

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

▶ **FILE #:** 9-A-15-UR

AGENDA ITEM #: 41

AGENDA DATE: 9/10/2015

▶ **APPLICANT:** KIMBERLY ROCKER

OWNER(S): Charles Houston

TAX ID NUMBER: 80 C A 019

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 5233 Tillery Rd.

▶ **LOCATION:** Southwest side of Tillery Rd., south of Britton Dr.

▶ **APPX. SIZE OF TRACT:** 23560 square feet

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Tillery Rd., a minor collector street with a 24' 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:** Child day care center expansion

▶ **PROPOSED USE:** Child Day care center for up to 30 children

HISTORY OF ZONING: A child day care center for up to 20 children was approved by MPC June, 2006

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

South: Detached dwellings / R-1 & R-1A residential

East: Attached dwellings / R-1A residential

West: Attached dwellings / R-1A residential

NEIGHBORHOOD CONTEXT: The site is located in an area southwest of the Clinton Highway and Merchant Dr. intersection that includes a mix of single-family and multi-family residential development.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a child day care center with a maximum enrollment of up to 30 children at this location subject to the following 6 conditions:**

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
3. Provision of a minimum of 8 off street parking spaces, or as directed by the Knoxville Engineering Dept., prior to expansion of the day care center.
4. Maintaining the required amount of fenced outdoor play space as required by the Knoxville Zoning

Ordinance.

5. Meeting all applicable requirements of the Knoxville Engineering Dept..

6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the R-1 (Low Density Residential) District and the general criteria for approval of a Use-on-Review.

COMMENTS:

The applicant is proposing to expand an existing day care to serve up to 30 children. The current facility was approved in 2006 and is permitted to provide service for up to 20 children. The applicant is proposing to enclose an existing attached carport to create the additional building square footage needed in order to accommodate the additional children. The applicant will not be living on site. The entire 1550 square foot building will be used for the day care center. There is approximately 1220 square feet of the building that is available for use as activity areas for the children. There will be up to six 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 application. The application meets all of the requirements for a day care center with the addition of the fenced in play areas at the side and rear of the building and with the addition of the parking area at the front of the building.

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 development.
2. The proposed child day care center will have minimal impact on traffic since the facility is located on a collector street.
3. The proposed use is consistent with the mix of detached and attached residential development found in the area.

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

1. The proposed child day care center meets all of the requirements of the Knoxville Zoning Ordinance with the recommended conditions.
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 neighborhoods where it is proposed. The use will not significantly injure the value of adjacent property. The use will not have an impact on drawing traffic through residential areas since it is located on a collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

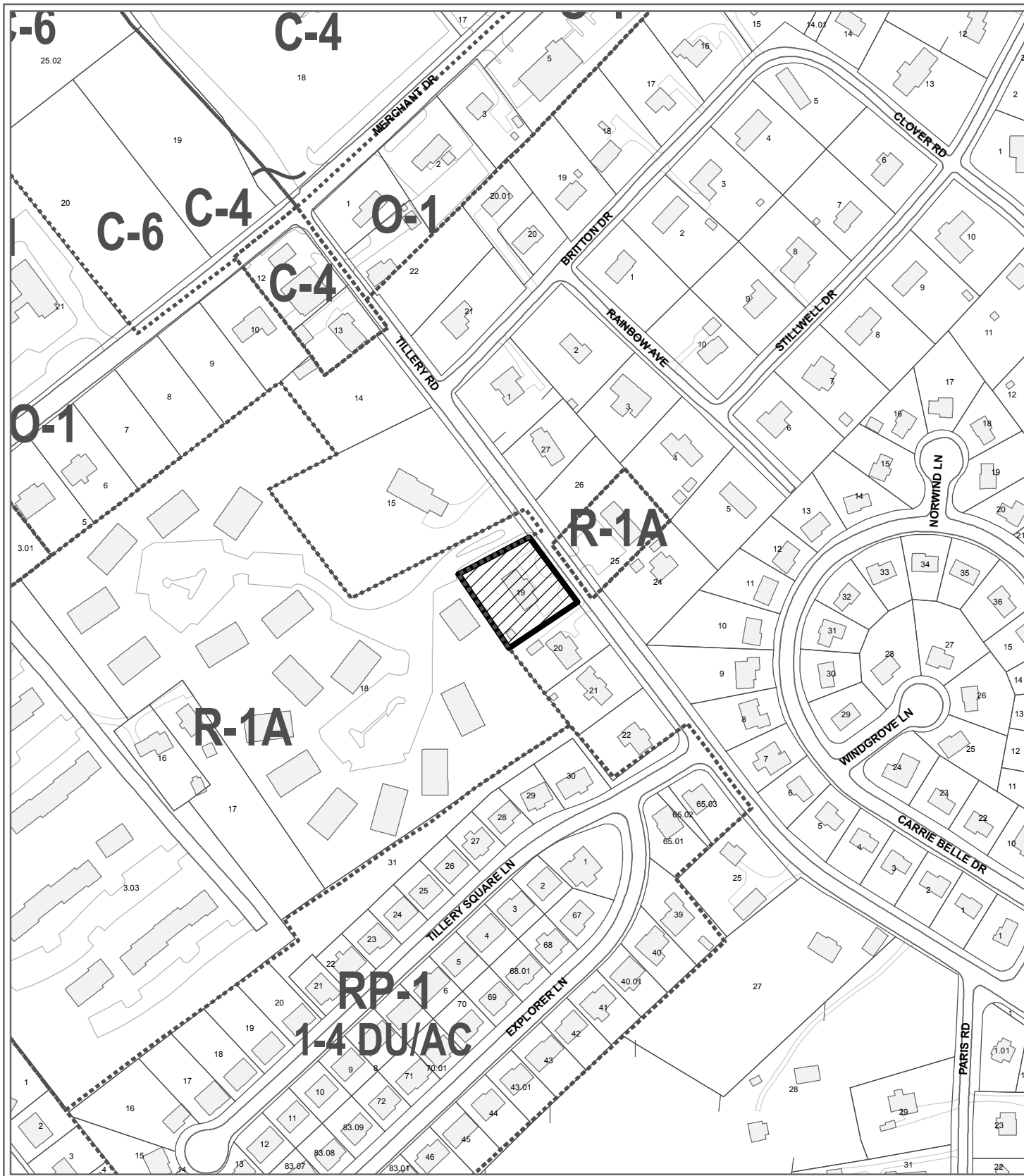
1. The Northwest City Sector Plan and the Knoxville One Year Plan identify the property for low density residential use. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the R-1 zoning district.
2. The site is located within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

ESTIMATED TRAFFIC IMPACT: 97 (average daily vehicle trips)

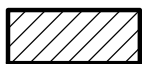
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**9-A-15-UR
USE ON REVIEW**



Child Day care center for up to 30 children in R-1 (Low Density Residential)

Original Print Date: 8/25/2015
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Rocker, Kimberly

Map No: 80

Jurisdiction: City



DAY CARE CENTER REVIEW

Case No. : 9-A-15-UR
Applicant : Kimberly Rozken

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

• **Minimum Lot Size**

Required: 15,000 sq. ft.

Request: 23,560 sq. ft.

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

Required: 5000 sq. ft. (4000 sq. ft. for first 20 children; 100 sq. ft. per each additional child)

Request: 6500 sq. ft.

• **Minimum Building Area**

Required: 1650 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: 1220 sq. ft.

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

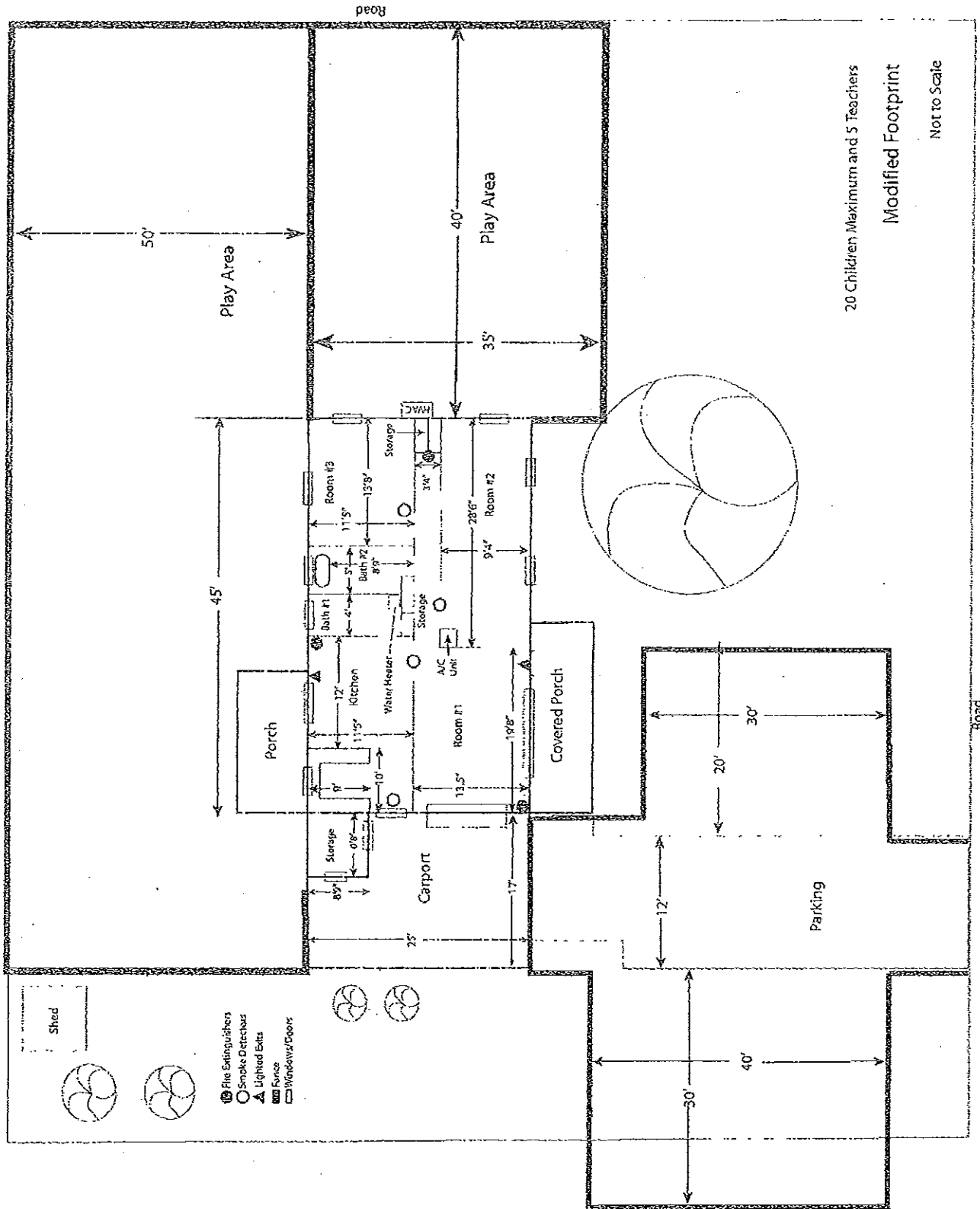
Required: 4 teacher/employee spaces (two (2) parking spaces per three (3) teachers and employees)

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

Request: 4 teacher/employee spaces

4 off street loading spaces

9-A-15-UR
(6-K-06-UR)



20 Children Maximum and 5 Teachers
Modified Footprint
Not to Scale