

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 97 children as shown on the development plan 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 Knox County Zoning Ordinance.
3. Providing supervised transition for the children between the day care center building and the fenced outdoor play area.
4. Subject to approval by the Tennessee Department of Transportation, Knoxville Engineering Department and the Knox County Department of Engineering and Public Works, installing signage at the two southern exits from the shopping center that identifies the prohibition of left turn movements from the shopping center during the AM and PM peak traffic hours, Monday - Friday, and installing signage at the two northern exits from the shopping center that prohibits left turns. All approved signage shall be installed prior to the opening of the child day care center.
5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
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 SC 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 facility for up to 97 children at an existing shopping center located on the east side of Alcoa Hwy south of Mount Vernon Dr. The child day care facility will occupy approximately 5,200 square feet of the shopping center. A 4,200 square foot fenced outdoor play area will be located in a grassed area behind the center. Since the play area is separated from the building by a limited access service drive, the transition of children between the two must be supervised. There is adequate parking on site to handle the traffic that will be generated by the proposed use.

There are four curb cuts onto Alcoa Hwy. for this existing shopping center. One of the southern curb cuts allows access to a median cut that allows for a left turn movement out of the shopping center. This median cut also serves as a short left turn lane for south bound traffic on Alcoa Hwy. Staff has expressed concern about the proposed day care use at this location due to the concentration of trips during the am and pm peak hours and the difficulty in making left turns out of the center. The Tennessee Department of Transportation has also expressed concern about the left turn movements (See attached letter). To help address this issue, Staff has recommended a condition that subject to approval by the Tennessee Department of Transportation, Knoxville Engineering Department and the Knox County Department of Engineering and Public Works signage shall be installed at the two southern exits from the shopping center that identifies the prohibition of left turn movements from the shopping center during the AM and PM peak traffic hours, Monday - Friday, and signage shall be installed at the two northern exits from the shopping center that prohibits left turns.

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.
2. The addition of signage restricting left turn movements from the shopping center should improve traffic safety for the area.
3. Public water and sewer utilities are available to serve the site.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY

ZONING ORDINANCE

1. The proposed child day care 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 SC zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The South County Sector Plan proposes 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:** 9/10/2009

- Details of Action:**
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 2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
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 5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
 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 SC 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 97 children as shown on the development plan subject to 6 conditions

Date of Approval: 9/10/2009 **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:**