

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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-J-09-RZ                      **Related File Number:**  
**Application Filed:** 11/24/2008                      **Date of Revision:**  
**Applicant:** DAY SPRING BAPTIST CHURCH

### PROPERTY INFORMATION

**General Location:** Northwest side W. Oldham Ave., northeast side McSpadden St.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 O L 017                      **Jurisdiction:** City  
**Size of Tract:** 15408 square feet  
**Accessibility:** Access is via E. Oldham Ave., a minor collector street with 28' of pavement width within 50' of right of way, or McSpadden St., a local street with 25' of pavement width within 60' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Church building  
**Surrounding Land Use:**  
**Proposed Use:** Private Christian school                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** Medium Density Residential  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed primarily with low to medium density residential uses, under R-1A and R-2 zoning. A church is located at this intersection, zoned C-3, C-1 and R-1A.

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

**Street:** 935 W Oldham Ave  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-3 (General Commercial)  
**Former Zoning:**  
**Requested Zoning:** O-1 (Office, Medical, and Related Services)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes, extension of O-1 from the southeast  
**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:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.

Staff Recomm. (Full):

O-1 zoning is compatible with surrounding development and zoning. O-1 is consistent with the One Year Plan designation for the site.

Comments:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

- 1. Office uses are compatible with the scale and intensity of the surrounding development and zoning pattern.
- 2. This site and two adjacent parcels were approved for a church in 2006. The subject parcel is proposed for a private Christian school, which is not permitted under C-3 zoning. O-1 zoning lists a private school as a permitted use.
- 3. O-1 zoning provides the applicant the opportunity to develop the subject site for a private Christian school associated with the adjacent church.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

- 1. The O-1 zone, as described in the zoning ordinance, is intended to provide for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open area.
- 2. O-1 is a suitable zone to accommodate the proposed development of a private school.

THE EFFECTS OF THE PROPOSAL:

- 1. Public water and sewer utilities are available to serve this site.
- 2. The proposal will have no impact on schools. The impact on the street system will be minimal. The potential traffic impact is less than what it could be under the current C-3 zoning.
- 3. O-1 zoning will have a minimal impact on adjacent properties, which are zoned for similar or higher intensity uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

- 1. The City of Knoxville One Year Plan proposes mixed uses, limited to general commercial, medium density residential, and neighborhood commercial. O-1 zoning is an acceptable zone under the general commercial designation.
- 2. The Central City Sector Plan proposes medium density residential uses for the site.
- 3. Approval of this rezoning could lead to future O-1 requests, if the need arises in the area.

MPC Action:

Approved

MPC Meeting Date: 1/8/2009

Details of MPC action:

Summary of MPC action:

O-1 (Office, Medical, and Related Services)

Date of MPC Approval:

1/8/2009

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:

2/10/2009

Date of Legislative Action, Second Reading: 2/24/2009

Ordinance Number:

Other Ordinance Number References:

**Disposition of Case:**       Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**       Approved

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**