



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

▶ **FILE #:** 10-D-08-UR

AGENDA ITEM #: 65

AGENDA DATE: 10/9/2008

▶ **APPLICANT:** PAULA STEPHENS

OWNER(S): MEESE & ASSOCIATES

TAX ID NUMBER: 132 F C 001

JURISDICTION: County Commission District 5

▶ **LOCATION:** Southwest side of S. Peters Rd., northwest of Tyrone Dr.

▶ **APPX. SIZE OF TRACT:** 1 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via S. Peters Rd., a minor arterial street with a five lane section within a required 100' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Ten Mile Creek

▶ **ZONING:** OA (Office Park)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Day care facility for up to 50 children

HISTORY OF ZONING: Property was rezoned from A to OA in 1995 for a day care facility (12-F-95-RZ).

SURROUNDING LAND USE AND ZONING: North: Residences & offices / A (Agricultural) & OA (Office Park)

South: Veterinary Clinic / A (Agricultural)

East: Church / O-3 (Office Park) & OA (Office Park)

West: Residential subdivision / RAE (Low Density Exclusive Residential)

NEIGHBORHOOD CONTEXT: The site is located in an area along S. Peters Rd. that is a transition zone between mixed commercial development closer to Kingston Pike and mixed residential and office uses to the south.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a day care facility for up to 50 children at this location, subject to the following 9 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Submitting a revised scaled site plan showing the 13 required parking spaces and their dimensions along with the driveway aisle widths as per the requirements of the Knox County Zoning Ordinance to MPC staff and to the Knox County Dept. of Engineering and Public Works prior to the day care becoming operational.
4. Providing the minimum outdoor fenced play area as required by the Knox County Zoning Ordinance (5,500 square feet).

5. Providing 13 parking spaces (7 for the children and 6 for the teachers/instructors).
6. The outdoor play area will be required to provide suitable surface material to prevent injuries, such as unitary materials or loose-fill materials.
7. Improving the existing driveway and parking spaces as per the Knox County Department of Engineering and Public Works.
8. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
9. 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 OA (Office Park) zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to operate a day care facility off S. Peters Rd. The proposed day care will serve an enrollment of up to 50 children and have 7 teachers. The site is zoned OA (Office Park), and day care facilities are a use permitted on review. The use will be located inside of an existing house that has been used for a school and a real estate office in recent years. The facility will occupy 2,600 square feet of the total 3,039 square foot house and provide for a 5,500 square foot outdoor fenced play area. The applicant is proposing to have 7 teachers/instructors. In order to satisfy the parking requirements of the Knox County Zoning Ordinance, the applicant will be required to provide 6 parking spaces for the teachers and 7 parking spaces for the children (1 per 8 children).

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. S. Peters Rd. is a minor arterial street and is adequate to handle the additional traffic.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a minor arterial 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 OA 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.

ESTIMATED TRAFFIC IMPACT: 206 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

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.

DAY CARE REVIEW

Case No. 10-D-08-UR

Applicant Paula Stephens

ZONING ORDINANCE REQUIREMENTS (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.

Request: 57,052 sq. ft.

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

Required: 5,500 sq. ft. sq. ft. (2500 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 5,500 sq. ft. sq. ft.

• **Minimum Building Area**

Required: 1,500 30 square feet per child

Request: 2,600 sq. ft.

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

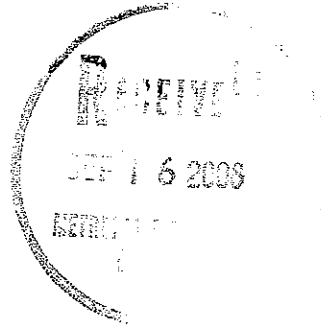
Required: 6 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

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

Request: 6 teacher/employee spaces

7 off-street loading spaces

PAULA STEPHENS
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Office 865-470-7999
Fax 865-693-0448



215-2068

09/16/2008

TO: MPC

ATTENTION: KELLY

FILE NUMBER 10-D-08 UR

RE: PLEASE CHANGE THE AMOUNT REQUESTED (OF CHILDREN AT THE DAY CARE CENTER) THAT I WILL HAVE FROM 80 TO 50 CHILDREN.

THE AREA FOR THE FENCE CAN BE ON ANY/ALL VACANT LAND. IE: THE GREEN SPACE BETWEEN THE 2 BUILDINGS AND THE GREEN SPACE TO THE SIDE OF THE BUILDING (SIDE WHERE HANICAPP RAMP IS) THAT ENTIRE GREEN SPACE CAN BE UTILIZED BY ME.

TOTAL STAFF: 7

TOTAL SPACES NEEDED: 5

TOTAL SPACES FOR PARENTS PICKUP/DROP OFF: 7

16 SPACES CURRENTLY

ALSO, I WILL RECHECK THE WIDTH /LENGTH TO MEET REQUIREMENTS. RESTRIPE IF NEEDED.

CALL ME IF YOU THINK OF ANYTHING ELSE.

THANK YOU FOR YOUR HELPING ME MEET THE

REQUIRMENTS. PAULA

Paula Stephens
PS ~~10~~ 9/16/08

