

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-M-05-UR **Related File Number:**
Application Filed: 3/14/2005 **Date of Revision:**
Applicant: GAIL RUCKER
Owner:

PROPERTY INFORMATION

General Location: Northwest side Woodbine Ave., southwest side N. Cherry St.
Other Parcel Info.:
Tax ID Number: 82 J G 018, 019 **Jurisdiction:** City
Size of Tract: 0.56 acre
Accessibility: Access is via Woodbine Av., a local street with a pavement width of 26' within a 50' right-of-way and Cherry St., 4 lane divided arterial street.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Child day care for up to 50 children **Density:**
Sector Plan: Central City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Zoning in the area is R-1A and R-2 residential and C-1 commercial. Development in the area consists of single family dwellings and convenience commercial uses.

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

Street: 2573 Woodbine Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General 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 for up to 50 children at this location subject to 7 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. Construction of a 6' high privacy along the boundary between this site and the dwelling located at 2561 Woodbine Av
6. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services
7. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits for this project

With the conditions noted, this request can meet the requirements for approval in the R-2 zone and the other criteria for approval of a use on review.

Comments:

The applicant is proposing a child day care center which will have a maximum enrollment of 50 children. The day care center will be located at the northwest corner of Woodbine Av. And N. Cherry St. The development surrounding the site is primarily single family dwellings. Convenience commercial uses are located on N. Cherry St. to the north and south of this site. The site contains over 24,000 square feet. The outdoor play area will be required to contain 9,000 sq. ft. and will have to be located on a manner such that none of the play area is within 35' of the previously mentioned streets. Eleven parking spaces will be required. Since Cherry Street is a four lane divided arterial street with no median opening at this site, staff will recommend limiting access to the day care to Woodbine Av. The site is made up of two parcels that are currently vacant. The site plan shows the proposed facility being constructed over these existing property boundaries. Since the site is multiple parcels, the property will have to resubdivided to combine the parcels. When constructed, the day care facility will have to contain at least 1750 square feet to accommodate the projected enrollment. Located to the rear of the site is an existing single family dwelling. Staff will recommend the construction of a privacy fence to separate this sue from the adjoining dwelling. The site plan will need to be revised in order to meet the parking requirements and the standards for a child day care center as called for in the Knoxville Zoning Ordinance.

The site is zoned R-2 (General Residential) district. When the rest of the Parkridge neighborhood was rezoned R-1A (Low Density Residential) district this site was left with its current R-2 designation. This R-2 zoned strip along N. Cherry Av was left to permit a transitional use to be permitted on this site which would separate the busy arterial street from the single family neighborhood. Staff considers a child day care center as an appropriate use in this situation. The hours of operation for this facility will be limited to 7AM to 7PM.

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

1. Public water and sewer are available to serve the site.
2. Woodbine Av.. has sufficient capacity to handle the additional traffic which will be generated by this development.
3. This request will have no impact on schools and minimal impact to adjacent properties.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING

ORDINANCE

1. The proposal can be amended to be consistent with all requirements of the R-2 zoning district and Article 5, Section 3,G.4 of the Knoxville Zoning Ordinance dealing with child ay care centers.
2. The proposed use 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 plans include appropriate setbacks to minimize the impact to surrounding properties. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas. No surrounding land uses will not pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Knoxville One Year Plan proposes medium density residential uses for this property.
2. The site is located within the Urban Growth Area - inside the City of Knoxville as shown on the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action: Denied **MPC Meeting Date:** 4/14/2005

Details of MPC action:

Summary of MPC action: DENY the request for a child day care center for up to 50 children at this location

Date of MPC Approval: **Date of Denial:** 4/14/2005 **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:**