



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 6-K-06-UR

AGENDA ITEM #: 95

AGENDA DATE: 6/8/2006

▶ **APPLICANT:** TRACY ROBINSON

OWNER(S): TRACY ROBINSON

TAX ID NUMBER: 80 C A 019

JURISDICTION: City Council District 3

▶ **LOCATION:** Southwest side of Tillery Rd., south of Britton Dr.

▶ **APPX. SIZE OF TRACT:** 23560 square feet

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Tillery Rd., a minor collector street with a 24' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

▶ **ZONING:** R-1 (Single Family Residential)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Child Day Care Center

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences / R-1A (Low Density Residential)

South: Residences / R-1 (Single Family Residential)

East: Multi-family residences / R-1A (Low Density Residential)

West: Multi-family residences / R-1A (Low Density Residential)

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.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for a child day care center for up to 20 children at this location subject to the following 6 conditions:

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 as designated on the development plan prior to operation of the day care center.
4. Installing the required fencing around the required play areas as designated on the development plan prior to operation of the day care center.
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 20 children. The use will occupy a former residence located on Tillery Rd. The applicant will not be living on site. The entire 1125 square foot building will be used for the day care center. There is approximately 795 square feet of the building that is available for use as activity areas for the children. There will be up to five 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 single-family and multi-family residential development found in the area.

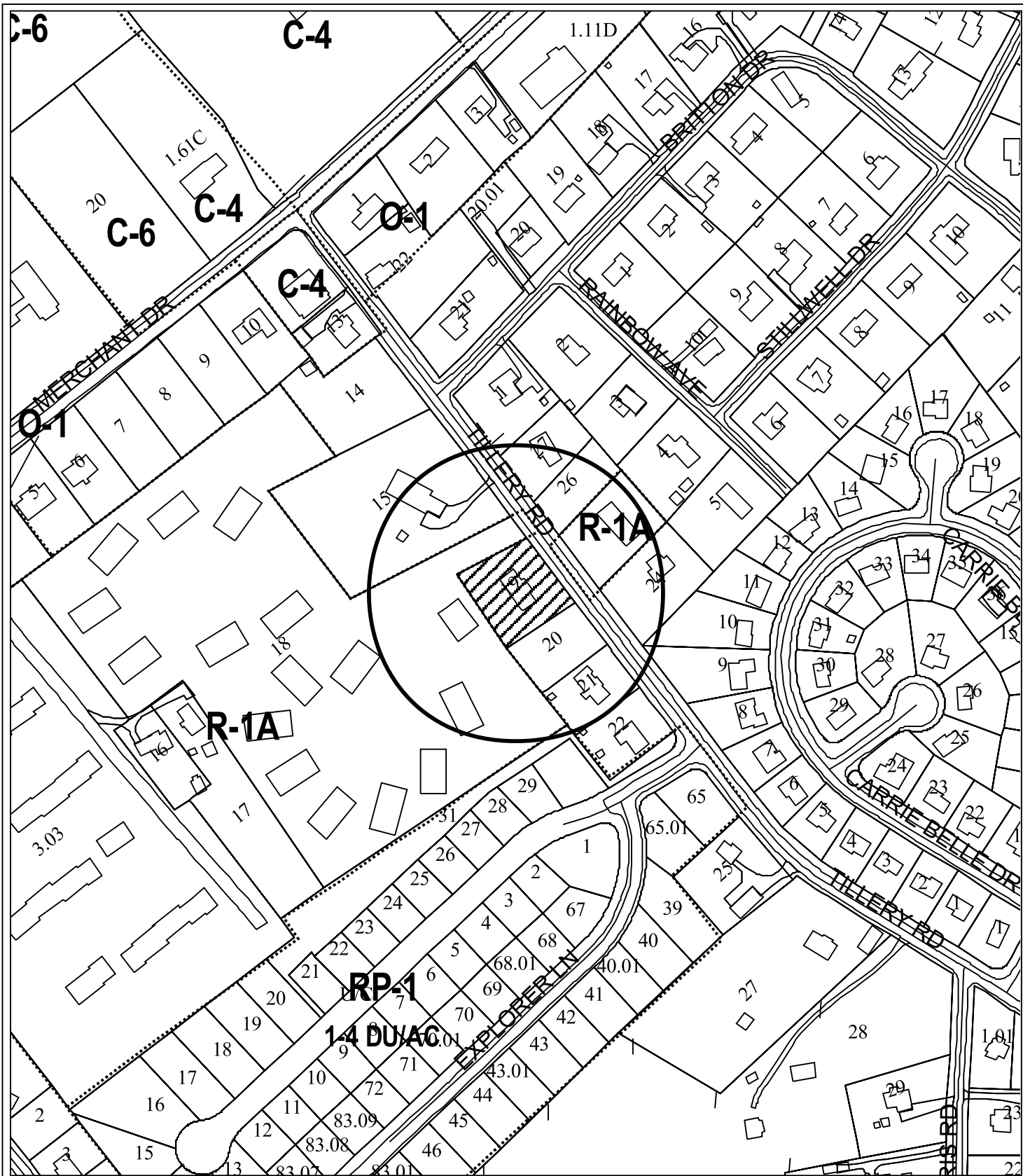
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

