



USE ON REVIEW REPORT

▶ **FILE #:** 2-A-21-UR

AGENDA ITEM #: 22

AGENDA DATE: 2/11/2021

▶ **APPLICANT:** **ROD PARTON**
OWNER(S): Rusty Webb / R & W Properties

TAX ID NUMBER: 125 I A 010 [View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 806 E. Governor John Sevier Hwy.

▶ **LOCATION:** **Southeast side of Gov. John Sevier Hwy., west of Draeger Ln.**

▶ **APPX. SIZE OF TRACT:** **2.07 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

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'.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Burnett Creek

▶ **ZONING:** **PC (Planned Commercial)**

▶ **EXISTING LAND USE:** **OF (Office)**

▶ **PROPOSED USE:** **Craft Distillery**

HISTORY OF ZONING: Zoned PC in 1991 (7-B-91-RZ)

SURROUNDING LAND USE AND ZONING: North: Gov. John Sevier Hwy, vacant land -- A (Agricultural), CB (Business & Manufacturing)

South: Rural residential -- A (Agricultural)

East: Office/warehouse, Draeger Ln. -- PC (Planned Commercial), A (Agricultural)

West: Vacant land, wholesale -- CB (Business & Manufacturing)

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.

STAFF RECOMMENDATION:

▶ **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.

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 varies 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 to be installed 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.

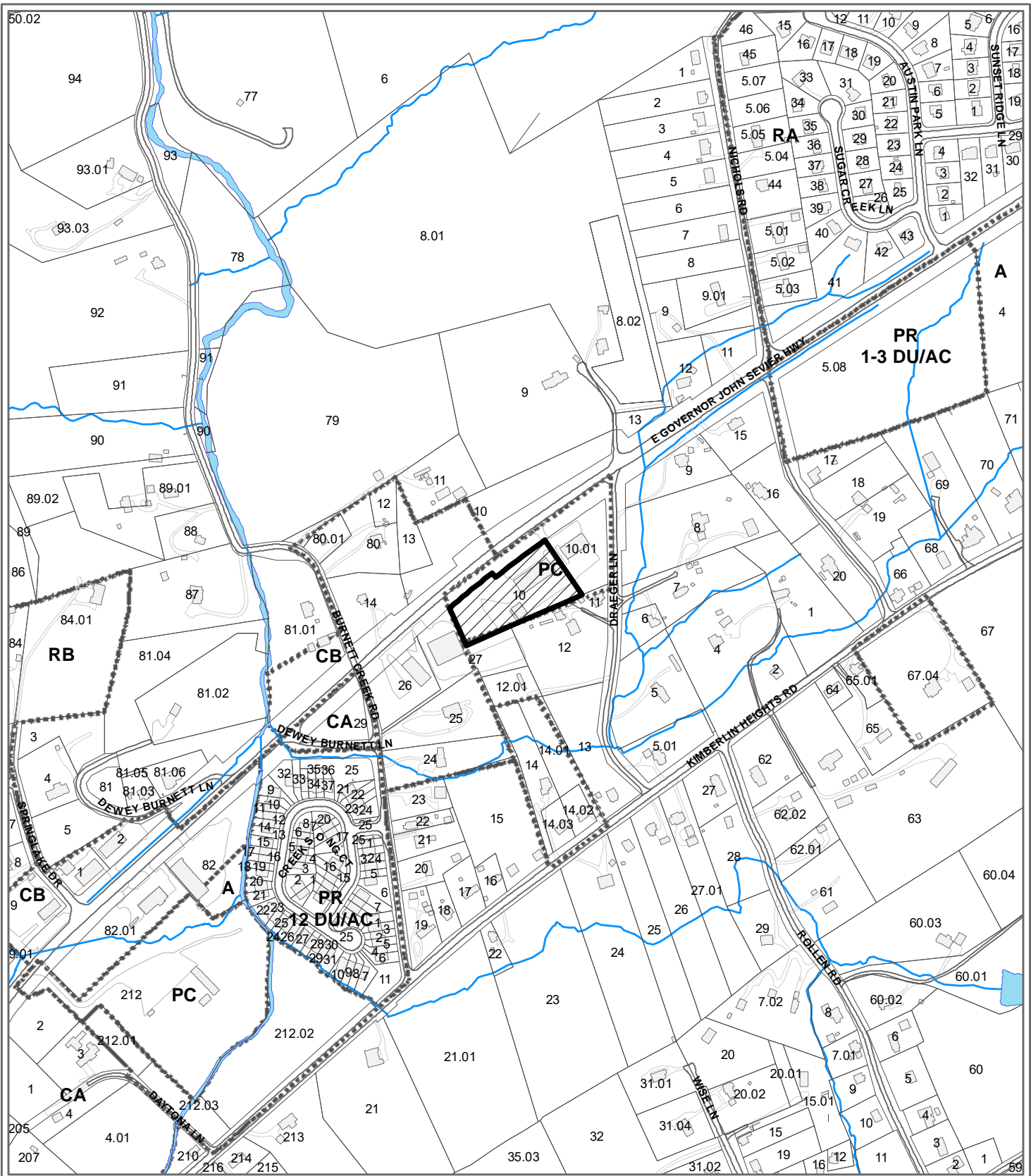
A. This development has direct access to Governor John Sevier Highway.

ESTIMATED TRAFFIC IMPACT: 37 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed

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.



**2-A-21-UR
USE ON REVIEW**



Craft Distillery in PC (Planned Commercial)

Original Print Date: 1/6/2021

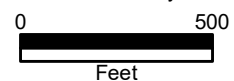
Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Parton, Rod

Map No: 125

Jurisdiction: County



February 10, 2021

TO: Mike Reynolds
Knoxville/Knox County Planning

FROM: Rod Parton
Pappy Parton's Distilling Company

REF: Use on review (2-A-21-UR)

Mike,

I need to withdrawal my request for a use on review for the property at 806 E. Gov John Sevier Hwy, Knoxville, TN 37920. I had an agreement with the landlord to use this building for a distillery with retail space. I had asked for a first right of refusal for the property which he agreed to. On Fri. the 22nd of Jan. I advised the landlord I need to put a deposit on the unit and he said he would come to see me that morning. At noon I reached out to him and he said he had already left for the day. On Monday the 25th I carried the deposit check to him and he said he had rented it on Friday already. I advised him that he knew I was needing it and that I had the money spent with the planning commission. He just said sorry. End of story.

Thank you in advance,
Rod Parton



WITHDRAWAL REQUEST

File #: 2-A-21-UR

Meeting Date: February 11, 2021

2-A-21-UR
12/23/2020

TO: Mr. Mike Reynolds
Knoxville/Knox County Planning Commission

FROM: Rod Parton

REF: Craft Distillery

DATE: 21 December 2020

Mr. Reynolds,

Per our discussion I would like to open a craft distillery at 806 E. Gov. John Sevier Hwy, Unit #1, Knoxville, 37920. I have talked with the owner of the building, Rusty Webb about the business and he has stated that he has no issues with this type of business and thinks it would be a good thing for the area.

With the help of my 2 master distillers, we will be distilling Whiskey, Vodka, Gin, Rum and Moonshine using family recipes going back 70 years to my great-grandfather. We will also be creating recipes from scratch living up to the name of being a craft distillery.

Our facility will feature 2 custom stills from StillDragon (see diagram), a bottling and labeling line. The front area will consist of a sales area and a tasting bar, tastings set by the ABC, and we will only be selling our products for offsite consumption.

We hope to have everything in place and begin production in the fall of 2021. Pending trademark approval, we are looking at the name for the business as "Pappy Parton's Distilling Company".

The following is a break down of the units from StillDragon to be used:

1000L Double Dragon – copper Top – Baine Marine (Primary Still)
380L Single Wall Kettle with a 1200L Collection Tank
2000L Mash Tun – Baine Marie
(4) 1000L Storage Tanks – Single Wall
1000L Blending Tank
(3) 2000L Dish Bottom Fermenters

If you have any questions please feel free to contact me.

Thank you,
Rod Parton
"Pappy Parton's Distilling Company"

2-A-21-UR
12/23/2020

**PAPPY
PARTON'S
BACKROADS
MOONSHINE**

Authentic - Hand Crafted - 90 Proof Rye & Corn Shine

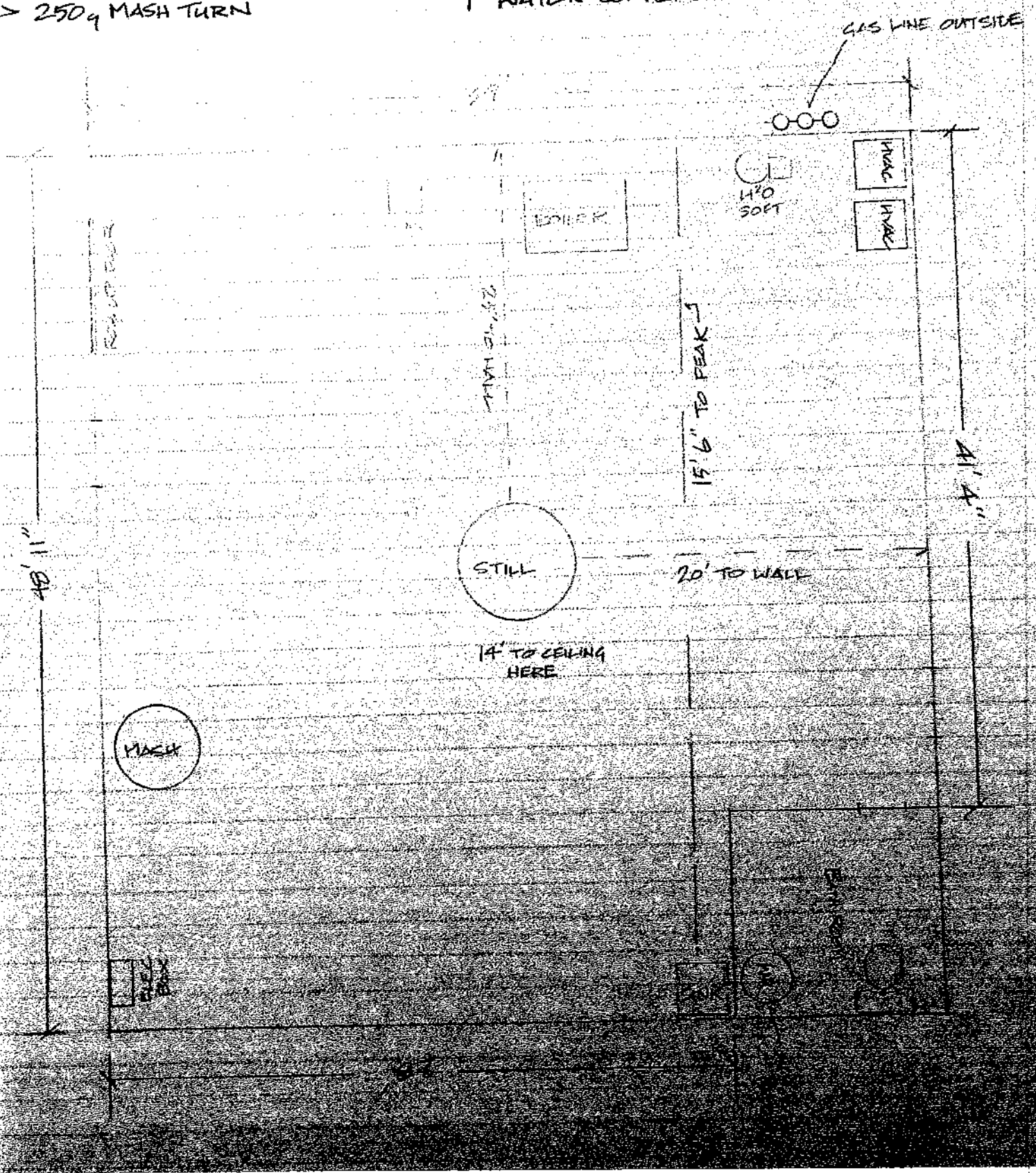
Since 1934

**WHEN YOU WANT THE VERY BEST
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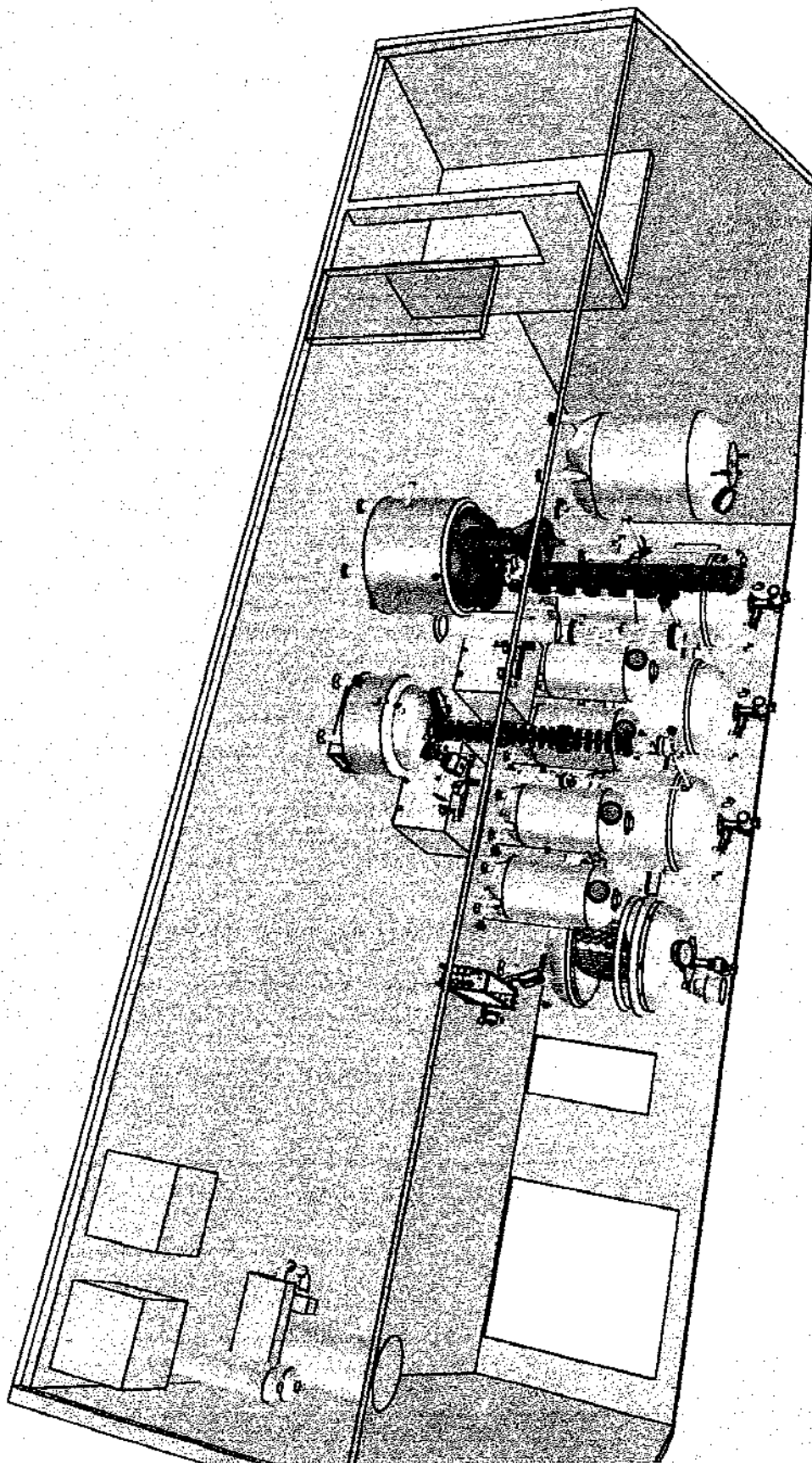
PAPPY PARTON'S BACKWOODS DISTILLERY

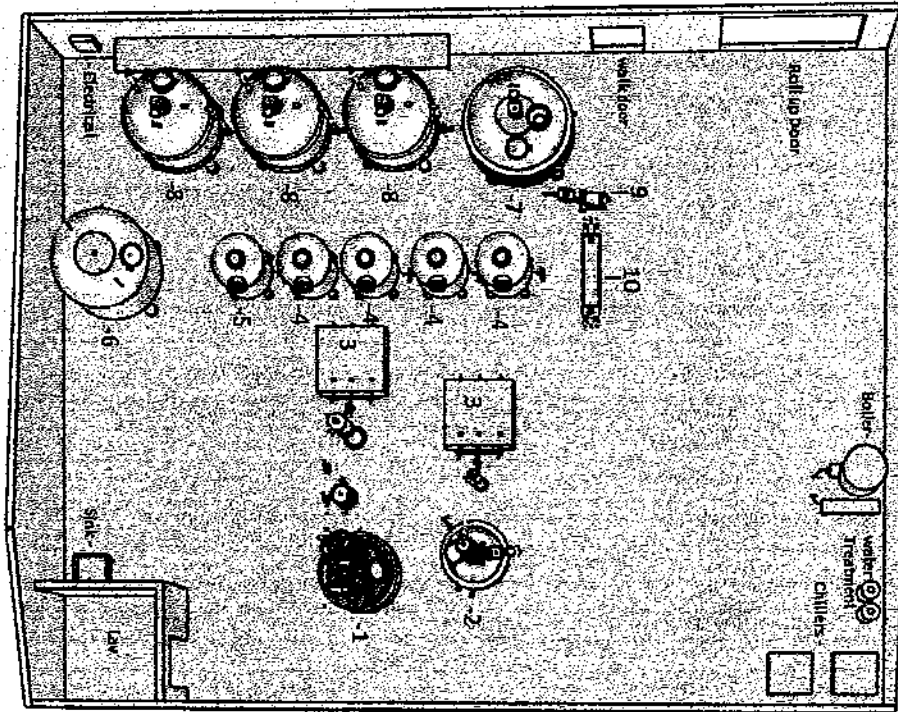
2-A-21-UR
12/23/2020

- > 2" GAS LINE NECKED DOWN TO 1"
 - > NO DRAIN!
 - > 250g MASH TURN
- 20 HP BOILER
CONDENSATE RETURN
WATER SOFTENER



2-A-21-UR
12/23/2020





- 1. Large Production Still
- 2. Small Specialty (Vodka) Still
- 3. 3 Compartment Collection Tote
- 4. Storage Tank
- 5. Blending Tank
- 6. HLT
- 7. Mash Tun
- 8. Fermentation Tank
- 9. Pump Truck
- 10. Tube in Shell HX



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Rod Parton

Applicant Name _____ Affiliation _____

23
21 DEC 2020

Date Filed _____ Meeting Date (if applicable) *Feb. 11, 2021*

File Number(s) *2-A-U-UR*

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Rod Parton

Name _____ Company _____

1911 Chelsea Jo Lane *Servierville* *TN* *37876*

Address _____ City _____ State _____ ZIP _____

865-919-7023 *rparton1153@gmail.com*

Phone _____ Email _____

CURRENT PROPERTY INFO

Re'n Properties / Rusty Webb *810 E. Gov John Sevier Hwy* *865-389-2607*

Owner Name (if different) _____ Owner Address _____ Owner Phone _____

806 E. Gov John Sevier Hwy, Unit #1 *125 IAD 010*

Property Address _____ Parcel ID _____

STAFF USE ONLY

Southeast side of Gov. John Sevier Hwy, West of Draeger Ln. *2.07 acres*

General Location _____ Tract Size _____

9th district *PC*

Jurisdiction (specify district above) City County Zoning District _____

South County *LDR* *Planned Growth*

Planning Sector _____ Sector Plan Land Use Classification _____ Growth Policy Plan Designation _____

Commercial *No* *Knox Chapman* *Knox Chapman*

Existing Land Use _____ Septic (Y/N) _____ Sewer Provider _____ Water Provider _____

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Craft distillery**SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

 Other (specify) _____ Attachments / Additional Requirements _____**ZONING REQUEST**

Pending Plat File Number

Zoning Change _____
 Proposed Zoning

Plan Amendment Change _____
 Proposed Plan Designation(s)

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

 Other (specify) _____**STAFF USE ONLY****PLAT TYPE**

- Staff Review
 Planning Commission

ATTACHMENTS

- Property Owners / Option Holders
 Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1

0401 | UOR

Total

Fee 2

\$1,500

Fee 3

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

[Signature]
 Applicant Signature

Rod Parton
 Please Print

21 Dec 2020
 Date

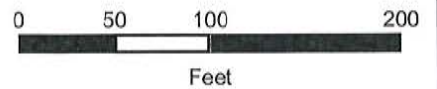
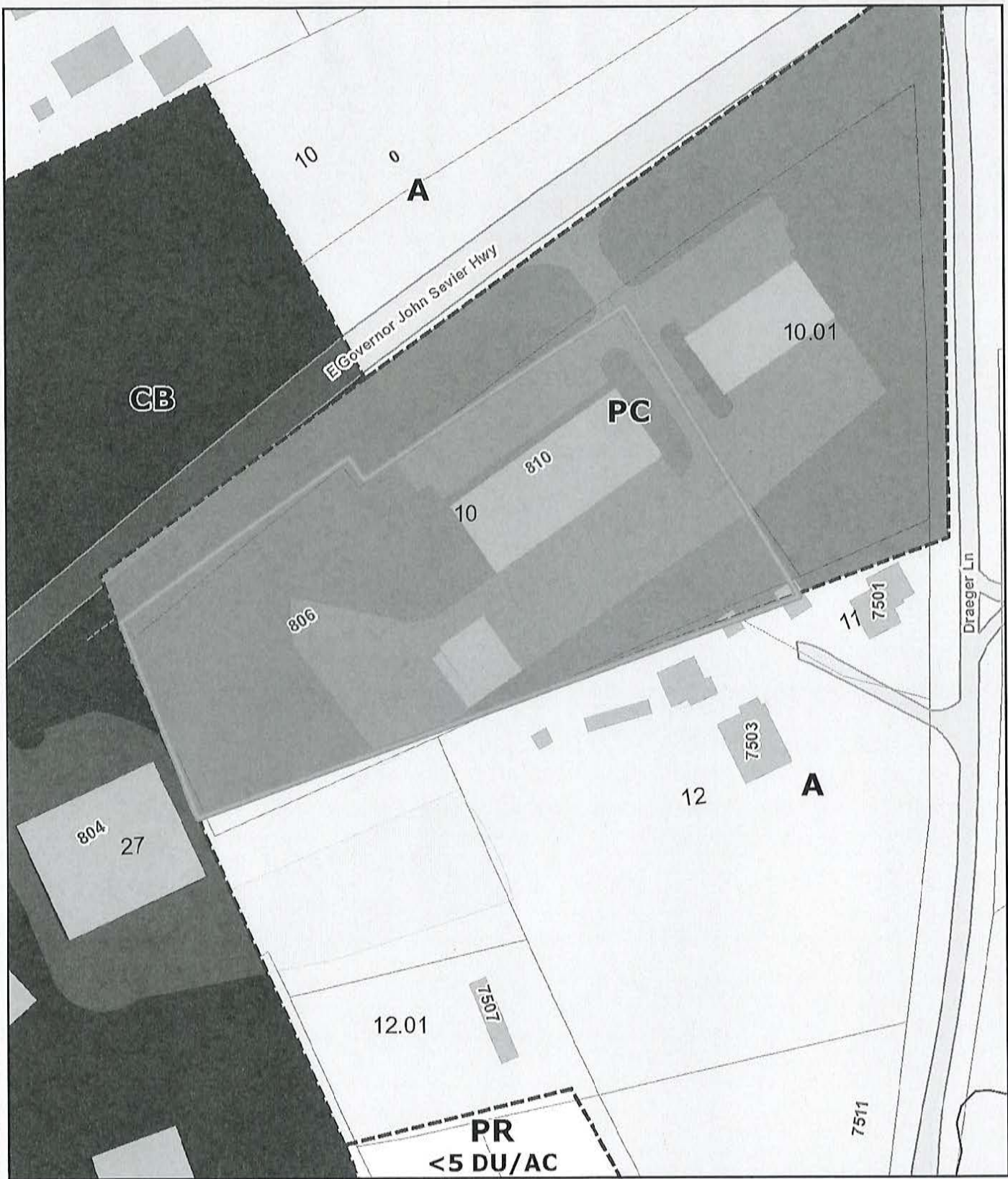
865-919-7023
 Phone Number

rparton1153@gmail.com
 Email

[Signature]
 Staff Signature

Michael Reynolds
 Please Print

12/23/2020
 Date



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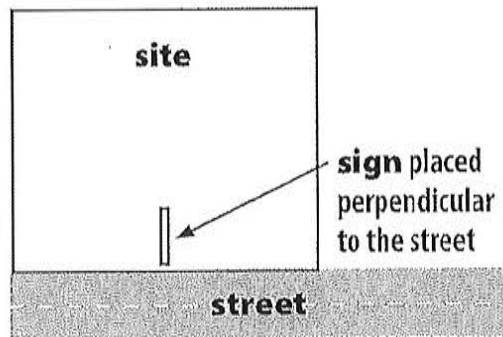
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

January 27, 2021 and February 12, 2021
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Rod Parton

Printed Name: Rod Parton

Phone: 865-919-7023 Email: rparton1153@gmail.com

Date: 23 Dec 2020

File Number: 2-A-21-UR

TO: Mr. Mike Reynolds
Knoxville/Knox County Planning Commission

FROM: Rod Parton

REF: Craft Distillery

DATE: 21 December 2020

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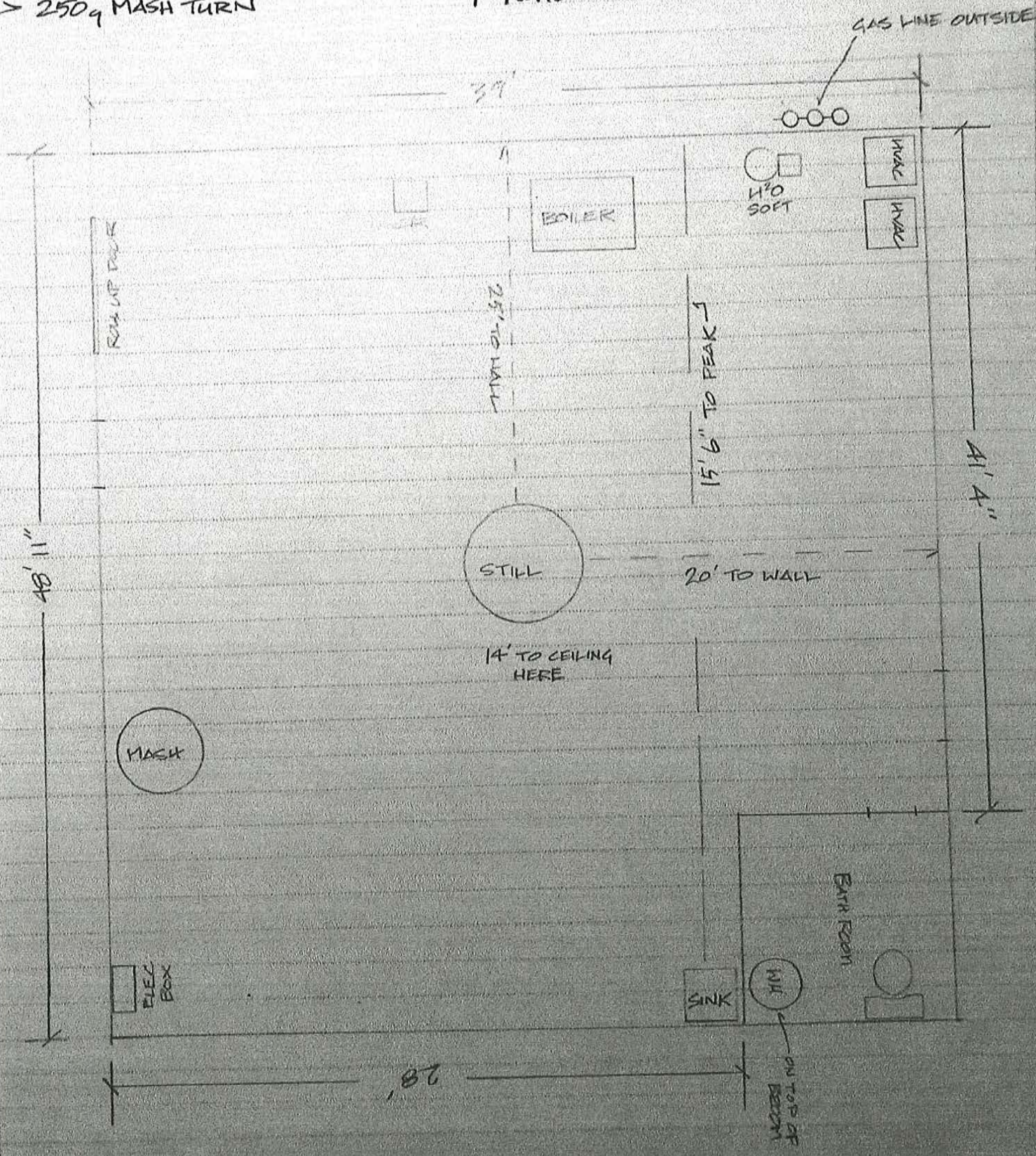
Since 1934

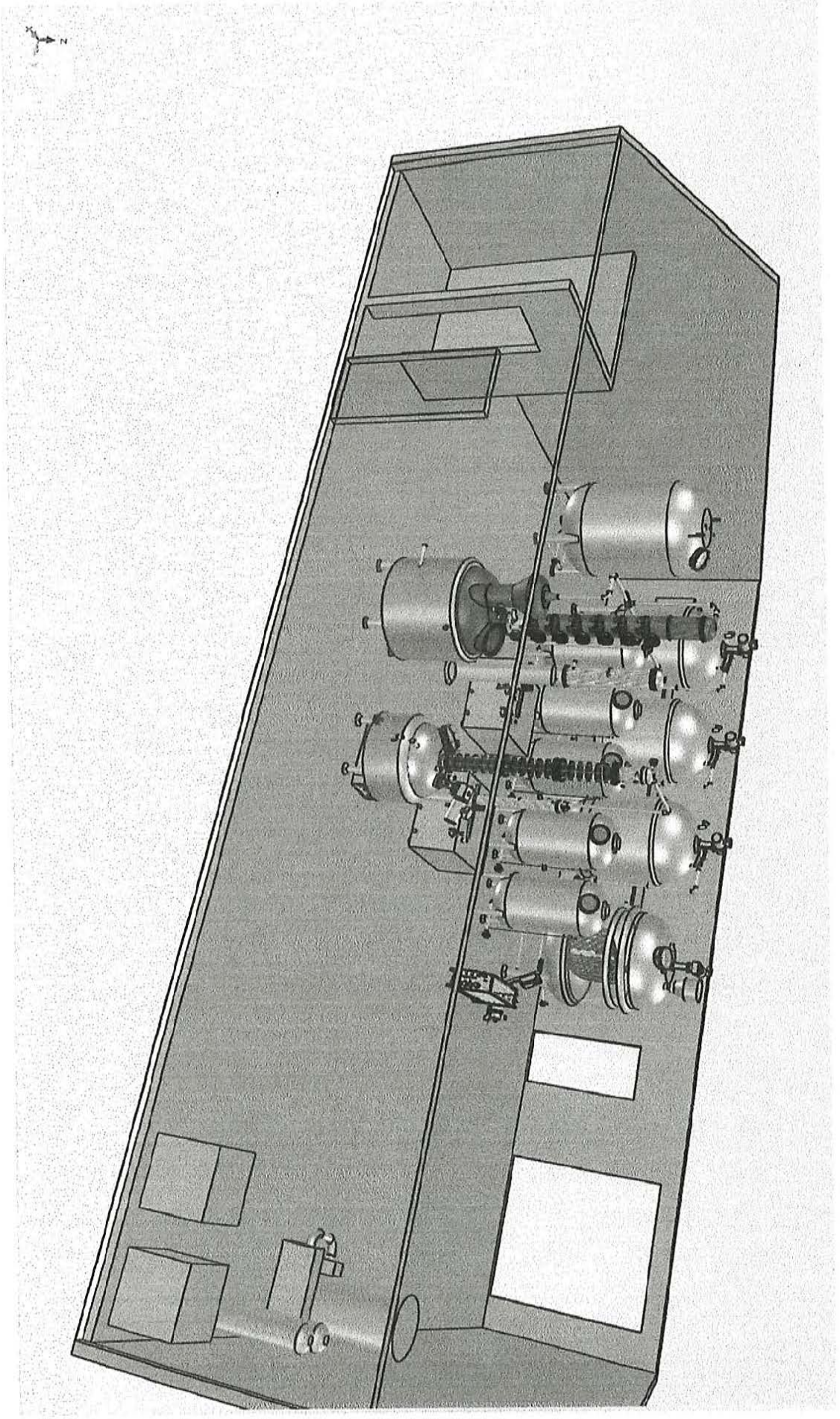
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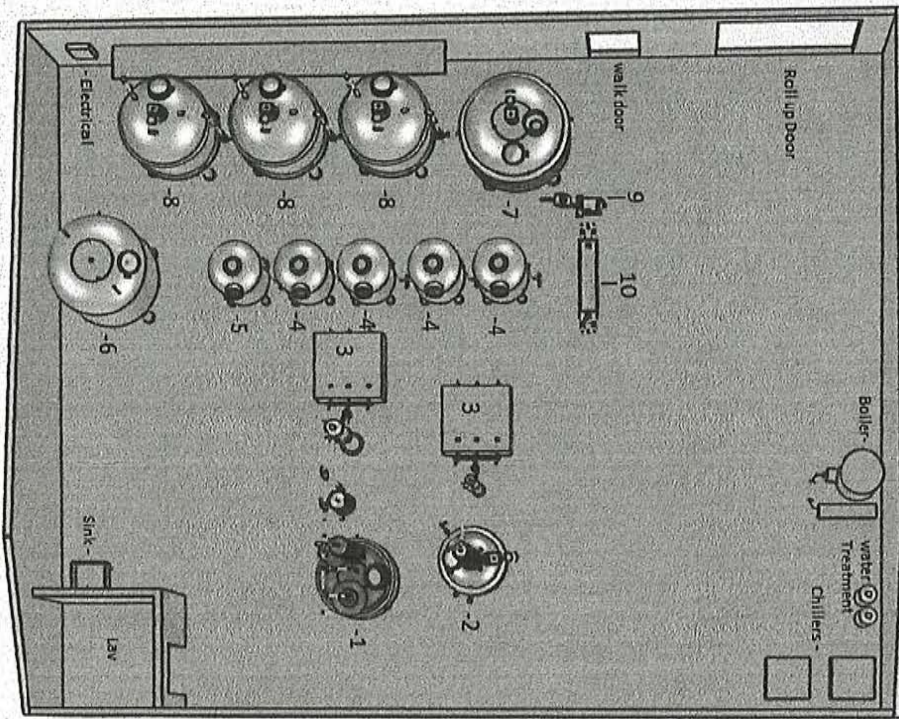
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