# **CASE SUMMARY**

# APPLICATION TYPE: GOVERNMENTAL REZONING

File Number: 12-Q-00-RZ Related File Number:

**Application Filed:** 11/13/2000 **Date of Revision:** 

Applicant: CITY OF KNOXVILLE

Owner:



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX•2 1 5 • 2 0 6 8 www•knoxmpc•org

## PROPERTY INFORMATION

General Location: North side of Westland Dr., west side Emory Church Rd., east side of I-140.

Other Parcel Info.:

Tax ID Number: 144 30.02 Jurisdiction: City

Size of Tract: 28.94 acres

Accessibility: Access is via Westland Dr., a minor arterial street with 30' of pavement width within 150-200' of right of

way, or Emory Church Rd., a minor collector street with 25' of pavement width within 60' of right of way.

#### **GENERAL LAND USE INFORMATION**

Existing Land Use: Church

**Surrounding Land Use:** 

Proposed Use: Same Density:

Sector Plan: Southwest County Sector Plan Designation: Low Density Residential

Growth Policy Plan: Urban Growth Area (inside City Limits)

Neighborhood Context: The area around the east side of the Westland Drive / I-140 interchange is predominantly vacant, with a

few residential dwellings and a church.

# 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: No Zone

Former Zoning: PR (Planned Residential) @ 1-5 du/ac

Requested Zoning: RP-1 (Planned Residential)

**Previous Requests:** Use on Review plan previously approved for church.

Extension of Zone: No

History of Zoning: Two uses on review were previously approved for a church (5-I-99-UR) and a daycare (3-Q-06-UR) at

this location.

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

3/19/2007 05:37 PM Page 1 of 2

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: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE RP-1 (Planned Residential) zoning.

APPROVE a density of up to 5 du/ac.

Staff Recomm. (Full): RP-1 at the recommended density is the most comparable City zone to the previous County zone and is

consistent with the surrounding land use and zoning pattern.

Comments: The Southwest County Sector Plan proposes public institutional uses for this site, consistent with the

use of the property for a church.

A lawsuit was filed prior to the original application date, contesting the annexation of this property, and it is still pending (see attached letter from the City of Knoxville Law Department). The lawsuit was filed by a private party, not by the owner of this subject property. The City Law Department, the applicant, MPC staff and MPC's attorney are now in agreement that this rezoning should proceed in order to assign a City zoning district to this property, which is within the City Limits of Knoxville. MPC postponed this request numerous times between December 2000 and January 2002. On January 10, 2002, MPC

tabled the request, where it remained until untabled on June 8, 2006.

MPC Action: Approved MPC Meeting Date: 10/12/2006

**Details of MPC action:** 

Summary of MPC action: APPROVE RP-1 (Planned Residential) zoning.

APPROVE a density of up to 5 du/ac.

**Date of MPC Approval:** 10/12/2006 **Date of Denial: Postponements:** 12/14/00,10/11/12,8/

10/06

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

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/7/2006 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved (Emergency) Disposition of Case, Second Reading:

If "Other": If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

3/19/2007 05:37 PM Page 2 of 2