

▶ **FILE #:** 11-F-08-RZ (REVISED) **AGENDA ITEM #:** 38
 POSTPONEMENT(S): 11/13/08-1/8/09 **AGENDA DATE:** 2/12/2009

▶ **APPLICANT:** CONTINENTAL 253 FUND, LLC
 OWNER(S): GARRETT PHILIP M

TAX ID NUMBER: 104 093

JURISDICTION: County Commission District 6

▶ **LOCATION:** East side Iron Gate Blvd., east of Schaeffer Rd., south of Hardin Valley Rd.

▶ **APPX. SIZE OF TRACT:** 28.9 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is to Hardin Valley Rd., a minor arterial street with 4 travel lanes and a center median within 180-200' of right of way by way of Iron Gate Blvd., a local street with 70' of right of way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** PC (Planned Commercial) / TO (Technology Overlay) & BP (Business an

▶ **ZONING REQUESTED:** PR (Planned Residential) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Residence

▶ **PROPOSED USE:** Attached multi-dwelling residential (270-346 units)

DENSITY PROPOSED: 12 du/ac

EXTENSION OF ZONE: Yes, extension of PR from the south.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Hardin Valley Rd.- Pellissippi Corporate Center and commercial / C / CA (General Business)/TO (Technology Overlay) and PC (Planned Commercial)/TO

South: Residential subdivision / LDR / PR (Planned Residential) @ 1-3 du/ac/TO

East: Vacant land and dwellings / TP, SLPA / A (Agricultural)/TO

West: Commercial, Schaeffer Rd. and Pellissippi Pkwy. ROW / MDR/O, SLPA /

NEIGHBORHOOD CONTEXT: The sites fronting on Hardin Valley Rd. are developing with commercial uses, with residential uses to the south and east.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 6 du/ac (applicant requested 12 du/ac), consistent with the sector plan, as amended, and subject to 1 condition:**

1. No clearing/grading of the site shall occur prior to use on review/concept plan approval by MPC.

PR zoning, with the recommended condition, is the most appropriate zoning for development of this property,

which has slope constraints and access issues. The reduced density is recommended because development will be very limited on about 20% of the site, which has slopes of 25% or greater. The PR zone will require plan approval by MPC prior to any development of the site.

COMMENTS:

GENERAL COMMENTS:

This application was originally filed for consideration at the November, 2008 MPC meeting. At the time of submittal, the sector plan proposed Technology Park and Low Density Residential uses for the site, so an application for a sector plan amendment to Medium Density Residential application (11-B-08-SP) accompanied this rezoning request. The requests have been postponed each month to this February 12, 2009 meeting. On January 26, 2009, County Commission approved the Tennessee Technology Corridor Development Authority (TTEDA) Comprehensive Development Plan, which amended the Northwest County Sector Plan and redesignated this site for medium density residential or office uses, which is consistent with the requested PR zoning at 12 du/ac. The sector plan amendment was withdrawn, at the request of the applicant, after being advised by staff, on January 28, 2009.

Also, in January, the applicant submitted a revised preliminary plan (attached), which reduced the number of proposed units down to 270 from the original 346 units, for a proposed density of 9.34 du/ac. The revised plan also reflected an attempt by the applicant to stay out of the steeper sloped areas that staff had recommended as "Non-Disturbance Areas". A map, depicting the staff's proposed "Non-Disturbance Areas" is attached. While the effort to reduce the number of units and stay off the slopes brings the proposed development closer to the staff's recommendation, it is still over the recommended density by more than 3 du/ac. The recommendation is based on applying the general plan policies for density on sloped areas, using the attached slope analysis completed by staff. Staff continues to have some concerns about the proposed development plan, especially in regard to possible buffering adjacent to the low density residential subdivision to the south, and how much of the slope sensitive area will be disturbed.

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The area surrounding the Hardin Valley Rd./Pellissippi Pkwy. interchange has been recently developed with commercial, office and medium density residential development, making it more appropriate to consider this site for medium density residential uses.
2. Staff has recommended a reduced density of 6 du/ac. This is based on applying the General Plan policies for densities on slope protection areas. Applying these principles to this site, using the attached slope analysis produced a recommended 173 units for the site, or a density of 6 du/ac. The maximum MDR density of 12 du/ac was used for the calculation of units in the areas with less than 15% slopes.
3. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting. The PR zone is the most appropriate zone for any type of large scale residential development in the County.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment. The PR zone is the most appropriate zone for any type of large scale residential development in the County.
2. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, landscape buffering, lighting, access, layout and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
3. In addition to the conditions noted above, staff will expect some substantial vegetative buffering between this apartment development and the adjacent low density residential subdivision to the south.

THE EFFECTS OF THIS PROPOSAL:

1. Public water and sewer are available to serve the site.
2. At the applicant's proposed density of 12 du/ac, up to 346 dwelling units could be proposed for the site. If developed with attached multidwelling apartments, this would add approximately 2,913 trips to the street system and about 80 children to the school system. At the staff's recommended density of up to 6 du/ac, up to 173 units could be proposed, adding 1,562 trips and 40 school aged children. Since either development density has the potential to generate more than 750 trips, at least a Level I and possibly a Level II traffic study will be required to be submitted and reviewed along with the development plan.

