

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-06-UR **Related File Number:**
Application Filed: 2/7/2006 **Date of Revision:**
Applicant: WORD AFIRE CHURCH
Owner:

PROPERTY INFORMATION

General Location: Southeast side of Sevier Heights Road, southwest side of Wallace Drive
Other Parcel Info.:
Tax ID Number: 109 K F 007 **Jurisdiction:** City
Size of Tract: 2.77 acres
Accessibility: Access is via Wallace Road, a local street with a 36' right of way and 16' pavement width, and Sevier Heights Road, a local street with a 32' right of way and 12' pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Day Care Center **Density:**
Sector Plan: South City **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The proposed use will be housed in a portion of Word Afire Church. The site is located in an established single-family neighborhood.

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

Street: 3706 Sevier Heights Rd
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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a day care facility for up to 20 children at this location subject to the following 6 conditions:

- Staff Recomm. (Full):
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. Obtaining the necessary variance from the Knoxville Board of Zoning Appeals to reduce the amount of allowable outdoor play area space.
 4. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
 5. Meeting all applicable requirements of the Knoxville Department of Engineering.
 6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

Comments: The applicant is proposing to operate a day care facility to serve up to 20 children. The use will occupy a portion of the existing church (12,400 square feet out of the church's 75,000 square feet). The site is zoned R-1, and day care facilities are considered as a use on review in the R-1 zone. The application meets all of the requirements for a day care except that it does not provide sufficient outdoor play space. A variance to this requirement will have to be granted by the Knoxville Board of Zoning Appeals prior to the issuance of any building permits. The applicant's request will be heard at the March 16, 2006 Board of Zoning Appeals hearing. The building which will house the day care is well removed from both Sevier Heights Road and Wallace Road. The church has more than enough parking to satisfy the needs of the day care facility.

With the conditions noted, the request meets the requirements for approval of a day care facility in the R-1 zone as a use on review.

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

1. The proposed day care center will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed day care center will have minimal impact on traffic because of the facility's hours of operation and the number of children being cared for throughout the course of a business day.
3. The proposed use is consistent with other residential development found in the area.

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

1. The proposed day care center meets all of the requirements of Article 5, Section 3, G.4 of the Knoxville Zoning Ordinance, except for the outdoor play area which the applicant is in the process of requesting a variance.
2. The proposed 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 draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South City Sector Plan identifies the property for Low Density Residential. 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.

MPC Action:

Approved

MPC Meeting Date: 3/9/2006

Details of MPC action:

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. Obtaining the necessary variance from the Knoxville Board of Zoning Appeals to reduce the amount of allowable outdoor play area space.
4. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

Summary of MPC action:

APPROVE the request for a day care facility for up to 20 children at this location subject to the following 6 conditions:

Date of MPC Approval:

3/9/2006

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:

Date of Legislative Appeal:

Effective Date of Ordinance: