

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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File Number: 3-B-13-UR
Application Filed: 1/28/2013
Applicant: DEBORAH BENTON

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: South side of Strolling Dr., east side of Rambling Rd.
Other Parcel Info.:
Tax ID Number: 80 L C 001 **Jurisdiction:** City
Size of Tract: 16500 square feet
Accessibility: Access is via Strolling Dr. and Rambling Rd., local access streets with an 18' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Child Day Care Center - 13 children / Residence **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an established residential neighborhood.

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

Street: 4324 Strolling Dr
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:

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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for a child day care center to serve up to thirteen (13) children as shown on the site plan subject to 5 conditions

Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Addition of a new fence line at least 35' back from the right-of-way line for Rambling Rd. in order to meet the setback requirements for fenced in outdoor play areas from public streets.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.

With the conditions noted above, this request meets all requirements of the R-1 zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is proposing to operate a child day care center to serve up to 13 children. The use will occupy a portion of her residence located on Strolling Dr. Approximately 634 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 existing fenced yard extends up to the right-of-way for Rambling Rd. The Zoning Ordinance requires a 35' setback from the right-of-way for the fenced in play area. The development plan presented by the applicant shows a new fence line that will meet the setback requirement with a fenced in play area of 4100 square feet. A 4000 square foot play area is required.

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 site.
- 2. The traffic impact will be minimal due to the limited size of the center and the primary use of the site being a residence.
- 3. The proposed facility will place no additional demand on schools.

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 draw a substantial amount of traffic through the residential area.

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.

Action: Approved

Meeting Date: 3/14/2013

Details of Action:

Summary of Action: APPROVE the request for a child day care center to serve up to thirteen (13) children as shown on the site plan subject to 5 conditions

Date of Approval: 3/14/2013

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: