



AGENDA ITEM #: 51

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Dan Kelly, Development Services Manager
DATE: Thursday, April 03, 2014
SUBJECT: Determination that a private middle school is similar to public uses permitted in a C-4 district
4-C-14-OB

STAFF RECOMMENDATION:

APPROVE the request that a private middle school be a permitted use in the C-4 (Highway and Arterial Commercial District)

BACKGROUND:

The City of Knoxville Building Inspections Department referred the applicants to MPC for the purpose of determining if a private middle school could be considered as a permitted use in the C-4 (Highway and Arterial Commercial) District. The Metropolitan Planning Commission is given the authority in the C-4 zoning regulations to permit "uses of the same general character as those listed as permitted uses". In this particular case the C-4 regulations permit "public buildings and grounds other than elementary schools". Given that wording, staff believes that a public middle school is a permitted use in the C-4 district. Staff believes that a private middle school would be of the same general character, similar in use and impact, to a public school. Therefore, staff recommends that a private middle school be permitted in the C-4 (Highway and Arterial Commercial) District.).

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

Similar Use Determination

Name of Applicant: Messiah Evangelical Lutheran Church and Ministry

Date Filed: 3/7/2014 Application Accepted by: M. Payne

Fee Amount: 200.00 Meeting Date: 4/10/2014 File Number: 4-C-14-03



PROPERTY INFORMATION

Address: 6900 Kingston Pike
 General Location: Deane Hill S/D RESUB
1/2 Kingston Pike 1/2 Golf Club Rd.
 Tract Size: 3.51 A.C. No. of Units: 1
 Zoning District: C-4
 Existing Land Use: Messiah Evangelical Lutheran Church
 Planning Sector: West City
 Sector Plan Proposed Land Use Classification: BC 1 SA
 Growth Policy Plan Designation: urban growth
 Census Tract: 44.02
 Traffic Zone: 117
 Parcel ID Number(s): 120EA011
 Jurisdiction: City Council 2nd District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
 Name: Messiah Evangelical Lutheran Church
 Company: _____
 Address: 6900 Kingston Pike
 City: Knoxville State: TN Zip: _____
 Telephone: 865-588-9753
 Fax: 865-588-9783
 E-mail: office @ messiahknoxville.org

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: Rev. Eric L. Murray
 Company: Messiah Evangelical Lutheran Church
 Address: 6900 Kingston Pike
 City: Knoxville State: TN Zip: 37919
 Telephone: 865-588-9753
 Fax: 865-588-9783
 E-mail: pastorenic @ messiahknoxville.org

USE REQUESTED

Middle School in existing Church Educational wing

ATTACH AS A SEPARATE DOCUMENT:

A detailed description of the proposed specific use. Including: number of employees, hours of operation, products made or sold, services performed, special equipment used.

A statement indicating how the various permitted uses listed in the zoning regulations are similar in nature, operations, and character to the proposed use in this application and how they would be compatible.

Floor/site plan factors. Details regarding limitations (such as maximum floor area or site area) on building and site development for the following: office areas, warehousing areas, manufacturing areas, showroom/retail areas.

APPLICATION AUTHORIZATION

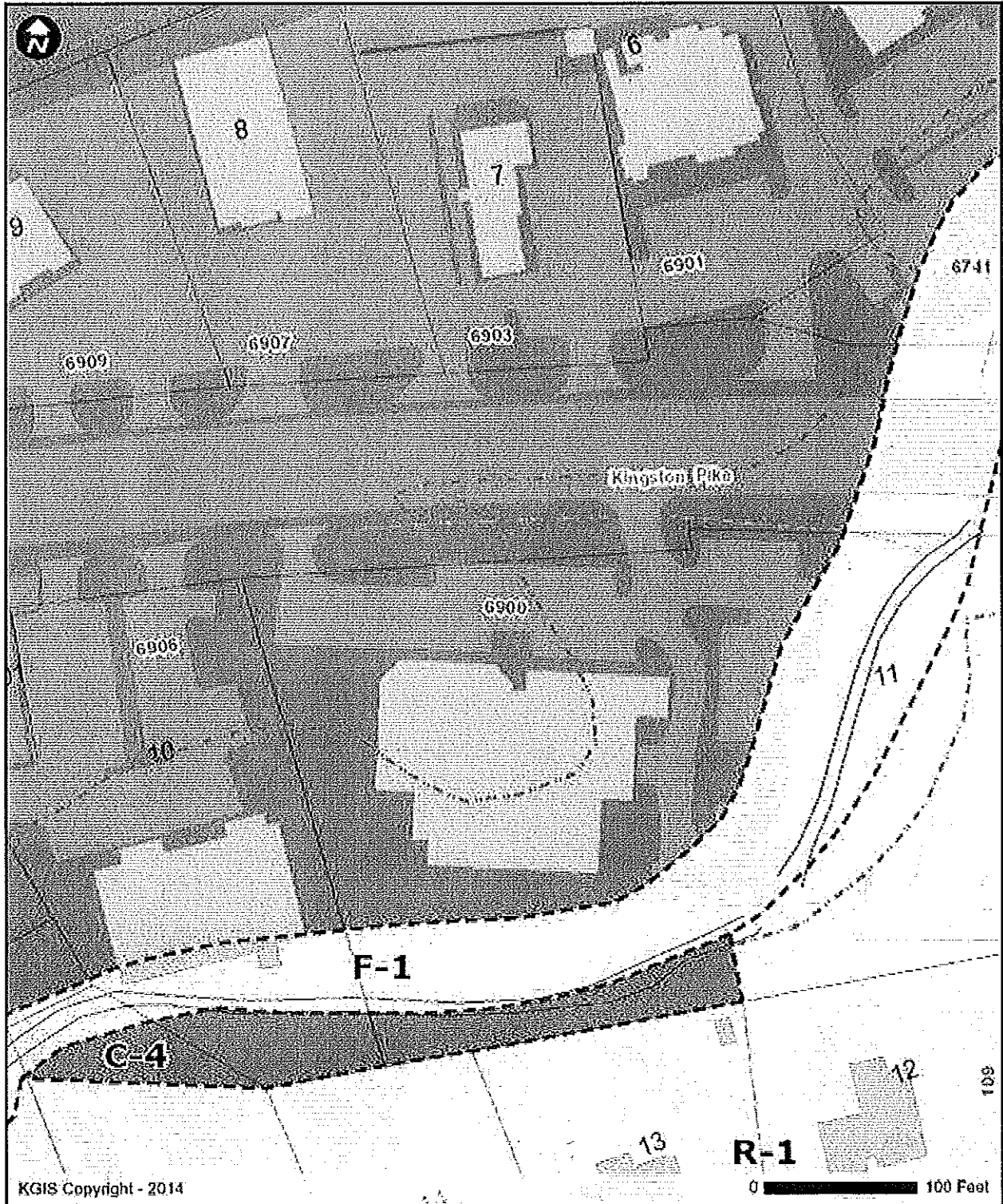
I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Eric L. Murray

PLEASE PRINT
 Name: Eric L. Murray
 Company: same as above
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

The Evergreen School is a small, not-for-profit 501(c)(3) junior high school (middle school) serving grades 6-8. It presently operates as Greenway School. Our enrollment is currently 31 students. The current owner retired, but the staff, faculty, students, and parents wish to continue the school at a different location. Our staff and faculty comprise 2 administrators, 4 full time faculty members, and 3 part time faculty members. Our hours of operation are 8 a.m. to 5:30 p.m. This time includes 1½ hours of supervised after school activities from 4:00 p.m. to 5:30 p.m. We are proposing to use the educational wing of Messiah Lutheran Church at 6900 Kingston Pike.

The Messiah Lutheran Church at 6900 Kingston Pike is currently zoned as C-4. We are requesting a Similar Use Determination based on the Zoning Ordinances described in "uses permitted" in C-3 (General Commercial District), Section B.14. Public buildings and grounds other than elementary schools. This would allow for public middle school operation. C-4. B.22. allows use of the same general character as those listed in this section [anything in C-3] as permitted uses and deemed appropriate by the planning commission. This would allow for a private middle school as a similar use as a public middle school allowed for in C-3.



KGIS Copyright - 2014

0 100 Feet

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - www.kgis.org

Printed: 3/6/2014 at 3:11 PM

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.