

▶ **FILE #:** 11-B-06-UR

AGENDA ITEM #: 94

AGENDA DATE: 11/9/2006

▶ **APPLICANT:** TRACY HERMAN

OWNER(S): TRACY HERMAN

TAX ID NUMBER: 80 E D 009

JURISDICTION: City Council District 3

▶ **LOCATION:** Southeast side of Wilson Rd., northwest side of Peltier Rd.

▶ **APPX. SIZE OF TRACT:** 22400 square feet

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Wilson Rd., a collector street with a pavement width of 20' within a 40' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **ZONING:** R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Detached dwelling

▶ **PROPOSED USE:** Child day care facility for up to 7 children

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North:

South:

East:

West:

NEIGHBORHOOD CONTEXT:

STAFF RECOMMENDATION:

▶ **APPROVE** the request for a child day care center for up to 7 children at this location subject to 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 prior to operation of the day care center.
4. Providing the required 4000 sq. ft fenced play area as required by the Knoxville zoning ordinance or obtaining a variance to this requirement from the Knoxville Board of Zoning Appeals prior to beginning operation of this child care facility.
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 7 children. The use will occupy a portion of her residence located on Wilson Rd. The applicant will be living on site. 1222 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 development plan presented by the applicant shows a fenced play area of 2025 square feet. The Knoxville Zoning Ordinance requires a fenced play area of 4000 square feet for the requested facility. The applicant will have to provide the required fenced play area or obtain a variance to that requirement from the Knoxville Board of Zoning Appeals.

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 facility.
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 detached dwellings found in the area.

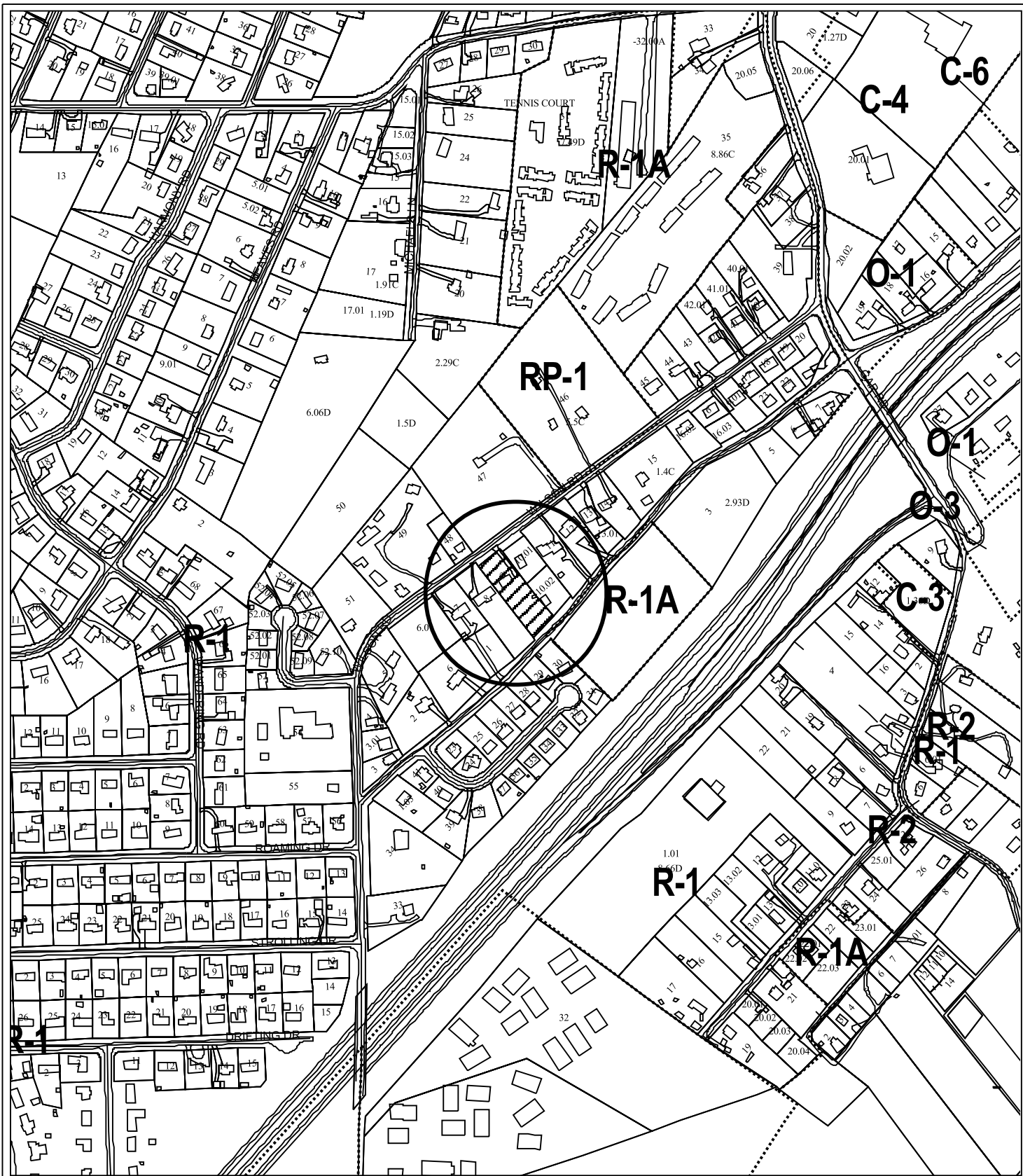
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

