

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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www.knoxmpc.org

File Number: 4-L-04-UR

Related File Number:

Application Filed: 3/8/2004

Date of Revision:

Applicant: ERIN PRESLEY

Owner:

PROPERTY INFORMATION

General Location: West side Shropshire Blvd., north of W. Emory Rd.

Other Parcel Info.:

Tax ID Number: 67 A B PART OF 002 OTHER: MAP ON FILE AT MPC **Jurisdiction:** County

Size of Tract: 1 acre

Accessibility: Access is via Shropshire Blvd., a local street with 50' of right of way and 27' of pavement width, or via Harrow Gate Ln., a local street with 55' of right of way and 24' of pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Child daycare for up to 78 children

Density:

Sector Plan: North County **Sector Plan Designation:** Low Density Residential

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is developed with office and commercial uses to the south, under OA and CA zoning, with medium and low density residential uses to the north, under RB zoning.

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

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OA (Office Park) and RB (General Residential)

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:

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:

Michael Brusseau

Staff Recomm. (Abbr.):

APPROVE the development plan for a child daycare facility for up to 78 children in the OA and RB zoning districts, subject to 7 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all child daycare licensing requirements of the State of Tennessee.
4. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
5. Installing all landscaping, as shown on the development plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
6. Adhering to all attached plans and stipulations, as submitted by the applicant for purposes of this review.
7. Submitting a plat for MPC review, subdividing the subject daycare property from the larger lot and recording it as a legal lot of record.

With the conditions noted above, this request meets all requirements of the RB and OA zoning districts, as well as other criteria for approval of a use on review.

Comments:

The applicant is purchasing a portion of the subject property for development of a daycare facility for up to 78 children. This will require a total staff of 11, composed of 9 teachers and 2 administrative staff members. The proposal includes construction of a new building with a covered outdoor play area and a drop-off/pick-up covered canopy, a fenced outdoor play area, and a parking lot with 18 parking spaces.

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 200 trips per day could be generated by this development, including drop-off and pick-up of children, as well as staff trips. Shropshire Blvd. via W. Emory Rd. is adequate to handle the additional traffic.
2. Public water and sewer utilities are available to serve the development.
3. The location of the property is such that the impact to less intense uses should be minimized. To the north are apartments and a single family subdivision. To the south is Powell Post Office and to the east is Powell Middle School. A shopping center is located to the southwest. The property is already zoned OA which would allow various office uses to be placed on the property. The use of the property for a daycare facility is an appropriate use for this site, similar in intensity to other permitted uses under OA.

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

1. The proposed daycare facility development 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 OA and RB zoning districts, as well as the specific 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 North 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's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning and Appeals. The date of the appeal hearing will depend on when the appeal application is filed with the Knox County Codes Administration Department. Appellants have 30 days to appeal an MPC decision in Knox County.

MPC Action: Approved **MPC Meeting Date:** 4/8/2004

- Details of MPC action:**
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Summary of MPC action: APPROVE the development plan for a child daycare facility for up to 78 children in the OA and RB zoning districts, subject to 7 conditions:

Date of MPC Approval: 4/8/2004 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**