

# 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:** 11-B-06-UR

**Related File Number:**

**Application Filed:** 10/9/2006

**Date of Revision:**

**Applicant:** TRACY HERMAN

**Owner:**

## PROPERTY INFORMATION

**General Location:** Southeast side of Wilson Rd., northwest side of Peltier Rd.

**Other Parcel Info.:**

**Tax ID Number:** 80 E D 009

**Jurisdiction:** City

**Size of Tract:** 22400 square feet

**Accessibility:** Access is via Wilson Rd., a collector street with a pavement width of 20' within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Detached dwelling

**Surrounding Land Use:**

**Proposed Use:** Child day care facility for up to 7 children

**Density:**

**Sector Plan:** Northwest City      **Sector Plan Designation:** LDR

**Growth Policy Plan:** Urban Growth Area (Inside City Limits)

**Neighborhood Context:**

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

**Street:** 1606 Wilson Rd

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential)

**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:** Dan Kelly

**Staff Recomm. (Abbr.):** APPROVE the request for a child day care center for up to 7 children at this location subject to 6 conditions

- Staff Recomm. (Full):**
1. Meeting all applicable requirements of the Knox County Health Department.
  2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
  3. Installing the required parking prior to operation of the day care center.
  4. Providing the required 4000 sq. ft fenced play area as required by the Knoxville zoning ordinance or obtaining a variance to this requirement from the Knoxville Board of Zoning Appeals prior to beginning operation of this child care facility.
  5. Meeting all applicable requirements of the Knoxville Engineering Division.
  6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, the request meets the requirements for approval of a child day care center in the R-1 zone as a use-on-review.

**Comments:** The applicant is proposing to operate a day care facility to serve up to 7 children. The use will occupy a portion of her residence located on Wilson Rd. The applicant will be living on site. 1222 square feet of the dwelling will be used for the day care center. There will be two staff members for the day care center. The site which is zoned R-1 allows consideration of a child day care center as a use on review. The development plan presented by the applicant shows a fenced play area of 2025 square feet. The Knoxville Zoning Ordinance requires a fenced play area of 4000 square feet for the requested facility. The applicant will have to provide the required fenced play area or obtain a variance to that requirement from the Knoxville Board of Zoning Appeals.

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

1. The proposed child day care center will have minimal impact on local services since all utilities are in place to serve this facility.
2. The proposed child day care center will have minimal impact on traffic since the facility is located on a collector street.
3. The proposed use is consistent with the detached dwellings found in the area.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. With the recommended conditions, the proposed child day care center can meet all of the requirements of the Knoxville Zoning Ordinance.
2. The proposed child day care center 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 have an impact on drawing traffic through residential areas since it is located on a collector street.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Northwest City Sector Plan and the Knoxville One Year Plan identify the property for low density residential use. The proposed development is consistent with this use because day care facilities are

allowed as a use permitted on review in the R-1 zoning district.

2. The site is located within the Urban Growth Area Inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:** Approved as Modified

**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 and obtaining all required permits from the Tennessee Department of Human Services.
  3. Installing the required parking prior to operation of the day care center.
  4. Providing the required 4000 sq. ft fenced play area as required by the Knoxville zoning ordinance or obtaining a variance to this requirement from the Knoxville Board of Zoning Appeals prior to beginning operation of this child care facility.
  5. Meeting all applicable requirements of the Knoxville Engineering Division.
  6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.
  7. Access via Wilson Road only (Added by Commission 11/9/06)
- With the conditions noted, the request meets the requirements for approval of a child day care center in the R-1 zone as a use-on-review.

**Summary of MPC action:** APPROVE the request for a child day care center for up to 7 children at this location subject to 7 conditions

**Date of MPC Approval:** 11/9/2006

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**