

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 9-A-23-UR
Application Filed: 7/19/2023
Applicant: DANNY ALLEN

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: North side of North Ruggles Ferry Pike, south of Gabrielle Road
Other Parcel Info.:
Tax ID Number: 53 073.03 **Jurisdiction:** County
Size of Tract: 19.6 acres
Accessibility: Access is proposed off of N Ruggles Ferry Pike, a major collector with a 22-ft pavement width within a 60-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Rural Retreat **Density:**
Sector Plan: East County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The subject property is across the street from a small commercial node at the intersection of two classified roads. The area is otherwise a mix of large lot single family detached residential dwellings off the main roads, and small lot single family subdivisions off of side streets. The Ruggles Ferry Golf Club is nearby to the west.

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

Street: 9341 N RUGGLES FERRY PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoned from A to CN in 2005 (Case # 10-C-05-RZ); rezoning request for the eastern portion of the property to be rezoned from A to CA was denied in 1992 (Case 6-H-92-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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 to expand the existing rural retreat event facility by approximately 4,500 sqft of floor area, increasing the total floor area to 5,900 sqft, and a maximum total facility capacity of 190 persons, subject to 6 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider and/or meeting all applicable requirements of the Knox County Health Department.
2. Improving the driveway as proposed on the plan or as otherwise permitted by Knox County Department of Engineering and Public Works and the Knox County Fire Prevention Bureau during permitting.
3. All rural retreat use areas must be outside the 200 ft setback except unless a reduced setback is agreed to by the adjacent property owner(s) and approved by the Planning Commission. The applicant provided written waiver agreements from the adjacent property owners to the south that are within 200 ft of the expanded parking lot, 9321 N. Ruggles Ferry Road (Gibson) and 9323 N. Ruggles Ferry Road (McCann). Additional written waiver agreements were submitted and approved with the original application (12-A-19-UR).
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
6. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, this request meets all requirements for approval in the A (Agricultural) zoning district and the criteria for approval of a use on review.

Comments: This proposal is for the expansion of an existing rural retreat with an event facility that is approximately 4,500 sqft, located within an existing farm structure. The previously approved 1,400 sqft event facility is just to the west and is also in a former farm structure. The applicant anticipates having a total of 15 to 20 events per year and 50-190 attendees per event. The required parking for an event with 190 attendees is 63 spaces, and up to 80 parking spaces are to be created in the parking area shown on the plan.

RURAL RETREAT SETBACK

The rural retreat zoning standards (Article 4, Section 4.104.02.D) requires that all buildings, parking, loading, campsites, recreation areas and other indoor or outdoor use areas shall be setback a minimum of two hundred (200) feet from property lines and three hundred (300) feet from existing residential dwellings on adjacent parcels, and shall be buffered as deemed appropriate by the Planning Commission. With a written agreement from the adjacent parcel owner(s) affected, the Planning Commission may consider reduction of these setbacks as part of the plan review process.

In the original approval (12-A-19-UR), there were eight properties within one of the two setbacks, measured from the barn structure (event center) or the parking lot, and all of these property owners signed a setback waiver agreeing to allow the Planning Commission to approve reduced setbacks for the rural retreat uses.

The revised plan, which includes a second event facility structure and expanded parking, requires two additional waiver agreements from adjacent property owners (see below). The new event facility structure is within the same setback boundary as the original approval, so no additional waivers are required for that portion of the request. The expanded parking lot is closer than 200 ft to the two properties listed below, which have signed the setback waiver agreement form.

New setback waivers --
9321 N RUGGLES FERRY PIKE
9323 N RUGGLES FERRY PIKE

Previously approved setback waivers --
9329 N RUGGLES FERRY PIKE
9320, 9324, 9328, 9332, & 9336 GABRIELLE ROAD
9328 JOHNSON ROAD
9416 JOHNSON ROAD

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 East County Sector Plan recommends LDR (Low Density Residential) uses for this site. The property is zoned A (Agricultural), which is an allowed zoning district in the LDR land use. The sector plan recommends protecting and preserving farmland. While the rural retreat is not a farming activity, it does allow for the preservation and enjoyment of the farm.
B. General Plan Policies:
Policy 8.12 -- When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earth berms, height restrictions, and/or deeper than usual building setbacks can improve land use transitions. – This rural retreat facility is a commercial use that is allowed in the A (Agricultural) zone with Use on Review approval by the Planning Commission. The rural retreat standards require a 200 ft setback from “use” areas to properties zoned agricultural or residential unless the adjacent property owners agree to a setback reduction. In this case, all necessary setback waiver agreements have been submitted with the original application (12-A-19-UR) or this application.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.
A. With the recommended conditions, the proposed expansion of the rural retreat use meets the standards for rural retreats, the A (Agricultural) zoning, and all other requirements of the 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. The existing one-story farm structure is compatible with the area.
B. The expanded parking area is central to the site and the property owners that are less than 200 ft from the parking area have agreed to setback waivers.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.
A. If the event facility is operated per the attached operating plan (Rural Retreat Application, Meadow Mint Farm Events), the value adjacent property should not be significantly injured.
- 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.
A. This site is accessed directly from a major collector street (N. Ruggles Ferry Road).
- 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 uses within the development.

Action: Approved with Conditions **Meeting Date:** 9/14/2023

Details of Action:

Summary of Action: Approve the request to expand the existing rural retreat event facility by approximately 4,500 sqft of floor area, increasing the total floor area to 5,900 sqft, and a maximum total facility capacity of 190 persons, subject to 6 conditions.

Date of Approval: 9/14/2023 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Ordinance Number:

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: