

Boyd Hollow Use on Review

KCPA and KUWP Comments

2020-Jun-11

Current State

Applicant has a valid Rural Retreat Use on Review

Negotiated with neighbors and approved less than six (6) months ago

Rural Retreat ordinance was passed less than three (3) years ago

Application Context

Application contains 41.45 acres

Purpose is that this is a “wedding and event venue”

Includes a permanent pavilion building with large indoor room, 656 sf kitchen, walk-in cooler, 1,000 sf office / administration area with retail

4.104.03.B states: “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” and lists seven (7) requirements, including a minimum parcel size of 50 acres

Zoning ordinance does not define “banquet facility” or “restaurant”

Other Precedents

- It isn't a restaurant - NAICS 72251 has patrons paying for their own food
- Merriam-Webster defines a banquet room as “a large room (as in a restaurant or hotel) suitable for banquets” and further defines a banquet as “1) a sumptuous feast, or 2) a meal held in recognition of some occasion or achievement”
- Lebanon, Ohio's zoning code: “Banquet hall means a facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities”.

Plain Language

Food is often (always?) served at weddings and events, often as sit-down meals

Banquets are meals in recognition of some occasion or achievement
(Merriam-Webster)

An interpretation that the proposed facility, with kitchen and dining space for a wedding and event venue, is *not* a “banquet facility” is a forced interpretation that expands ordinance’s application

Summary

This is a relatively new ordinance.

Rural Retreats are a Use on Review. There is significant disagreement on if this pavilion is a “banquet facility”

If there’s doubt if a use is allowed or appropriate, Planning Commission should deny it and go through a process to update and clarify the ordinance, through the legislative process

Applicant already has an approved Rural Retreat Use on Review and can move forward with the approved plan



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

1 message

Kassandra Courtney <kaseycourt@gmail.com>

Wed, Jun 10, 2020 at 1:08 PM

Reply-To: kaseycourt@gmail.com

To: commission@knoxplanning.org

Dear Planning Commissioners,

As a resident of Sevierville Pike that is on the other side of Brown Mountain as the proposed wedding venue I am asking that you deny the 6-D-20-UR application from Tom Boyd of Boyd Hollow Resorts for this huge ask of an addition of an 8,000 square foot "event facility" as well as the newer changes incorporated in this application. The property only consists of 41.45 acres- not meeting the required minimum of 50 acres necessary for this scale of a building especially with the intent to have weddings and receptions.

Earlier this year, the community supported the revised application for a 3,200 removable event tent with some conditions that were further granted by you at the planning meeting and for that we were truly appreciative that you have been listening and reading over the past year and a half of the issues and concerns that we have had with this project and its owner. However, we do not support this newest application and what is worse is that the community had begun to heal and move forward and so that a month later the compromise that had been reached is simply discarded by BHR without any regard towards his neighbors with so little as a discussion and when Boyd was asked about the newest application he downplayed it to being a minor change which obviously is a significant change. I ask that yet again that you see this for what it is, a continuous avalanche where BHR with it's money and resources continues to eek out more and more exceptions on small step at a time. We saw it with his other applications where he didn't meet the requirements and kept pushing through asking for exceptions- please do not allow us to continue to be subject to his every whim and drag us through the quagmire every couple of months by not stretching the RR requirements that would allow him to build this 8,000 sq ft event facility.

In reviewing Tom Brechko's comments that section 4.104.03.B doesn't apply because the pavilion in which there are tables where guests will sit down to eat from the attached kitchen that also happens to have an audio/video control room isn't considered a banquet Tuesday's or conference facility absolutely mind boggling. In listening to him gloss over during the review meeting and even mention that they could have a banquet and it still not be a banquet facility even much more so. It doesn't make sense and we don't agree with his conclusion that the 50 acre restriction does not apply here because of some word play.

Regards,
Kassandra Courtney
Member of Keep the Urban Wilderness Peaceful

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This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] re: Agenda item 6-D-30-UR

sherrie raymond <sgraymond@outlook.com>

Tue, Jun 9, 2020 at 8:43 PM

Reply-To: sgraymond@outlook.com

To: "commission@knoxplanning.org" <commission@knoxplanning.org>

This is item 22 on the agenda as of today for the Thursday June 11 meeting and concerns the property at Nixon Rd & Sevierville Pk. His revised plan doesn't meet the standards for parcel size for the designated zoning exception request and its approval would set up a slippery slope for future Knox County developments.

There have been numerous citizen objections to similar projects over the last couple years for many reasons - chief among them that infrastructure isn't capable of supporting such a plan. Some areas of the county are suffering greatly due to the more than 10-year backlog of road projects with TPO. Time to start having some restraint in the rampant development of land around the county, even if it means a property tax increase. The growth that Knox has been undergoing since the turn of the century is unsustainable & a burden to taxpayers already. Commission is looking at dollars coming in, but not the true cost of those dollars.

To allow this zoning variance is to ignore both the letter and the spirit of the law & wouldn't be granted to just any Knox citizen. To preserve the integrity of the commission, it should be denied.

Thank you, Sherrie Raymond

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This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] re: Agenda item 6-D-30-UR

sherrie raymond <sgraymond@outlook.com>

Tue, Jun 9, 2020 at 8:53 PM

Reply-To: sgraymond@outlook.com

To: Knox County Planning Commission <commission@knoxplanning.org>

Correcon - tha t file # should be 6-D-20-UR for agenda item 22.

From: sherrie raymond

Sent: Tuesday, June 9, 2020 08:43 PM

To: commission@knoxplanning.org <commission@knoxplanning.org>

Subject: re: Agenda item 6-D-30-UR

[Quoted text hidden]

[Quoted text hidden]



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] KCPA Letter on 6-D-20-UR - Boyd Hollow

1 message

Kevin Murphy <murphysprings@gmail.com>
Reply-To: murphysprings@gmail.com
To: Commission <commission@knoxplanning.org>

Tue, Jun 9, 2020 at 3:28 PM

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This message was directed to commission@knoxplanning.org



2020-06-09 Input on Boyd Hollow 6-D-20-UR.pdf
66K

2020 June 9

RE: 6-D-20-UR Boyd Hollow

Dear Planning Commissioners,

I am writing to you as chairperson of Knox County Planning Alliance. We have reviewed the application 6-D-20-UR for Boyd Hollow Resorts for a "wedding and event venue with accommodations", believe the application triggers section 4.104.03B, and does not meet the criteria. We request you deny the Use on Review.

The changed proposal appears to include facilities for conferences/banquets, which by 4.104.03.B:

"If the rural retreat includes one or more of the following: a facility for conferences/banquets, a restaurant, or a day spa"

triggers the requirements in section 4.104.03.B to 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.

The staff report states that "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", but offers no explanation of how that determination was made. This determination that the rural retreat does not include a facility for conferences/banquets ignores the clear meaning of the broad terms used in the application itself when it said "proposing a wedding and event venue with accommodations." Further along in the the staff report, it recommends approval of a "rural retreat with event facility", which clearly indicates staff believes this is an event facility. Now the question is - do they have banquets?

Below is our reasoning of why this is a banquet facility.

The following terms are not specifically defined in [Article 2 of the zoning ordinance](#) and thus left up to some interpretation by the planning commission:

- Banquet facility
- Restaurant

The proposed diagram depicts an enclosed building with:

- Indoor, large room depicted with round tables and dancing space in the drawing
- An AV room, which would be used to support banquets or conferences
- A 656 sf kitchen, with additional space for a walk-in cooler, which indicates sufficient capacity for a medium-sized commercial kitchen that could serve meals
- A separate 1,085 sf 'open office' or 'teaming area', with a "retail" area nook, and a separate corner conference room, which implies that there will be on-site staff to sell and support events.

The Rural Retreat Application indicates that the 8,000 sf pavilion will have "event space", catering kitchen, administrative office, and restrooms. It states there will be full and part-time employees to cover administration, housekeeping, maintenance, and events.

We agree that this is not a restaurant, which under [NAICS 72251](#) would generally require a patron to order and pay for their food, and that isn't the intended use.

But it does appear to be a facility for a banquet. Merriam-Webster defines a banquet *room* as "a large room (as in a restaurant or hotel) suitable for banquets" and further defines a banquet as "1) a sumptuous feast, or 2) a meal held in recognition of some occasion or achievement". Lebanon, Ohio's zoning code defines a *banquet hall* as "Banquet hall means a facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities". Fremont, California zoning code defines

"Banquet hall" shall mean a facility rented out for private events at least ninety percent of which involve the service of a meal and at which the seating is provided at tables. As used herein "private event" means a gathering of persons who have been individually invited to the event and from which persons not so invited are excluded. Banquet hall may allow live entertainment and dancing, however, such live entertainment or dancing shall not be the primary use of the facility. Alcoholic beverages may be served subject to state law requirements and if allowed by use permit.'

The proposed pavilion will include a facility available for lease by private parties, with kitchen facilities for preparation or catering of food. Certainly some of the events held here will be banquets - meals held in recognition of some occasion or achievement. It also seems plausible

that smaller conferences - ones that don't require multiple breakout rooms - could be held here. The proposed facility is capable of hosting banquets.

To make this simple, apply this reasoning: When a statute or ordinance is clear and unambiguous, it should be interpreted according to its plain meaning and its normal and accepted use "without a forced interpretation that would limit or expand the statute's application." *Eastman Chemical Co. vs. Johnson*, 151 SW.3d 503, 507 (Tenn 2004). A pavilion structure, with a large area for tables and dance floor, public restrooms, and most importantly a catering kitchen, marketed to host weddings and other events, is a facility capable of holding meals in recognition of some occasion or achievement (an event). In short, it is a facility for banquets.

The Rural Retreat Application does not preclude conferences either. The application states that this a "wedding and event venue" separated by "And" which means this is not just a wedding venue, but also an event venue. The word event is a very broad term for a gathering of people and was used deliberately in the application. Both conferences and banquets are events, and the applicant has proposed a rural retreat that will host events. The intended use stated in the application itself for a "wedding and event venue" is vague and does not prohibit the applicant from using the facility for conferences and banquets.

If the applicant or staff claims that they will not host banquets or conferences in this 8,000sf facility with a kitchen, then there will be enforcement issues. Once the facility becomes operational, there will be no oversight as to what kind of event takes place at the facility. If a customer wants to lease the property for any kind of event, it will be leased. Nobody will be evaluating whether it is a corporate meeting, a conference, worship service, family reunion, wedding without a banquet, wedding with a banquet. Nobody will care if food being served is technically a banquet or not.

The bottom line is that this kind of "larger scale retreats" facility is intended to have different and mandatory requirements than smaller scale retreats. The request for 8,000 square feet is right under the maximum size under 4.104.03.B.3 for a 41 acre parcel. This is no longer a temporary tent of 3,200 sq ft, but an 8,000 sf permanent building.

We believe the proposed pavilion is clearly a banquet facility, and triggers the requirements of 4.104.03.B, which include a minimum parcel size of 50 acres. The parcels are totaled to 41.45 Acres, and thus this proposed rural retreat does not satisfy the criteria of 4.104.03.B.1. The Use on Review application should be denied because it does not meet the requirements of 4.104.03.B.1.

At the Agenda Review meeting, it was stated that Boyd's own additional property adjacent to it would bring this above 50 acres. But, that property is not included in the application, so that property could be developed in other ways outside of the concept plan. If they want to use the

additional property to meet the 50 acre threshold, then it must be included in the application and concept plan, which would then prohibit the additional property from being used for other uses.

Finally, the original Rural Retreat approval was only granted a couple of months ago after many conversations with the surrounding residents and community. Coming back with a non-compliant request, with a substantial change for an 8,000 sf permanent building instead of a 3,200 sf tent undermines the good-faith efforts of the community. Even if the property had 50 acres or more and it was a compliant request, this is still well... it really is a lot for developers to put unpaid community members through. I hope that commissioners recognize the amount of raw time, as well as mental energy and anguish, this puts on the community, and are grateful for their thoughtful communications on this issue.

Sincerely,

Kevin Murphy, Chair
Knox County Planning Alliance



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] Planning Commission Meeting Agenda Item 6-D-20-UR

Jennette Heikes <jennetteheikes@gmail.com>

Sun, Jun 7, 2020 at 9:50 PM

Reply-To: jennetteheikes@gmail.com

To: contact@knoxplanning.org, commission@knoxmpc.org, commission@knoxplanning.org

Dear Planning Commissioners,

We are writing again in reference to June Planning Commission Meeting Agenda Item 6-D-20-UR, an application for a Rural Retreat at the corner of Nixon Rd. and Sevierville Pike, requested by Tom Boyd of Boyd Hollow Resorts.

We were shocked and disappointed when we read the staff recommendations to approve the addition of the 8,000 sq. ft. "event facility," saying that the amended proposal "does not include a "facility for conferences/banquets" or a restaurant. However, the applicant's website at <https://ancientlorevillage.com/private-events> specifically markets the facility for "business meetings" – commonly referred to as conferences. Wedding receptions and other parties marketed on the site are typically held in a banquet hall. How is this event facility not for conferences or banquets? Additionally, food will be prepared and served in this facility for a fee, which is exactly what a restaurant does (regardless of when said fee is paid, or by whom). It's almost as if the building is not considered a restaurant or a "facility for conferences/banquets" simply due to those specific words not being used in the application. So while this may fit the letter of the ordinance in its tightest interpretation, we can't see how it meets the spirit of the law as stated in Section 4.104.03.B of the Rural Retreat ordinance, which requires a minimum 50 acres for these uses.

Keep the Urban Wilderness Peaceful, a grassroots group of which we are a part, takes no issue with the wedding venue. What does merit concern is the fact that this event facility use-on-review would meet approval, even though we posit that it is a de facto conference center and banquet hall. This granting of approval seemingly based on nothing more than the specific wording in the application opens the door for all kinds of abuse by developers throughout the county, and sets a dangerous precedent.

We respect and appreciate that the earlier decisions made by the Planning Commission were in line with both the letter and the spirit of laws and policies. With this in mind, we ask that you consider the spirit of the Rural Retreat ordinance and its requirements, and DENY this use-on-review application.

Thank you for your time and consideration.

With respect,

Jennette and Donald Heikes

7008 Sevierville Pike, Knoxville TN 37920

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This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

Fwd: 6-D-20-UR

Terry Gilhula <terry.gilhula@knoxplanning.org>

Mon, Jun 8, 2020 at 7:07 AM

To: "Caron, Dori" <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>, "Brechko, Tom" <tom.brechko@knoxplanning.org>

----- Forwarded message -----

From: **Rosemarie Ballew** <rosemarieballew@hotmail.com>

Date: Sun, Jun 7, 2020 at 2:05 PM

Subject: 6-D-20-UR

To: contact@knoxplanning.org <contact@knoxplanning.org>

Cc: Rosemarie Ballew <rosemarieballew@hotmail.com>

In reference to this project is the retention pond going to have a liner to prevent ground water contamination. I ask because I and my neighbor both have wells and we both own property adjacent to the project. . Also I have submitted a request to have Nixon road be a no thru traffic road. I requested it due to how dangerous the road is. I have had multiple instances where I have had to run off the road because if I had not I would have been hit head on. I have been lucky so far as there are parts of Nixon that you cannot go off the side of the road due to slopes. In the past two years the traffic on Nixon has increased exponentially due to this project. This not only includes cars but also 18 wheelers carrying large pieces of equipment. The traffic increase on Nixon has made it dangerous for me and my neighbor. I know there is a KUB/TVA substation on Nixon and have not had problems with their traffic as the drivers have always been careful to drive slowly down this road. I would appreciate a call or email on this matter.

Thank you,

Marie Ballew

865-603-5308

Sent from [Mail](#) for Windows 10



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

Tom Chester <tchester51@gmail.com>

Fri, Jun 5, 2020 at 2:20 PM

Reply-To: tchester51@gmail.com

To: commission@knoxplanning.org, tom.brechko@knoxplanning.org

Dear Planning commissioners and staff:

We find the Planning staff recommendation for 6-D-20-UR to be interpretive bootstrapping bereft of logic, application and adherence to the ordinance, 8-A-16-OA.

It is a flagrant disregard for thoughtful planning and stewardship of land use in Knox County. We acknowledge that Rural Retreat allows flexibility but not blindness to the language and intent of the ordinance as well as the standards set forth.

What we see in this staff recommendation is bending an ordinance to fit a project instead of shaping a project to meet an ordinance's standards. That's abhorrent and anathema to the land-use regulations of Knox County, and we ask that you reject the recommendation and hold the applicant to your action of March 12.

If you don't, you're only aiding and abetting the hijacking of the RR ordinance. If you start down this road and approve the staff recommendation, then the whims of an applicant become the opium of many developers who can point to your decision.

How can you concur with the staff decision that the proposed 8,000-square-foot permanent event facility is not subject to 4.104.03.B, which requires a minimum 50-acre footprint? The staff concluded 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."?

Exactly what will the 8,000-square-foot permanent event facility be used for? Weddings? Weddings without banquets? Events? Events without banquets? Of course, no conferences will be among the proposed 75-150 events per year, but the applicant has said in a news release "gatherings." So, conferences and gatherings without banquets? The different types of banquets include formal, buffet, reception, food stations, cafeteria style, plated, family style, pre-set. None of these definitions meet the standard for "...a facility for conferences/banquets..."?

The Planning staff concludes a catering kitchen is not a restaurant, but clearly food will be prepared within and served from the kitchen, which is within the event facility. Balderdash.

We outlined our other concerns in an earlier letter and won't recount them here.

We ask the Planning commissioners to evaluate this amendment and recommendation in context with the myriad of plans for this site that have been proposed and withdrawn since December 2018. The first two proposals did not meet any of the standards thresholds. Planning staff so noted, and the developer abandoned them with various explanations before seeking RR.

We contend this amended application does not meet the standards either, and no amount of contortionism by the developer or staff can help it slide beneath the bar. You've seen this project in its multiple ideations, and the flaws in each. This is the same blemished plan with a new coat of paint.

The 41.45 acres may be this applicant's land, but it's our community. The urban wilderness is a unique and disappearing landscape. This project has deforested, bulldozed and ground down Brown Mountain. Rural Retreat is not a license to allow that to continue.

We ask that you exercise your oversight authority, reject the Planning recommendation and reject this application.

We ask Planning commissioners to review the application, apply the standards and reject it.

Sincerely,

6/5/2020

Knoxville - Knox County Planning Mail - [Planning Commission Comment] 6-D-20-UR

Tom and Sharon Chester
Members of Keep the Urban Wilderness Peaceful

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This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

Fwd: Denial of 6-D-20-UR

Terry Gilhula <terry.gilhula@knoxplanning.org>

Wed, Jun 3, 2020 at 7:26 AM

To: "Brechko, Tom" <tom.brechko@knoxplanning.org>, "Caron, Dori" <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>

----- Forwarded message -----

From: **Rosemarie Ballew** <rosemarieballew@hotmail.com>

Date: Tue, Jun 2, 2020 at 6:03 PM

Subject: Denial of 6-D-20-UR

To: Knoxville/Knox Co MPC <contact@knoxplanning.org>

Cc: Rosemarie Ballew <rosemarieballew@hotmail.com>

To : Knoxville/Knox County Planning Commission

From: Marie Ballew

Reference: 6-D-20-UR

Dear Sir/Madam,

I am writing to oppose the approval of this Rural Retreat request as it stands. My issues are as follows.

- As I have read the municipal codes and understand that to have a facility for banquets or a restaurant you need are minimum parcel size of at least 50 acres. Looking at the request it not only has a building for banquets (wedding venue) but also has a kitchen to accommodate the wedding's venue. The request states it only has 41.5 acres.
- The request states it shall have overnight accommodations with 8 themed quest rooms. Per codes on a large resort (50 acres) it states that a minimum of 30 guest rooms must be provided on the property. It additionally states that any restaurant must be located within a facility that also contains at least fifteen guest rooms.
- My main concern is if there are any outdoor fire pits. It is hard to tell by the drawings submitted if there are still supposed to be fire pits. My concern is wood burning fire pits as the area and adjoining properties are forest areas to include my property with 25 acres of woodland. I have had to worry and constantly check on this property when they would have open burns that were larger than what is required by a burn permit and also have tree stumps, which is also against the burn permit requirements. When the burns happened not only was no one there the entire time the burning was going on but the burning would extend past the allotted time allowed per burn permit requirements. When I reported this no one responded. I have been doing this off and on over the past 9 years for fear the owner would catch my property (woods) on fire from the embers flying through the air. I request that if there are going to be outdoor fire pits that they need to be propane or gas fire pits to avoid embers flying through the air.

I talked to one of your staff and they stated that I could either send this to you and it would be addressed at the June meeting since it will be a closed meeting and I do not know how to do the Zoom application to be able to monitor the meeting as it is in process. I hope that information is correct.

6/3/2020

Knoxville - Knox County Planning Mail - Fwd: Denial of 6-D-20-UR

Thank you,

Marie Ballew

404 Nixon Road

Sent from [Mail](#) for Windows 10



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

1 message

'crovett@aol.com' via Commission <commission@knoxplanning.org>

Mon, Jun 1, 2020 at 9:30 AM

Reply-To: crovett@aol.com

To: contact@knoxplanning.org, commission@knoxplanning.org, tom.brechko@knoxplanning.org

I write to request a denial of 6-D-20-UR.

Within 2 months of obtaining Rural Retreat zoning designation on March 12, 2020, after a long and contentious struggle with the neighboring community, the ALV team is back at its attempts to push through requests clearly outside the detailed regulatory rigors of the Rural Retreat Ordinance's zoning regulations.

Seriously? Does this community have to continuously monitor and watch this project as it perseveres in pushing the KKPC staff and commissioners for exception to clearly stated regulations?

Can the community not rest in its oversight and vigilance for the law to be followed by ALV as required by all other applicants?

In its original application for RR zoning an enclosed Pavillion of 5000 sq ft with catering kitchen was withdrawn. The 41.45 acres does not support the building of such a structure. (I remind you the regs read a minimum of 50 acres is required for such structures; Knox County Ordinance item # 4.104.03.)

An event tent was solely approved for the application along with 8 conditions. This application was approved by Planning Commission with 2 additional conditions; the Commissioners graciously sharing their concerns with this writer, Corinne Rovetti, for ALV's given history of violations and regulatory infractions. Peace and agreement was cautiously celebrated as a win for all.

And so with audaciously renewed action, 2 months later, this new application requests an even larger Pavillion at 8000 sq ft. with essentially a 'restaurant'-like kitchen and attached 2 story facility.

This amendment was filed April 24, 2020, approximately six weeks after Knoxville-Knox County Planning staff modified and recommended the original use on review RR application (3-J-20-UR).

I remind you that all the previously approved and now the newly proposed structures are situated on fewer than 2-3 acres of the total 41.45 acres and concentrated on the property in the immediate vicinity along Nixon Rd and Sevierville Pk. and therefore the 5 residences that will ring around this cluster.

This larger scale venue proposal seems to be more of a commercial entity than the originally approved Rural Retreat zoning. The concentrated cluster is squarely situated in the middle of the community roads and residences. It violates the level of flexibility of the RR regulations, appropriate land use in Knox County and the goodwill resolution that this community felt had been reached with Boyd Hollow Resorts.

And now, additionally to already have lived with 3 years of massive land clearing and ongoing construction and jackhammering, myself and the community will have to endure prolonged and continual construction noise pollution for an 8000 sq ft pavillion on top of the 8 guest cottages already approved but not yet under construction? When will this ever end!? And down the road, what will be the next ask for slow but insidious expansion beyond the regulated ordinance restrictions!?

I sincerely hope that KKPC will deny this application amendment, maintaining integrity for its work and for the faith the community can have that Ordinances are to be upheld and followed by all.

Thank you for your consideration.

Corinne Rovetti
6925 Sevierville Pk

Co-Founder of Keep the Urban Wilderness Peaceful

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This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

Fwd: Deny use-on-review rural retreat application (6-D-20-UR)

Terry Gilhula <terry.gilhula@knoxplanning.org>

Thu, May 28, 2020 at 5:54 PM

To: "Caron, Dori" <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>, "Brooks, Amy" <amy.brooks@knoxplanning.org>

----- Forwarded message -----

From: **Danielle Nance** <danielle.nance@etexgroup.com>

Date: Thu, May 28, 2020 at 5:42 PM

Subject: Deny use-on-review rural retreat application (6-D-20-UR)

To: contact@knoxplanning.org <contact@knoxplanning.org>Cc: tom.brechko@knoxplanning.org <tom.brechko@knoxplanning.org>

Dear Planning commissioners and staff:

I am writing in opposition to an amended use-on-review rural retreat application (6-D-20-UR) from Tom Boyd, owner of Ancient Lore Village at Boyd Hollow in South Knox County.

The application is for a wedding and event venue with overnight accommodations at [7107 Sevierville Pike](#). This location is less than .25 mile from my driveway.

Once again, we are faced with a change from Ancient Lore Village. There had finally been some peace and acceptance within the neighborhood due to the less intrusive Rural Retreat land use approved for this property in March 2020. We were finally able to catch our breath after a year of stress brought on by the ridiculous theme park proposal. Yet, it seems that they just can't accept what they've been approved for and continue to cause heartache for the neighborhood and wasted time for the commissioners and planning staff. When will it end? The drilling and construction noise is incessant. On our holiday weekend, we had strangers pull up our long private drive and set in our driveway. When I confronted them asking why they were on our property, they said they'd been driving in circles all around our neighborhood looking for the Ancient Lore Village thing. They disregarded private property and no trespassing signs. This is not the first time either. Now Mr. Boyd wants an 8000 sqft event hall? How can our roads and neighborhood accommodate this type of influx for the projected number events presented by ALV? What road improvements and other infrastructure enhancements will be made? What is this going to do to our residential property values? I ask that you once again decline this type of structure on the property zoned for Rural Retreat. Please deny 6-D-20-UR.

Regardless, this amendment does not meet the standards of the Knox County Zoning Ordinance Amendment Establishing Regulations for Rural Retreat Facilities (8-A-16-OA).

We understand that during the use-on-review period, a developer may submit amendments and site changes for Planning consideration. That is not the issue.

Here are reasons for rejecting the amended application:

8-A-16-OA

4.104 Standards For the Use on Review Approval of Rural Retreats 4.104.03 Criteria For Larger Scale Retreats

Section 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.

Boyd's submitted parcel size is 41.45 acres and does not meet the minimum acreage standard.

By extension, his proposed 8,000-square-foot permanent event pavilion where wedding banquets as well as conferences and other activities would be held could not be built on a parcel not meeting RR standards.

Also under this section, Boyd proposes a catering kitchen as part of the pavilion. A catering kitchen, where food would be prepared and served in the pavilion, would function as a restaurant, also a violation of RR standards based on minimum parcel size. KUWP opposes any exceptions to these standards.

5. A minimum of thirty (30) guest rooms must be provided on the property. Boyd's amended application proposes 8 themed guest rooms.

6. Any restaurant must be located within a facility that also contains at least fifteen (15) guest rooms. Boyd's proposal includes a catering kitchen within the event facility but does not include any guest rooms, which seems to violate the RR standards.

Boyd's amendment also proposes a "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."

This development description is extraordinarily opaque. It's impossible to assess what is being proposed or the impact this might have in reaching a recommendation without detailed information.

This amended proposal is the fourth for the site, with earlier plans withdrawn at Boyd's request for varying reasons. KUWP had opposed Boyd's two earliest attempts to develop a commercial resort in an agricultural and residential community, but recognizes the RR ordinance allows a more flexible use of land in Knox County and has had conversations with him regarding the development of a wedding and event venue.

The group was cautiously optimistic on March 12 when Planning commissioners approved the staff recommendation and conditions, believing a suitable compromise had been reached that would be in keeping with appropriate land use in Knox County, considering the level of oversight inherent in use on review. Approximately six weeks later, the developer submitted yet another idea that we contend does not meet RR standards, even with a generous interpretation of the ordinance as it's written.

Once again, we ask that you deny 6-D-20-UR.

Sincerely,

Ty & Danielle Nance

[7202 Sevierville Pike](#)

Best regards,

Danielle Nance

5/29/2020

Knoxville - Knox County Planning Mail - Fwd: Deny use-on-review rural retreat application (6-D-20-UR)

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Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

Tom Chester <tchester51@gmail.com>

Thu, May 28, 2020 at 3:23 PM

Reply-To: tchester51@gmail.com

To: commission@knoxplanning.org, tom.brechko@knoxplanning.org

Dear Planning commissioners and staff:

We ask that you deny 6-D-20-UR, a use-on-review rural retreat application filed by Tom Boyd, owner of Ancient Lore Village at Boyd Hollow in South Knox County.

The application, for a wedding and event venue with overnight accommodations at [7107 Sevierville Pike](#), does not meet the RR ordinance for minimum parcel size of 50 acres. Boyd's submitted parcel size is 41.45 acres and should not be granted an exception.

Failing that initial criteria makes null and void all proposals within the application, which we will not recount here for brevity.

However, all of the requirements within 8-A-16-OA (4.104 Standards For the Use on Review Approval of Rural Retreats; 4.104.03 Criteria For Larger Scale Retreats) should be applied to this application. We oppose any exceptions to any of the sections within the ordinance.

Boyd filed a previous application on Jan. 27, 2020, for a similar venue with the address of 533 Nixon Road. Roughly a month later, he downsized plans for the project and submitted a revised application on Feb. 24, 2020. Planning staff recommended the revised application with eight conditions, and it was approved with 10 conditions by commissioners on March 12. We took no position on those applications, but believe that staff and commissioners acted appropriately in their decisions.

Approximately six weeks later on April 24, 2020, the developer filed an amended application seeking to restore and enlarge portions of the project as proposed in the January application. The amended application is to be heard on June 11 by Knoxville-Knox County Planning commissioners.

That amended application is the reason for our letter and our position opposing it.

We have followed proposals for this property since a rezoning request and land use amendment were filed in December 2018. While ALV representatives and the media -- for the most part -- gushed first about a fantasy-themed park and later essentially a mixed-use project (PD) throughout 2019, Planning staff correctly evaluated and advised the developer that neither of the two plans would advance as presented. They were withdrawn when it was clear they would never gain Planning approval.

So, the developer files a new application in January 2020, revises it in February, Planning approves it in March, the developer amends it April, and it will be heard in June.

We understand that during the use-on-review period, a developer may submit amendments and site changes for Planning consideration. We also understand the RR ordinance allows more flexible use of land in Knox County.

But we suggest the RR ordinance does not allow what the applicant is seeking, even with a liberal reading of the guidelines.

The developer's amended application outlines a project that clearly falls under the larger-scale retreat criteria, and the developer should be held to those standards.

We ask that you summarily deny 6-D-20-UR.

Respectfully,

Tom and Sharon Chester

Members of Keep the Urban Wilderness Peaceful

--

This message was directed to commission@knoxplanning.org



Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] Rural Retreat Use-on-Review Item 6-D-20-UR

Jennette Heikes <jennetteheikes@gmail.com>

Mon, May 25, 2020 at 5:46 PM

Reply-To: jennetteheikes@gmail.com

To: tom.brechko@knoxplanning.org, contact@knoxplanning.org, commission@knoxmpc.org, commission@knoxplanning.org

Dear Planning Commission and Staff,

We are writing in reference to June Planning Commission Meeting Agenda Item 6-D-20-UR, an application for a Rural Retreat at 7107 Sevierville Pike, requested by Tom Boyd of Boyd Hollow Resorts. We have written to you multiple times regarding this project in its various forms, most recently when it was on the agenda for the March meeting earlier this year under the address 533 Nixon Rd. (item 3-J-20-UR).

The Rural Retreat project as initially submitted in January of this year featured over a dozen guest cottages and a 5,000 sq. ft. event pavilion, a permanent structure that included a kitchen. Many of us wrote you with concerns about this version of Boyd Hollow Resorts' wedding venue, as the Rural Retreat ordinance requires a minimum of 50 acres for these amenities, and the parcels included for the project total only 41.45 acres. Prior to the meeting, BHR submitted a new plan with only 9 guest cottages and a temporary tent—no kitchen or permanent event space—and it was this version that received Planning Commission approval in March. Members of Keep the Urban Wilderness Peaceful and the surrounding community were pleased with this result, as this smaller venue fit within the character of our neighborhood and would be unlikely to have an adverse effect upon the adjacent residential properties.

Now Boyd Hollow Resorts is back with a bait-and-switch proposal similar to the one initially submitted in January 2020, on the same 41.45 acres. However, this application now features an 8,000 sq. ft. event hall with kitchen—over 50% larger than the one submitted before. And one that again doesn't fit the 50-acre minimum required in Knox County Ordinance item # 4.104.03, Criteria for Larger Scale Retreats. In addition, there are several other details of the ordinance dealing with minimum acreage, minimum numbers of guest rooms for Rural Retreats that include a kitchen or restaurant (which this certainly is), and a requirement to have a minimum number of guest rooms as part of the permanent building. This project does not meet any of these. In effect, they are asking for substantial exceptions to the rules, which if granted, would set a precedent that would likely become problematic throughout the county.

During the March meeting, one Commissioner expressed frustration at Boyd Hollow Resorts' numerous attempts to gain approval counter to policy, and seemed glad that the group finally submitted plans that were not only in line with policy, but made palatable to the surrounding residents. We couldn't have agreed more. But now they are back, and again asking for special treatment. With all things considered, we ask that you DENY this request, and hold them to the

plans approved back in March, keeping their plans in line with the guidelines stated in the ordinances.

Thank you for your time and consideration.

With respect,

Jennette and Donald Heikes

7008 Sevierville Pike, Knoxville TN 37920

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This message was directed to commission@knoxplanning.org



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

1 message

Keep the Urban Wilderness Peaceful <kuwpeaceful@gmail.com> Fri, May 22, 2020 at 11:08 AM
Reply-To: kuwpeaceful@gmail.com
To: tom.brechko@knoxplanning.org, contact@knoxplanning.org, commission@knoxmpc.org, commission@knoxplanning.org

Dear Planning commissioners and staff:

Keep the Urban Wilderness Peaceful wants to correct the record in an email the group sent to you on May 18 opposing an amended use-on-review rural retreat application (6-D-20-UR) from Tom Boyd, owner of Ancient Lore Village at Boyd Hollow in South Knox County.

The application is for a wedding and event venue with overnight accommodations at [7107 Sevierville Pike](#).

A previous application filed Jan. 27, 2020, was for a similar venue with the address of 533 Nixon Road. That application was revised, submitted on Feb. 24, 2020, recommended by Planning staff and approved with 10 conditions by commissioners on March 12.

On April 24, 2020, the developer filed an amended application seeking to restore and enlarge portions of the project as proposed in the January application. The amended application is to be heard on June 11 by Knoxville-Knox County Planning commissioners.

Our May 18 email overlooked the revised application of Feb. 24, which affected our analysis of the amended application and prior actions by the developer, Planning staff and commissioners. We apologize for any confusion our email may have caused.

Nevertheless, that omission in the analysis does not change KUWP's position that Planning deny the amended application, which we suggest does not meet the standards of the Knox County Zoning Ordinance Amendment Establishing Regulations for Rural Retreat Facilities (8-A-16-OA).

We understand that during the use-on-review period, a developer may submit amendments and site changes for Planning consideration. That is not the issue.

Here are reasons for rejecting the amended application:
8-A-16-OA

4.104 Standards For the Use on Review Approval of Rural Retreats 4.104.03 Criteria For Larger Scale Retreats

Section 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.

Boyd's submitted parcel size is 41.45 acres and does not meet the minimum acreage standard.

By extension, his proposed 8,000-square-foot permanent event pavilion where wedding banquets as well as conferences and other activities would be held could not be built on a parcel not meeting RR standards.

Also under this section, Boyd proposes a catering kitchen as part of the pavilion. A catering kitchen, where food would be prepared and served in the pavilion, would function as a restaurant, also a violation of RR standards based on minimum parcel size. KUWP opposes any exceptions to these standards.

5. A minimum of thirty (30) guest rooms must be provided on the property. Boyd's amended application proposes 8 themed guest rooms.

6. Any restaurant must be located within a facility that also contains at least fifteen (15) guest rooms. Boyd's proposal includes a catering kitchen within the event facility but does not include any guest rooms, which seems to violate the RR standards.

Boyd's amendment also proposes a "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."

This development description is extraordinarily opaque. It's impossible to assess what is being proposed or the impact this might have in reaching a recommendation without detailed information.

This amended proposal is the fourth for the site, with earlier plans withdrawn at Boyd's request for varying reasons. KUWP had opposed Boyd's two earliest attempts to develop a commercial resort in an agricultural and residential community, but recognizes the RR ordinance allows a more flexible use of land in Knox County and has had conversations with him regarding the development of a wedding and event venue.

The group was cautiously optimistic on March 12 when Planning commissioners approved the staff recommendation and conditions, believing a suitable compromise had been reached that would be in keeping with appropriate land use in Knox County, considering the level of oversight inherent in use on review. Approximately six weeks later, the developer submitted yet another idea that we contend does not meet RR standards, even with a generous interpretation of the ordinance as it's written.

The developer's amended application outlines a project that clearly falls under the larger-scale retreat criteria, and the developer should be held to those standards.

KUWP asks that you summarily deny 6-D-20-UR.

Respectfully,

Keep the Urban Wilderness Peaceful

--

This message was directed to commission@knoxplanning.org



Laura Edmonds <laura.edmonds@knoxplanning.org>

Fwd: Amended use-on-review rural retreat application (6-D-20-UR)

1 message

Terry Gilhula <terry.gilhula@knoxplanning.org> Fri, May 22, 2020 at 6:15 AM
To: Brooks Amy <amy.brooks@knoxplanning.org>, tom.brechko@knoxplanning.org, Caron Dori <dori.caron@knoxplanning.org>, Edmonds Laura <laura.edmonds@knoxplanning.org>

Begin forwarded message:

From: Terry Caruthers <t_caruthers@hotmail.com>
Date: May 21, 2020 at 10:51:35 PM EDT
To: Knoxville-Knox County Planning <contact@knoxplanning.org>, "hugh.nystrom@knoxcounty.org" <hugh.nystrom@knoxcounty.org>, "michele.carringer@knoxcounty.org" <michele.carringer@knoxcounty.org>, Evelyn Gill <evelyn.gill@knoxcounty.org>, "randy.smith@knoxcounty.org" <randy.smith@knoxcounty.org>, "brad.anders@knoxcounty.org" <brad.anders@knoxcounty.org>, "charles.busler@knoxcounty.org" <charles.busler@knoxcounty.org>, "richie.beeler@knoxcounty.org" <richie.beeler@knoxcounty.org>, Carson Dailey <Carson.Dailey@knoxcounty.org>, "Larsen Jay - Knox Co. Commissioner" <larsen.jay@knoxcounty.org>, "justin.biggs@knoxcounty.org" <justin.biggs@knoxcounty.org>, "john.schoonmaker@knoxcounty.org" <john.schoonmaker@knoxcounty.org>
Subject: Amended use-on-review rural retreat application (6-D-20-UR)

Dear Planning commissioners and staff:

It is my understanding that there will be an from Tom Boyd, owner of Ancient Lore Village at Boyd Hollow in South Knox County at your June 11 meeting.

This is an application for his wedding and event venue with overnight accommodations at [7107 Sevierville Pike](#). I believe a previous application was before you in March with an address of [533 Nixon Road](#).

The amendment was filed April 24, 2020, approximately six weeks after Knoxville-Knox County Planning staff greatly modified and recommended

the original use on review RR application (3-J-20-UR), subject to eight conditions.

From what I've read, planning commissioners on March 12 considered the staff recommendation and conditions, added two more, and approved the use on review. I am aware that during this period, a developer may submit amendments and site changes for consideration. This one greatly concerns me.

I concur with the Keep the Urban Wilderness Peaceful group, many of whom reside nearby, and urge that you follow the standards of the Knox County Zoning Ordinance Amendment Establishing Regulations for Rural Retreat Facilities (8-A-16-OA) by denying this amended application on the grounds that it is not in keeping with the RR standards nor the recommendation by Planning staff that was approved by commissioners at the March meeting.

Here are reasons for rejecting this amended application:

8-A-16-OA

4.104 Standards For the Use on Review Approval of Rural Retreats

4.104.03 Criteria For Larger Scale Retreats

Section 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.

Tom Boyd's submitted parcel size is 41.45 acres and does not meet the minimum standard.

5. A minimum of thirty (30) guest rooms must be provided on the property. Boyd's amended application proposes 8 themed guest rooms. Planning staff and commissioners approved a maximum of 9 overnight accommodations in March, which seems to be in contravention of the RR standards, unless an exception was granted and not noted in the March use on review report. (Boyd had proposed in the original application 15-30 tree-house style guest accommodations as well as a 2-bedroom cottage and a multi-unit

accommodation building with 7 guest rooms. Those requests were minimized in the staff recommendation.)

Please clarify the reason for these exceptions in the use on review report at the June 11 meeting.

6. Any restaurant must be located within a facility that also contains at least fifteen (15) guest rooms. Boyd's proposal includes a catering kitchen but does not include any guest rooms, which seems to violate the RR standard.

Boyd's amendment also proposes a "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."

This development description appears to suggest additional construction to the existing dwelling on the site. Because of Mr. Boyd's past issues in regard to this site, it is definitely advisable that Planning Commission and Commission be informed about potential future construction to make an informed decision. We all need more detailed information.

This amended proposal is the fourth request for the site, not counting earlier proposals which involved turning the acreage into a dog park. Members of the community and KUWP had opposed Mr. Boyd's two earliest attempts to develop a commercial resort in an agricultural and residential community.

It is my is my understanding that the RR ordinance allows a more flexible use of land in Knox County and that various neighbors had met with Mr. Boyd in regard to the development of the acreage into a wedding and event venue.

It was also my understanding that a suitable compromise had been reached that would be in keeping with appropriate land use in Knox County, considering the level of oversight inherent in use on review. Now, once again, Mr. Boyd appears to be changing horses in midstream!

You have a responsibility and accountability in maintaining this ordinance.

I'm asking that you please stay the course by denying 6-D-20-UR and holding Mr. Boyd accountable to your earlier action.

Thank you.

Respectfully,

Terry Lee Caruthers

Author of:

Vivie's Secret (Black Rose Wring , 2020)

The Big Day (Star Bright Books, 2020)

Sergeant Stubby, Soldier-dog (Schoolwide, Inc., 2015)



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] Ancient Lore Village still a problem

1 message

Geoffrey Trowbridge <geoffreystrow@comcast.net>

Thu, May 21, 2020 at 12:28 PM

Reply-To: geoffreystrow@comcast.net

To: commission@knoxplanning.org

I am writing this as a letter for all members of the Planning Commission:

Hello, my name is Geoff Trowbridge, and I am a longtime resident of South Knox County and a member of the group Keep the Urban Wilderness Peaceful (KUWP), formed initially to challenge the unwise and destructive proposed development Ancient Lore Village, the “fantasy themed resort” that Tom Boyd wanted to build along Brown Mountain in South Knox County’s Urban Wilderness. A year ago Mr. Boyd was proposing a massive and incredibly ill suited version of Ancient Lore Village with over a hundred buildings where guests would supposedly stay, along with an amphitheater, giant parking lot, and other features. That version of the development was at [533 Nixon Road, 37920](#). It was something that may have been appropriate for say rural Sevier County, but would’ve been a disaster in the peaceful and beautiful forested area of South Knox County that me and many of my other concerned neighbors formed KUWP to try to preserve.

Mr. Boyd got his proposed Commercial re-zoning of the Ancient Lore Village property turned down around the turn of 2020, and subsequently got approval for a Rural Retreat zoning status, which does allow some limited and strictly regulated commercial development and event space in rural and lightly populated areas just like ours. The current version of the development is at [7107 Sevierville Pike](#). KUWP including myself would have found the limited development that the Rural Retreat option allows acceptable, but now Mr. Boyd and Ancient Lore Village are attempting to violate the regulations and limitations placed upon them once again, and build a form of development that would still be unsuitable and very inappropriate for the landscape and community that it is part of. Ancient Lore Village has a use-on-review Rural Retreat application (6-D-20-UR) before the June 11th meeting of the Planning Commission, and I am writing this to the Commission to express my

opposition to this application, as well as the opposition of the entire KUWP group.

Some of the zoning regulations under Rural Retreat that Ancient Lore Village is violating are:

The minimum parcel size shall be 50 acres. The current size of Mr. Boyd's parcel size is 41.45 acres, clearly smaller than what is legally permitted under the Rural Retreat zoning. Also, he is proposing to build an 8,000 square foot permanent event pavilion, most likely on or along the Brown Mountain Ridgeline that is a protected area under the Ridgetop Protection Plan that the government passed some years ago. A pavilion of this size and scale is obviously vastly bigger than what is legally allowed or appropriate for this community.

Additionally, Mr. Boyd wants to build a "catering kitchen", which would essentially function as a restaurant. We are in a residential community and the Rural Retreat zoning does not allow restaurants under their regulation.

A minimum of 30 guest rooms must be provided on the property. Mr. Boyd's amended application currently asks for 8 guest rooms, and the Planning Commission said that a maximum of 9 guest rooms would be allowed. Again, another violation of the Rural Retreat zoning code created by your government and that it is the Planning Commission's job to follow. What's the point in creating all these rules and regulations and then somebody like Mr. Boyd doesn't have to follow them? The entire point of the Rural Retreat zoning code seems to me is to have development *appropriate* in a rural area, to prevent the kind of development that would be deleterious to the quality of life that attracts people to moving and living here in the first place.

Any restaurant must be located within a facility that contains at least 15 guest rooms. Mr. Boyd is proposing nothing like this. He is only talking about creating 8 guest rooms, and yet somehow have a separate kitchen and dining facility.

So, in short- I respectfully but firmly request that you follow your own regulations and decline Tom Boyd and Ancient Lore Village's use-on-review application. If he got approved for the Rural Retreat zoning and only the Rural Retreat zoning, make sure that he *stays strictly within those limitations* and doesn't keep trying to creep back towards larger concepts of development. We at KUWP have fought long and hard, for over a year now, to either stop or

shrink a development that would've been utterly disastrous for our community. People have lived along this part of Brown Mountain for at least 150 years, possibly longer if you consider the Cherokee indigenous people who were here before European civilization. Descendants of those original settlers still live here, and people have the bones of their ancestors buried in the soil. People here over the generations have farmed, homesteaded, raised animals, raised families, and lived in peace and quiet in what is still one of the most beautiful places on earth. We are so lucky and blessed to be able to have this natural beauty, biodiversity, and a peaceful, friendly community that would be the envy of many people in the United States. This is one of the reasons why the Urban Wilderness has become a major attraction for both visitors and new residents of Knoxville and Knox County, and why we all need to work hard to preserve our landscapes and communities that have created an incredibly high quality of life and an innovative, unique economy.

The Ancient Lore Village development in any form it happens must be an integrated part of the community, and not happen in a way that takes away from everything that makes our home such a great place to live. Please keep Mr. Boyd and any development he creates within the guidelines set by Rural Retreat zoning, and make the right economic and ecological choice to preserve our community for our children and grandchildren.

sincerely, Geoff Trowbridge, member of the Keep the Urban Wilderness Peaceful

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This message was directed to commission@knoxplanning.org



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] 6-D-20-UR

1 message

Keep the Urban Wilderness Peaceful <kuwpeaceful@gmail.com> Mon, May 18, 2020 at 2:02 PM
Reply-To: kuwpeaceful@gmail.com
To: commission@knoxplanning.org, tom.brechko@knoxplanning.org,
gerald.greene@knoxplanning.org, contact@knoxplanning.org

Dear Planning Commissioners and Staff:

You will have before you at your June 11 meeting an amended use-on-review rural retreat application (6-D-20-UR) from Tom Boyd, owner of Ancient Lore Village at Boyd Hollow in South Knox County.

The application is for a wedding and event venue with overnight accommodations at [7107 Sevierville Pike](#). A previous application heard in March was for a similar venue with the address of [533 Nixon Road](#).

The amendment was filed April 24, 2020, approximately six weeks after Knoxville-Knox County Planning staff greatly modified and recommended the original use on review RR application (3-J-20-UR), subject to eight conditions. Planning commissioners on March 12 considered the staff recommendation and conditions, added two more, and approved the use on review. We understand that during the use-on-review period, a developer may submit amendments and site changes for Planning consideration.

This application, however, is troubling in that it ignores a bedrock recommendation from staff and action by commissioners -- the denial of a permanent event pavilion and approval of a temporary event tent. The amended application -- a second bite at the apple -- seeks to restore and enlarge the permanent event pavilion, among other proposals.

Keep the Urban Wilderness Peaceful, a grassroots group of citizens who live near the site of the proposed venue at the intersection of Nixon Road and Sevierville Pike, asks that you follow the standards of the Knox County Zoning Ordinance Amendment Establishing Regulations for Rural Retreat Facilities (8-A-16-OA) and deny this amended application.

It is not in keeping with the RR standards nor the recommendation by Planning staff and approval by commissioners at the March meeting.

Here are reasons for rejecting this amended application:

8-A-16-OA

4.104 Standards For the Use on Review Approval of Rural Retreats

4.104.03 Criteria For Larger Scale Retreats

Section 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.

Boyd's submitted parcel size is 41.45 acres and does not meet the minimum standard. By extension, his proposed 8,000-square-foot permanent event pavilion where wedding banquets as well as conferences and other activities would be held could not be built on a parcel not meeting RR standards.

Boyd had proposed in the application heard in March a 5,000-square-foot permanent event pavilion. Planning staff rejected the pavilion and recommended a 3,200-square-foot temporary event tent. Commissioners concurred. His amendment not only ignores those actions but seeks leave to build a permanent structure 2.5 times larger than the approved temporary event tent. Additionally, he states temporary structures, including tents, may be used during some events.

Also under this section, Boyd proposes a catering kitchen as part of the pavilion. A catering kitchen, where food would be prepared and served, would function as a restaurant, also a violation of RR standards based on minimum parcel size.

KUWP opposes any exceptions to these standards.

5. A minimum of thirty (30) guest rooms must be provided on the property.

Boyd's amended application proposes 8 themed guest rooms. Planning staff and commissioners approved a maximum of 9 overnight accommodations in March, which seems to be in contravention of the RR standards, unless an exception was granted and not noted in the March use on review report. (Boyd had proposed in the original application 15-30 tree-house style guest accommodations as well as a 2-bedroom cottage and a multi-unit accommodation building with 7 guest rooms. Those requests were minimized in the staff recommendation.)

KUWP asks that the reasons for these exceptions to standards be discussed and noted in the use on review report at the June 11 meeting.

6. Any restaurant must be located within a facility that also contains at least fifteen (15) guest rooms. Boyd's proposal includes a catering kitchen within the event facility but does not include any guest rooms, which seems to violate the RR standard.

Boyd's amendment also proposes a "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."

This development description is extraordinarily opaque. It appears to suggest additional construction to the existing dwelling on the site. It's impossible to assess what is being proposed or the impact this might have in reaching a recommendation without detailed information.

This amended proposal is the fourth for the site, with earlier plans withdrawn at Boyd's request for varying reasons. KUWP had opposed Boyd's two earliest attempts to develop a commercial resort in an agricultural and residential community, but recognizes the RR ordinance allows a more flexible use of land in Knox County and has had conversations with him regarding the development of a wedding and event venue. The group was cautiously optimistic in March when Planning commissioners approved the staff recommendation and conditions, believing a suitable compromise had been reached that would be in keeping with appropriate land use in Knox County, considering the level of oversight inherent in use on review.

We have stated previously that with the allowance of flexibility in the RR ordinance comes responsibility and accountability, not only with the developer but with you as the land-use staff and legislative body whose decisions are overseen by various municipal departments. We find no compelling changes or justifications in this proposed amendment that would detract from your earlier thoughtful and sound judgments.

KUWP asks that you summarily deny 6-D-20-UR and hold the applicant accountable to your earlier action. The applicant, of course, may choose to submit other plans or withdraw from the project entirely if he is unable to abide by the Planning regulations.

Respectfully,

Keep the Urban Wilderness Peaceful

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This message was directed to commission@knoxplanning.org