

▶ **FILE #:** 9-G-13-UR

AGENDA ITEM #: 47

AGENDA DATE: 9/12/2013

▶ **APPLICANT:** **SHIRLEY ROSS**

OWNER(S): Shirley Ross

TAX ID NUMBER: 66 D A 009

JURISDICTION: County Commission District 6

▶ **LOCATION:** **Southeast side of Stanley Rd., southwest of Clinton Hwy.**

▶ **APPX. SIZE OF TRACT:** **0.6 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Stanley Rd., a local street with 18' of pavement within a 40' right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

▶ **EXISTING LAND USE:** **Detached dwelling**

▶ **PROPOSED USE:** **Day Care home (seven children)**

HISTORY OF ZONING: The property was PR (Planned Residential) in 2004 and subsequently subdivided as part of

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / PR residential

South: Detached dwellings / PR residential

East: Detached dwellings / PR residential

West: Detached dwellings / A agricultural

NEIGHBORHOOD CONTEXT: This site is within an established residential area that has developed under A, PR and RB zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a family day care home which may permit the care of up to seven children not related to the provider subject to 5 conditions**

1. Meeting all applicable requirements of the Knox County Health Dept.
2. Meeting all applicable requirements of the Knox County Fire Marshal
3. Meeting all applicable requirements of the Knox County Zoning Ordinance
4. 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
5. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Human Services

With the conditions noted, this request meets all of the requirements of the PR (Planned Residential) zoning district and all other requirements for approval of a use on review.

COMMENTS:

The applicant is requesting approval of a small day care facility to be operated in her home. Based on the number of children she wishes to care for, the Knox County Zoning Ordinance would define her operation as a day care home. As a day care home she will be permitted to provide care for up seven children that are not related to her. Additionally, she may provide care to children that are related by blood or marriage. However, the total number children, related and not related, receiving cannot exceed twelve.

The proposed day care facility will meet all of the site standards as called for in the Knox County Zoning Ordinance. The proposed use should be minimally intrusive because of the very low density of development in the area.

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 seven but not more than twelve children is in keeping with the scale and intensity of the existing day care home 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 limited enrollment
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 PR residential 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 Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

1. The proposed subdivision will have minimal impact on local services since water and sewer will be provided to this site.
2. The proposed detached residential subdivision at a density of 3.16 du/ac, is consistent in use and density with the proposed zoning of the property.

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

1. The proposed detached residential subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
 - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The Northwest County Sector Plan proposes this site for low density residential use which may

permit a maximum density of 5 dwellings per acre. The overall development density of the proposed development is 3.16 dwellings per acre.

B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential) District).

C. The use is compatible with the character of the neighborhood where it is proposed. As previously noted, the proposed development is compatible in use and intensity of development with the surrounding area.

D. The use will not significantly injure the value of adjacent property.

E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other residential developments.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for low density residential use. The PR zoning proposed for the property allows consideration of up to 3.2 du/ac . The proposed subdivision with its distribution of density on the site and overall density of 3.16 du/ac is consistent with the Sector Plan and the proposed zoning designation.

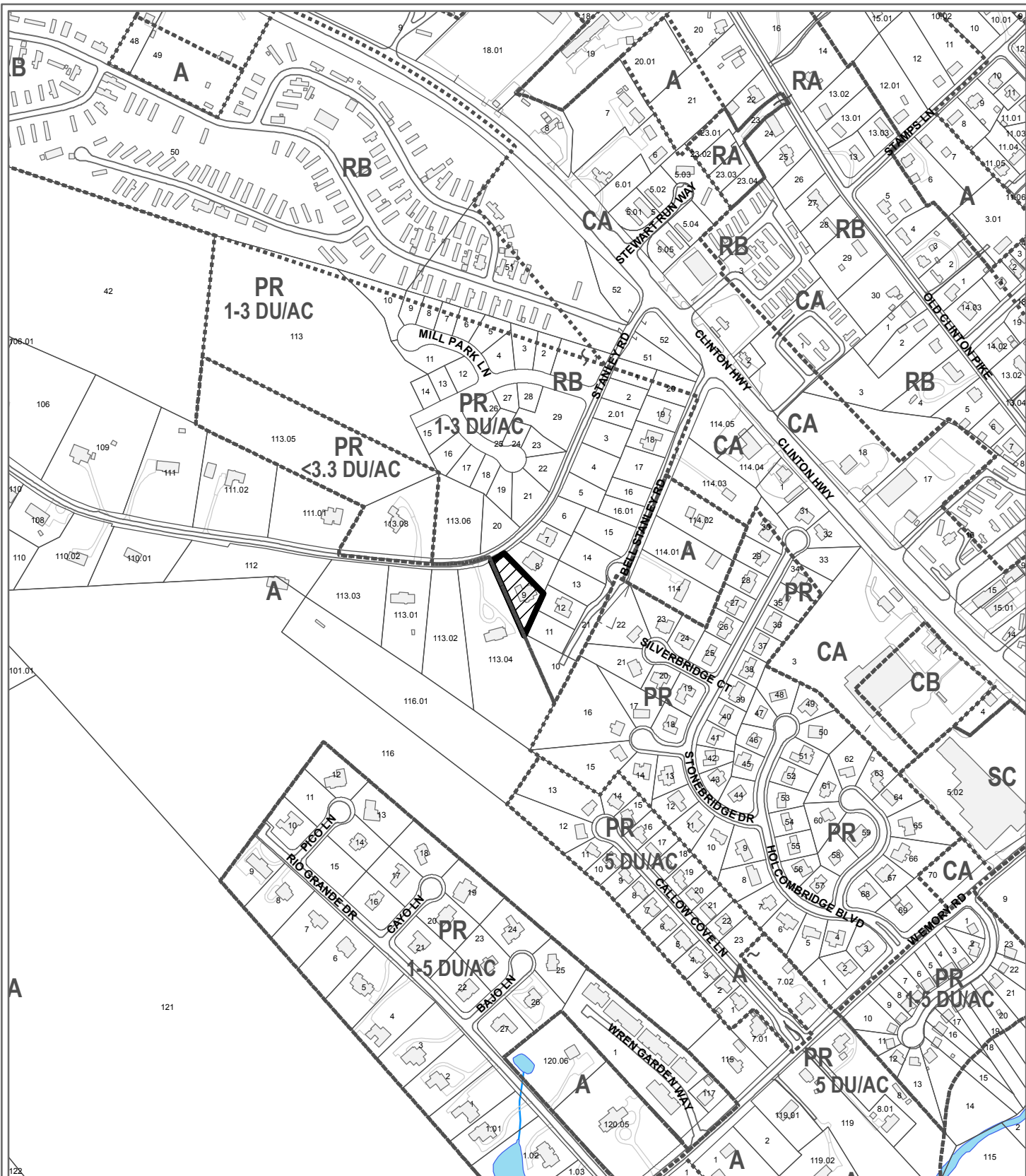
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 40 (average daily vehicle trips)

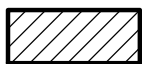
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**9-G-13-UR
USE ON REVIEW**



Day Care home (seven children) in PR (Planned Residential)

Original Print Date: 8/27/2013
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Ross, Shirley

Map No: 66

Jurisdiction: County



DAY CARE REVIEW

Case No. 9-6-13-UR
Applicant Shirley Ross

ZONING ORDINANCE REQUIREMENTS (Article 4, Section 4.91)

• **Minimum Lot Size**

Required: 10,000 sq. ft.

Request: 26,000 ±

• **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: 2795 sq. ft.

• **Minimum Building Area**

Required: 210 30 square feet per child

Request: 504 sq. ft.

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

Required: 1 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

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

Request: 1 teacher/employee spaces

1 off-street loading spaces