

# CASE SUMMARY

**APPLICATION TYPE: OTHER BUSINESS**

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:** 7-C-10-OB                      **Related File Number:**  
**Application Filed:** 6/3/2010              **Date of Revision:**  
**Applicant:** ROBBIE JEAN ADULT CENTER

## **PROPERTY INFORMATION**

**General Location:**  
**Other Parcel Info.:**  
**Tax ID Number:** 999 999                      **Jurisdiction:**  
**Size of Tract:**  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:**                                      **Density:**  
**Sector Plan:**                                      **Sector Plan Designation:**  
**Growth Policy Plan:**  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:** Use determination for an adult day care business in the SC-1 (Neighborhood Shopping Center) District.

## **ZONING INFORMATION (where applicable)**

**Current Zoning:**  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## **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.: Use determination for an adult day care business in the SC-1 (Neighborhood Shopping Center) District.

**MPC ACTION AND DISPOSITION**

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE an adult day care facility on the uses permitted list in the SC-1 zone, subject to use on review approval by MPC.

Staff Recomm. (Full):

Comments: Authority: The uses permitted list in the SC-1 (Neighborhood Shopping Center) zone, (Article 4, Section 3.2, B, 7) of the Knoxville Zoning Ordinance) includes a statement that reads, "Any other store or shop for retail trade or for rendering personal, or professional service which in the opinion of the planning commission will not be injurious to the district." The use determination application is the most appropriate process for MPC to make this determination. The SC-1 zone requires use on review approval for all uses. Comments: This application was submitted by the Robbie Jean Adult Center, so that MPC could consider the appropriateness of an adult day care facility within a shopping center at 5745 Western Ave. (CLT# 079MA03402). It should be noted, however, that approval of this use determination does not apply only to this particular property. If approved, this use determination would establish an adult day care facility as an acceptable use on any SC-1 (Neighborhood Shopping Center) zoned property within the City of Knoxville, subject to use on review approval by MPC. It is the opinion of staff that an adult day care facility is a personal service business, similar to other personal and professional services that are permitted to be considered in the SC-1 zoning district. The Knoxville Zoning Ordinance does not currently include a definition for an adult day care facility. The use is identified in the Knox County Zoning Ordinance and is defined below: ADULT DAY CARE FACILITY – A facility which provides non-medical care to three (3) or more persons eighteen (18) years of age and older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour a day basis. Any persons who are related to the provider by blood or marriage shall not be included in the total number of persons for which care is provided. Other comments: MPC staff is currently drafting a zoning ordinance amendment that will add the new R-4 zone to the list of City zoning districts, and it will include an adult day care facility as an allowed use. As part of that zoning ordinance amendment process, the above definition will be added to Art. 2, Sec 2.20 (Specific Terms) of the Knoxville Zoning Ordinance. Other zones may also be proposed to allow adult day care facilities. Development criteria for the use may also be considered. The SC-1 zone requires use on review approval by MPC for all uses, so some oversight will be required if any applications for this use are submitted prior to adoption of the above zoning ordinance amendments.

Action: Approved Meeting Date: 7/8/2010

Details of Action:

Summary of Action: APPROVE an adult day care facility on the uses permitted list in the SC-1 zone, subject to use on review approval by MPC.

Date of Approval: 7/8/2010 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?:  Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: MPC

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:**

**Date of Legislative Appeal:**

**Amendments:**

**Effective Date of Ordinance:**