

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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w w w • k n o x m p c • o r g

File Number: 10-C-12-UR **Related File Number:**
Application Filed: 8/27/2012 **Date of Revision:**
Applicant: KRISTEN CHRISTOPHER

PROPERTY INFORMATION

General Location: East side of Hackberry Rd., north of Hazelnut Dr.
Other Parcel Info.:
Tax ID Number: 791A010 **Jurisdiction:** County
Size of Tract: 0.85 acres
Accessibility: Access is via Hackberry Rd., a local street with a pavement width of 19' within a 50' wide right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling / day care
Surrounding Land Use:
Proposed Use: Child day care center for up to 32 children **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low density residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located within a developed residential subdivision. Zoning in the area A (Agricultural) OB (Office, Medical and Related Services) and CA (General Business).

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

Street: 3404 Hackberry Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a child day care center to serve up to twenty (20) children (applicant requests 32 children) as shown on the site plan subject to 6 conditions

Staff Recomm. (Full):

1. Approval of this request is subject to the applicant maintaining this location as her residence. Should she move from this location, this approval shall be nullified
2. Providing the required outdoor fenced play area and parking as required by the Knox County Zoning Ordinance
3. Meeting all other applicable requirements of the Knox County Zoning Ordinance.
4. Meeting all applicable requirements of the Knox County Health Department.
5. Meeting all 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 Human Services

With the conditions noted, this plan meets the requirements for approval in the A (Agricultural) zone and the other criteria for approval of a use on review

Comments: The applicant currently operates a group day care facility at this location. As a group day care facility in the A (Agricultural) she is permitted to care for up to 12 children in her home. She is now requesting approval of a day care center that would serve up to 32 children. If approved Ms. Christopher has stated that she would move out of the house and the day care would operate as a free standing business. During the review process, staff informed the applicant that we would not support her request for a free standing day care center in the midst of this residential neighborhood. Staff recommended that she consider caring for a lesser number of children and staying in her home. She has informed staff that she would now like MPC to consider approving a request for up to twenty children. With that number of children she would stay in her home and could meet all of the required zoning standards for the use.

Staff believes that an in home day care center with only twenty children can be accommodated in the neighborhood with little impact. We will recommend that if the applicant chooses to move her place of residence, the day care center will have to cease operation. Staff believes, that as an in home operation, the applicant will be more accessible to the neighbors should any problems arise. The applicant will have to expand the existing outdoor fenced play area and will need provide the required parking on the site.

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

1. Public water and sewer utilities are in place to serve the site.
2. The recommendation which limits the use to twenty children is in keeping with the scale and intensity of the existing group day care use and will not be out of character with the adjacent development and zoning patterns.
3. The traffic impact will be minimal due to the fact that the applicant is already operating a group day care facility at this location.
3. The proposed facility will place no additional demand on schools.

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

1. The proposed development as recommended is consistent with all relevant requirements of the A agricultural zoning, as well as other criteria for approval of a use on review.

2. The development as recommended is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw a substantial amount of additional traffic through residential areas since the site has direct access to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The Northwest County Sector Plan proposes low density residential uses for the site.
- 2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 10/11/2012

Details of Action:

Summary of Action: APPROVE the request for a child day care center to serve up to twenty (20) children (applicant requests 32 children) as shown on the site plan subject to 6 conditions

Date of Approval: 10/11/2012 **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:**