

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
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 10-D-06-UR **Related File Number:**
Application Filed: 9/1/2006 **Date of Revision:** 10/13/2006
Applicant: EMMETT & JANET WADE
Owner:

PROPERTY INFORMATION

General Location: West side of Fox Rd., northwest of Donovan Ln.
Other Parcel Info.:
Tax ID Number: 131 L A 013 & 014 **Jurisdiction:** County
Size of Tract: 2.74 acres
Accessibility: Access is via Fox Rd., a minor collector street with 40' of right of way and 18' of pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Group day care for up to 12 children **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** O
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is development with residential uses under Agriculture zoning to the south and commercial uses under Commercial zoning to the north. The site is located in an area which is in transition to office uses.

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

Street: 145 Fox 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:

Surveyor:

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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a day care facility for up to 12 children at this location subject to the following 8 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 the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance.
 4. Submitting a lease agreement allowing the applicant to use lots 145 and 141 Fox Rd.
 5. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
 6. Providing 4 parking spaces and meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
 7. Removing vegetation along Fox Rd. in order to improve sight distance.
 8. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.

With the conditions noted above, this request meets all requirements of the A (Agriculture) zoning district, as well as other criteria for approval of a use on review.

Comments: The applicant is proposing to operate a day facility off Fox Rd. The proposed day care will serve an enrollment up to 12 children and have 2 teachers. The site is zoned A (Agriculture) and because the provider does not reside on the property, day care facilities are a use permitted on review. The use will occupy an existing house which is approximately 1,001 square feet in size and a 2,560 square foot outdoor fenced play area. The outdoor play space is proposed to be located on 2 separate parcels. The applicant has submitted a written lease agreement signed by the owner of the property to allow the use of lots 141 and 145 Fox Rd. for the outdoor play space. The applicant is proposing to have 2 teachers/instructor. In order to satisfy the parking requirements of the Knox County Zoning Ordinance, the applicant will be required to provide 2 parking spaces for the teachers and 2 parking for the children (1 per 8 children). The applicant is planning on providing 5 parking spaces (1 handicapped).

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. Fox Rd. is a minor collector and is adequate to handle the additional traffic and has adequate sight distance in both directions from the proposed access drive.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a minor collector street and meets the minimum Knox County Zoning Ordinance requirements for approval of a child care facility.

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

1. The proposed daycare 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 A zoning district (See the attached Day Care Review sheet).

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes office uses for this site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action: Approved

MPC Meeting Date: 11/9/2006

- Details of MPC action:**
1. Meeting all applicable requirements of the Knox County Health Department
 2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 3. Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance.
 4. Submitting a lease agreement allowing the applicant to use lots 145 and 141 Fox Rd.
 5. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
 6. Providing 4 parking spaces and meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
 7. Removing vegetation along Fox Rd. in order to improve sight distance.
 8. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.

With the conditions noted above, this request meets all requirements of the A (Agriculture) zoning district, as well as other criteria for approval of a use on review.

Summary of MPC action: APPROVE the request for a day care facility for up to 12 children at this location subject to the following 8 conditions:

Date of MPC Approval: 11/9/2006

Date of Denial:

Postponements: 30

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: