

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 11-E-21-SU **Related File Number:**
Application Filed: 9/27/2021 **Date of Revision:**
Applicant: AARON JERNIGAN

PROPERTY INFORMATION

General Location: South side of Highland Avenue, east side of S. Seventeenth Street
Other Parcel Info.:
Tax ID Number: 94 N G 001 **Jurisdiction:** City
Size of Tract: 22500 square feet
Accessibility: Access is via S. Seventeenth St, a minor arterial street with 42-ft of pavement and sidewalks within 68-ft of right-of-way, and Highland Ave, a minor collector with 36-ft of pavement and sidewalk within 50-ft of right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Public/Quasi Public Land (church)
Surrounding Land Use:
Proposed Use: Expansion of an existing church **Density:**
Sector Plan: Central City **Sector Plan Designation:** MDR (Medium Density Residential)
Growth Policy Plan: N/A (Within City limits)
Neighborhood Context: This property is located in the Fort Sanders neighborhood and is surrounded by single-family and multi-family residential uses. The surrounding road network has sidewalks and on-street parking on the side streets.

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

Street: 1642 Highland Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-5 (General Residential Neighborhood) / NC (Neighborhood Conservation Overlay) Districts
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The NC-1 (Neighborhood Conservation Overlay) District was adopted in September 2000 (Case 8-Q-00-RZ)

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: Mike Reynolds

Staff Recomm. (Abbr.): Approve the requested expansion to the existing place of worship (church) of approximately 8,400 sqft, subject to 3 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance or obtaining the necessary variances from the Board of Zoning Appeals, including but not limited to Article 10.3.T. (Mechanical Equipment), Article 13 (Signs), and the building height.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. Meeting the requirements of the certificate of appropriateness approved by the Historic Zoning Commission.

With the conditions noted, this plan meets the requirements for approval in the RN-5 (General Residential Neighborhood) District and the criteria for approval of a special use.

Comments: This proposal includes the demolition of an existing 2-story wing of the church that is located at the rear of the property, adjacent to the alley, and the construction of a new 3-story wing that is located along the Highland Avenue frontage. The parking lot will be relocated to the rear of the new building and will have access to S. Seventeenth Street and the alley. The existing parking lot has access to S. Seventeenth Street and Highland Avenue. The S. Seventeenth Street driveway is located opposite of Highland Avenue where there is an existing traffic signal.

The Board of Zoning Appeals (BZA) has already approved three variances for the church expansion, including a reduction of the front setback from 25-ft to 8.1-ft and the required parking from 61 spaces to 9 spaces, and increasing the maximum impervious surface from 60% to 70%. The proposed development plan requires three additional variances but the plan should be able to be adjusted without requiring significant modifications. These variances include increasing the maximum building height to accommodate an elevator, increasing the sign area, and placing the HVAC mechanical equipment in the corner side yard. A variance to allow the HVAC equipment in the corner side yard may not be allowed since it is explicitly prohibited. The alternative sites for the equipment will be further away from the public right-of-way. The signage was not reviewed as part of this Special Use and must either meet the zoning standards or obtain a variance as the applicant has indicated they will seek.

The Historic Zoning Commission approved the addition and site plan as proposed, except for requiring the HVAC mechanical equipment to be moved away from the corner of the building at the Highland Drive and S. Seventeenth Street intersection. If the BZA variance is approved to allow the HVAC units in the proposed location, a new approval by the Historic Zoning Commission will be required.

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 Central City Sector Plan designations for this site are MDR (Medium Density Residential). The current RN-5 (General Residential Neighborhood) zoning allows places of worship (churches) as a Special Use.

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

a. The RN-5 (General Residential Neighborhood) Zoning District is intended to accommodate medium density residential neighborhoods in the City of Knoxville comprising a heterogeneous mix of single-family, two-family, townhouse, and multi-family dwellings. The RN-5 District may also serve as a

functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the character of the district may also be permitted.

b. The RN-5 zone allows limited nonresidential uses that are compatible with the character of the district. The Historic Zoning Commission approved the proposed addition, with conditions, at their October 21, 2021 meeting.

c. The church property is located at the intersection of two classified streets (minor arterial and minor collector).

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. The Historic Zoning Commission approved the proposed addition, with conditions, at their October 21, 2021 meeting.

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 church is currently located on the subject property and the net increase of floor area will only be approximately 1,000 sqft which will not significantly increase the use of the property.

B. The parking lot will be located to the rear of the building and will only have access to S. Seventeenth Street via the controlled intersection at Highland Avenue and the alley. The Highland Avenue access will be removed which will remove conflict points along that frontage and potentially allow for additional on-street parking.

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

a. The property has direct access to a minor arterial street so it will not draw traffic through residential streets.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

a. There are no known uses immediately surrounding the subject site that will pose a potential hazard or undesirable environment for the proposed use.

Action: Approved

Meeting Date: 11/10/2021

Details of Action:

Summary of Action: Approve the requested expansion to the existing place of worship (church) of approximately 8,400 sqft, 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: 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: