

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 7-D-23-DP Related File Number:
Application Filed: 6/5/2023 Date of Revision:
Applicant: AMANDA DYKSTRA-WESSEL

PROPERTY INFORMATION

General Location: Southside of Neal Dr, west of Tice Lane
Other Parcel Info.:
Tax ID Number: 38 N B 001.01 Jurisdiction: County
Size of Tract: 1.12 acres
Accessibility: Access is via Neal Drive, a local street with 20 ft of pavement width within a 40-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial
Surrounding Land Use:
Proposed Use: Veterinary clinic Density:
Sector Plan: North County Sector Plan Designation: O (Office)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The subject property is on the western edge of the Neal Drive business park area. An outdoor storage yard is to the east and a masonry contractor to the north. Residential uses are to the west and south.

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

Street: 3524 NEAL DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoning the property from PC to CB was denied in 1994 (11-CC-94-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: O (Office)
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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the development plan for a veterinary clinic of approximately 5,500 sqft, subject to 4 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 2) Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to signage.
- 3) Operating the veterinary clinic as outlined in Exhibit A.
- 4) Maintaining the existing vegetation between the veterinary clinic and the parking area to the adjacent residential uses.

With the conditions noted, this plan meets the requirements for approval in the PC district and the criteria for approval of a development plan.

Comments:

This request is for a 5,500 sqft veterinary clinic going into a building originally approved and built as a medical office in 1995 (1-N-95-UR), and most recently used as a professional office. The building will only have minor modifications to the inside, and there are no anticipated changes to the site plan at this time. The property already has sufficient parking. The facility will not offer boarding or grooming.

Protective covenants were approved with the development plan approval in 1995 (see Exhibit B). The covenants list the permitted uses as those listed in the CA and CB zones. Veterinary clinics are listed as a "uses permitted on review", which the covenants do not specify as being included as a permitted use. The covenants stated that any use that is not permitted, is prohibited. This application is to confirm that a veterinary clinic, as presented, is appropriate at this location.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PC (Planned Commercial):

A. It is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers. The protective covenants created by the subject property list the permitted uses as those listed in the CA and CB zones. Veterinary clinics are listed as a "uses permitted on review", which the covenants do not specify as being included as a permitted use. The covenants stated that any use that is not permitted, is prohibited.

B. If approved as recommended, a veterinary clinic, as presented, will be permitted at this location.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. Policy 8.12, When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earthberms, height restrictions, and/or deeper than usual building setbacks can improve land use transitions. -- The proposed development has existing vegetation along shared lot lines with residential development must remain.

3) NORTH COUNTY SECTOR PLAN

A. The property is classified O (Office) on the sector plan. A veterinary clinic that does not board animals or have outdoor runs is similar to other office uses permitted in the office zones.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Planned Growth Area. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of

the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development is not in opposition to any of these criteria.

Action: Approved with Conditions **Meeting Date:** 7/13/2023

Details of Action:

Summary of Action: Approve the development plan for a veterinary clinic of approximately 5,500 sqft, subject to 4 conditions.

Date of Approval: 7/13/2023 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: