

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 6-B-15-UR **Related File Number:**
Application Filed: 4/20/2015 **Date of Revision:**
Applicant: DAMON A. FALCONNIER, NCARB

PROPERTY INFORMATION

General Location: West side of Harriett Tubman St., south of McCalla Av.
Other Parcel Info.:
Tax ID Number: 95 A H 023 **Jurisdiction:** City
Size of Tract: 3.68 acres
Accessibility: Access is via Harriett Tubman St., a minor collector street with 40' of pavement width within 50' of right-of-way. The site also backs up to S. Bell St., a local street with 26' of pavement width within 45' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Child day care center for up to 74 children **Density:**
Sector Plan: Central City **Sector Plan Designation:** Mixed Use
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The area surrounding this site is developed with various types of light industrial and commercial businesses under I-2 and C-3 zoning.

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

Street: 211 Harriet Tubman St
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-6 (General Commercial Park)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from I-2 to C-6 in 2013 to permit a church to occupy the building

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 to serve up to 74 children as shown on the site plan with the following 4 conditions

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance or obtaining all required variances.
 2. Installation of a safety barrier, such as a guard rail, along the Harriett Tubman and southern frontage of the proposed outdoor play area
 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
 4. Obtaining and maintaining all required licenses/permits from the State of Tennessee needed in order to operate a day care center

With the condition noted, this plan meets the requirements for approval in the C-6 zoning district and the other criteria for approval of a use on review.

Comments: In 2013 this site was rezoned from I-2 (Restricted Manufacturing and Warehousing and Industrial to C-6 in order to permit a church to be located in the existing building. Since that time the church has done extensive improvements to the building and parking area. It is now their wish to establish a child day care center that will serve up to 74 children. The proposed day care center will be an addition to the ministry of the church and will serve a need in the immediate community. The plan as submitted does not meet the city's minimum standards for a day care facility of the size proposed. However, they do propose to meet the minimum required standards as required by the State of Tennessee. For this type use the City's standards are more restrictive than the State's. The church has obtained approval for the less stringent standards from the Knoxville Board of Zoning Appeals. Due to the close proximity of the proposed outdoor play area to Harriett Tubman St., staff will required that a safety barrier be erected. The barrier may be a guard rail or some other safety device as approved by the City Engineering Dept.

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

1. The day care center impact on local services since all utilities are in place to serve this site.
2. Granting this request should have little impact on adjoining property

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

1. The proposed day care center is consistent with standards for development within the C-6 (General Commercial Park) District and all other requirements of the Zoning Ordinance.
2. The request 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 Central City Sector Plan designates this property for mixed uses.
2. The site is located inside the city within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved

Meeting Date: 6/11/2015

Details of Action:

Summary of Action: APPROVE the request for a child day care center to serve up to 74 children as shown on the site plan with the following 4 conditions

Date of Approval: 6/11/2015

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: