

# 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: 8-F-15-UR

Related File Number:

Application Filed: 6/29/2015

Date of Revision:

Applicant: HADEN REID

## PROPERTY INFORMATION

General Location: West side of Tazewell Pike, north of Fairview Rd.

Other Parcel Info.:

Tax ID Number: 21 01001

Jurisdiction: County

Size of Tract: 5.68 acres

Accessibility: Access is via Tazewell Pike, a minor arterial street with a 22' pavement width within a 75' right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Shopping center

Surrounding Land Use:

Proposed Use: Child day care center expansion

Density:

Sector Plan: Northeast County      Sector Plan Designation: Commercial

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The site is located in an area of mixed commercial uses near the intersection of Tazewell Pike and E. Emory Rd.

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

Street: 7323 Tazewell Pike

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business)

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 92 children in the CA zoning district, subject to 7 conditions.

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Health Department.
  2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  3. Meeting all applicable requirements of the Knox County Fire Marshal's Office.
  4. Installing all changes to the parking lot prior to obtaining an occupancy permit for the new building.
  5. Installing all landscaping as shown on the landscape plan within six months of issuance of occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee installation.
  6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  7. 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 CA zoning district, as well as other criteria for approval of a use on review.

Comments: The applicant is requesting approval for the expansion of an existing child day care center located at an existing shopping center on the west side of Tazewell Pike just north of Fairview Rd. and south of E. Emory Rd. The proposed expansion includes a new building of approximately 1430 square feet that will be located on the south end of the existing building in the area of the existing fenced in outdoor play area. With the new building, the child day care center will serve up to 92 children.

The applicant is proposing to expand the fenced in outdoor play area to the east into the existing parking lot for the shopping. The proposed redesign of the parking lot in that area will result in a net loss of 18 parking spaces. The applicant has provided a parking analysis for the shopping center and the child day care center to document that required parking will still be available.

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

1. All utilities are in place to serve the existing shopping center.
2. The location of the proposed daycare facility within an existing shopping center minimizes the impact of the proposed use on less intense uses in the area.
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 a minor arterial street.
2. The proposal meets all requirements of the CA zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

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

1. The Northeast County Sector Plan designates this site for commercial uses. A child day care center may be permitted in a commercial area.

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

**Action:** Approved **Meeting Date:** 8/13/2015

**Details of Action:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Meeting all applicable requirements of the Knox County Fire Marshal's Office.
4. Installing all changes to the parking lot prior to obtaining an occupancy permit for the new building.
5. Installing all landscaping as shown on the landscape plan within six months of issuance of occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee installation.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. 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 CA 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 92 children in the CA zoning district, subject to 7 conditions.

**Date of Approval:** 8/13/2015 **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:**