DANGER AREA
(EVACUARSE IMEDIAT VENTE EL AREA DE PELIGRO)
2. TURN IN FIRE ALARM
(REPORTE ALARMA DE FUEGO)
3. EVACUATE INJURED: RECORDS
(EVACUARSE HERIDOS: DOUCUMENTOS)
4. START FIRST AID: FIREFIGHTING
(EMPIEZA MEDICINA DE EMERGENCIA: PELEA CONTRA FUEGO)
5. CLOSE WINDOWS AND DOORS:
(CIERRA VENTANAS Y PUERTAS)

<---<---<---EVACUATION ROUTE
 (RUTA DE EVACUACION)

Use on Review Development Plan

Name of Applicant: Nana's House Learning Center

Date Filed: 1/23/2017 Meeting Date: 3/9/2017

Application Accepted by: M. Payne

Fee Amount: File Number: Development Plan

Fee Amount: 1,500.00 File Number: Use on Review 3-I-17-UR

PROPERTY INFORMATION

Address: 1711 E. Magnolia Ave.

General Location: 1/3 E. Magnolia Ave
w/3 Austin Street

Tract Size: 7,255 sq Ft. No. of Units:

Zoning District: O-1

Existing Land Use: Daycare center

Planning Sector: Central City

Sector Plan Proposed Land Use Classification:
MU-5D MU-CC4

Growth Policy Plan Designation: Urban

Census Tract: 67

Traffic Zone: 40

Parcel ID Number(s): 082PL016

Jurisdiction: City Council 6th District
 County Commission District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: AL Green

Company:

Address:

City: State: Zip:

Telephone:

Fax:

E-mail:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Shelli Glasgow/Vicki Reedy

Company: Nana's House Learning Center

Address: 1711 E. Magnolia Ave

City: Knoxville State: TN Zip: 37917

Telephone: 865-525-0291

Fax: SAME

E-mail: S1122@hotmail.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Daycare in O-1 zone

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Shelli Glasgow

PLEASE PRINT
Name: Shelli Glasgow

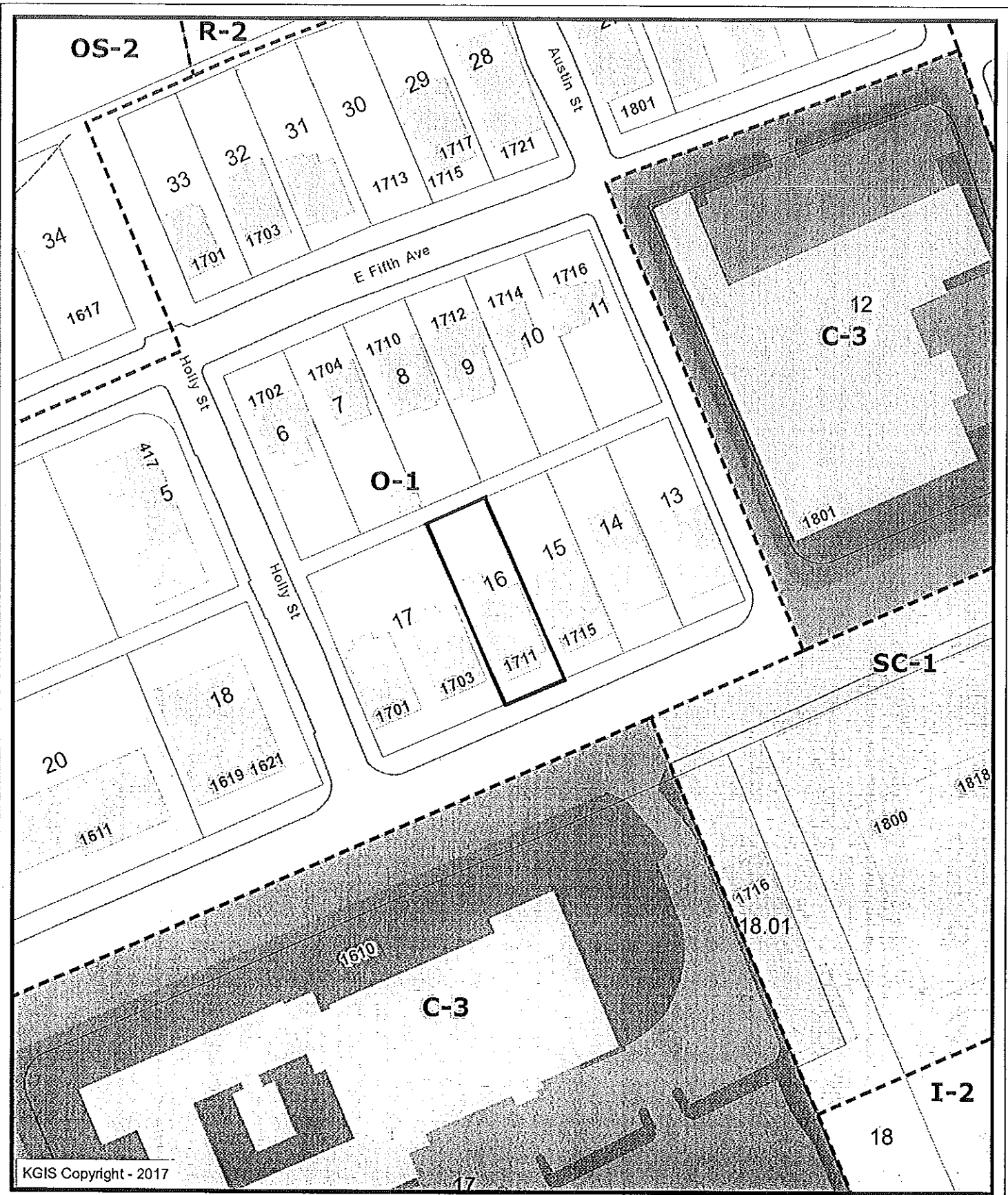
Company: Nana's House Learning Center

Address: 1711 E. Magnolia Ave

City: Knoxville State: TN Zip: 37917

Telephone: 865-309-1398

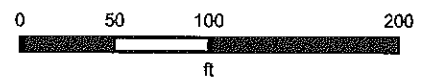
E-mail: S111276@hotmail.com



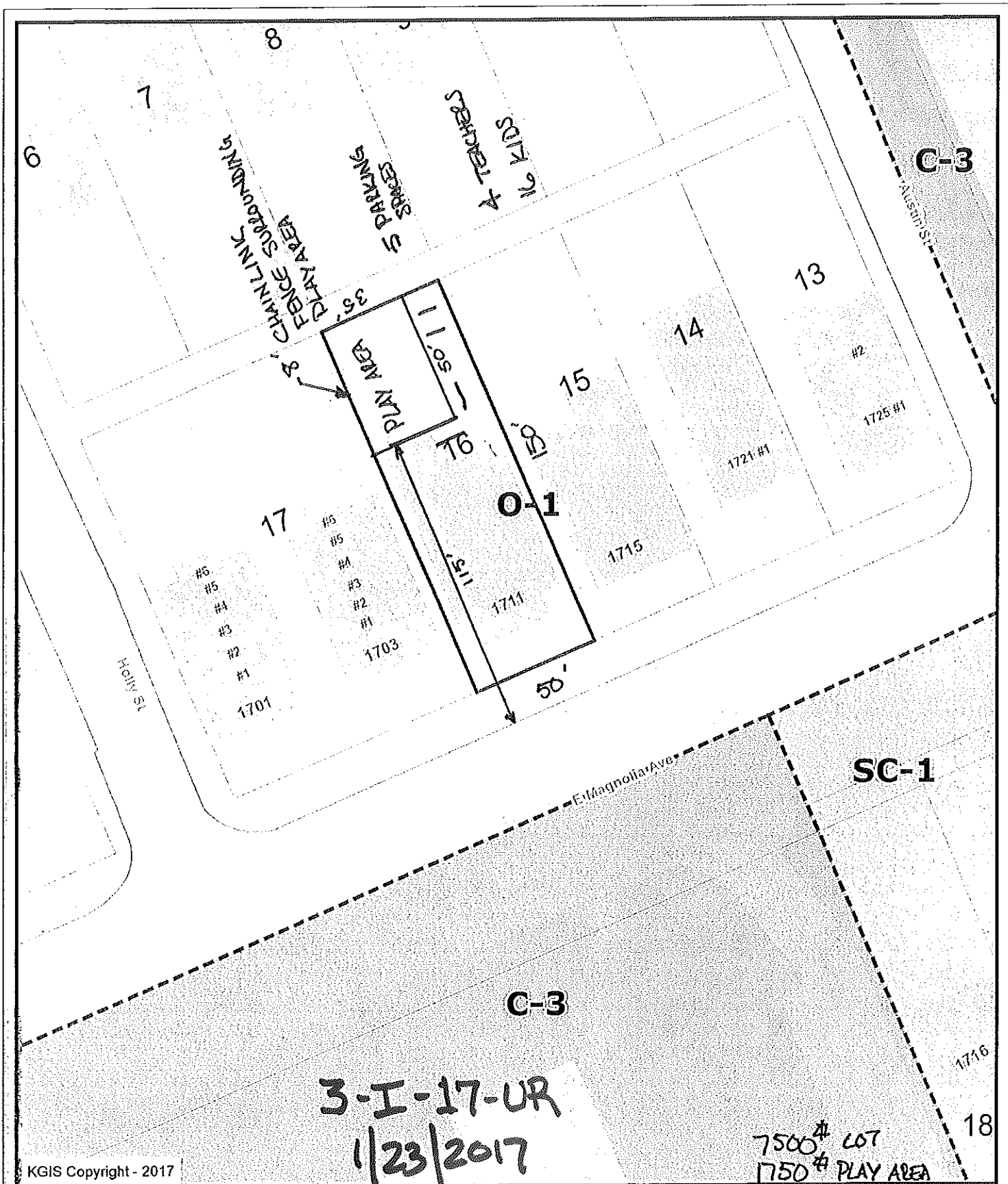
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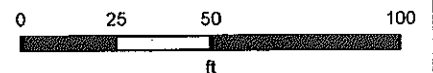


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