

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 8-B-23-UR **Related File Number:**
Application Filed: 6/26/2023 **Date of Revision:**
Applicant: MARIAH JACKSON

PROPERTY INFORMATION

General Location: Northwest side of Rutledge Pike, northeast of Idumea Rd
Other Parcel Info.:
Tax ID Number: 32 017.01 **Jurisdiction:** County
Size of Tract: 5.01 acres
Accessibility: Access is via Rutledge Pike, a median divided major arterial within a right-of-way width of 257-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Daycare center **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** AG (Agricultural), HP (Hillside Protection)
Growth Policy Plan: Rural Area
Neighborhood Context: The is rural area with a small commercial node to the west. It is mostly agricultural and with some single family residences.

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

Street: 10015 RUTLEDGE PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business), A (Agricultural)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural), HP (Hillside Protection)
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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the request for a child day care center subject to 5 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to Section 4.91, Requirements for child day care centers and group day care homes.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all applicable requirements of the Tennessee Department of Transportation.
4. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
5. Meeting all applicable requirements of the Tennessee Department of Human Services Division of Child Care.

With the conditions noted, this plan meets the requirements for approval of a day care facility in the CA (General Business) zone and the criteria for approval of a use on review.

Comments:

This development request is for a child day care center to be located on a property that is zoned CA (General Business). This day care will serve no more than 60 children.

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:

1) THE USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The General Plan's development policy 9.12 provides guidance regarding the location of day care centers. It states that such establishments should be located at the edges of neighborhoods or in village centers, and that freestanding facilities serving six or more children should be on arterial or collector streets, in a manner which will not adversely affect surrounding properties. This property is located on Rutledge Pike, a major arterial.

B. The Northeast County Sector Plan land use classification for this property is AG (Agricultural), which does not allow consideration of commercial uses. Though, the location criteria for a day care are met. The day care is located with frontage on Rutledge Pike and the scale of the development is consistent with the adjacent commercial and office uses.

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

A. A child daycare center is a use permitted on review in the CA (General Business) zone.

B. The site plan and location for the preschool are consistent with Article 4.91 of the zoning ordinance, which provides specific requirements for child day care centers when considered as a use permitted on review. These standards include a minimum lot area of 10,000 sq-ft, which is met by the lot's 4.98-acre size. The building must also provide a minimum area of 30 sq-ft of usable indoor play space per child. The floor plan indicates that each child will have at least 36 sq-ft of play space when the school is at maximum capacity. The fenced in play area outside must meet the minimum requirement of at least 2,500 sq-ft, 35-ft from the public right of way and 4-ft in height. Sufficient parking (14 spaces) has been provided and all requirements of 3.50 Off-Street parking requirements have been met.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed day care center is to be located in a small strip office center. Adjacent tenants do not pose a risk to the day care business, and the property's location is ideal for convenient access along a major arterial for the rural community. There are two driveways into the strip center. TDOT will require only one driveway to have full access and the other one to be exit only.

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

A. The proposed use is not anticipated to injure the value of adjacent property, and should provide an asset to the residential communities nearby.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
A. The day care has only one point of access and it's to Rutledge Pike, a major arterial.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

Action: Approved with Conditions **Meeting Date:** 8/10/2023

Details of Action:

Summary of Action: Approve the request for a child day care center subject to 5 conditions.

Date of Approval: 8/10/2023 **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:**