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J.H. HODGES (1896-1983)  
J.H. DOUGHTY (1903-1987)  
RICHARD L. CARSON (1912-1980)  
JOHN P. DAVIS, JR. (1923-1977)  
JONATHAN H. BURNETT (1928-2015)  
DAVID E. SMITH (1930-2016)

April 13, 2022

VIA EMAIL

Knoxville-Knox County Planning  
City-County Building  
400 Main Street, Suite 403  
Knoxville, TN 37902

RE: Agenda Item 28, File No. 4-U-22-RZ  
1331 W. Beaver Creek Drive

Dear Planning Commission:

I have been retained by property owners, Crown College, Temple Baptist Academy, and Temple Baptist Church, which are situated adjacent to the 1331 W. Beaver Creek Drive proposed rezoning. Pardon my lateness, but I have only recently been retained to represent my clients and the organizational aspects of my representation find me in a position of addressing Commission in writing on this Agenda Item only one day prior to the Commission meeting. My clients were unaware of this application until this morning, just before they contacted me. Consequently, my initial request is for a one month postponement to allow me and my clients to contact and discuss neighborhood concerns with the applicant and their representatives.

In the event this item moves forward without continuance, please be aware that the requested and recommended density of 5 du/ac is incompatible with the surrounding residential neighborhood. Many of the homes in the vicinity sit on a single lot with one or ½ unit per acre as the norm. The Sector Plan permits the requested density, but Commission is tasked to consider the views of the neighboring interested parties and the neighborhood context as well as the applicant and applicable Sector Plan(s) in your recommendation to County Commission.

A portion of this property lies within the 100-year and 500-year floodplain of a tributary of Beaver Creek. Consequently, not all of the 12.5 acres is developable.

Although Commission is encouraged to provide more imaginative solutions to environmental design problems, this proposed Amendment with density requested at 5 du/ac is not consistent with the intent and purpose of the applicable zoning ordinance and should be

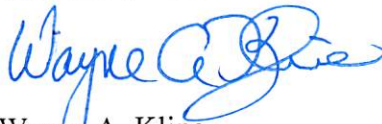
modified to meet those purposes. In an effort to be good neighbors my clients suggest a density of 2-2.5 du/ac more satisfactorily meets the intent and purpose of the PR Zoning ordinance requested by your applicant. Density of 2.5 du/ac is consistent with surrounding neighborhood development and will not adversely impact the character of the neighborhood, but in fact enhance its maintenance. It will also allow consistent neighborhood development in the areas outside the flood plain and not provide a windfall of density that will occur if the density for the entire requested acreage is decided at 5 du/ac. Five (5) du/ac leads to potential high rise and multi-unit development in the areas outside the flood plain, whereas the character of the area mandates single family residential units; yet another reason to minimize the density to 2 or 2.5 du/ac on the total requested acreage.

The intersection of Beaver Creek and Brickyard is slated for a roundabout. The roundabout will not control the increase in traffic volume, which is already disproportional to the Beaver Creek roadway and will add serious jamming to the Powell High, Middle and Elementary Schools as well as to the Temple Baptist Academy and College. Presently, Crown College must stagger start and release schedules with Temple Academy, Elementary and High School to accommodate the traffic flow from Beaver Creek Road. Good judgment favors maintaining the LDR nature of the Beaver Creek community to < 5 du/ac.

Temple Baptist Church, Temple Baptist Academy and Crown College respectfully request this body approve the requested change from A to PR but at a density of 2 to 2.5 du/ac, not as requested by the applicant.

Respectfully,

HODGES, DOUGHTY & CARSON



Wayne A. Kline

Attorney for Crown College, Temple Baptist Academy and Temple Baptist Church, and Property Owners adjacent and surrounding Applicant's Proposed 1331 W. Beaver Creek Dr.

WAK: kjc

cc: Pastor James Zenker  
Director Tim Tomlinson