

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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www.knoxmpc.org

File Number: 9-Q-07-UR **Related File Number:**
Application Filed: 8/6/2007 **Date of Revision:**
Applicant: KAMILLAH CHAVEZ

PROPERTY INFORMATION

General Location: Northeast side of Mascarene Rd., northwest side of Rendava Ln.
Other Parcel Info.:
Tax ID Number: 93 H B 043 **Jurisdiction:** City
Size of Tract:
Accessibility: Access is via Mascarene Rd., a local street with a 23' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Residence and day care facility for up to 10 children **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area
Neighborhood Context: This area has developed with residential uses under R-1 and RP-1 zoning.

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

Street: 4300 Mascarene Rd.
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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a day care facility for up to 10 children at this location subject to the following 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. Obtaining all necessary variances from the Knoxville Board of Zoning Appeals.
 4. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
 5. Meeting all applicable requirements of the Knoxville Department of Engineering.
 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-1 zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is proposing to operate a day care facility out of their residence on Mascarene Rd. The proposed day care will serve an enrollment up to 10 children and have up to 2 instructors. The site is zoned R-1 (Low Density Residential) and day care facilities are a use permitted on review. The use will occupy an existing house which is approximately 1,008 square feet in size and a 4,000 square foot outdoor fenced play area. The applicant will be required to obtain variances from the Knoxville Board of Zoning Appeals regarding lot area and parking requirements. The Knoxville Zoning Ordinance requires that the minimum lot size for a day care facility be 15,000 square feet and this request requires 6 off-street parking spaces. This lot is only 13,300 square feet and is only able to accommodate 2 parking spaces. These variances are scheduled to be heard by the Knoxville Board of Zoning Appeals on 9/20/2007.

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. This request will have a minimal impact on street traffic due to the small number of children being served.
3. Public water and sewer utilities are available to serve the development.

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 properties due to the small number of children being served.
2. With the approved variances, the proposal meets all requirements of the R-1 zoning district (See the attached Day Care Review sheet).

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest City One Year Plan proposes low density residential uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC Action: Approved

MPC Meeting Date: 9/13/2007

- Details of MPC action:
1. Meeting all applicable requirements of the Knox County Health Department
 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 3. Obtaining all necessary variances from the Knoxville Board of Zoning Appeals.

4. The outdoor play area will be required to provide suitable surface material to prevent injuries - unitary materials or loose-fill materials.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
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-1 zoning district, as well as other criteria for approval of a use on review.

Summary of MPC action: APPROVE the request for a day care facility for up to 10 children at this location subject to the following 6 conditions:

Date of MPC Approval: 9/13/2007

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: