

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: 9-E-09-UR **Related File Number:**
Application Filed: 7/27/2009 **Date of Revision:**
Applicant: YVONNE K. ELIAZAR

PROPERTY INFORMATION

General Location: Southeast side of Ohio Av., west of McPherson St.
Other Parcel Info.:
Tax ID Number: 81 P R 001 & 002 **Jurisdiction:** City
Size of Tract: 18300 square feet
Accessibility: Access is via Ohio Av., local street with a pavement width of 20' within a 40' wide right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Child day care center
Surrounding Land Use:
Proposed Use: Child day care center for up to 45 children **Density:**
Sector Plan: Central City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located at the dead end of Ohio St. Development in the area consists of detached dwellings. There are some newer homes in the same block as the proposed day care. A truck terminal is located to the west of this site.

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

Street: 2124 Ohio Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1A (Low Density Residential) & IH-1 (Infill Housing Overlay)
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 45 children as shown on the development plan subject to 6 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Submitting a revised scaled site plan showing the 10 required off street parking spaces or obtaining a parking variance from the Knoxville Board of Zoning Appeals
4. Combining the two parcels into one via the Administrative Plat process
5. Meeting all other applicable requirements of the Knoxville Engineering Dept.
6. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Human Services.

With the conditions noted above, this request meets all requirements of the R-1A/IH-1 zoning districts, as well as other criteria for approval of a use on review.

Comments:

The applicant is requesting approval of a use on review for a child day care facility that has been operating since 1982. The applicant applied for a building permit to upgrade the kitchen facilities, and it was discovered that the day care center had not been approved by MPC as required by the Knoxville Zoning Ordinance. The day care center presently has an enrollment of 45 children and has 6 teachers. The site is zoned R-1A (Low Density Residential and IH-1 (Infill Housing)). The use will be located inside two existing houses. It is located at the dead end of Ohio Ave. The facility meets all of the requirements of the Knoxville Zoning Ordinance with the exception of the parking standards. Since the facility is located at the dead end of Ohio Ave., much of the parking has been on the street. The applicant will need to provide the required number of off street parking spaces or obtain a variance to the that requirement from the Knoxville Board of Zoning Appeals.

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

1. The proposal will have no impact on schools.
2. Ohio Avenue is a local street, and it has adequate capacity to handle the traffic associated with the use.
3. Public water and sewer utilities are available to serve the use

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed daycare facility 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.
2. The proposal meets all requirements of the R-1A/IH-1 zoning districts with the exception of the parking requirement (See the attached Day Care Review sheet).

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Central City Sector Plan Knoxville One Year Plan propose LDR (Low Density Residential) uses for this site. A child day care center may be permitted in an LDR area

2. The site is located within the City of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan

Action: Approved

Meeting Date: 9/10/2009

Details of Action:

1. Meeting all applicable requirements of the Knox County Health Department
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
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Summary of Action:

APPROVE the request for a child day care center for up to 45 children as shown on the development plan subject to 6 conditions

Date of Approval: 9/10/2009

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: