

# 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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**File Number:** 12-C-09-UR                      **Related File Number:**  
**Application Filed:** 10/26/2009              **Date of Revision:**  
**Applicant:** REBEKAH JONES / YALE KIDS ACADEMY

## PROPERTY INFORMATION

**General Location:** Northeast side of Pleasant Ridge Rd., northwest side of Merchant Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 80 H C 033                      **Jurisdiction:** City  
**Size of Tract:** 6.6 acres  
**Accessibility:** Access is via Pleasant Ridge Rd., a minor arterial street with a required right-of-way of 70 feet, and Merchant Dr., a minor arterial street with a required right-of-way of 88 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Shopping center  
**Surrounding Land Use:**  
**Proposed Use:** Child Day Care Center                      **Density:**  
**Sector Plan:** Northwest City                      **Sector Plan Designation:** Commercial  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The proposed child day care center will be located within an existing community shopping center in an area that includes low and medium density residential development, mixed businesses and public schools.

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

**Street:** 5412 Pleasant Ridge Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-3 (General Commercial)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None Noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for a child day care center for up to 40 children in the C-3 zoning district, subject to 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all other applicable requirements of the Knoxville Department of Engineering.
4. If the fenced outdoor play area will include playground equipment such as slides and swings a resilient surface shall be provided over the existing asphalt within the fall zone for the equipment.
5. The dumpsters located behind the center shall be relocated a safe distance from the proposed outdoor play area.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

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 requesting approval of a use on review for a child day care center for up to 40 children at an existing shopping center located on the northeast side of Pleasant Ridge Rd. and northwest side of Merchant Dr. The child day care center will occupy approximately 3,600 square feet of the shopping center. A 6,150 square foot fenced outdoor play area will be located behind the shopping center adjacent to the day care center space. Since the play area will be located on a paved surface, a resilient surface shall be provided over the asphalt for the fall zone for any playground equipment such as slides and swings. There is adequate parking on site to handle the traffic that will be generated by the proposed use.

**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. The location of the proposed daycare facility within an existing shopping center minimizes the impact of the proposed use on less intense uses.
3. The proposal will have no impact on schools.

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

1. 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 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 since it has direct access to two minor arterial streets.
2. 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 Northwest City Sector Plan and One Year Plan propose commercial uses for this site. A child day care center may be permitted in a commercial area.

2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**Action:** Approved **Meeting Date:** 12/10/2009

**Details of Action:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all other applicable requirements of the Knoxville Department of Engineering.
4. If the fenced outdoor play area will include playground equipment such as slides and swings a resilient surface shall be provided over the existing asphalt within the fall zone for the equipment.
5. The dumpsters located behind the center shall be relocated a safe distance from the proposed outdoor play area.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

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.

**Summary of Action:** APPROVE the request for a child day care center for up to 40 children in the C-3 zoning district, subject to 6 conditions:

**Date of Approval:** 12/10/2009 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**