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.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



6-K-06-UR
 USE ON REVIEW

 Child Day Care Center in R-1A (Low Density Residential)

Original Print Date: 05/25/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

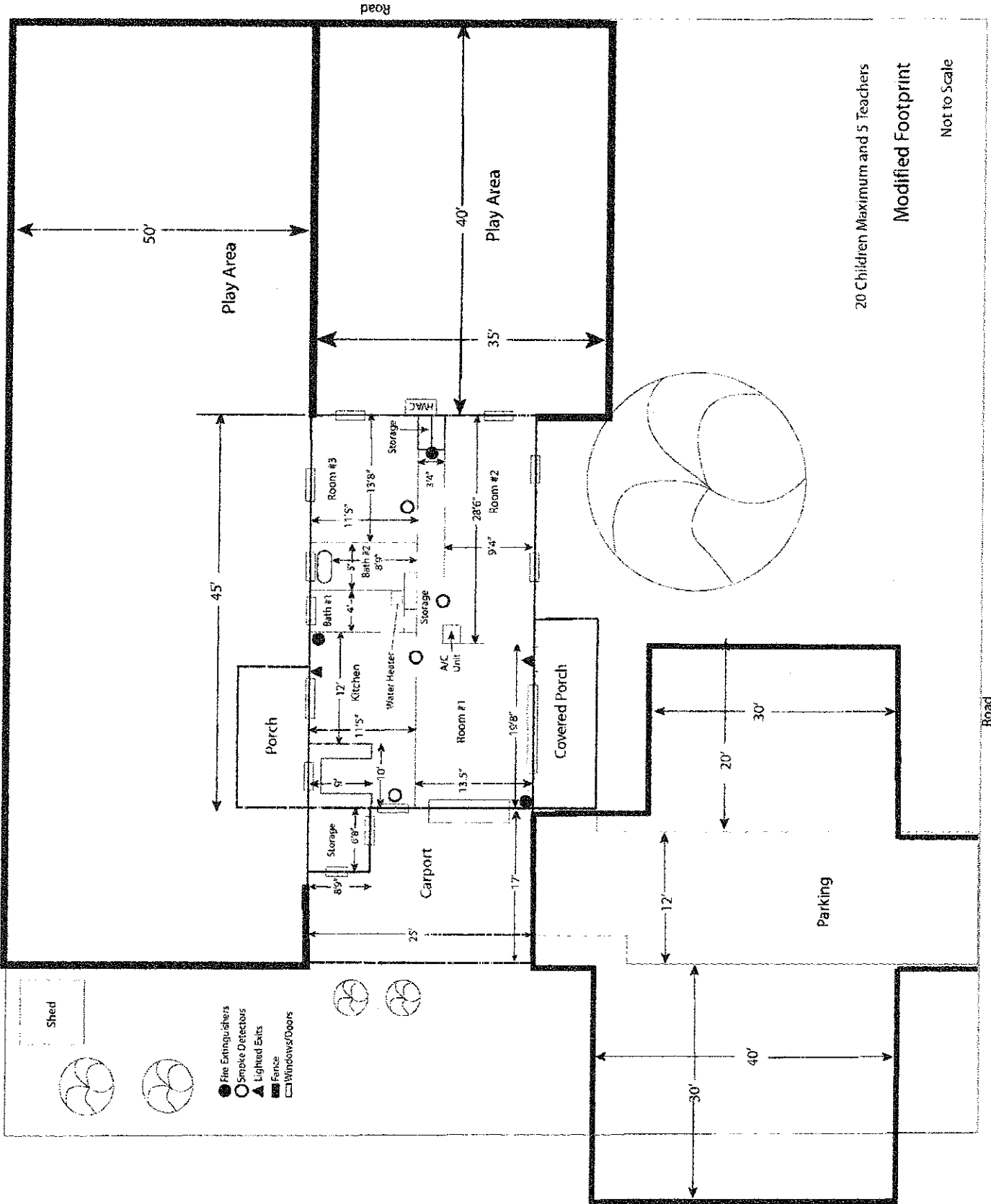
Petitioner: Tracy Robinson

Map No: 80

Jurisdiction: City

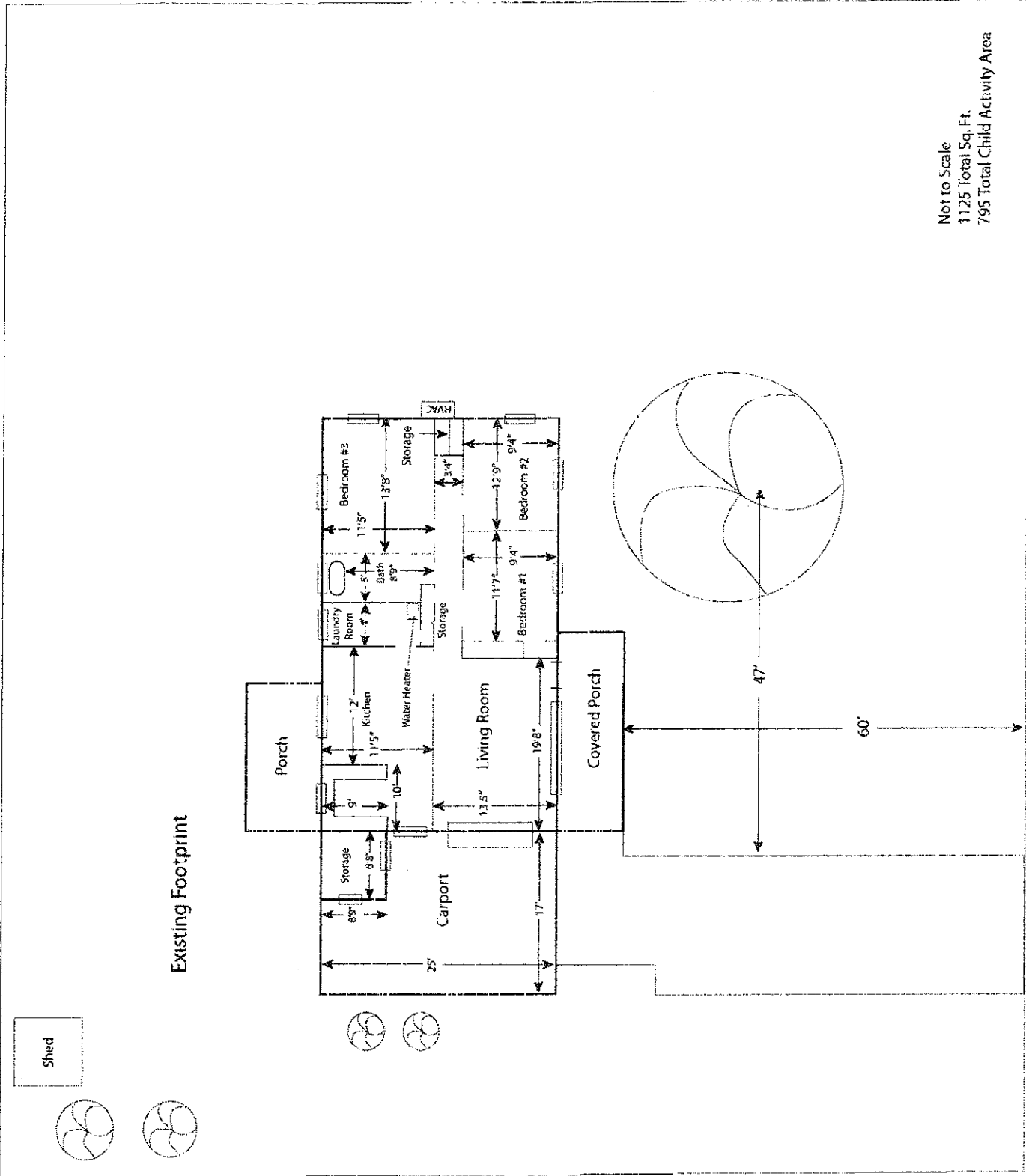


6-K-06-UR



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Not to Scale
1125 Total Sq. Ft.
795 Total Child Activity Area



DAY CARE CENTER REVIEW

Case No. : 6-K-06-UR

Applicant : Tracy Robinson

Zoning Ordinance Requirements (Article 5, Section 3, G.4)

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 23,560 sq. ft.

• **Minimum Size for Fenced Outdoor Play Area**

Required: 4,000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 6,500 sq. ft.

• **Minimum Building Area**

Required: 700 sq. ft. (35 sq. ft. per child, with not less than 75% of this space provided in the primary care area of the building)

Request: 795 sq. ft.

• **Minimum Off-Street Parking (Article 5, Section 7)**

Required: 4 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

3 off-street loading spaces (one (1) off-street loading space per eight (8) pupils)

Request: 7 teacher/employee spaces

8 off street loading spaces