

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: 6-F-15-UR **Related File Number:**
Application Filed: 4/27/2015 **Date of Revision:**
Applicant: CYNTHIA DAVIS LISA EPPS

PROPERTY INFORMATION

General Location: Southeast side of Kim Watt Dr., north of Lonas Dr.
Other Parcel Info.:
Tax ID Number: 107 C B 002 **Jurisdiction:** City
Size of Tract: 0.4 acres
Accessibility: Access is via Kim Watt Rd., a local street with a pavement width of 20' within a 40' wide right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached dwelling
Surrounding Land Use:
Proposed Use: Child day care center for up to 12 children **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is surrounded by detached dwellings. However, there is a mixture of housing types and densities found in the area. The Sunflower apartment development is located in this area. Zoning found in the area consists of R-1, R-1A and RP-1 residential zones.

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

Street: 1939 Kim Watt 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:

Dan Kelly

Staff Recomm. (Abbr.):

APPROVE the request for the applicant to provide an in home child care facility for up to 12 children at this location subject to the following 10 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Dept.
2. Obtaining and maintaining the appropriate license from the State of Tennessee Dept. of Human Services
3. Provision of a total of 5 off-street parking spaces (2 for the dwelling and 3 for the business)
4. Limiting the hours of operation of the day care to 7:00 AM to 7:00 PM
5. This use on review for a day care center will terminate at the time this applicant vacates the premises.
6. No signage will be permitted.
7. Meeting all requirements of Article 5 Section 3 of the Knoxville Zoning Ordinance (Development Standards for Private Day Nurseries and Kindergartens)
8. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
9. Meeting all applicable requirements of the Knoxville Engineering Dept.
10. Failure to adhere to these conditions of approval and all other applicable requirements of the Knoxville Zoning Ordinance will, after due process, result in revocation of the approval of this use on review

With the conditions noted, the request meets the requirements for approval in the R-1 zone and the other criteria for approval of a use on review

Comments:

Ms. Davis is requesting approval of an in home child day care facility that consists of her and one employee providing care for up to 12 children in her home. The information submitted with this request suggests that requirements of Knoxville Zoning Ordinance pertaining to child day care are, or can be, met. Staff will recommend that if approved this use on review be terminated at the time Ms. Davis no longer lives in the dwelling. Staff is recommending approval of this request as an in home day care facility and not as free standing business.

The site is located approximately 400' north of Lonas Dr. It is surrounded by detached homes, however other residential uses are found in the immediate area. Staff believes that a small, in home, day care facility at this location will not have a negative impact on the surrounding area,

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. Public water and sewer utilities are available to serve the site
3. The property is located along a local street. No negative traffic impact is anticipated.
5. The applicant will be required to provide off-street parking for both the dwelling and the home occupation.

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

1. The proposed child day care facility is consistent with the general standards for uses permitted on review: The proposed use 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 draw a minimal amount of additional

traffic through this residential area.

2. The proposal meets all relevant requirements of the R-1 zoning district, as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the Northwest City Sector Plan and One Year plan for the area which proposes LDR (Low Density Residential)

Action: Approved **Meeting Date:** 6/11/2015

Details of Action:

Summary of Action: APPROVE the request for the applicant to provide an in home child care facility for up to 12 children at this location subject to the following 10 conditions

Date of Approval: 6/11/2015 **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:**