

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 11-B-21-SU **Related File Number:**
Application Filed: 9/22/2021 **Date of Revision:**
Applicant: MCCARTY HOLSAPLE MCCARTY, INC.

PROPERTY INFORMATION

General Location: North side of Westland Drive, west of Emory Church Road
Other Parcel Info.:
Tax ID Number: 144 03014 **Jurisdiction:** City
Size of Tract: 8.82 acres
Accessibility: Access is via Westland Drive and Emory Church Road. Westland Drive is a minor arterial street with a pavement width of approximately 29 ft inside a right-of-way that varies from 52 ft to 196 ft at this location, and Emory Church Road is a minor collector street with a 25-ft pavement width inside a 60-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Public/Quasi Public Land (church)
Surrounding Land Use:
Proposed Use: Accessory structures and recreational uses **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** CI (Civic/Institutional)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located on the northeastern quadrant of the Westland Drive interchange with Pellissippi Parkway. Adjoining the site on the east is another church and on the north is an assisted living facility under construction. To the south a number of properties fronting Westland Drive are under development with commercial and office uses. Other development in the area consists of both single detached and single family attached dwellings.

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

Street: 9635 Westland Dr.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood) with a previously approved planned district (C) designation
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from A to SC and PR in 1994 (Case 3-E-94-RZ), then assigned the RP-1

zone following annexation in 2000 (Case 12-Q-00-RZ); a request for RP-1 and SC zoning in 2015 was withdrawn prior to action by City Council

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): APPROVE the site plan to add accessory structures and outdoor recreational uses at an existing place of worship, subject to 3 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. Meeting any additional requirements for accessibility and for playgrounds.

With the conditions noted, this plan meets the requirements of the former RP-1 (Planned Residential) zone, the previously approved development plan, and the criteria for approval of a special use for modifications to previously planned districts per Article 1.4.G.

Comments: This property was annexed into the City and assigned the RP-1 (Planned Residential) zone (Case 12-Q-00-RZ), giving the property its "C" designation indicating the presence of a previously approved planned district on the zoning map.

The church was constructed in 2000 as a new development on the north side of Westland Drive, though additional use on review requests have come through the Planning Commission since the initial approval. A day care was approved as a use on review in 2006 (Case 3-Q-06-UR), a gravel parking lot was approved in 2009 (7-C-09-UR), and a permanent parking lot was approved in 2016 (Case 1-L-16-UR).

The church building is approximately 6,000 square feet and is accessed via access easements off of Westland Drive, a minor arterial, and Emory Church Road, a minor collector. Both easements cross neighboring properties to provide access to the site.

This request proposes amenities to the existing church site to the east of the building. The proposal includes a plaza with a concession stand, baptistry, and pavilion, as well as a basketball court. The new site plan shows the existing playground relocated and reconfigured in a smaller footprint to accommodate the additional amenities. A roof splash pad and an artificial turf area for additional play are also proposed for the site.

The church building, parking lots, and pedestrian access will remain as is, and additional sidewalks are proposed from the plaza area to the church and to the parking lot. A feature wall with the church's name and logo is proposed on the north side of the plaza at the stairs leading up to the new space and would function as a retaining wall. This site is already served by utilities.

The site will remain in compliance with the lot and building coverage requirements of the RN-1 zone. The new buildings are likewise in compliance with zoning regulations. The proposal is not expected to have an impact on schools.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

- A. The One Year Plan and Southwest County Sector Plan both have this property designated as CI (Civic/Institutional) which lists churches as one of the allowed uses in the CI land use class.
- B. The proposal adds amenities to an existing development and will not change the primary use of the facility.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

- A. The RN-1 Single-Family Residential Neighborhood Zoning District is intended to accommodate traditional low density residential neighborhoods in the City of Knoxville. Limited nonresidential uses that are compatible with the character of the district may also be permitted.
- B. The proposal meets all relevant requirements of the RN-1 zoning district, as well as other criteria for approval of a special use.
- C. As stated previously, the proposal adds amenities to an existing development and will not change the primary use of the facility.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- A. This property abuts an assisted living facility to the north and Pellissippi Parkway to the west, and is surrounded by various single family and condo developments in other directions.
- B. The existing church is permitted in the RN-1 zone as a Special Use. The addition of the proposed amenity areas would not cause the church to be out of character with the surrounding area.
- C. The new amenity area is proposed approximately 500 ft from Westland Drive and is not readily visible from the roadway due to the elevated topography. The proposed amenities do not detract from the surrounding area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

- A. The development would be required to comply with Article 10 of the City of Knoxville Zoning Ordinance standards for the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

- A. Additional traffic will not be drawn through residential streets because Westland Drive is a minor arterial, and Emory Church Road is a minor collector street.
- B. The addition of the proposed amenities will not result in a significant increase in traffic in this area.

Action: Approved with Conditions **Meeting Date:** 11/10/2021

Details of Action:

Summary of Action: APPROVE the site plan to add accessory structures and outdoor recreational uses at an existing place of worship, subject to 3 conditions.

Date of Approval: 11/10/2021 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**