

CASE SUMMARY

APPLICATION TYPE: REZONING

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-M-06-RZ **Related File Number:** 10-F-06-PA
Application Filed: 9/8/2006 **Date of Revision:**
Applicant: KEVIN AND CHRISTINE ABERNATHY
Owner:

PROPERTY INFORMATION

General Location: Northeast side of Davenport Rd., southeast side of Crescent Ave.
Other Parcel Info.:
Tax ID Number: 109 B G 001 **Jurisdiction:** City
Size of Tract: 4.9 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Residence and Dog day care **Density:**
Sector Plan: South City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context:

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

Street: 2810 Davenport Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-2 (General Residential)
Former Zoning:
Requested Zoning: OS-1 (Open Space Preservation)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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 OS-1 (Open Space) zoning.

Staff Recomm. (Full): The applicant is requesting to rezone her 4.9 acre property to OS-1. The applicant currently resides on the property and is proposing to operate a dog day care facility. According to the Knoxville Code Administrator, dog day care facilities are currently considered dog kennels, and dog kennels are permitted under the OS-1 zoning district. Uses permitted under OS-1 are limited to agricultural, detached dwellings, parks, and historic sites on properties of 3 acres or more. This property conforms with the OS-1 requirements and would be appropriate at this location in the city.

The applicant plans on converting an existing barn on the property into the indoor day care facility and construct several outdoor fenced-in play areas. The applicant anticipates that on a typical business day, clients will drop off animals by appointment only, this will help limit the amount of traffic accessing the property. The applicant does not intend to keep animals over night. Since the proposed facility will only provide services during normal business hours, the impact on adjacent property will be minimal.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposal for OS-1 is compatible with the scale and intensity of the surrounding land uses and zoning patterns that have been established in this area.
2. OS-1 is compatible with other properties in the immediate area that are zoned OS-1, R-2 & R-3 for residential and community park uses.
3. OS-1 is a logical extension of the open space zoning to the southwest.

EFFECT OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. The proposal will have no impact on schools.
3. The proposal will place additional traffic demands onto Davenport Rd. However, Davenport Rd. is classified as a major collector street and can accommodate increased traffic levels. The applicant anticipates that on a typical business day, clients will drop off animals by appointment only, which will help limit the amount of traffic accessing the property.
4. The applicant is proposing to have several fenced in outdoor play areas for the animals. These play areas will be setback off Davenport Rd. This will help to reduce noise, odor, and aesthetic impacts on neighboring property owners.
5. Since the applicant is not proposing to keep animals overnight, the impact on surrounding properties should be minimized.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to the South City One Year Plan to open space for this site, OS-1 zoning would be compatible with the one year plan.
2. This site is located within the Urban Growth Area on the Growth Policy Plan map.
3. This request may lead to future sector plan and rezoning requests in the immediate area.

MPC Action: Approved

MPC Meeting Date: 10/12/2006

Details of MPC action:

Summary of MPC action: APPROVE OS-1 (Open Space) zoning.

Date of MPC Approval: 10/12/2006

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: 11/7/2006

Date of Legislative Action, Second Reading: 11/21/2006

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: