

# 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:** 1-A-13-UR                      **Related File Number:**  
**Application Filed:** 11/26/2012              **Date of Revision:**  
**Applicant:** SHEPHERD OF THE HILLS EVANGELICAL CHURCH

## PROPERTY INFORMATION

**General Location:** Northeast side of Sherrill Blvd., south of Dutchtown Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 118 177.02                      **Jurisdiction:** City  
**Size of Tract:** 2.4 acres  
**Accessibility:** Access via Sherrill Blvd., a major collector street with a four lane pavement section with a required right-of-way of 100'.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Church  
**Surrounding Land Use:**  
**Proposed Use:** Church expansion                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Mixed Use  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The site is located in an area along Pellissippi Parkway of mixed business park development.

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

**Street:** 10231 Sherrill Blvd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** BP-1 (Business and Technology Park) / TO-1 (Technology 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:** Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE the proposed preschool education building addition to the existing church as shown on the development plan subject to 7 conditions.

**Staff Recomm. (Full):**

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCCA) for the proposed development.
2. Obtaining approval from the Knoxville Board of Zoning Appeals for the expansion of the pre-existing non-conforming church use.
3. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. Installation of landscaping as shown on the approved development plan within six months of the issuance of an occupancy permit for this project.
6. Meeting all applicable requirements of the Knoxville City Arborist.
7. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, the request meets all requirements for approval of a use-on-review in the BP-1 district.

**Comments:** The applicant is proposing a building addition of approximately 3,768 square feet to the existing church located on the northeast side of Sherrill Blvd., just south of Dutchtown Rd. The proposed addition will be used as a preschool education building and is considered to be an accessory use to the existing church.

The existing church is considered as a pre-existing nonconforming use in the BP-1 (Business and Technology Park) zoning district. The church, which was annexed in 1997, was a permitted use under the property's County zoning designation of BP (Business and Technology Park). The City of Knoxville's BP-1 zoning district does not list a church as a permitted use. The Knoxville Zoning Ordinance makes provision for the expansion of pre-existing non-conforming uses, with approval by the Knoxville Board of Zoning Appeals. The applicant could also request a rezoning of the property to C-6 (General Commercial Park) / TO-1 (Technology Overlay) which is the zoning district that adjoins the property on three sides. The C-6 zoning district allows churches as a permitted use.

The access to the 2.4 acre site will be from Sherrill Blvd. The new addition will be located behind the church in an area that is presently occupied by a residence. Site improvements will also include the addition of 13 parking spaces for a total of 62 spaces (60 spaces are required), and an enclosed outdoor play area.

The property is also located within the TO-1 (Technology Overlay) district and a Certificate of Appropriateness is required from the Tennessee Technology Corridor Development Authority (TTCCA). The proposed development will be reviewed by the TTCCA on January 7, 2013.

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

1. The proposed church addition will have minimal impact on traffic in the area since the expansion is not increasing the area of the church's sanctuary.
2. All utilities are in place to serve this site.
3. The use as proposed will have minimal impact on the surrounding business park development.

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

1. The proposed church expansion 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. Subject to approval by the Knoxville BZA for expansion of a pre-existing non-conforming use, the proposed addition 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 plan meets all applicable requirements of the Zoning Ordinance.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Northwest County Sector Plan and Knoxville One Year Plan identify this property for mixed use development.

2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved

**Meeting Date:** 1/10/2013

**Details of Action:**

**Summary of Action:** APPROVE the proposed preschool education building addition to the existing church as shown on the development plan subject to 7 conditions.

**Date of Approval:** 1/10/2013

**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:**