

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: 8-C-07-UR **Related File Number:**
Application Filed: 7/2/2007 **Date of Revision:**
Applicant: VICTORY VIEW BAPTIST CHURCH

PROPERTY INFORMATION

General Location: Northeast side of Castle St., northwest of Lay Av.
Other Parcel Info.:
Tax ID Number: 82 E M 033 **Jurisdiction:** City
Size of Tract: 7650 square feet
Accessibility: Access is via S. Castle St., a minor collector street with a pavement width of 23' within a 50' wide right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Detached dwelling
Surrounding Land Use:
Proposed Use: Child day care center **Density:**
Sector Plan: East City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Property in the area is zoned R-1 residential. Development in the area consists primarily of detached dwellings

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

Street: 514 S Castle St
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density 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:

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 12 children at this location subject to the following 8 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
3. Entering into a lease with Victory View Baptist Church to permit the required parking on their property.
4. Obtaining the lot area variance from Knoxville Board of Zoning Appeals
5. Provision of the required 4000 square feet of fenced play area or obtaining a variance to that requirement from the Knoxville Board of Zoning Appeals
6. Installing the required fencing around the required play area as designated on the development plan prior to operation of the day care center.
7. Meeting all applicable requirements of the Knoxville Engineering Division.
8. Meeting all other applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, the request meets the requirements for approval of a child day care center in the R-1 zone as a use-on-review.

Comments:

The applicant is proposing to operate a day care facility to serve up to 12 children. The use will occupy a residence located on S. Castle St. The entire 925 square foot building will be used for the day care center. There is approximately 552 square feet of the building that is available for use as activity areas for the children. There will be up to three staff members for the day care center. The site which is zoned R-1 allows consideration of a child day care center as a use-on-review application.

The Knoxville Zoning ordinance requires that each day care center be located on a site that is at least 15,000 square feet in area. This site does not meet this requirement. The applicant also owns the adjoining property. Part of that site will be used for the parking. Since the parking will be provided on a separate parcel of land, a lease agreement will be required in order to allow the required parking to be located on the church property. The application meets all other requirements for a day care center with the addition of the fenced in play areas at the side and rear of the building.

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

1. The proposed child day care center will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed child day care center will have minimal impact on traffic since the facility is located on a collector street.
3. The proposed use is consistent with the detached residential development found in the area.

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

1. With the approval of the needed variance, the proposed child day care center meets all of the requirements of the Knoxville Zoning Ordinance with the recommended conditions.
2. The proposed child 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 neighborhoods where it is proposed. The use will not significantly injure the value of adjacent property. The use will not have an impact on

drawing traffic through residential areas since it is located on a collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East City Sector Plan and the Knoxville One Year Plan identify the property for low density residential use. The proposed development is consistent with this use because day care facilities are allowed as a use permitted on review in the R-1 zoning district.

MPC Action: Approved

MPC Meeting Date: 8/9/2007

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Health Department.
2. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Human Services.
3. Entering into a lease with Victory View Baptist Church to permit the required parking on their property.
4. Obtaining the lot area variance from Knoxville Board of Zoning Appeals
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With the conditions noted, the request meets the requirements for approval of a child day care center in the R-1 zone as a use-on-review.

Summary of MPC action:

APPROVE the request for a child day care center for up to 12 children at this location subject to the following 8 conditions:

Date of MPC Approval: 8/9/2007

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: