

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

▶ **FILE #:** 5-H-18-UR **AGENDA ITEM #:** 51
 POSTPONEMENT(S): 5/10/2018 **AGENDA DATE:** 6/14/2018
 ▶ **APPLICANT:** EDWIN AND SONS BEVERAGE, LLC
 OWNER(S): TNA Partners, LLC

TAX ID NUMBER: 94 E J 033.01 [View map on KGIS](#)
 JURISDICTION: City Council District 6
 STREET ADDRESS: 302 W Jackson Ave
 ▶ **LOCATION:** South side of W. Jackson Ave., west side of S. Gay St.
 ▶ **APPX. SIZE OF TRACT:** 1.26 acres
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via W. Jackson Ave., a local street with 20' of pavement width within 55' of right-of-way, or S. Gay St., a minor arterial street with 45' of pavement width (including on-street parking) within 80' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Second Creek

▶ **ZONING:** C-2 (Central Business District) / D-1 (Downtown Design Overlay)
 ▶ **EXISTING LAND USE:** Mixed residential and commercial
 ▶ **PROPOSED USE:** Alcoholic beverage distilling / manufacturing (Craft distillery)

HISTORY OF ZONING: Rezoned from I-3 to C-2 in 2010. (11-D-10-RZ)
 SURROUNDING LAND USE AND ZONING:
 North: W. Jackson Ave., Parking and railroad ROW / C-2 (Central Business)/D-1 (Downtown Design Overlay)
 South: Residential, Business / C-2 (Central Business)/D-1 (Downtown Design Overlay)
 East: S. Gay St., Residential, Business / C-2 (Central Business)/D-1 (Downtown Design Overlay)
 West: Residential, Businesses / C-2 (Central Business)/D-1 (Downtown Design Overlay)
 NEIGHBORHOOD CONTEXT: This building is located on the north end of downtown, at the intersection of S. Gay Street and W. Jackson Ave. The uses in the area consist of a mix of residential, office, restaurants, and retail within the C-2 zone and D-1 overlay.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a distillery of approximately 2,000 square feet, subject to 5 conditions.**
 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the Knox County Health Department.
 3. Meeting all applicable requirements of the Knoxville Department of Engineering.

4. The use of the facility is limited to the blending and repacking of bulk spirits with other blending ingredients (water, juices, liquers, etc.). No on-site distilling shall be permitting without Use-on-Review approval by the Planning Commission.

5. Deliveries to and from the distillery shall be as shown in attached Site Plan / Access Plan. The primary access for deliveries is to be from the City of Knoxville Parking Lot on the north side of the West Jackson Avenue ramp and through the tunnel below ramp. Access through the rear courtyard of the building is to be used only when a delivery is not feasible under the W. Jackson Avenue Ramp and when the ramps are closed.

With the conditions noted above, this request meets the requirements for approval of a distillery, as presented, in the C-2/D-1 zoning district and the other criteria for approval of a use on review.

COMMENTS:

The proposed use is a commercial alcoholic beverage blending operation that will be located in the two basement levels of the building at the corner of S. Gay St. and W. Jackson Ave. No distilling of alcohol spirits or sales to individuals will occur on site. While there are residential uses within this building, the use directly above the facility is a furniture store that has direct access from S. Gay Street.

The location of this facility is below the Gay St. and Jackson Ave. road grades, so it has no access directly to either street. The main access to the facility from the breezeway that runs below the building and Jackson Ave. ramp. The breezeway connects to the City of Knoxville Parking Lot on the north side of Jackson Ave. and the courtyard to the rear of the building. Deliveries will primarily come from the City parking lot, however, the City does plan to repair the Jackson Ave. ramps in the near future which will require deliveries to come from through the courtyard of the development, which is intended to be used for the residents of the development and should only be used for deliveries when it's not possible to use the other access.

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. Public water and sewer utilities are available to serve the development.
3. The proposed facility should have minimal impact on surrounding uses since alcoholic spirits will not be distilled on-site. The company will only mix spirits that are delivered from off-site distilleries and there will be no direct sales to individual out of the facility.
4. There will be no outdoor storage.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed distillery is consistent with the development standards in Article 5, Section 3.F.13. and the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan, One Year 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 proposal meets all relevant requirements of the C-2/D-1 zoning district, as well as other criteria for approval of a use-on-review.

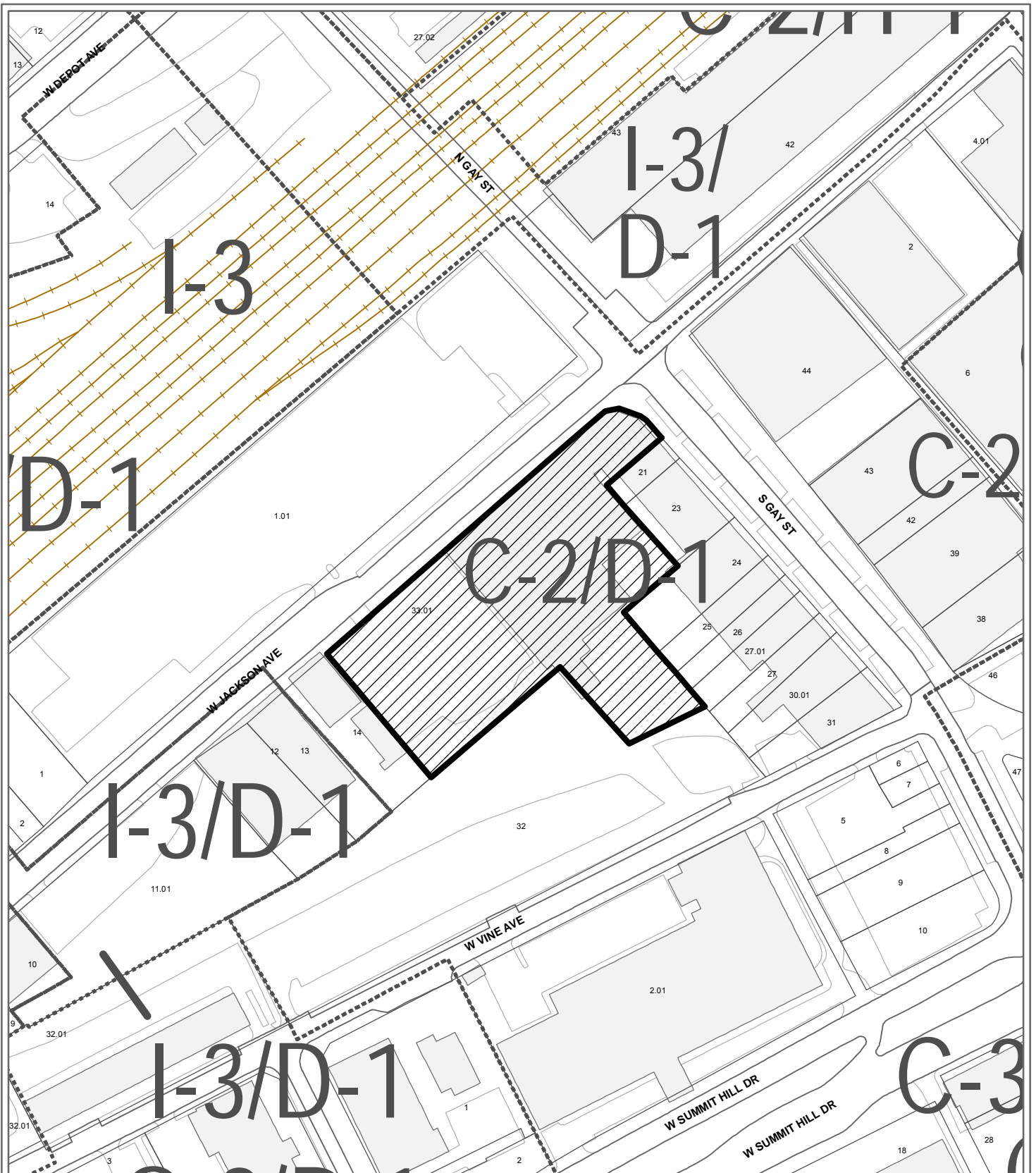
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the Sector Plan and One Year plan for the area which proposes MU-RC (Regional Mixed Use Center) uses.

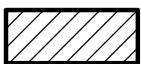
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**5-H-18-UR
USE ON REVIEW**



Craft distillery in C-2 (Central Business District) / D-1 (Downtown Design Overlay)

Original Print Date: 4/16/2018

Revised:

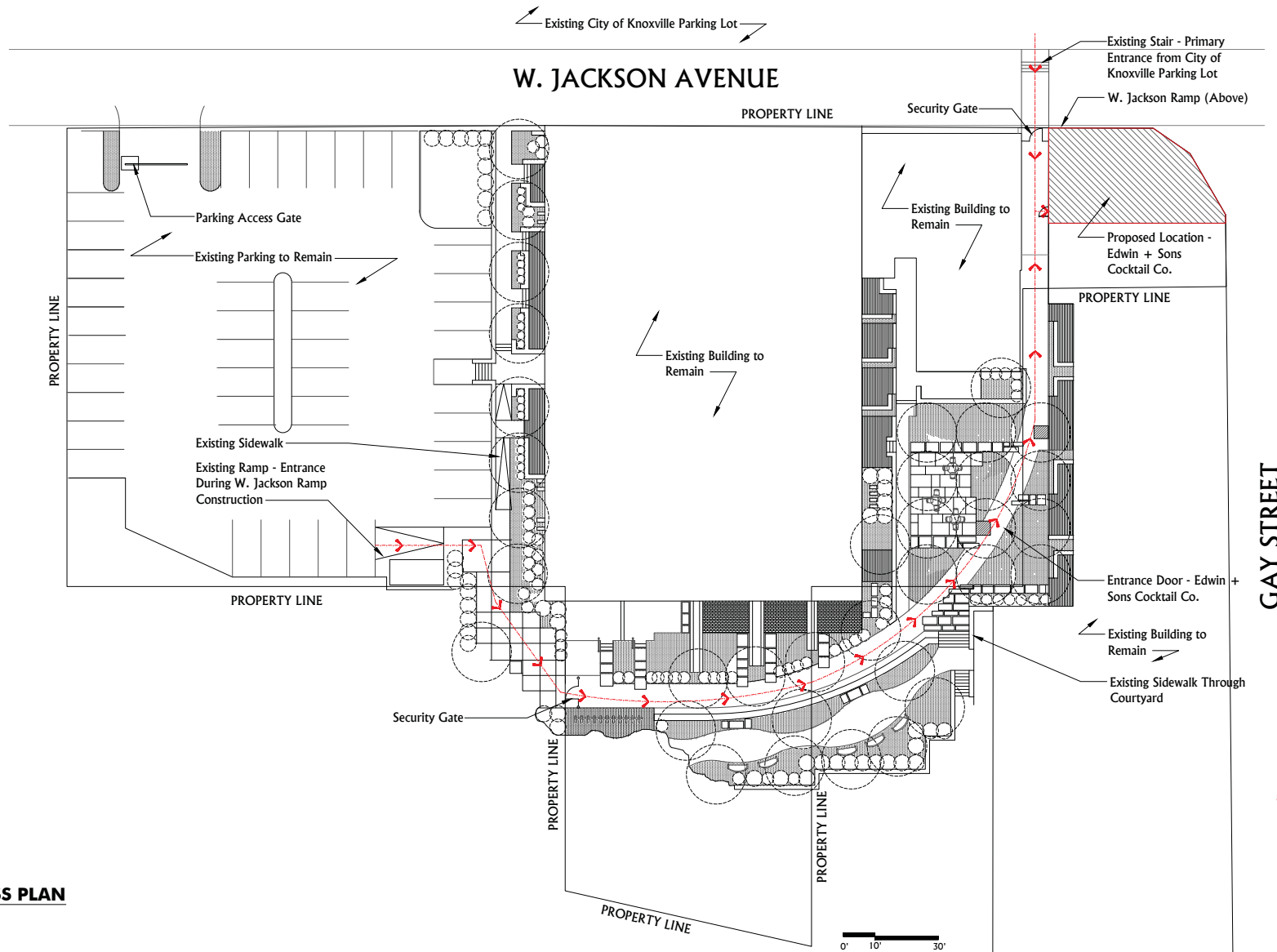
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Edwin and Sons Beverage, LLC

Map No: 94

Jurisdiction: City





5-H-18-UR
Revised: 5/29/2018

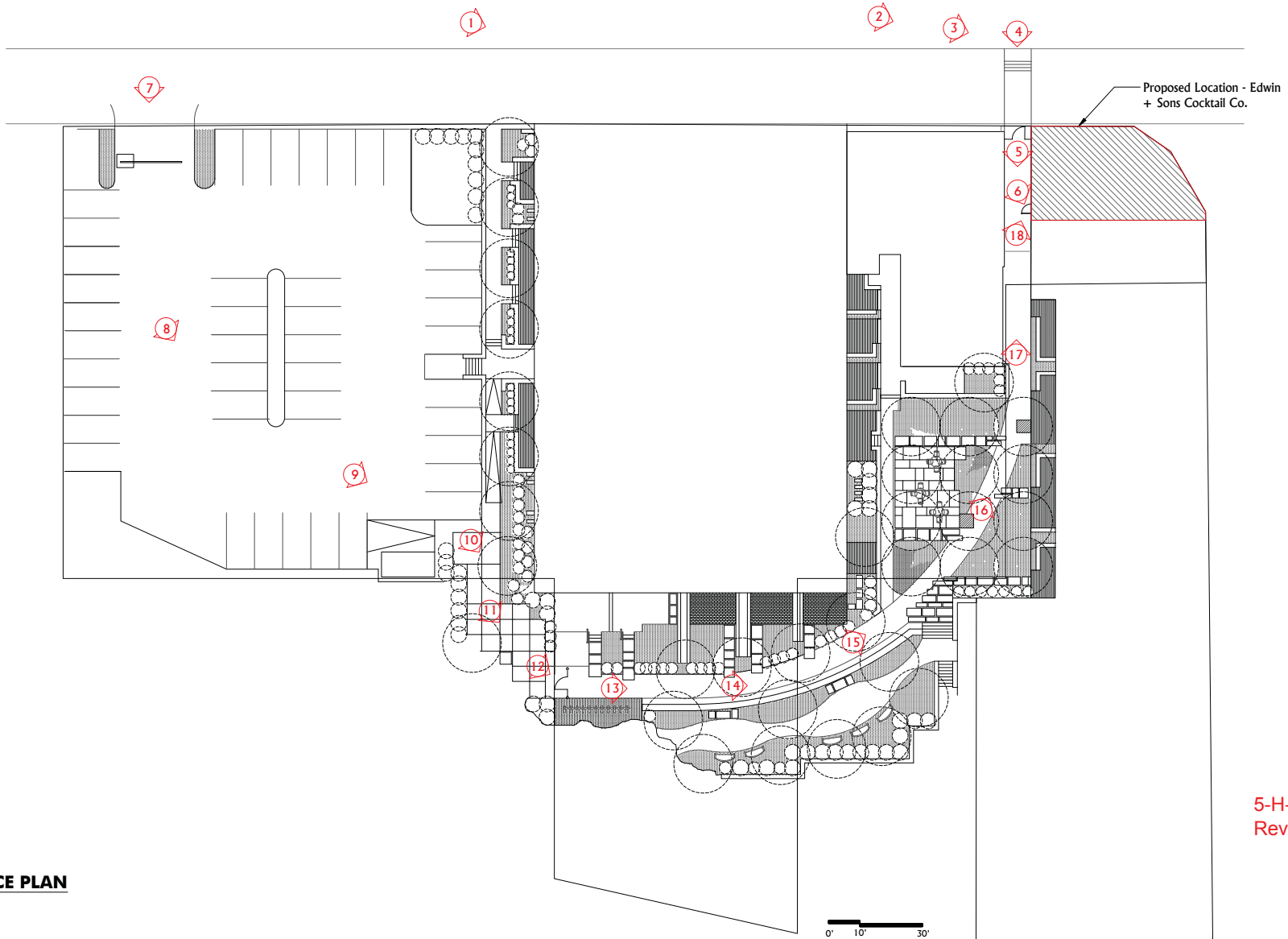
SITE PLAN/ACCESS PLAN

SCALE: 1/32" = 1'-0"

Edwin + Sons Cocktail Co.
302 W. Jackson Avenue #4
Knoxville, Tennessee

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.r2kstudio.com





Edwin + Sons Cocktail Co.
302 W. Jackson Avenue #4
Knoxville, Tennessee

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.r2rstudio.com



Primary Entrance from City of Knoxville Parking Lot



1



2



3



4



5



6

5-H-18-UR
Revised: 5/29/2018

3 SITE PHOTOGRAPHS
SCALE: NTS

Edwin + Sons Cocktail Co.
302 W. Jackson Avenue #4
Knoxville, Tennessee

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.r2rstudio.com



Entrance During W. Jackson Ramp Construction



7



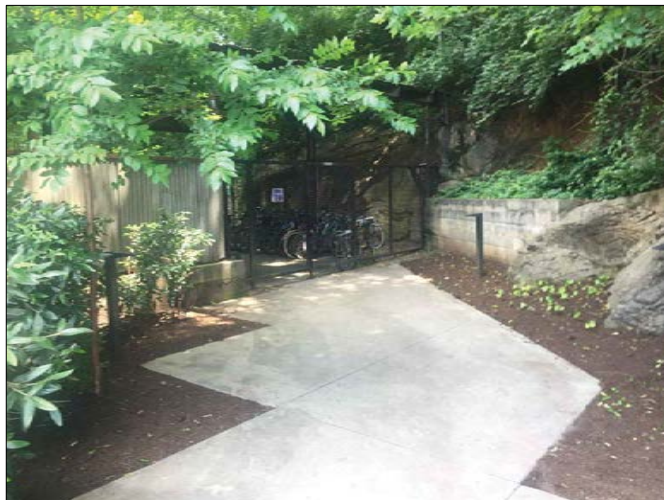
8



9



10



11



12

5-H-18-UR
Revised: 5/29/2018

4 SITE PHOTOGRAPHS
SCALE: NTS

Edwin + Sons Cocktail Co.
302 W. Jackson Avenue #4
Knoxville, Tennessee

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.r2kstudio.com



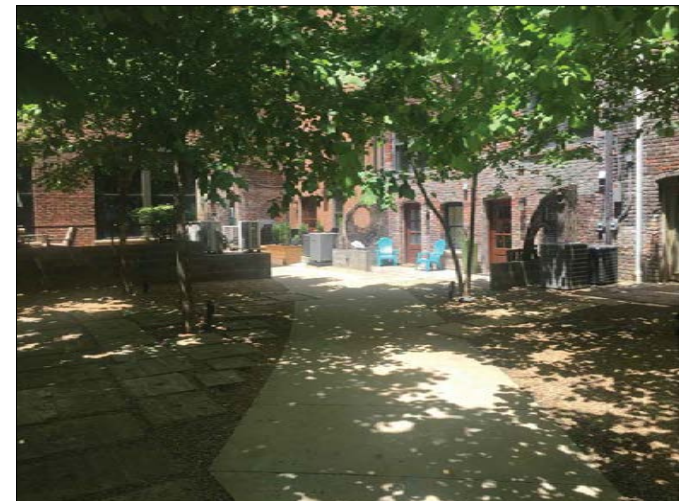
Entrance During W. Jackson Ramp Construction (Continued)



13



14



15



16



17



18

Proposed Location - Edwin + Sons Cocktail Co.

5-H-18-UR
Revised: 5/29/2018

5 SITE PHOTOGRAPHS
SCALE: NTS

Edwin + Sons Cocktail Co.
302 W. Jackson Avenue #4
Knoxville, Tennessee

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.r2kstudio.com



SPECIFIC DESCRIPTION OF PROPERTY DESIGN AND USE

1. LOCATION DESCRIPTION

The E&S premises is located in the first and second floors of a commercial and residential mixed-use building. A commercial space, currently occupied by a furniture store, is located directly above the E&S space on the third floor of the building. This space has a separate and distinct exterior entrance/exit. Above the furniture store and on the fourth floor of the building are four (4) residential apartments. Each of these apartments has its own separate and distinct entrance/exit.

There is absolutely no access to the distillery from the residential units or from any other tenant of the building. The entirety of the E&S premises is a wholly separate, distinct, and secured space.

E&S and the other tenants of the building share no doors or other areas of ingress/egress which are connected to the E&S premises. E&S only has two (2) doors for accessing its premises, and these doors are not shared with any other tenant. E&S has the sole access to these two doors.

DOOR #1: The “Front Door”

The Front Door is accessed from the parking lot at the rear of the building and faces West Jackson Avenue. The Front Door is for the E&S premises only and to access the Front Door, one must walk from the parking lot, through a coded security gate, and into a common area breezeway. The security gate, depicted in the attached photographs, provides an additional level of security and protection between the E&S Front Door and the building parking lot.

See attached marked photographs.

DOOR #2: The “Back Door”

The Back Door is accessed from a steel door which faces South Gay Street and is located under the entrances to the furniture store and apartments. The Back Door is accessed via a common area hallway which is accessed through a steel door facing South Gay Street. The steel door is always locked from the outside and allows no entry from the outside. This door is an exit door only, thus providing an additional level of security between the “public” and the common area space which leads to the E&S Back Door.

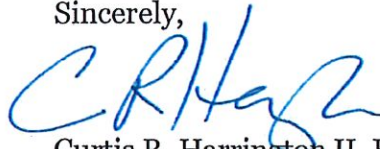
See attached marked photographs.

5-H-18-UR
3/26/2018

March 22, 2018
Edwin and Sons Beverage Company, LLC

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "C.R. Harrington II". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Curtis R. Harrington II, Esq.

Curtis Harrington

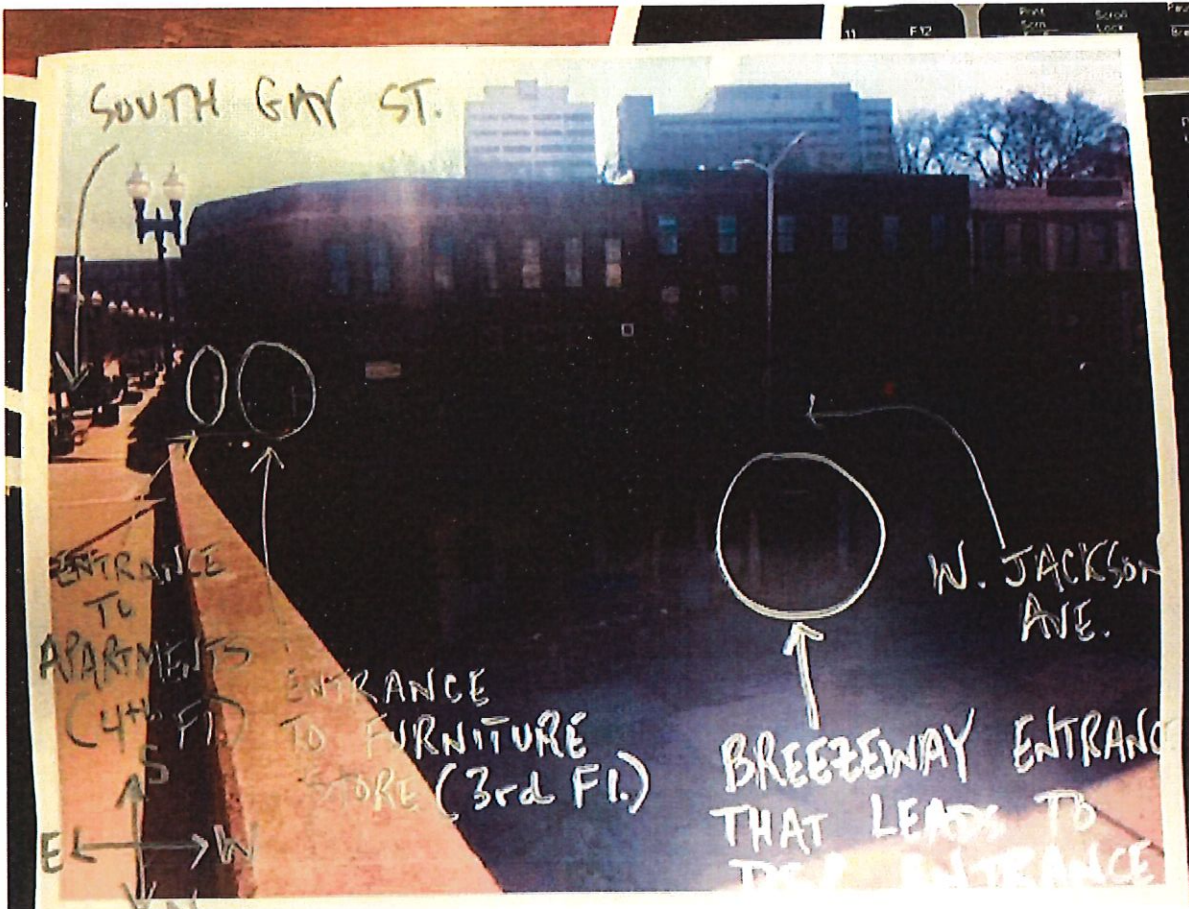
From: Curtis Harrington
Sent: Friday, March 2, 2018 6:08 PM
To: Brandon Littlejohn
Subject: FW: Edwin & Sons Beverage, LLC d/b/a Edwin + Sons Cocktail Co.: Second Supplemental Submission EMAIL 2 OF 2

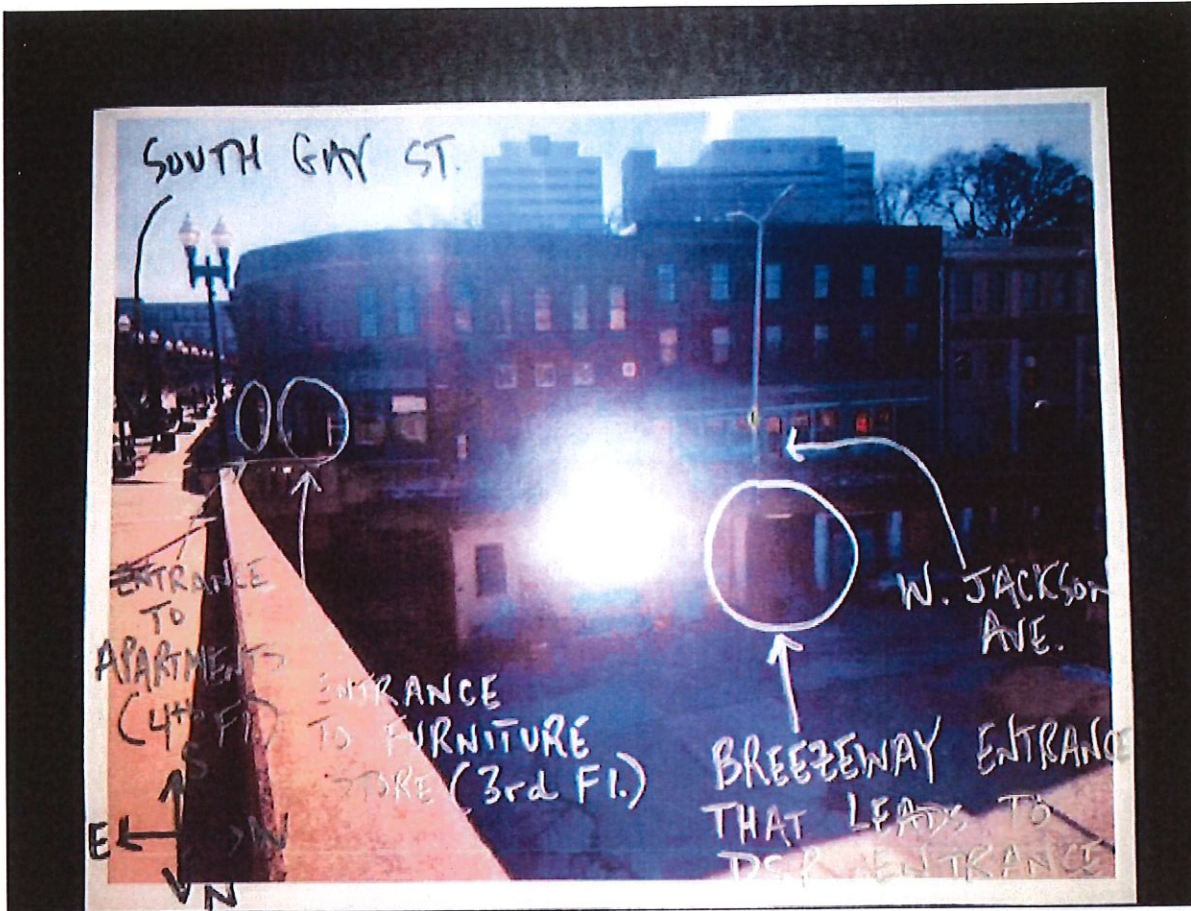
Importance: High

Photographs and diagrams below reflecting the following:

1. DSP FRONT DOOR
2. DSP BACK DOOR
3. ENTRANCE TO APARTMENTS
4. ENTRANCE TO FURNITURE STORE

COMMON, SECURED GATE WHICH LEADS TO COMMON AREA BREEZEWAY WHICH LEADS TO FRONT DOOR



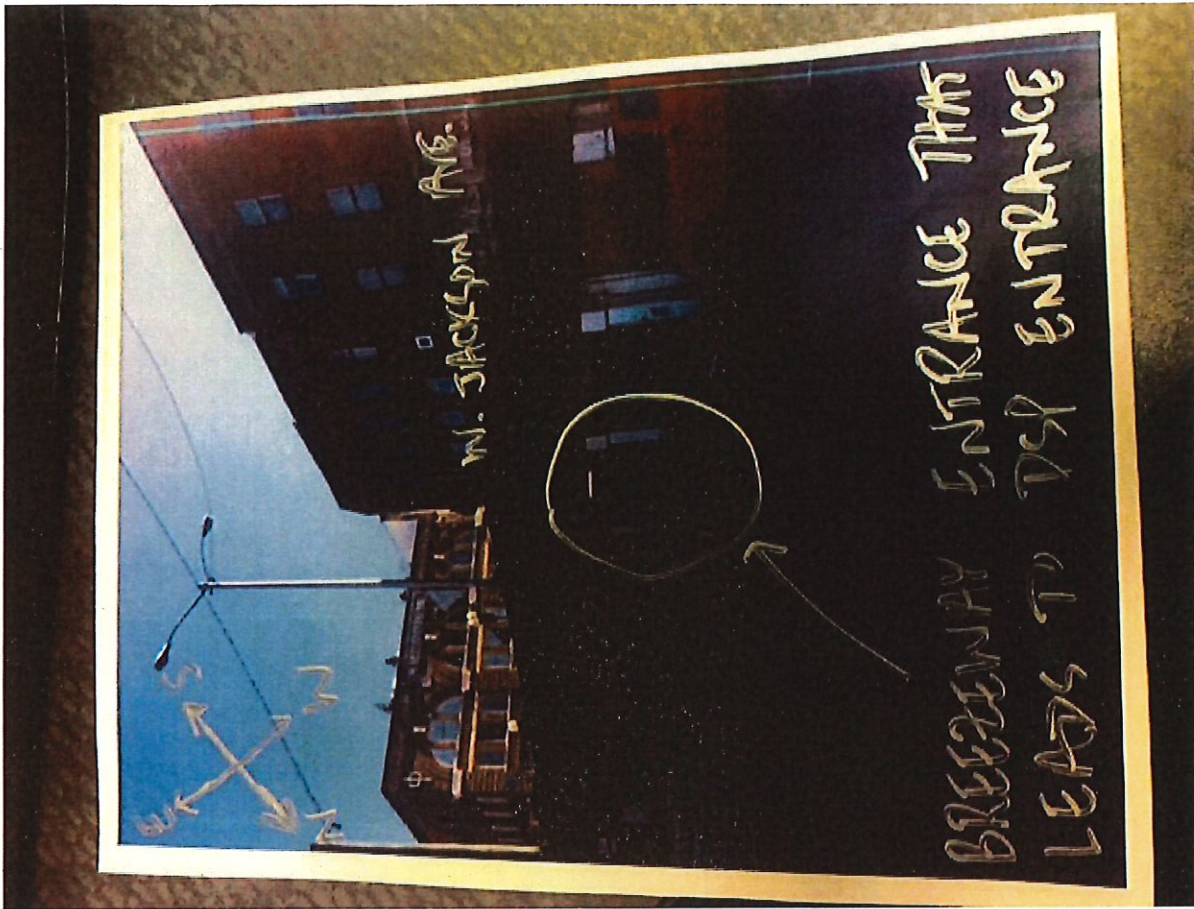


One level beneath the entrance to the furniture store and the entrance to the apartments, under the ramp depicted in the above photograph, is the building's steel door which is connected to a common area hallway, where the DSP Back Door can be accessed.

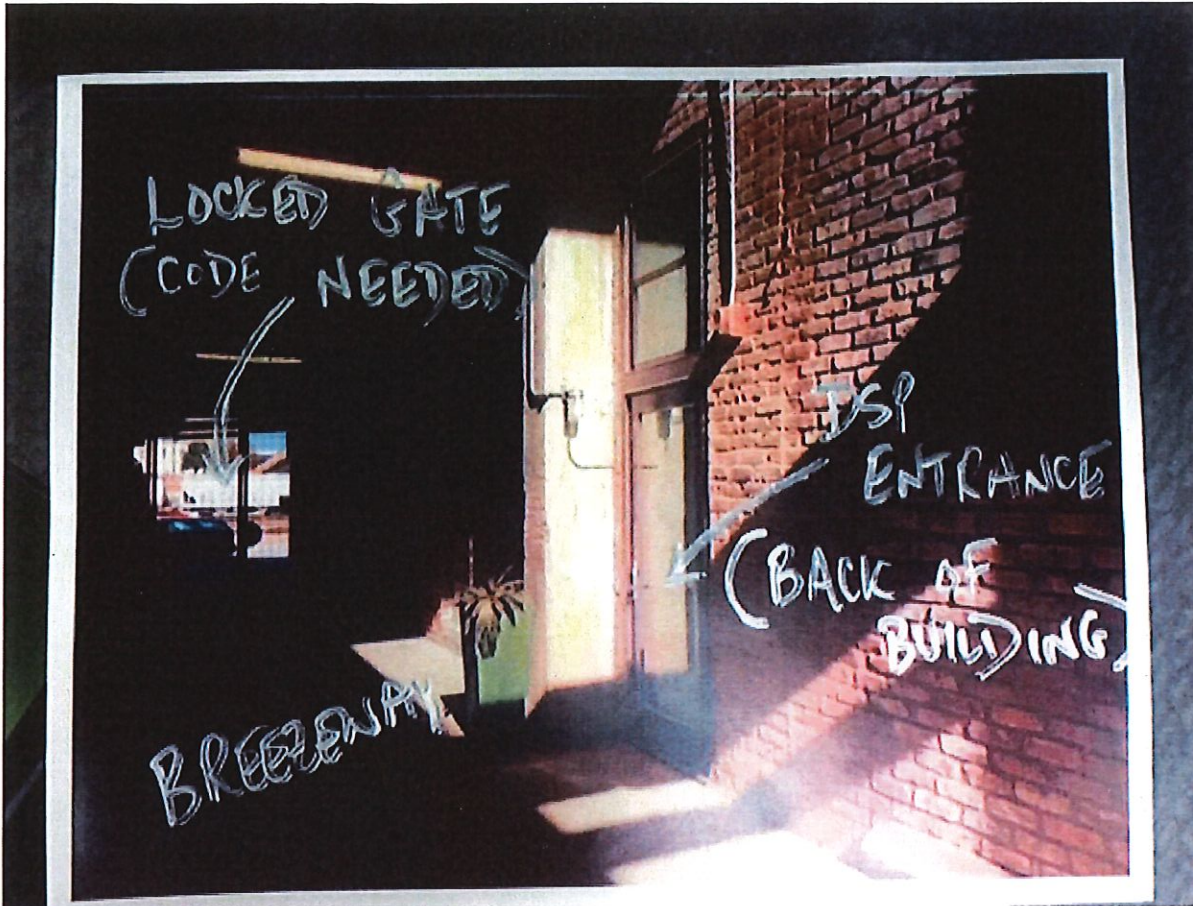
BELOW IS A PHOTOGRAPH OF THE STEEL DOOR WHICH IS UNDER THE ENTRANCES TO THE FURNITURE STORE AND APARTMENTS, AND WHICH LEADS TO A COMMON AREA WHERE THE DSP BACK DOOR CAN BE ACCESSED.



BELOW IS A PHOTOGRAPH DEPICTING THE COMMON SECURED GATE WHICH LEADS TO COMMON AREA BREEZEWAY WHICH LEADS TO DSP FRONT DOOR



DSP FRONT DOOR ON RIGHT



BACK DOOR OF DSP

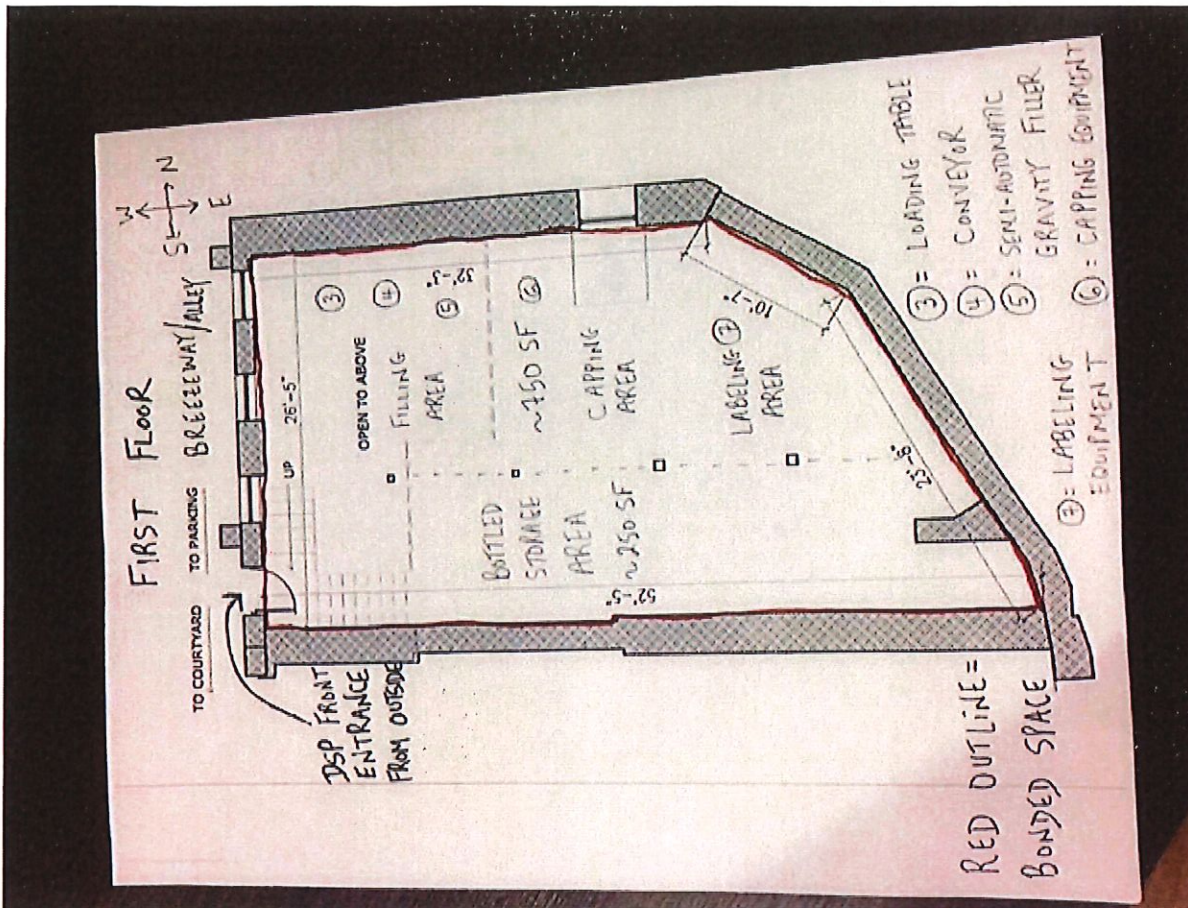


STEEL DOOR, FACING S. GAY STREET, UNDER THE ENTRANCES TO THE FURNITURE STORE AND APARTMENTS WHICH CANNOT BE OPENED FROM OUTSIDE, WHICH LEADS TO COMMON AREA WHERE BACK DOOR OF DSP CAN BE ACCESSED

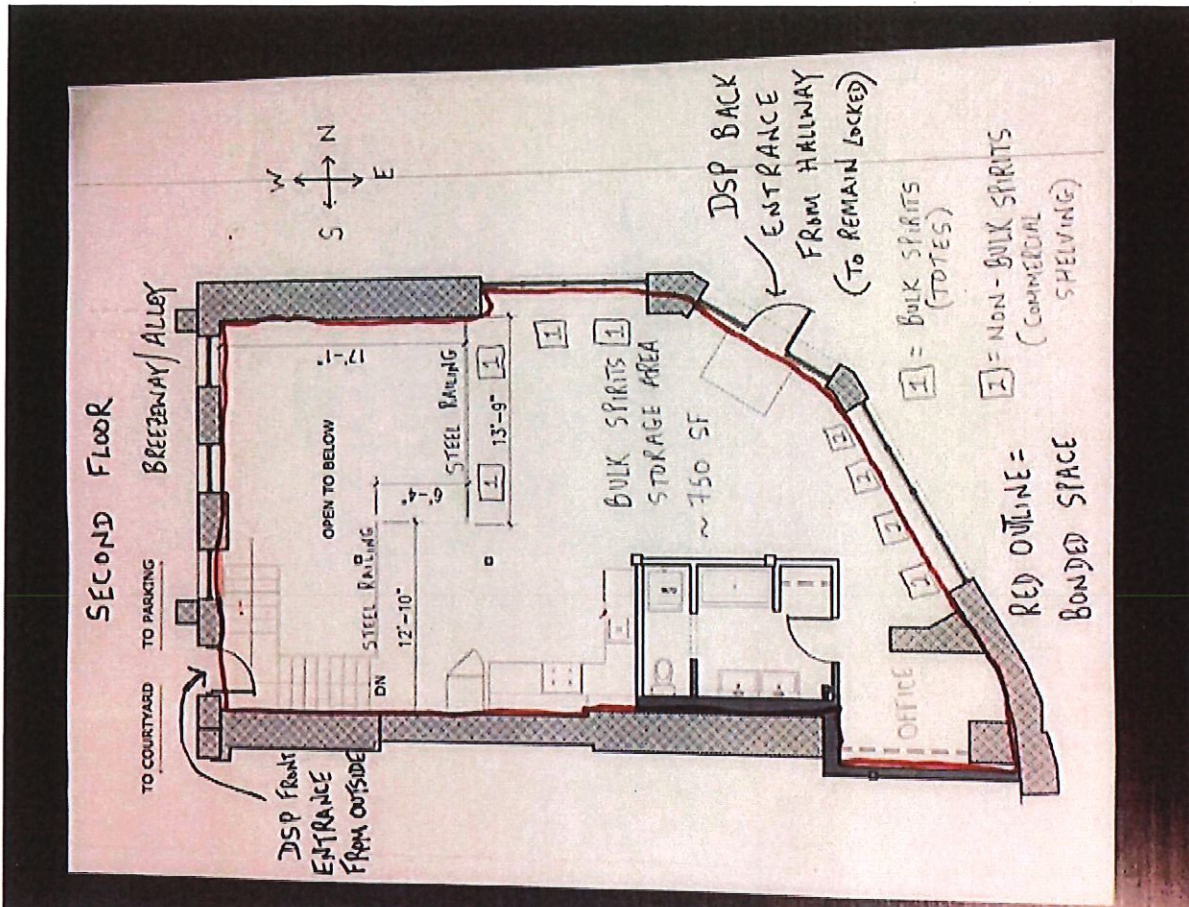
5-H-18-UR
3/26/2018



UPDATED DIAGRAMS OF DSP



A bit confused about Elaine's comments as I had indicated First Floor/Second Floor and an entrance to the outside on the previous diagram. But I bolded those just the same. Also, I added the red outline of the bonded space and added an explanation in the legend.



Thanks,

Curtis

Use on Review **Development Plan**

Name of Applicant: Edwin and Sons Beverage, LLC

Date Filed: March 26, 2018 Meeting Date: May 10, 2018

Application Accepted by: Marc Payne

Fee Amount: File Number: Development Plan

Fee Amount: 1500.00 File Number: Use on Review 5-H-18-UR

PROPERTY INFORMATION

Address: 302 West Jackson Ave

General Location: 5/8 side W Jackson Ave
5/8 W 5 Gay St.

Tract Size: 1.26 ac. No. of Units:

Zoning District: C-2/D-1

Existing Land Use: Commercial

Planning Sector: Central City

Sector Plan Proposed Land Use Classification:
MU-RC

Growth Policy Plan Designation: City

Census Tract: 1

Traffic Zone: 12

Parcel ID Number(s): 094EJ03301

Jurisdiction: City Council 6th District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: David Dewhirst, Managing Member

Company: TNA PARTNERS LLC

Address: 302 West Jackson Avenue #4

City: Knoxille State: TN Zip: 37902

Telephone: (865) 971-3138

Fax: 865-971-3138

E-mail: annmarie@dewhirstproperties.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Curtis R. Harrington II

Company: FARMER PURCELL WHITE LASSITER
PLLC

Address: 150 Fourth Avenue North, Suite 1820

City: Nashville State: TN Zip: 37219

Telephone: (615) 810-8743

Fax: (615) 810-8770

E-mail: charrington@fpwlegal.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)
alcoholic beverage distilling/manufacturing

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: _____

PLEASE PRINT
Name: Curtis R. Harrington II

Company: FARMER PURCELL WHITE LASSITER
PLLC

Address: 150 Fourth Avenue North, Suite 1820

City: Nashville State: TN Zip: 37219

Telephone: (615) 810-8743

E-mail: charrington@fpwlegal.com