

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 1-B-25-UR **Related File Number:**
Application Filed: 11/25/2024 **Date of Revision:**
Applicant: ALEXIS PROFFITT

PROPERTY INFORMATION

General Location: North side of Asheville Hwy, west of Arms Rd
Other Parcel Info.:
Tax ID Number: 62 210 **Jurisdiction:** County
Size of Tract: 1.44 acres
Accessibility: Access is via Asheville Highway, a TDOT-owned, four-lane, major arterial street with a divider median within 150 ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Office
Surrounding Land Use:
Proposed Use: Childcare center expansion **Density:**
Planning Sector: East County **Plan Designation** CMU (Corridor Mixed-use)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is on Asheville Highway in the Carter community, surrounded by a mix of office, commercial, and residential uses.

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

Street: 8537 ASHEVILLE HWY
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: In 1995 the property was rezoned from A (Agricultural) to OB (Office, Medical, and Related Services) (case # 9-B-95-RZ) (the applicant had requested CA (General Business)).

PLAN INFORMATION (where applicable)

Current Plan Category: Office

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 an upper floor expansion to an existing child day care center, subject to 4 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 Knox County Fire Prevention Bureau.
4) 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 daycare facility in the OB (Office, Medical, and Related Services) zone and the criteria for approval of use on review.

Comments: This request is for an expansion of an existing child daycare center from 2,000 sq ft to 3,514 sq ft in the OB (Office, Medical, and Related Services) zone. The daycare has been serving 54 children and will now serve 109 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 PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.
 - A. CMU (Corridor Mixed-Use) areas are appropriate for moderate-scale walkable mixed-use development occurring along major corridors. These areas may incorporate office, retail, civic, residential, and community gathering spaces both vertically and horizontally and shall provide connectivity to nearby neighborhoods. The proposed daycare center provides services consistent with the intent of this land use classification.
 - B. Implementation Plan 5 -- Create neighborhoods with a variety of housing types and amenities in close proximity. This daycare is located within 0.25 miles of two rural crossroad areas, Four Way In and Carter Community, as identified as a development area in the East Knox Community Plan (pg. 49).
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.
 - A. The OB zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods. The OB zone allows consideration for child day care centers provided they meet the requirements of section 4.91, "Requirements for child day care centers and group day care homes, when considered as uses permitted on review."
1. The total lot area shall not be less than ten thousand (10,000) square feet. --This site is approximately 1.3 acres and will not be increasing or decreasing.
2. The building must provide thirty (30) square feet per child of usable indoor play space, not including halls, kitchen, or office space.-- The upper floor will have 1,643 sq ft of usable floor space and a maximum of 52 children. The square footage allows up to 54 children.
3. A fenced play area of not less than two thousand five hundred (2,500) square feet for the first twenty (20) children shall be provided. For every additional child, an additional one hundred (100) square feet shall be provided. No portion of the fenced play area shall be closer than thirty-five (35) feet to any public right-of-way. The minimum height of the fence shall be four (4) feet. -- The playground is 8,307

- sq ft. This is more than large enough for the 30 children on the playground at one time.
4. Off-street parking, as regulated in section 3.50, "Off-Street parking requirements." In addition, parking and loading areas shall be designed for safe off-street loading and unloading of children, as well as safe and convenient ingress and egress to and from the property. The off-street parking and circulation plan shall be designed to meet the requirements of the department of engineering and public works. --The facility is in an office building with adequate parking and an area to safely drop off children.
5. When child day care centers are proposed in commercial or industrial areas, the planning commission shall consider the nature of the surrounding land use and zoning pattern with regard to traffic, noise, pollution, or other hazards that could endanger the health, safety, and welfare of the children.-- The subject site is an office building on the edge of a small commercial area along Asheville Highway. The facility is located in the lower level of the building, which will reduce noise and visibility from the road, and provide at-grade access to the rear of the property where the outdoor play area is located. Residential uses are located behind the facility.
6. The planning commission shall consider the above requirements and other information about the site, including the functional street classification of the street accessing the site, and the character of surrounding development in determining whether to deny or approve a request. Any approval shall state the maximum number of children to be kept at the facility. -- Asheville Highway is a major arterial street. The daycare center is requesting a maximum of 54 children.

The proposed day care facility meets the general purpose and intent of the Knox County Zoning Ordinance as a permitted use on review.

- 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. Only the interior of the building is changing. The playground and parking areas will remain the same.
- 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 continue to provide an asset to the residential communities nearby.
- 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
A. The daycare center is on an arterial street and will not draw traffic through residential areas.
- 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 uses within the development.

Action: Approved with Conditions **Meeting Date:** 1/9/2025

Details of Action:

Summary of Action: Approve the request for an upper floor expansion to an existing child day care center, subject to 4 conditions.

Date of Approval: 1/9/2025 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission	
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: