



USE ON REVIEW REPORT

▶ **FILE #:** 6-B-19-UR

AGENDA ITEM #: 39

AGENDA DATE: 6/13/2019

▶ **APPLICANT:** WESTON BABELAY

OWNER(S): Stephen E. Babelay / JP Babelay Greenhouses

TAX ID NUMBER: 49 110

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 5820 Babelay Rd

▶ **LOCATION:** South side of Babelay Road, West side of Noremac Road, Northeast side of Mill Road, East side of Washington Pike

▶ **APPX. SIZE OF TRACT:** 89.38 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Babelay Road, a minor collector with a pavement width of 20 feet and a right of way width of 40 feet.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Wedding / event venue

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: Babelay Rd, Former nursery, Vacant land / LDR (Low Density Residential)

South: Rural residential, Vacant land / LDR (Low Density Residential)

East: Single family & Rural residential, Vacant land / LDR (Low Density Residential)

West: Mill Rd, Office, Commercial, Residential / LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT: Rural area with mostly agricultural farm land and a limited number of single family homes, surrounding a large, vacant commercial greenhouse operation.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for the Rural Retreat as identified on the site plan and a maximum of 240 guests, subject to 6 conditions.

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 Fire Prevention Bureau.

4. Meeting all applicable requirements of Article 4, Section 4.104 (Standards for the use on review approval of rural retreats).
5. Submitting the driveway and parking lot design for review and approval by Planning and Knox County Engineering staff. The minimum parking requirement is 1 space per 3 people based on the maximum design capacity (or maximum capacity allowable per this approval). The parking area may be located closer than 200 feet from the rear lot line if the affected adjacent property owner agrees in writing to allow a specified reduction.
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, as well as other criteria for approval of a use on review.

COMMENTS:

This proposal is for a rural retreat for special events including weddings, corporate meetings and other special occasions with an anticipated total of 20 to 30 events per year. The expected number of attendees per event is between 10 and 150, with the maximum attendees expected being 240. The applicant does not propose to construct any permanent structures at this time. If structures are proposed in the future, they must be reviewed and approved by the Planning Commission, however, this does not apply to structures dedicated for other uses permitted by the zone district as long as it is not used for the rural retreat. Tents may be used for events as long as they are installed and removed in association with specific events. Restroom facilities will be accommodated by using portable toilets (porta potties).

The applicant intends to make the southwest corner of the farm available to rent for outdoor events such as weddings. Access to the site will be from Babelay Rd and will use the existing driveway of the house. The driveway will be extended past the house approximately 1,300 feet to the event location. The blue line on the site plan represents the approximate location of the driveway. The parking lot will be located at the end of the driveway. The applicant proposes to use gravel for the driveway and parking lot surface which is permissible by the rural retreat standards if reviewed and approved by Planning and Knox County Engineering staff. Based on the rural retreat standards, the minimum number of parking stalls required for an event center (location) with a maximum capacity of 240 people is 80 spaces.

The rural retreat standards require all uses and improvements on the site to be located 200 feet from property lines and 300 feet from existing residential dwellings. However, with written agreement from the affected adjacent property owner(s), this setback can be reduced. This setback applies to outdoor use areas and parking lots. The parking lot may need to be located further north on the site than anticipated if the adjacent property owner does not agree to allow it to be closer than 200 feet from the rear lot line.

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

1. The proposed event facility will have minimal impact on local services at this proposed location.
2. The traffic generated by this facility will not create an unacceptable impact on Babelay Rd.

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

1. With the stated conditions, the proposed facility meets the standards for development as a rural retreat within an A (Agricultural) zoning district and all other requirements of the Zoning Ordinance.
2. The proposed development 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since Babelay Rd is a minor collector.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan designates this property for low density residential uses. A rural retreat can be considered in an A (Agricultural) district and with the recommended conditions is consistent with the Sector Plan.
2. The site is located within the Urban Growth Boundary on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission'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 a Planning Commission decision in the County.