

## **USE ON REVIEW REPORT**

► FILE #: 9-A-24-UR AGENDA ITEM #: 31

**AGENDA DATE: 9/12/2024** 

► APPLICANT: UJESH PATEL

OWNER(S): LKM Properties

TAX ID NUMBER: 104 18602 <u>View map on KGIS</u>

JURISDICTION: County Commission District 3
STREET ADDRESS: 9714 MIDDLEBROOK PIKE

► LOCATION: South side of Middlebrook Pike, southeast of Ball Camp Pike

► APPX. SIZE OF TRACT: 5.94 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with a 60-ft pavement

width within a 96-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Rural Metro Fire Department

WATERSHED: Beaver Creek

► ZONING: CA (General Business)

EXISTING LAND USE: Agriculture/Forestry/Vacant Land

PROPOSED USE: Child Day Care Center

HISTORY OF ZONING: A rezoning from A (Agricultural) to CA (General Business) was approved in

2006 (3-F-06-RZ).

SURROUNDING LAND North: Public parks, commercial - A (Agricultural)

USE AND ZONING: South: Agriculture/forestry/vacant land - PR (Planned Residential) 16 du/ac

East: Single-family residential - A (Agricultural)

West: Office - CA (General Business)

NEIGHBORHOOD CONTEXT: This area is developed primarily with single-family and attached residences.

The subject property abuts a minor commercial node around the intersection of Middlebrook Pike and Schaad/Lovell Road. Nicholas Ball Park is across the street and Ball Camp Elementary School is nearby to the northwest.

#### STAFF RECOMMENDATION:

► Approve the request for a child day care center in the CA (General Business) zone subject to 5 conditions.

1) Meeting all applicable requirements of the Knox County Zoning Ordinance, including the supplementary regulations for a day care center in Article 4.91.

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- 2) Meeting all applicable requirements of the Tennessee Department of Human Services for a child care facility.
- 3) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 4) If any significant changes are made to the site plan in response to permitting requirements, the revised plans will be provided to Planning staff for review and may be subject to the Use on Review revision process.
- 5) If, during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, the developer will either enter into an MOU with the County for these improvements, or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.

#### **COMMENTS:**

This request is for the Children's Lighthouse Child Care Facility, which has an 11,911 sq ft building with a capacity for up to 200 children and 35 staff. The proposed development features three fenced outdoor playgrounds totalling 21,427 sq ft. The parking lot provides 52 spaces, 25 of which are loading spaces for drop-off and pick-up. More details provided by the applicant regarding the daycare operations plan can be found in Exhibit B.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2). The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

## THE USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE COMPREHENSIVE PLAN.

- A. The proposed use of a day care center on the subject property is consistent with land uses intended for the CMU (Corridor Mixed-Use) designation in the Knox County Comprehensive Plan. The CMU place type describes commercial operations as a primary use and civic establishments as a secondary use. A private day care facility could fall under both of these use categories.
- B. The transportation section of the CMU place type describes how parking should be located to the side or rear of buildings, and this is not reflected in the site plan. However, in this circumstance where the development proposal is designed for a capacity of 200 small children, having the building set further back from Middlebrook Pike, a 5-lane major arterial street, is appropriate. The parking lot in front of the building provides safe and efficient loading areas for parents and children, and it allows the playgrounds to be set further back from the busy street.
- C. A day care business at this location aligns with the Comprehensive Plan's Implementation Policy 3 to encourage infill and redevelopment of underutilized commercial land. This property has never had a permanent structure on it, according to historical aerial maps. A day care center would provide an important service to surrounding residents on an underutilized commercial lot.
- D. The proposed development is also consistent with Implementation Policy 4 to incentivize walkable, mixed-use centers, corridors, and neighborhood service nodes as the preferred form of commercial development. This section of Middlebrook Pike has sidewalks on both sides. The subject property is across the street from Nicholas Ball Park, which is an expansive recreational area with sports fields, a walking trail and a playground. This property is also part of a commercial and civic node at the intersection of Middlebrook Pike and Schaad Road. This node will likely grow with the completion of the Schaad Road expansion, which will also provide sidewalks on both sides. A day care center at this location diversifies commercial development and provides an important neighborhood service in an area that will become increasingly walkable.

## 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- A. Article 4.91 of the zoning ordinance provides supplementary regulations for day care centers when considered as a Use on Review. All the requirements listed in the code have been met or exceeded by the applicant. The site plan and floor plan reflect ample indoor and outdoor play areas for the maximum number of children anticipated. The parking lot meets the minimum off-street parking requirements and provides the required loading area.
- B. One provision specific to day care centers proposed in the CA (General Business) zone is that surrounding land uses and zoning should be considered to protect the welfare of children. The building and play areas are set far back from the car wash business to the west, and development is hindered to the east and south by stream and wetland conditions. This flood-prone area provides a scenic and natural setting for the day care. Knox County Engineering and Public Works will require that the development comply with local stormwater regulations and FEMA floodplain standards to mitigate flooding risk to the proposed building.
- 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS

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#### PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The architectural elevations for the proposed day care facility reflect an attractive and cohesive site design that complements the character of the surrounding area. The height and scale of the one-story building is compatible with surrounding building heights.

## 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. A day care center will likely increase the desirability of surrounding residential properties, as it provides an important service for young families. The development could also become an anchor business that fosters more service-oriented commercial development and pedestrian infrastructure within this underutilized commercial node.

B. The property is in a sensitive, flood-prone area. At the permitting stage, the development will be required to comply with all applicable engineering standards including the minimum floor elevation, the no-fill line, and stormwater detention to ensure there is no undue runoff impacting other properties.

#### 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The subject property is in an ideal location for accessible pick-up and drop-off on a major arterial street that is designed to manage more traffic.

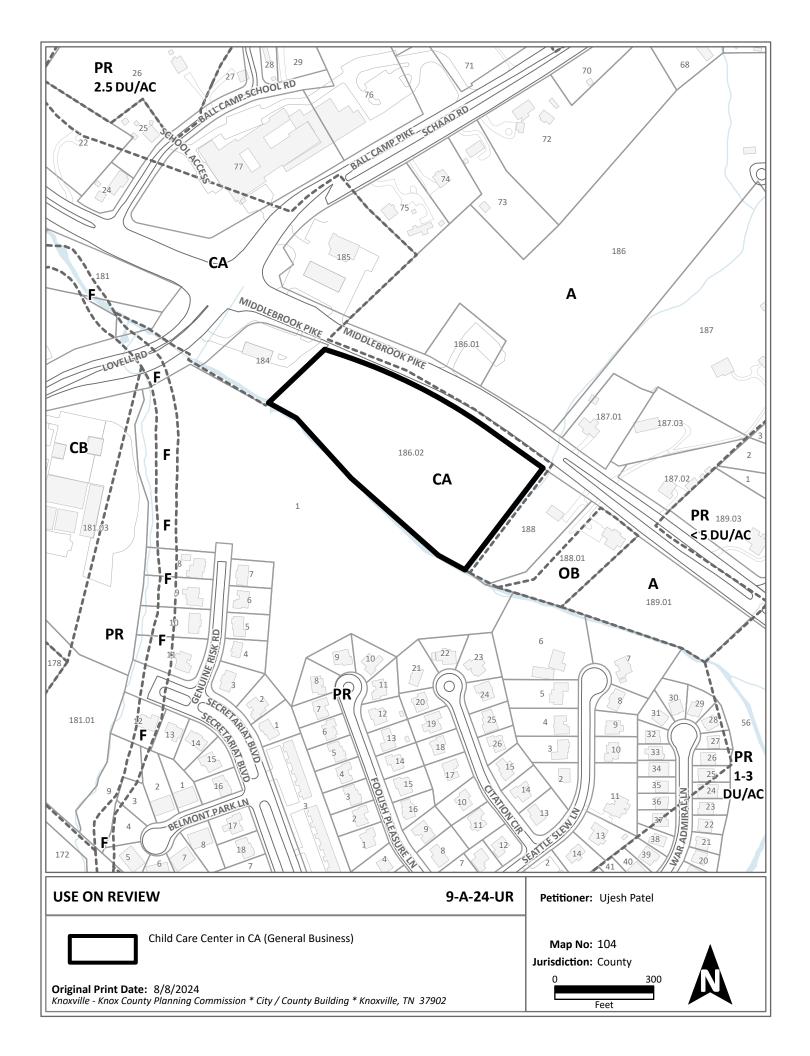
ESTIMATED TRAFFIC IMPACT: 567 (average daily vehicle trips)

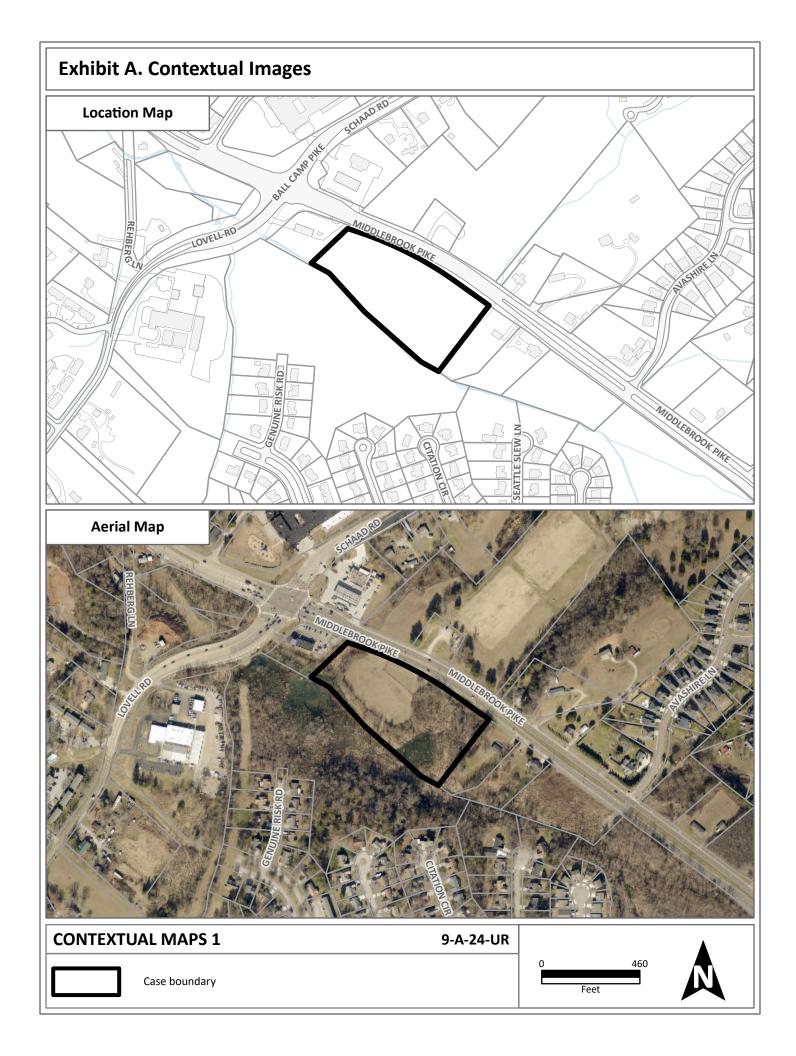
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

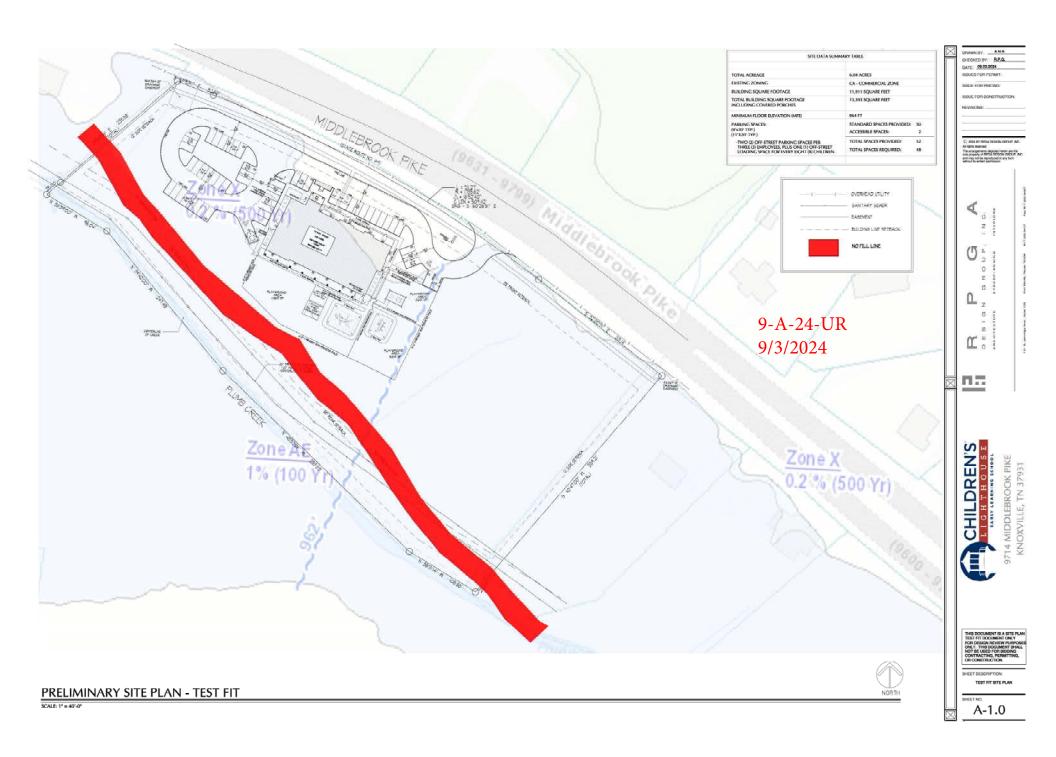
ESTIMATED STUDENT YIELD: Not applicable.

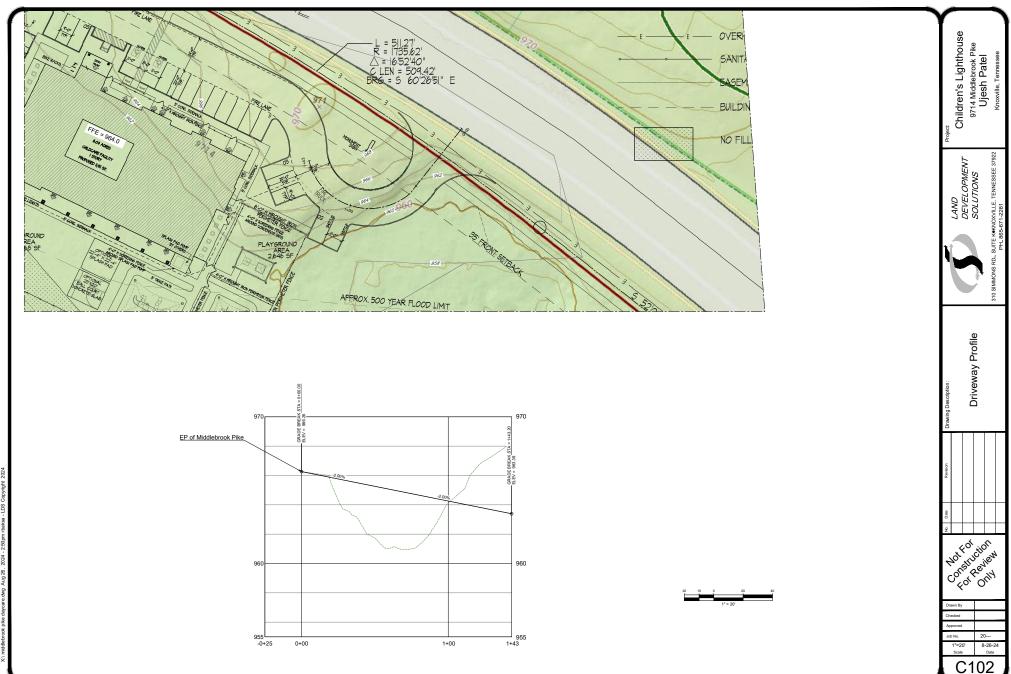
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.

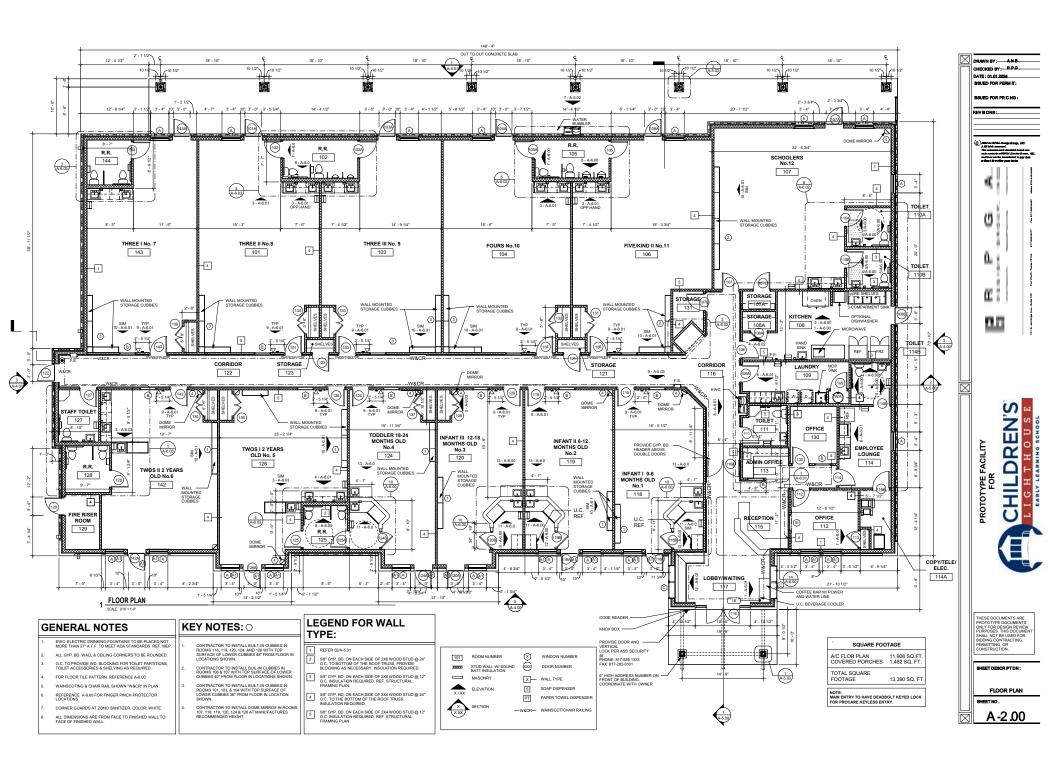
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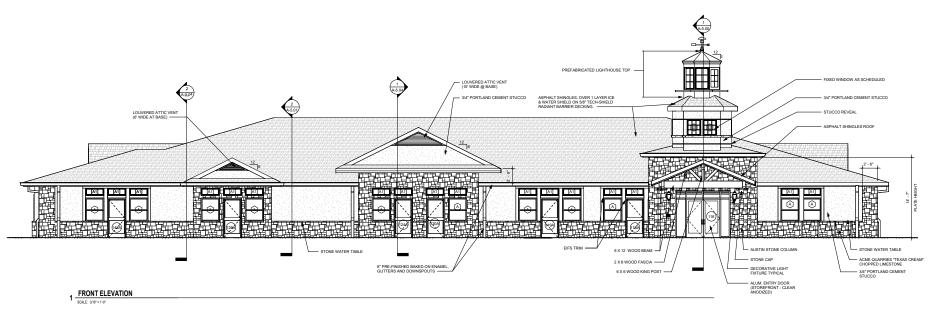


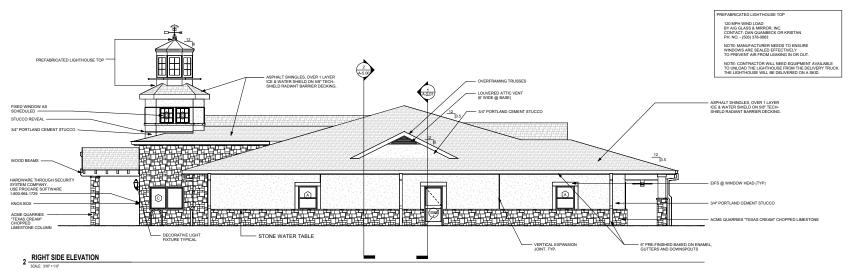














EXTERIOR MATERIAL NOTES:

STONE VENEER
PROVIDE ACME QUARRIES "TEXAS CREAM"
CHOPPED LIMESTONE
4-8-8 HEIGHT RANDOM ENDS
SOURCE FROM LOCAL QUARRY AS AVAILABLE

WINDOWS
VINYL WINDOWS, WHITE COLOR, LOW-E GLASS
MANUFACTURED SHOWCASE WINDOWS AND DOOR

ROOFING ASPHALT COMPOSITION SHINGLE: COLOR: WEATHERWOOD OVER 1 LAYER ICE & WATER SHIELD ON 5/8" TECH-SHIELD RADIANT BARRIER DECKING. MANUFACTURER: GAF - ELK (30 YEAR)

GUTTERS AND DOWNSPOUTS 6" PRE-FINISHED BAKED ON ENAMEL, SHERWIN WILLIAMS 7004 SNOWBOUN

HARDIE - FASCIA/FREEZE MANUFACTURER: JAMES HARDIE BUILDING PRODUCTS PAINT COLOR: SHERWIN WILLIAMS 7004 SNOWBOUND

STUCCO PAINT COLOR: SHERWIN WILLIAMS: SW 7572 LOTUS POD STUCCO TEXTURE: MEDIUM

ALL UTILITY METERS AND UTILITY CABINETS SHALL BE PAINTED TO MATCH THE COLOR(S) OF THE BUILDING TO WHICH IT IS ATTACHED.

EIFS - TRIM PAINT COLOR: SHERWIN WILLIAMS 7004 SNOWBOUND

ALL EXTERIOR ELEMENTS OF A BUILDING THAT ARE METAL, SUCH AS FLUES, FLASHINGS, ETC.SHALL BE PAINTED A FLAT COLOR OR ONE THAT IS A COMPATBLE COLOR WITH THE BUILDING AND NOT BE LEFT NOR ALLOWED TO BECOME BARE METAL.

VERTICAL EXPANSION JOINTS ON STUCCO AND STONE SHOULD BE ALIGNED O.C. 20' - 25' APART.

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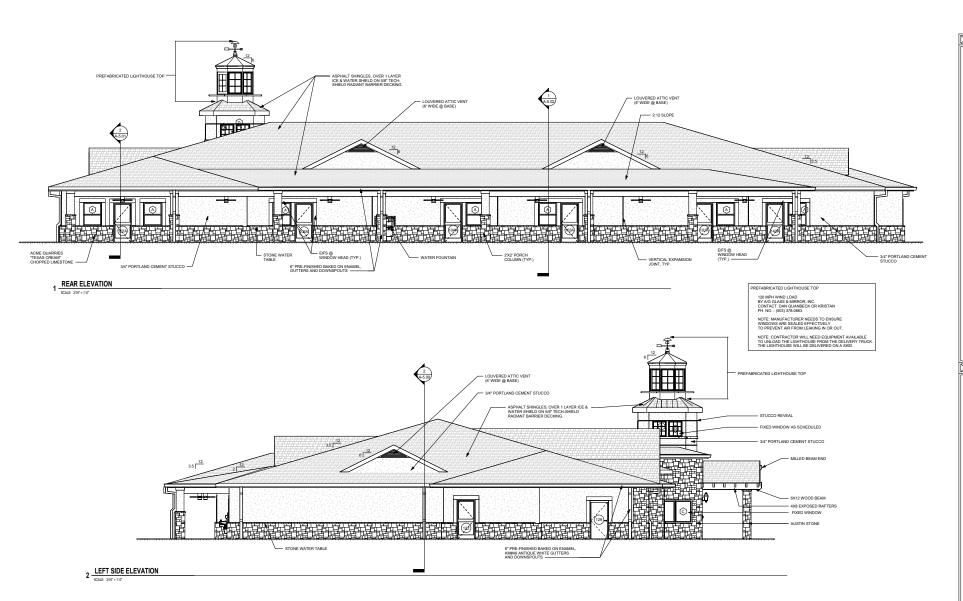


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THESE DOCUMENTS ARE PROTOTYPE DOCUMENTS ONLY FOR DESIGN REVIEW PURPOSES. THIS DOCUMENS SHALL NOT BE USED FOR BIDDING CONTRACTING, PERMITTING, OR CONSTRUCTION.

SHEET DESCRIPTION:

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STONE VENEER
 PROVIDE ACME QUARRIES "TEXAS CREAM"
 CHOPPED LIMESTONE
 4-6-8 HEIGHT RANDOM ENDS
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   6" PRE-FINISHED BAKED ON ENAMEL,
   SHERWIN WILLIAMS 7004 SNOWBOUND
- HARDIE FASCIA/FREEZE MANUFACTURER: JAMES HARDIE BUILDING PRODUCTS PAINT COLOR: SHERWIN WILLIAMS 7004 SNOWBOUND
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DRAWN BY: — A.N.B.

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SHEET DESCRIPTION:

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EXTER DR ELEVATIONS
SHEET NO.



## 1 FRONT ELEVATION RENDERING SCALE: 3/16" = 1'.0"



## 2 RIGHT SIDE ELEVATION RENDERING



#### EXTERIOR MATERIAL NOTES:

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  PROVIDE ACME QUARRIES "TEXAS CREAM"
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DRAWN BY: ANB. CHECKED BY: R.P.G. DATE: 01.01.2024 BSUED FOR PERM IT:

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PROTOTYPE FACILITY FOR

CHILDREN'S

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SHEET DESCRIPTION:

EXTER DR ELEVAT DNS RENDER



## 1 REAR ELEVATION RENDERING



## 2 LEFT SIDE ELEVATION RENDERING SCALE: 3/16" = 1'-0"



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CHILDREN'S
LIGHTHOUSE PROTOTYPE FACILITY FOR

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SHEET DESCRIPTION:

EXTER DR ELEVAT DNS RENDER

## **Exhibit B: Daycare Operations Summary**

## Address: 9714 Middlebrook Pike Knoxville, TN 37931

We appreciate the time and effort the commission has invested in reviewing our proposal for the Children's Lighthouse Childcare Facility. We have carefully considered the staff comments provided and are pleased to submit our detailed responses and updates ahead of the upcoming meeting on September 12th, 2024.

## **Children's Lighthouse Childcare Facility**

Children's Lighthouse is a premier childcare facility that stands at the forefront of early childhood education and care. Our mission is to create a safe, nurturing, and intellectually stimulating environment for children aged 6 weeks to 12 years. We are committed to fostering the holistic development of every child by integrating individualized attention, collaborative learning, and inquiry-based exploration into our daily practices.

Our expansive 11,911 square-foot, state-of-the-art facility has been meticulously designed to meet and exceed both state and local regulatory standards. With a maximum capacity of 200 children, we have carefully planned our layout to include 12 specialized classrooms. Each room is tailored to the developmental needs and age groups of our children, ensuring a supportive and enriching experience that promotes growth in all areas—cognitive, social, emotional, and physical.

## **Facility Design and Features:**

- Infant Room (6 weeks 12 months): A tranquil space designed for our youngest learners, equipped with sensory toys, cribs, and soft areas for safe exploration.
- Toddler Rooms (12 months 24 months): These rooms encourage mobility and independence, with age-appropriate furniture, learning stations, and plenty of room for play and discovery.
- Preschool Rooms (2-4 years): Our preschool classrooms are vibrant spaces where
  creativity and learning come together. They include interactive learning centers, art
  stations, and early literacy and numeracy tools, fostering both individual and group
  activities.
- Pre-Kindergarten Rooms (4-5 years): Focused on preparing children for their transition to formal schooling, these rooms emphasize early literacy, math, science, and social skills through a blend of guided instruction and play-based learning.

• School-Age Rooms (5-12 years): Designed for older children, these rooms offer a range of activities that promote continued learning, homework assistance, and social interaction, all within a supportive and supervised environment.

## **Outdoor Play Areas:**

Understanding the importance of outdoor play in a child's development, Children's Lighthouse features three spacious and thoughtfully designed playgrounds:

- **Playground 1:** Tailored for infants and toddlers (0-24 months), this area is equipped with soft surfaces and age-appropriate play structures that support motor skill development and safe exploration.
- Playground 2: Designed for children aged 2-4 years, this playground provides a
  balance of active and imaginative play opportunities. It includes climbing
  structures, slides, and sensory play areas.
- **Playground 3:** This expansive area is tailored for older children aged 4-12 years. It features a variety of activities, from sports and group games to creative play. The space encourages physical development, teamwork, and social skills in a safe and supervised environment.

## **Dedicated Staff and Educational Philosophy:**

Our team of 30-35 dedicated staff members is the backbone of Children's Lighthouse. Each staff member is highly trained in early childhood education, CPR, and first aid, ensuring a safe and nurturing environment for all children. Our educators are committed to fostering each child's confidence, curiosity, and love of learning. We utilize a curriculum that combines traditional teaching methods with modern educational philosophies, focusing on the whole child—academically, emotionally, and socially.

At Children's Lighthouse, we believe in building a strong foundation for lifelong success. We emphasize the importance of creating a community where children are encouraged to explore, learn, and grow. Our facility is not just a place for care; it is a vibrant learning community where every child is valued, supported, and inspired to shine.



# **Development Request**

Planning KNOXYILLE I KNOX COUNTY	DEVELOPMENT  ☐ Development Plan ☐ Planned Development ☑ Use on Review / Special Use ☐ Hillside Protection COA	SUBDIVISION  Concept Plan Final Plat	ZONING  Rezoning  Plan Amendment  Sector Plan  City OYP / County Comp Plan	
Ujesh Patel				
Applicant Name		Affiliation		
7/25/2024	9/12/2024	9-A-24-UR		
Date Filed	Meeting Date (if applicable)	File Number(s)		
CORRESPONDENCE	All correspondence related to this application sh	nould be directed to the ap,	proved contact listed below.	
Ujesh Patel				
Name / Company				
430 Chapel Grove Lane Farragut T	N 37934			
Address				
423-381-9911 / upatel@saihotelg	roup.com			
Phone / Email				
CURRENT PROPERTY INFO				
LKM Properties	P.O. Box 650 Powell TN 37849	86	55-352-5828	
Owner Name (if different)	Owner Address		Owner Phone / Email	
9714 MIDDLEBROOK PIKE				
Property Address				
104 8602		5.	94 acres	
Parcel ID	Part of F	Parcel (Y/N)? Tr	act Size	
West Knox Utility District	West Knox Utility [	District		
Sewer Provider	Water Provider		Septic (Y/N)	

**COMMUNITY ENGAGEMENT** 

Sign and return the **Public Notice and Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

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DEVELOPMENT REQUEST					
☐ Development Plan ☐ Planne	ed Development	✓ Use on Review / Sp	pecial Use	Related City P	ermit Number(s)
☐ Hillside Protection COA		☐ Residential ☐	Non-residential		
Home Occupation (specify)					
Other (specify) Child Care Center					
SUBDIVSION REQUEST					
				Related Rezo	ning File Number
Proposed Subdivision Name				_	
Unit / Phase Number		Total Nur	nber of Lots Created	1	
Additional Information					
Attachments / Additional Requi	rements				
ZONING REQUEST					
Zoning				Pending Pla	at File Number
Change Proposed Zoning					
Plan					
Amendment Proposed Plan De	esignation(s)				
Proposed Density (units/acre) P	revious Rezoning	Requests			
Additional Information	revious nezoriing	nequests			
STAFF USE ONLY	-				
PLAT TYPE  ☐ Staff Review ☐ Planning	g Commission		Fee 1		Total
\$1,600.00		\$1,600.00			
Property Owners / Option Hold	ers 🗌 Variar	nce Request	Fee 2		
☐ Amendment Request (Compreh	iensive Plan)				
ADDITIONAL REQUIREMENT					
<ul><li>☐ Use on Review / Special Use (Concept Plan)</li><li>☐ Traffic Impact Study</li></ul>					
COA Checklist (Hillside Protection	on)				
AUTHORIZATION					
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I declare under penalty of perjury all associated materials are being			is the owner of the pro	perty, AND 2) the	e application and
	Ujesh Pate				7/25/2024
Applicant Signature	Please Prin	nt			Date
Phone / Email					
	LKM Prope	erties			7/25/2024
Property Owner Signature	Please Prin	nt			Date

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# **Development Request**

## **DEVELOPMENT ZONING** ☐ Plan Amendment ☐ Development Plan ☐ Concept Plan □ SP □ PA ☐ Planned Development ☐ Final Plat Use on Review / Special Use ☐ Rezoning ☐ Hillside Protection COA business owner **Ujesh Patel** Affiliation Applicant Name <del>06</del>/<del>14</del>/2<del>02</del>4 September 12, 2024 File Number(s) 05/21/2024 Date Filed Meeting Date (if applicable) 9-A-24-UR **CORRESPONDENCE** All correspondence related to this application should be directed to the approved contact listed below. ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect Applicant ☐ Property Owner **Ujesh Patel** Name Company 37934 **Farragut** TN 430 Chapel Grove State ZIP Address City (423) 381-9911 upatel@saihotelgroup.com Email Phone **CURRENT PROPERTY INFO** P O BOX 650 Powell, TN 37849 (865) 352-5828 Property Owner Phone Property Owner Address 104 18602 Parcel ID West Knox N Septic (Y/N) Water Provider

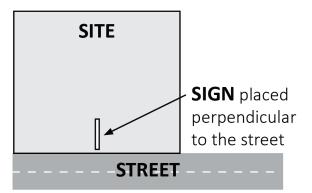
DEVELOPMENT REQUEST				
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA ☐ Residential ☐ Non-Residential  Home Occupation (specify) Child Care Center			Related City Permit Number(s)	
Other (specify)				
SUBDIVISION REQUEST				
			Related Re	zoning File Number
Proposed Subdivision Name				
☐ Combine Par	cels Divide Parcel			
Unit / Phase Number		Number of Lots Created		
Other (specify)		DE 1990 PENERO PENERO DE 1990 PENERO		) ) 4,000,000 (1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
☐ Attachments / Additional Requirements	5			
ZONING REQUEST				
□ Zaning Chango			Pending Plat File Number	
Zoning Change Proposed Zoning				
☐ Plan Amendment Change Proposed P	lan Designation(s)			
Proposed Density (units/acre)	Previous Rezoning Requests	<u> </u>		
Other (specify)				
STAFF USE ONLY				
PLAT TYPE		Fee 1	Fee 1	
☐ Staff Review ☐ Planning Commiss	ion			
ATTACHMENTS  Property Owners / Option Holders	Variance Request	Fee 2		
Amendment Request (Comprehensive Plan)			\$1,600.00	
ADDITIONAL REQUIREMENTS		Fee 3		
■ Use on Review / Special Use (Concept Plan)  □ Traffic Impact Study		1663		
☐ COA Checklist (Hillside Protection)				
AUTHORIZATION				
I declare under penalty of perjury the fore	going is true and correct:			
1) He/she/it is the owner of the property AN	ND <b>2)</b> The application and all associo	ated materials are being subn	nitted with his/h	er/its consent
	Ujesh Patel		05/2	1/2024
Applicant Signature	Please Print		Date	
(423) 381-9911	upatel@saihote	lgroup.com		
Phone Number	Email	,		
Mb Weigel	William B. Wei	sel 6/24/24		5/2024, SG
Property Owner Signature	Please Print	1 1/1	Date F	Paid



# Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## **LOCATION AND VISIBILITY**

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

## **TIMING**

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

08/30/2024	and	09/13/2024		
(applicant or staff to post sign)		(applicant to remove sign)		
Applicant Name: Ujesh Patel				
Date: 07/25/2024		Sign posted by Staff		
File Number: 9-A-24-UR		Sign posted by Applicant		