

# 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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www.knoxmpc.org

**File Number:** 4-D-08-UR                      **Related File Number:**  
**Application Filed:** 3/3/2008              **Date of Revision:**  
**Applicant:** RETURN TO TORAH MINISTRIES

## PROPERTY INFORMATION

**General Location:** Northeast side of Galbraith School Rd., southeast side of Decatur Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 109 K G 023                      **Jurisdiction:** City  
**Size of Tract:** 2.6 acres  
**Accessibility:** Access is via Galbraith School Rd., a local street with a 25' pavement width within a 50' right-of-way, & Decatur Dr. a local street with a 20' pavement width within a 40' right-of-way

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Closed school  
**Surrounding Land Use:**  
**Proposed Use:** Church and outreach programs                      **Density:**  
**Sector Plan:** South City                      **Sector Plan Designation:** PI  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This area has developed with low density residential uses under R-1 zoning. South Doyle Middle School is located directly to the northeast of the site.

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

**Street:** 4333 Galbraith School Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential)  
**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:

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 proposed plan for a church on this site in the R-1 zoning district, subject to the following 7 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. Only one sign per street frontage and meeting all other requirements of Article 5. Sec. 10 dealing with signs for churches in a residential zone.
5. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance or obtaining a variance from the Knoxville Board of Zoning Appeals.
6. Meeting all requirements of the City of Knoxville Fire Department.
7. 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 zone and other criteria for a use on review.

Comments:

The applicant is proposing to operate a church out of the previous Galbraith School located at the corner of Galbraith School Rd. and Decatur Dr. Since the school closed, Knox County Schools have used the building for storage. The applicant is in the process of working out a 30 year lease agreement with the Knox County Purchasing Dept. and the Knox County Commission. Prior to the lease being finalized, use on review approval from MPC is required. The site is zoned R-1, and churches are a use that is permitted on review. The building has existing access driveways along Galbraith School Rd. and Decatur Dr. The existing 21,494 square foot structure will include a 836 sq. ft. sanctuary, a recreational facility and a number of classrooms. The site is well suited for the proposed use. The applicant will be required to provide an adequate amount of parking (approximately 34 spaces) and meet all applicable requirements of the Knoxville Zoning Ordinance. 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. Galbraith School Rd. and Decatur Dr. can handle additional traffic and provide adequate sight distance in both directions from the proposed access driveways.
3. Public water and sewer utilities are available to serve the development.
4. The proposed use of the site for a church should have no more impact on the surrounding area that when the site was used as a school.

**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. The proposal will allow for redevelopment of the old school and help to improve the current structural condition of the building.
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 South City Sector Plan proposes public institution 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:** 5/8/2008

**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 Dept.
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With the conditions noted above, this requests meets the requirements for approval of a church in the R-1 zone and other criteria for a use on review.

**Summary of MPC action:**

APPROVE the proposed plan for a church on this site in the R-1 zoning district, subject to the following 7 conditions:

**Date of MPC Approval:**

5/8/2008

**Date of Denial:**

**Postponements:** 4/10/2008

**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:**