# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



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File Number:	3-B-08-UR
Application Filed:	2/4/2007
Applicant:	WEST END ACADEMY

#### PROPERTY INFORMATION

General Location:	Northwest side of McKamey Rd, northwest of Brierley Dr.		
Other Parcel Info .:			
Tax ID Number:	92 093.02	Jurisdiction:	County
Size of Tract:	15.92 acres		
Accessibility:	Access is via McKamey Rd., a major collector street with a 19' pavement within a 60' right-of-way.		

**Related File Number:** 

Date of Revision:

# GENERAL LAND USE INFORMATION

Existing Land Use:	School		
Surrounding Land Use:			
Proposed Use:	Day care facility for up	to 25 children	Density:
Sector Plan:	Northwest County	Sector Plan Designation: LDR &	SLPA
Growth Policy Plan:	Urban Growth Area		
Neighborhood Context:	This property is located in an established residential area that has been developed under A, R-1, RP-1 and RA zoning.		

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

Street:

5311 McKamey 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:	Kelley Schlitz
Staff Recomm. (Abbr.):	APPROVE the request for a day care facility for up to 25 children at this location subject to the following 9 conditions:
Staff Recomm. (Full):	<ol> <li>Meeting all applicable requirements of the Knox County Health Department</li> <li>Meeting all applicable requirements of the Knox County Zoning Ordinance.</li> <li>Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance.</li> <li>The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.</li> <li>Paving the existing gravel driveway for the first 100' off McKamey Rd. along with paving the lower parking area (see site plan).</li> <li>Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.</li> <li>Certifying on the development plan by the applicant's surveyor that there is 300' of sight distance from the existing driveway onto McKamey Rd., adjusting the location of the driveway to achieve sight distance or limiting the access to right-in/right-out.</li> <li>Maintaining a 25' undisturbed buffer around the on-site sinkhole/pond.</li> <li>Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.</li> </ol>
	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 care facility off McKamey Rd. The proposed day care will serve an enrollment up to 25 children and have 3 teachers. The site is zoned A (Agriculture), and day care facilities are a use permitted on review. The use will be located inside of the existing West End Academy School and occupy a 787 square foot area and a 3,080 square foot outdoor fenced play area. The applicant is proposing to have 3 teachers/instructors. 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 4 parking for the children (1 per 8 children).
	The existing driveway to the school and parking area are not paved. As part of this use-on-review, the applicant will be required to pave the first 100' of the driveway due to the current grade and pave the parking area in order to adequately identify the parking spaces. The applicant will also be required to certify 300' of sight distance in both directions from the proposed driveway onto McKamey Rd. If the applicant is unable to do so, the Knox County Dept. of Engineering and Public Works has stated that in lieu of establishing the required 300' of sight distance, the applicant could limit the access to right-in right-out in order to prevent potential traffic accidents, or adjust the location of the driveway.
	<ul> <li>EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE</li> <li>1. The proposal will have no impact on schools.</li> <li>2. McKamey Rd. is a major collector and is adequate to handle the additional traffic. There appears to be inadequate sight distance in both directions from the proposed driveway. This will have to be certified or the access will have to be moved or limited to right-in/right-out.</li> <li>3. Public water and sewer utilities are available to serve the development.</li> <li>4. The property is located along a major collector street and meets the minimum Knox County Zoning Ordinance requirements for approval of a child care facility.</li> </ul>
	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

	use is compatible with significantly injure the residential areas.	the character of the neighborhood whe value of adjacent property. The use w	
	1. The Northwest Cou this site.	E PROPOSAL TO ADOPTED MPC P nty Sector Plan proposes low density r within the Urban Growth Area of the Kr	esidential and slope protection uses for
MPC Action:	Approved		MPC Meeting Date: 3/13/2008
Details of MPC action:	<ol> <li>Meeting all applicable requirements of the Knox County Health Department</li> <li>Meeting all applicable requirements of the Knox County Zoning Ordinance.</li> <li>Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance.</li> <li>The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.</li> <li>Paving the existing gravel driveway for the first 100' off McKamey Rd. along with paving the lower parking area (see site plan).</li> <li>Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.</li> <li>Certifying on the development plan by the applicant's surveyor that there is 300' of sight distance from the existing driveway onto McKamey Rd., adjusting the location of the driveway to achieve sight distance or limiting the access to right-in/right-out.</li> <li>Maintaining a 25' undisturbed buffer around the on-site sinkhole/pond.</li> <li>Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.</li> </ol>		
		ted above, this request meets all requi r criteria for approval of a use on revie	
Summary of MPC action:	APPROVE the request 9 conditions:	t for a day care facility for up to 25 child	dren at this location subject to the following
Date of MPC Approval:	3/13/2008	Date of Denial:	Postponements:
Date of Withdrawal:	١	Withdrawn prior to publication?:	Action Appealed?:
	LEGISLAT	IVE ACTION AND DISPOSI	ΓΙΟΝ

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: