

MEMORANDUM

TO: Metropolitan Planning Commission
FROM: Michael Brusseau, Senior Planner
DATE: May 6, 2013
SUBJECT: Similar Use Determination for The Markets at Choto / John Huber
5-A-13-OB

Staff Recommendation:

APPROVE a veterinary clinic / animal hospital, with boarding in the CN (Neighborhood Commercial) zone, subject to administrative review of a development plan by MPC staff, and subject to the following conditions.

1. The minimum lot size shall be one (1) acre.
2. All enclosed outdoor animal areas must be located to the rear of principal building and are subject to the specified building setbacks of the CN zone. The minimum size of the outdoor animal area shall be 2,500 square feet. The area must be enclosed by a fence with a minimum height of six (6) feet. No outdoor animal area may be located within 100 feet from an existing residential structure on an adjacent property.
3. Dogs may not be permitted outside the building(s) between the hours of 8:00pm to 8:00am on any day.
4. The facility must meet all applicable requirements of the Knox County Health Department.
5. No more than three (3) dogs may be permitted outside at any one time.
6. Buildings containing indoor boarding spaces must be soundproof.
7. On-site parking must be provided at the following ratios: two (2) spaces per three (3) employees during the largest shift, one (1) space per staff veterinarian and three (3) spaces per 1,000 square feet of gross floor area of all buildings. Parking spaces and parking lot configuration must meet all applicable requirements of the Knox County Department of Engineering and Public Works.

Authority:

The list of permitted uses under CN zoning (Article 5, Section 5.38.02) includes the following at item "H":

Uses similar to the uses listed as “uses permitted” may be considered for appropriateness by the Planning Commission under the Use Determination public hearing process. If the requested use is approved, it may be located in this zoning district.

The similar use determination application is the most appropriate way for MPC to make the determination, as requested by the applicant. If approved, the request will be subject to the review of a development plan by MPC staff. Furthermore, the use, if approved, will be allowed on any other properties zoned CN (Neighborhood Commercial), subject to the requirements of that zone.

Comments:

John Huber has submitted this request to allow an approximately 1-acre, CN-zoned tract on S. Northshore Drive in southwest Knox County to be used for a veterinary clinic/animal hospital with boarding. As described in the following letter, the proposed use is a full service animal hospital with overnight boarding of animals. Services for animals include hospital care, dental care, bathing, grooming and boarding.

It is staff's opinion that an animal hospital with boarding is similar to one without boarding, because each would likely include the need to board animals overnight. Any animal hospital would likely include overnight boarding of sick animals required to stay for observation or recovery from procedures. This would include allowing the animals to go outside for exercise and other needs. So, the boarding could be considered an accessory use to any animal hospital. However, the boarding of healthy animals for a fee has the potential for greater negative impacts to adjacent properties, including additional traffic, noise, visual impact and odor. The list of other permitted uses includes banks, laundromats, hardware, grocery and other retail store, which are similar in intensity and impact to that proposed by the applicant. It is expected that the proposed use, if developed with the above recommended conditions, would have comparable or less impact than some other uses permitted within the CN zoning district. Staff is recommending the nine general standards listed above that would be applied to any proposal for this use. They were created to minimize the potential impact to adjacent properties. The development plan must comply with these general standards to increase the compatibility between the proposed use and the surrounding area.

Attachment:

Exhibit A – Letter from applicant, submitted March 26, 2013 with MPC similar use determination application