

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-E-08-UR **Related File Number:**
Application Filed: 2/13/2008 **Date of Revision:**
Applicant: BRINA TATE / TATE'S TOTZ AND TEENS

PROPERTY INFORMATION

General Location: Northeast side of Clinton Plaza Dr., southeast of Merchant Dr.
Other Parcel Info.:
Tax ID Number: 68 N E 017 **Jurisdiction:** City
Size of Tract: 21000 square feet
Accessibility: Access is via Clinton Plaza Dr., a local street with a pavement width of 26' within a 50' wide right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant office building
Surrounding Land Use:
Proposed Use: Child day care facility for up to 50 children **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** C (Commercial)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Property in the area is zoned O-1 office, C-1, C-3 and SC-1 commercial. Development in the area consists of retail uses along Merchant Rd., professional and business offices are located along the side streets and Clinton Plaza Shopping Center fronting on Clinton Highway.

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

Street: 5304 Clinton Plaza Dr.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was zoned C-3 (General Commercial) in 1998

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

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 for up to 50 children at this location subject to 5 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. Installing the required fencing prior to operation of the day care center.
4. Meeting all applicable requirements of the Knoxville Engineering Dept.
5. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, the request meets the requirements for approval of a child day care center in the C-3 zone as a use-on-review.

Comments: The applicant is proposing to operate a day care facility to serve up to 50 children. The use will occupy a vacant office building located on Clinton Plaza Dr. The building is over five thousand square feet in size. There will be nine staff members for the day care center. The site which is zoned C-3 allows consideration of a child day care center as a use on review. The development plan presented by the applicant shows a fenced play area of 7250 square feet. The Knoxville Zoning Ordinance requires a fenced play area of 7000 square feet for the requested facility. The applicant will have to fence the required play area prior to commencing operation.

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 facility.
2. The proposed child day care center will have minimal impact on traffic since the facility is located on a local street with a number of other commercial/office uses.
3. The proposed use is consistent with the development found in the area.

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

1. With the recommended conditions, the proposed child day care center can meet all of the requirements of the Knoxville Zoning Ordinance.
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 neighborhood 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 general commercial use. The proposed development is consistent with the plan because day care facilities are allowed as a use permitted on review in the C-3 zoning district.
2. The site is located within the Urban Growth Area Inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved

MPC Meeting Date: 3/13/2008

- Details of MPC action:**
1. Meeting all applicable requirements of the Knox County Health Department.
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 3. Installing the required fencing prior to operation of the day care center.
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Summary of MPC action: APPROVE the request for a child day care center for up to 50 children at this location subject to 5 conditions

Date of MPC Approval: 3/13/2008

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: