

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

► **FILE #:** 9-D-18-UR

AGENDA ITEM #: 56

AGENDA DATE: 9/13/2018

► **APPLICANT:** JENNIFER MCKINNEY

OWNER(S): Steven Patterson

TAX ID NUMBER: 138 041

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 118 E Hendron Chapel Rd

► **LOCATION:** South side of E. Hendron Chapel Rd, west side of E. Circle Dr.

► **APPX. SIZE OF TRACT:** 1 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hendron Chapel Rd., a two lane minor arterial street with 22' of pavement within a 35' right-of-way, and E. Circle Dr., a local street with 16' of pavement within a 32' right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source:

WATERSHED: Hinds Creek

► **ZONING:** CA (General Business) & A (Agricultural)

► **EXISTING LAND USE:** Landscape business

► **PROPOSED USE:** Dog kennel

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Hendron Chapel Rd., vacant land, house / PC (Planned Commercial) & A (Agricultural)

South: Car wash, Chapman Hwy / CA (General Business)

East: Circle Dr., houses, self-storage / A (Agricultural) & CA (General Business)

West: Gas station / CA (General Business)

NEIGHBORHOOD CONTEXT: This site is located on the edge of established commercial and residential development that has occurred around the intersection of two arterial streets primarily within CA and A zoning. A self-storage facility has been approved in 2016 for the property zoned PC (immediately across Hendron Chapel Rd.) and is still planned for construction.

STAFF RECOMMENDATION:

► **APPROVE the request for a dog kennel containing 1,970 square feet of floor area and approximately 1,600 square feet of fenced outdoor activity area, as shown on the development plan, subject to 7 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

2. Meeting all applicable requirements of the Knox County Department of Public Works.
3. Meeting all requirements of the Knox County Health Department.
4. Along the north and east sides of the fenced (outdoor activity) area, maintaining the existing landscaping and installing new landscaping to meet the intent of the Type "B" continuous landscape screening guidelines. See Exhibit A.
5. Meeting the off-street parking requirements (Art. 3, Section 3.50), as determined by Knox County Codes Administrator, and parking lot layout standards (Art. 3, Section 3.51) of the Knox County Zoning Ordinance.
6. Meeting all requirements of the sign regulations (Art. 3, Section 3.90) of the Knox County Zoning Ordinance for signs permitted in the A (Agricultural) district.
7. Removal of the driveways that extend onto adjacent properties, or obtaining easements from the adjacent property owners to allow the continued use of the driveways.

With the conditions noted, this plan meets the requirements for approval of a dog kennel in the A district and the other criteria for approval of a use-on-review.

COMMENTS:

The proposed site was formally used as a landscape business. The conversion of the site to a kennel will include internal renovations of the building and installation of a fenced area to the east of the building for an outdoor activity area for dogs. A new parking lot will be constructed which will reduce the size of the curb cut to Circle Drive, meeting the zoning requirements.

There are two nearby houses that could be affected by the proposed use. The house to the east (across Circle Drive) is approximately 70 feet from fenced outdoor activity area and the house to the southeast is approximately 160 feet away. Veterinary clinics and animal hospitals, which are also a use permitted on review in the Agricultural zone, require that no animals be kept outdoors within 100 feet of any residence and that the applicant shall demonstrate that the use of the property will not create nuisance conditions for adjoining properties due to noise, odor, or lack of adequate sanitation. Since kennels are considered a different use classification than a veterinary clinic, the 100-foot separation standard does apply. However, the outdoor activity area could be a nuisance to nearby residence so staff is recommending that a continuous evergreen landscape screen be installed along the outside boundary of the fenced area to limit disturbance.

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

1. The proposal will have no impact on schools.
2. No significant traffic will be added to the surrounding roads with the approval of this request.
3. There will be no impact on utility requirements in the area.
4. Staff is recommending that a continuous evergreen landscape screen be installed along the outside boundary of the fenced area to limit disturbance to the nearby residential uses.
5. The rear portion of the property is zoned CA which allows kennels as a permitted use.

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

1. The proposed kennel in the A zone district is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
2. The Agricultural zone allows consideration of a kennel as use permitted on review and the zoning ordinance has no specific standards for this use.

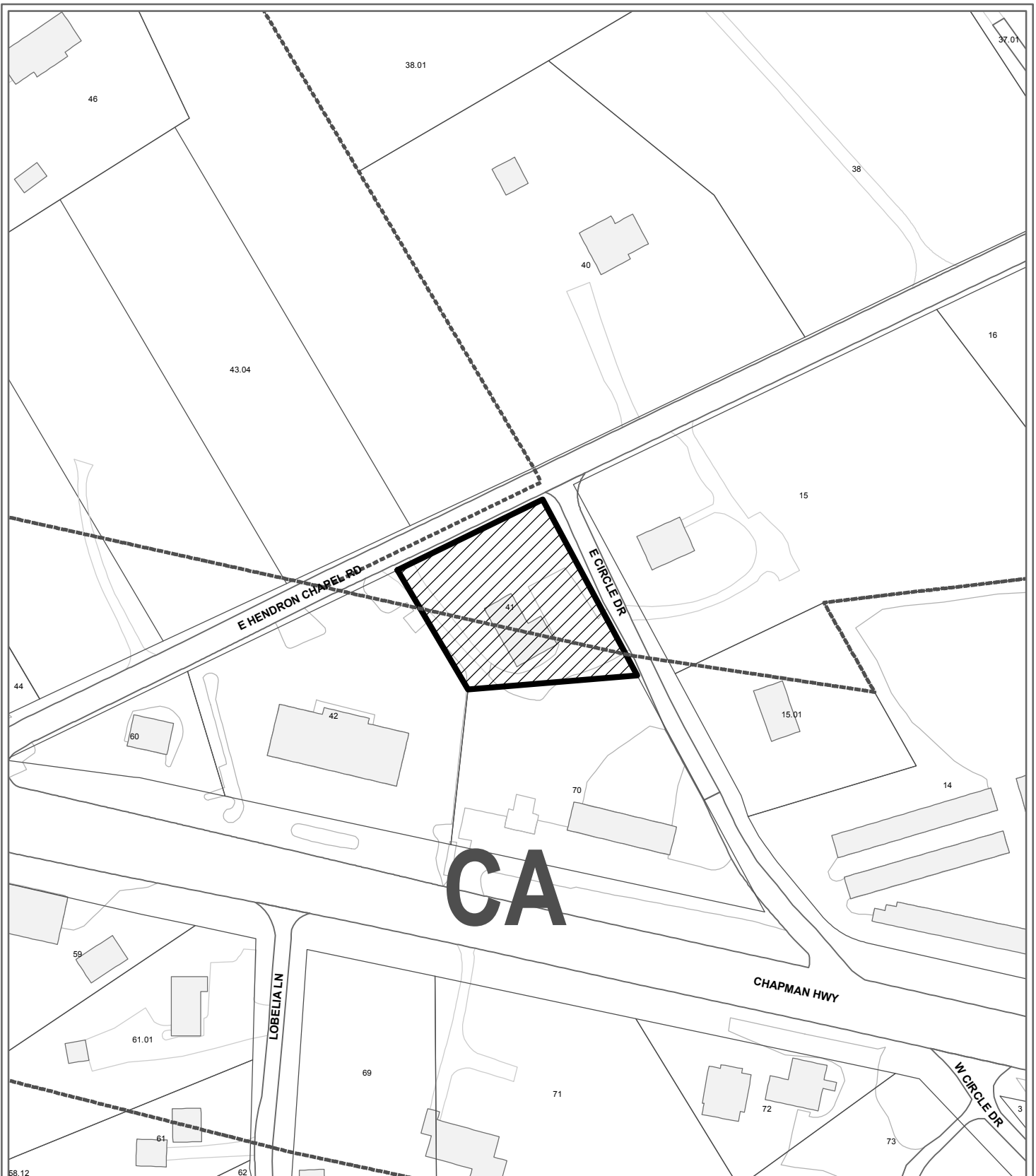
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The South County Sector Plan proposes LDR (Low Density Residential) and GC (General Commercial) uses for the site. The kennel use is compatible with the sector plan designations.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

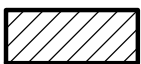
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**9-D-18-UR
USE ON REVIEW**



Dog kennel in CA (General Business) & A (Agricultural)

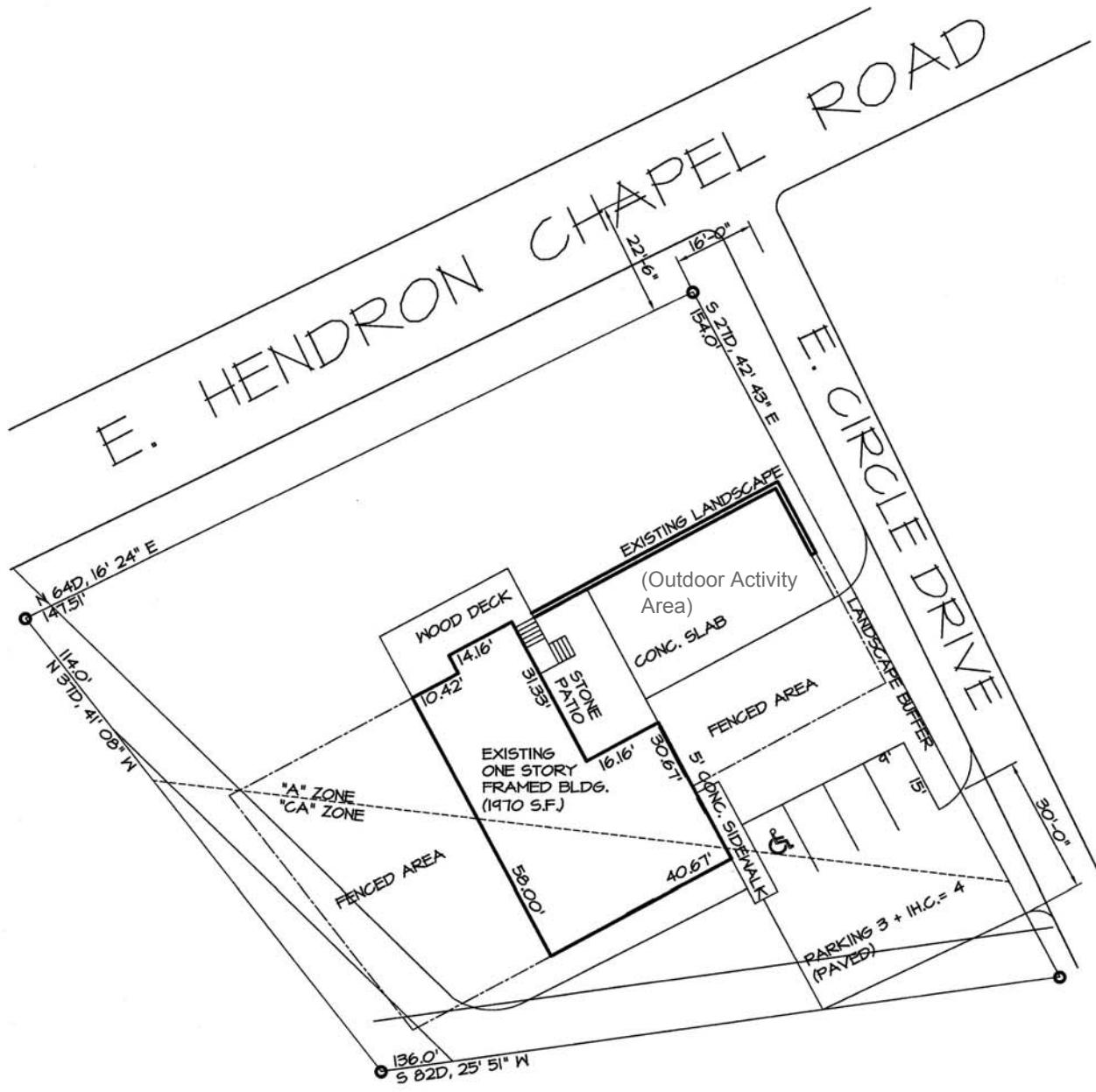
Petitioner: McKinney, Jennifer

Map No: 138

Jurisdiction: County



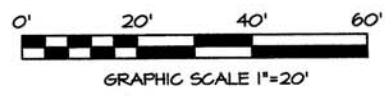
Original Print Date: 8/15/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





SITE PLAN
 SCALE: 1" = 20'-0"

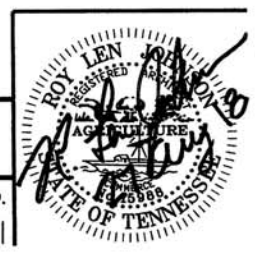
ZONING "A"	ZONING "CA"
BUILDING SETBACKS	BUILDING SETBACKS
FRONT 50'	FRONT 20'
BACK 35'	BACK 16'
SIDE 35'	SIDE 0'

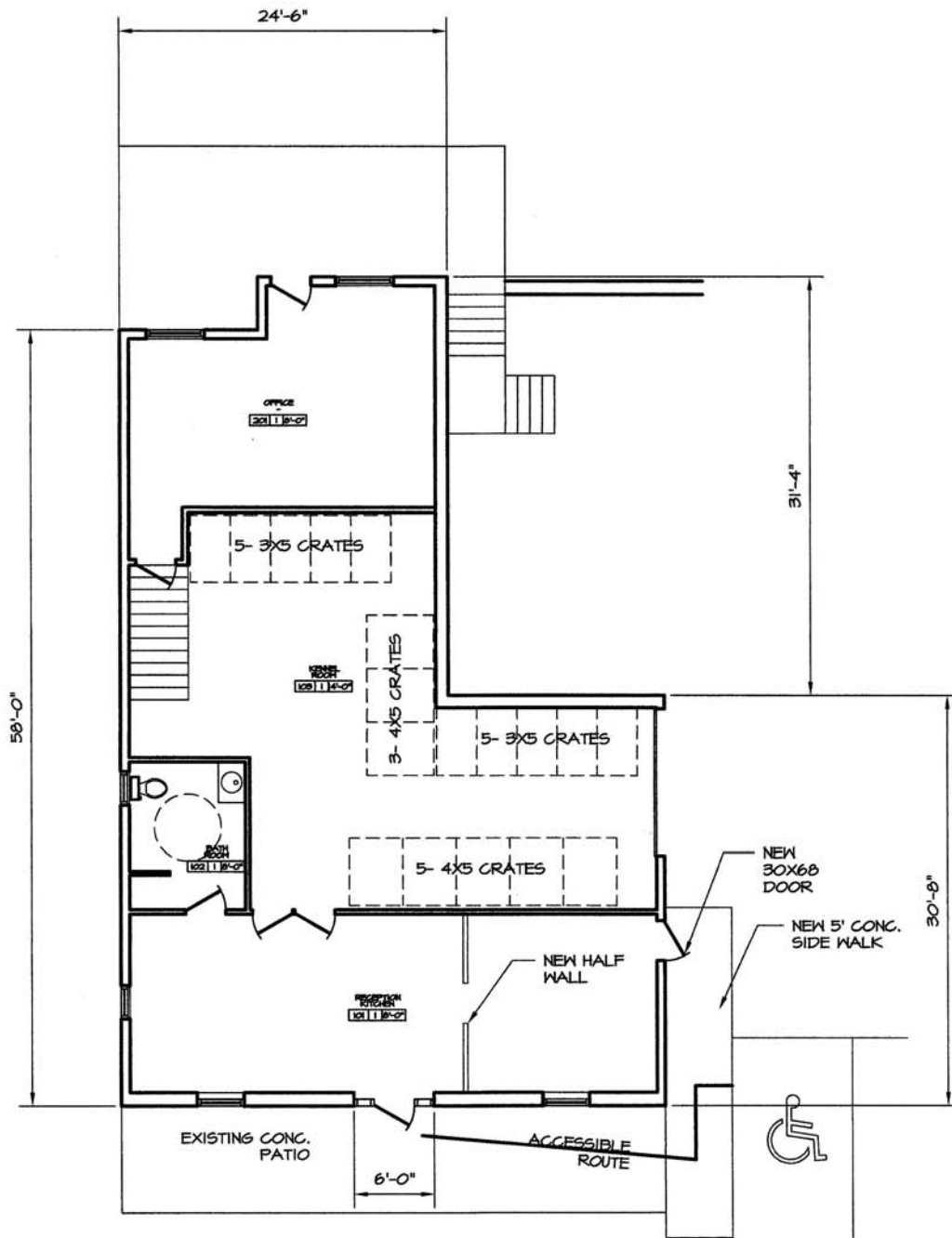




9-D-18-UR
Revised: 8/27/2018


R. LEN JOHNSON & ASSOCIATES
 Architects, Construction Analysts & Inspectors
 724 TAYLOR ROAD, KNOXVILLE, TN 37920 (865XVOL) 573-1148

PAWZ DOG SERVICES
 118 E. HENDRON CHAPEL ROAD, KNOXVILLE, TN 37920
 ARCHITECT'S FILE NO. 18022
 SHT. NO. SDI







FLOOR PLAN
 A.I.J. SCALE: 1/8" = 1'-0"


9-D-18-UR
Revised: 8/27/2018

CONSTRUCTION TYPE: TYPE VB UNPROTECTED UNSPRINKLED
 OCCUPANCY: BUSINESS (B)
 NO. STORIES & HEIGHT: 1 STORY

J & A
R. LEN JOHNSON & ASSOCIATES
 Architects, Construction Analysts & Inspectors
 724 TAYLOR ROAD, KNOXVILLE, TN 37920 (865XVDL) 573-1148

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SHT. NO.
A.I.J.



GUIDELINES LANDSCAPE SCREENING

DESIGN

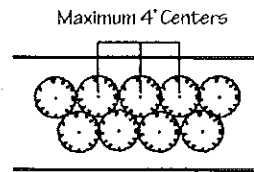
Type "B" Screen: Continuous

APPROPRIATE LOCATION: Screening parking and loading areas from adjoining residential and office districts

NOTE: Landscape buffer strips should be a minimum of 12 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

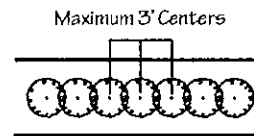
SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.

- Two offset rows of evergreen shrubs



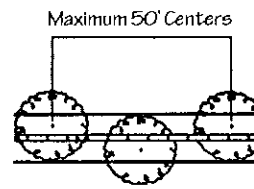
SHRUB HEIGHT
Installed: 2 ft.
Mature: 3 ft.

- A continuous row of evergreen shrubs on a 3 ft. high earth berm



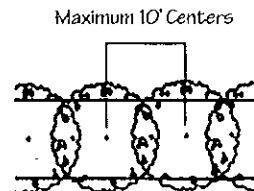
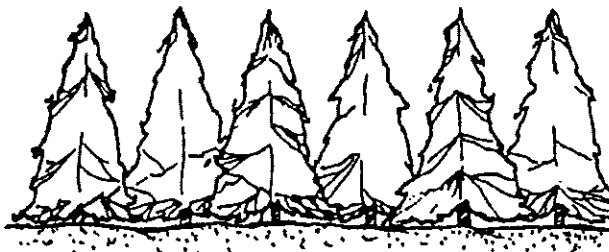
TREE HEIGHT
Installed: 8 ft.
Mature: 15 ft.

- A 5 ft. high masonry wall or timber fence with evergreen trees and low shrubs or climbing vines



TREE HEIGHT
Installed: 8 ft.
Mature: 20 ft.

- One row of evergreen trees with branches touching the ground



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

For more information:

MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 865 215-2500
Fax: 865 215-2068
Web: www.knoxmpc.org

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.

Use on Review **Development Plan**

Name of Applicant: JENNIFER MC KINNEY

Date Filed: 27 JUL 18 Meeting Date: 9/13/18

Application Accepted by: Jamer Reed

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$450 File Number: Use on Review 9-D-18-UR



PROPERTY INFORMATION

Address: 118 E. HENDRON CHAPEL RD

General Location: S. KNOX CO.
CHAPMAN HWY @ HENDRON

Tract Size: 1 AC No. of Units: _____

Zoning District: CA/A

Existing Land Use: LANDSCAPE
BUSINESS

Planning Sector: South County

Sector Plan Proposed Land Use Classification:
LDR/GC

Growth Policy Plan Designation: Planned Growth

Census Tract: 55.02

Traffic Zone: 167

Parcel ID Number(s): 138041

Jurisdiction: City Council _____ District
 County Commission 9 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: STEVEN PATTERSON

Company: _____

Address: 118 E. HENDRON CHAPEL

City: KNOXVILLE State: TN Zip: 37920

Telephone: _____

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: LEN JOHNSON

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)
USE ON REVIEW
Dog Kennel

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Len Johnson

PLEASE PRINT
Name: LEN JOHNSON

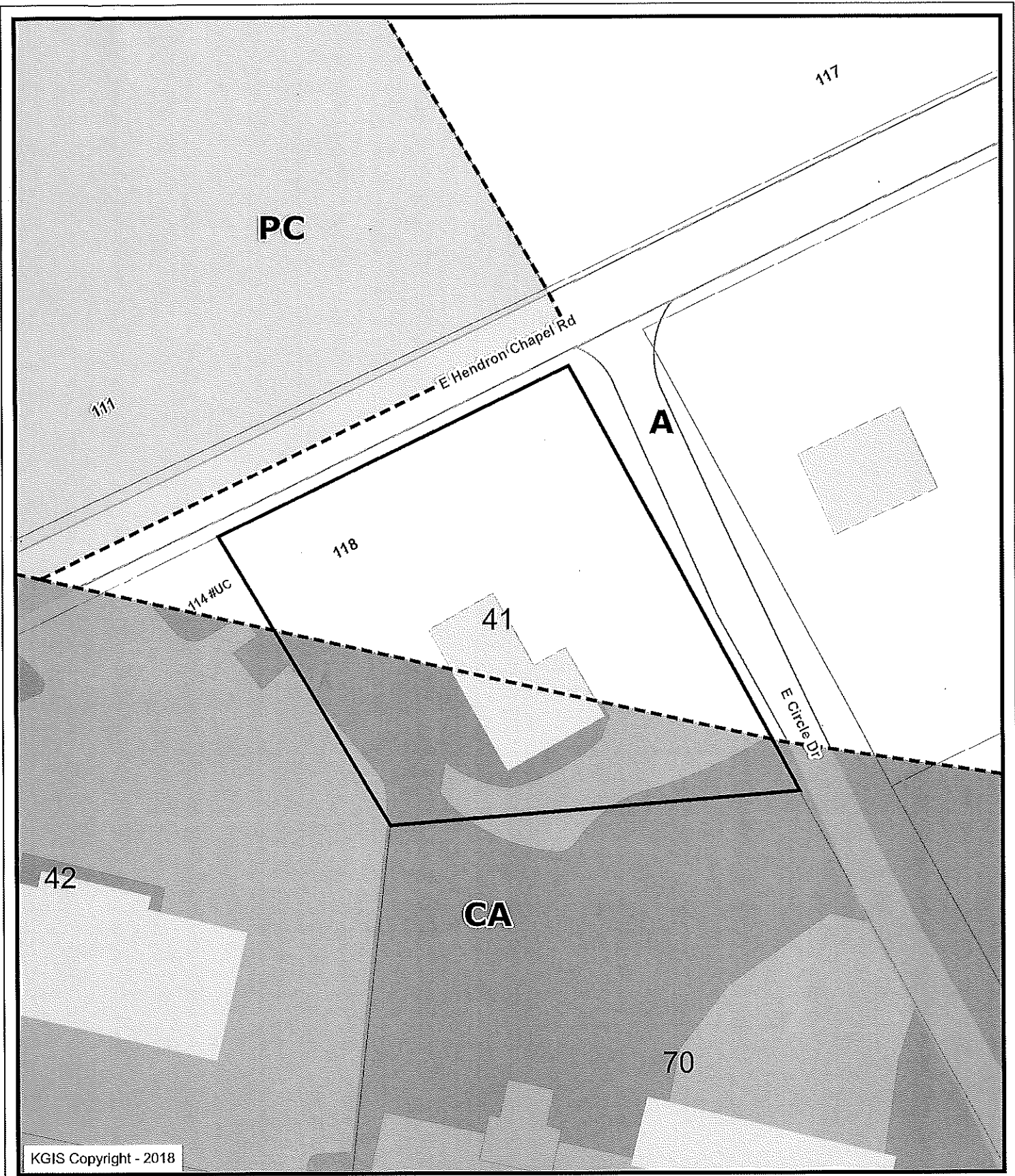
Company: R. LEN JOHNSON & ASSOC

Address: 724 TAYLOR RD

City: KNOXVILLE State: TN Zip: 37920

Telephone: 573-1148

E-mail: lenedna@bellkouth.net

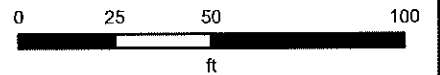


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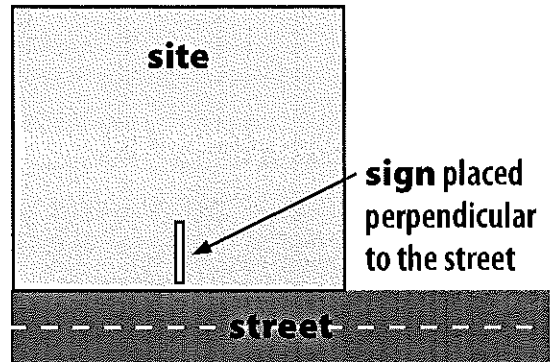
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

8/27/18 and 9/14/18
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: *Len Johnson*

Printed Name: Len Johnson

Phone: 573-1148 Email: lenedna@bellsouth.net

Date: 7/27/18

MPC File Number: 9-D-18-UR