

ArcGIS Web Map

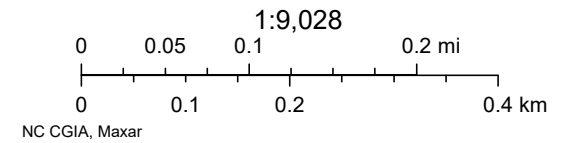


8/16/2024, 3:12:27 PM

Sullivan County Parcels Jan 2023

- Parcels
- T/C
- R-5

 GC	 B-2	 BC	 P-1	 PMD-2	 R-1C	 Split
 B-2E	 B-3	 GC	 P-D	 PUD	 R-2	 TA
 A-1	 M-1	 PBD-3	 PVD	 R-3	 R-3A	 UAE
 A-2	 B-4	 PBD/*	 R-1	 R-3B	 R-4	 Urban Growth Boundary
 AR	 B-4P	 PD	 R-1A	 R-3B		
 B-1	 B-4P	 PMD-1	 R-1B	 R-4		
	 M-2	 MX				





TO: KINGSFORT BOARD OF ZONING APPEALS

FROM: Jessica McMurray, Development Coordinator

DATE: August 22, 2024

RE: B-2, Central Business District & B-2E, Central Business Edge District

The Board is asked to consider the following request:

Case: BZA24-0172 The applicant requests a zoning interpretation of Sec 114-194(d)3 the B-2, Central Business District and Sec 114-203(d)3 the B-2E, Central Business Edge District. The purpose of this request is to seek an interpretation of an animal boarding facility as a prohibited use in the B-2 and B-2E zones.

Code reference:

Sec. 114-194. - B-2, Central Business District.

(d) *Prohibited uses.* Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, **animal hospitals and boarding facilities**, stockyards and flour mills, and ministorage facilities.
- (4) Single-family detached dwellings.

Sec. 114-203. - B-2E, Central Business Edge District.

(d) *Prohibited uses.* Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, **animal hospitals and boarding facilities**, stockyards and flour mills.
- (4) Single-family detached dwellings.

The applicant, Ms. April Carder, has requested a zoning interpretation/administrative review concerning prohibited uses within the B-2 and B-2E zoning districts. Ms. Carder is proposing to open a cat café in downtown Kingsport, however Sec 114-194(d)3 and Sec 114-203(d)3 states boarding facilities are prohibited. The applicant has stated in her application the entirety of the business will be contained within the building and will not involve "outdoor and

land intensive recreation" because the cats will remain inside the business. No other types of animals will be involved in the business in any way, and the cats involved in the business will not be allowed to go outdoors. Ms. Carder states they will ensure that the building and surrounding premises remain clean and free of cat odors and any other potential disturbance. Ms. Carder has stated the facility and cat boarding will open to the public.

In reviewing the matter, staff agree that the cat boarding aspect of the proposal will not be an outdoor use. A potentially defensible decision to allow the use may be to declare that the cat boarding itself is not a land intensive recreation as compared to boarding for other animal types.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:								
Last Name	Carder	First	April	M.I.	S	Date	8/14/2024	
Street Address	2525 Essex Drive			Apartment/Unit #				
City	Kingsport	State	TN	ZIP	37660			
Phone	832-689-2679		E-mail Address				aprilscarder@gmail.com	

PROPERTY INFORMATION:								
<i>Tax Map Information</i>	Tax map:	Group:	Parcel:	Lot:				
Street Address	Downtown Kingsport			Apartment/Unit #				
Current Zone	B-2 / B-2E		Proposed Zone B-2 / B-2E					
Current Use	N/A		Proposed Use				Cat café, cat grooming, and cat boarding	

REPRESENTATIVE INFORMATION:								
Last Name	Carder	First	April	M.I.	S	Date	8/14/2024	
Street Address	2525 Essex Drive			Apartment/Unit #				
City	Kingsport	State	TN	ZIP	37660			
Phone	832-689-2679		E-mail Address				aprilscarder@gmail.com	

REQUESTED ACTION:

Before making a significant financial commitment to purchase or lease a property, we would like an administrative review to interpret the following Kingsport ordinances so that we can be assured that our proposed business can operate Downtown:

Sec. 114-194(d)(3). - B-2, Central Business District.

(d) Prohibited uses. Uses prohibited in the B-2 district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.

and

Sec. 114-203(d)(3). - B-2E, Central Business Edge District.

Prohibited uses. Uses prohibited in the B-2E district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

We would like to open a cat café business in Downtown Kingsport that also offers cat grooming and cat boarding services. The entirety of the business will be contained within the building and will not involve "outdoor and land intensive recreation" because the cats will remain inside the business. No other types of animals will be involved in the business in any way, and the cats involved in the business will not be allowed to go outdoors. We will do everything in our power to ensure that the building and surrounding premises remain clean and free of cat odors and any other potential disturbance. With this application, we are submitting a detailed description of the project and welcome an opportunity to address any questions or concerns that the Board may have about our proposal and request for interpretation. We thank you all in advance for your time and consideration.

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we will be the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: *Carl John Carter*

Date: 8/15/24

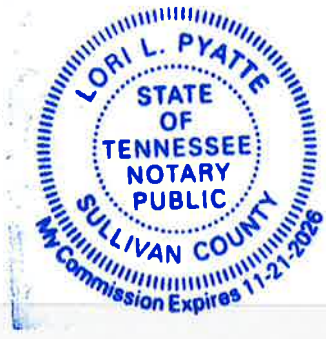
Signed before me on this 15th day of August, 2024

a notary public for the State of Tennessee

County of Sullivan

Notary *Lori L. Pyatte*

My Commission Expires 11-21-2026



CITY PLANNING OFFICE

Received Date: _____ Received By: _____

Application Fee Paid: _____

Board of Zoning Appeals Meeting Date: _____

Section of Applicable Code: _____

Building/Zoning Administrator Signature: _____ Date: _____

Completed Site Plans Received: _____

Previous requests or file numbers: _____

Signature of City Planner: _____ Date: _____



BOOPS & BEANS CAT CAFE

Project Details for Zoning Interpretation Request

Charles and April Carder, Owners
submitted August 15, 2024

Summary

Boops & Beans will be a cat cafe and lounge, which will also offer cat grooming and cat boarding services. The lounge will act as a foster home for cats from shelter and rescue partners while they wait to be adopted. They will roam free in the customized lounge (separated from the retail/café¹ area), allowing humans to experience life with cats. The business will also provide grooming services for cats only. No other animals will be groomed in the building. And the business will provide cat boarding services. No cats involved in any part of the business will be allowed outdoors at any time.

We very much want to be part of the revitalization effort in Downtown Kingsport. But before making a significant financial commitment to purchase or lease a property here, we are seeking an administrative review to interpret the following Kingsport ordinances so that we can be assured that our proposed business can operate Downtown:

Sec. 114-194(d)(3). - B-2, Central Business District.

(d) Prohibited uses. Uses prohibited in the B-2 district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.

and

Sec. 114-203(d)(3). - B-2E, Central Business Edge District.

Prohibited uses. Uses prohibited in the B-2E district are as follows . . .

(3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

The entirety of our proposed business will be contained within the building and will not involve "outdoor and land intensive recreation" because the cats will remain inside. No other types of animals will be involved in the business, and the cats will not be allowed outdoors. We will do everything possible to ensure the building and its surrounding premises remain clean and free of cat odors and any other potential disturbance.

¹ The word "cafe" is something of a misnomer. To comply with Tennessee health department requirements, the café will only serve pre-packaged foods and drinks, along with a self-serve Keurig-type hot beverage station. We are keeping the word "cafe" in the name because that is how these sorts of businesses are colloquially known.

Project Details

Below are photos of existing cat cafe businesses meant to illustrate the general appearance and concept for the café and lounge areas.



Cat Cafe Maui (Kahului, HI)



Catfeine Cat Café (Murfreesboro, TN)



Caffeine Cat Café (Murfreesboro, TN)



Caffeine Cat Café (Murfreesboro, TN)



Naughty Cat Cafe (Chattanooga, TN)



Naughty Cat Cafe (Chattanooga, TN)



Cat & Craft (Vista, CA)



Cat & Craft (Vista, CA)



Cats at Play Cat Café (Asheville, NC)



The Catcade – Cat Cafe & Rescue (Chicago, IL)



Crumbs & Whiskers Cat Café (Los Angeles, CA)

In the retail/café area, customers will be able to select a beverage and pre-packaged snack, buy cat-themed merchandise and creations from local artists. Customers can watch kitties through windows to the lounge area, where they pay a fee to enter and unwind, concentrate, or just have fun surrounded by cute furry faces.

The lounge will include arcade and video games, books and board games, plus quiet spaces for those looking to simply relax or work in the company of kitties. Customers will help the kitties become more socialized and help potential adopters to visualize how a cat might live in their home. The lounge allows the kitties to be themselves while potential adopters get to see their true personalities, which is almost impossible in a shelter environment.

Boops & Beans will also offer special events and classes, education on responsible pet ownership, as well as cat grooming and cat boarding services. Cat grooming and boarding will be key additions as there are few options for those services in Kingsport outside of veterinary offices. We plan to offer these services at reasonable prices to fill this currently unmet need in our community.



Sample Cat Boarding Suite Design



Sample Cat Boarding Suite Design



Sample Cat Boarding Suite Design

Boops & Beans will serve as a therapeutic, fun space for people of all ages—children (supervised by parents), adults, teenagers, and the elderly. We will partner with community organizations, small businesses, and other groups who can benefit from what we offer—such as homeschool families looking for enriching activities for their children outside of their homes.

Cat cafes are still a relatively new concept in a new industry, but they are steadily gaining popularity. At this time, the closest similar businesses are located well over an hour from Kingsport (Knoxville, TN [Scruffy’s Cafe] and Asheville, NC [Cats at Play Cafe]). So, we will offer a service that cannot be found locally and will provide Kingsport with a unique place for Tri-Cities locals and tourists to hang out. Because there are no local competitors, Boops & Beans will lend exclusivity to Downtown Kingsport and attract visitors from the entire Tri-Cities area.

Mission Statement

Our mission (“purr”-pose) is to save cats by providing a clean, healthy, and safe space for humans to meet and interact with them. We will support and bring joy to our community by hosting fun feline-themed events and education about animal shelters and rescues, spay/neuter, and cat health and well-being.

Conclusion

We anticipate no undesirable effect upon Downtown’s physical or environmental conditions nor any adverse impacts on the health, safety and welfare of the surrounding area. Rather, we believe that bringing this unique business to Kingsport will increase the value and utility of the space we ultimately choose and will be a destination for both tourists and locals.

We hope to realize our dream in Downtown Kingsport. We know we will be a valuable asset to our community, and we thank you for your consideration.