

# 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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**File Number:** 10-H-07-UR

**Related File Number:**

**Application Filed:** 9/10/2007

**Date of Revision:**

**Applicant:** DOGTOPIA

## PROPERTY INFORMATION

**General Location:** Northwest side of Kingston Pike, northeast side of Sherway Rd.

**Other Parcel Info.:**

**Tax ID Number:** 131 125.02

**Jurisdiction:** County

**Size of Tract:** 1.23 acres

**Accessibility:** Access is via Sherway Rd., a local street with a 26' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Commercial shopping center

**Surrounding Land Use:**

**Proposed Use:** Dog day care and boarding facility

**Density:**

**Sector Plan:** Southwest County      **Sector Plan Designation:** C

**Growth Policy Plan:** Urban Growth Area

**Neighborhood Context:** The subject property is located in the Kingston Pike/1-40/75 commercial corridor.

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

**Street:** 9715 Kingston Pike

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** CA (General Business)

**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 dog day care and boarding facility in the CA (General Business) zone, subject to 6 conditions.

Staff Recomm. (Full):  
1. Adherence to all stipulations of the attached development plan and other materials, as submitted by the applicant.  
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.  
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
4. Meeting all applicable requirements of the Knox County Health Department.  
5. Hours of operation are limited to 7am - 7pm, Monday through Friday, 10am – 5pm on Saturday, and 11am - 2pm on Sunday.  
6. No dogs may be outside on the property at any time, other than for the transfer from customers dropping off or picking up animals.

With the conditions noted above, this request meets all requirements of the CA zoning district, as well as other criteria for approval for a use on review.

Comments: The applicant is proposing to operate a dog day care and boarding facility out of an existing commercial shopping center located on the corner of Kingston Pike and Sherway Rd. Access to the site is from two entrance/exits along Sherway Rd. The use will occupy a 5,000 square foot section of the shopping center and accommodate playroom space, a lounge, a small retail area, an office, laundry and kitchen facilities, and restrooms. Veterinary clinics and animal hospitals are a use permitted on review in the CA zoning district, and it has been determined that the proposed use is similar enough to these uses that use on review approval is required.

The proposal does not include outdoor areas for dogs to be housed. All day care and overnight boarding facilities are conducted indoors. All urine and feces will be picked up and disposed of in sealed trash containers. The kennels will be climate controlled and have adequate air exchange for the health of the animals. Based on staff's research, indoor kennels are becoming more common in urban settings.

The applicant anticipates that on a typical business day, clients will drop off animals in the morning and pick them up in the afternoon. The maximum number of dogs cared for per day is anticipated to be around 66 and the maximum number to be boarded overnight is anticipated to be 10. The owner is proposing to have a maximum of 5 employees.

The existing shopping center has two tenants that share 34 parking spaces. The proposed dog day care and boarding facility will require 12 parking spaces. An adequate amount of parking is available since the other tenant only requires use of 13 of those spaces.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed use will place additional traffic demands onto Sherway Rd., however, the site is located in an existing commercial shopping center along Kingston Pike which can accommodate the additional traffic generated by this development. The applicant anticipates that on a typical day at maximum capacity, the proposed use could generate up to 750 vehicle trips per day.
2. There is a sufficient amount of parking to accommodate the proposed uses.
3. The operational guidelines indicate that dogs will be kept inside at all times and that all fecal matter will be regularly disposed of from the kennels and exercise areas. This will reduce the noise and potential odor impacts.
4. The property has access to public utilities.
5. With exception to a new sign, the exterior of the building on the subject property will remain in its

current condition. This will help maintain the existing commercial character along Kingston Pike and Sherway Rd.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposal is consistent with general standards for uses permitted on review. The use is consistent with adopted plans and policies, as well as the intent of the zoning regulations. The CA zone allows dog day care and boarding facilities to be considered as a use on review. The proposed use, because it is located in an existing commercial corridor should not create noticeable hardships for adjoining property owners. Potential impacts such as noise from barking dogs, traffic, and potential odors have been addressed sufficiently by the development plans and materials submitted by the applicant.
2. The Knox County Zoning Ordinance does not contain specific standards for the regulation of dog day care and boarding facilities kennels. Staff has made use of all available information gathered during past reviews of dog kennels and boarding facilities to make these recommendations. Staff has attempted to address all potential issues that may arise by locating a dog day care and boarding facility at this site.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The Southwest County Sector Plan proposes commercial uses for this property.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

**MPC Action:** Approved **MPC Meeting Date:** 10/11/2007

- Details of MPC action:**
1. Adherence to all stipulations of the attached development plan and other materials, as submitted by the applicant.
  2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
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**Summary of MPC action:** APPROVE the proposed dog day care and boarding facility in the CA (General Business) zone, subject to 6 conditions.

**Date of MPC Approval:** 10/11/2007 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**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:**