

▶ **FILE #:** 1-J-09-RZ

AGENDA ITEM #: 47

AGENDA DATE: 1/8/2009

▶ **APPLICANT:** DAY SPRING BAPTIST CHURCH

OWNER(S): RONALD BURRESS DAY SPRING BAPTIST CHURCH

TAX ID NUMBER: 81 O L 017

JURISDICTION: City Council District 5

▶ **LOCATION:** Northwest side W. Oldham Ave., northeast side McSpadden St.

▶ **APPX. SIZE OF TRACT:** 15408 square feet

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via E. Oldham Ave., a minor collector street with 28' of pavement width within 50' of right of way, or McSpadden St., a local street with 25' of pavement width within 60' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

▶ **PRESENT ZONING:** C-3 (General Commercial)

▶ **ZONING REQUESTED:** O-1 (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Church building

▶ **PROPOSED USE:** Private Christian school

EXTENSION OF ZONE: Yes, extension of O-1 from the southeast

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Commercial building / R-1A (Low Density Residential)

South: W. Oldham Ave. -Vacant lot and residence / C-3 (General Commercial) and O-1 (Office, Medical & Related Services)

East: Church / C-1 (Neighborhood Commercial)

West: McSpadden St. - Apartments / R-2 (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed primarily with low to medium density residential uses, under R-1A and R-2 zoning. A church is located at this intersection, zoned C-3, C-1 and R-1A.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O-1 (Office, Medical & Related Services) zoning.**

O-1 zoning is compatible with surrounding development and zoning. O-1 is consistent with the One Year Plan designation for the site.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. Office uses are compatible with the scale and intensity of the surrounding development and zoning pattern.
2. This site and two adjacent parcels were approved for a church in 2006. The subject parcel is proposed for a private Christian school, which is not permitted under C-3 zoning. O-1 zoning lists a private school as a

permitted use.

3. O-1 zoning provides the applicant the opportunity to develop the subject site for a private Christian school associated with the adjacent church.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The O-1 zone, as described in the zoning ordinance, is intended to provide for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open area.
2. O-1 is a suitable zone to accommodate the proposed development of a private school.

THE EFFECTS OF THE PROPOSAL:

1. Public water and sewer utilities are available to serve this site.
2. The proposal will have no impact on schools. The impact on the street system will be minimal. The potential traffic impact is less than what it could be under the current C-3 zoning.
3. O-1 zoning will have a minimal impact on adjacent properties, which are zoned for similar or higher intensity uses.

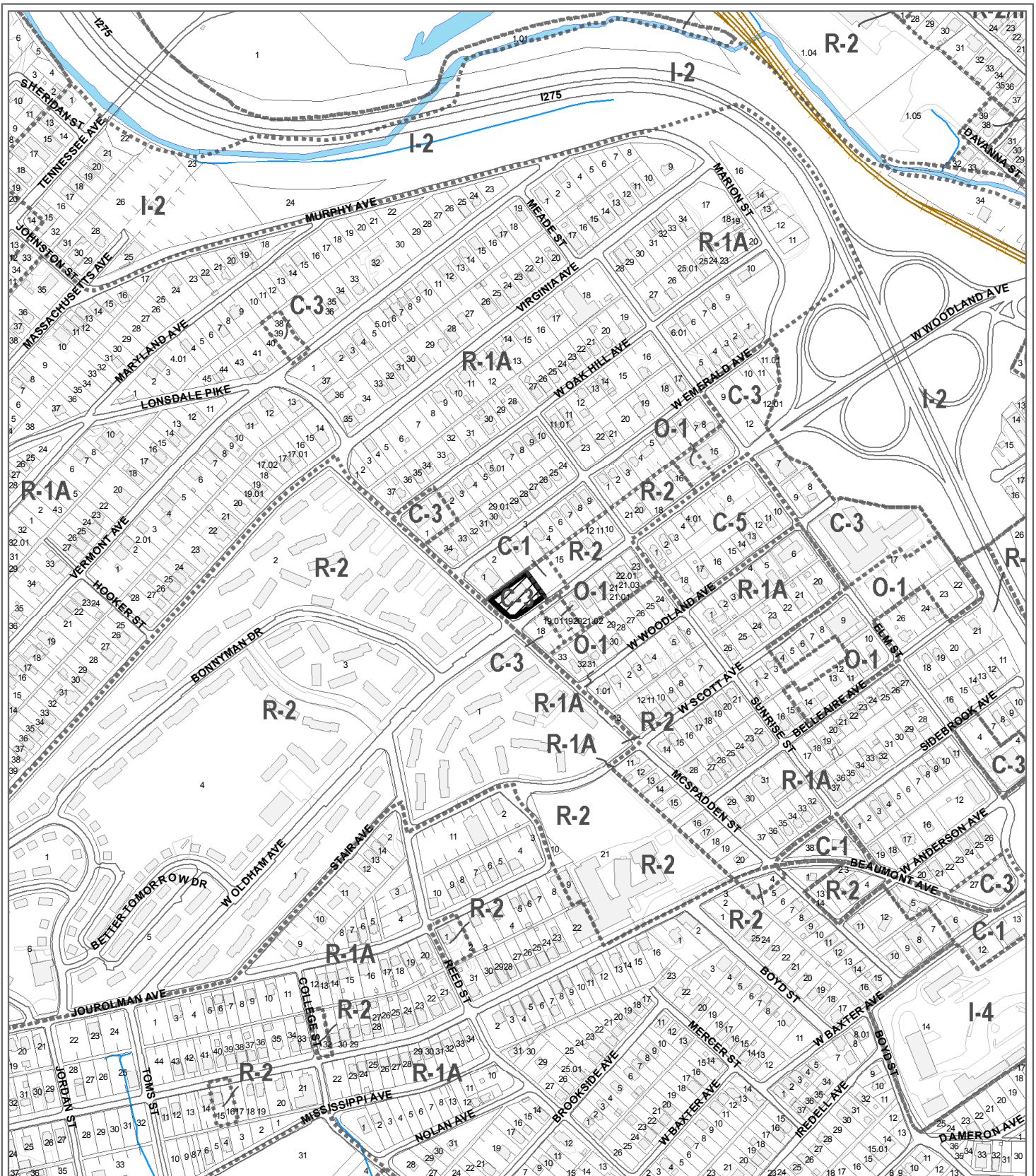
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The City of Knoxville One Year Plan proposes mixed uses, limited to general commercial, medium density residential, and neighborhood commercial. O-1 zoning is an acceptable zone under the general commercial designation.
2. The Central City Sector Plan proposes medium density residential uses for the site.
3. Approval of this rezoning could lead to future O-1 requests, if the need arises in the area.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/10/2009 and 2/24/2009. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



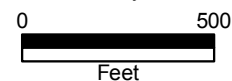
**1-J-09-RZ
REZONING**

From: C-3 (General Commercial)
To: O-1 (Office, Medical, and Related Services)



Petitioner: Day Spring Baptist Church

Map No: 81
Jurisdiction: City



Original Print Date: 12/23/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902