# **CASE SUMMARY**

## APPLICATION TYPE: USE ON REVIEW

File Number: 10-A-03-UR Related File Number:

**Application Filed:** 9/5/2003 **Date of Revision:** 

Applicant: KIP MOBLEY

Owner:



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

### PROPERTY INFORMATION

**General Location:** North side Carnation Dr., west of Sanderson Rd.

Other Parcel Info.:

Tax ID Number: 93 E A 012 Jurisdiction: City

Size of Tract: 16218 square feet

Accessibility: Access is via Carnation Dr., a local street with 40' of right of way and 20' of pavement width.

# GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling

**Surrounding Land Use:** 

Proposed Use: Daycare for up to 15 children Density:

Sector Plan: Central City Sector Plan Designation: Low Density Residential

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: This neighborhood is developed with single family dwellings under R-1 zoning.

#### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 3915 Carnation Dr

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

### **ZONING INFORMATION (where applicable)**

Current Zoning: R-1 (Single Family Residential)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

History of Zoning: None noted

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

**Requested Plan Category:** 

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# SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** 

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

# OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

# MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE a daycare for up to 15 children in the R-1 zoning district, subject to 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

- 2. The wood planks in the driveway must be removed and the driveway must be improved to a minimum 28' wide with gravel or pavement.
- 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
- 4. Installing a Type "A" landscape screen along the eastern border of the proposed outdoor play area, inside the fence line. (See attached "Landscape Screening Design Guidelines")
- 5. Maintaining the existing fence surrounding the outdoor play area at a minimum height of 4 feet.
- 6. Meeting all applicable licensing requirements by the State of Tennessee for operation of a daycare facility.

With the conditions noted above, this request meets all requirements for approval of a day care in the R-1 zoning district, as well as other requirements for approval of a use on review.

Comments:

# 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. The street has sufficient pavement width to serve the additional traffic.
- 2. The proposal will have some negative impact on adjacent residential properties. However, the proposal meets all the Zoning Ordinance criteria for approval of a daycare, and the impact is diminished because the subject property is adjacent to an interstate right of way on two of four sides.
- 3. The applicant is not proposing any significant changes to the appearance of the house and property.
- 4. Staff has recommended that the applicant install a landscape screen of evergreen trees along the eastern border of the outdoor play area in the backyard. This will help to reduce the potential noise and visual impact on the adjacent residential use to the east.

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

- 1. The proposal meets all applicable requirements of the Knoxville Zoning Ordinance regarding approval of a daycare facility. The proposed development meets the standards for development within the R-1 (Single Family Residential) District and all other requirements of the Zoning Ordinance.
- 2. The proposed development 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 proposal meets all Zoning Ordinance criteria for approval of a daycare for up to 15 children.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan and the Central City Sector Plan propose low density residential use for this property.

MPC Meeting Date: 10/9/2003

MPC Action: Approved

**Details of MPC action:** 

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

- 2. The wood planks in the driveway must be removed and the driveway must be improved to a minimum 28' wide with gravel or pavement.
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facility.

**Summary of MPC action:** APPROVE a daycare for up to 15 children in the R-1 zoning district, subject to 6 conditions:

Date of MPC Approval: 10/9/2003 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: 

Action Appealed?:

# LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** 

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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