

# 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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Knoxville, Tennessee 37902  
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**File Number:** 10-M-06-UR                      **Related File Number:**  
**Application Filed:** 9/5/2006                      **Date of Revision:**  
**Applicant:** DAY SPRINGS BAPTIST CHURCH  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Northwest side of W. Oldham Ave., northeast of McSpadden St.  
**Other Parcel Info.:**  
**Tax ID Number:** 81 O L 015, 017                      **Jurisdiction:** City  
**Size of Tract:** 24111 square feet  
**Accessibility:** Access is via W. Oldham Ave., a minor collector street with a 26' pavement width and a 60' right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Church                      **Density:**  
**Sector Plan:** Central City                      **Sector Plan Designation:** GC  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This neighborhood has developed with residential, business and office uses under the R-1A, R-2, O-1 and C-3 zoning district.

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

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

## ZONING INFORMATION (where applicable)

**Current Zoning:** C-1 (Neighborhood Commercial), R-2 (General Residential) & C-3 (General Commercial)  
**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:

Surveyor:

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 church in the R-2/C-1/C-3 zoning districts, subject to the following 8 conditions:

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Only one sign per street frontage and meeting all other requirements of Article 5. Sec. 10 dealing with signs for churches residential zones.
5. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance.
6. Receiving variances from the Knoxville Board of Zoning Appeals to reduce the required front yard setback or adjusting the building site so that it does not encroach into the required 35' front yard setback.
7. Meeting all requirements of the City of Knoxville Fire Department.
8. If any future uses such as a school or day care center are proposed, they will have to be approved through the use on review process.

With the conditions noted above, this requests meets the requirements for approval of a church in the R-2 & C-1 zones and other criteria for a use on review.

**Comments:**

The applicant is proposing to construct a church on the northwest side of W. Oldham Ave. The church is currently located on the neighboring lot at 935 W. Oldham Ave. The new church will be constructed on lot 15 (923 W. Oldham Ave.) and the existing church building will be converted into a church office. The existing church is zoned C-3, and churches are a use that is permitted in that zoning district. However, the proposed 2,500 square foot structure is zoned R-2 and C-1, both of which require use on review approval. Both sites are well suited for the proposed use.

In order to satisfy the requirements of the Knoxville Zoning Ordinance, the applicant will be required to adjust their site plan or receive a variance for a front yard building setback. The proposed building is located approximately 33' off the front property line. The required front yard setback under the R-2 zoning district is 35'. Based on the square footage of the auditorium, the applicant will be required to provide 60 parking spaces, 3 of which will have to be designated as handicapped parking. Any future development, including modifications to the proposed parking plan, construction of additional buildings, or the placement of temporary buildings, must be reviewed through the MPC use on review process.

### **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. W. Oldham Ave. can handle additional traffic and provides adequate sight distance in both directions from the proposed access drive.
3. Public water and sewer utilities are available to serve the development.
4. The property is located along a minor arterial street and meets the Knoxville Zoning Ordinance requirements for approval of a church facility.

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

1. The proposed church 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 relevant requirements of the R-2, C-1 & C-3 zoning districts and a use on review.

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

1. The Central City Sector Plan proposes general commercial 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:** 10/12/2006

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Meeting all applicable requirements of the Knoxville Department of Engineering.
  3. Meeting all applicable requirements of the Knox County Health Department.
  4. Only one sign per street frontage and meeting all other requirements of Article 5. Sec. 10 dealing with signs for churches residential zones.
  5. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance.
  6. Receiving variances from the Knoxville Board of Zoning Appeals to reduce the required front yard setback or adjusting the building site so that it does not encroach into the required 35' front yard setback.
  7. Meeting all requirements of the City of Knoxville Fire Department.
  8. If any future uses such as a school or day care center are proposed, they will have to be approved through the use on review process.

With the conditions noted above, this requests meets the requirements for approval of a church in the R-2 & C-1 zones and other criteria for a use on review.

**Summary of MPC action:** APPROVE the request for a church in the R-2/C-1/C-3 zoning districts, subject to the following 8 conditions:

**Date of MPC Approval:** 10/12/2006      **Date of Denial:**      **Postponements:**  
**Date of Withdrawal:**      **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

|                                    |                                                    |
|------------------------------------|----------------------------------------------------|
| <b>Legislative Body:</b>           | Knoxville Board of Zoning Appeals                  |
| <b>Date of Legislative Action:</b> | <b>Date of Legislative Action, Second Reading:</b> |
| <b>Ordinance Number:</b>           | <b>Other Ordinance Number References:</b>          |
| <b>Disposition of Case:</b>        | <b>Disposition of Case, Second Reading:</b>        |
| <b>If "Other":</b>                 | <b>If "Other":</b>                                 |
| <b>Amendments:</b>                 | <b>Amendments:</b>                                 |
| <b>Date of Legislative Appeal:</b> | <b>Effective Date of Ordinance:</b>                |