

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: 9-A-15-UR
Application Filed: 7/21/2015
Applicant: KIMBERLY ROCKER

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southwest side of Tillery Rd., south of Britton Dr.
Other Parcel Info.:
Tax ID Number: 80 C A 019 **Jurisdiction:** City
Size of Tract: 23560 square feet
Accessibility: Access is via Tillery Rd., a minor collector street with a 24' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Child day care center expansion
Surrounding Land Use:
Proposed Use: Child Day care center for up to 30 children **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR 9Low Dwnsity Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an area southwest of the Clinton Highway and Merchant Dr. intersection that includes a mix of single-family and multi-family residential development.

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

Street: 5233 Tillery 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: A child day care center for up to 20 children was approved by MPC June, 2006

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 a child day care center with a maximum enrollment of up to 30 children at this location subject to the following 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. Provision of a minimum of 8 off street parking spaces, or as directed by the Knoxville Engineering Dept., prior to expansion of the day care center.
4. Maintaining the required amount of fenced outdoor play space as required by the Knoxville Zoning Ordinance.
5. Meeting all applicable requirements of the Knoxville Engineering Dept..
6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the R-1 (Low Density Residential) District and the general criteria for approval of a Use-on-Review.

Comments:

The applicant is proposing to expand an existing day care to serve up to 30 children. The current facility was approved in 2006 and is permitted to provide service for up to 20 children. The applicant is proposing to enclose an existing attached carport to create the additional building square footage needed in order to accommodate the additional children. The applicant will not be living on site. The entire 1550 square foot building will be used for the day care center. There is approximately 1220 square feet of the building that is available for use as activity areas for the children. There will be up to six 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 application. The application meets all of the requirements for a day care center with the addition of the fenced in play areas at the side and rear of the building and with the addition of the parking area at the front of the building.

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 development.
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 mix of detached and attached residential development found in the area.

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

1. The proposed child day care center meets all of the requirements of the Knoxville Zoning Ordinance with the recommended conditions.
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 neighborhoods 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 on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved

Meeting Date: 9/10/2015

Details of 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. Provision of a minimum of 8 off street parking spaces, or as directed by the Knoxville Engineering Dept., prior to expansion of the day care center.
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5. Meeting all applicable requirements of the Knoxville Engineering Dept..
6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the R-1 (Low Density Residential) District and the general criteria for approval of a Use-on-Review.

Summary of Action:

APPROVE the request for a child day care center with a maximum enrollment of up to 30 children at this location subject to the following 6 conditions:

Date of Approval: 9/10/2015

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: