# **CASE SUMMARY**

## APPLICATION TYPE: USE ON REVIEW

File Number: 2-G-08-UR Related File Number:

**Application Filed:** 1/7/2008 **Date of Revision:** 

Applicant: ARNIE HOLT



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### PROPERTY INFORMATION

General Location: Northwest side of Tazewell Pike, northeast of Villa Rd.

Other Parcel Info.:

Tax ID Number: 49 P D 017 Jurisdiction: City

Size of Tract: 1 acre

Accessibility: Access is via Tazewell Pike, a minor arterial street with a22' pavement width within an 88' right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant

**Surrounding Land Use:** 

Proposed Use: Church Density:

Sector Plan: North City Sector Plan Designation: LDR

Growth Policy Plan: Urban Growth Area

Neighborhood Context: This area along Tazewell Pike has been developed with older homes and churches under the R-1

zoning district.

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

Street: 4413 Tazewell Pike

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential) / NC-1 (Neighborhood Conservation Overlay)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** Property was rezoned to R-1/NC-1 in October of 2000 (10-F-00-RZ).

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

Requested Plan Category:

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## 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: Kelley Schlitz

**Staff Recomm. (Abbr.):** APPROVE the request for a church in the R-1/NC-1 zoning district, subject to the following 10

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 Dept.
- 4. Recording a plat prior to the issuance of building permits.
- 5. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance.
- 6. All landscaping shall be installed as shown on the approved site plan within one year from the first building permit for development is issued.
- 7. Meeting all requirements of the City of Knoxville Fire Department.
- 8. Obtaining a permit from the Tenn. Dept. of Transportation Dept. for the proposed entrance onto Tazewell Pike.
- 9. Obtaining a Certificate of Appropriateness from the Historic Zoning Commission prior to issuance of building permits.
- 10. 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-1/NC-1 zone and other criteria for a use on review.

Comments:

The applicant is proposing to construct a church on the northwest side of Tazewell Pike. The proposed 870 square foot structure will include a sanctuary and a number of classrooms. The site is well suited for the proposed use. A sufficient amount of parking and landscaping have been provided on the development plan submitted. The lot is currently 2 acres and there is an existing residence on the lot. The applicant plans on subdividing one acre in the back of the lot for the proposed church. The minimum lot area for a church in the R-1 zoning district is 30,000 square ft. The applicant will be required to provide the 30,000 square feet or obtain a variance from the Knoxville Board of Zoning Appeals. A plat will have to be submitted and approved by MPC prior to construction of the church. 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.

Since the proposed church is located in the NC-1 overlay, the applicant will be required to submit building plans to the Historic Zoning Commission and obtain and certificate of appropriateness prior to issuance of building permits.

# 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. Tazewell Pike 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. There is an existing

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church to the north of the proposed site. 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-1 zoning district and a use on review.

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

1. The North City Sector Plan proposes low density residential 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: Denied MPC Meeting Date: 2/14/2008

**Details of MPC action:** DENY the request for a church in the R-1/NC-1 zoning district. **Summary of MPC action:** Denythe request for a church in the R-1/NC-1 zoning district,

Date of MPC Approval: Date of Denial: 2/14/2008 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":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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