



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

▶ **FILE #:** 6-F-15-UR

**AGENDA ITEM #:** 36

**AGENDA DATE:** 6/11/2015

▶ **APPLICANT:** CYNTHIA DAVIS LISA EPPS

OWNER(S): Cynthia Davis

TAX ID NUMBER: 107 C B 002

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 1939 Kim Watt Dr

▶ **LOCATION:** Southeast side of Kim Watt Dr., north of Lonas Dr.

▶ **APPX. SIZE OF TRACT:** 0.4 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Kim Watt Rd., a local street with a pavement width of 20' within a 40' wide 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:** Detached dwelling

▶ **PROPOSED USE:** Child day care center for up to 12 children

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / R-1 residential

South: Detached dwellings / R-1 residential

East: Detached dwellings / R-1 residential

West: Detached dwellings / R-1 residential

NEIGHBORHOOD CONTEXT: The site is surrounded by detached dwellings. However, there is a mixture of housing types and densities found in the area. The Sunflower apartment development is located in this area. Zoning found in the area consists of R-1, R-1A and RP-1 residential zones.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request for the applicant to provide an in home child care facility for up to 12 children at this location subject to the following 10 conditions**

1. Meeting all applicable requirements of the Knox County Health Dept.
2. Obtaining and maintaining the appropriate license from the State of Tennessee Dept. of Human Services
3. Provision of a total of 5 off-street parking spaces (2 for the dwelling and 3 for the business)
4. Limiting the hours of operation of the day care to 7:00 AM to 7:00 PM
5. This use on review for a day care center will terminate at the time this applicant vacates the premises.
6. No signage will be permitted.

7. Meeting all requirements of Article 5 Section 3 of the Knoxville Zoning Ordinance (Development Standards for Private Day Nurseries and Kindergartens)
8. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
9. Meeting all applicable requirements of the Knoxville Engineering Dept.
10. Failure to adhere to these conditions of approval and all other applicable requirements of the Knoxville Zoning Ordinance will, after due process, result in revocation of the approval of this use on review

With the conditions noted, the request meets the requirements for approval in the R-1 zone and the other criteria for approval of a use on review

**COMMENTS:**

Ms. Davis is requesting approval of an in home child day care facility that consists of her and one employee providing care for up to 12 children in her home. The information submitted with this request suggests that requirements of Knoxville Zoning Ordinance pertaining to child day care are, or can be, met. Staff will recommend that if approved this use on review be terminated at the time Ms. Davis no longer lives in the dwelling. Staff is recommending approval of this request as an in home day care facility and not as free standing business.

The site is located approximately 400' north of Lonas Dr. It is surrounded by detached homes, however other residential uses are found in the immediate area. Staff believes that a small, in home, day care facility at this location will not have a negative impact on the surrounding area,

**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. Public water and sewer utilities are available to serve the site
3. The property is located along a local street. No negative traffic impact is anticipated.
5. The applicant will be required to provide off-street parking for both the dwelling and the home occupation.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposed child day care facility is consistent with the general standards for uses permitted on review: The proposed use 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 draw a minimal amount of additional traffic through this residential area.
2. The proposal meets all relevant requirements of the R-1 zoning district, as well as other criteria for approval of a use-on-review.