3. This slope constrained site has several different areas where slopes exceed 25%, based on slope protection guidelines, these areas should be preserved. The attached map labeled proposed non-disturbance areas shows the recommended areas to be preserved, and staff would expect these areas to be maintained. In total, it includes approximately 7.36 acres. Development at up to 6 dwellings per acre outside of these areas will appear much more dense than if the units were spread equally throughout the site.
4. PR zoning at up to 6 du/ac will permit reasonable use of the site, up to 173 dwelling units, while preserving the steep slope areas. A rezoning application for greater density would be required for consideration of more dwelling units in the future.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS:

1. The Northwest County Sector Plan, as now amended by the Tennessee Technology Corridor Development Authority (TTCDA) Comprehensive Development Plan proposes MDR (Medium Density Residential) and O (Office) uses for this site, consistent with both the requested and recommended density. The MDR designation allows consideration of density in the range of 5 to 12 du/ac.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of these requests may lead to future sector plan and rezoning requests for medium density residential zoning in the immediate area.
4. Because the site is located within the Technology Overlay, a Certificate of Appropriateness from TTCDA will also be required for this rezoning request. This request is scheduled to be considered by the TTCDA Board at their February 9, 2009 meeting.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT 2913 (average daily vehicle trips)

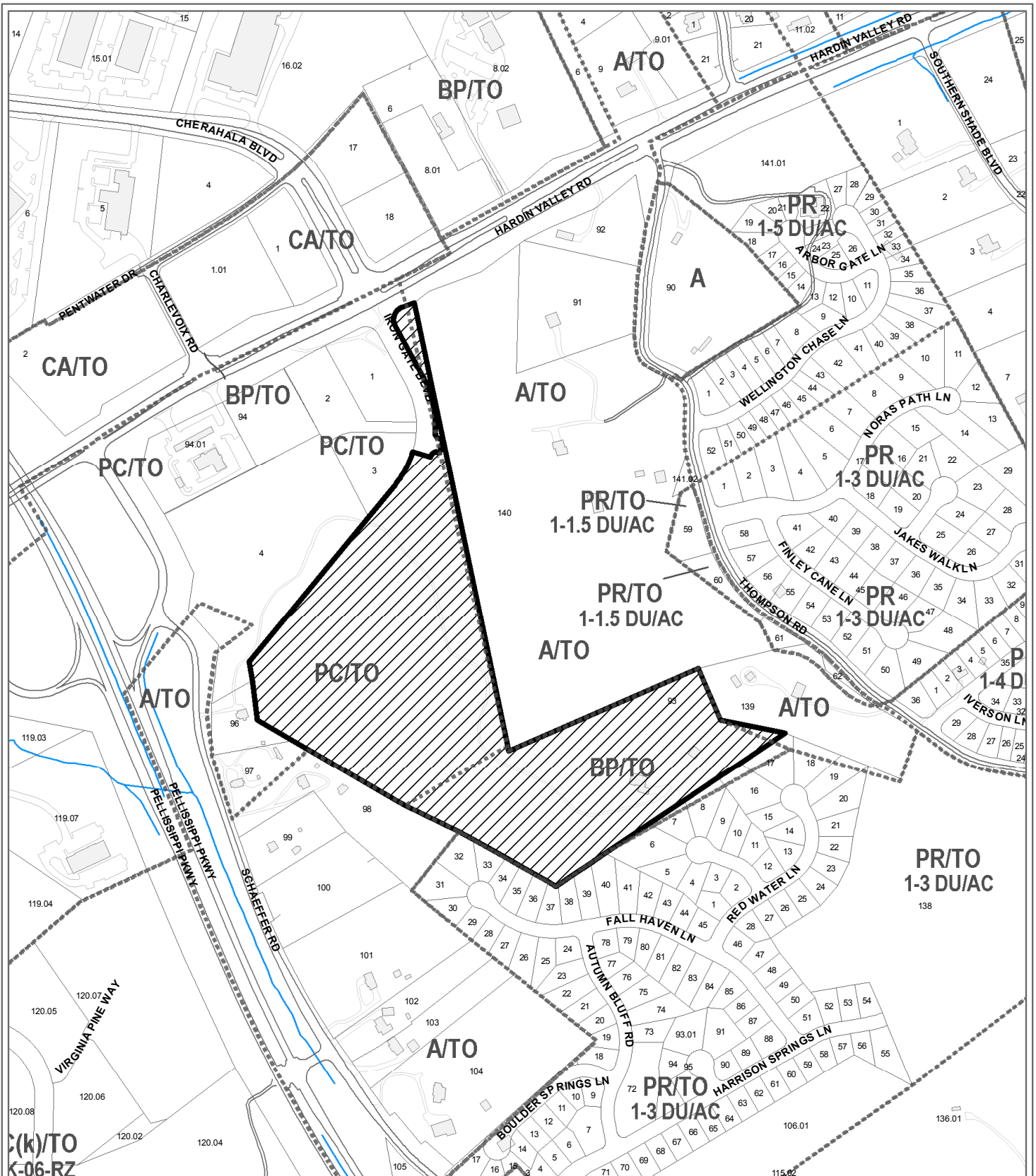
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 80 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

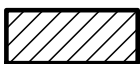
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 3/23/2009. If denied, MPC'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 an MPC decision in the County.



**11-F-08-RZ
REZONING**

Petitioner: Continental 253 Fund, LLC

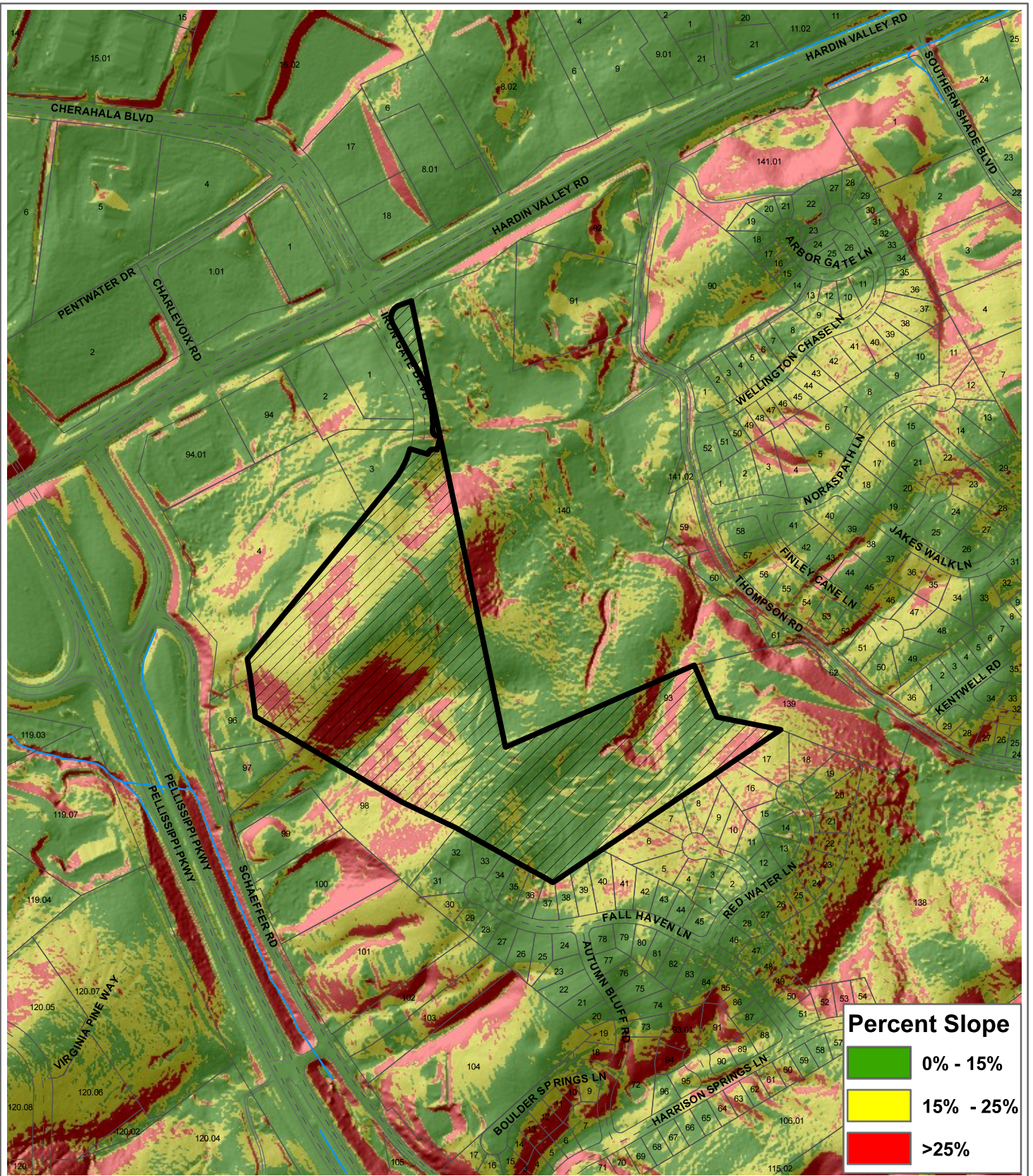


From: PC (Planned Commercial) / TO (Technology Overlay) & BP (Business and Technology) / TO (Technology Overlay)
To: PR (Planned Residential) / TO (Technology Overlay)

Map No: 104
Jurisdiction: County



Original Print Date: 10/28/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**11-F-08-RZ
REZONING - SLOPE ANALYSIS**



From: PC (Planned Commercial) / TO (Technology Overlay) & BP (Business and Technology) / TO (Technology Overlay)
To: PR (Planned Residential) / TO (Technology Overlay)

Original Print Date: 10/28/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

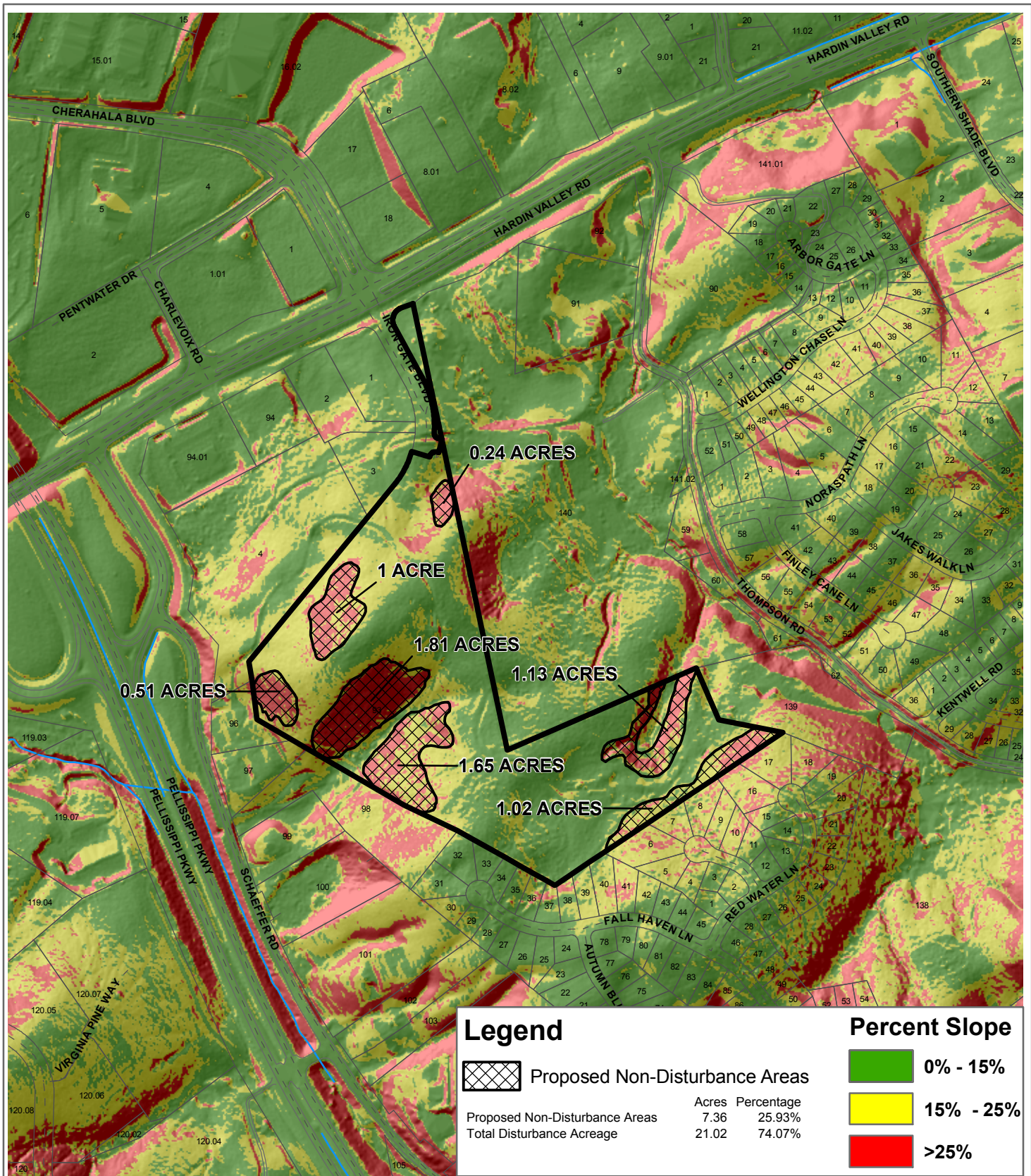
Petitioner: Continental 253 Fund, LLC

Map No: 104
Jurisdiction: County



11-F-08-RZ Slope Analysis

Slope	Gridcode	Cells	Sum_Acres	Percentage
0%-15%	1	21296	12.2222	43.08%
15%-25%	2	18328	10.5188	37.07%
> 25%	3	9814	5.6325	19.85%
Total Acres			28.3735	100.00%



11-F-08-RZ
REZONING - PROPOSED NON-DISTURBANCE AREAS



From: PC (Planned Commercial) / TO (Technology Overlay) & BP (Business and Technology) / TO (Technology Overlay)
To: PR (Planned Residential) / TO (Technology Overlay)

Original Print Date: 10/28/2008
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

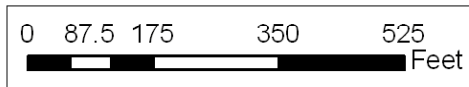
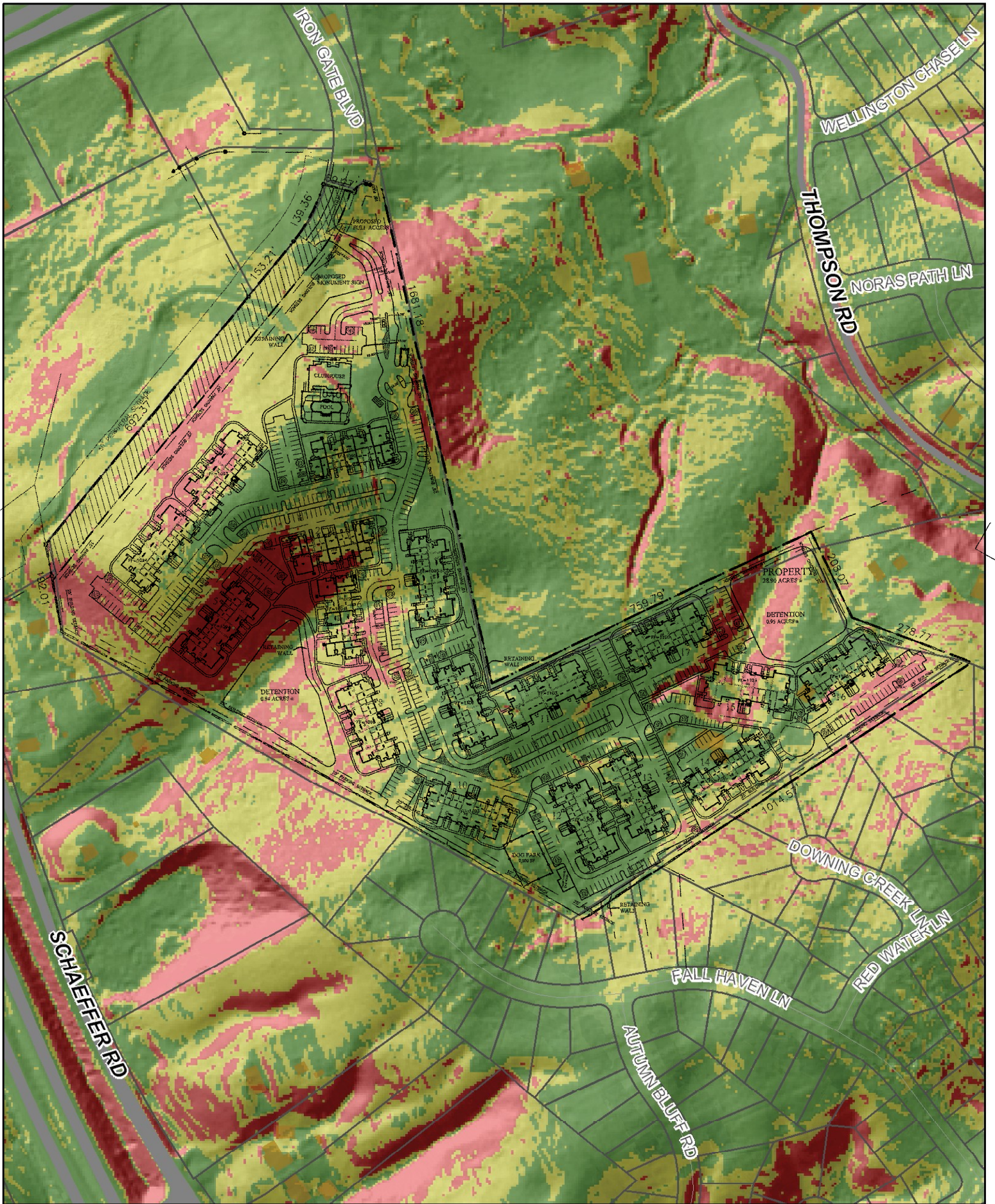
Revised:

Petitioner: Continental 253 Fund, LLC

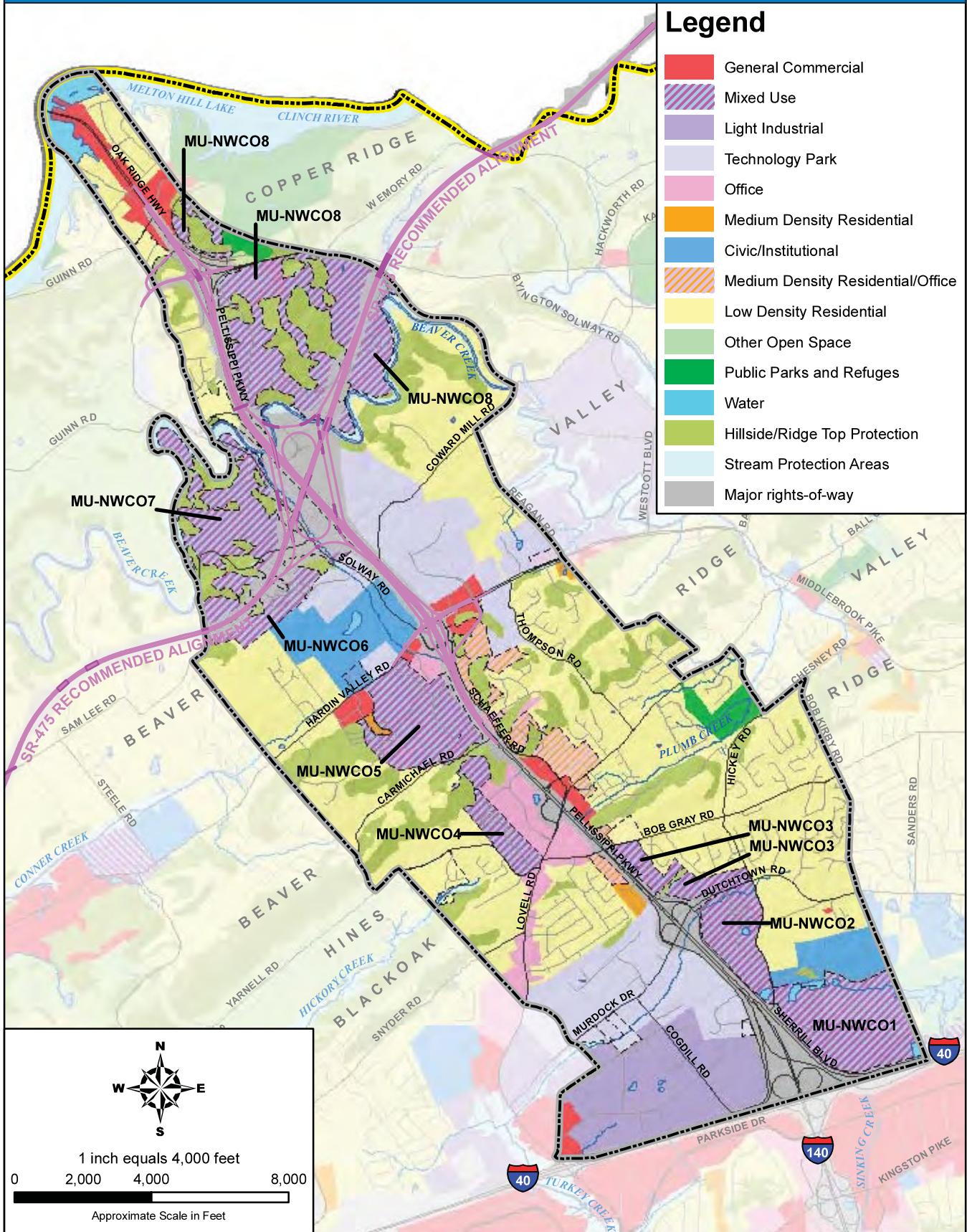
Map No: 104

Jurisdiction: County





Map 3: Land Use Plan



The Plan

There are three major sections to the Plan: the *Land Use Plan, Transportation Improvements Plan, and Community Facilities and Utilities Plan*. The following is a detailed description of each plan element.

The Land Use Plan

The Land Use Plan (see Map 3) will serve as a guide for growth and provide a framework for making zoning and subdivision decisions. Several revisions to the former land use plan address changes that have evolved in permitted uses under the zoning code (like a broader list of office uses) and trends in rezonings (like changes to residential) and to provide opportunities for a mix of land uses on several important parcels. Emerging and potential transportation changes were also considered.

This plan will be incorporated into the Northwest County Sector Plan, the City of Knoxville's One-Year Plan for properties located inside the city limits, and the Knoxville-Knox County General Plan. Amendments to this plan may be considered in accordance with criteria identified in the plan. The General Plan is a 30-year comprehensive plan, outlining a long-range vision and development policies.

Recommended Overall Policies

The following are the overall land use designations proposed for the study area. The location principles and recommended zoning for these designations are outlined in greater depth in Appendix A.

LOW DENSITY RESIDENTIAL (LDR)

Definition: Housing at densities of less than 6 dwelling units/acre in the City, or 5 dwelling units/acre in the County

Plan Location: Most LDR is comprised of existing subdivisions, although there are some pockets of undeveloped land that could serve to attract infill projects.

MEDIUM DENSITY RESIDENTIAL (MDR)

Definition: Housing at densities from 6 to 24 dwelling units/acre in the City, or 5 to 12 dwelling units/acre in the County

Plan Location: An area located on the west side of Pellissippi Parkway, south of Bob Gray Road, is designated for MDR uses. Additional MDR development may occur in mixed-use areas as described below.

MEDIUM DENSITY RESIDENTIAL/OFFICE (MDR/O)

Definition: Medium density housing and/or office uses in transitional areas, or adjacent to major thoroughfares

Plan Location: Areas along the west side of Pellissippi Parkway, south of Bob Gray Road, and on the east side of the parkway, between Hardin Valley Road and Lovell Road, and north of Bob Gray Road

OFFICE (O)

Definition: Business and professional offices and office parks

Plan Location: Several locations are shown in the study area, including CenterPoint Business Park along the east side of Pellissippi Parkway north of Lovell Road, southwest of the Hardin Valley Road/Pellissippi Parkway interchange, and north of Beaver Creek and west of the parkway.

TECHNOLOGY PARK (TP)

Definition: Offices & research development facilities

Plan Location: Specific areas for TP uses include an area situated north and south of Murdock Drive/Dutchtown Road and the existing Pellissippi Corporate Center, extending north to the proposed right-of-way of State Route 475. TP uses may also be permitted as part of mixed use development as described below and in an area located on the east side of Pellissippi Parkway, north of Lovell Road.

GENERAL COMMERCIAL (GC)

Definition: Existing strip commercial corridors, providing a wide range of retail and service-oriented uses

Plan Location: Existing concentrations are located at or near the Pellissippi Parkway interchanges with Lovell Road and Hardin Valley Road, the Solway area on both sides of Oak Ridge Highway and in the extreme southwest corner of the study area.

MIXED-USE SPECIAL DISTRICTS (MU)

(Designated by unique designation, MU-NWCO1, MU-NWCO2, etc.)

Definition: Areas designated to address urban design, pedestrian and transit-oriented development and vertical mixed-uses in specific circumstances

Plan Location: Several MU areas are proposed for the study area and are described more fully in this section (pages 22 - 27).

LIGHT INDUSTRIAL (LI)

Definition: Industrial areas, intended for light manufacturing and warehouse/distribution uses

Plan Location: LI uses are proposed in an established area generally bounded by Murdock Road/Dutchtown Road on the north, Pellissippi Parkway on the east, I-40/75 on the south, and Lovell Road on the west.

MAJOR RIGHTS-OF-WAY (R-O-W):

Definition: Rights-of-way of interstates and very wide parkways and arterial highways

Plan Location: This would include I-40/75, Pellissippi Parkway, and the proposed State Route 475.

PUBLIC PARKS AND REFUGES (P)

Definition: Parks, wildlife refuges or similar public or quasi-public parks, open spaces and greenways

CIVIC/INSTITUTIONAL (CI):

Definition: Major public and quasi-public institutions, including schools, colleges, churches, correctional facilities, utilities and similar uses.

Plan Location: Pellissippi State Technical Community College is the major CI in the study area.

OTHER OPEN SPACE (OS)

Definition:

Cemeteries, private golf courses and similar uses

HILLSIDE/RIDGE TOP PROTECTION AREAS (HP)

Definition: Ridge crests, and hillsides and ravines that have a slope of 15 percent or more

Plan Location: Residential: very low density housing. Other uses via use on review. Portions of the study area are characterized by steep slopes.

STREAM PROTECTION AREAS (SP)

Definition: Areas subject to flooding, which would be primarily along Beaver Creek

WATER (W)

Definition: Major streams and water bodies, including Melton Hill Lake/Clinch River

State Route 475 Considerations

The land use plan designations would *not* be affected by the construction of Route 475 or the abandonment of that project. The designated mixed-use and technology park districts around the interchange would simply be larger. As noted in this document's transportation plan, the other Route 475-related improvements (including the Solway interchange parallel road system and elimination of direct access at George Light and Coward Mill Roads), should be funded regardless of a Route 475 decision.

In creating development plans near the proposed Route 475 corridor, it is recommended that buildings and roads not be located within the projected right-of-way. Transferring densities and intensities of uses to another portion of the site is an option that can be considered.

From: <williams9570@bellsouth.net>
To: <mark.donaldson@knoxmpc.org>
Date: 11/9/2008 9:40:48 PM
Subject: Meeting This Thursday

November 9, 2008

Mr. Mark Donaldson, MPC Executive Director
Suite 403, City County Building
400 Main Street
Knoxville, TN 37902

Dear Mr. Donaldson,

This Thursday your Metropolitan Planning Commission will meet to discuss the rezoning of a property east of Iron Gate Blvd, east of Schaeffer Road, and south of Hardin Valley Road. This property borders my back yard in Harrison Springs. One of the reasons I chose my house was because it had a beautiful private backyard. I realized that eventually the land behind my house would be developed, but assumed that it was to be commercial property, perhaps an office complex.

However, I understand that your board is reviewing a request to allow a 346 unit apartment complex. My home is on lot 33 and appears to be the closest home in the neighborhood to the proposed development. For this reason, I am obviously opposed to an apartment complex. Having dozens of apartment balconies hanging over my backyard would not only would be a terrible invasion of privacy, but it would also make my home very difficult to sell and I would lose a great deal of equity. For financial reasons, we may be forced to sell our home in the future but this apartment complex would take away any financial advantage of doing so.

Please, Mr. Donaldson, vote against rezoning this property for an apartment complex. There has just been one complex completed off Lovell Road and there is another large complex under construction off Harding Valley road. Neither one of these complexes borders a neighborhood the way this proposed complex would. Neither one of these complexes would cause the instant drop in home value that the proposed complex would. Also, do we really need yet another apartment complex in the area so soon after these two have been built?

If preventing this complex is not possible, then is there any way you could require a buffer zone of the existing trees between the apartment complex and our neighborhood? Doing so would preserve some of the wildlife, help to maintain the privacy and property value of my neighborhood, and also make the apartment complex more appealing to tenants.

Once again, please consider the needs of our neighborhood when you make your final decision on this matter. Thank you so much for your time.

Sincerely,

Russell Williams
2028 Fall Haven Lane
Knoxville, TN 37932

Williams9570@bellsouth.net
865-693-7410

From: <larrynretinger@comcast.net>
To: <tbenefield@benefieldrichters.com>, <anders@holstongases.com>, <bartcarey@comcast.net>, <avc524@aol.com>, <cole5137@bellsouth.net>, <gewart@georgeewart.com>, <grafhomes@aol.com>, <s.johnson692@gmail.com>, <makane1@bellsouth.net>, <rebeccalongmire@hotmail.com>, <npavlis@chartercom.com>, <wstowers@stowerscat.com>, <md4ktn2u@aol.com>, <mark.donaldson@knoxmpc.org>
Date: 11/10/2008 10:28:18 PM
Subject: Vote NO to MPC file #s 11-B-08-SP and 11-F-08-RZ on Nov. 13th

VOTE NO on MPC File #s 11-B-08-SP and 11-F-08-RZ

Vote NO to the development of a 346-unit apartment complex to be built between Schaeffer Road, Hardin Valley Road, and Thompson Road. A development firm from Florida is going before the Metropolitan Planning Commission on Nov. 13th to approve this development (agenda item 67).

As a resident of Hardin Valley, I am asking you to help defeat this development for the following reasons:

1. This development will be detrimental to traffic patterns entering and exiting Pelissippi Parkway and will increase congestion on Hardin Valley Road
 - o Conditions in this area are already hazardous due to the intersection of Schaeffer Road with the entrance/exit ramp of the Pellissippi Parkway North
 - o This intersection is in close proximity to a 90 degree turn and short merging lane to enter Pellissippi Parkway North, further increasing the danger.
 - o The only way to exit Schaeffer Road onto Hardin Valley Road is by way of the Pellissippi Parkway exit ramp. This ramp is often backed up into highway traffic at peak traffic times.
 - o The addition of this large number of residents will significantly increase traffic on Hardin Valley Road itself, which cannot manage this surge of additional traffic.

2. Property Values in Hardin Valley will decrease as a direct result of this development
 - o Hardin Valley prides itself as a quaint suburban area with many sprawling well maintained subdivisions which blend with the landscape and maintain the rural feel
 - o A development of this magnitude will alter the rural landscape and forever change the atmosphere of this area

3. Our new schools will be inundated with the arrival of a vast number of students and will not be able to sustain the volume
 - o Classes will be overcrowded
 - o Appropriate staff will not be immediately available (and may never be)

Please help stop this outside development from coming into our community and changing it forever. Vote NO to these proposals on November 13th!

11-B-08-SP

11-F-08-RZ

Thank you for your time and service,
Larryn Retinger

CC: <larrynretinger@comcast.net>

From: "Przewrocki, Kevin MSgt USAF ANG ANGTEC/AMS"
<Kevin.Przewrocki@ang.af.mil>
To: "anders@holstongases.com" <anders@holstongases.com>,
"tbenefield@benefieldrichters.com" <tbenefield@benefieldrichters.com>
Date: 11/11/2008 9:41:04 AM
Subject: Thursday 1:30pm MPC Public Hearing

Gentlemen,

I took an oath and pledged to protect our country, whether it is my property or yours.

Please vote NO on file numbers 11-B-08-SP & 11-F-08-RZ. There will be land-owner representation at the hearing to support the Commission's NO vote. Thank you for your time.

Master Sergeant Kevin Przewrocki
Education & Training Manager
United States Air Force
McGhee Tyson Air Base, TN
And land-owner in Harrison Springs Sub-Division - District 6 (south of Hardin Valley Road)
DSN: 266-3826
COMM: (865) 985-3826

CC: "mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>

November 11, 2008

Good morning Commissioner Donaldson,

I am a resident of Harrison Springs Subdivision and writing you concerning File 11-B-08-SP involving Continental 253 Fund, LLC and the possibility of an apartment complex being built directly behind our subdivision.

I am opposed to this apartment complex being built for a number of reasons. First of all, I don't want any additional traffic in our area. This complex would add a minimum of 346 cars on Hardin Valley Rd on a regular basis. In addition, with the current housing market, condos as well as apartment complexes have many vacancies, which makes a new apartment complex totally unnecessary.

Secondly, I am concerned about the privacy and property value of the owners whose back yards would be bordering on the complex. No, that would not be acceptable to me, even if the landscaping was created to "separate" the subdivision from the apartment.

Thirdly, I love the natural environment of trees, mountains and fresh air. I really don't want to see one more area developed as commercial progress when it is not necessary.

I understand that this current property has not been purchased (by the apartment developer). I would love to have "free space". If this is not possible, I would prefer to have an office business complex (limiting traffic to M-F) than an apartment complex.

Hunter Harrison, our subdivision builder, will be representing our complex at the 1:00 meeting on Thursday, November 13th. He urged each one of us to write/call you with our thoughts and concerns. I hope that you vote in favor of our subdivision.

Thank you for your time in reading this letter.

Sincerely,

Jan Maskariniec
10428 Harrison Spring Lane
Knoxville, TN 37932

From: "Lisa DeMoss" <ldemoss5@gmail.com>
To: <mark.donaldson@knoxmpc.org>
Date: 11/12/2008 12:08:03 PM
Subject: Proposed Apartment Complex

As a resident of Harrison Springs Subdivision I would like to express my opposition to the proposed planned development of 346 apartments to be located directly behind our home. We purchased our home in June after looking at approximately 40 other homes in the area. We choose this home primarily because of the location and privacy of the lot and large back yard. We felt it would be a quiet location and provide a safe area for our child and pet. This also seems to be an area that is excelling in a down real estate market. We feel that the proposed apartments will decrease our property value, effect the quiet quality of life we currently enjoy and propose a potentially unsafe environment for our families. We are asking that the proposal for this complex be denied. We do understand that the current property owner should be able to sell this land but we ask that it remain a commercial zoning and be considered for an office complex.

Thank you in advance for your consideration in this matter.

Kindest regards,
Lisa DeMoss
Resident of Harrison Springs Subdivision

From: "Elmo Flory" <deflory999@comcast.net>
To: <bartcarey@comcast.net>, <avc524@aol.com>, <md4ktn2u@aol.com>, <gewart@georgeewart.com>, <grafhomes@aol.com>, <makane1@bellsouth.net>, <anders@holstongases.com>, <tbenefield@benefieldrichters.com>, <cole5137@bellsouth.net>, <rebeccalongmire@hotmail.com>, <npavlis@chartercom.com>, <wstowers@stowerscat.com>, <mark.donaldson@knoxmpc.org>
Date: 11/12/2008 1:11:19 PM
Subject: Application file# 11-B-08-SP and 11-F-08-RZ

Ladies and Gentlemen:

I am writing to voice my opinion regarding the subject cases.

I am a resident of the Harrison Springs subdivision, with a lot (# 37) adjoining the subject property.

I would like to voice my strong objection to the rezoning request, which allows unrestricted MDR on that site.

The staff recommendation, dated 11/3/2008, page 67-2, suggests allowing MDR with no more than 6 du/ac. Approving this recommendation should be a worst-case solution, with LDR being a much more logical outcome.

