

# 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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

File Number: 9-F-15-UR

Related File Number:

Application Filed: 7/27/2015

Date of Revision:

Applicant: URBAN ENGINEERING, INC.

## PROPERTY INFORMATION

General Location: Southwest side of S. Peters Road, North of George Williams Road

Other Parcel Info.:

Tax ID Number: 132 F C 003

Jurisdiction: County

Size of Tract: 1.67 acres

Accessibility: Access is via S. Peters Rd., a minor arterial with a pavement width of 58' within a 93' wide right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant

Surrounding Land Use:

Proposed Use: Child day care center

Density:

Sector Plan: Southwest County Sector Plan Designation: O (Office)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The site is located along S. Peters Rd. which has been transitioning to small office uses. The proposed child day care center will be located in front of an existing senior housing facility.

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

Street: 267 S Peters Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: OB (Office, Medical, and Related Services)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

## 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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the request for the child day care center for up to 180 children, as shown on the site plan subject, to 1 condition:

Staff Recomm. (Full): 1. Prior to the issuance of the certificate of occupancy, the existing sign for Heritage Home for Seniors must be relocated to the their own property (Lot 18R2) or a subdivision plat must be recorded which incorporates the existing sign into the aforementioned lot.

Comments: The site for the proposed child day care center (Primrose School) was originally owned by Heritage Home for Seniors, which is located behind the school. When Heritage Homes applied for a sign permit in 1998, the site plan shows the sign in its currently located but it did not indicate that it is on a different lot than their facility. This is considered an off-premise sign and not allowed according to the zoning regulations. In addition, each property is only allowed 1 detached sign per street frontage, which would preclude Primrose from having their own detached sign. The recommended condition of approval includes the two options for resolving this issue and as a "Site Plan Note" on sheet C-1 of the submitted site development plan.

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

- 1. Public water and sewer is available to serve the site.
- 2. The site has sufficient sight distance for vehicles exiting onto S. Peters Road at the proposed driveway location.
- 3. This request will have no impact on schools and minimal impact to adjacent properties.

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

- 1. The proposal is consistent with all requirements of the OB zoning district, as well as the requirements for child day care centers when considered as a use permitted on review.
- 2. The proposed use 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 plans include appropriate landscaping and setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

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

- 1. The Southwest County Sector Plan proposes office uses for this property. The OB zoning is consistent with the sector plan designation and allows child day care centers to be considered as a use permitted on review.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

Action: Approved with Conditions

Meeting Date: 9/10/2015

Details of Action: 1. Prior to the issuance of the certificate of occupancy, the existing sign for Heritage Home for Seniors must be relocated to the their own property (Lot 18R2) or a subdivision plat must be recorded which incorporates the existing sign into the aforementioned lot.

Summary of Action: APPROVE the request for the child day care center for up to 180 children, as shown on the site plan subject, to 1 condition:

Date of Approval: 9/10/2015

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:**