

# 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-08-UR  
**Application Filed:** 9/2/2008  
**Applicant:** PAULA STEPHENS

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Southwest side of S. Peters Rd., northwest of Tyrone Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 132 F C 001 **Jurisdiction:** County  
**Size of Tract:** 1 acres  
**Accessibility:** Access is via S. Peters Rd., a minor arterial street with a five lane section within a required 100' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Day care facility for up to 50 children **Density:**  
**Sector Plan:** Southwest County **Sector Plan Designation:** Office  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area along S. Peters Rd. that is a transition zone between mixed commercial development closer to Kingston Pike and mixed residential and office uses to the south.

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

**Street:** 252 S Peters Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** OA (Office Park)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property was rezoned from A to OA in 1995 for a day care facility (12-F-95-RZ).

## 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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the request for a day care facility for up to 50 children at this location, subject to the following 9 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. Submitting a revised scaled site plan showing the 13 required parking spaces and their dimensions along with the driveway aisle widths as per the requirements of the Knox County Zoning Ordinance to MPC staff and to the Knox County Dept. of Engineering and Public Works prior to the day care becoming operational.
4. Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance (5,500 square feet).
5. Providing 13 parking spaces (7 for the children and 6 for the teachers/instructors).
6. The outdoor play area will be required to provide suitable surface material to prevent injuries, such as unitary materials or loose-fill materials.
7. Improving the existing driveway and parking spaces as per the Knox County Department of Engineering and Public Works.
8. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
9. 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 OA (Office Park) zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is proposing to operate a day care facility off S. Peters Rd. The proposed day care will serve an enrollment of up to 50 children and have 7 teachers. The site is zoned OA (Office Park), and day care facilities are a use permitted on review. The use will be located inside of an existing house that has been used for a school and a real estate office in recent years. The facility will occupy 2,600 square feet of the total 3,039 square foot house and provide for a 5,500 square foot outdoor fenced play area. The applicant is proposing to have 7 teachers/instructors. In order to satisfy the parking requirements of the Knox County Zoning Ordinance, the applicant will be required to provide 6 parking spaces for the teachers and 7 parking spaces for the children (1 per 8 children).

**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. S. Peters Rd. is a minor arterial street and is adequate to handle the additional traffic.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a minor arterial 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 OA 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:** 10/9/2008

- 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. Submitting a revised scaled site plan showing the 13 required parking spaces and their dimensions along with the driveway aisle widths as per the requirements of the Knox County Zoning Ordinance to MPC staff and to the Knox County Dept. of Engineering and Public Works prior to the day care becoming operational.
  - 4. Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance (5,500 square feet).
  - 5. Providing 13 parking spaces (7 for the children and 6 for the teachers/instructors).
  - 6. The outdoor play area will be required to provide suitable surface material to prevent injuries, such as unitary materials or loose-fill materials.
  - 7. Improving the existing driveway and parking spaces as per the Knox County Department of Engineering and Public Works.
  - 8. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
  - 9. 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 OA (Office Park) 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 50 children at this location, subject to the following 9 conditions:

**Date of MPC Approval:** 10/9/2008

**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:**