



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

▶ **FILE #:** 4-D-08-UR **AGENDA ITEM #:** 64
 POSTPONEMENT(S): 4/10/2008 **AGENDA DATE:** 5/8/2008

▶ **APPLICANT:** RETURN TO TORAH MINISTRIES
 OWNER(S): MARK CARR

TAX ID NUMBER: 109 K G 023
 JURISDICTION: City Council District 1
 ▶ **LOCATION:** Northeast side of Galbraith School Rd., southeast side of Decatur Dr.
 ▶ **APPX. SIZE OF TRACT:** 2.6 acres
 SECTOR PLAN: South City
 GROWTH POLICY PLAN: Urban Growth Area
 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
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Baker Creek

▶ **ZONING:** R-1 (Low Density Residential)
 ▶ **EXISTING LAND USE:** Closed school
 ▶ **PROPOSED USE:** Church and outreach programs

HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: Residences / R-1 (Low Density Residential)
 South: Residences / R-1 (Low Density Residential)
 East: South Doyle Middle School / R-1 (Low Density Residential)
 West: Residences / R-1 (Low Density Residential)
 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.

STAFF RECOMMENDATION:

- ▶ **APPROVE the proposed plan for a church on this site in the R-1 zoning district, subject to the following 8 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.
 5. 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.
 6. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance or obtaining a variance from the Knoxville Board of Zoning Appeals.
 7. Meeting all requirements of the City of Knoxville Fire Department.

8. 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

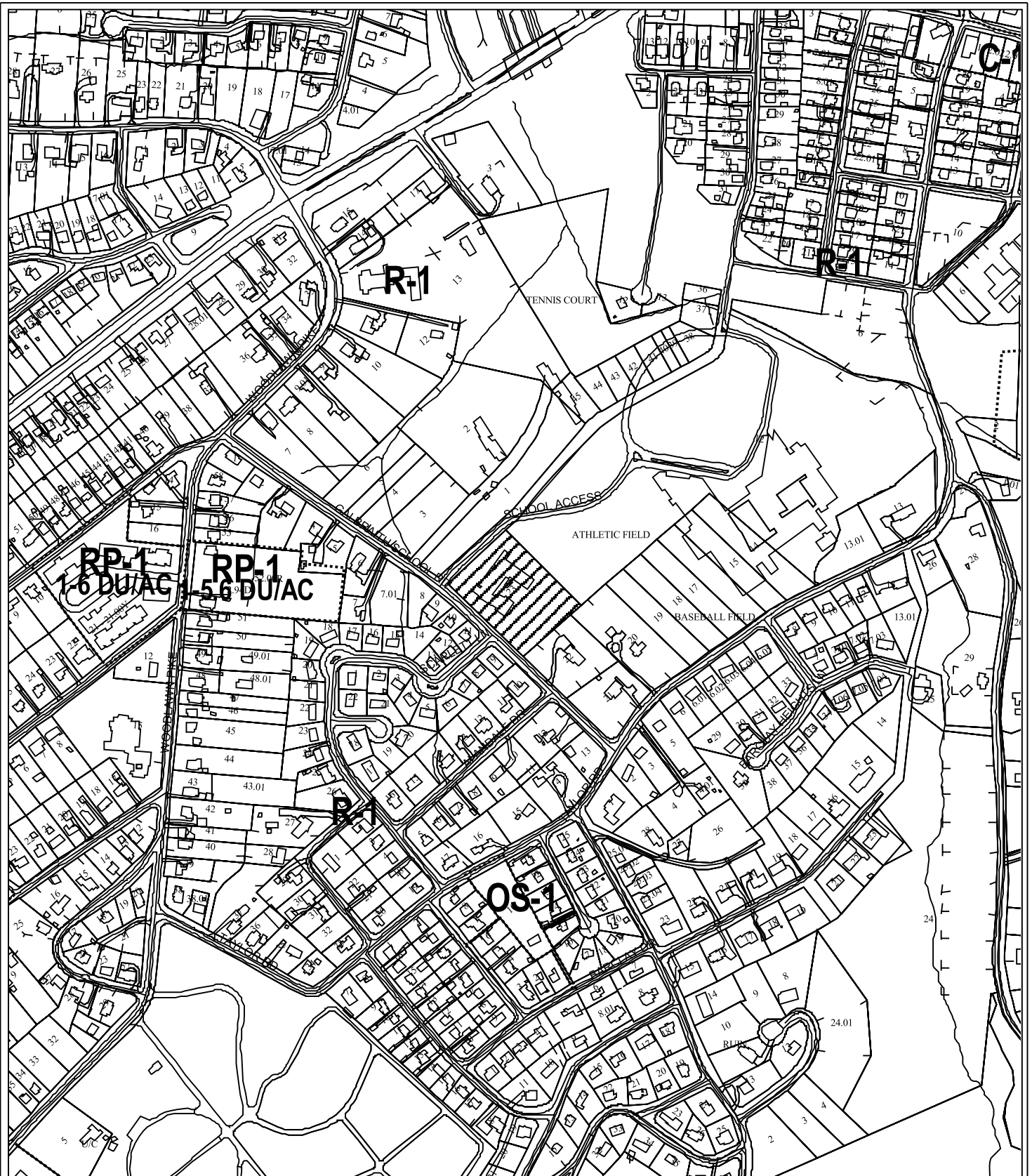
1. The South City Sector Plan proposes public institution uses for this site.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 787 (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.



4-D-08-UR
 USE ON REVIEW



Church and outreach programs in R-1 (Low Density Residential)

Original Print Date: 03/27/08 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Return to Torah Ministries

Map No: 109

Jurisdiction: City



RETURN TO TORAH MINISTRIES

PO BOX 70686 KNOXVILLE, TN 37938

www.ReturnToTorah.com

Trustees: Mark Carr, Paul Dreiman, Terry Williams Protectors: Charles Kimbrough, Frank Zemlicka

Helping Others, Help Others! "Learn to do good; Seek justice, Rebuke the oppressor; Defend the fatherless, Plead for the widow" Isaiah 1:17

Metropolitan Planning Commission
Suite 403 City County Building
400 Main Street
Knoxville, TN 37902

March 3, 2008

4-D-08-UR

Dear MPC:

Pursuant to our meeting with Tom Reynolds and Anita Cash of the Knoxville Building, Zoning & Plans Review department, we are filing this Use On Review request with your department. Ms. Cash called and said after the law department reviewed our information they have determined we should be classified as a church and the programs we have planned would be classified as church outreach programs. Since the property is zoned R1 this is an allowable usage of this property.

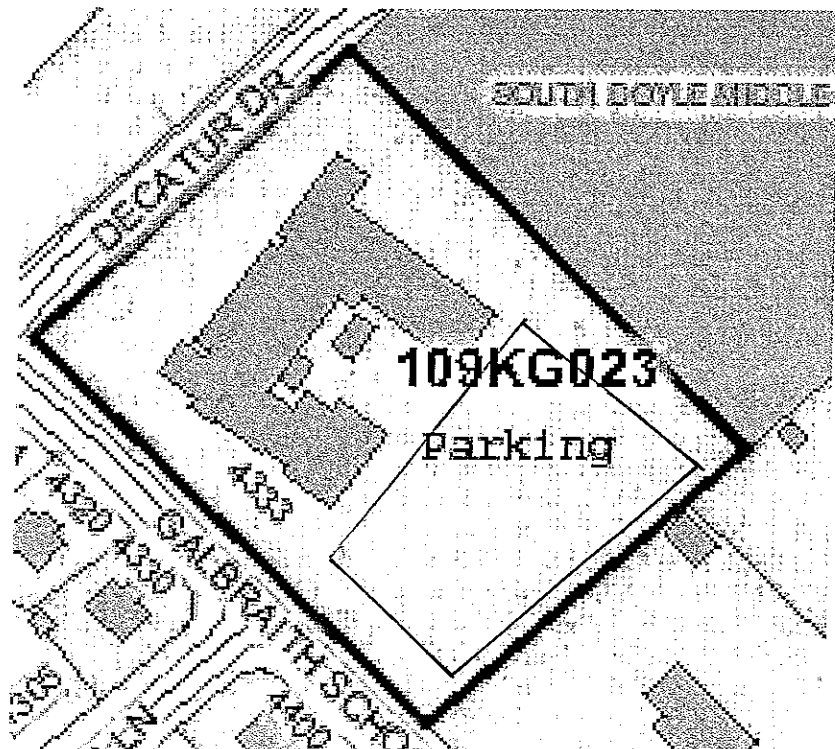
We have been in negotiations with the Knox County Purchasing Department (Hugh Holt) and the Knox County Commission on leasing the old Galbraith Elementary School on a thirty year lease. Before the lease can be signed we need approval from MPC that we will be allowed to operate at this location.

I have included a brochure that briefly describes how the building will be utilized and a sketch of the 21,494 square foot building and parking. If you have any questions please feel free to contact me.

Sincerely,



Mark Carr
865-925-8137 Office
865-254-5420 Cell



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Metropolitan Planning Commission
Suite 403 City County Building
400 Main Street
Knoxville, TN 37902

March 6, 2008

4-D-08-WR

Dear MPC:

3/6/08

As per your request I am enclosing the following two requested items:

1. A plan of the parking area with dimensions below:
2. A building sketch (attached) of the 18,494 sq ft main level and 3,030 sq ft lower level that the church will occupy of the 21,494 total sq ft building. The sanctuary will be located in a 22' x 38' classroom in the S.E. corner of the lower level and have seating for 50 people.

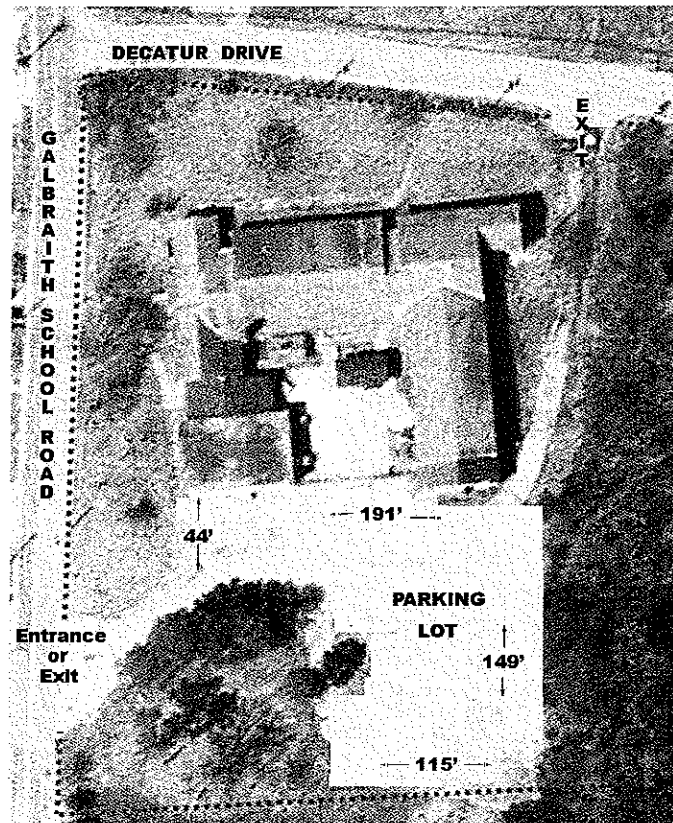
The main Level of the building will be used for outreach programs that are described in the brochure of the original application as the ministry expands

If you have any questions please feel free to contact me.

Sincerely,

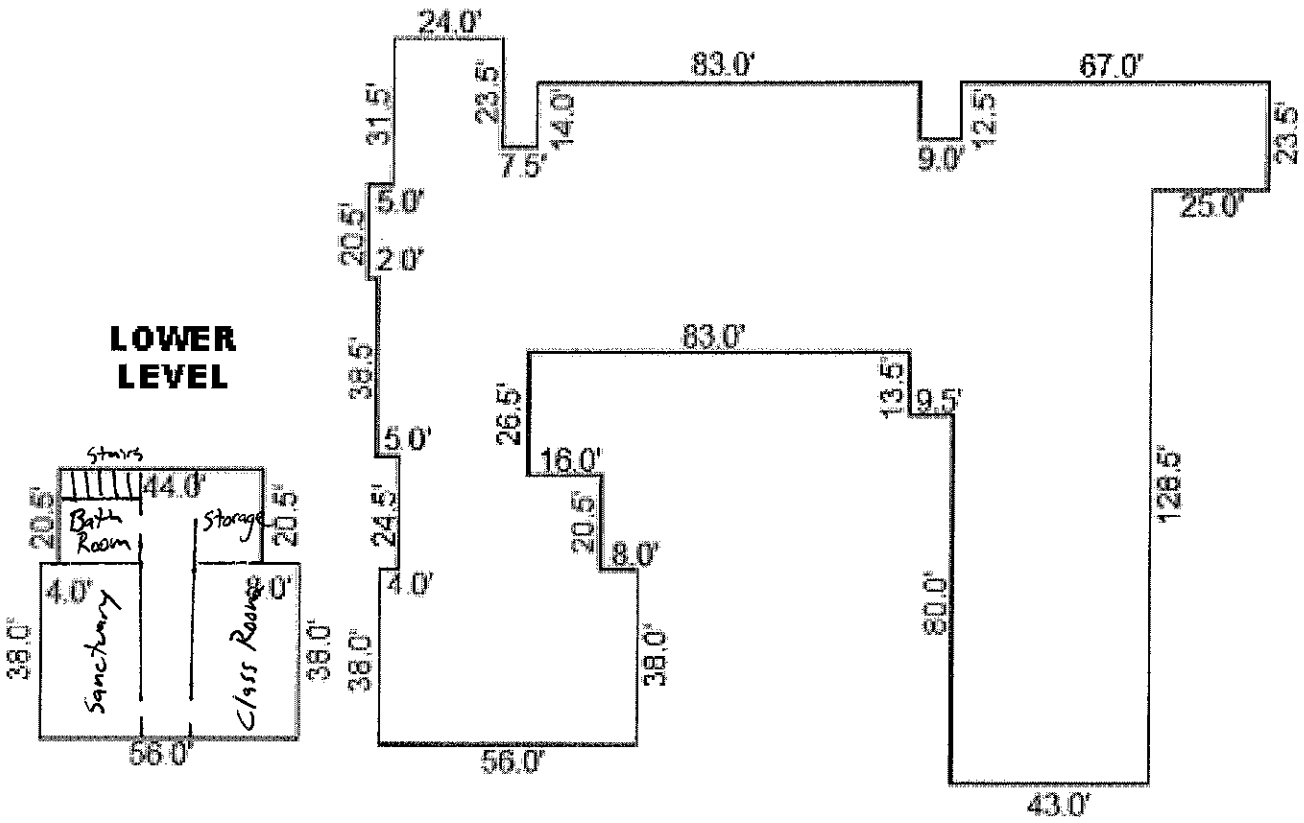


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BUILDING SKETCH

MAIN LEVEL



4-D-08-WR
3/6/08

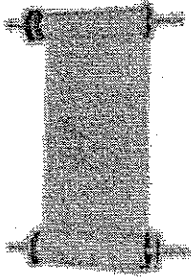
widow. (Isaiah 1:17)

We are pleading for the widow and the fatherless, they are our responsibility. Deuteronomy 14:29, 24:19 and 26:19 command us to provide for their needs. There are many blessings in the Bible for doing this. We need your help to accomplish this Biblical cause.

Any of the youth that want to receive training will earn it through community service to the widows and elderly. Those who receive the community service that are physically able are encouraged to mentor to the youth from their life experiences. This creates a system that feeds on itself and brings self esteem to all.

There is much to do and little time to do it. Pray for the workers, the fields are ripe for the harvest.

RETURN TO TORAH MINISTRIES



What is Return To Torah Ministries?

Return To Torah Ministries is a Christian ministry that is opening a Learning Center to minister to widows and fatherless children as we are commanded in James 1:27, etc. We partner the elderly with the youth in mentoring programs so that knowledge and skills can be passed down from one generation to another. We seek to reach out to local communities wherever possible and establish programs that educate God's people on Biblical principles of living, working and health.

To assist us with this goal, we have a staff of volunteer widows from the Iris B. Vest Widows Ministry Center from Sevierville, Tennessee who will mentor the youth and teach other local widows how to minister to the community when the learning center is opened.

What is Torah?

Torah is a Hebrew word that means to instruct or teach. Literally Torah is based upon the words of Jesus. In Matthew 23:23 Jesus said the weightier matters of the Torah are "justice and mercy and faith." Since we are a Learning Center that teaches, we use a Biblical word that means teaching in our name.

Pure Religion:

The main emphasis of this ministry is the pure religion of James

**Return To Torah Ministries
PO Box 70686
Knoxville, TN 37938**

865-925-8137

www.ReturnToTorah.com

4-D-08UR

1:27 "Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble..."

Our unique plan of partnering the elderly with the youth in mentoring programs is a Biblically based solution to an often neglected cause. Partnering the Fathers wife (Isaiah 54:4-5) with His children (Psalms 68:5) accomplishes the Fathers will and allows you to watch the love grow between them.

Our Calling: Return To Torah Ministries is a Christian ministry that was founded by Mark Carr, Paul Drieman and Terry Williams on July 26, 2005 after working together for many years helping others. The intent of this ministry is to minister to the widows, fatherless children and youth through those who have a pure love for the Father and Son in their heart.

Our Theme Is Helping Others Help Others! One of the goals of this learning center is to provide an atmosphere where the following Scripture is fulfilled, "And he will turn The hearts of the fathers to the children, And the hearts of the children to their fathers..." (Mal 4:6)

Funds are being raised for the opening of the Learning Center so the following programs can begin:

Programs and Activities for Seniors:

- Healthy lifestyle educational programs:
- Arts and crafts.
- Dances.
- Trips to theaters, parks, etc.
- Games – card games, board games, etc.
- Nursing home ministries.

Programs and Activities for Families:

- Marriage seminars.
- Christian counseling drug, alcohol and abuse, etc.
- Outreach and activity center for home school families.

Programs and Activities for Young Adults and Children:

- Mentoring and apprenticeship programs.
- Community outreach programs.
- Music.
- Sporting events, ie: upward basketball, outward baseball and softball etc.
- Christian single groups.
- Bible clubs.

Programs and Activities for Community Activities:

- Community enhancement projects.
- LIFT Program, Loving Investment of Free Time.
- Programs helping the elderly, widows and orphans.

Programs will be developed and implemented as the need occurs. We look forward to working with existing ministries already in place to develop the principals and values upon which this country was founded.

Financial Accountability

Return To Torah Ministries is a non-profit 501(c)3 faith based ministry, all gifts to it are tax deductible. We will be audited yearly by an independent agency.

Will You Become A Partner To This Ministry?

Please join us in the following: "Learn to do good; Seek justice, Rebuke the oppressor; Defend the fatherless, Plead for the

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