

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 3-D-05-UR **Related File Number:**
Application Filed: 2/7/2005 **Date of Revision:**
Applicant: JOY VAN ORNUM
Owner:

PROPERTY INFORMATION

General Location: West side of Gladstone Ln., north of Doak Dr.
Other Parcel Info.:
Tax ID Number: 59 N D 037 **Jurisdiction:** City
Size of Tract: 18600 square feet
Accessibility: Access is via Gladstone Ln. a local street with a pavement width of 17' to 18' within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single family dwelling
Surrounding Land Use:
Proposed Use: Child day care center **Density:**
Sector Plan: East City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Development surrounding the site consists of detached single family dwellings. Other development found in the area consists of attached single family dwellings and apartments. Zoning in the area consists of R-1 and RP-1 residential.

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

Street: 3105 Gladstone Ln
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:

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.): APPROVE the request for a child day care center at this location for up to 7 children subject to 5 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville Department of Operations
3. Meeting all applicable requirements of the Knoxville Fire Marshal
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Department of Human Services
5. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building or occupancy permits

With the conditions noted, this plan meets the requirements for approval in the R-1 district and the other requirements for approval of a use on review.

Comments: The applicant is proposing to operate a small day care center from her home with a maximum enrollment of seven children. The site can meet the development standards for the proposed use as contained within the Knoxville Zoning Ordinance. The use of this site for a child day care center would be consistent with MPC's past practice. MPC has consistently recommended approval of a child day care centers that will be located in a home if they can meet the development standards. Enrollment in these home day care centers is usually capped at 12 children. With a maximum enrollment of seven children, the staff believes the proposed use can be accommodated within this residential area with little or no impact on the surrounding neighborhood.

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

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have a minimal impact on the street and school systems.
3. The proposed child day care facility is compatible with the scale and intensity of the surrounding development and zoning pattern.

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

1. The proposal meets all requirements of the R-1 zoning district of the Knoxville Zoning Ordinance.
2. The proposed child day care center is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the One Year Plan, 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 not draw substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan proposes low density residential uses for the area. The East City Sector Plan proposes low density residential use for this site and the adjoining property. A child

day care center is a use permitted on review in a residential setting.

MPC Action:

Denied

MPC Meeting Date: 3/10/2005

Details of MPC action:

Summary of MPC action: DENY the request for a child day care center at this location for up to 7 children subject to 5 conditions

Date of MPC Approval:

Date of Denial: 3/10/2005

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:

Date of Legislative Appeal:

Effective Date of Ordinance: