

▶ **FILE #:** 10-E-10-UR

**AGENDA ITEM #** 37

**AGENDA DATE:** 10/14/2010

▶ **APPLICANT:** RACHEL LAYTON

OWNER(S): Frank & Rachel Layton

TAX ID NUMBER: 105 D B 003

JURISDICTION: County Commission District 3

▶ **LOCATION:** East side of Woodpointe Dr., north of Rhododendron Drive

▶ **APPX. SIZE OF TRACT:** 10700 square feet

SECTOR PLAN: Northwest County

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

ACCESSIBILITY: Access is via Woodpointe Dr., a local street with a 20' pavement width within a 30' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Ten Mile Creek

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Residence

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

NA

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences / PR (Planned Residential)

South: Residences / PR (Planned Residential)

East: Residences / RA (Low Density Residential)

West: Residence and vacant land / PR (Planned Residential) & A (Agricultural)

NEIGHBORHOOD CONTEXT: The site is located in an established residential neighborhood.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a child day care center for up to 7 children in the PR zoning district, subject to 6 conditions**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Revising the existing fenced in play area to the dimensions designated on the attached development plan. Provide fencing to separate the children's play area from the dog run.
4. Provide a paved or gravel parking area on the north side of the driveway so that an improved parking surface exists for the three required parking spaces.
5. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of

Human Services.

With the conditions noted above, this request meets all requirements of the PR zoning district, as well as other criteria for approval of a use on review.

**COMMENTS:**

The applicant is requesting approval of a use on review for a child day care center for up to 7 children to be operated at an existing residence located on the east side of Woodpointe Dr., north of Rhododendron Dr. The applicant exceeds the minimum requirement of 210 square feet of primary care area within the residence. A 2585 square foot fenced outdoor play area will be located behind the residence. A total of three parking spaces are required for the residence and day care center. The existing paved driveway allows for two of the required spaces. A paved or gravel parking area needs to be added on the north side of the existing driveway to provide an improved parking surface for the third required space.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

1. Public water and sewer utilities are available to serve the site.
2. Since the primary use of the site is a residence, and the child day care use is small in scale with a maximum of seven children, there should be minimal impact on neighboring residences and traffic patterns. The applicant will be providing the required parking on site.
3. The proposal will have no impact on schools.

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

1. 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. Due to the limited number of children, 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 substantial additional traffic through residential areas due to the limitation of only seven children. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.
2. The proposal meets all requirements of the PR zoning district and all other applicable requirements of the Knox County Zoning Ordinance.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan propose low density residential use for this site. Since the primary use of the site will still remain as a residence and a child day care center may be permitted in this district through the use on review process, the proposed use conforms with the sector plan.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**ESTIMATED TRAFFIC IMPACT 19 (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.

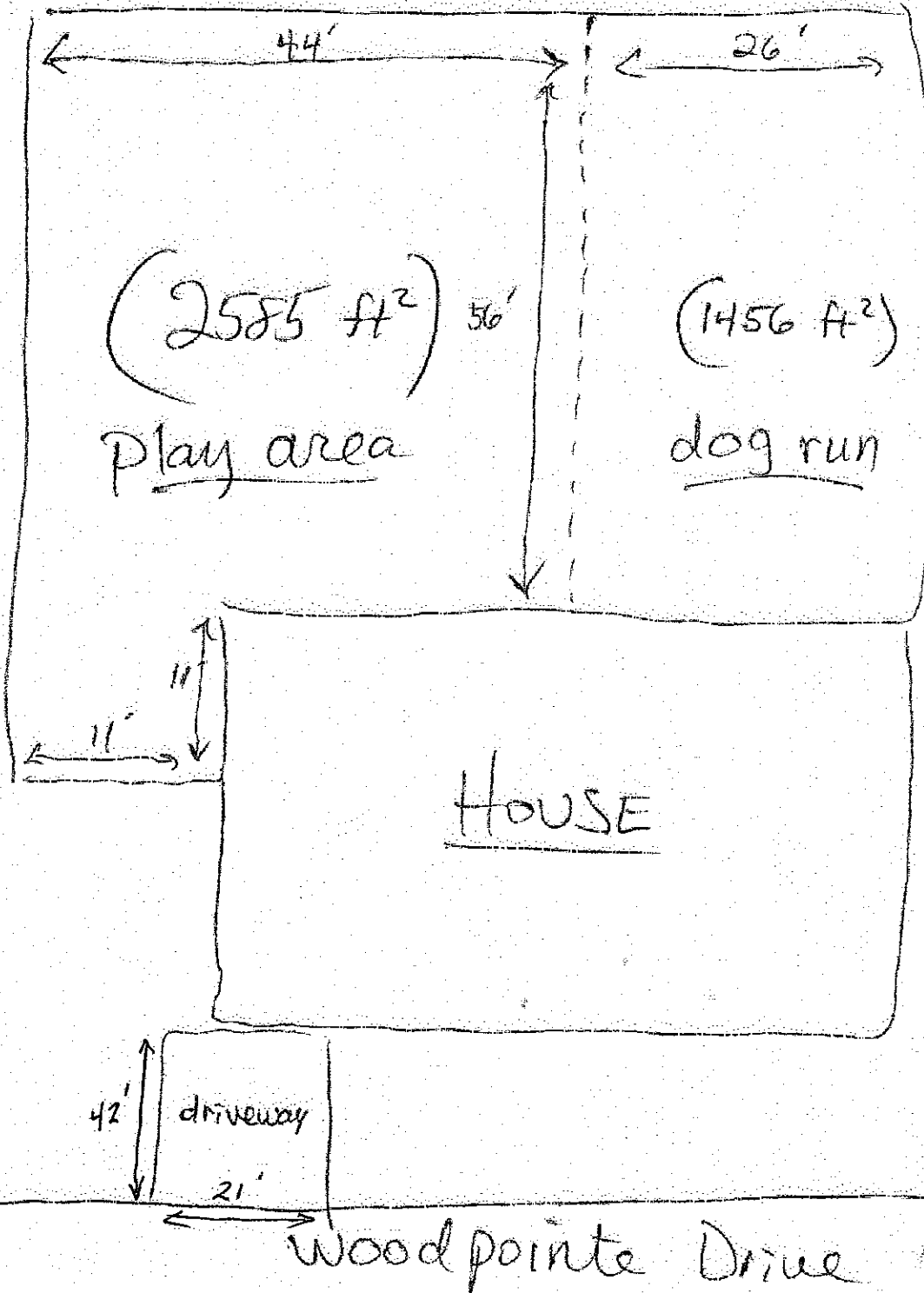
**ESTIMATED STUDENT YIELD:** Not applicable.

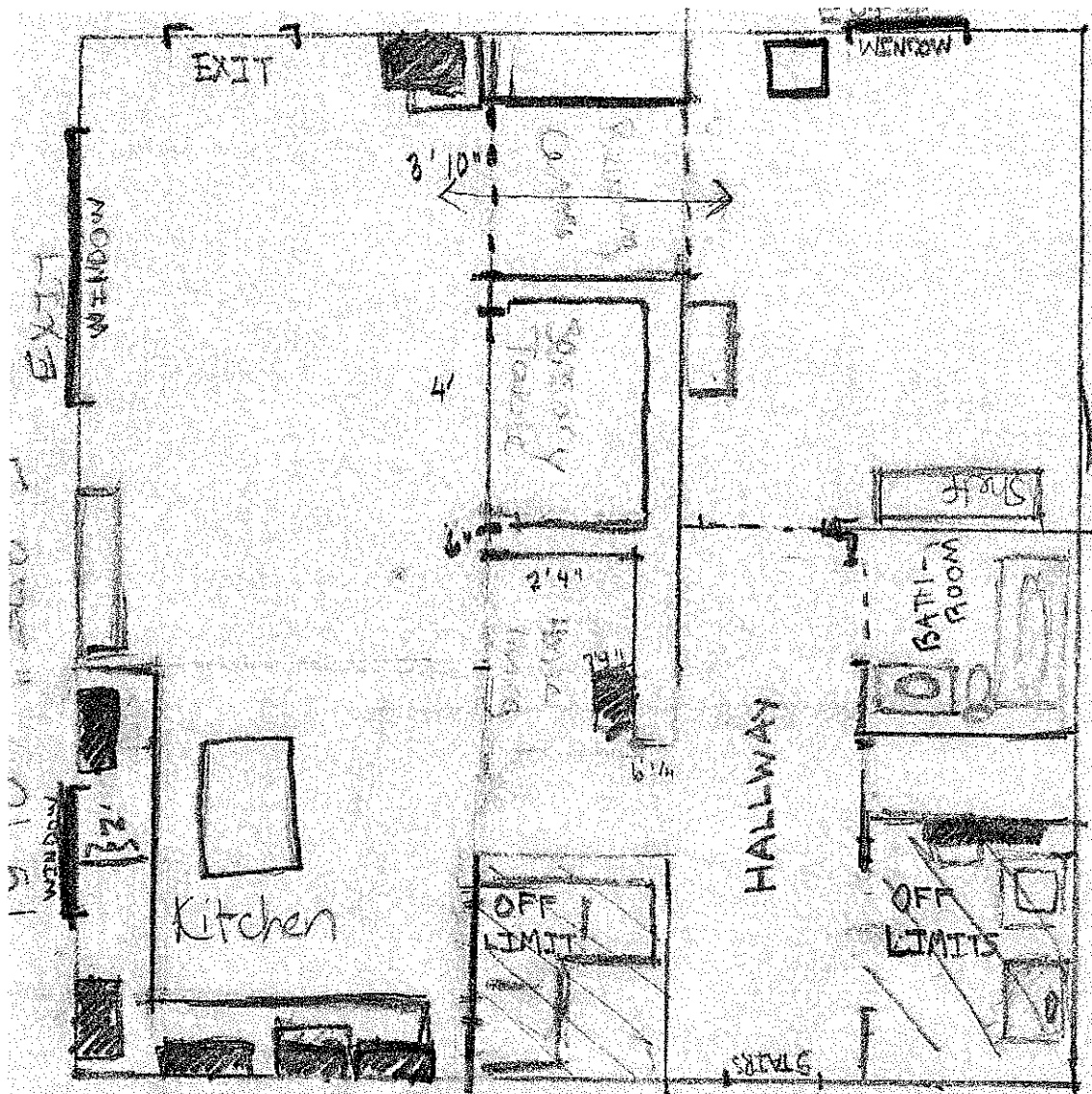
MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



# Kayton Backyard (1618 Woodpointe Dr)

9/27/10





240 square feet of usable play space

No halls / bathroom / furniture

Kitchen was counted (minus cabinets)

**DAY CARE REVIEW**

Case No. 10-E-10-UR

Applicant Rachel Layton

**ZONING ORDINANCE REQUIREMENTS** (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.

Request: 10,700 sq. ft.

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

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

Request: 2585 sq. ft.

• **Minimum Building Area**

Required: 210 30 square feet per child

Request: 240 sq. ft.

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

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

1 for day care off-street loading spaces (one (1) off-street loading space per eight (8) pupils)

Request: 2 for residence teacher/employee spaces  
1 for day care off-street loading spaces