

# **USE ON REVIEW REPORT**

KNOXVILLE I KNOX COUNTY				
► FILE #: 6-D-20-UR	AGENDA ITEM #: 22			
	AGENDA DATE: 6/11/2020			
APPLICANT:	ТОМ ВОҮД			
OWNER(S):	Boyd Hollow Resorts Inc.			
TAX ID NUMBER:	124 12704 & 12705 124 185 & 18508 View map on KGIS			
JURISDICTION:	County Commission District 9			
STREET ADDRESS:	529 & 0 Nixon Rd. & 0 John Norton Rd.			
LOCATION:	North & south sides of Nixon Rd at the intersection of Sevierville Pk., west side of John Norton Rd.			
APPX. SIZE OF TRACT:	41.45 acres			
SECTOR PLAN:	South County			
GROWTH POLICY PLAN:	Planned Growth Area			
ACCESSIBILITY:	Access is via Sevierville Pike, a major collector street with a 19' pavement width within a 50' right-of-way.			
UTILITIES:	Water Source: Knox-Chapman Utility District			
	Sewer Source: Knox-Chapman Utility District			
WATERSHED:	Holston and French Broad, Burnett Creek and Stock Creek			
ZONING:	A (Agricultural)			
EXISTING LAND USE:	Residential & Vacant			
PROPOSED USE:	Rural Retreat			
HISTORY OF ZONING:	None noted			
SURROUNDING LAND	North: Residences - A (Agricultural)			
USE AND ZONING:	South: Residences and vacant land - A (Agricultural), RN-1 (Single-Family Residential Neighborhood) & Ag (Agricultural)			
	East: Residences and vacant land - A (Agricultural) and RA (Low Density Residential)			
	West: Vacant Land - Ag (Agricultural)			
NEIGHBORHOOD CONTEXT:	The immediate area is a mix of residential, agricultural, vacant and forested lands.			

#### **STAFF RECOMMENDATION:**

APPROVE the development plan for the rural retreat with an event facility (pavilion building) with approximately 8,000 square feet for up to 300 guests and a maximum of 9 overnight accommodations, subject to 10 conditions.

1. Meeting all applicable requirements of the utility provider.

2. Installation of all weather surface driveways and parking for the facility or as otherwise permitted by Knox County Department of Engineering and Public Works and the Knox County Fire Prevention Bureau during permitting.

3. Providing documentation to the Knox County Department of Engineering and Public Works that the sight distance requirements are meet and will be maintained for the proposed driveway off of Sevierville Pike.

4. Installation of all landscaping as shown on development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

- 5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 6. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
- 7. Meeting the plan of operations as submitted by the applicant that is a part of this application.
- 8. The event facility building is not approved to operate as a restaurant.
- 9. All exterior lighting shall be "Dark Sky" compliant.
- 10. 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 weddings and special events on this 41.45 acre site located on the west side of Sevierville Pike and the north side of Nixon Road. An approval was granted by the Planning Commission on March 12, 2020 for the development plan for a rural retreat on this site with an event facility (temporary event tent) with approximately 3,200 square feet for up to 300 guests and a maximum of 9 overnight accommodations. The primary change with this new application is that the applicant is proposing to replace the temporary event tent with a pavilion building with approximately 8,000 square feet.

The applicant is estimating that there will be 75 to 150 events per year. The anticipated number of attendees per event is 50-200 with a maximum of 300 guests. The retreat will also include 9 overnight accommodations. The proposed 8,000 square foot building includes approximately 4,500 square feet of event space for the guests, a catering kitchen, administrative office and restrooms. The catering kitchen will be used for food preparation for the weddings and other special events that will be held at the facility. The kitchen and seating area within the facility are not proposed to be used as a restaurant. The proposed building replaces both the previously approved event tent and the separate accessory building that included an office, restrooms, staff support area and storage. There will be a total of 100 parking spaces provided for the facility.

The rural retreat as proposed in this application has been reviewed by staff for compliance with the standards for the use on review approval of rural retreats (Knox County Zoning Ordinance Section 4.104 - copy attached) and it is staff's position that the proposal complies with the standards outlined in Sections 4.104.01, 4.104.2 and 4.104.03.A of the regulations. This request would not be required to meet the requirements of Section 4.104.03.B since the rural retreat does not include a facility for conferences/banquets, a restaurant, or a day spa as determined by Planning staff and the Knox County Development Services Director.

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. There are two properties within 100 feet of one of the parking lots for the facility and the two property owners have signed a setback waiver agreeing to allow the Planning Commission to approve reduced setbacks for the rural retreat uses. The applicant has included a landscape buffer on the north side of the parking lot that is approximately 100' from those properties.

Under the standards for rural retreats, a Transportation Impact Analysis (TIA) is not required for this facility since it will have direct access to Sevierville Pike, a major collector street (see Section 4.104.02.A), and as proposed, the facility is not subject to the requirements of Section 4.104.03.B.2 for large scale retreats.

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

1. The proposed wedding and special event facility will have minimal impact on local services at this proposed location.

2. The property owners that are within the rural retreat setbacks have signed waivers to allow consideration of the use with reduced setbacks.

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3. The rural retreat has direct access to a major collector street (Sevierville Pike) so a Transportation Impact Letter is not required.

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

1. With the stated conditions, the proposed wedding and special event 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 draw minimal traffic through residential areas since it is located on a major collector street.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

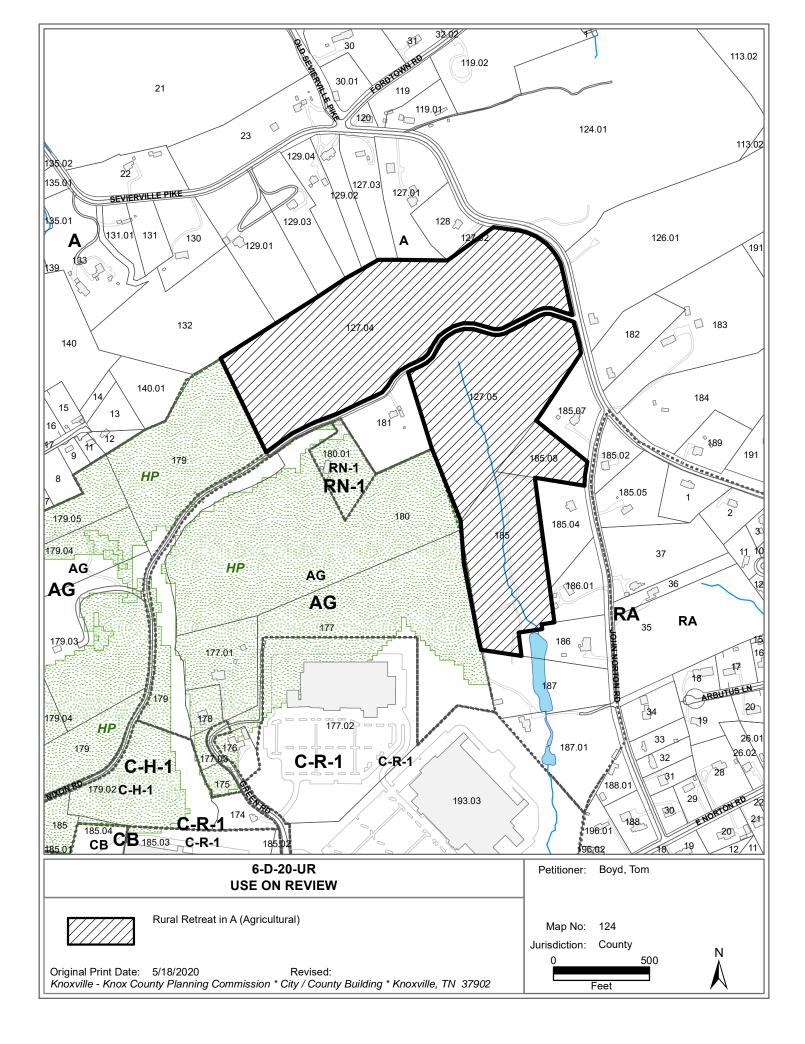
1. The South County Sector Plan designates this property for low density residential uses and hillside protection. A rural retreat can be considered in an Agricultural zone district and with the recommended conditions is consistent with the Sector Plan.

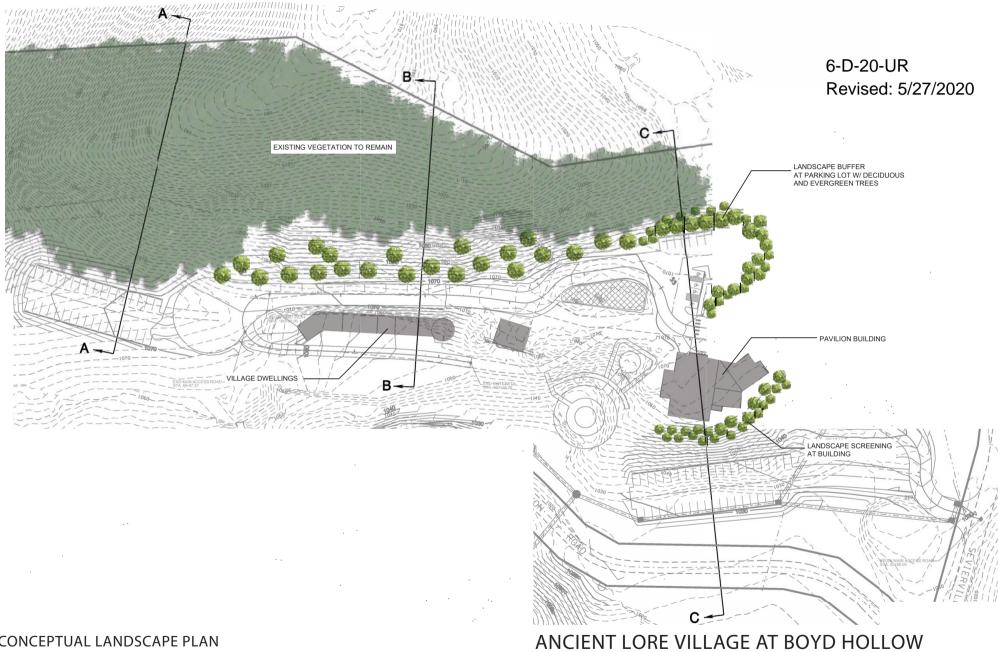
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

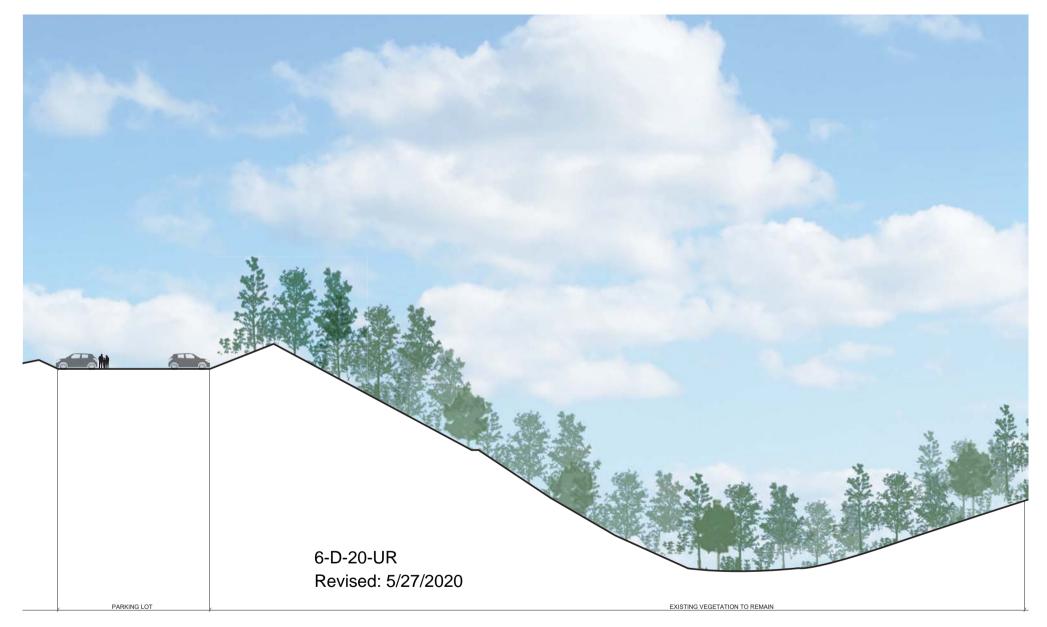
ESTIMATED STUDENT YIELD: Not applicable.

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.



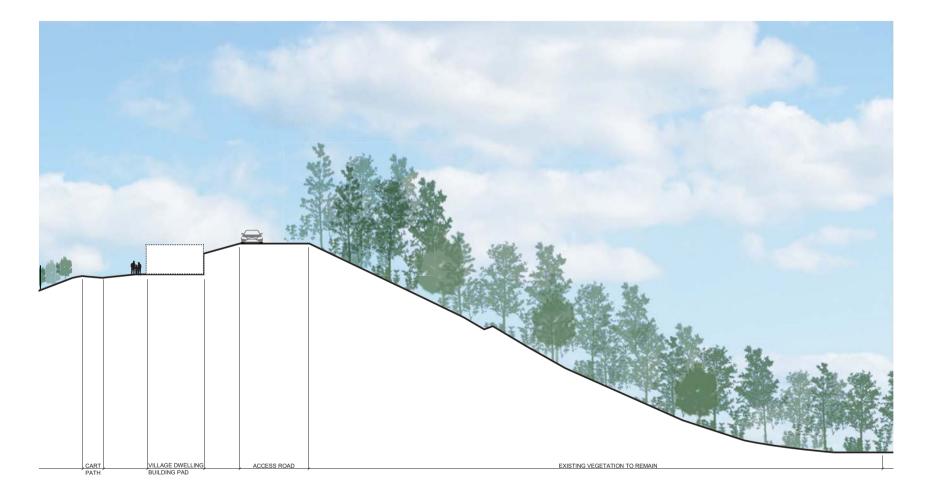


### CONCEPTUAL LANDSCAPE PLAN



CONCEPTUAL SECTION: A

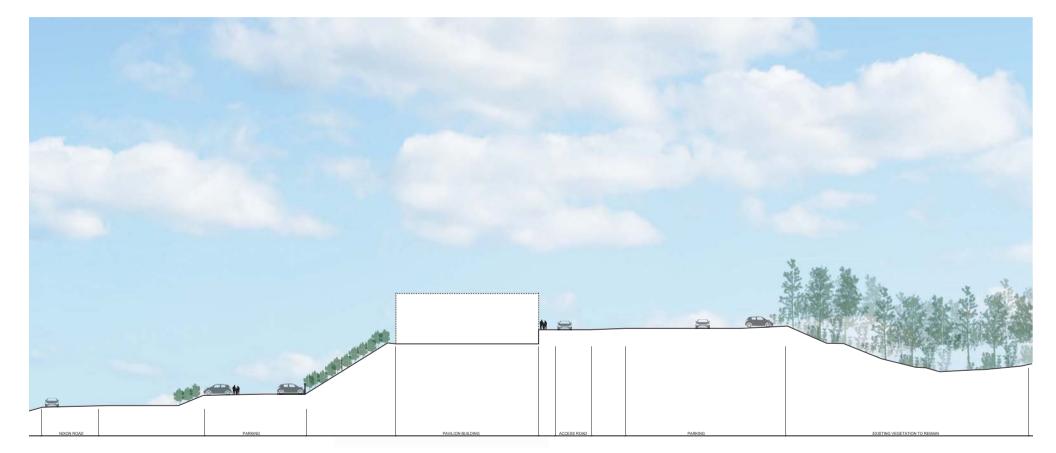
ANCIENT LORE VILLAGE AT BOYD HOLLOW



6-D-20-UR Revised: 5/27/2020

#### CONCEPTUAL SECTION: B

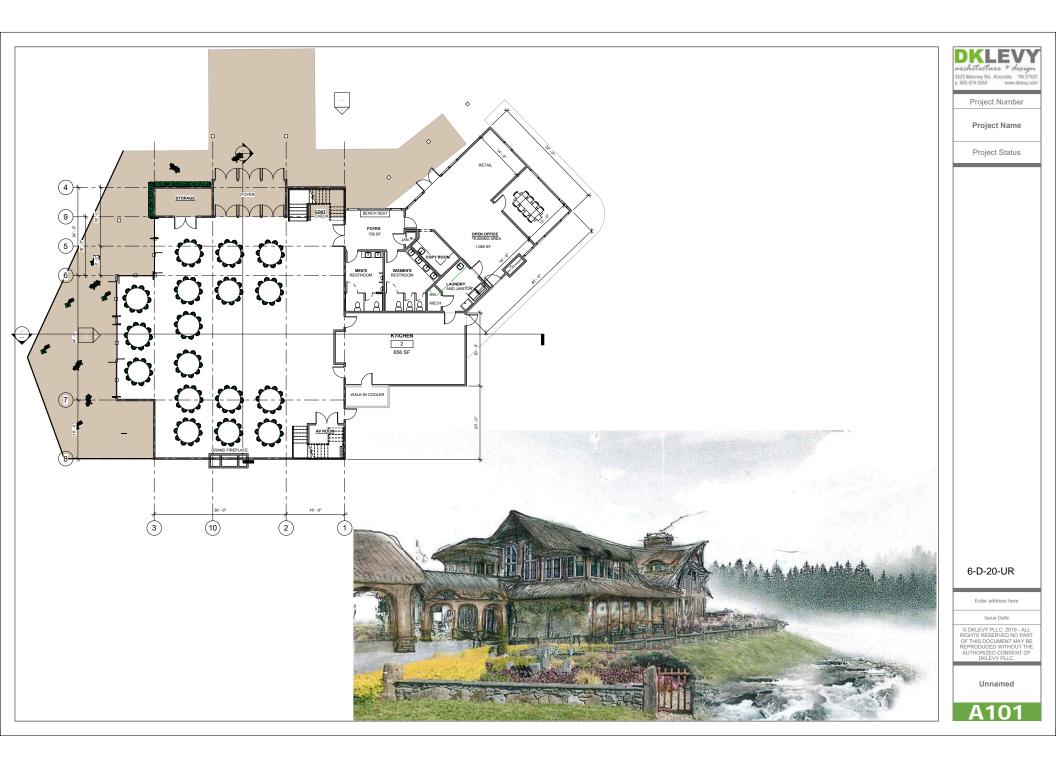
# ANCIENT LORE VILLAGE AT BOYD HOLLOW

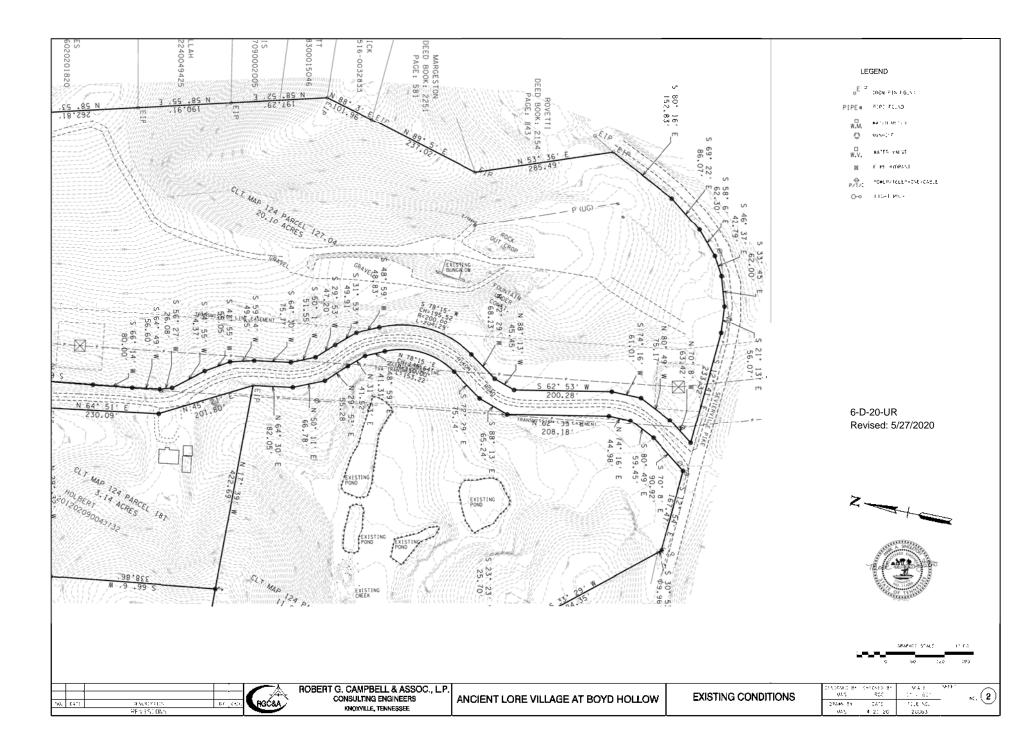


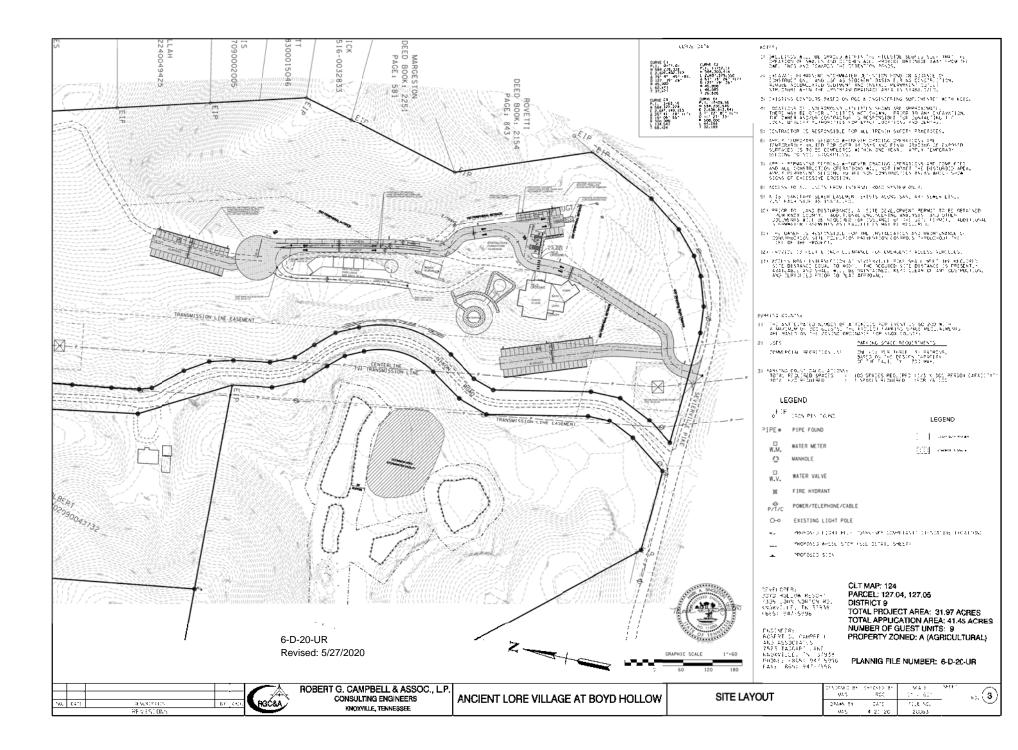
6-D-20-UR Revised: 5/27/2020

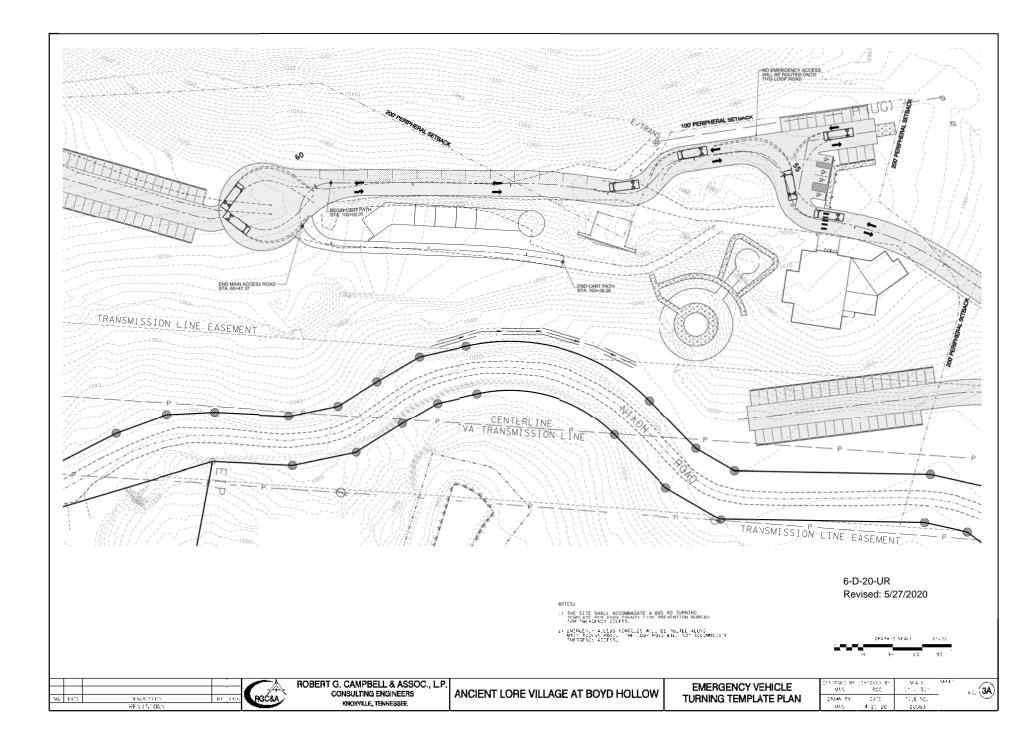
CONCEPTUAL SECTION: C

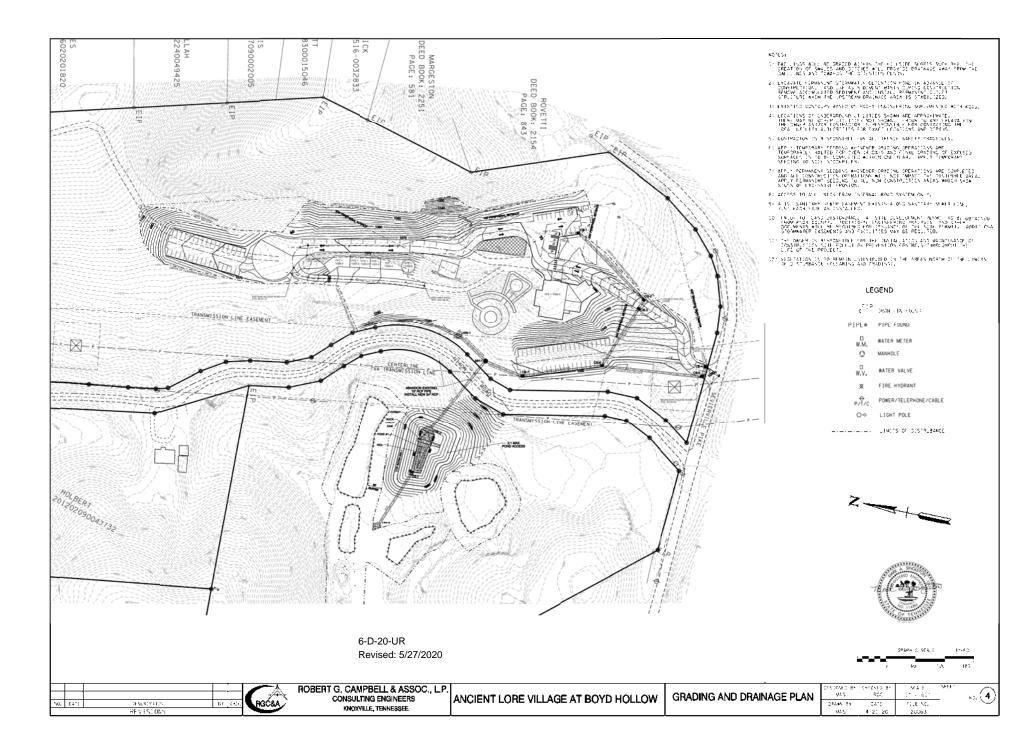
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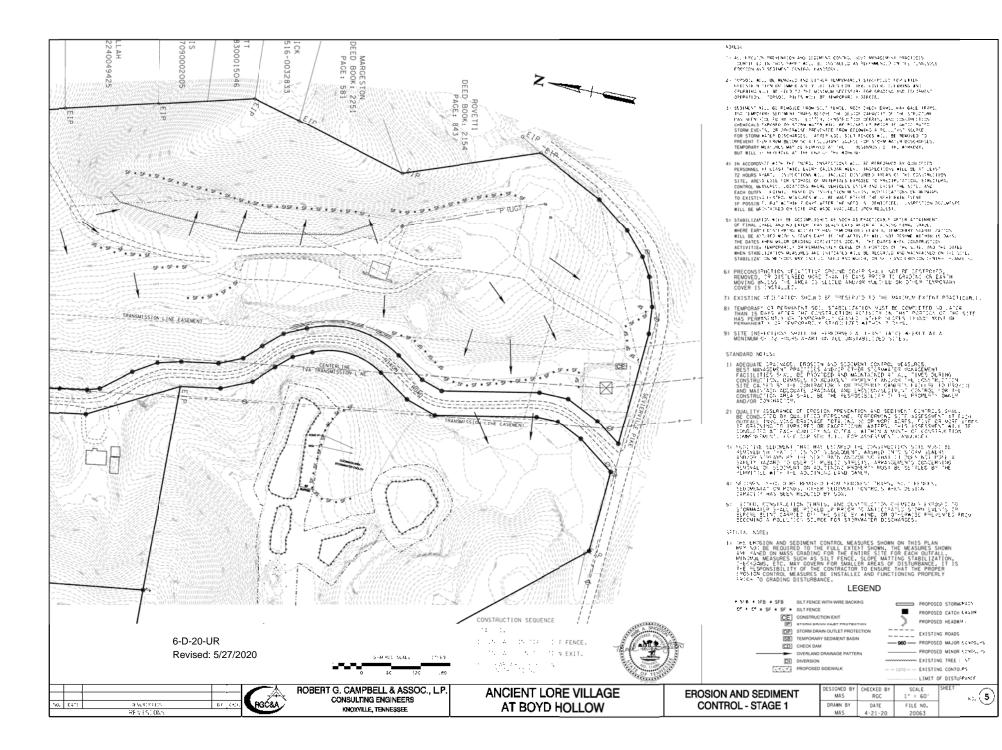


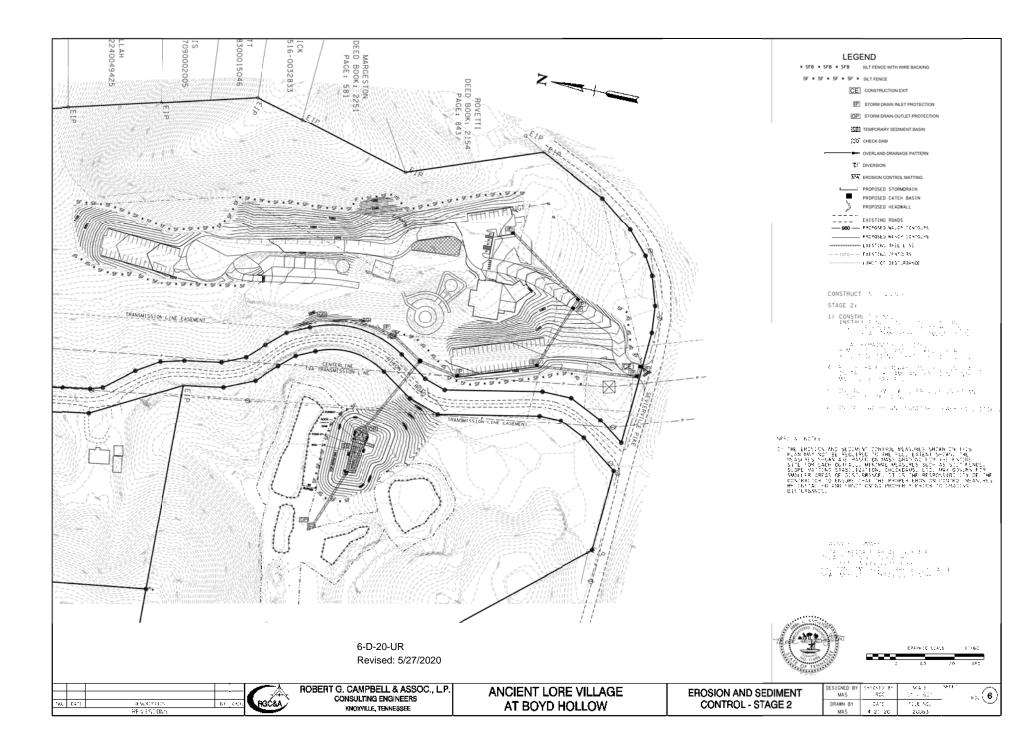


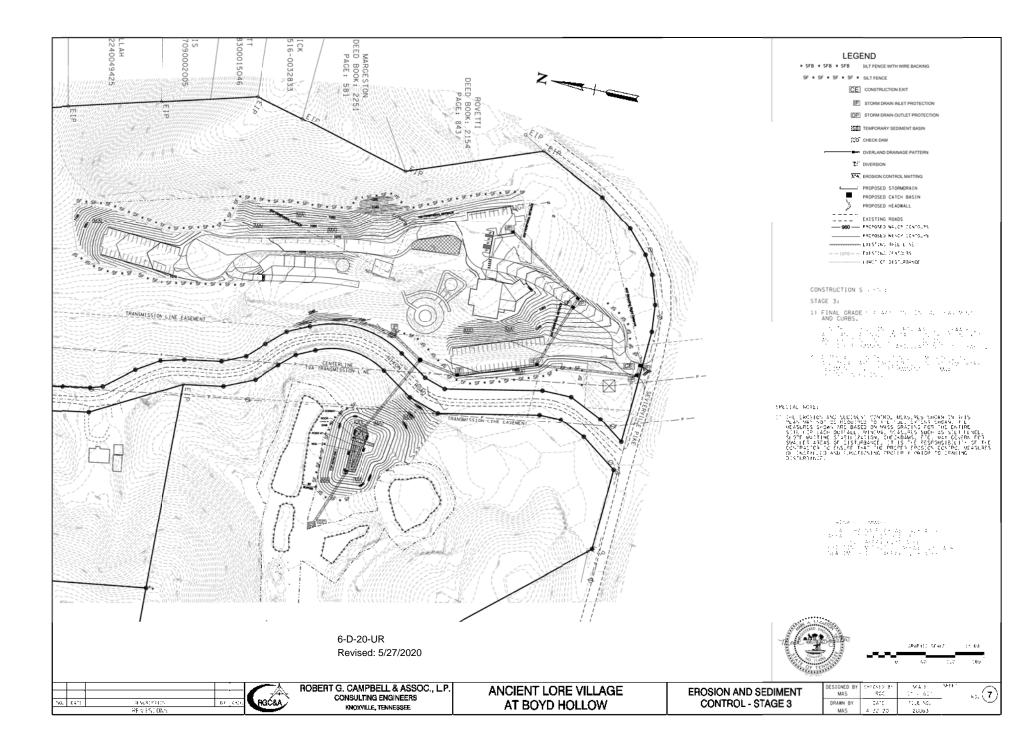


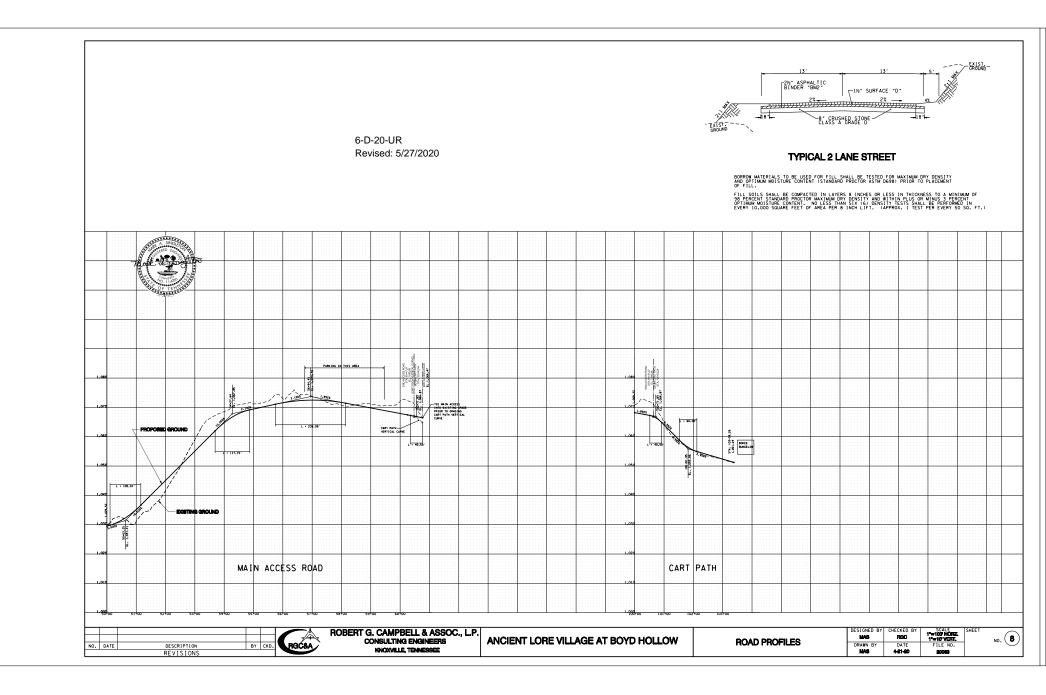














#### **RURAL RETREAT APPLICATION**

VENUE NAME:	Ancient Lore Village at Boyd Hollow			
	(AMENDMENT TO PRE\	/IOUS APPLICATION 3-J-20-UR)		
TYPE OF BUSINESS:	Wedding and Event Ver	nue with overnight accommodations		
LOCATION:	7107 Sevierville Pike, K	noxville, TN, 37920		
ZONED:	Agricultural			
SIZE OF PROPERTY:	PARCEL ID: 124-12704	20.18 Acres		
	PARCEL ID: 124-12705	11.79 Acres		
	PARCEL ID: 124-185	7.48 Acres		
	PARCEL ID: 124 18508	2.0 Acres		
	TOTAL ACREAGE:	41.45 Acres		

Proposed activities at Ancient Lore Village at Boyd Hollow shall include the following:

#### Summary of proposed development:

Ancient Lore Village at Boyd Hollow is proposing a wedding and event venue with accommodations. The property will include:

- Overnight accommodations with with 8 themed guest rooms
- Pavilion (approximately 8,000 sf)
  - Event space accommodate up to 300 guests
  - Catering Kitchen
  - o Administrative Office
  - Public Restroom
- Dwelling living room and meeting space
  - Attached to the village dwelling building
  - Two levels approx. 400 SF/Floor
  - Was shown as a dwelling on the previous application

#### 1. Number of employees:

We will have a combination of full-time and part-time employees. Estimated employee counts are as follow:

- Administration: 4
- Housekeepers: 4
- Maintenance: 2
- Events: 2



#### 3. Hours of operation:

Overnight accommodations: Daily, check in at 4pm, check out at 10am

Events:

- The event space will not be accessible to the public without booking a private event or scheduled showing.
- Any outdoor events will abide by all Knox County ordinances and take place between the hours of 9am and 9pm.
- Events and any use of amplification after 9pm will take place inside a building.

#### 4. Provision of overnight accommodations, duration, etc.:

Overnight accommodations will include the following

o (8) themed guest rooms

Guests are able to stay from 1 to 7 nights.

#### 5. Provision of restroom facilities:

The Pavilion will have public restrooms as per code for event attendees. Each overnight accommodation will have their own private restroom facilities.

#### 6. Proposed lighting:

Lighting will include:

- Minimal pedestrian level path lighting
- Shielded down lighting on poles at parking areas

#### 7. Sound amplification to be used:

Sound amplification may be used by hired/contracted vendors. All outdoor sound amplification will adhere to the ordinances and sound restrictions set by the amendments and confirm sound levels shall not exceed these limits. Outdoor sound amplification will not be used after 9pm.

8. Temporary structures, including tents, to be used in association with planned events: On occasion, there may be a tent used for some events, those tents will be put up prior to the event and removed upon completion of the event.

A wedding arbor to be available for events.

# **9.** Security to be provided (alarm, fence, cameras, lighting, personnel): Security will include:

- Security guard will be present at events as necessary per Knox County regulations
- Landscaping buffers to provide privacy from light pollution

#### **10.** Location of trash receptacles and method of trash removal:

- Dumpster will be located off the parking lot area next to the Pavilion
- Landscape screen will be provided to hide dumpster area



#### **11. Traffic management and parking plans:**

Installation of all-weather surface driveways and parking for the facility or as otherwise permitted by Knox County Department of Engineering and Public Works and the Knox County Fire Prevention Bureau during permitting.

#### **12.** The expected number of events per year:

Estimated number of events include 75 – 150 events per year

#### **13.** The expected number of attendees per event:

- Event facilities will be able to accommodate up to 300 guests.
- Most events will fall between 50 200 guests.

#### 14. Other documentation as deemed necessary by MPC staff.

4.104. - Standards for the use on review approval of rural retreats.

Rural retreats, as defined in Article 2: Definitions are allowed to be considered as a use on review in the A (Agricultural), RP (Rural Preservation), RA (Low Density Residential), RB (General Residential), E (Estates), T (Transition) and PR (Planned Residential) zoning districts. Rural retreats are subject to the requirements of subsections 4.10.14 through 4.10.19, "Development Standards for Uses Permitted on Review", and 6.50, "Procedures for Authorizing Uses Permitted on Review".

This section shall not be construed as authorizing the requirement of building permits nor providing for any regulation of the erection, construction, or reconstruction of any building or other structure on lands now devoted to agricultural uses or which may hereafter be used for agricultural purposes, except on agricultural lands adjacent or in proximity to state federal-aid highways, public airports or public parks; provided, that such building or structure is incidental to the agricultural enterprise. Nor shall this article be construed as limiting or affecting in any way or controlling farming or the agricultural uses of land as defined by state law.

Rural retreats are subject to the following standards and requirements:

4.104.01. *Minimum required information.* A use on review application, or a building permit application for an approved use on review, for a rural retreat in the A, RP, RA, RB, E, T or PR zoning districts shall include complete description of all activities proposed to occur on the subject property and a scaled site plan. At a minimum, the following items must be addressed on the submitted materials at the time of application:

- A. The description of proposed activities shall include the following:
  - 1. The number of employees;
  - 2. The hours of operation;
  - 3. Provision of overnight accommodations, duration, etc.;
  - 4. Provision of restroom facilities;
  - 5. Proposed lighting;
  - 6. Sound amplification to be used;
  - 7. Temporary structures, including tents, to be used in association with planned events;
  - 8. Security to be provided (alarm, fence, cameras, lighting, personnel);
  - 9. Location of trash receptacles and method of trash removal;
  - 10. Traffic management and parking plans;
  - 11. The expected number of events per year;
  - 12. The expected number of attendees per event;
  - 13. Other documentation as deemed necessary by MPC staff.

4.104.02 Development requirements and restrictions (must be addressed in plans and submitted materials).

- A. Road access. The site shall have direct access to an arterial or collector street, as classified by the Major Road Plan for Knoxville & Knox County, Tennessee. Access drives to local streets or private easements will not be permitted. Exceptions to this requirement may be considered by MPC, if a traffic analysis is provided with the use on review application. This traffic analysis must be reviewed and approved by MPC and Knox County Engineering staff. Any recommendations for road improvements must be incorporated into the overall development plan.
- B. *Minimum parcel size*. The minimum area of the subject parcel should be ten (10) acres.

- C. The maximum floor area for all permanent structures associated with the Rural Retreat shall be no more than ten percent (10%) of the total lot area.
- D. 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 MPC. With a written agreement from the adjacent parcel owner(s) affected, MPC may consider reduction of these setbacks as part of the plan review process.
- E. Rural retreats are subject to the parking requirements for "Theaters, Auditoriums and places of assembly without fixed seats", contained in article 3, subsection 3.50.10 of the Knox County Zoning Ordinance. All required parking areas must be provided on an all-weather driving surface. Gravel and other types of driving surfaces may be permitted on a case-by-case basis per request, but must be reviewed and approved by MPC and Knox County Engineering staff.
- F. Recreational uses incidental and subordinate to the primary Rural Retreat use are permitted and may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, ziplines, corn mazes, picnic areas, golf courses and related facilities, athletic fields, children's play equipment, and passive recreational facilities. Campfires or bonfires may also be permitted, subject to compliance with Knox County open burn regulations, as well as the establishment of a designated area of the site for this use. All recreational uses are subject to the setback requirements of section E above. The use of the recreational facilities is limited to event guests and property owners/guests.
- G. Signage must comply with article 3, section 3.90 of this ordinance.
- H. Overnight accommodations, if approved as part of the development plan, shall be accessory to the primary use of the property as a retreat and shall not be open to the general public as a stand-alone use. The maximum length of stay for any guest(s) shall be seven (7) consecutive days per singular event.
- I. Noise generated by the use, as measured at any property line, shall not exceed forty (40) decibels (dB) between the hours of 9:00 p.m. and 9:00 a.m., and shall not exceed fifty (50) decibels (dB) at any other time.
- J. Proof of the availability of potable water and proper treatment and disposal of wastewater shall be provided, based on the occupancy of the buildings(s), subject to approval by the Knox County Health Department.
- K. Restroom facilities shall be required commensurate with the capacity of the building(s), subject to approval by the Knox County Health Department.
- L. All outdoor lighting shall adhere to the requirements of article 4, subsection 4.10.10. All exterior lighting shall be full cut-off and light levels at the property line shall not exceed 0.05 footcandles.
- M. Any building(s) in which events are held shall meet applicable building and fire code requirements for assembly uses.
- N. MPC shall have the authority to limit hours of operation, number of events, expected attendees, etc. on a case-by-case basis. Other conditions of approval may be recommended by staff, if deemed necessary. MPC may limit the scope of proposed operations so as to prevent adverse impacts on adjoining parcels. A proposed rural retreat shall be of a scale and intensity so that the use is compatible with existing or proposed uses on adjacent parcels or in the immediate vicinity. Adequate setbacks and buffers must be provided so as to prevent adverse impacts on adjoining parcels.
- 4.104.03. Criteria for larger scale retreats.
- A. If the rural retreat includes overnight camping/lodging accommodations, the following criteria shall apply:
  - 1. The minimum parcel size shall be twenty (20) acres.

- 2. A maximum of ten (10) guest accommodations shall be permitted for the first twenty (20) acres of site area, and additional guest accommodations shall be permitted at a ratio of one (1) for every five (5) acres of site area, up to a maximum of fifty (50) guest accommodations. Only event guests are permitted to stay overnight at the facility.
- B. If the rural retreat includes one or more of the following: a facility for conferences/banquets, a restaurant, or a day spa, the following criteria shall apply:
  - 1. The minimum parcel size shall be fifty (50) acres.
  - 2. A Traffic Impact Study (TIS) will be required to be submitted along with the use on review application and site plans. The TIS shall be reviewed by Knox County Engineering and MPC staff and any recommendations regarding ingress/egress or road improvements deemed necessary shall be incorporated into the stipulations of the approved development plan.
  - 3. The total maximum floor area utilized for conference, restaurant, spa, event and/or banquet facilities shall not exceed 1,000 square feet for every five (5) acres of site area, up to a maximum of 20,000 square feet.
  - 4. All events that include sound amplification of any kind or that include 50 or more attendees between the hours of 9:00 p.m. and 9:00 a.m. must take place entirely within a fully enclosed building(s).
  - 5. A minimum of thirty (30) guest rooms must be provided on the property.
  - 6. Any restaurant must be located within a facility that also contains at least fifteen (15) guest rooms.
  - 7. Any day spa facility shall not exceed 2,000 square feet of gross floor area.

Note: Certain agricultural uses are permissible by Tennessee state law under the Right to Farm Act and other regulations. These uses, if permissible and deemed in compliance with state regulations, are exempt from MPC review.

(<u>Ord. No. O-17-8-101, § 1(Exh. A), 9-25-17</u>; <u>Ord. No. O-18-1-101, § 1(Exh. A), 2-26-18</u>)

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## DEVELOPMENT REQUEST

#### DEVELOPMENT

Planned Development

Use on Review / Special Use

# Development Plan

#### SUBDIVISION ZONING

□ Final Plat

🗆 Concept Plan 🔅 Plan Amendment

□ Rezoning

Tom Boyd		President & CEO
Applicant Name		Affiliation
April 24, 2020	June 11 2020	6-D-20-11R
Date Filed	Meeting Date (if applicable)	File Numbers(s)

## 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
Daniel Levy				DKLEVY		
Name				Company		
3523 Maloney I	Rd			Knoxville	TN	37920
Address				City	State	Zip
865-474-9264		dle	evy@dklevy.com			
Phone		Em	ail			

## **CURRENT PROPERTY INFO**

Boyd Hollow Resorts, LLC	7305 John	Norton Rd	(865) 806-2134
Owner Name (if different)	Owner Addres	SS	Owner Phone
529 & 0 Nixon Rd., 0 John Nor	ton Rd	124-12704	; 124-12705; 124-185; 124-18508
Property Address		Parcel ID	
North & south side of Nixon R	oad at the intersection of	Sevierville Pike, west	side 41.45 Acres
General Location			Tract Size
District 9		A (Agriculture	al)
Jurisdiction (specify district above)	🗌 City 🔳 County	Zoning Distric	t
South County	South County LDR		Planned Growth
Planning Sector	Sector Plan Land Use C	lassification	Growth Policy Plan Designation
Residential / Vacant	Υ	N/A	Knox Chapman
Existing Land Use	Septic (Y/N)	Sewer Provider	Water Provider

### REQUEST

ENT	🗌 Development Plan 🔳 Use on Review / Speci	ial Use				
DEVELOPMENT	🗌 Residential 🔲 Non-Residential					
VELO	Home Occupation (specify):					
DE	Other (specify): Rural Retreat					
_						
				_		
z	Proposed Subdivision Name			Unit /	Phase Number	
ISIC	Parcel Change					
SUBDIVISION	Combine Parcels 🗌 Divide Parcel	Total Number of Lots (	Created:			
S	Other (specify):					
	Attachments / Additional Requirements					
_						
	Zoning Change:					
	Proposed Zoning					
9	Proposed Plan Designation(s) Proposed Plan Designation(s)					
ZONING	rioposed rian bes	iighation(3)				
	Proposed Property Use (specify)	Proposed Density (uni	its/acre)	Previous Rezon	ing Requests	
	Other (specify):					
	PLAT TYPE		FEE 1:		TOTAL:	
≻	Staff Review Planning Commission		3	\$	TOTAL:	
ONLY	ATTACHMENTS			5,445.00		
	Property Owners / Option Holders  Varian	nce Request	FEE 2:		5,445.00	
STAFF USE			1	_	,	
ST	<ul> <li>Design Plan Certification (Final Plat only)</li> <li>Use on Review / Special Use (Concept Plan onl)</li> </ul>	/v)	FEE 3:			
	Traffic Impact Study					

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

Tom Boyd	Digitally signed by Tom Boyd Date: 2020.04.24 14:16:08 -05'00'	Tom Boyd	04/24/2020
Applicant Signature		Please Print	Date
(865) 806-2134		tomboyd@ancientlorevillage.com	
Phone Number		Email	
Thomas C	Brechto -	Thomas Brechko	4-24-2020

Date

Staff Signature

Please Print

