



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

▶ **FILE #:** 10-D-06-UR (REVISED) **AGENDA ITEM #:** 90
POSTPONEMENT(S): 30 **AGENDA DATE:** 11/9/2006

▶ **APPLICANT:** EMMETT & JANET WADE
OWNER(S): HASSIE CLINE

TAX ID NUMBER: 131 L A 013 & 014
JURISDICTION: County Commission District 5

▶ **LOCATION:** West side of Fox Rd., northwest of Donovan Ln.

▶ **APPX. SIZE OF TRACT:** 2.74 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Fox Rd., a minor collector street with 40' of right of way and 18' of pavement width.

UTILITIES: Water Source: First Knox Utility District
Sewer Source: First Knox Utility District

▶ **ZONING:** A (Agricultural)
▶ **EXISTING LAND USE:** Residence
▶ **PROPOSED USE:** Group day care for up to 12 children

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residence / A (Agriculture) & PC (Planned Commercial)
South: Residence & Offices / A (Agriculture) & OB (Office, Medical & Related Services)
East: Offices / PC (Planned Commercial)
West: Parkway & Medical Facility / OS-1 (Open Space) & PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This area is development with residential uses under Agriculture zoning to the south and commercial uses under Commercial zoning to the north. The site is located in an area which is in transition to office uses.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a day care facility for up to 12 children at this location subject to the following 8 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance.
4. Submitting a lease agreement allowing the applicant to use lots 145 and 141 Fox Rd.
5. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
6. Providing 4 parking spaces and meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.

7. Removing vegetation along Fox Rd. in order to improve sight distance.
8. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.

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 facility off Fox Rd. The proposed day care will serve an enrollment up to 12 children and have 2 teachers. The site is zoned A (Agriculture) and because the provider does not reside on the property, day care facilities are a use permitted on review. The use will occupy an existing house which is approximately 1,001 square feet in size and a 2,560 square foot outdoor fenced play area. The outdoor play space is proposed to be located on 2 separate parcels. The applicant has submitted a written lease agreement signed by the owner of the property to allow the use of lots 141 and 145 Fox Rd. for the outdoor play space. The applicant is proposing to have 2 teachers/instructor. 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 2 parking for the children (1 per 8 children). The applicant is planning on providing 5 parking spaces (1 handicapped).

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. Fox Rd. is a minor collector and is adequate to handle the additional traffic and has adequate sight distance in both directions from the proposed access drive.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a minor collector street and meets the minimum Knox County Zoning Ordinance requirements for approval of a child care facility.

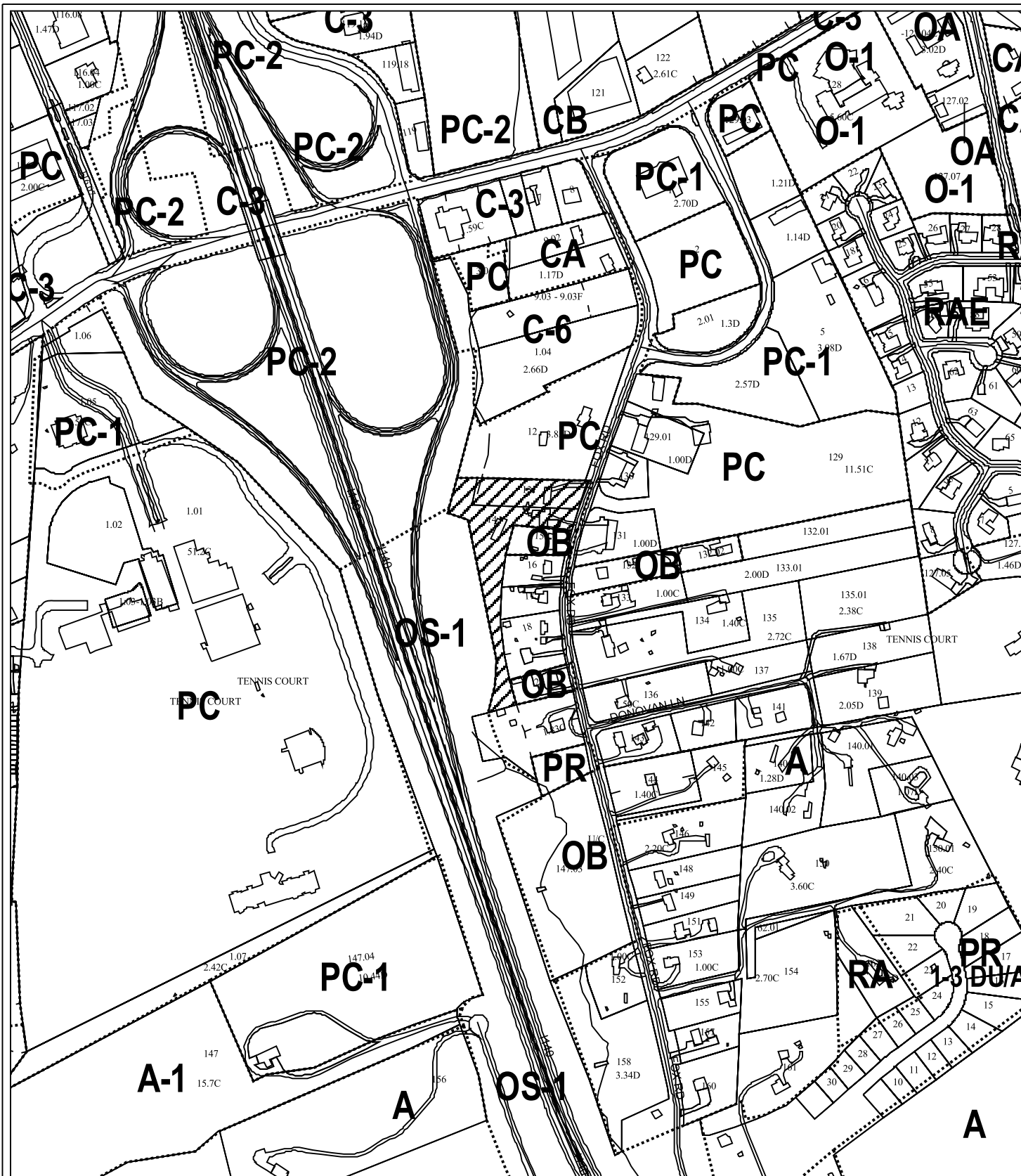
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

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 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 additional traffic through residential areas.
2. The proposal meets all requirements of the A zoning district (See the attached Day Care Review sheet).

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes office uses for this site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



10-D-06-UR
 USE ON REVIEW



Group day care for up to 12 children in A (Agricultural)

Original Print Date: 11/01/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

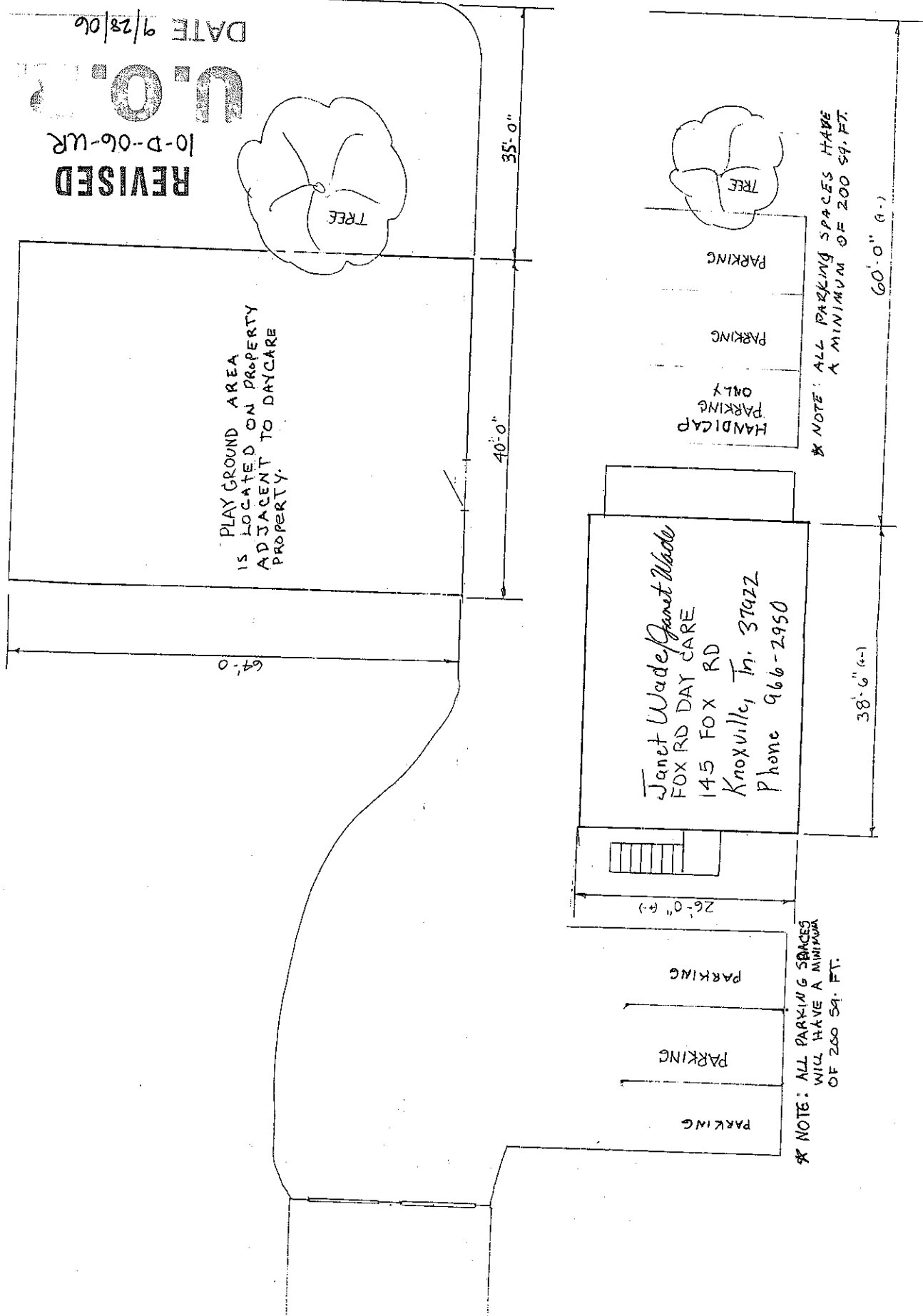
Petitioner: Emmett & Janet Wade

Map No: 131

Jurisdiction: County



145 FOX RD



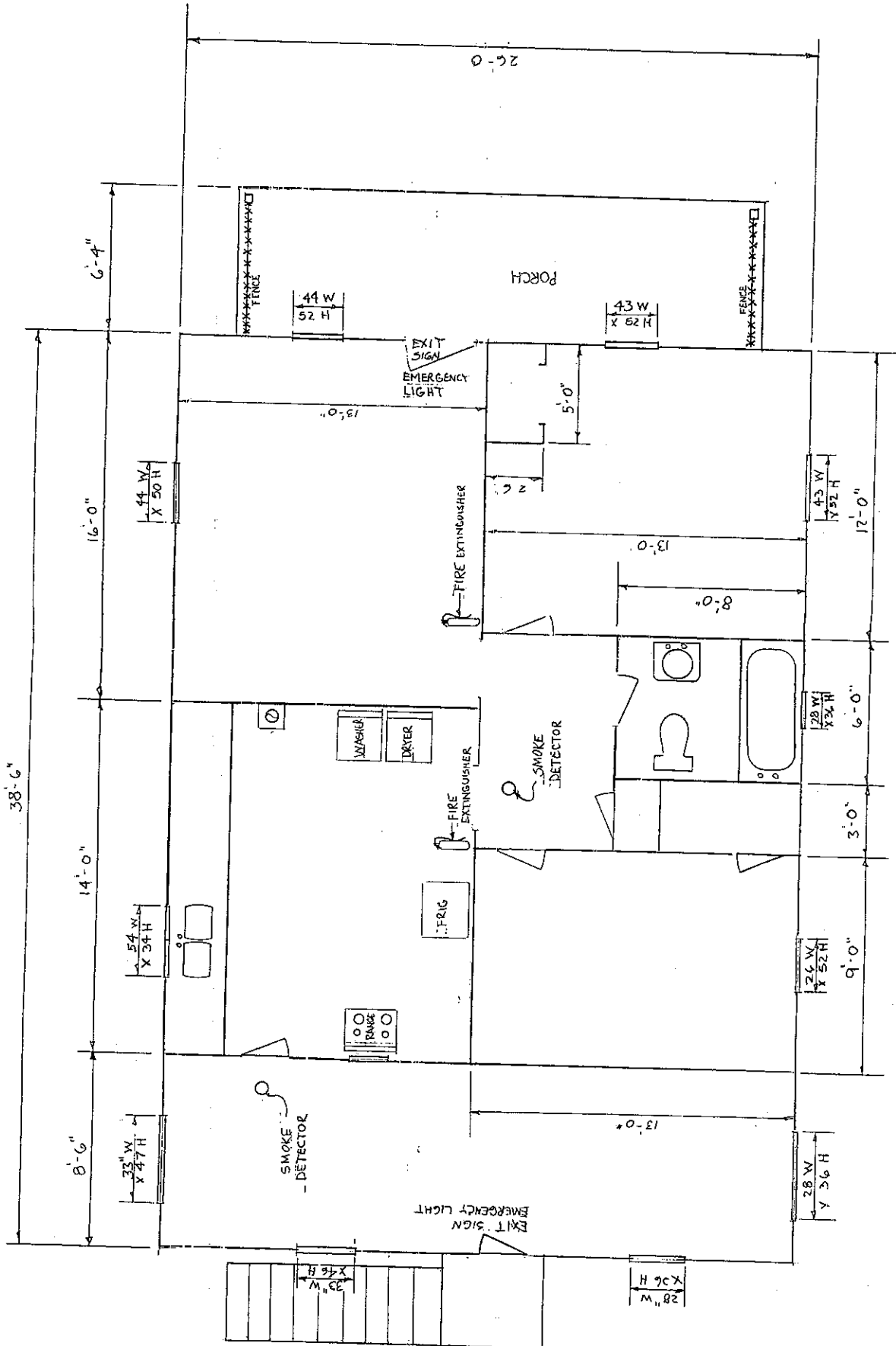
REVISED
 10-D-06-WR
 U.O.
 DATE 9/28/06

PLAY GROUND AREA
 IS LOCATED ON PROPERTY
 ADJACENT TO DAYCARE
 PROPERTY.

Janet Wade
 Janet Wade
 FOX RD DAY CARE
 145 FOX RD
 Knoxville, TN. 37922
 Phone 966-2950

* NOTE: ALL PARKING SPACES HAVE
 A MINIMUM OF 200 SQ. FT.

* NOTE: ALL PARKING SPACES
 WILL HAVE A MINIMUM
 OF 200 SQ. FT.



DAY CARE REVIEW

Case No. 10-D-06-WR

Applicant Emmett & Janet Wade

ZONING ORDINANCE REQUIREMENTS (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.

Request: 2.74 acres

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

Required: 2,500 sq. ft. (2500 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 2,560 sq. ft.

• **Minimum Building Area**

Required: 360 30 square feet per child

Request: 1,001 sq. ft.

• **Minimum Off-Street Parking (Article 3, Section 3.50)**

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

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

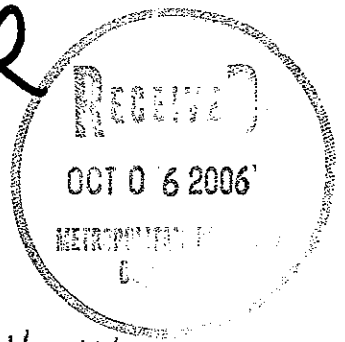
Request: 2 teacher/employee spaces

2

off-street loading spaces

10-D-06-UR

10/4/06



This is to state that I, Eula Mae Hamilton,
will be renting out the property
located at 141 Fox Road to be
used as the playground area for
the Fox Road Daycare located at
145 Fox Road.

Eula Mae Hamilton
Janet Wade