

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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www.knoxmpc.org

File Number: 4-A-05-UR
Application Filed: 2/28/2005
Applicant: JUDY HAVNER
Owner:

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Northeast side Schubert Rd., southeast of Merchant Dr.
Other Parcel Info.:
Tax ID Number: 68 L A 018 **Jurisdiction:** City
Size of Tract: 0.402 acre
Accessibility: Access is via Schubert Rd., a minor collector street with a pavement width of 18' within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single family dwelling
Surrounding Land Use:
Proposed Use: Medical facility - counseling center **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an area of mixed uses. The recent trend in the area is to convert existing dwellings for non-residential uses or obtain O-1 office zoning and construct new facilities. The area to the north of this site contains office or commercial uses. The area to the south of this site is primarily single family dwellings.

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

Street: 5112 Schubert Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density 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 medical facility-counseling service at this location as shown on the development plan subject to 6 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville Dept. of Engineering
3. Meeting all applicable requirements of the Knoxville City Arborist
4. Meeting all applicable requirements of the Knox County Health Dept.
5. Limiting the hours of operation to 8:00 AM to 6:00 PM daily
6. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits

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

Comments: The request is to permit a medical facility limited to a counseling facility at this location. The Knoxville Zoning Ordinance permits a medical facility as a use on review in the R-1A (Low Density Residential) District. Past interpretations of the zoning ordinance have included the offices of psychologists and social workers with the definition of a medical facility. The applicant, a licensed clinical social worker, will be the sole practitioner at this location. She has stated in her application that the facility will only operate between the hours of 8:00 AM to 6:00 PM. The development plan submitted with this application will need to be revised to reflect the comments regarding the proposed parking for this facility. It appears the applicant will need to relocate the parking to the rear of building.

The site is located on Schubert Rd. which is classified as a collector street. Recent development in the immediate vicinity of the site has included a office for an orthodontist, the Knoxville Firefighters Credit Union and a beauty salon. Based on these developments, staff believes the proposed use would not have a negative impact on the remaining residences on this street.

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 counseling 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-1A zoning district.
2. The proposed counseling facility is consistent with the 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. Both the City of Knoxville One Year Plan and the Northwest City Sector Plan propose low density residential uses for the site.

MPC Action:

Approved

MPC Meeting Date: 4/14/2005

Details of MPC action:

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Summary of MPC action:

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Date of MPC Approval:

4/14/2005

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: