CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



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File Number:	6-B-03-UR	Related File Number:	T E N N E S S E E
Application Filed:	4/29/2003	Date of Revision:	Suite 403 • City County Building 4 0 0 M a i n S t r e e t
Applicant:	LINDEN TREE PRESCHOOL	& LEADERSHIP ACADEMY - LATONYA HARRIS	Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0
Owner:			F A X • 2 1 5 • 2 0 6 8

PROPERTY INFORMATION

General Location:	Northwest side Sevier Ave., east of Dixie St.		
Other Parcel Info .:			
Tax ID Number:	95 O A 35	Jurisdiction:	City
Size of Tract:	0.27 acre		
Accessibility:	Access is via Sevier Av., a four lane arterial street.		

GENERAL LAND USE INFORMATION

Existing Land Use:	Vacant commercial building		
Surrounding Land Use:			
Proposed Use:	Day care for up to 16 children		Density:
Sector Plan:	South City	Sector Plan Designation:	
Growth Policy Plan:	Urban Growth Area (Inside City Limits)		
Neighborhood Context:	The site fronts on Sevier Av. which is classified as an arterial street. Most of the surrounding area is zoned C-3 commercial. Development consists of mixed commercial and residential uses.		

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

1133 Sevier Ave

Street: 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:** 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:** APPROVE the request for a child day care center for up to sixteen children at this location subject 7 Staff Recomm. (Abbr.): 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. Obtaining the required lot area variance from the Knoxville Board of Zoning Appeals. 5. Meeting all applicable requirements of the Knoxville City Arborist. 6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Human Services. 7. A revised site plan reflecting the conditions of this 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 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 sixteen children. The use will occupy a vacant commercial building. The proposed use can meet all of the required development standards for a day care center except the minimum lot area requirement. The site has an area of 11,900 sq. ft. The Zoning Ordinance requires a lot area of not less than 15,000 sq. ft. for a day care center. The applicant will be required to obtain a variance from this requirement from the Knoxville Board of Zoning Appeals. 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 with the exception of required lot area. A variance to the required 15,000 sq. ft. of required lot area will be necessary in order for this use to be permitted at this location. 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 South City Sector Plan identifies this property for commercial use. The proposed development is consistent with the Sector Plan. **MPC** Action: MPC Meeting Date: 6/12/2003 Approved

Details of MPC action:	 Meeting all applicable requirements of the Knox County Health Dept. Meeting all applicable requirements of the Knoxville Department of Engineering. Meeting all requirements of the Knoxville Zoning Ordinance. Obtaining the required lot area variance from the Knoxville Board of Zoning Appeals. Meeting all applicable requirements of the Knoxville City Arborist. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Human Services. A revised site plan reflecting the conditions of this 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 C-3 District and the other criteria for approval of a Use on Review. 			
Summary of MPC action:	APPROVE the request for a child day care center for up to sixteen children at this location subject 7 conditions			
Date of MPC Approval:	6/12/2003	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: