

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 2-C-22-UR                      **Related File Number:**  
**Application Filed:** 12/21/2021              **Date of Revision:**  
**Applicant:** ROD PARTON

## PROPERTY INFORMATION

**General Location:** Southeast side of E. Governor John Sevier hwy, west of Draeger Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 125 I A 010                      **Jurisdiction:** County  
**Size of Tract:** 2.07 acres  
**Accessibility:** Access is via E. Governor John Sevier Hwy, a major arterial street with 48' of pavement width within a right of way that varies in width from 88' to 150'.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** OF (Office)  
**Surrounding Land Use:**  
**Proposed Use:** Craft distillery                      **Density:**  
**Sector Plan:** South County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with rural and low density residential uses under A and PR zoning, and wholesale and office uses under PC and CB zoning.

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

**Street:** 806 E. Governor John Sevier Hwy.  
**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:** Zoned PC in 1991 (7-B-91-RZ)

## PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**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 request for a craft distillery with a production floor area of approximately 2,000 sqft and total business floor area of approximately 2,400 sqft, including retail sales and tasting room, subject to 3 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PC (Planned Commercial) district and the other general criteria for approval of a Use on Review.

Comments:

This proposal is for a distillery that will produce various liquors, including whiskey, vodka, gin, rum and moonshine. The Knox County zoning ordinance does not have a specific use classification for the production of liquor so there is no guidance for what type or size of facility is appropriate based on surrounding uses nor development standards to help protect the sensitive uses that are nearby. The applicant calls the use a "craft distillery" and provides a list of equipment that will be used. The business will have a total floor area of approximately 2,400 sqft, with approximately 2,000 sqft dedicated toward the production of the liquor products.

For comparison, the City of Knoxville uses the term "micro-distillery" for this type of use and defines it as "a facility for the production and packaging of alcoholic spirits, where the area of the establishment devoted to the production of spirits does not exceed 25,000 square feet in commercial districts or 40,000 square feet in industrial zone districts, and may include a tasting room for consumption on-premises." The City's zoning standards also requires that when adjacent to a residential district, production facilities of 8,000 sqft or less must have a landscaped buffer yard; and facilities larger than 8,000 sqft must be separated from residential districts by 200 feet, from property line to property line.

When this office/warehouse development was approved by the Planning Commission, screening was required along the southern property line adjacent to residential uses.

### **DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)**

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

#### **1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.**

A. The use is not in conformity with the South County Sector Plan which proposes LDR (Low Density Residential) for the area, however, the property has been zoned PC (Planned Commercial) since 1991 and developed with office/warehouse uses since 1993. The craft distillery is proposed in a building that received Use on Review approval by the Planning Commission in 2017 (9-C-17-UR).

#### **2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.**

A. The PC, Planned Commercial Zone, is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.

B. 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.

C. The craft distillery is primarily a distilling, aging, bottling, and labeling facility, but will also include a

sales area and tasting bar. This facility will not be an eating and drinking establishment and sales of product will be for off-site consumption only.

D. With the stated conditions, the craft distillery is consistent with the Knox County Zoning Ordinance.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. There will be no significant modifications to the exterior of the building or site.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. All distilled liquor production will be within the enclosed structure.

B. When this office/warehouse development was approved by the Planning Commission, screening was required to be installed along the southern property line adjacent to residential uses.

C. The business will have a total floor area of approximately 2,400 sqft, of which approximately 2,000 sqft will be dedicated toward the production of the liquor products. If the facility expands, they must receive a new Use on Review approval by the Planning Commission.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. This development has direct access to Governor John Sevier Highway.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

**Action:** Approved

**Meeting Date:** 2/10/2022

**Details of Action:**

**Summary of Action:** APPROVE the request for a craft distillery with a production floor area of approximately 2,000 sqft and total business floor area of approximately 2,400 sqft, including retail sales and tasting room, subject to 3 conditions.

**Date of Approval:** 2/10/2022

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**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:**