

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/10/2009 10:02:43 AM
Subject: Fwd: Proposed development - Northshore and Choto

Re: Item 37, 12-B-09-RZ/12-B-09-SP

>>> <david.higdon@cibavision.com> 12/9/2009 10:37 PM >>>

Commissioners:

My name is David Higdon and my family and I recently moved to the far ends of West Knoxville into the Walnut Grove subdivision. We picked this area due to the outstanding neighborhoods and the family appeal that they offer to raise small children in. As a life long resident of Knox County, I have always enjoyed the convenience of being able to make quick runs to the store/cleaners/sandwich shop/etc. to take care of odds and ends. Since moving into Walnut Grove, my wife and I have definitely had to better plan our errands so that they are not as time consuming as they are now by making a drive down to Kingston Pk. When I heard of the proposed development at Choto and Northshore, I wanted to voice my sincere hopes that this will be approved. As you know, the market that is currently on Choto Rd by the railroad tracks is the only close option and I often times drive past it in order to not spend more than twice as much on a gallon of milk, not to mention not being able to keep up with their irregular hours.

I am not familiar with Mr. Huber, the proposed developer, but trust that a development similar to the one adjacent to Gettysvue would do nothing but add value to the residents in this area, not to mention the boaters at Choto marina. As with any development, I am sure that there is some amount of opposition, but hope that you will consider the value that it will bring. Thank you for your attention to this project and for your service to Knox County.

Regards,

David Higdon
12949 Clear Ridge Rd.
Knoxville, TN 37922

David Higdon
Phone: 800-233-9223 x 1163
Email : david.higdon@cibavision.com

From: "Paul Cherney" <paulcherney@charter.net>
To: <mark.donaldson@knoxmpc.org>
Date: 12/10/2009 8:37:25 AM
Subject: Concerns for proposed rezoning of 12 acre parcel on Northshore & Choto

Mr. Donaldson,

Thank you for your time yesterday. As we discussed, I am sending you an e-mail to voice my concern for an agenda item for today's MPC meeting. The proposal for the rezoning of a parcel of property on the SE corner of Choto Road and Northshore is a concern.

I am a resident of Montgomery Cove and while I am on an interior lot, my concerns are more focused on the peacefulness, serenity and rural 'type' living that attracted us to this area in the first place. We have been here for over 6 years and have enjoyed our peaceful back yard at all hours of the day and evenings. It is this that I do not want disturbed. We have 3 children with many neighborhood friends. They all play in our neighborhood and we feel very safe allowing our kids to play around our homes. I am concerned that with a rezoning to NC, that will change due to increased traffic, additional tractor trailer/heavy equipment traffic and an increasingly unsafe environment. For these reasons, I am very concerned for a decline in property values for me and my neighbors. This in addition to the hit everyone has already taken on property values in Knox County.

This parcel of property is ideal for another residentially zoned property. This would best compliment the adjoining prestigious neighborhoods of Bayou Bend, The Mill at Choto, Choto Fields and Montgomery Cove. There is a new commercial development that is still being finished between Kingston Pike and Campbell Station, Kroger's Center, that is only 5 miles by car from this intersection. This will more than serve the planning commissions need to provide services within a 3 - 5 mile radius.

My appeal to you and the other commissioners is to consider this as you prepare your votes later today.

I appreciate your time and consideration.

Regards,

Paul Cherney

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/10/2009 10:01:34 AM
Subject: Fwd: File # 12-B-09-RZ; 12-B-09-SP | Huber Properties | Northshore at Choto

>>> "Pat Bryant" <bryantjpat@charter.net> 12/9/2009 9:19 PM >>>
To all members of the MPC,

I am a resident of Montgomery Cove subdivision, and moved to the Knoxville area from the Atlanta area in March, 2009. I'd like to offer a vigorous opposition to the proposed rezoning of the parcel listed in this subject line, based on the following elements:

