# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



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File Number:10-E-04-URApplication Filed:9/12/2004Applicant:NIKI MARTINOwner:10-E-04-UR

#### PROPERTY INFORMATION

General Location:	South side of Jefferson Av., east of N. Bertrand St		
Other Parcel Info.:			
Tax ID Number:	82 O A 002	Jurisdiction:	City
Size of Tract:	7280 square feet		
Accessibility:	Access is via Jefferson Av., a local street with a pavement width of 30' within a 60' right-of-way.		

**Related File Number:** 

Date of Revision:

GENERAL LAND US	E INFORMATION		
Existing Land Use:	Single family dwelling		
Surrounding Land Use:			
Proposed Use:	Child day care center		Density:
Sector Plan:	Central City	Sector Plan Designation:	

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

**Neighborhood Context:** The site is surrounded by single family dwellings. It is located within the boundaries of the Parkridge Historical District.

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

Street:

2004 Jefferson Ave

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

## ZONING INFORMATION (where applicable)

Current Zoning:

R-1A (Low Density Residential) & H-1 (Historic Overlay)

Former Zoning:

**Requested Zoning:** 

Previous Requests:

Extension of Zone:

History of Zoning: None noted

## PLAN INFORMATION (where applicable)

Current Plan Category:

**Requested Plan Category:** 

## 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:	Dan Kelly	
Staff Recomm. (Abbr.):	PROVE the request for a child day care center at this location as shown on the development plan for to 12 children subject to 5 conditions	
Staff Recomm. (Full):	<ol> <li>Meeting all applicable requirements of the Knoxville Zoning Ordinance.</li> <li>Meeting all applicable requirements of the Knoxville Engineering Division.</li> <li>Meeting all applicable requirements of the Knox County Health Dept.</li> <li>Obtaining the required lot area and play area variances from the Knoxville Board of Zoning Appeals.</li> <li>Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.</li> </ol>	
	With the conditions noted, this plan meets the requirements for approval in the C-3 district and the other criteria for approval of a use on review.	
Comments:	The applicant is requesting approval of a child day care center to be located on Jefferson Av. east of Bertrand St. A vacant single family dwelling is located on the site. The site does not meet the minimum lot area requirement of the Knoxville Zoning Ordinance. The applicant will have to request approval of a variances from the required 15,000 square feet to the 7,280 square feet of lot area this site contains. An additional variance will be required for the fenced outdoor play space from 4,000 square feet of required space to the 3,750 square feet proposed. Staff will recommend approval of this use at this location subject to enrollment not exceeding 12 children. This recommendation follows the MPC practice of permitting small day care centers in the midst of a residential area. Due to the limited enrollment, the use will have minimal impact on the surrounding area while providing a valuable service to the community.	
	EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE	
	<ol> <li>Public water and sewer are available to serve the site.</li> <li>Jefferson Av has sufficient capacity to handle the additional traffic which will be generated by this development.</li> <li>This request will have no impact on schools and minimal impact on adjacent properties.</li> </ol>	
	CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE	
	<ol> <li>The proposal is consistent with all requirements of the R-1A and H-1 zoning districts, as well as other criteria for approval of a use on review.</li> <li>The proposed use 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 plans include appropriate setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will not pose a hazard or create an unsuitable environment for the proposed use.</li> </ol>	
	CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS	
	<ol> <li>The Central City Sector Plan proposes low density residential uses for this property.</li> <li>The site is located within the Urban Growth Area - inside the City of Knoxville as shown on the Knoxville-Knox County-Farragut Growth Policy Plan.</li> </ol>	

MPC Action:	Approved MPC Meeting Date: 10/14/2004				
Details of MPC action:	<ol> <li>Meeting all applicable requirements of the Knoxville Zoning Ordinance.</li> <li>Meeting all applicable requirements of the Knoxville Engineering Division.</li> <li>Meeting all applicable requirements of the Knox County Health Dept.</li> <li>Obtaining the required lot area and play area variances from the Knoxville Board of Zoning Appeals.</li> <li>Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.</li> </ol>				
	With the conditions noted, this plan meets the requirements for approval in the C-3 district and the other criteria for approval of a use on review.				
Summary of MPC action:	APPROVE the request for a child day care center at this location as shown on the development plan for up to 12 children subject to 5 conditions				
Date of MPC Approval:	10/14/2004	Date of Denial:	Postponements:		
Date of Withdrawal:	Withdrawn prior to publication?: Action Appealed?:				
LEGISLATIVE ACTION AND DISPOSITION					
Legislative Body:	Knoxville City Council				
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":	If "Other":				
Amendments:	Amendments:				

Effective Date of Ordinance:

Date of Legislative Appeal: