

# REZONING REPORT

► **FILE #:** 8-M-24-RZ

**AGENDA ITEM #:** 38

**AGENDA DATE:** 8/8/2024

► **APPLICANT:** TAYLOR D. FORRESTER

OWNER(S): Cynthia D. Conner

TAX ID NUMBER: 77 148

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 8397 BEAVER RIDGE RD

► **LOCATION:** East side of Beaver Ridge Rd, south side of West Emory Rd

► **APPX. SIZE OF TRACT:** 3.36 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Beaver Ridge Road, a major collector street with a pavement width of 20-ft within a 55 - 60 ft right-of-way. Access is also available via West Emory Road, a major arterial street with a pavement width of 22-ft within a 53-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Beaver Creek

► **PRESENT ZONING:** A (Agricultural), F (Floodway)

► **ZONING REQUESTED:** CR (Rural Commercial), F (Floodway)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land



EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - A (Agricultural)

South: Agriculture/forestry/vacant land - F (Floodway)

East: Agriculture/forestry/vacant land - F (Floodway)

West: Single family residential - PR (Planned Residential) up to 3 du/ac

NEIGHBORHOOD CONTEXT: The surrounding area has a rural character that largely consists of residential uses and undeveloped agricultural land. Beaver Creek is adjacent to the south.

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## STAFF RECOMMENDATION:

► **Approve the CR (Rural Commercial) zone because it is in compliance with the Knox County Comprehensive Plan. The F (Floodway) zone would be retained.**

## COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING

CONDITIONS MUST BE MET FOR ALL REZONINGS (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. The surrounding area has experienced an increase in residential development since the early 2000s, with many rezonings from A to RA and PR with densities ranging from 3-5 du/ac in near vicinity. In 2022, a 41-unit subdivision was built 65 ft west of the subject property.
2. In 2020, Knox County established the Beaver Creek Water Trail, which runs along the southern and eastern boundary lines of the subject property.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The CR (Rural Commercial) zone provides for the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. The expansion of residential uses in recent years, and the Beaver Creek Water Trail, which includes a route from Roy Arthur Park (to the east of the site) to the Northwest Sports Complex (to the west) meet the intent of the CR zone.
2. The F (Floodway) zone would be retained as it is intended to protect rivers, creek channels, and floodplains from encroachment so that flood heights and flood damage would not be increased.
3. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The CR zone is intended to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas. As such, it is not anticipated to negatively impact the surrounding rural area.
2. Per the Knox County Zoning Ordinance, properties zoned CR should be located or near intersections of arterial and/or collector streets to maximize accessibility. The subject property is situated at the intersection of a major arterial street, W Emory Road, and a major collector street, Beaver Ridge Road.
3. The F zone provides the necessary regulations relating to grading, filling, drainage, and other general site preparations to protect the public health and safety of the surrounding area.
4. The subject property is within the Beaver Creek Watershed Storm Water Master Plan, which provides additional guidance on mitigating flooding and protecting water quality.
5. KGIS shows a few scattered closed contour lines. These can indicate the potential presence of sinkholes, but in this case, Knox County Engineering and Public Works Department has provided information confirming these are not sinkholes. They are depressions created from grading the site, either from sediment traps or uneven fill (see Exhibit B).

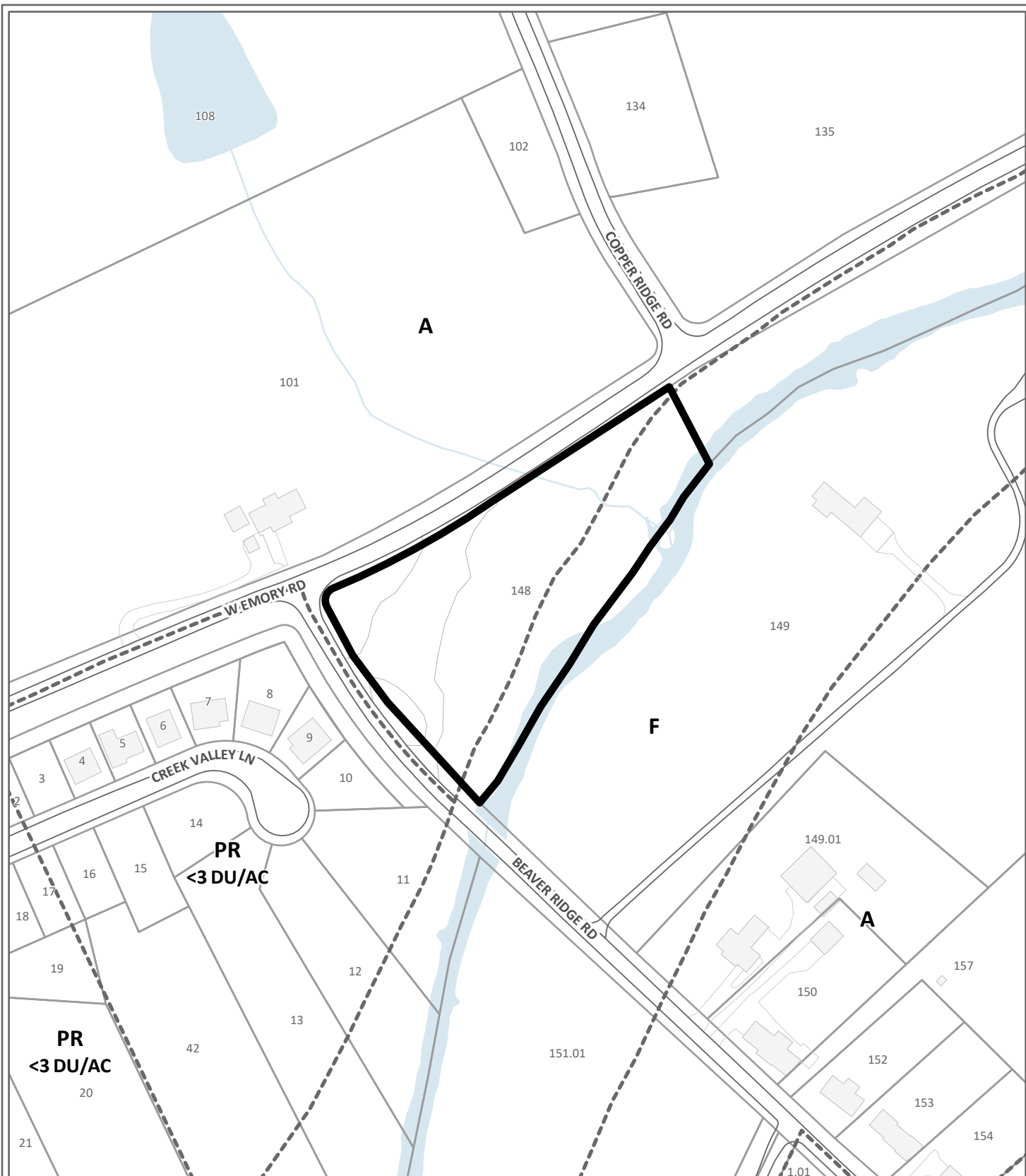
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The place type for the subject property is RCC (Rural Crossroads Commercial) in the Knox County Comprehensive Plan. The CR zone is listed as being directly related to the RCC place type, which means the uses allowed in the CR zone and the zone's standards are generally compatible with the RCC place type.
2. The rezoning complies with the Comprehensive Plan's Implementation Policy 9, to coordinate infrastructure improvements with development. In 2023, Knox County completed a capital improvement project at the intersection of W Emory Road and Beaver Ridge Road, which added dedicated left- and right-turn lanes to Beaver Ridge Road and installed traffic light signals.
3. The subject property is within the Planned Growth Area of the Growth Policy Plan, which encourages the expansion of the Knox County economy.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/16/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



## REZONING

**8-M-24-RZ**

**Petitioner:** Taylor D. Forrester

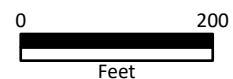


**From:** A (Agricultural), F (Floodway)

**To:** CR (Rural Commercial), F (Floodway)

**Map No:** 77

**Jurisdiction:** County

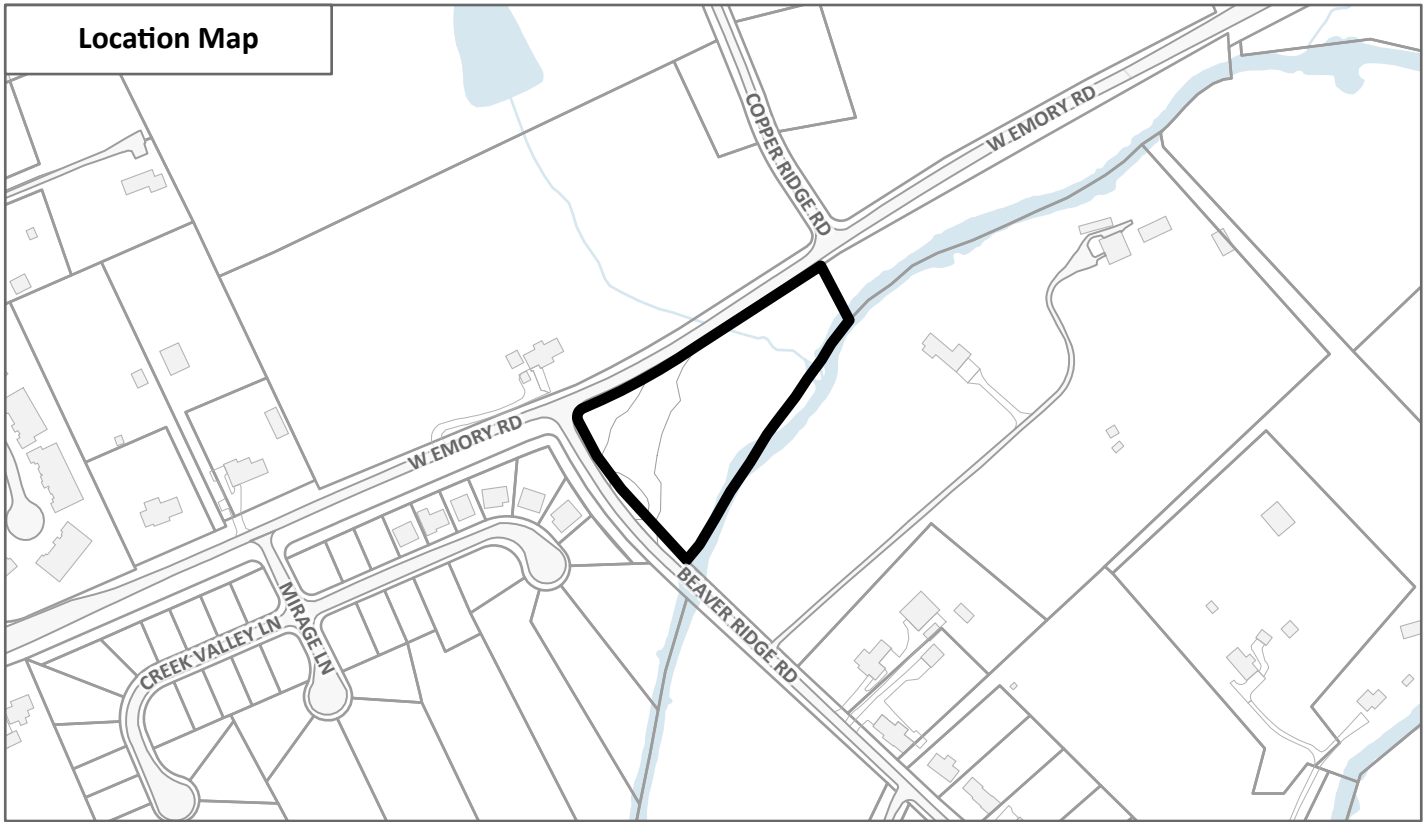


**Original Print Date:** 7/10/2024

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

## Exhibit A. Contextual Images

Location Map



Aerial Map

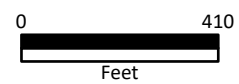


CONTEXTUAL MAPS 1

8-M-24-RZ

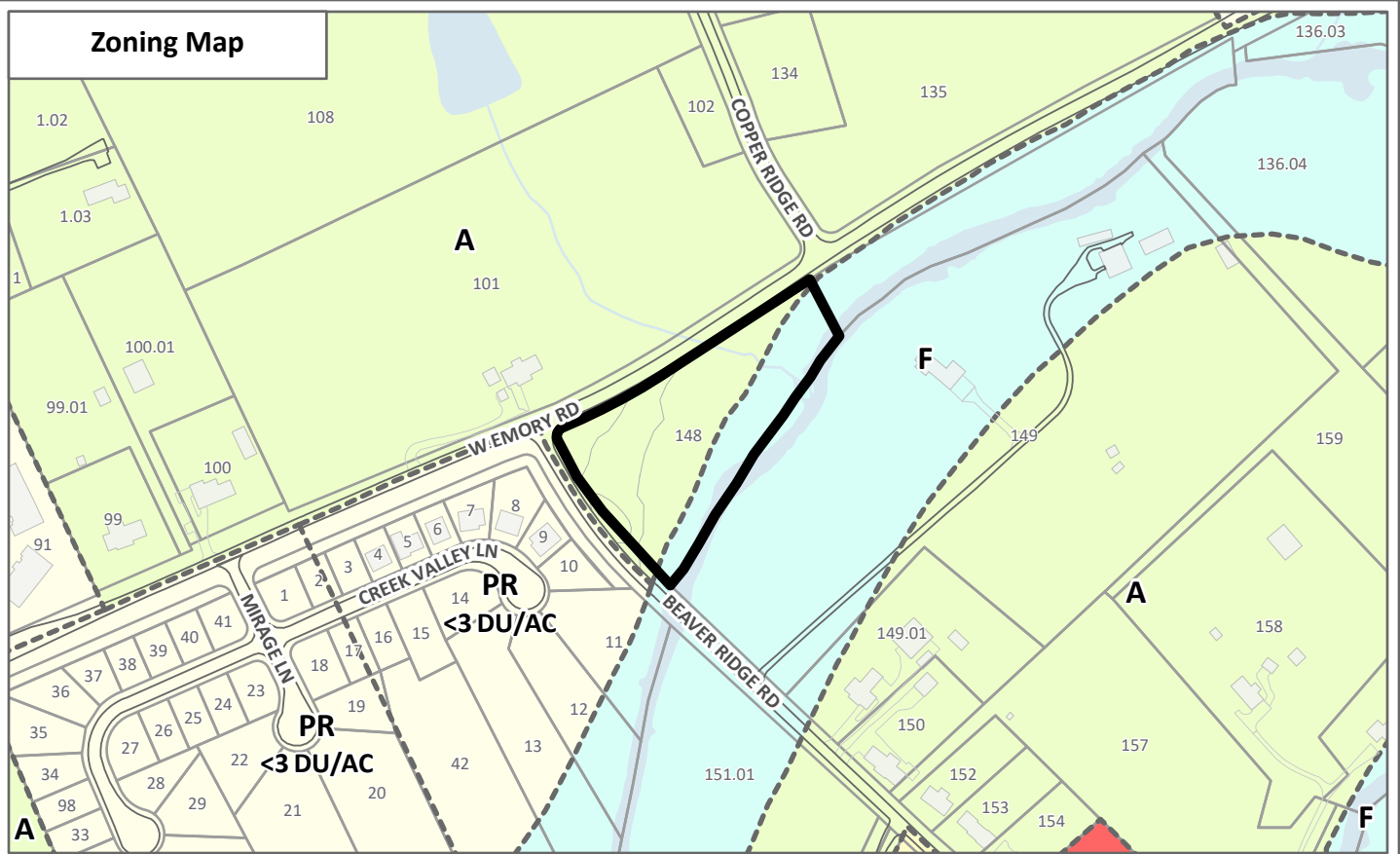


Case boundary

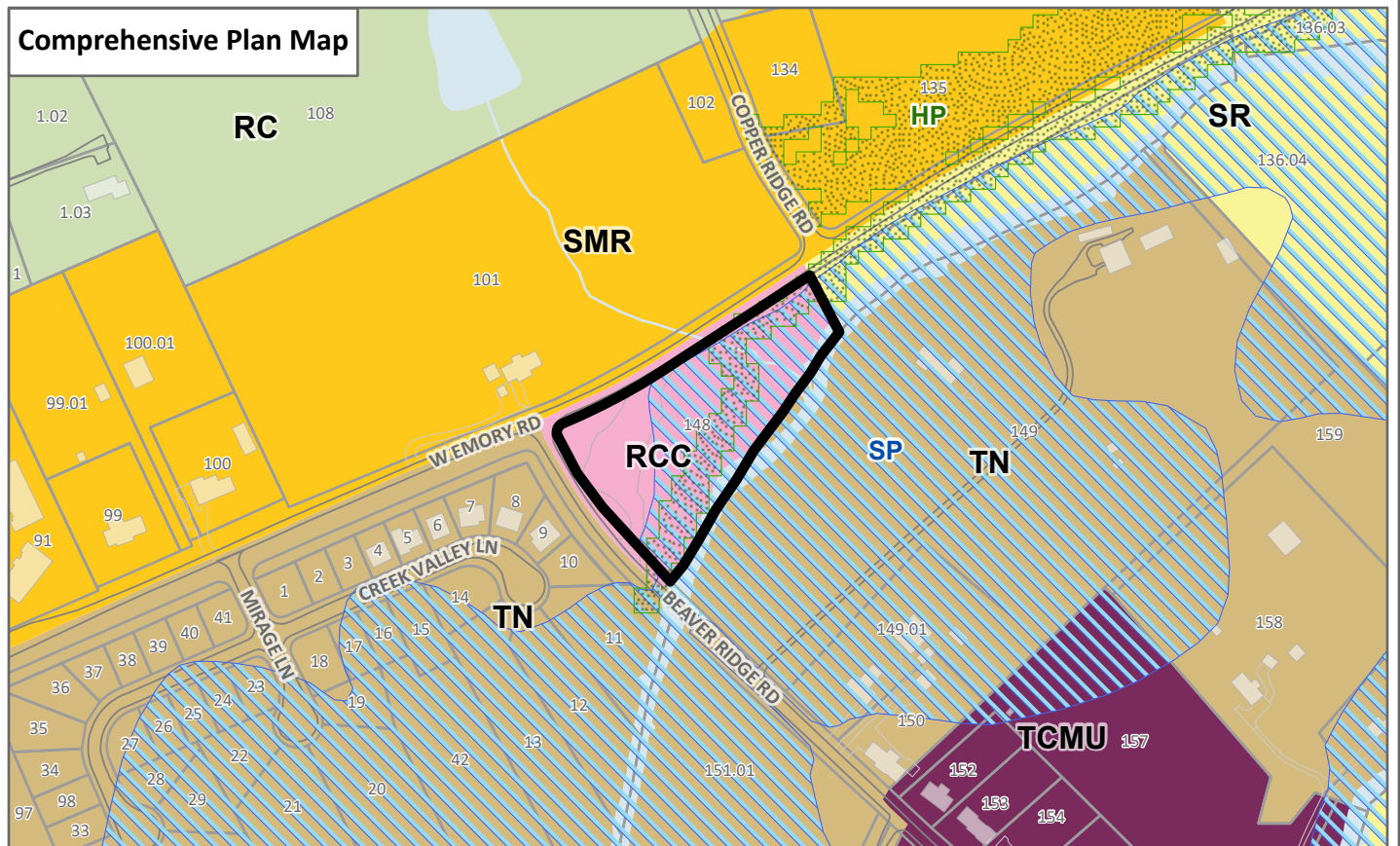




## Zoning Map



## Comprehensive Plan Map

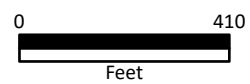


## CONTEXTUAL MAPS 2

8-M-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

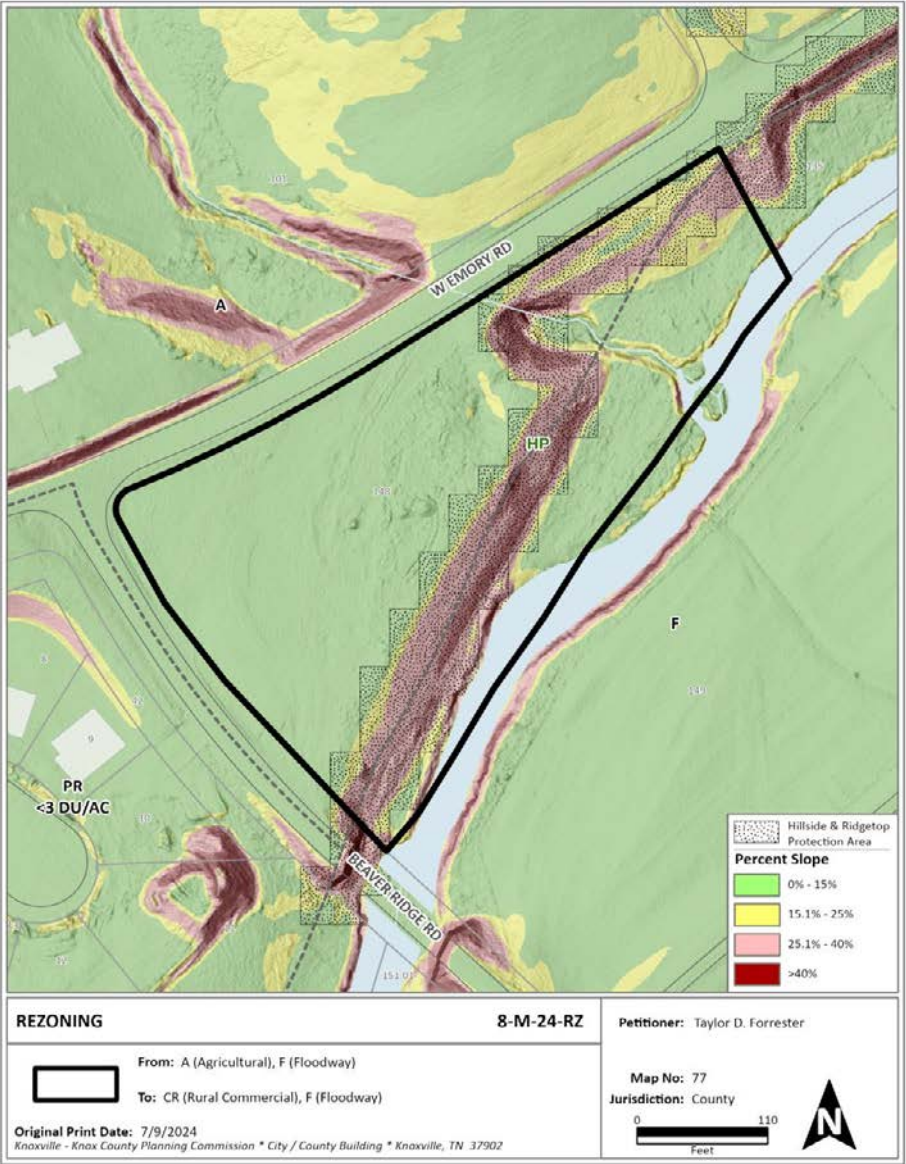
8-M-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	3.36		
Non-Hillside	2.36	N/A	
0-15% Slope	0.15	100%	0.15
15-25% Slope	0.21	50%	0.11
25-40% Slope	0.48	20%	0.10
Greater than 40% Slope	0.16	10%	0.02
Ridgetops			
Hillside Protection (HP) Area	1.00	Recommended disturbance budget within HP Area (acres)	0.37
		Percent of HP Area	36.6%







Kelsey Bousquet &lt;kelsey.bousquet@knoxplanning.org&gt;

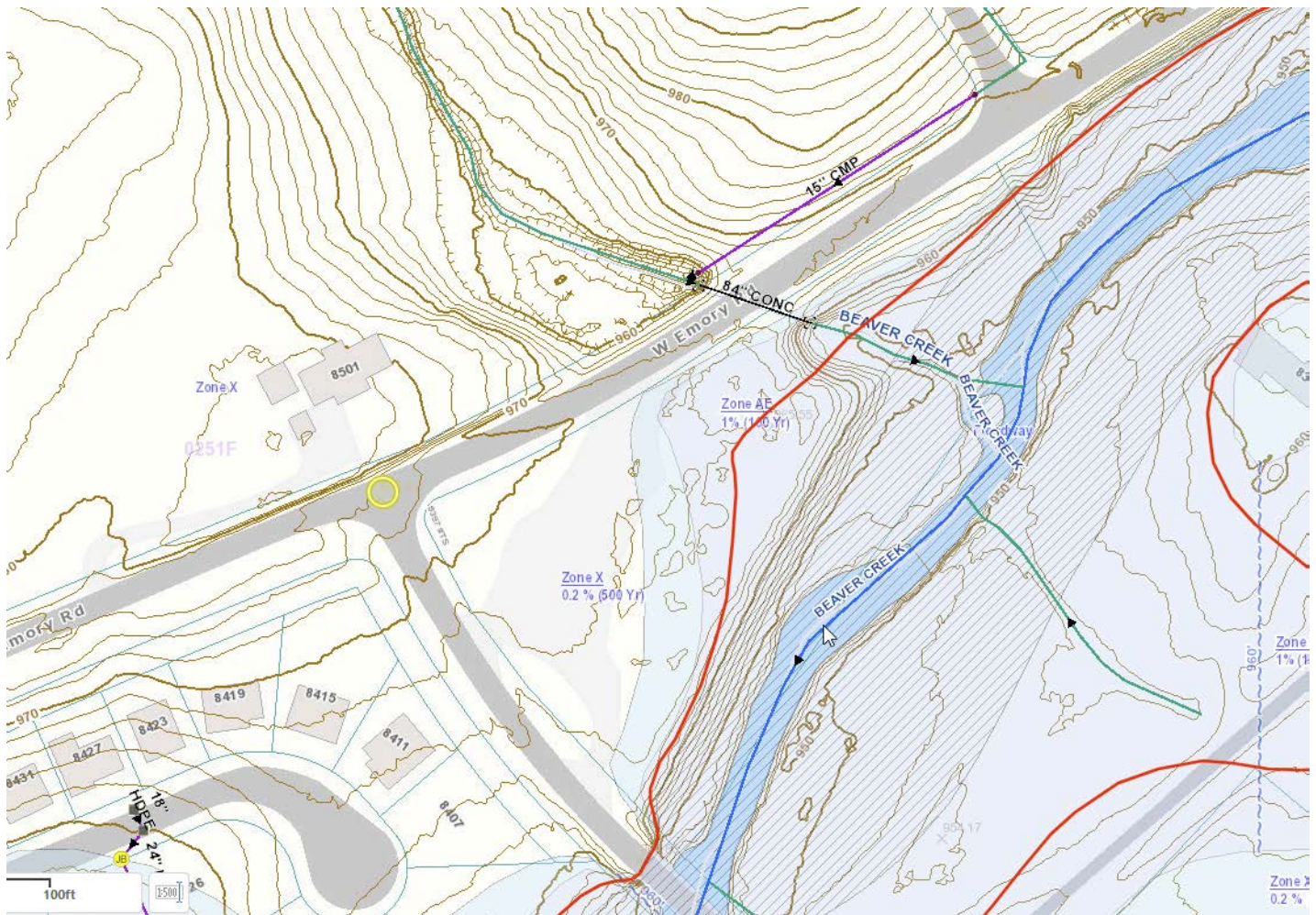
## 8-M-24-RZ - Stormwater Inquiry

Amanda Purkey <Amanda.Purkey@knoxcounty.org>  
To: Kelsey Bousquet <kelsey.bousquet@knoxplanning.org>

Thu, Jul 18, 2024 at 9:26 AM

Kelsey,

The area was filled back in the late 98 to early 2003 to an elevation of roughly 969'. The development cannot fill past the No Fill line (see red line in image below) and is required to have a minimum finished floor elevation of 1' above the FEMA 500yr flood elevation. The sinkholes you see are actually from depressions created during the grading of site either from sediment traps or just uneven fill.



**Amanda Purkey, P.E.**

*Civil & Site Plan Review Manager*

Land Development Services

Office: 865-215-5829

205 West Baxter, Ave.

Knoxville, TN 37917





# Development Request

## DEVELOPMENT

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

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☒ Rezoning  
☐ Plan Amendment  
☐ Sector Plan  
☐ City OYP / County Comp Plan

**Taylor D. Forrester**

Applicant Name

Affiliation

**6/24/2024**

Date Filed

**8/8/2024**

Meeting Date (if applicable)

**8-M-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Taylor D. Forrester Long, Ragsdale and Waters, PC**

Name / Company

**1111 N. Northshore Dr. Dr. Suite S-700 Knoxville TN 37919**

Address

**865-584-4040 / tforrester@lrwlaw.com**

Phone / Email

## CURRENT PROPERTY INFO

**Cynthia D. Conner**

Owner Name (if different)

**3719 Copper Ridge Rd Knoxville TN 37931**

Owner Address

**865-406-8067**

Owner Phone / Email

**8397 BEAVER RIDGE RD**

Property Address

**77 148**

Parcel ID

**3.36 acres**

Tract Size

**West Knox Utility District**

Sewer Provider

**West Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**East side of Beaver Ridge Rd, south side of West Emory Rd**

General Location

☐ City **Commission District 6 A (Agricultural), F (Floodway)**

☒ County District Zoning District

**Agriculture/Forestry/Vacant Land**

Existing Land Use

**RCC (Rural Crossroads Commercial), SP (Stream Protection), HP (Hillside Ridgetop Protection)**

Land Use (City)/Place Type (County)

**Planned Growth Area**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

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

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

## ZONING REQUEST

- ☒ Zoning Change    **CR (Rural Commercial), F (Floodway)**  
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment    Proposed Plan Designation(s)

Proposed Density (units/acre)    Previous Rezoning Requests

Additional Information

## STAFF USE ONLY

### PLAT TYPE

- ☐ Staff Review    ☐ Planning Commission

### ATTACHMENTS

- ☐ Property Owners / Option Holders    ☐ Variance Request  
☐ Amendment Request (Comprehensive Plan)

### ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)  
☐ Traffic Impact Study  
☐ COA Checklist (Hillside Protection)

Fee 1

**\$650.00**

Total

Fee 2

Fee 3

## AUTHORIZATION

- ☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

**Taylor D. Forrester**

**6/24/2024**

Applicant Signature

Please Print

Date

Phone / Email

**Cynthia D. Conner**

**6/24/2024**

Property Owner Signature

Please Print

Date



# Development Request

## DEVELOPMENT

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

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ PA  
☒ Rezoning

Taylor D. Forrester

Attorney

Applicant Name

Affiliation

June 24, 2024

August 8, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

8-M-24-RZ

## CORRESPONDENCE

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

- ☒ Applicant ☐ Property Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Taylor D. Forrester

Long, Ragsdale & Waters, PC

Name

Company

1111 N. Northshore Dr., Ste S-700

Knoxville

TN

37919

Address

City

State

ZIP

865-584-4040

tforrester@lrwlaw.com

Phone

Email

## CURRENT PROPERTY INFO

Cynthia D. Conner

3719 Copper Ridge Rd

(865) 406-8067

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8397 Beaver Ridge Rd

077 148

Property Address

Parcel ID

WKUD

WKUD

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type  
CITY COUNTY

Growth Policy Plan Designation

April 2024



## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Residential <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Non-Residential <input type="checkbox"/> Hillside Protection COA	Related City Permit Number(s)
Home Occupation (specify) _____  Other (specify) _____	

## SUBDIVISION REQUEST

		Related Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number	<input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel	
Total Number of Lots Created		
<input type="checkbox"/> Other (specify) _____		
<input type="checkbox"/> Attachments / Additional Requirements		

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change		CR Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment Change		Proposed Plan Designation(s)	
Proposed Density (units/acre)		Previous Rezoning Requests	
<input type="checkbox"/> Other (specify)			

**STAFF USE ONLY**

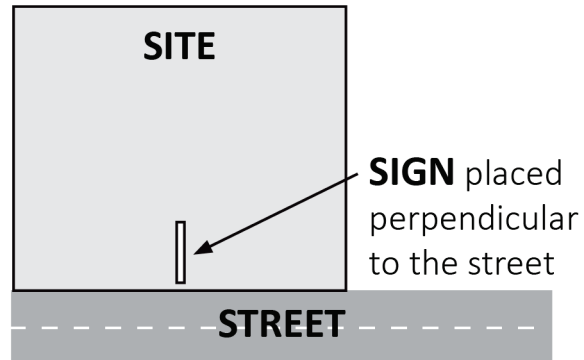
PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input checked="" type="checkbox"/> Planning Commission		
<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request ( <i>Comprehensive Plan</i> )	Fee 2	
<b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Use on Review / Special Use ( <i>Concept Plan</i> ) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist ( <i>Hillside Protection</i> )	Fee 3	

## AUTHORIZATION

**I declare under penalty of perjury the foregoing is true and correct:**  
**1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent**

<b>Taylor D. Forrester</b>	<b>Taylor D. Forrester</b>	
<small>Copyright © Taylor D. Forrester All Rights Reserved Taylor D. Forrester is the author of this document. www.tdforrester.com</small>		
Applicant Signature	Please Print	Date
865-584-4040	tforrester@irwiaw.com	
Phone Number	Email	
Cynthia D. Conner	Cynthia D. Conner	06/26/2024, SG
Property Owner Signature	Please Print	Date Paid

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## LOCATION AND VISIBILITY

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

## TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

\_\_\_\_\_ **07/26/2024** \_\_\_\_\_ and \_\_\_\_\_ **08/09/2024** \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Taylor D. Forrester

**Date:** 06/26/2024

**File Number:** 8-M-24-RZ



Sign posted by Staff



Sign posted by Applicant