



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-M-06-RZ  
10-F-06-PA

**AGENDA ITEM #:** 84  
**AGENDA DATE:** 10/12/2006

▶ **APPLICANT:** KEVIN AND CHRISTINE ABERNATHY  
**OWNER(S):** KEVIN & CHRISTINE ABERNATHY

**TAX ID NUMBER:** 109 B G 001  
**JURISDICTION:** Council District 1

▶ **LOCATION:** Northeast side of Davenport Rd., southeast side of Crescent Ave.

▶ **TRACT INFORMATION:** 4.9 acres.

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

**ACCESSIBILITY:** Access is via Davenport Rd., a major collector street with 60' of right of way and 30' of pavement width and Crescent Ave., a local street with 40' of right of way and 20' of pavement width.

**UTILITIES:** Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-2 (General Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** OS (Open Space) / OS-1 (Open Space Preservation)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Residence and dog day care facility

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, OS-1 is located across Davenport Rd. to the southwest.

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**

North: Residential / R-2 (General Residential)  
South: Ft. Stanley Park & Nursery / OS-1 (Open Space) & R-2 (General Residential)  
East: Residential / R-2 (General Residential)  
West: Residential & Apartments / R-2 (General Residential) & R-3 (High Density Residential)

**NEIGHBORHOOD CONTEXT:** The neighborhood surrounding this site has been developed with residential uses under R-1, R-1A, R-2 and R-3 and a community park zoned OS-1.

**STAFF RECOMMENDATION:**

▶ **APPROVE OS (Open Space) one year plan designation.**

Open space uses are appropriate on this 4.9 acre site at this location in the city. The proposal is an extension of open space designation from the southwest.

► **APPROVE OS-1 (Open Space) zoning.**

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.

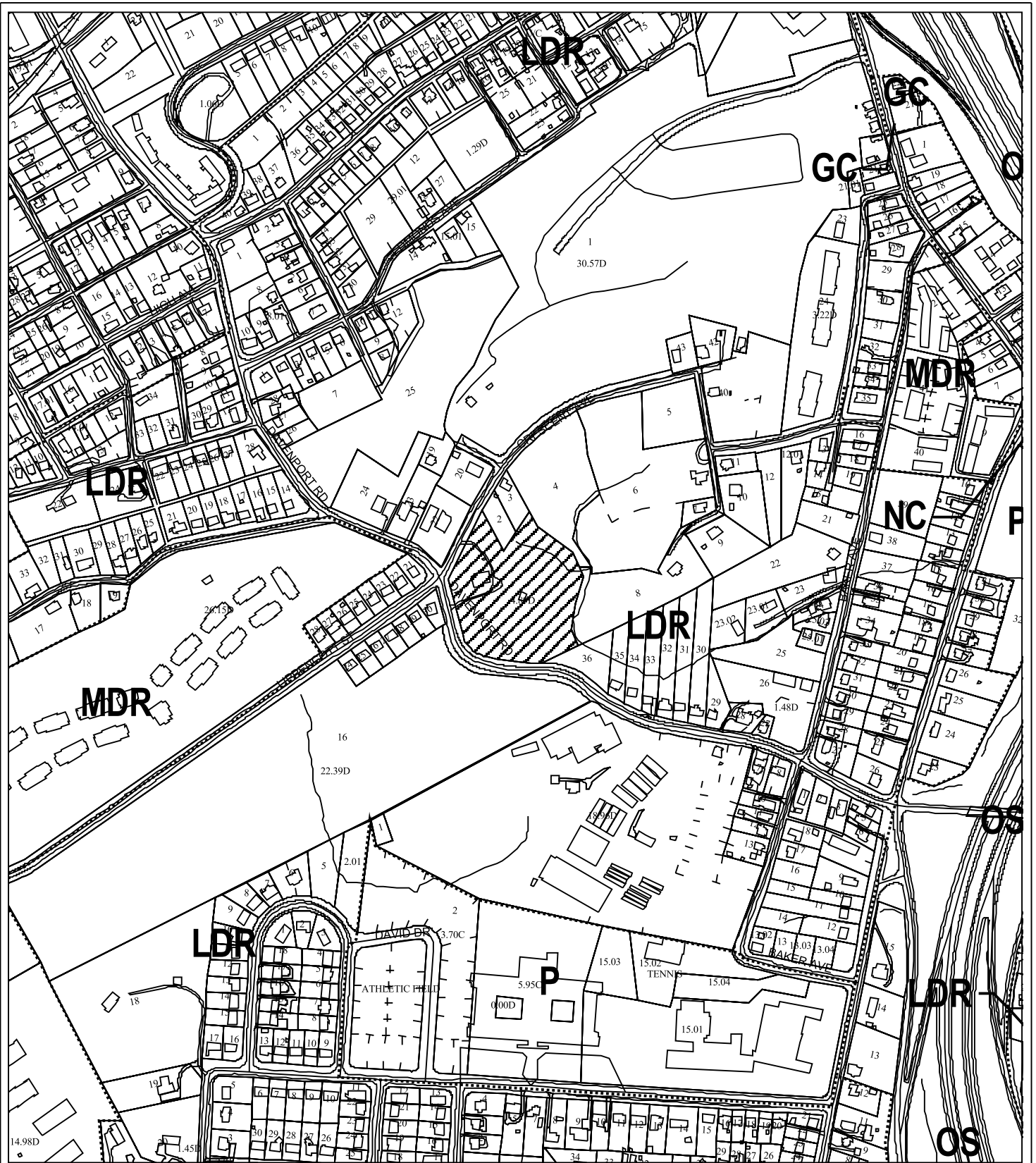
**EFFECT OF THE PROPOSAL**

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.

If approved, this item will be forwarded to Knoxville City Council for action on 11/7/2006 and 11/21/2006. 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.



10-F-06-PA/10-M-06-RZ  
 PLAN AMENDMENT

Petitioner: Kevin and Christine Abernathy

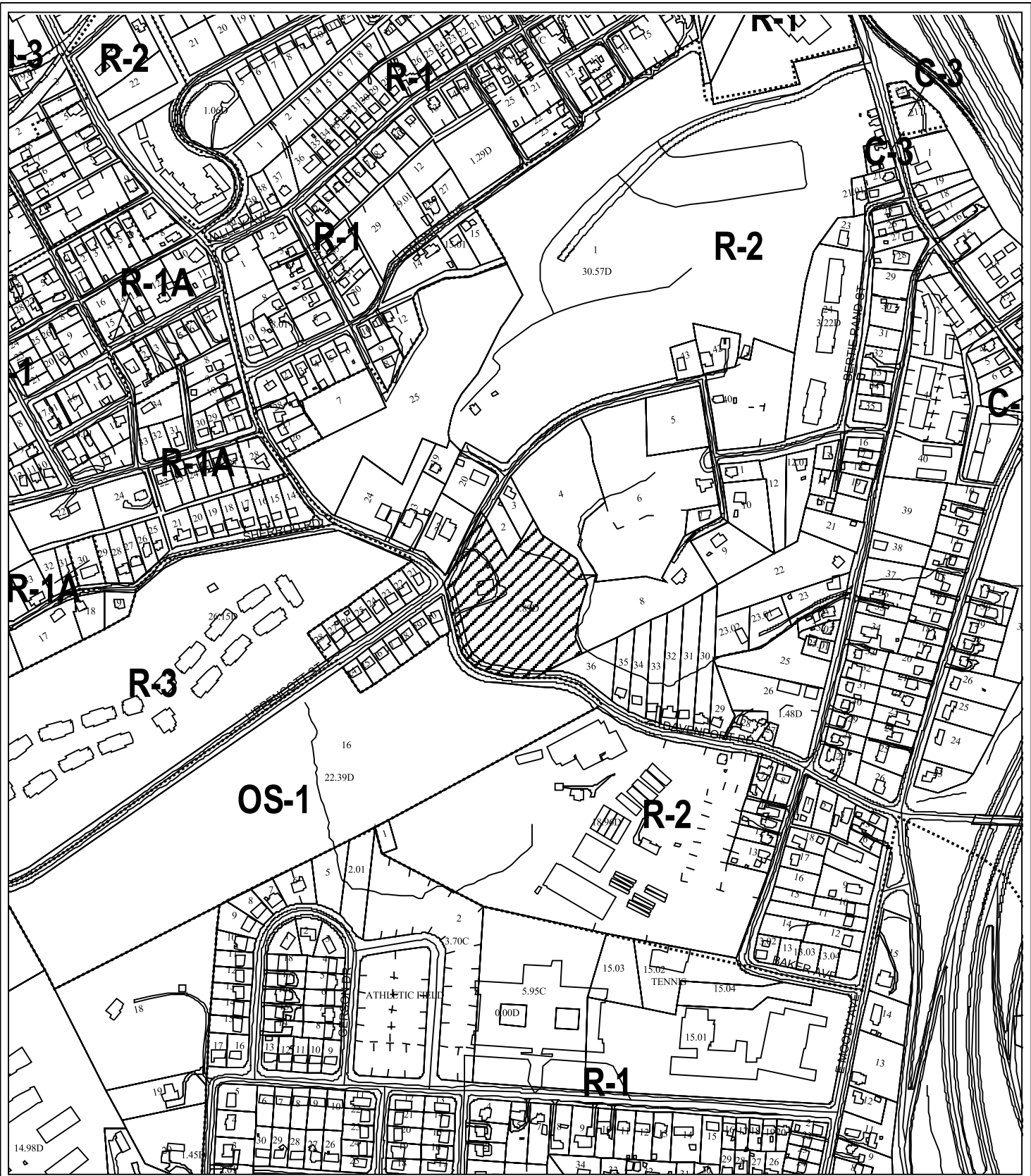
Map No: 109

Jurisdiction: City

From: LDR (Low Density Residential)  
 To: OS (Open Space)

Original Print Date: 10/03/06 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**10-M-06-RZ  
REZONING**

Petitioner: Kevin and Christine Abernathy

Map No: 109

Jurisdiction: City



From: R-2 (General Residential)  
To: OS-1 (Open Space Preservation)

Original Print Date: 09/26/06    Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

