

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: 4-E-04-UR **Related File Number:**
Application Filed: 3/5/2004 **Date of Revision:**
Applicant: PAUL KRONAU, COUNCIL PRESIDENT, MESSIAH LUTHERAN CHURCH
Owner:

PROPERTY INFORMATION

General Location: South side Kingston Pike, west side Golf Club Rd.
Other Parcel Info.:
Tax ID Number: 120 E A 011 **Jurisdiction:** City
Size of Tract: 3.51 acres
Accessibility: Access is via Kingston Pk., a five lane arterial street. Secondary access is via Golf Club Rd., a local street with a pavement width of 26' within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Conversion of part of church to accessory day care for up to 36 children **Density:**
Sector Plan: West City **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located on the south side of Kingston Pk. Surrounding zoning consists of C-3 and C-4 commercial along Kingston Pk. and R-1 residential to the south. Development in the area consists of general commercial uses along Kingston Pk., the West Knoxville Library and the Deane Hill Subdivision.

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

Street: 6900 Kingston Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial) pending
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: C-3 (General Commercial) zoning pending 4-Z-04-RZ

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 to serve up to 36 children as shown on the development plan subject to 6 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Dept.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all requirements of the Knoxville Zoning Ordinance.
4. Meeting all applicable requirements of the Knoxville City Arborist.
5. Final approval of the C-3 (General Commercial) zoning for this site.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Human Services.

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 proposing a day care center to serve up to thirty-six children. The use will occupy a portion of the existing church facility. The site is currently zoned C-4 (Highway and Arterial Commercial). A day care center is not a permitted use in the C-4 District. A representative of the church has applied for rezoning to C-3 (General Commercial) which will permits day care centers as a use on review. The proposed use meets all of the required development standards for a day care center.

EFFECT OF THE 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 use is consistent with the other residential and commercial development found in the area. The site adjoins single family residences and could serve as a transitional use in this commercially zoned 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.
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 neighborhood 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 West City Sector Plan identifies this property for commercial use. The proposed development is consistent with the Sector Plan.

MPC's approval or denial of this request is final, unless the action is appealed to City Council, or the

Knox County Board of Zoning Appeals, as appropriate. The date of the appeal hearing will depend on when the appeal application is filed.

MPC Action:

Approved

MPC Meeting Date: 4/8/2004

Details of MPC action:

1. Meeting all applicable requirements of the Knox County Health Dept.
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3. Meeting all requirements of the Knoxville Zoning Ordinance.
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Summary of MPC action:

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Date of MPC Approval:

4/8/2004

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: