

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

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400 Main Street  
Knoxville, Tennessee 37902  
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www.knoxmpc.org

**File Number:** 11-F-04-UR                      **Related File Number:**  
**Application Filed:** 10/11/2004              **Date of Revision:**  
**Applicant:** CHRIS SAYRE  
**Owner:**

## PROPERTY INFORMATION

**General Location:** South side Westland Dr., east side Heritage Lake Blvd.  
**Other Parcel Info.:**  
**Tax ID Number:** 144 PORTION OF 30.01 OTHER: MAP ON FILE AT MPC    **Jurisdiction:** County  
**Size of Tract:** 5 acres  
**Accessibility:** Access is via Westland Dr., a two lane arterial street.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Child day care facility for up to 116 children                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** Property in the area is zoned PR residential, CA and PC commercial and A agricultural. Development consists of a growing medical office complex, convenience commercial and both single family and multi-family residential development.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property zoned PR in the 1980's

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a child day care center at this location to serve up to 116 children as shown on the development plan subject to 7 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Provide the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.
5. Meeting all applicable requirements of the Knox County Health Department.
6. Installing all landscaping, as shown on the development plan, within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Dept. of Engineering & Public Works to guarantee such installation.
7. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits.

With the conditions noted above, this request meets all requirements of the PR (Planned Residential) zoning district, as well as other criteria for approval of a use on review.

Comments: This applicant submitted a plan for a day care center that would have been located on the west side of Heritage Lake Bv. That site had constraints that resulted in the application being withdrawn. The new site is located further to the east on a tract that adjoins the existing apartment development.

The proposed day care will serve an enrollment up to 116 children. Based on the County's standards that are contained in the Knox County Zoning Ordinance, the plan will meet all of the standards excluded the amount of required outdoor play area. The plan shows the provision of 4800 sq. ft. of fenced outdoor play area. The Zoning Ordinance, based on the projected enrollment, will require 12,100 sq. ft. of fenced outdoor play area. The site has sufficient size to provide this required play space. Staff will recommend approval of the use subject o meeting all requirements of the Zoning Ordinance including the provision of adequate play space.

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

1. The proposal will have no impact on schools. Approximately 300 trips per day could be generated by this development, including drop-off and pick-up of children, as well as staff trips. Westland Dr. is adequate to handle the additional traffic and has excellent sight distance in both directions from the proposed access drive.
2. Public water and sewer utilities are available to serve the development.
3. The property is located along a minor arterial street and meets the minimum Knox County Zoning Ordinance requirements for approval of a child care facility.

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

1. The proposed daycare facility 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.

2. The proposal meets all requirements of the PR zoning district, and with the provision of the required outdoor play area it will meet the minimum requirements of Knox County Zoning Ordinance Article 4, Section 4.91, regarding child day care centers as uses permitted on review. See the attached Day Care Review sheet.

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

1. The Southwest County Sector Plan proposes low density residential uses for this site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

**MPC Action:**

Approved

**MPC Meeting Date:** 11/10/2004

**Details of MPC action:**

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**Summary of MPC action:**

APPROVE the request for a child day care center at this location to serve up to 116 children as shown on the development plan subject to 7 conditions

**Date of MPC Approval:**

11/10/2004

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

Knox County Board of Zoning Appeals

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**