1. Precedent and Purchase: When I investigated purchasing this property in the winter of 2009, I made sure to understand how the surrounding property was zoned, as this is an important part of the investment value in the property. It is quite a risk these days to invest in real estate, but in determining to make Knoxville our permanent home, we wanted a neighborhood that we felt was free of commercial encumbrances, as well as a good potential investment in an otherwise shaky market. After finding that the surrounding property was zoned non-commercial, we felt comfortable investing a significant amount of personal equity into our current home. After living in the Atlanta area, and experiencing poor zoning regulations, we were very careful to understand how our surroundings were zoned prior to making this important purchase. Any decision to change the zoning to a commercial designation will significantly damage that value equation.
2. My property runs adjacent to Choto Road, approximately 30 yards from the intersection with Northshore Road. As such, we are subject to a "manageable," but steady stream of traffic that we hear at all times of the day. At its current volume, we feel this is a manageable amount of traffic noise, and would not significantly be impacted by a low density neighborhood zoning, or other low impact zoning (such as its current agricultural designation). If this property is developed for any commercial zoning classification, it will significantly increase inbound and outbound traffic from this area, thus creating an environmental noise hazard for all of us who live on the perimeter areas of this neighborhood along Choto and Northshore Roads. With a 4 year old child, I am also seriously concerned about safety in our backyard play areas, particularly with increased traffic and non-residential visitors to the retail establishments planned by Huber's development. Again, similar to my statements above, these hold the potential to seriously impact my home's value and the safety of my family.
3. I am a part-owner in a convenience store operation just outside of Atlanta. In similar fashion the Weigel's store that is a part of this proposed development, we were challenged by neighborhoods adjacent to our property for similar reasons. We chose to move our property selection, realizing that the community had to support us to be successful - this is clearly not the case with this development. Even if the Weigel's were to gain approval, the opening of such a store would immediately place the AM/PM convenience store on Harvey Rd. (appx. 1 mile away) in great peril. Based on the home count within a 1.5 mile radius of this location, I can tell you from direct experience that there is not enough traffic to support two locations. As such, the AM/PM location risks becoming an empty shell, and vandalism target, and an eyesore that

will contribute to a loss in property values for everyone in this area.

4. If one drives within a 3 mile radius of this area, they will quickly find a vast number of empty retail strip developments due to the current economy. Mr. Huber and his associates have no serious ideas of how they would even partially attract and fill the retail space that they are proposing - the best example of the challenge is the never used empty strip center on Kingston Pike, immediately West of Old Stage Road - it has been complete for over a year, and has NEVER had a tenant. What makes one believe that a development that is 4 miles away in an otherwise low traffic residential area will have a high probability of success? There are many other examples within the same tight circle as listed above, as well as 4-5 C-store/Gas Stations that have gone out of business in the past year as well.

My home value and safety are at stake. In my view, it would be unconsonable for you to make a decision to allow this property to be rezoned as CN, and I respectfully ask you to vote against this designation.

Best regards,

Pat Bryant
12201 Springside Lane
Knoxville, TN 37922

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/10/2009 10:01:20 AM
Subject: Fwd: File # 12-B-09-RZ; 12-B-09-SP | Huber Properties | Northshore at Choto

>>> "Bobby - Desktop" <bobby@daniandbobby.com> 12/9/2009 7:46 PM >>>
Good evening ladies and gentlemen of the Commission,

My wife and I reside in Choto Mill Subdivision and the above captioned proposed development is directly across from our backyard. The purpose of this email is twofold: First, is to voice opposition, which I will do in a detailed email to you Thursday morning. Second, is to formally request a continuance of both of these matters until the January 12, 2010 meeting for the following reasons.

A number of very troubling issues have come to light regarding this Developer and his representations to us in the last two weeks. We now have several examples where the developer, John Huber, has made misleading statements and errors of omission in dealing with the homeowners of the surrounding neighborhoods. Further, there have been significant changes to this project in the last several days leading up to tomorrow's MPC meeting.

I. ADDITIONAL THREE ACRE PARCEL

On Thursday night, December 3rd, Mr. Huber called a meeting of interested residents from Montgomery Cove, Choto Mill, and other surrounding neighborhoods. In attendance were Bill Weigel, two members of Huber's staff, and his site plan architect. Mr. Huber outlined his plan for the property as he had on another occasion. During the course of the meeting, one of the nearly thirty residents in attendance asked Mr. Huber about the adjacent parcel of approximately 3.2 acres which borders the north of the subject property. Mr. Huber stated his intention was to buy the property and specifically stated that he planned to make this his personal residence. We learned today that this was false. Mr. Huber has submitted this additional parcel to the MPC for rezoning to Neighborhood Commercial. We understand that he intends to join the the twelve acre parcel under consideration tomorrow with the three acre parcel under consideration in January to create one large fifteen acre development. Mr. Huber purposefully misled us as to his intentions with respect to this additional three acres.

II. CHANGE IN WEIGEL'S LOCATION

During the aforementioned meeting, Mr. Huber and Mr. Weigel discussed the 12 acre development using the same site plan proposal that has been before us for review from the beginning. During the entire meeting which dealt heavily with the Weigel's location, traffic, lighting, etc., neither Huber or Weigel disclosed to us that the location of the Weigel's has now changed from the corner of the Choto intersection up to the northwest corner of the subject parcel adjacent to the proposed three acre parcel referenced above. Mr. Huber and Mr. Weigel intentionally misled us at this meeting by not bringing this significant change to our attention. We believe that this is a material change to Mr. Huber's rezoning request and sector plan amendment request. The Homeowner's and the MPC staff deserve additional time to review

this significant change and the impact it will have on the project as a whole.

III. WEIGEL'S SUBMISSION FOR USE ON REVIEW

Mr. Weigel, through LKM Properties, another developer besides Huber, has already submitted his package for use on review in advance of the rezoning. This was filed with the MPC the morning after (December 4) the above referenced meeting at Montgomery Cove. In addition to being a significant change to this overall development as discussed above, the requirements placed upon the developer for use on review are more stringent than what was required for tomorrow's meeting. In particular, Tom Brechko and Dan Kelly have required a traffic impact study as a prerequisite for this use on review's consideration. Frankly, the homeowner's in this area believe a traffic impact study to be critical for the MPC to review prior to tomorrow's meeting. As stated in the report of MPC staff, Knox County Engineering has reported a significant number of accidents at this intersection, extremely poor visibility and that road improvements would have to be made prior to any development. In order for Weigel's to proceed at the January 12 meeting, the traffic impact study must be reviewed and incorporated into the staff recommendation. We believe that the MPC should consider this traffic impact study as well as it is relative to the Huber development. It will be available within a couple of weeks.

IV. HUBER PROPERTIES WILL NOT SUFFER ANY DELAY AS A RESULT OF THE CONTINUANCE

Assuming that Mr. Huber were to be successful tomorrow, the earliest that the County Commission could review the MPC findings is at the end of January. Further, Mr. Huber has submitted the three acre rezoning for the January 12 MPC meeting, for ultimate review by the County Commission in late January. Assuming that Mr. Weigel submits his Traffic Impact Study in a timely manner, his use on review would be held at the January 12 meeting as well. As a result, all of these matters would come before the County Commission at the same time anyway. It is very difficult for local residents to take time away from their jobs and families to attend these meeting and voice their opposition, and Mr. Huber knows this. Out of fairness, and to achieve complete review and disclosure, all of these matters should be properly consolidated and considered at the MPC meeting of January 12.

I ask that you give me your thoughts on the above and feel free to email me if you have any questions.

Thanks.

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/10/2009 10:00:51 AM
Subject: Fwd: Northshore & Choto proposed sector plan change and rezoning.

Re: Item 37, 12-B-09-RZ/12-B-09-SP

>>> "John Higdon" <jhigdon@processsupplies.com> 12/9/2009 4:01 PM >>>

To all.

I would like to respectfully voice my opposition to any change to the plan that allows commercial development in this very rural area. There is already a convenience store (AM Express) within a mile or so. The partially developed areas that have not been completed due to recession are already an eyesore and adding unnecessary commercial enterprises will further take away from the area.

The traffic flow on Northshore at Choto is already very dangerous with a sharp curve coming north and a blind hill coming south. More than once I've been at risk from traffic almost not being able to stop while I was at this intersection.

Please take our area voices into consideration when deciding this matter.

Sincerely

John Higdon

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From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/10/2009 11:59:17 AM
Subject: Fwd: RE: File # 12-B-09-RZ; 12-B-09-SP | Huber Properties | Northshoreat Choto

>>> Steve Reynolds <saicsteve@msn.com> 12/10/2009 12:02 PM >>>

To all members of the MPC,

I am a resident of Montgomery Cove subdivision and have been for the last 5 years. My property backs up to Northshore directly across the the street from the Huber property and the latest proposed Weigels location. I am very much opposed to the proposed rezoning of the parcel listed in this subject line for the following reasons:

1. NC not sufficient: The curent NC zoning regulations do not provide enough protection too much commercilization for the surrounding neighborhoods. 12 acres (plus soon to be 3 more adjacent acres) is too large of a commercial space. Too many establishments means too much traffic. Also, the additional setbacks and landscaping requirements are not suffiecient to blend a commercial establishment into a low density residential neighborhood. The establishment should not be visible from the main street. People in the neighborhood will know about the establishment and use it if they need to. There does not need to be a brightly lit storefront.
2. Traffic: We are subject to a "manageable," but steady stream of traffic that we hear at all times of the day. At its current volume, we feel this is a manageable amount of traffic noise, and would not significantly be impacted by a low density neighborhood zoning, or other low impact zoning (such as its current agricultural designation). If this property is developed for any commercial zoning classification, it will significantly increase inbound and outbound traffic from this area, thus creating an environmental noise hazard for all of us who live on the perimeter areas of this neighborhood along Choto and Northshore Roads.

My home value and safety are at stake. I respectfully ask you to vote against rezoning this propert to NC.

Sincerely,
Steve Reynolds and Family
12212 Springside Lane
Knoxville, TN 37922