While I appreciate and respect the property owner's right to build whatever he chooses on his own property, I also recognize and respect that zoning ordinances and regulations are in effect to protect the values of nearby property owners. The property owner has the right to try to amend the current zoning, and I have the right to oppose the proposed amendment. While I understand that it is inevitable that the property will be developed someday, it does not logically follow that the property should be rezoned to a purpose that does not fit the topography of the location or the ambiance of the current residents of Schaeffer Rd, Thompson Rd, and the surrounding communities.

The subject property is not contoured to allow the placement of that many units of housing without the appearance of overbuilding. The infrastructure cannot absorb the additional traffic at the intersection of Hardin Valley and the Pellissippi Parkway without major disruptions to the residents of the current LDR neighborhoods (drive westbound on Hardin Valley at the Pellissippi intersection at rush hour and see for yourself)! The schools would be asked to absorb the additional students at a higher density than if the HDL request were not approved. The simpler, slower, less-congested aspect of the community would be compromised, and for what? The only winner appears to be Continental Properties, a Wisconsin-based company, which has no apparent ties or loyalties to our community. I do recognize that the current owner would probably receive less of a windfall in sales price without the HDL, but that is what zoning is all about...preventing damage to the entire community in return for a greater profit.

My reaction to the request signed by Mr Miller (of Continental Properties) is exactly the same as I would expect Mr Miller to react if a Knoxville-based company wanted to build 346 apartments in his back yard in Wisconsin. I would expect him to oppose any such request, just as I oppose his, and I ask you to do the same.

Thank you for taking the time to read this long petition, and to understand my opinion.

D E Flory
2004 Fall Haven Ln
Knoxville 37932
deflory999@comcast.net

From: Buz Johnson
To: Betty Jo Mahan
Date: 11/13/2008 8:44:03 AM
Subject: Fwd: Oppose MPC proposal file # 11-B-08-SP and 11-F-08-RZ

>>> "Mike Mathis" <mmathis@nxs.net> 11/12/2008 5:59 PM >>>
Please oppose Metropolitan Planning Commission proposal file # 11-B-08-SP and 11-F-08-RZ: A 346-unit apartment complex. The quiet rural area is not appropriate for the increased traffic from the great increase in population density, particularly the intersection of Schaeffer Road at the Pellissippi Parkway on ramp - an already dangerous intersection. The property values of the very many private homes in the surrounding area will be impacted negatively, and the alteration to the rural landscape that a development of this magnitude would bring is undesirable. The area is serviced by Karns Volunteer Fire Department and they do not have equipment needed to fight fires in this type of buildings.

From: <stooks01@comcast.net>
To: <anders@holstongases.com>, <tbenefield@benefieldrichters.com>, <cole5137@bellsouth.net>, <s.johnson692@gmail.com>, <rebeccalongmire@hotmail.com>, <npavlis@chartercom.com>, <wstowers@stowerscat.com>, <mark.donaldson@knoxmpc.org>, <bartcarey@comcast.net>, <avc524@aol.com>, <md4ktn2u@aol.com>, <gewart@georgeewart.com>, <grafhomes@aol.com>, <makane1@bellsouth.net>
Date: 11/13/2008 10:45:03 AM
Subject: 11/13/08 Commission Meeting Rezoning Proposal

MPC:

My name is Bradley Stooksbury. My wife and I are residents of Harrison Springs subdivision on Schaeffer Road in West Knoxville. I am writing concerning the proposed rezoning of property adjacent to our property. The reference numbers are 11-B-08-SP and 11-F-08-RZ and the requested rezoning would allow for high density residential development on the property. I would like to express my concerns regarding this rezoning for consideration at your planning meeting today.

My wife and I purchased our property because of its location. The area is growing, convenient to the interstate and shopping, and zoned for the new Hardin Valley schools. The property directly behind our property currently is a large piece of land with one residence. We were not so naive to think it would never be developed, but assumed it would not be a dense development, with the most likely use being another residential subdivision. Our assumption was somewhat confirmed by the zoning for this particular parcel; however, we do know that zoning can be changed.

Obviously, we have personal concerns for a dense residential development being adjacent to our residence; however, we understand the Commission is not likely swayed by personal preferences when it comes to rezoning, so I will spare you from reading our list. However, I would like to point out some other issues related to this potential rezoning:

First, the proposed development contains 346 multi-family units. Although the property is several acres in area, many of the acres are sloped and not available for development. This will seem to make the structures either highly compacted, or result in the structures being build on top of one-another, several stories high. Either does not seem to lend itself to the specific area in which it will be built.

Second, construction of a 346 multi-family unit complex will result in an enormous population increase. This population increase would result in strain on the already stressed schools system in the Hardin Valley area, and likely result in additional school rezoning. Given the difficulty the school board has had with the recent rezoning, allowing a large unplanned population increase (unplanned in the sense that it was not zoned for this type of dense residential development) would not seem to be in the best increase of our county government.

Finally, the 346 multi-family unit complex will result in substantially more vehicle traffic in the area. The Hardin Valley area is growing rapidly, both with commercial and residential construction. The current infrastructure is not going to be adequate to support the construction currently underway. Both the Hardin Valley, and Lovell Road on-ramps to the Pellissippi

Parkway already seem to be inadequate. This development will also likely add considerable traffic to Schaeffer and Thompson Roads, roads not built for large amounts of traffic. Allowing this huge development in this specific area will only put a larger burden on an already strained road system. This burden will be felt for years as there seem to be no current improvement plans in place, and even if there are plans, it will be years before the improvements are actually complete.

We trust your decisions will be made with all factors considered, but request that you deny this specific rezoning request. It seems this specific property would not be the best location for a high density residential complex given the current infrastructure and the fact that there are already high density developments under construction on the West side of Hardin Valley Road.

Unfortunately I will not be able to attend your meeting today, but thanks for taking the time to read this email and consider our concerns. Thanks too for serving our community in your capacity on the MPC.

Sincerely,

Bradley Stooskbury
2000 Fall Haven Lane
Knoxville, TN 37932
stooks01@comcast.net