

▶ **FILE #:** 3-B-13-UR

**AGENDA ITEM #:** 28

**AGENDA DATE:** 3/14/2013

▶ **APPLICANT:** **DEBORAH BENTON**

OWNER(S): Deborah F. Benton

TAX ID NUMBER: 80 L C 001

JURISDICTION: City Council District 5

▶ **LOCATION:** **South side of Strolling Dr., east side of Rambling Rd.**

▶ **APPX. SIZE OF TRACT:** **16500 square feet**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Strolling Dr. and Rambling Rd., local access streets with an 18' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

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

▶ **EXISTING LAND USE:** **Residence**

▶ **PROPOSED USE:** **Child Day Care Center - 13 children / Residence**

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: The site is located in an established residential neighborhood.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for a child day care center to serve up to thirteen (13) children as shown on the site plan subject to 5 conditions**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Addition of a new fence line at least 35' back from the right-of-way line for Rambling Rd. in order to meet the setback requirements for fenced in outdoor play areas from public streets.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. 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 R-1 zoning district, as well as other criteria for approval of a use on review.

**COMMENTS:**

The applicant is proposing to operate a child day care center to serve up to 13 children. The use will occupy a portion of her residence located on Strolling Dr. Approximately 634 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 existing fenced yard extends up to the right-of-way for Rambling Rd. The Zoning Ordinance requires a 35' setback from the right-of-way for the fenced in play area. The development plan presented by the applicant shows a new fence line that will meet the setback requirement with a fenced in play area of 4100 square feet. A 4000 square foot play area is required.

**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 site.
- 2. The traffic impact will be minimal due to the limited size of the center and the primary use of the site being residence.
- 3. The proposed facility will place no additional demand on schools.

**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 draw a substantial amount of traffic through the residential area.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

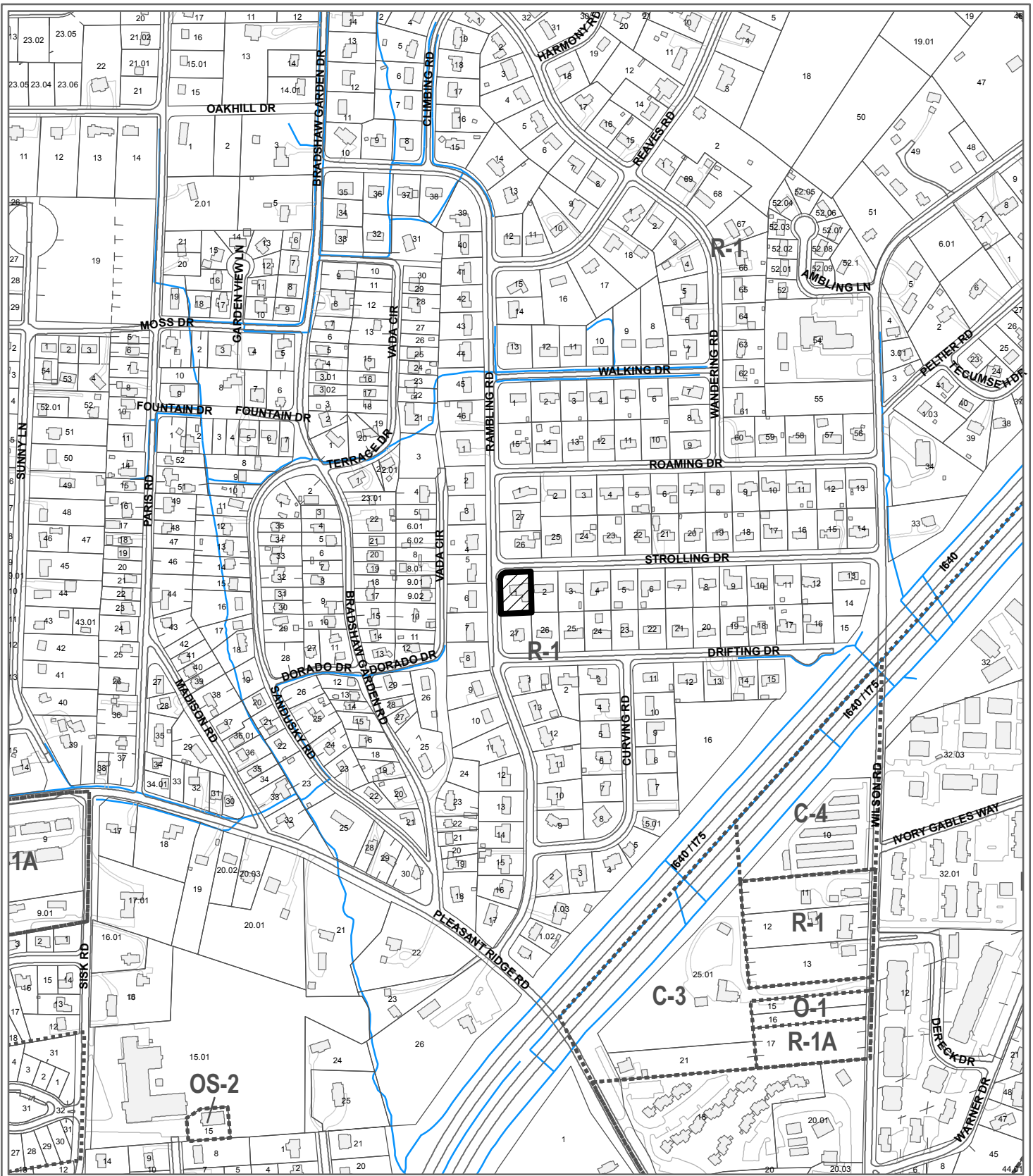
- 1. The Northwest City Sector Plan and the Knoxville One Year Plan identify the property for low density residential use. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the R-1 zoning district.
- 2. The site is located within the Urban Growth Area Inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**ESTIMATED TRAFFIC IMPACT 50 (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 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.



**3-B-13-UR  
USE ON REVIEW**

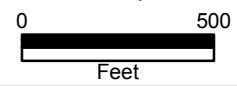


Child Day Care Center - 13 children in R-1 (Low Density Residential)

Petitioner: Benton, Deborah

Map No: 80

Jurisdiction: City



Original Print Date: 2/26/2013

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

**DAY CARE CENTER REVIEW**

Case No. : 3-B-13-UR

Applicant : Deborah Benton

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 16,500 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: 4,100 sq. ft.

• **Minimum Building Area**

Required: 455 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: 634 sq. ft.

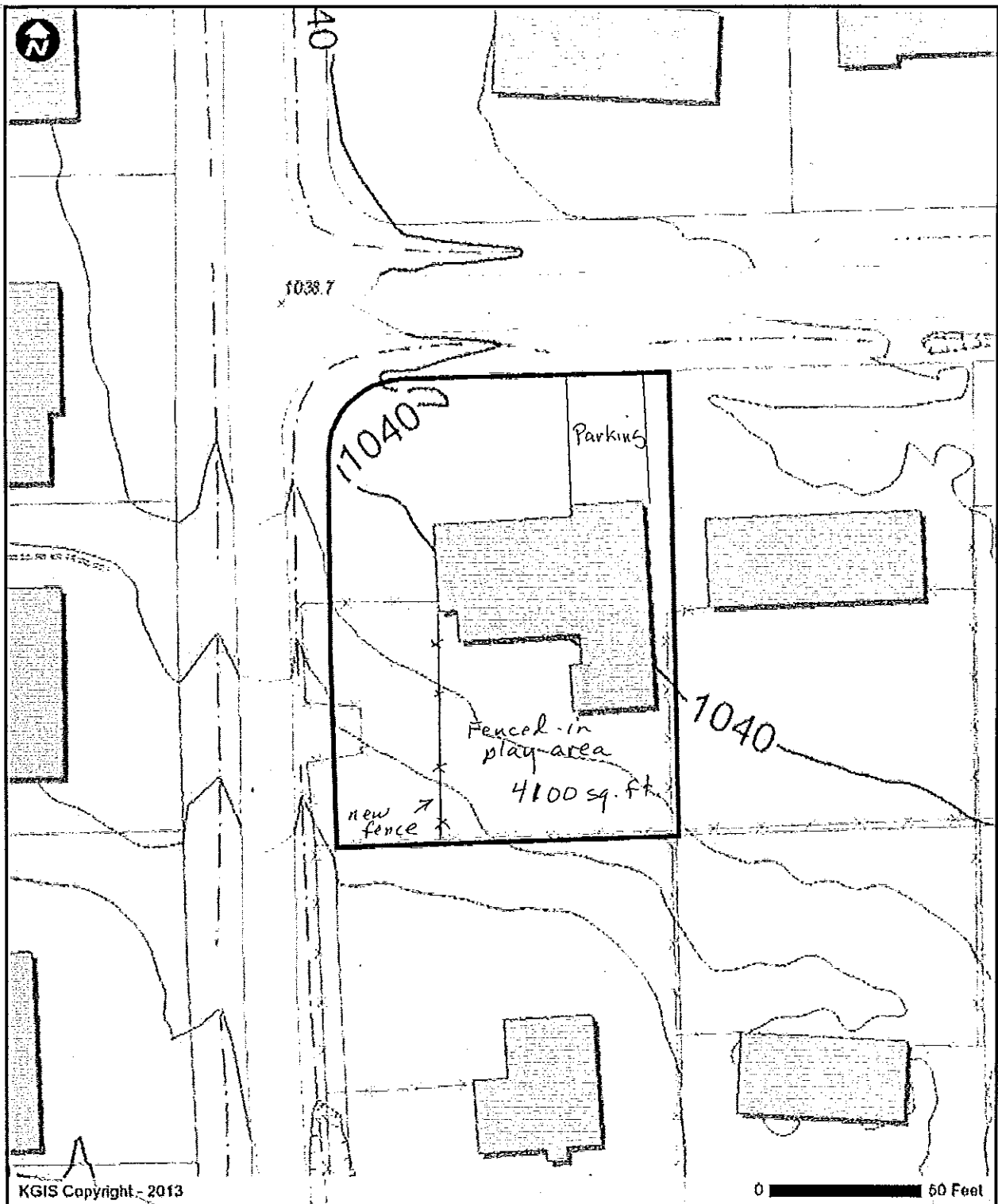
• **Minimum Off-Street Parking (Article 5, Section 7)**

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: 2 teacher/employee spaces

2 off street loading spaces



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Printed: 1/28/2013 at 10:50 AM

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3-B-13-UR