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 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 Inside the City 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.



**11-B-06-UR
USE ON REVIEW**

 Child day care facility for up to 7 children in R-1 (Low Density Residential)

Original Print Date: 10/26/06 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Tracy Herman

Map No: 80

Jurisdiction: City

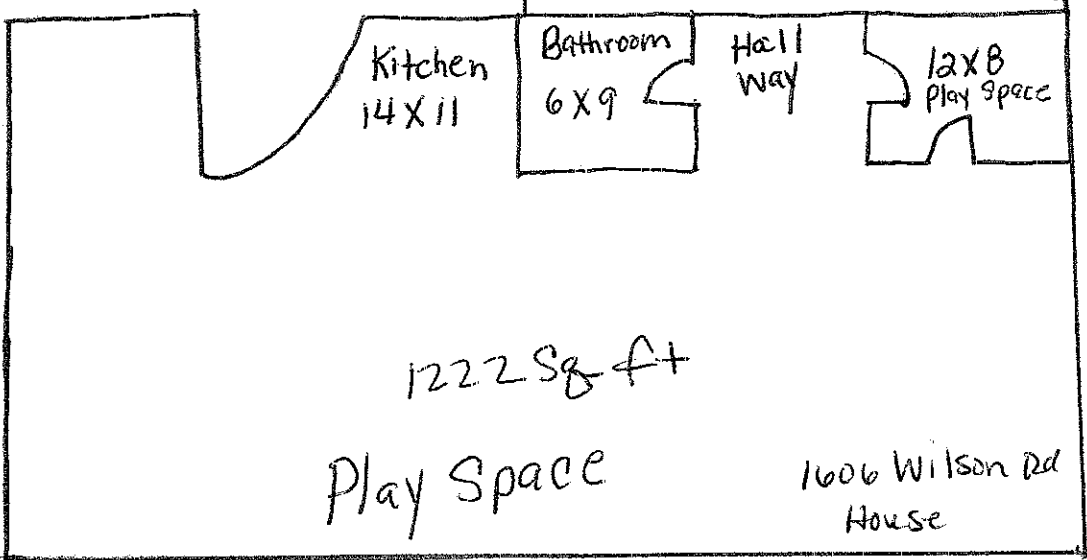
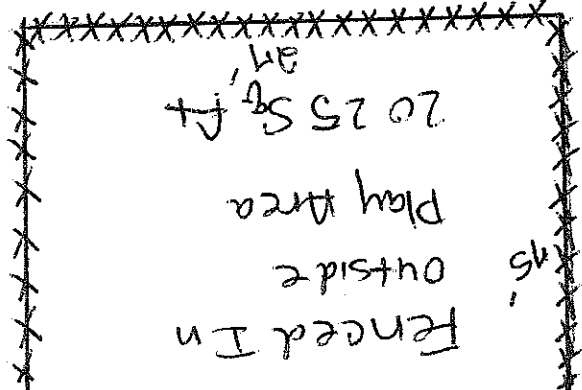


Street

Back

156.00' From

Parking



Parking

Property Line

OFFICE COPY
DATE

11-B-06-UR

S.O.R.

DATE

156.00' From

Drive Way

November 9, 2006 Front

Agenda Item # 94

Street

DESIGN GUIDELINES LANDSCAPE SCREENING

DESIGN

Type "B" Screen: Continuous

APPROPRIATE LOCATION: Screening parking and loading areas from adjoining residential and office districts

NOTE: Landscape buffer strips should be a minimum of 12 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

INTRODUCTION
Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

Contact persons:
• Dan Kelly
• Quentin Stevens

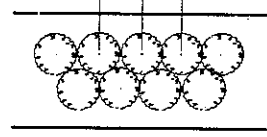
MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 423 215-2500
Fax: 423 215-2068

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance

■ Two offset rows of evergreen shrubs

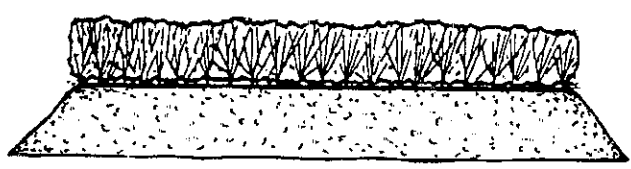


Maximum 4' Centers

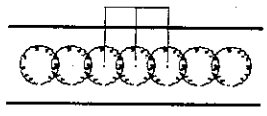


SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.

■ A continuous row of evergreen shrubs on a 3 ft. high earth berm

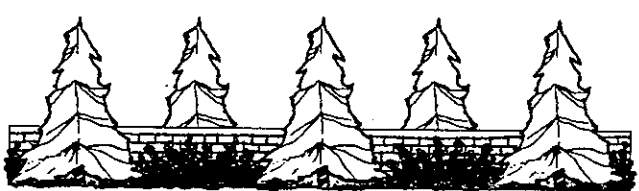


Maximum 3' Centers

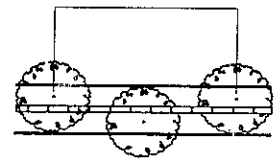


SHRUB HEIGHT
Installed: 2 ft.
Mature: 3 ft.

■ A 5 ft. high masonry wall or timber fence with evergreen trees and low shrubs or climbing vines

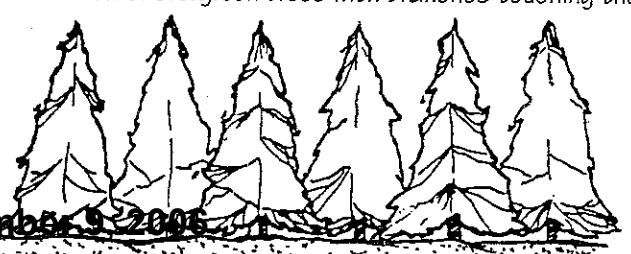


Maximum 50' Centers

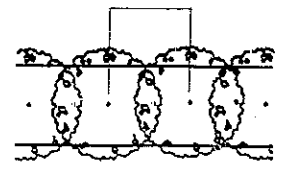


TREE HEIGHT
Installed: 8 ft.
Mature: 15 ft.

■ One row of evergreen trees with branches touching the ground



Maximum 10' Centers



TREE HEIGHT
Installed: 8 ft.
Mature: 20 ft.