

▶ **FILE #:** 3-E-10-UR **AGENDA ITEM #** 50

POSTPONEMENT(S): 3/11/2010-6/10/2010 **AGENDA DATE:** 8/12/2010

▶ **APPLICANT:** THE PAVILION AT HUNTER VALLEY FARM, LLC

OWNER(S): HUNTER VALLEY, LLC

TAX ID NUMBER: 155 PORTION OF 044.06 MAP ON FILE AT MPC

JURISDICTION: County Commission District 4

▶ **LOCATION:** Northwest side Hunter Valley Ln., northeast of Keller Bend Rd.

▶ **APPX. SIZE OF TRACT:** 3.42 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hunter Valley Ln., a local street with a 23' pavement width located within the right-of-way of Interstate 140.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: Septic System

WATERSHED: Tennessee River

▶ **ZONING:** T (Transition) with conditions, A (Agricultural) & F (Floodway)

▶ **EXISTING LAND USE:** Event facility/pavilion, equestrian facility/horse farm and parking lot

▶ **PROPOSED USE:** Event facility/pavilion, equestrian facility/horse farm and parking lot
 NA

HISTORY OF ZONING: Portion of the property (3.42 acres) rezoned T (Transition) with conditions by Knox County Commission on 10/26/2009.

SURROUNDING LAND USE AND ZONING: North: Bluegrass Lake and commercial uses / F (Floodway) & CA (General Business)

South: Equestrian facility/horse farm and Interstate 140 / A (Agricultural) & OS-1 (Open Space)

East: Equestrian facility/horse farm and residences / A (Agricultural)

West: Residence / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with rural residential and agricultural uses under A zoning. Some commercial uses are located within view of the site to the north across Bluegrass Lake, zoned CA, along S. Northshore Dr.

STAFF RECOMMENDATION:

▶ **APPROVE the request for an event facility/pavilion in the T (Transition) zoning district, subject to 11 conditions:**

1. Obtaining approval of the rezoning (8-E-10-RZ) of the additional property into the T (Transition) zoning district by Knox County Commission.
2. Meeting all applicable requirements of the Knox County Health Department.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
4. Meeting all applicable requirements of the Knox County Fire Marshal.

5. Obtaining all applicable building permits from Knox County.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Valley Authority regarding the use of lake water for fire protection purposes.
7. Obtaining a street connection permit from the Tennessee Department of Transportation for the proposed driveway that will serve the event facility/pavilion.
8. Final grades and pavement requirements for the access drive and parking lot are subject to approval by the Knox County Department of Engineering and Public Works
9. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
10. Installation of landscaping as shown on the development plan within six months of the use on review approval by the Planning Commission. A "Type A" landscape screen shall be provided (See attached information sheet).
11. (A condition or conditions will be added in a revised staff report that addresses the implementation of the required site improvements. See comment section below.)

With the conditions noted above, this request meets all requirements of the T (Transition) zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting approval of an event facility/pavilion on a site located on the north side of Hunter Valley Ln. east of Keller Bend Rd. The 51.16 acre site includes an existing equestrian facility/horse farm located within the A (Agricultural) zoning district and an existing 6000 square foot pavilion located on a 3.42 acre portion of the site that is zoned T (Transition).

The Planning Commission recommended approval of the rezoning of 3.42 acre portion of the site to T (Transition) on September 10, 2009 (5-A-09-RZ). The Knox County Commission approved the rezoning on October 26, 2009 conditioned to limited use as an event facility, subject to a use determination and use on review development plan approval of the facility by the Planning Commission. A use determination (3-A-10-OB) was approved by the Planning Commission on March 11, 2010 which determined that an event facility and associated parking can be considered as a use permitted on review in the T (Transition) zone. The Planning Commission is also considering a rezoning request at this meeting (8-E-10-RZ) for an expansion of the T (Transition) zone to approximately 6 acres in order to cover the pavilion and associated parking.

The applicant has been operating an event facility at this location for approximately two years without any approvals. It has been over a year since the applicant started the process to have the property rezoned for the event facility and obtain other approvals including this use on review request. Over the past couple of months the Knox County Fire Prevention Bureau has issued two citations for the use of the facility without required approvals.

One major issue that the applicant has had to address is the access and vehicular circulation for the site. The existing driveway that serves the equestrian facility and residences is not adequate for serving the event facility. Staff has discussed several alternatives for access to the site including a proposed driveway adjacent to the residential property on the western side of the property. The neighbor has objected to that driveway location and it is staff's position that considering the size of the applicant's property, the neighbor should not be subjected to the impacts generated by the access drive. Staff has met with the applicant and neighbor to try and work out a solution that will work for both parties. The proposed access drive that is now before the Planning Commission is supported by staff (See the attached Site Overview plan). The proposed driveway will be approximately 255' from the adjoining residence and 175' from the property line at that location. The driveway will connect to Hunter Valley Ln. approximately 105' from the neighbor's driveway. A street connection permit is required from the Tennessee Department of Transportation for the proposed driveway. To further reduce the impact of the driveway on the adjoining property, a "Type A" landscape screen shall be installed at the location shown on the driveway/landscaping detail sheet. The access driveway and parking lot are required to be paved.

Staff is working on the details for a condition(s) for implementation of the site improvements. On most approvals, a certificate of occupancy for a facility will not be issued until all improvements are completed. Since this facility has been operating for some time without approvals, it is more difficult to work out a completion timeline that can be easily enforced.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE

COMMUNITY AS A WHOLE

1. The facility will have minimal impact on local services since most utilities are available to serve this site. Approval is required from the Tennessee Valley Authority regarding the use of lake water for fire protection purposes.
2. With the central location of the facility on this 51 acre tract the use is compatible with the scale and intensity of the surrounding development and zoning pattern. The facility is also appropriate at this location which faces commercial uses on the opposite side of Bluegrass Lake to the north (about 400 feet).
3. The proposed driveway access with associated landscape screening should have minimal impact on the adjacent property.

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

1. With the recommended conditions, the event facility/pavilion meets the standards for development within the T (Transition) Zone and all other requirements of the Zoning Ordinance.
2. The proposed facility 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 is compatible with the character of the neighborhood where it is proposed. With the recommended conditions, the use will not significantly injure the value of adjacent property. At the proposed location, the facility will not draw additional traffic through residential neighborhoods.

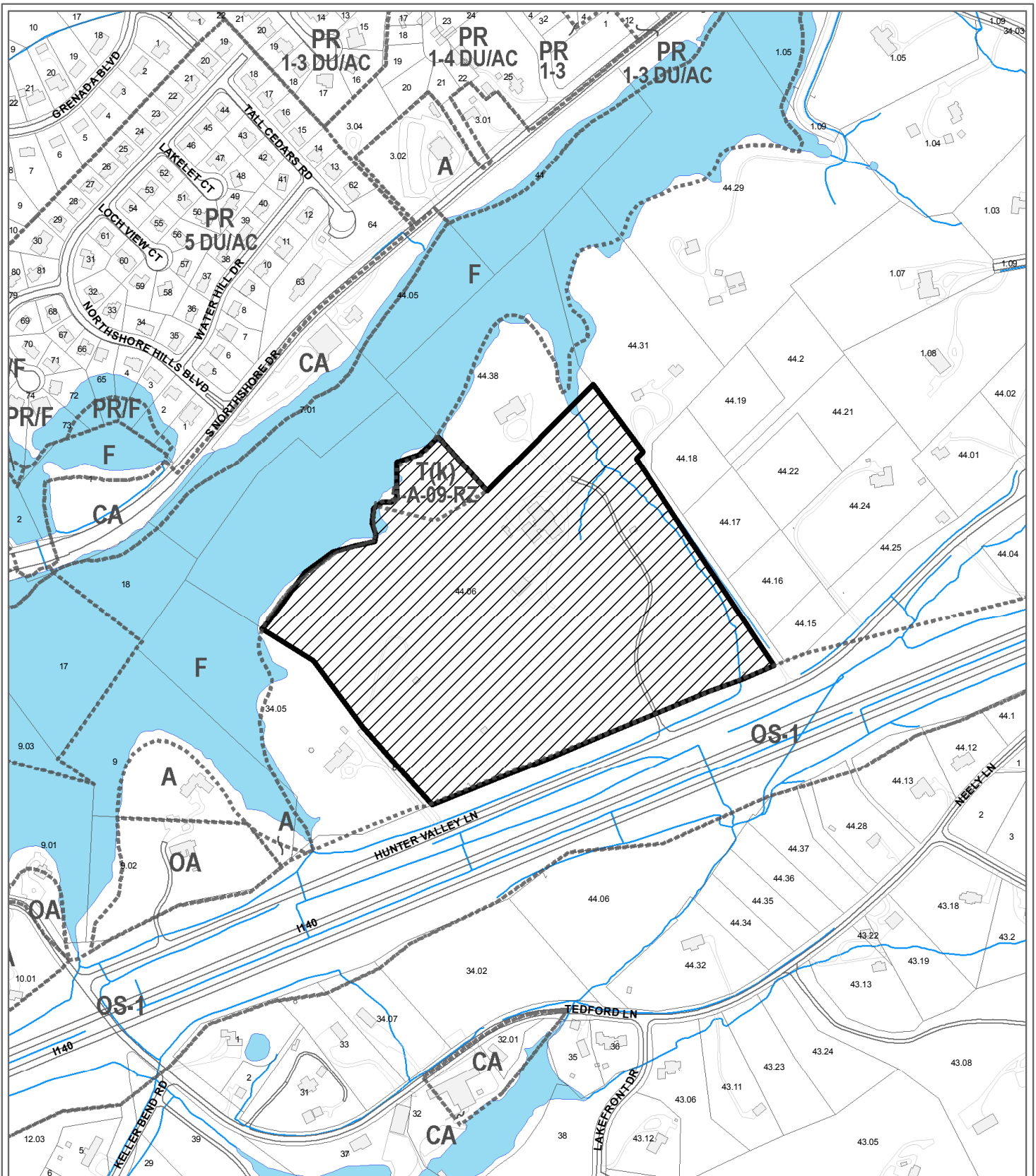
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan proposes agricultural and rural residential uses and stream protection for this site. Through the previous T (Transition) zone approval it was determined that T zone uses could be considered on a case by case basis within this plan designation.
2. This site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

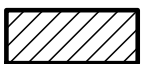
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC'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 an MPC decision in the County.



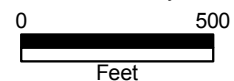
**3-E-10-UR
USE ON REVIEW**



Event facility/pavilion, equestrian facility/horse farm and parking in T (Transition) with conditions

Petitioner: The Pavilion at Hunter Valley Farm, LLC

Map No: 155
Jurisdiction: County



Original Print Date: 2/22/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Type "A" Screen: Dense

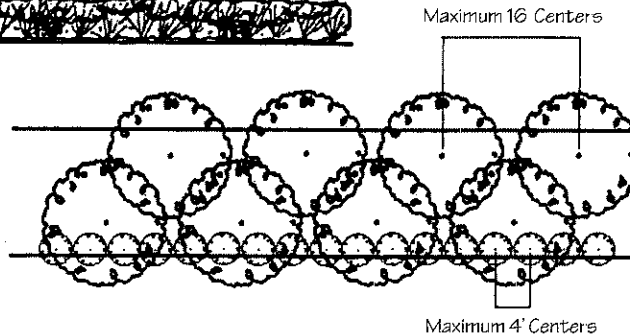
APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings

- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence wall or earth berm

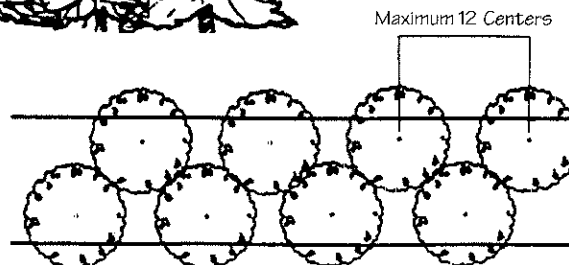
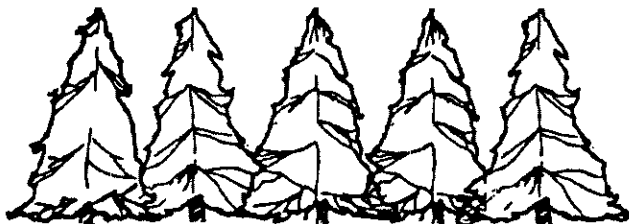
TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



- Two offset rows of evergreen trees with branches touching the ground

TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged

For more information:

MPC
Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 865 215-2500
Fax: 865 215-2068
Web: www.knoxmpc.org

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance



1956-2006

Celebrating Fifty Years of Public Service



The Pavilion at Hunter Valley Farm
3-E-10-UR

Discussion Points for Meeting on February 23, 2010 at 2:30 pm

1) Permitted Use Determination:

Staff can support a special events facility within the T (Transition Zone) as a use permitted on review subject to meeting specific criteria.

2) Required Permits and Approvals:

The existing pavilion and related improvements were installed without a number of required permits and approvals. The following approvals from other agencies are required for this facility:

a) Tennessee Valley Authority (TVA)

- i) Obtaining any permits and approvals from TVA if within TVA's flowage easement or jurisdiction.

b) Knox County Health Department

- i) A permit was issued by the Knox County Health Department for a septic system for the pavilion, however, this was based on a facility for small gatherings for the equestrian facility and not the special events identified on the Pavilions web site.
- ii) Any recommendation of approval would include a condition that the applicant submits documentation to the Health Department on the full extent of the proposed facility to determine if the existing septic system needs to be expanded. It is our understanding that the existing system extends into the proposed parking lot and other improvements.

c) Building Permits

- i) There is no documentation of any building permits being issued for the pavilion or any other related improvements

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400 Main Street
Knoxville Tennessee 37902
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- ii) The applicant will be required to file an application for a building permit and pay any applicable fees and penalties.
 - iii) On a recent site visit there was a porch that was under construction without any permits
- d) Fire Prevention Bureau Approvals
- i) The Knox County Fire Marshall will determine the capacity for the pavilion. Based on an initial investigation, the 4800 square foot heated and cooled open floor area within the pavilion would have a potential capacity of 320 people.
 - ii) This facility will require a sprinkler system and fire hydrant locations. Water supply with a six inch diameter line will have to be provided from Keller Bend Road or another approved source
 - iii) The access driveway to the facility does not meet the minimum standards of the Fire Marshal's office. See access comments below under Use on Review
- e) Knox County Department of Engineering and Public Works
- i) Site shall meet current storm water management requirements. Water quality design shall provide for 80% removal of total suspended solids removal.
 - ii) Flood plain permit required. MFE is 820.8'.
- 3) Use on Review Site Plan Comments:
- a) The existing access driveway for the site is not adequate for two way traffic. For most of its length, the driveway is only 13' wide or less. It is Staff's practice to require a driveway width of 20' for two way traffic. A design plan will be required for any redesign of the driveway for two way traffic.
 - b) The entrance is restricted in width with the brick columns that have less than a 17.5' separation which does not meet the Fire Marshal's requirements. The driveway from the turnoff for the residence to the pavilion includes horizontal curves that may create access problems for emergency vehicles.
 - c) If a one way access drive is proposed for the entire facility, design plans will be required. The gravel driveway that has been added from the southwest corner of the parking lot out to Hunter Valley Lane has a number of design problems.
 - d) The parking lot extension south of the Transition Zone into the Agricultural Zone is permitted as long as the traffic from the parking lot goes back through the Transition Zone. If access is directed to Hunter Valley Lane, the Transition Zone may have to be extended.
 - e) There is a loop driveway to the entrance of the pavilion that is not reflected on the site plan.
 - f) The parking stales do not meet the minimum requirement of 200 sq. ft. As proposed a variance would be required by the Knox County Board of Zoning Appeals (BZA).
 - g) Identify the width of the driveways in the parking area.
 - h) Additional handicap parking is required.

- i) Identify the required parking on the site plan. Required parking (places of assembly without fixed seats) is one space per three people based on the design capacity (to be determined by the Fire Marshal) of the structure.
- j) Staff has noticed that a tent has been placed on the site for gatherings in the past month. Use of tents in addition to the pavilion may have an impact on the design capacity for the facility.
- k) All areas devoted for required parking are required to be paved. The site plan indicates that the southern portion of the parking lots is proposed as a gravel lot and drive aisles. A variance would be required from the BZA for the parking lot as proposed.
- l) It is our understanding that the proposed parking lot may extend over the drain field for the septic system. Paving over the drain field would not be allowed. Identify the location of the septic tank and drain field on the site plan (See comments under Health Department)
- m) Correct the zoning designation on the site plan.
- n) A landscape plan is required for the site.
- o) Provide a floor plan for the pavilion

MPC Staff reserves the right to modify these comments as new information comes to our attention from the revised application package, field review and/or requirements from other government review agencies.



MAP ENGINEERS L.L.C.
 7580 Appleton Lane
 Chattanooga, TN 37423
 Tel: (423) 485-8554
 Fax: (423) 485-8110

GRAPHIC SCALE
 0' 20' 40' 60' 80' 100' 120'

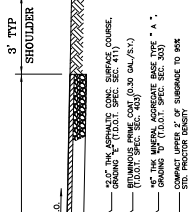
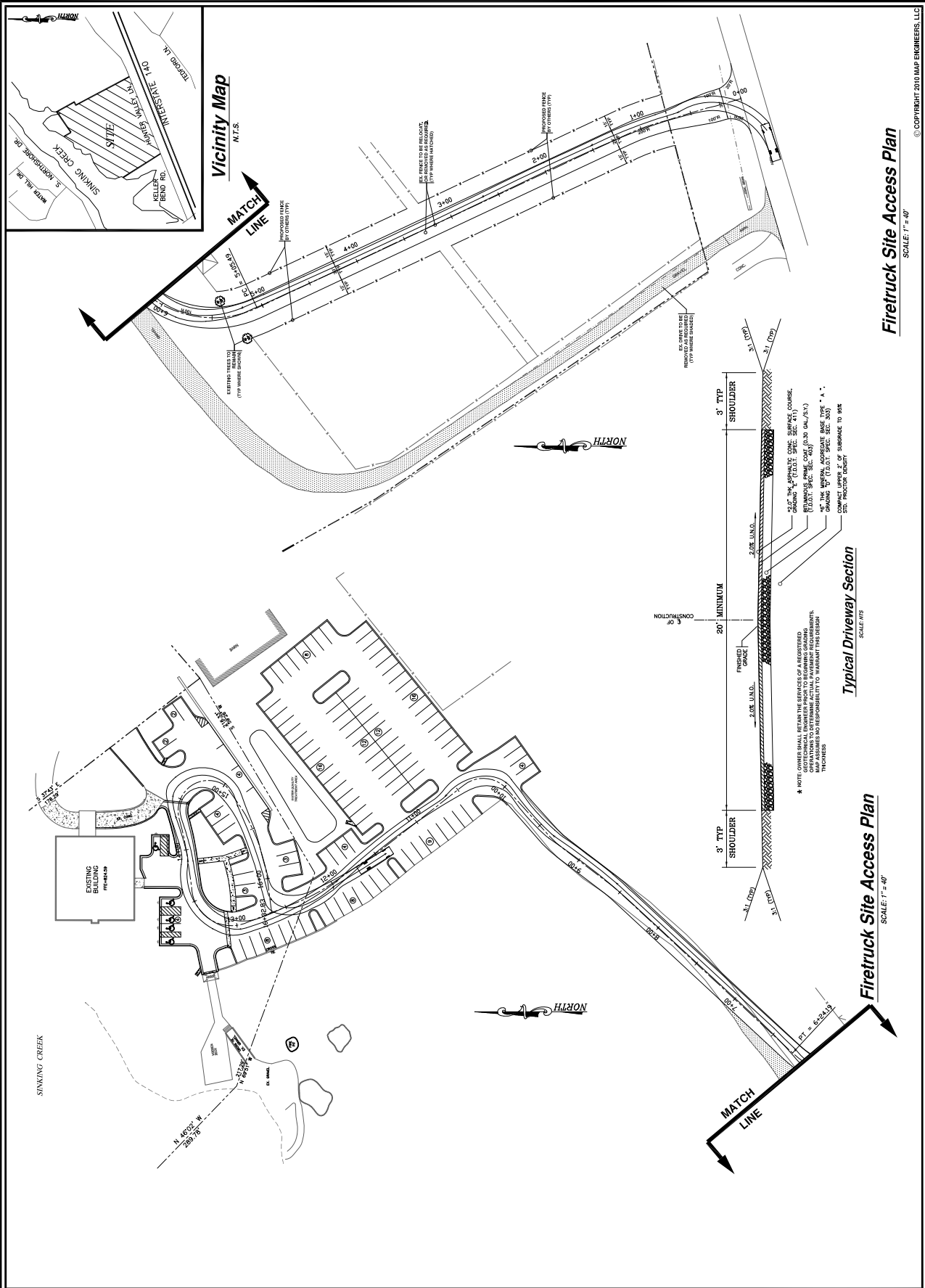
HUNTER VALLEY FARMS
 FOR:
JAMES M. SPLAWN ARCHITECTS
 1509 SOUTH SMITH STREET, SUITE C
 CHATTANOOGA, TN 37412

FIRETRUCK SITE ACCESS PLAN

NO.	DATE	DESCRIPTION
1	08/20/10	COUNTY COMMENTS
2		
3		
4		
5		

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DATE: 07/20/10
 DRAWN BY: DMB
 CHECKED BY: MAP
 PROJ. NUMBER: 09-153
 SHEET NUMBER: C-1A



Typical Driveway Section
 SCALE: 1" = 40"

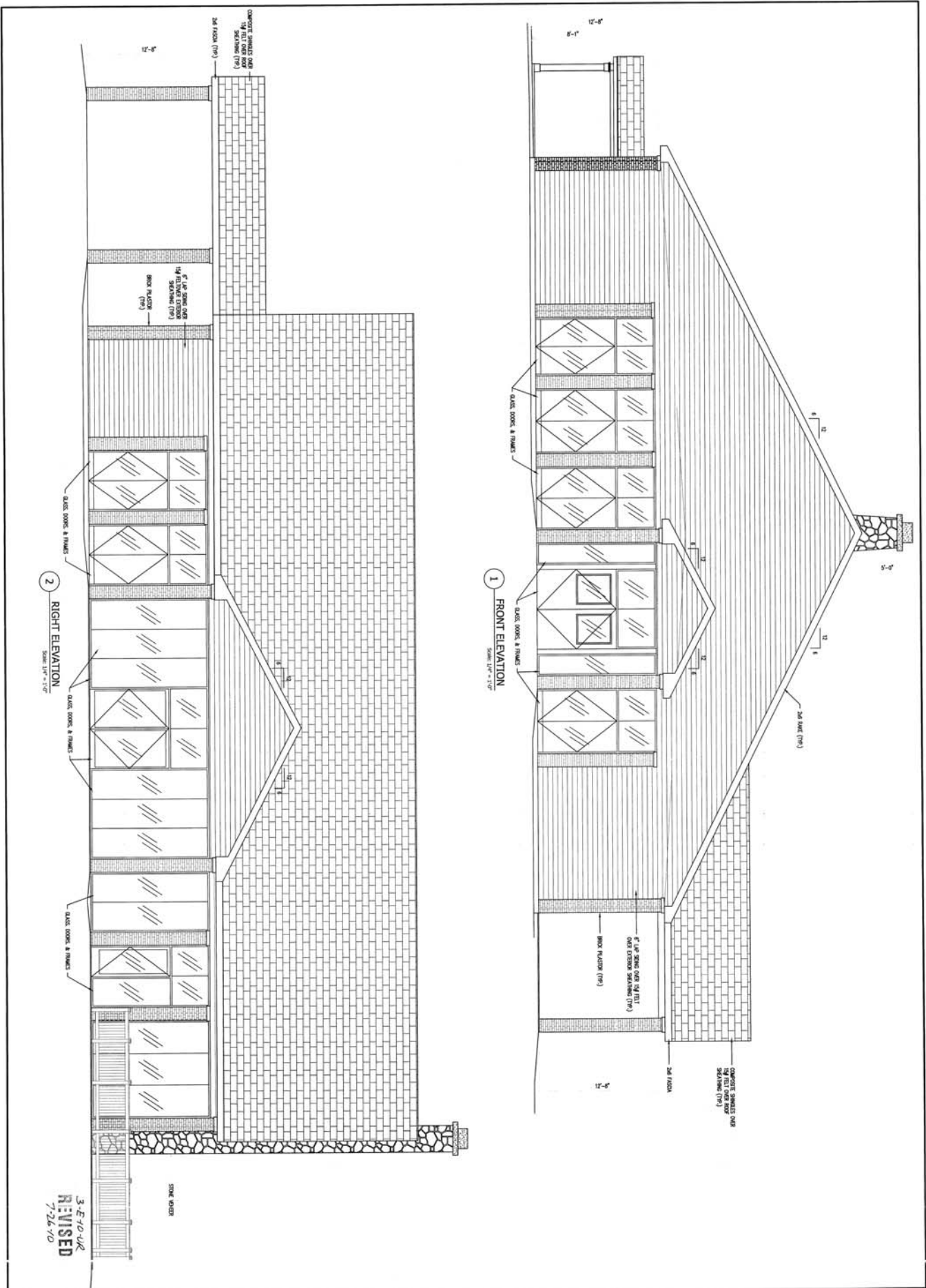
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- 2.0% TO CENTERLINE SURFACE COURSE, (T.O.D.T. SPEC. SEC. 411)
- 2.0% TO CENTERLINE SURFACE COURSE, (T.O.D.T. SPEC. SEC. 411)
- 4" MIN. ASPHALT, (T.O.D.T. SPEC. SEC. 303)
- COMPACT LAYER 2" OF SUBGRADE TO PARK (T.O.D.T. SPEC. SEC. 303)
- 3" FINEST GRADE

Firetruck Site Access Plan
 SCALE: 1" = 40"

Firetruck Site Access Plan
 SCALE: 1" = 40"

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3-E-70-UR
 REVISED
 7-26-70

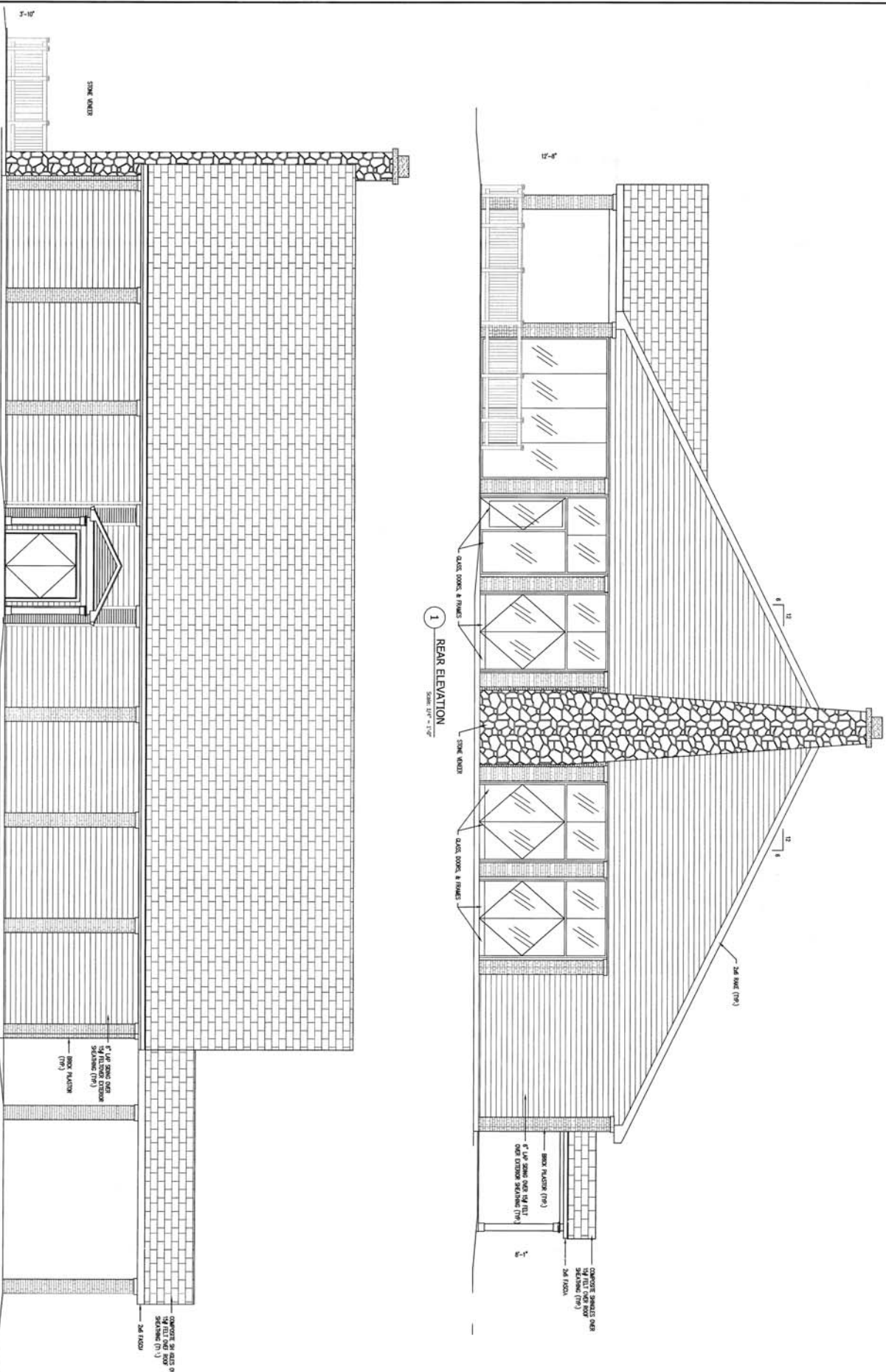
MPC August 12, 2010

For :
Tha Pavilion at Hunter Valley Farm
 9111 Hunter Valley Lane
 Knoxville, Tennessee



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 1509 South Smith St., Suite C, East Ridge, TN 37412
 V-423-890-3404 F-423-998-6288
 email - jsplawn@comcast.net

Agenda Item # 50



2 LEFT ELEVATION
Scale: 1/4" = 1'-0"

1 REAR ELEVATION
Scale: 1/4" = 1'-0"

3-8-12 OK
REVISION
7/26/10

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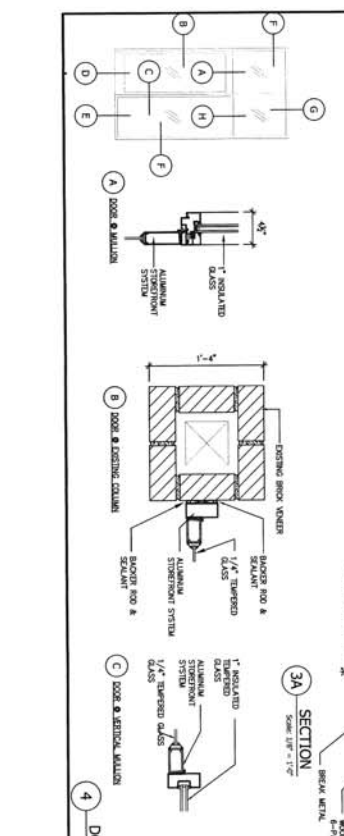
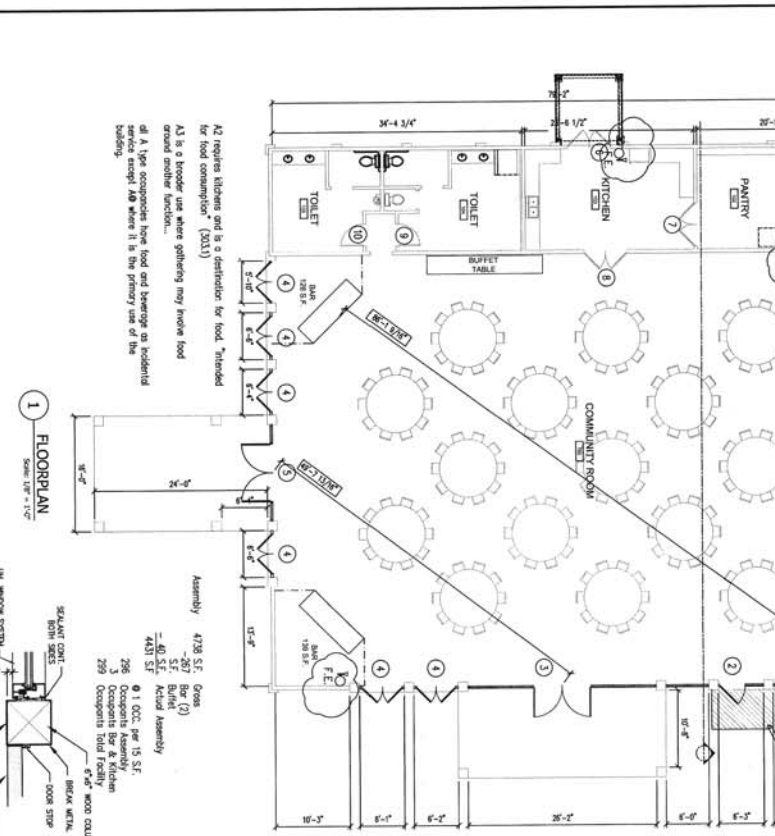
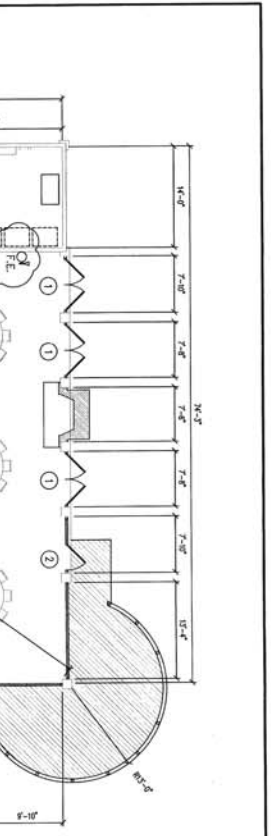
For:
Tha Pavilion at Hunter Valley Farm
9111 Hunter Valley Lane
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MPC August 12, 2010

Agenda Item # 50

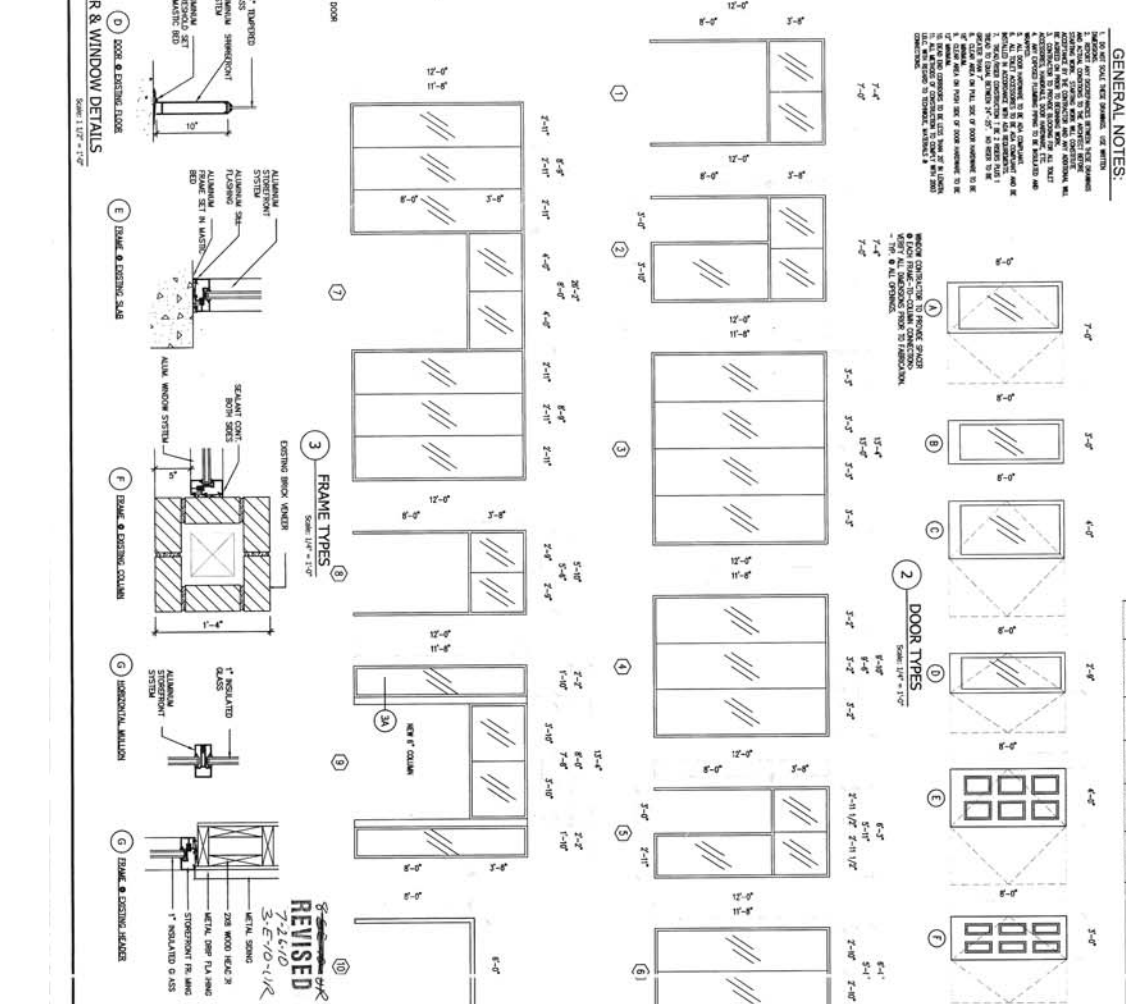


DOOR AND FRAME SCHEDULE

NUMBER	SIZE	THICKNESS	MATERIAL	TYPE	FINISH	HARDWARE SET	REMARKS
1	2'-0" x 2'-0"	1 1/2"	ALUM.	PRE-FRAME	3 B & S	1	
2	2'-0" x 2'-0"	1 1/2"	ALUM.	PRE-FRAME	3 B & S	1	
3	4'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
4	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
5	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
6	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
7	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
8	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
9	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	
10	2'-0" x 2'-0"	1 1/2"	WOOD	PRE-FRAME	3 B & S	1	

ROOM FINISH SCHEDULE

NUMBER	NAME	LOCATION	DOOR	WALL	CEILING	REMARKS
100	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	
101	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	
102	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	
103	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	
104	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	
105	CONCRETE	WALL	CONCRETE	CONCRETE	CONCRETE	



REVISIONS

NO.	DATE	DESCRIPTION
1	7-21-10	REVISED

For : **Tha Pavilion at Hunter Valley Farm**
 9111 Hunter Valley Lane
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