

▶ **FILE #:** 10-C-12-UR

AGENDA ITEM #: 30

AGENDA DATE: 10/11/2012

▶ **APPLICANT:** KRISTEN CHRISTOPHER

OWNER(S): Kristen Christopher

TAX ID NUMBER: 79 I A 010

JURISDICTION: County Commission District 6

▶ **LOCATION:** East side of Hackberry Rd., north of Hazelnut Dr.

▶ **APPX. SIZE OF TRACT:** 0.85 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hackberry Rd., a local street with a pavement width of 19' within a 50' wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Grassy Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Dwelling / day care

▶ **PROPOSED USE:** Child day care center for up to 32 children

HISTORY OF ZONING: None Noted

SURROUNDING LAND USE AND ZONING: North: Detached dwelling / A agricultural

South: Detached dwelling / A agricultural

East: Vacant land / OB office

West: Detached dwelling / A agricultural

NEIGHBORHOOD CONTEXT: The site is located within a developed residential subdivision. Zoning in the area A (Agricultural) OB (Office, Medical and Related Services) and CA (General Business).

STAFF RECOMMENDATION:

▶ **APPROVE the request for a child day care center to serve up to twenty (20) children (applicant requests 32 children) as shown on the site plan subject to 6 conditions**

1. Approval of this request is subject to the applicant maintaining this location as her residence. Should she move from this location, this approval shall be nullified
2. Providing the required outdoor fenced play area and parking as required by the Knox County Zoning Ordinance
3. Meeting all other applicable requirements of the Knox County Zoning Ordinance.
4. Meeting all applicable requirements of the Knox County Health Department.
5. Meeting all 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

With the conditions noted, this plan meets the requirements for approval in the A (Agricultural) zone and the other criteria for approval of a use on review

COMMENTS:

The applicant currently operates a group day care facility at this location. As a group day care facility in the A (Agricultural) she is permitted to care for up to 12 children in her home. She is now requesting approval of a day care center that would serve up to 32 children. If approved Ms. Christopher has stated that she would move out of the house and the day care would operate as a free standing business. During the review process, staff informed the applicant that we would not support her request for a free standing day care center in the midst of this residential neighborhood. Staff recommended that she consider caring for a lesser number of children and staying in her home. She has informed staff that she would now like MPC to consider approving a request for up to twenty children. With that number of children she would stay in her home and could meet all of the required zoning standards for the use.

Staff believes that an in home day care center with only twenty children can be accommodated in the neighborhood with little impact. We will recommend that if the applicant chooses to move her place of residence, the day care center will have to cease operation. Staff believes, that as an in home operation, the applicant will be more accessible to the neighbors should any problems arise. The applicant will have to expand the existing outdoor fenced play area and will need to provide the required parking on the site.

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

1. Public water and sewer utilities are in place to serve the site.
2. The recommendation which limits the use to twenty children is in keeping with the scale and intensity of the existing group day care use and will not be out of character with the adjacent development and zoning patterns.
3. The traffic impact will be minimal due to the fact that the applicant is already operating a group day care facility at this location.
3. The proposed facility will place no additional demand on schools.

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

1. The proposed development as recommended is consistent with all relevant requirements of the A agricultural zoning, as well as other criteria for approval of a use on review.
2. The development as recommended is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw a substantial amount of additional traffic through residential areas since the site has direct access to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

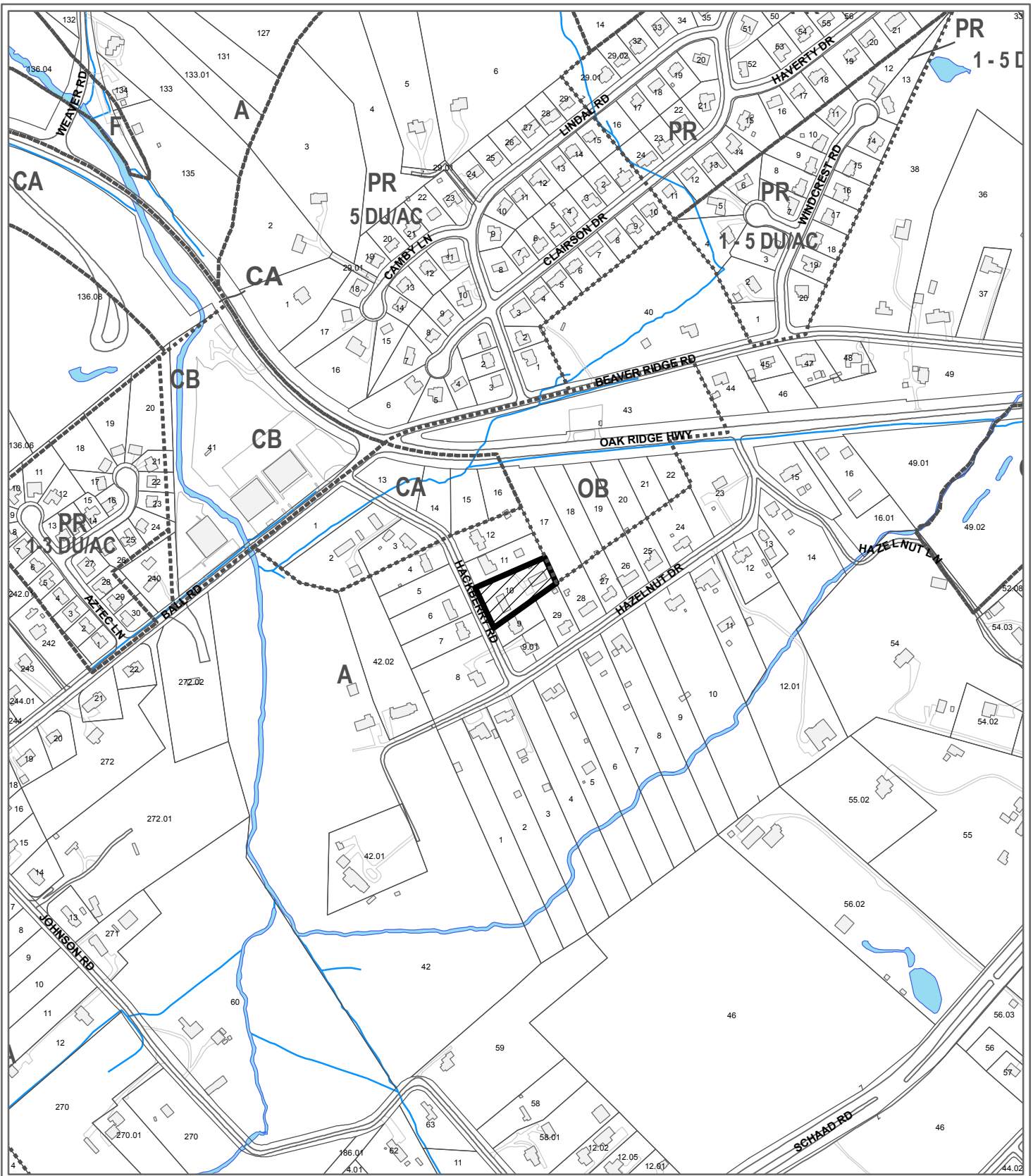
1. The Northwest County Sector Plan proposes low density residential uses for the site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 53 (average daily vehicle trips)

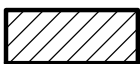
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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.



**10-C-12-UR
USE ON REVIEW**



Child day care center for up to 32 children in A (Agricultural)

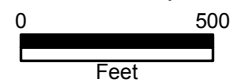
Original Print Date: 9/26/2012
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Christopher, Kristen

Map No: 79

Jurisdiction: County



As Requested for 32 children

DAY CARE REVIEW

Case No. 10-C-12-UR

Applicant Kristen Christopher

ZONING ORDINANCE REQUIREMENTS (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.

Request: 37,000 sq ft

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

Required: 3700 sq. ft. (2500 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 1761 sq. ft.

• **Minimum Building Area**

Required: 960 30 square feet per child

Request: 673 sq. ft.

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

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

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

Request: 2 teacher/employee spaces
2 off-street loading spaces

As recommended by MPC staff for
20 children

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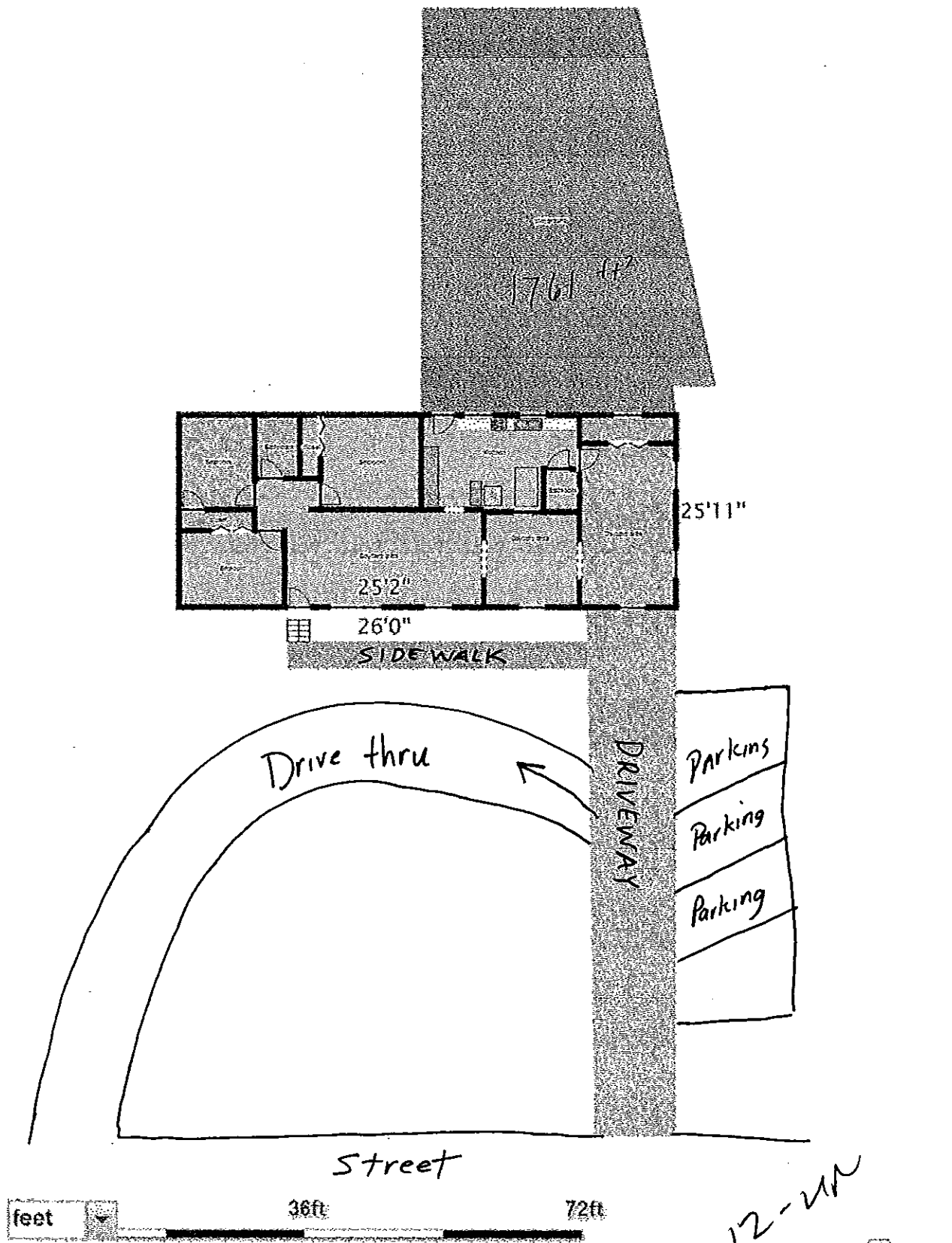
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10-6-12-UN
 8/27

floor planner

