

Memorandum

To: Metropolitan Planning Commission
From: Michael A. Brusseau, Senior Planner
Date: June 30, 2010
File #: 7-C-10-OB
Subject: Use Determination –
Adult day care in the SC-1 (Neighborhood Shopping Center) zone

Staff Recommendation:

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

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.

Suite 403 • City County Building
 400 Main Street
 Knoxville, Tennessee 37902
 865 • 215 • 2500
 FAX • 215 • 2068
 www.knoxmpc.org

Permitted Use Determination



Name of Applicant: Robbie Jean Adult Center

Date Filed: 6-3-10 Application Accepted by: Thomas Buchler

Fee Amount: 200.00 Meeting Date: July 8, 2010 File Number: 7-C-10-0B

PROPERTY INFORMATION

Address: 5745 Western Ave
 General Location: Northeast side of Western Ave, Northwest side of Palmetto Rd.
 Tract Size: 7.65 No. of Units: _____
 Zoning District: SC-1
 Existing Land Use: Shopping center

Planning Sector: Northwest City
 Sector Plan Proposed Land Use Classification: Commercial

Growth Policy Plan Designation: Urban
 Census Tract: 47
 Traffic Zone: 211
 Tax Identification Number: 079MA 03402
 Jurisdiction: City Council 3 District
 County Commission _____ District

USE REQUESTED

Adult day care in SC-1 (Neighborhood Shopping Center) District

ATTACH AS A SEPARATE DOCUMENT:

- A detailed description of the proposed specific use. Including: number of employees, hours of operation, products made or sold, services performed, special equipment used.
- A statement indicating how the various permitted uses listed in the zoning regulations are similar in nature, operations, and character to the proposed use in this application and how they would be compatible.
- Floor/site plan factors. Details regarding limitations (such as maximum floor area or site area) on building and site development for the following: office areas, warehousing areas, manufacturing areas, showroom/retail areas.

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: _____
 Company: White Realty Inc.
 Address: PO Box 10028
 City: Knoxville State: TN Zip: 37939
 Telephone: 588-2244 ext 102
 Fax: _____
 E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: New Vision Fellowship
 Company: Church
 Address: 3343 Dewine Rd
 City: Knoxville State: TN Zip: 37921
 Telephone: 865-584-1525
 Fax: 584-6613
 E-mail: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form

Signature: Judi Parris
 PLEASE PRINT
 Name: Judi Parris
 Company: Newvision Fellowship
 Address: 3343 Dewine Rd.
 City: Knoxville State: TN Zip: 37921
 Telephone: 865-388-3677
 E-mail: Judi@newvisionag.com

Robbie Jean Adult Center

5745 Western Ave
Knoxville, TN 37921

Robbie Jean Adult Center provides adult care for elderly and/or disabled adults who need a safe, nurturing and caring environment while offering respite for their full time care givers.

Licensed

Robbie Jean Adult Center is currently seeking licensure through the State of Tennessee Department of Human Services.

Services Offered

Day and evening Respite	Socialization with Peers
Physical Exercise	Nutritious Meals
Supervision	Teaching Hygiene Skills
Assist with Medication	Cognitive Stimulation through Activities

Employees

There will be 2-6 employees scheduled to meet or exceed the State Licensing Requirements

Hours of Operation

Hours of Operation will be from 6 AM to 9 PM Monday through Friday

Participants

There will a maximum of 15 participants until State Licensing approves of expansion of services.

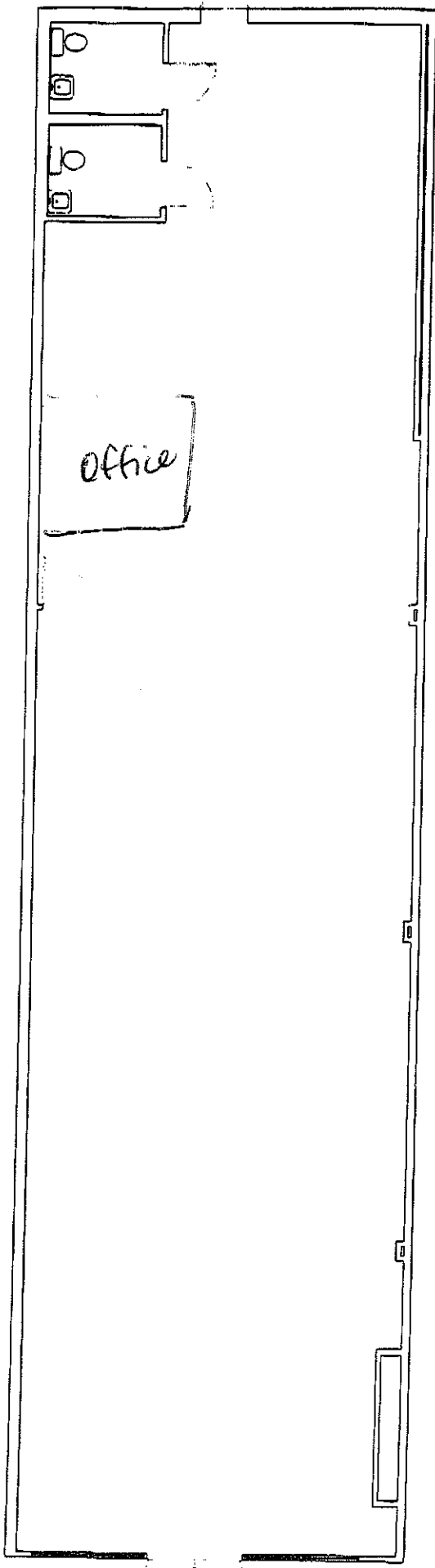
Floor Plan (Please see attached)

The arrangement of furniture and accessories will be flexible to meet the needs of the participants to include but not limited to the following

Card Tables	Television
Recliners	Sofa
Wii Systems	Bookshelves
Refrigerator	

Meals

Meals will be catered by a local restaurant



**CUMBERLAND ESTATES
SHOPPING CENTER**

5745 WESTERN AVENUE

2,500 Sq. Ft.

**FOR
LEASING INFORMATION**

**WHITE REALTY
588-2244 x 102**