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

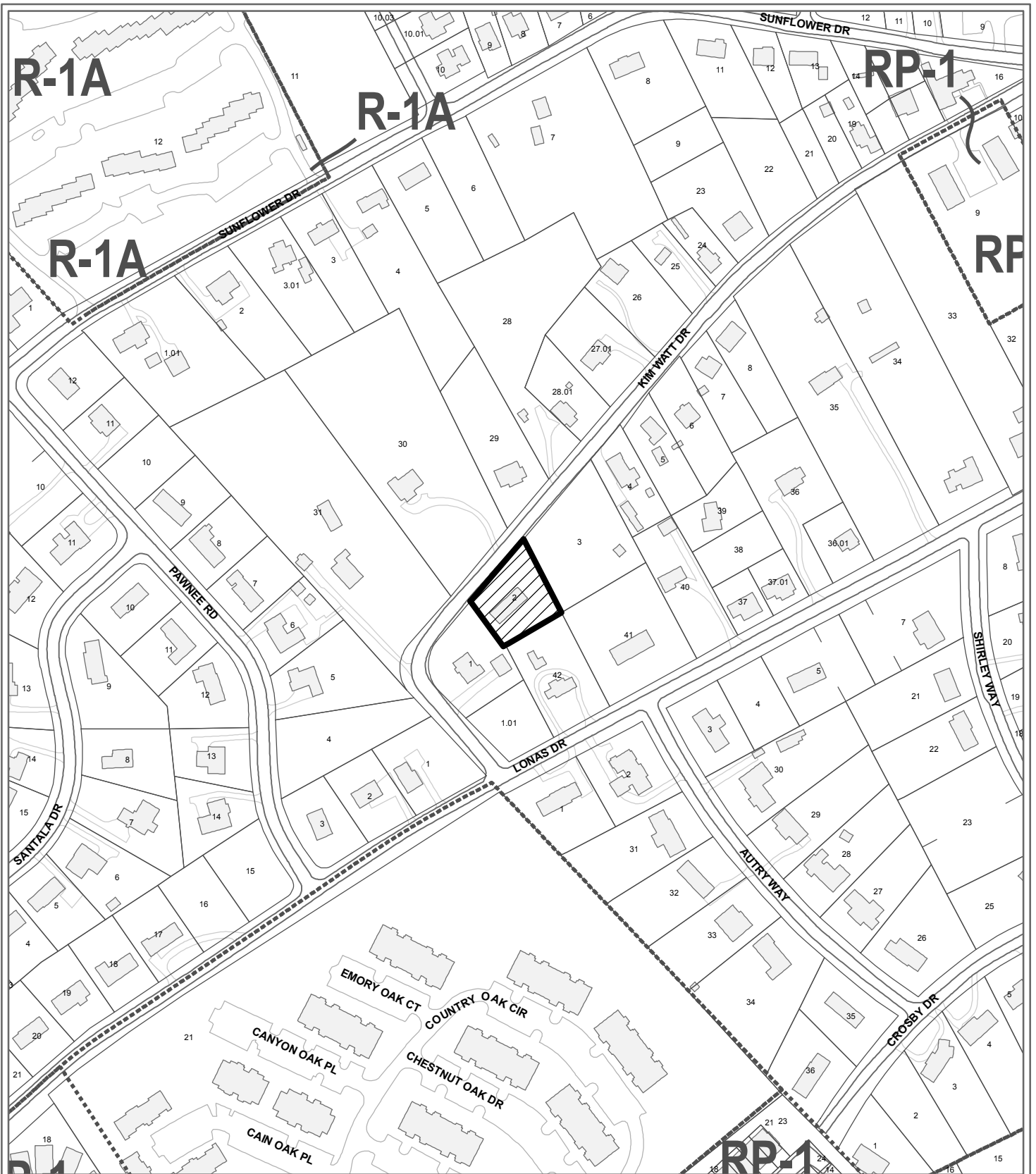
1. The use is in conformity with the Northwest City Sector Plan and One Year plan for the area which proposes LDR (Low Density Residential)

ESTIMATED TRAFFIC IMPACT: 64 (average daily vehicle trips)

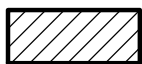
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**6-F-15-UR  
USE ON REVIEW**



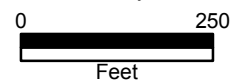
Child day care center in R-1 (Low Density Residential)

Original Print Date: 5/21/2015      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Davis, Cynthia, Lisa Epps

Map No: 107

Jurisdiction: City



**DAY CARE CENTER REVIEW**

Case No. : 6-F-15-UR

Applicant : Cynthia Davis

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 22,700 sq. ft.

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

Required: 4000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 4000 + sq. ft.

• **Minimum Building Area**

Required: 420 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: 804 sq. ft.

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

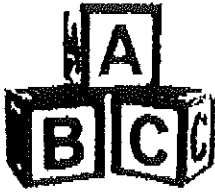
Required: 1 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

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

Request: 1 teacher/employee spaces

2 off street loading spaces

2 for dwelling  
5 Total required



## **DIGI ACADEMY OF LEARNERS, LLC**

*1939 Kim Watt Drive  
Knoxville, TN 37909  
Phone: 865-919-2831*

May 19, 2015

Dan Kelly  
Knoxville County Metropolitan Planning Commission  
Suite 403~City County Building  
400 Main Street  
Knoxville, TN 37902

Dear Dan Kelly,

This proposal letter is to advise your office of our intention to expand the driveway located at 1939 Kim Watt Drive, Knoxville, TN 37909. As requested by your office we have attached a copy of an image of our driveway with highlighted changes that will be made to the driveway. There will be a slight extension into the front yard that will be graveled so that there can be a turnaround for parent drop-off/pick-up. This extension will allow parents to enter the driveway on the right side entrance and turn around at the end of the front walkway. This extension will make the driveway 20 feet wide and the turning radius will be 10-15 feet. Parking spaces will be provided for the one employee at the end of the driveway by the garage beside the owners parking space inside the garage, this space will be at least 18 feet wide. Please advised if more information is needed. Thank you in advance for your attention in this matter.

Sincerely,



Lisa Epps

Images 10 & 11



- 1) Employee Parking
- 2) Owners Parking
- 3) Graveled Entrance from the Street
- 4) Turnaround/Driveway into the Street

