

▶ **FILE #:** 3-G-07-UR

AGENDA ITEM #: 81

AGENDA DATE: 3/8/2007

▶ **APPLICANT:** NEW VISION CHILD CARE CENTER

OWNER(S): NANCY WILLIS

TAX ID NUMBER: 92 G G 019

JURISDICTION: City Council District 3

▶ **LOCATION:** Southwest side of Rockbridge Ln., east of Trousdale Rd.

▶ **APPX. SIZE OF TRACT:** 13440 square feet

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Rockbridge Ln., a local street with 26' of pavement within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

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

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Day care facility for up to 15 children

HISTORY OF ZONING: None noted

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

South: Residences / R-1 (Low Density Residential)

East: Residences / R-1 (Low Density Residential)

West: Residences / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This property is located in the interior of an established residential neighborhood.

STAFF RECOMMENDATION:

▶ **DENY the request for a child day care center for up to 15 children at this location in the R-1 zoning district.**

The proposed day care facility is not appropriate because it is located in the interior of an established residential neighborhood and has the potential for extra traffic generation. The proposed use is also unable to meet the minimum requirements of the Knoxville Zoning Ordinance regarding day care facilities.

COMMENTS:

Staff is recommending denial of this request based on the property's location, potential traffic impact, and the variances required in order to bring the use into compliance with the zoning requirements. According to the Knoxville Zoning Ordinance, the applicant would be allowed to serve up to 5 children without being considered a day care facility. It is in staff's opinion that an enrollment of 5 children would be more appropriate than 15 at this location. If the property were in a different location, such as closer to the edge of

the subdivision on an arterial or collector street, and variances were not required, staff would be more inclined to recommend approval of this request.

The applicant is proposing to operate a day care facility to serve an enrollment for up to 15 children off Rockbridge Ln. within the Hidden Hills subdivision. The site is zoned R-1 (Low Density Residential), and day care facilities are a use on review when 6 or more children are being served by the facility. The use will occupy the upstairs of an existing house. The upstairs portion of the house contains 652 square feet of space. A 6,854 square foot outdoor fenced play area is also proposed. The applicant will be required to have 2 teachers/instructors due to the number of children being served.

In order to comply with the standards set forth by the Knoxville Zoning Ordinance regarding day care facilities, the applicant will be required to obtain two variances: reduce the minimum lot size from 15,000 square feet to 13,400 square feet and reduce the required number of off-street parking spaces from 6 to 2. The applicant will be required to provide 2 parking spaces for the teachers, 2 for the children (1 per 8 children), and 2 for the residence. Upon field review, it was determined that the property would only be able to accommodate 2 off-street parking spaces.

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. The proposal will generate additional traffic in this neighborhood. Rockbridge Ln. is a local street located within the interior of the Hidden Hills subdivision.
3. Public water and sewer utilities are available to serve the property.
4. According to the Knoxville Zoning Ordinance, the proposed use would require a minimum of 6 off-street parking spaces. The residence is only able to accommodate 2 off-street parking spaces. By not being able to provide adequate parking for teachers and parents, children will likely be picked-up and dropped-off in the street, thus creating a potential traffic hazard for adjoining property owners, as well as safety problems for parents and children.

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

1. The proposed day care facility is not consistent with the general standards for uses permitted on review: Since the applicant will be required to obtain two variances, the use is not in harmony with the general purpose and intent of the Zoning Ordinance. The use is incompatible with the character of the neighborhood where it is proposed. The use could injure the value of adjacent property. The use will generate additional traffic through residential areas.
2. The proposal is unable to meet all requirements of the R-1 zoning district. (See the attached Day Care Review sheet).

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes low density residential uses for this site.
2. The site is located within the Urban 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the City.

DAY CARE CENTER REVIEW

Case No. : 3-6-07-UR

Applicant : New Vision Child Care Center

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 13,440 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: 6,854 sq. ft.

• **Minimum Building Area**

Required: 525 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: ≈ 653 sq. ft.

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

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

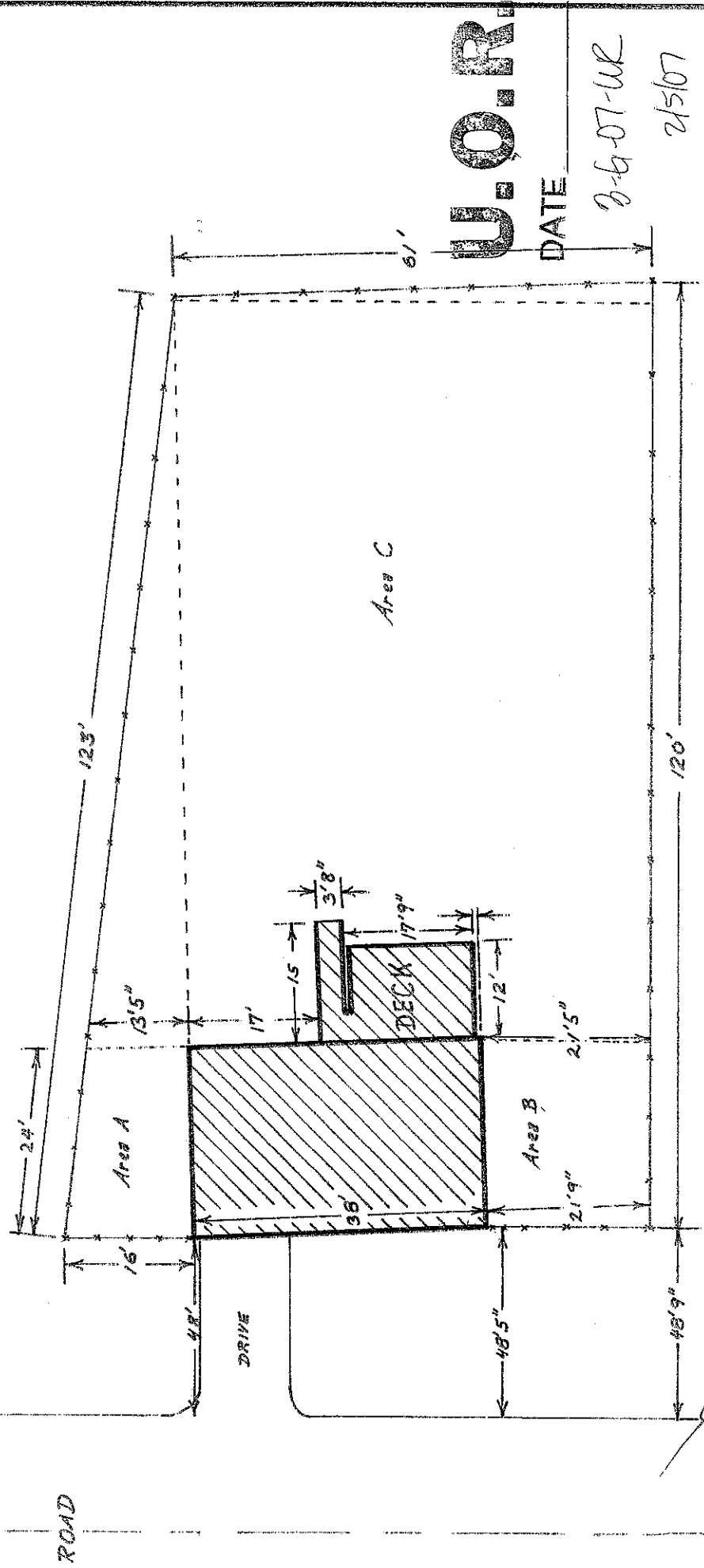
2 off-street loading spaces (one (1) off-street loading space per eight (8) pupils)

Request: 1 teacher/employee spaces

1 off street loading spaces

SQUARE FOOTAGE

Area A	+	353.00
Area B	+	520.00
Area C	+	6533.25
Deck	-	551.33
TOTAL		<u><u>6854.92</u></u>



SD Smoke Detector

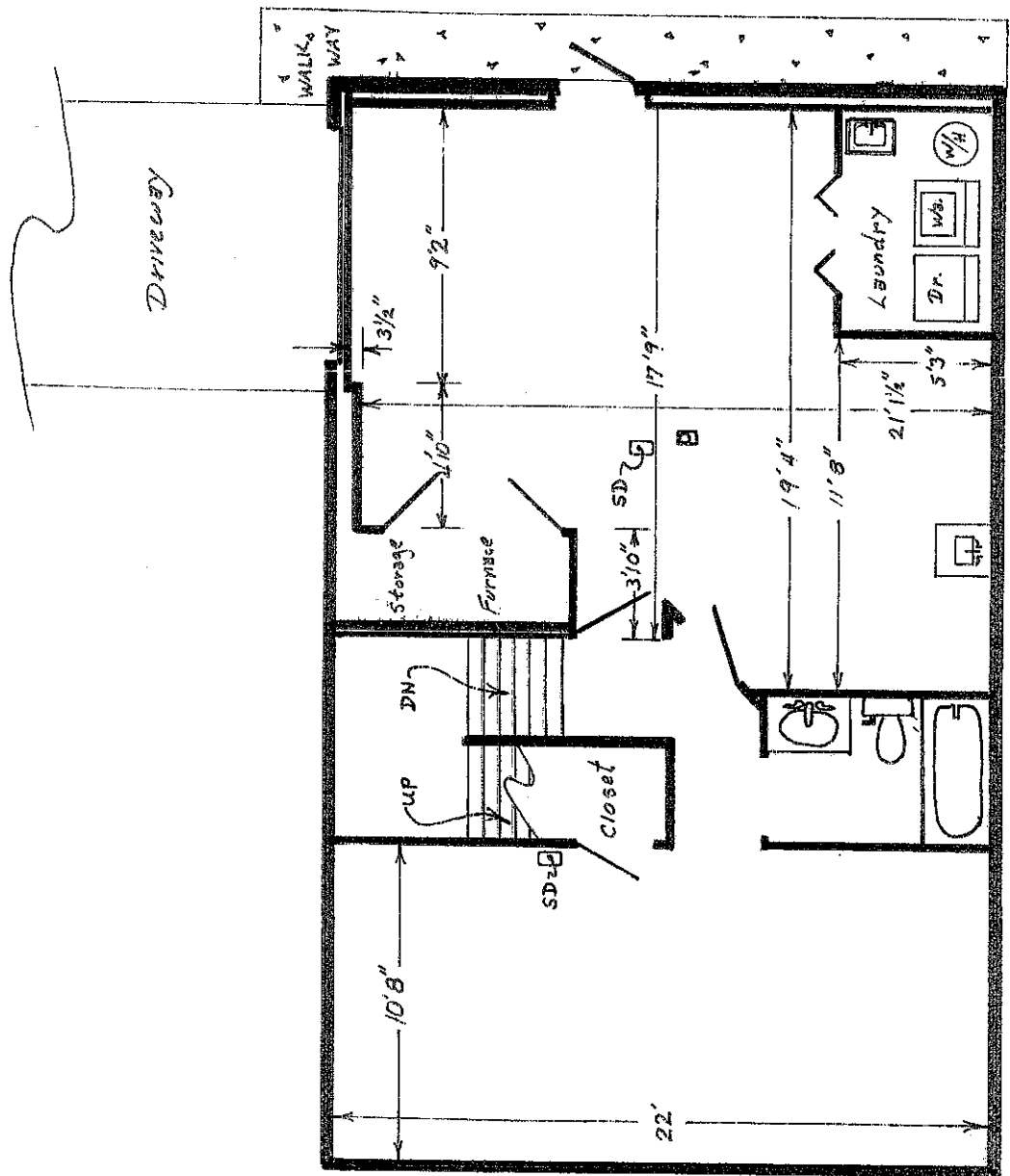
Concrete

U.O.R.

DATE _____

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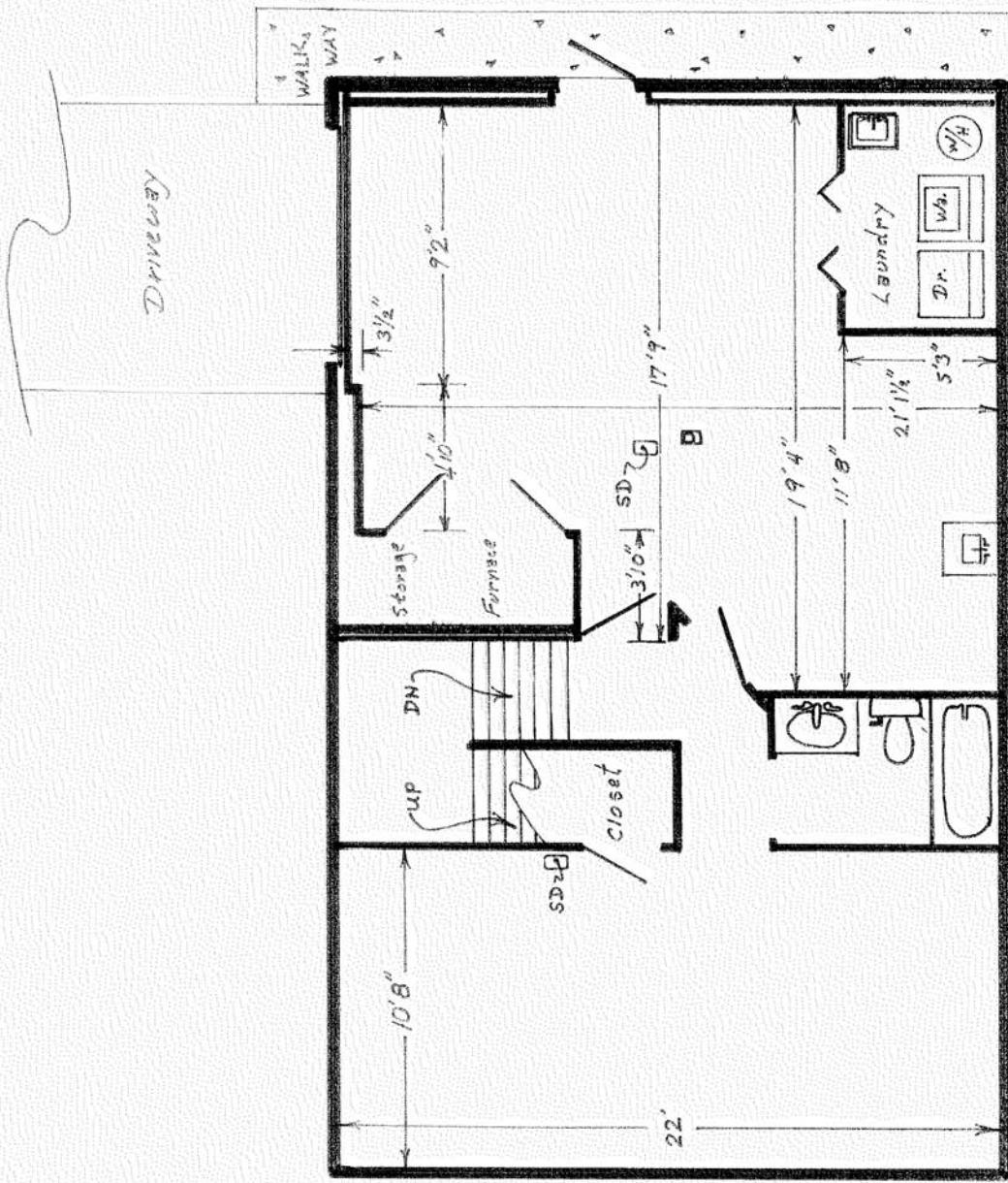
SD □ Smoke Detector

□ Concrete

U.O.R.

DATE 2/5/07

3-6-07-WR



SQUARE FOOTAGE

Area A	+	353.00
Area B	+	520.00
Area C	+	6533.25
Deck	-	551.33
TOTAL		<u><u>6854.92'</u></u>

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