



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 2-G-08-UR

AGENDA ITEM #: 81

AGENDA DATE: 2/14/2008

▶ **APPLICANT:** ARNIE HOLT
OWNER(S): ARTHUR TROYER

TAX ID NUMBER: 49 P D 017
JURISDICTION: City Council District 4

▶ **LOCATION:** Northwest side of Tazewell Pike, northeast of Villa Rd.

▶ **APPX. SIZE OF TRACT:** 1 acre
SECTOR PLAN: North City
GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Tazewell Pike, a minor arterial street with a 22' pavement width within an 88' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **ZONING:** R-1 (Low Density Residential) / NC-1 (Neighborhood Conservation Overlay)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Church

HISTORY OF ZONING: Property was rezoned to R-1/NC-1 in October of 2000 (10-F-00-RZ).

SURROUNDING LAND USE AND ZONING:
North: Residences & Church / R-1 (Low Density Residential)
South: Residences / R-1 (Low Density Residential) / NC-1 (Neighborhood Conservation)
East: Residences / R-1 (Low Density Residential) / NC-1 (Neighborhood Conservation)
West: Residences / R-1 (Low Density Residential) / NC-1 (Neighborhood Conservation)

NEIGHBORHOOD CONTEXT: This area along Tazewell Pike has been developed with older homes and churches under the R-1 zoning district.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for a church in the R-1/NC-1 zoning district, subject to the following 10 conditions:

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 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

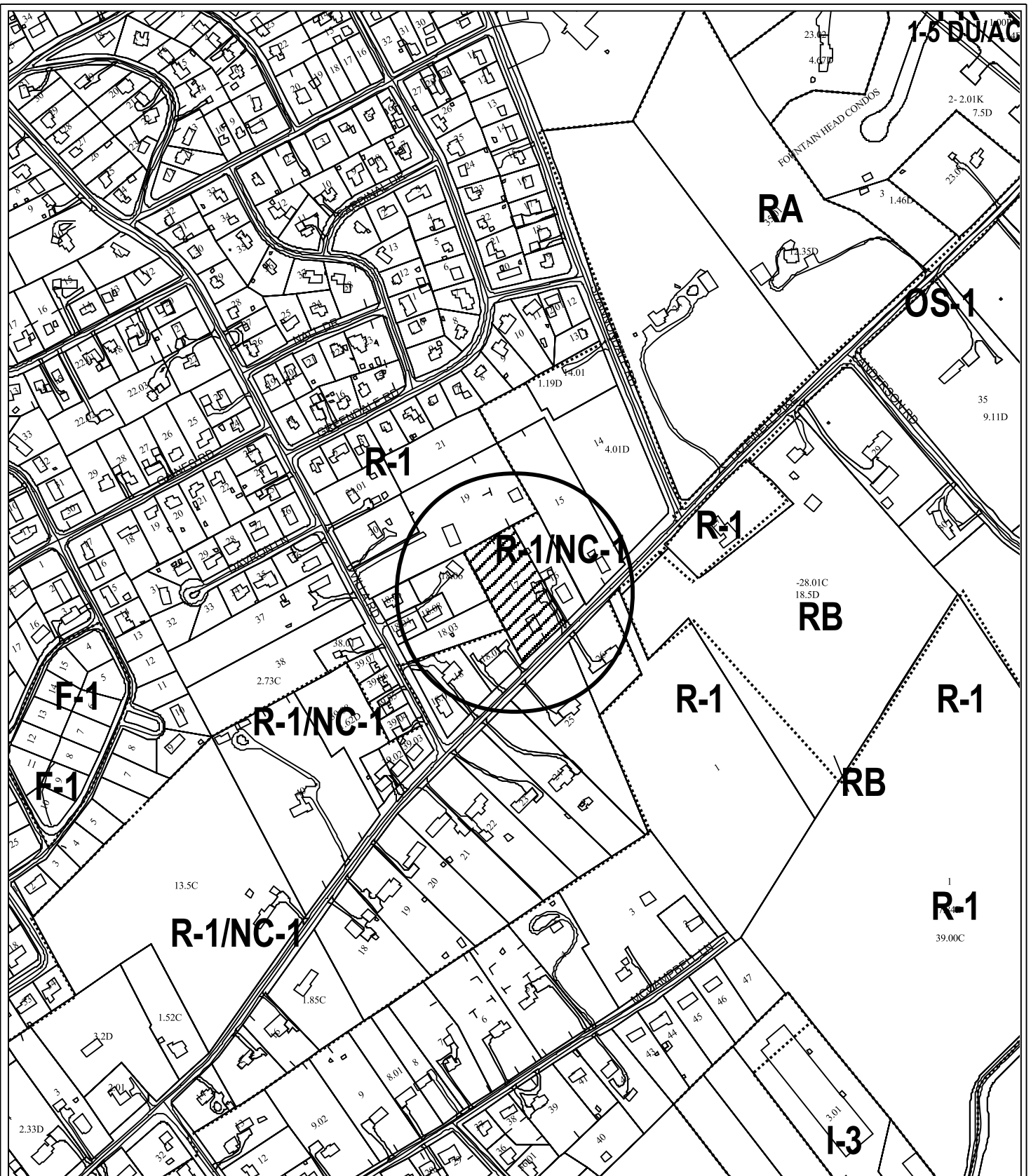
1. The North City Sector Plan proposes low density residential uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 32 (average daily vehicle trips)


Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**2-G-08-UR
USE ON REVIEW**

 Church in R-1 (Low Density Residential)
/ NC-1 (Neighborhood Conservation Overlay)

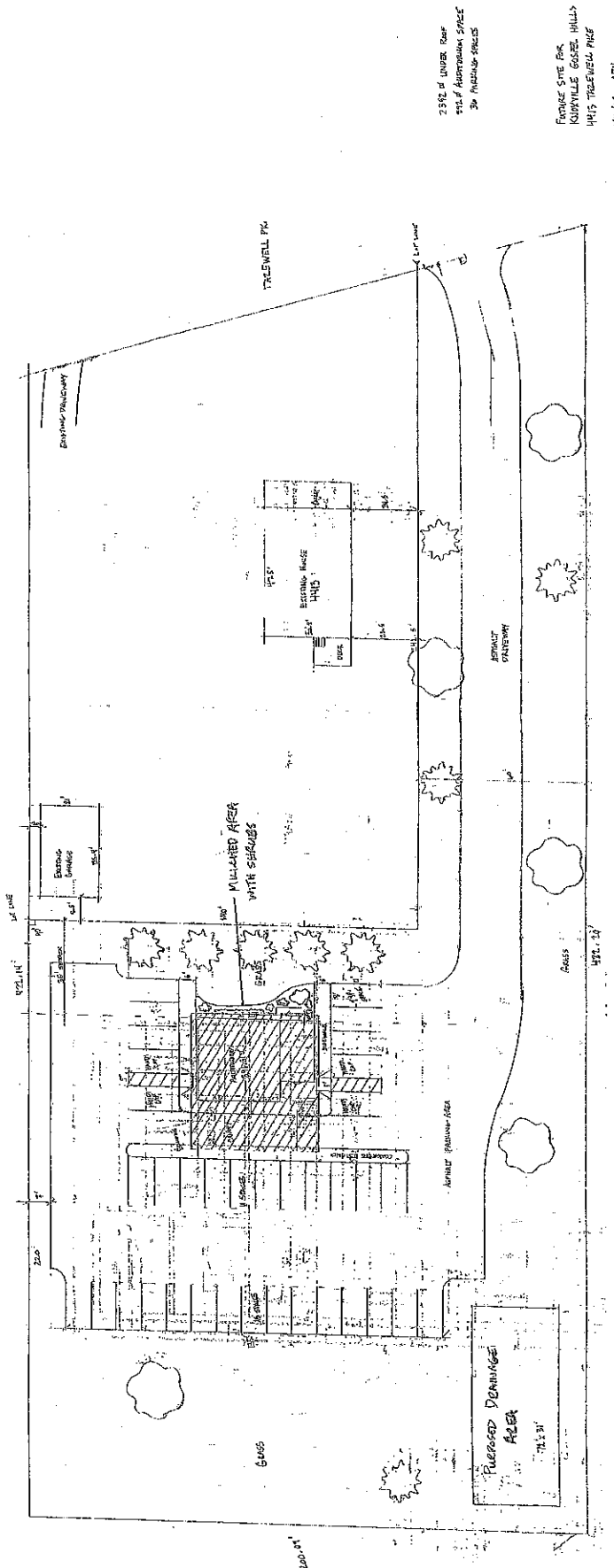
Original Print Date: 01/28/08 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Armie Holt

Map No: 49

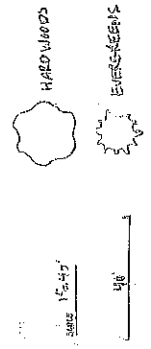
Jurisdiction: City





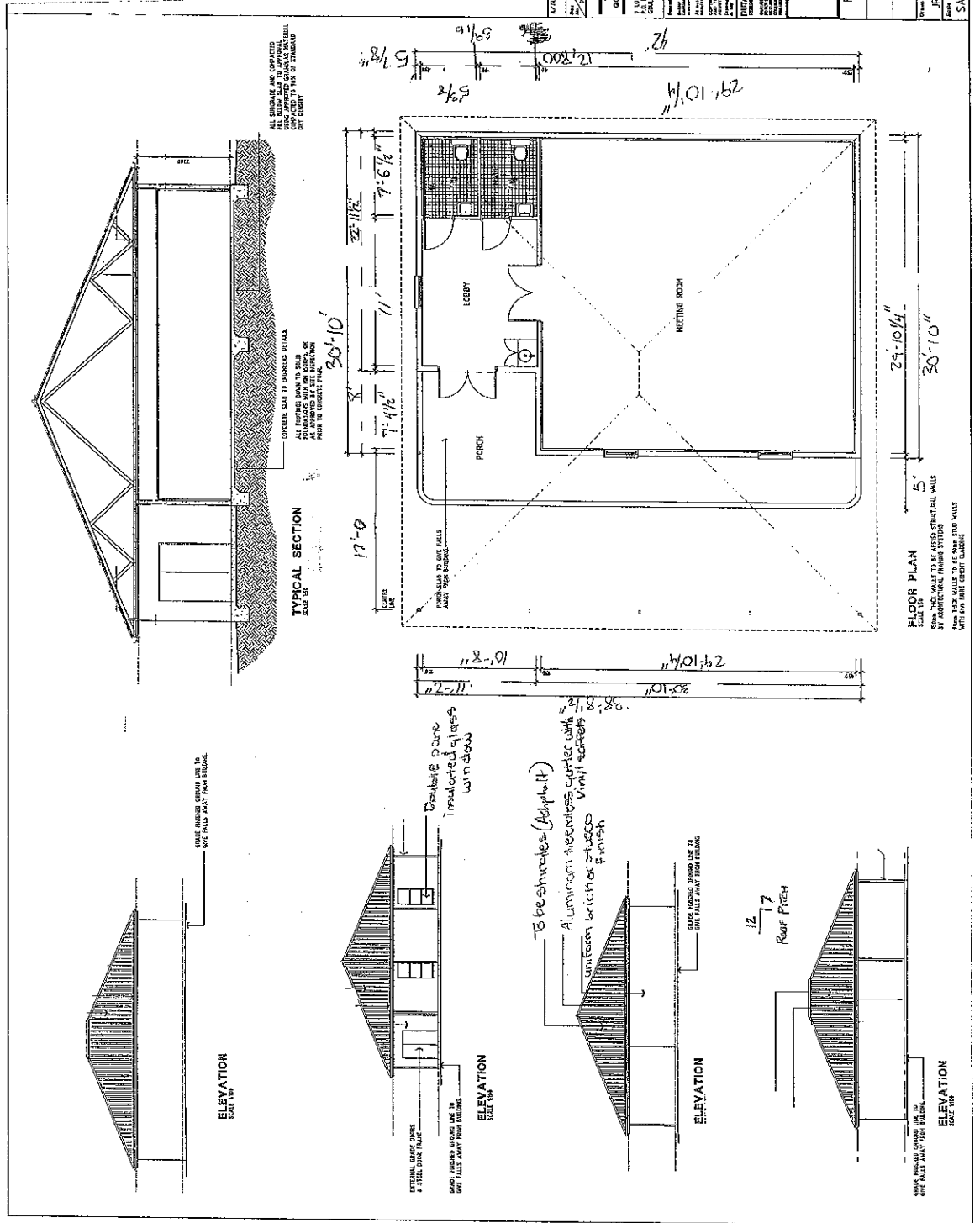
2382 ft UNDER REAR
 1112 ft ADJACENT SPACE
 30' WINDING STAIRS

FORMER SITE FOR
 KIRBYVILLE GAZER HILLS
 1415 TRINELL PK
 1/16/08 AFR.



REVISED

2-6-08-UR
2/1/08



REVISIONS
 2-6-08-UR
 2/1/08

This plan is reversed layout.

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

(1. WE, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN HEREIN, HEREBY ADOPT AS MY PLAN OF SUBDIVISION AND HEREBY CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY, AND AS PROPERTY, AND/OR GRANT EASEMENT AS SHOWN ON THIS PLAT. I HEREBY CERTIFY THAT ALL RESTRICTIVE COVENANTS, IF ANY, WHICH APPLY TO THE PROPERTY SHOWN HEREON, HAVE BEEN RECORDED IN THE BOOK THEREON, WITH COPIES OF THE REFERRED TO COVENANTS FILED WITH THE KNOX COUNTY REGISTER OF DEEDS.

CERTIFICATION OF CATEGORY AND ACCURACY OF SURVEY
 I HEREBY CERTIFY THAT THIS SURVEY IS A SURVEY OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON
 SURVEYOR *Steph S. Hill* TENN. REG. NO. 867

CERTIFICATION OF FINAL PLAT - CONSTRUCTION COMPLETE
 I HEREBY CERTIFY THAT I AM A SURVEYOR, LICENSED TO DO SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. I HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE KNOWLEDGE/KNOX COUNTY SUBDIVISION AND STATEMENT CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOWLEDGE/KNOX COUNTY SUBDIVISION AND STATEMENT, AND THAT THE METROPOLITAN PLANNING JUSTIFIED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION AND THAT THE INDICATED MONUMENTS WERE IN PLACE ON THE DAY OF SURVEY, 2/15/08.
 SURVEYOR *Steph S. Hill* TENNESSEE CERTIFICATE NO. 867

SUBDIVISION NAME AND STREET NAMES CONTAINED HEREIN REVIEWED AND APPROVED:
 BY: *[Signature]*
 KNOXVILLE, KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID
 CITY: SHORN _____ DATE _____
 COUNTY: SHORN _____ DATE _____
 ZONING SHOWN ON OFFICIAL MAP 8-1/MC-1
 DATE 2/15/08 BY: *Steph S. Hill*

THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF SANITARY SEWERS AND TREATMENT PLANT AS SHOWN ON THIS INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
 DATE 2-5-08 *[Signature]* KNOX COUNTY HEALTH DEPARTMENT

LOCATION MAP

NOTES:
 1. IRON PINS AT EACH CORNER.
 2. UTILITY AND DRAINAGE INSIDE ALL BOUNDARY AND ROAD LINES AS SHOWN IN THE SUBDIVISION LOT LINES, AND DRAINAGE TO THE ADJACENT DRAINAGE CANALS SHOWN.
 3. LOTS EQUALING 1.93 ACRES

57648.9 SQ. FT. 1.32 ACRES
 27571.8 SQ. FT. 0.63 ACRES

SHAMONDALE BAPTIST CHURCH 1221-14
 JONES CO. SID LOT 3
 JONES CO. SID LOT 4
 GARDIAL 1972-650
 TAZEWELL PIKE
 1876-1091 COOPER
 1876-1091

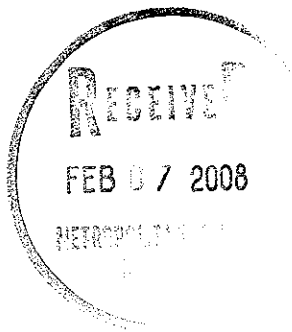
GRAPHIC SCALE (IN FEET)
 1 inch = 40 ft.

OWNER
 KNOXVILLE GOSPEL HALLS

RESUBDIVISION OF THE PROPERTY OF KNOXVILLE GOSPEL HALLS
 DISTRICT-7 WARD-35 COUNTY- KNOX INSTR.
 C.L.T. MAP 049P D 017 CITY BLOCK 35730
 SCALE: 1"=40' DATE: 1-14-2008
 HINDS SURVEYING CO. LOUISVILLE, TN: (865)-588-9799
 JOB NO. 0802001

2-6-08-UR
 2/15/08

© GOVERNMENT 2008. HINDS SURVEYING CO. CONTACTED BY... PERMISSION OF HINDS SURVEYING CO.



February 6, 2008

Dear MPC Commissioners,

This letter is regarding file number 2-6-08-UR, number 81 on your agenda, which is a use on review for a church on this property.

As you know, our neighborhood has an NC-1 Neighborhood Conservation overlay with R-1 base zoning.

While churches are permitted by a use on review in R-1 base zone, we feel a church located on "this" property is not in the best interest of preserving the character of our neighborhood nor the best interest of the Conservation Overlay.

The reason for our conclusion is that the church would have to be located behind the existing residence, which is a contributing structure well over 70 years old.

According to MPC staff in Historic Zoning area, in addition to being built behind the residence, the church building would have to have the "appearance of an accessory building" and as such could only have 750 square feet of space.

Additionally, the parking area, besides contributing to extreme runoff problems in our area, would drain

to an on-site sinkhole, and a parking lot in the back yard of this property certainly is not consistent with the N.C. 7 overlay purpose.

As you know, once a property gets a use on review, that use on review stays with the property. That is a tremendous concern to our neighborhood!

Traffic entering Tazewell Pike from this driveway is very problematic. The intersection of Tazewell Pike and Sharronhok Road is approximately 300 feet from the property. There is a considerable gradient rise that would present a sight distance issue to traffic turning either north or south-bound onto Tazewell Pike.

As a neighborhood, we realize we should assimilate our share of community-serving amenities such as churches. We already have two lovely, established churches (one with 50+ years of service and one with 100+ years of service) within 4 blocks of one another in our 6-block long district. This additional church which would be located within those 4 blocks and behind a lovely contributing residence and the addition of a parking lot in the backyard, will not preserve the integrity of our neighborhood.

We sought the NC-1 overlay in order 3
to protect and preserve a very old and
picturesque neighborhood on a street that
has been changed/altered on both ends.

Please help us preserve this jewel of a neighborhood
in Knoxville.

For all the above reasons, we ask MPC to
deny this use on review.

Sincerely,

Jamie Rowe, President T.P. - Beverly Station Neighborhood Coalition

Donna Pryor - Vice President T.P. - Beverly Station Neighborhood

Jim Jennings - Block Captain

Terry Cunningham - Block Captain

Linda Chatham - Block Captain