

From: Sarah Powell
To: Betty Jo Mahan
Date: 12/8/2009 2:43:15 PM
Subject: Fwd: COMMERCIAL BUILDING AT CHOTO

>>> Annie Parrott <artistanniebelle@gmail.com> 12/8/2009 1:46:36 PM >>>
Dear members of the MPC,

My family and I have lived in the Choto area since 1972. We have seen it grow from a farming area to one subdivision after another, and the roads (all two lanes) are woefully inadequate.

With the building of a commercial area, it is going to be nearly impossible for us to access Northshore Drive from Choto Road (it is now super dangerous).

I urge you to vote AGAINST commercial building along Northshore Drive at Choto Road. We have plenty of commercial access in Farragut and Turkey Creek. Please keep our area RESIDENTIAL ONLY!

Sincerely,
Ann Parrott Bishara
12140 Warrior Trail

From: Sarah Powell
To: Betty Jo Mahan
Date: 11/30/2009 10:21:09 AM
Subject: Fwd: Opposition to the rezoning at the corner of Northshore and Choto Rd.

>>> <agentblanton@aol.com> 11/29/2009 8:27:46 PM >>>

Dear Sir/Ma'am,

I am writing this letter in opposition to the rezoning of residential property at the corner of Northshore Rd and Choto Rd to Residential Commercial. Apparently a developer is in the preliminary stages of planning to place a Weigles gas station and other commercial developments at this location. I live in Choto Fields subdivision which is on the north side of the Northshore/Choto intersection. I chose this location to live because of it's rural setting, quiet neighborhoods, and beautiful local near the lake. The residents in this neighborhood can still sit on the porches in the evening, look at the stars, and listen to the crickets and whopperwhills. This will all be gone with Weigles day-like illumination around its store and its illuminated sign. Since I have lived here, the area near Choto Rd and Northshore has become wildly popular as an exclusive residential community with property values among the highest in Knox Co. Many million dollar homes sit within one mile of this proposed location. I understand the need for Knox Co to collect taxes. It is the core of what makes our County government function. This 12 acres of ground would be a better tax base for Knox Co as a residential community rather than a single convenient store and strip mall.

Now, a builder wishes to alter this area forever by placing another convenient store/gas station in the heart of a neighborhood. If you are familiar with this area, there is a new AM/PM store within 1 mile of this location. The vast majority of residents work in Knoxville and pass several Weigles on their way to and from home. With the addition of this Weigles, it will be the third on Northshore from Ebenezer Rd to Choto Rd. There is a Weigles at the intersection of Pellissippi Parkway and Westland, and if you access Kingston Pike from McFee Rd there is a Weigles either direction you travel. I believe the potential for this store to be successful would be unlikely at best due to competition from the other stores. We just don't need a Weigles here nor do we want one. What we do want is our peace and quiet.

Furthermore, Northshore is a small, curvy, two lane road that is packed with commuters, bicyclist, and boaters. The addition of commercial traffic for this store will be a nuisance and a hazard to the residence of this area. The intersection at Northshore and Choto is already this highest accident location in this area due to the blind hill and four way intersection.

In closing I charge you with keep this area residential and preserving our quality of life and our property values and deny the application for rezoning. Please come to our neighborhoods and envision for yourself what this will do to our community.

Thank you for your time and feel free to contact me if you have further questions.

James and Jaime Blanton
12609 Coral Reef Circle

Knoxville, TN 37922
865-335-8882

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 10:01:34 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: "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: Sarah Powell
To: Betty Jo Mahan
Date: 12/8/2009 11:35:24 AM
Subject: Fwd: Choto Bend Position Statement

>>> "Jaye Wolfe" <howlinjwolfe@gmail.com> 12/8/2009 11:31:54 AM >>>

December 7, 2009

Metropolitan Planning Commission & Knox County Commissioners

Re: Proposed Commercial Development at Northshore & Choto

Please review the attached document written and adopted by Choto Estates Homeowner's Association.

At this time we ask that you postpone any decision on the above referenced development.

Randy Wolfe
President - Choto Estates Homeowner's Association

Growth, Development, Recreation, Conservation and Planning For the Choto Bend Community

Knox County, Tennessee

POSITION STATEMENT

We the people and registered voters of the Choto Bend Community (Choto Road south of Northshore Drive) have in recent times witnessed rapid changes in our community. Most notably is the ever-increasing level of traffic. The pleasant, relaxing drive home we all experienced just a few short years ago is now gone. There is no question that these changes are the direct result of increased population density.

The entire SW Sector of Knox County was at one time zoned Agricultural, restricting development densities to one house per acre. Piece by piece the zoning has and is still changing. The Choto Bend Community is unique in the fact that it is one of the last remaining areas of the southwest sector that has not had parcels re-zoned allowing development to proceed that deviates from the sector plan adopted by MPC, City Council, and County Commission in August 2005.

We are here and now taking a stand! We support the Sector Plan. We are now *surrounded* by development inconsistent with the Sector Plan and we do not want it to continue into the Choto Bend Community. The steep topography, tree lined ridges, agricultural fields, barns, farms, grazing livestock, wildlife and well-planned residential developments are what make this community beautiful. This is our home! It is this beauty and feel of country living that we all *appreciate* and want to *preserve* for future generations.

While we recognize that change will continue to occur, we would like you, our County Commissioners, Administrators, Regulators and Developers to be aware of the concerns and know the *position* of the citizens stated herein.

1. Limit Development to rural and low density residential in accordance with the recommendations of the MPC's Southwest Sector Plan.

As MPC notices of rezoning appear at development sites, we do not want to appear at every meeting to reiterate our position. This is our position, it will not change, (if it does, we'll let you know) and we want your support at each and every re-zoning request!

2. We oppose the extension of sewer lines across Dunn Ridge.

Any new development that falls within the guidelines of the Sector Plan will not require Sewer. In the Choto Bend Community there should never be a reason for sewer lines to extend across Dunn Ridge.

3 Ridge top disturbance

We oppose any development or structures that negatively impact the scenic beauty of the areas ridgelines.

4 Watershed protection

The Tennessee River is an important water source for many communities in the entire Southeastern United States. Low-density development as per the Sector Plan minimizes any negative impact. We support improved efforts and regulations that positively affect water quality.

5. WORK WITH THE CHOTO AREA PLANNING GROUP TO RE-DEVELOP AND RE-DEFINE THE SMALL AREA PLAN FOR THE AREA WEST OF CONCORD ROAD & NORTSHORE DRIVE.

We would like to see increased greenways, bike paths, more areas for outdoor recreation, and wildlife conservation, protection for sensitive areas, and continuity as the areas along Northshore Drive and secondary roads get developed.

6. RECOGNIZE THE LEVEL OF COMMUNITY SUPPORT

Subdivision -----# registered voters-----# signatures

Choto Estates
Channel Point
Lakeshore Meadows
Rivendell
Bluff Point
Nighbert Lane Area
Prater Lane Area
Choto Road Residents

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/7/2009 8:48:06 AM
Subject: Fwd: IN FAVOR OF DEVELOPMENT ON NORTHSHORE

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

>>> Dale Akins <dakins@themarketedge.com> 12/6/2009 9:22 PM >>>
To: Mike Brusseau

It is my understanding you are being asked to vote on a rezoning request by John Huber on Thursday, 12/10/09, for a parcel of land on the corner of Northshore Drive and Choto Road. I am a resident of Montgomery Cove, which is one of the adjacent residential developments, and I am in FAVOR of the proposed development.

When Mr. Huber first proposed the development, he presented his plans to our neighborhood at an open meeting of all residents at our clubhouse. Withing 48 hours of this meeting, a very vocal (and in my opinion a small minority) group of residents launched an all out assault of misinformation in order to kill Mr. Huber's development. First, an "unsigned" and misleading petition was placed in ALL mailboxes asking for a "NO VOTE" on a paper ballot. When this effort clearly failed (ie. the results were never posted on our subdivision website), the efforts only intensified.

Our subdivision website has a blog that allows residents to "post" topics of interest for discussion so all residents are equally informed. Below you will find the first posting on the blog that I started about Mr. Huber's development plan.

I personally would love to have a Weigels close to home since I shop there 3 - 4 times per week. Also below, you will find one of the many postings by a person of the "vocal minority". It is clear, this person fashions himself to be more qualified than the Weigels Company itself about which store locations will work and psychic since they know the private contract price of the land and the future plans for unknown developers. Suffice to say this, the other postings are so ridiculous and filled with downright lies, that our homeowners association president felt it necessary to request and post a rebuttal from Mr. Huber so truthful information could be shared with all residents.

Please vote YES for the proposed rezoning.

Respectfully,
Dale Akins
12624 Barnstable Lane
Knoxville, TN 37922
865-693-5066

POSTING BY DALE AKINS 11/21/09

I'm writing regarding the petition that was circulated in Montgomery Cove. First, I find it odd there seems to be a "movement" against the proposed development on the corner of Northshore and Choto yet there are no names listed on the petition. As a person that makes a living in the construction industry and a resident of Mont Cove, I think the proposed development is exactly the type of asset we would like in our community.

As it is today, the hump on Northshore Drive and the traffic signal that is needed at Northshore and Choto is not being considering for improvement by Knox County. The proposed development could foster those improvements and make our community safer.

I am also in favor of the development for another reason. We are being afforded the opportunity to have input into the process, thus removing the "unknown factor" of what "could be". The current A (agricultural) zoning allows many less restrictive and therefore less attractive uses including duplexes, rabbit farms, egg ranches, "farms devoted to the hatching, raising, fattening and butchering of chickens, pigeons, turkeys and other poultry", hog pens, mobile homes, water treatment plants, cemeteries, dog kennels, demolition landfills, commercial mulching operations, and outdoor paintball ranges. You can see this for yourself at <http://archive.knoxmpc.org/zoning/KnoxCounty.pdf>

I have known John Huber for several years and he not only lives across the street from us in Bayou Bend, he also cares about what we think and is asking for our support not to appease us, but to ensure the restrictive type of development he envisions will be supported by our community. Having a Weigels Farm Store as an "anchor tenant" will certainly attract a diverse network of businesses that will enhance our community. You can see the quality of Mr. Huber's developments for yourself at www.hardinvalley.com. My fear is that if we kill this development, a "politically-connected", less conscientious developer could obtain this property in the future and obtain a less restrictive commercial zoning.

Dale Akins

SUBSEQUENT POSTING BY OTHER RESIDENT

Points to consider against this Gas Station:

Safety issues with traffic on Northshore & Choto with consideration to tanker trucks

Limited site distance at that corner

If approved - while the county/city is working on re-leveling Northshore's "hilly" road there is a big possibility that the detour will go through Amberset for the duration of construction

Gasoline smell/effect on the surrounding area

Not enough foot/car traffic to sustain a six to eight pump station

Other buildings for "retail " use will likely not be built for 3-5 years after the station goes in; if at all

It is unlikely that someone would spend ~\$750K on a property so they can turn it into a Dump or a Chicken Farm.

It is likely that a developer would put in a high-end residential neighborhood

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/9/2009 2:14:55 PM
Subject: Fwd: Proposed Dev at Northshore and Choto

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

>>> <cdenton@metlife.com> 12/9/2009 11:01 AM >>>

My name is Clark Denton and I live in Montgomery Cove. I can only speak for my family, and we ARE in favor of the development. I think Mr. Jon Huber's vision for that piece of property will only serve as a property enhancer for the homes in Montgomery Cove. Furthermore, the proposed Weigel's convenience store will be welcomed.

I think the strict covenants of the development and proposed traffic restructuring make this site ideal for this "type" of development. Thank you for your time.

F. Clark Denton, MBA, CLTC
Investment Advisor Representative
Financial Services Representative

www.clarkdenton.metlife.com

Denton Financial Group
683-A Emory Valley Road
Oak Ridge, TN 37830
(865) 483-7909

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From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/9/2009 10:54:28 AM
Subject: Fwd: Development @ Choto and Northshore

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

>>> "R. E. Foust" <rfoust@pughcompany.com> 12/9/2009 9:33 AM >>>
Knox County Planning Commission:

My name is R.E. Foust and my wife and I reside at 1326 Waterside Lane in the Montgomery Cove Subdivision. We are aware that a development is under consideration for the vicinity of Northshore Drive and Choto Road. Based on what we have learned in recent meetings with Mr. Huber, we are in favor of the project.

We are aware that a few individuals are concerned about the appearance and negative impact such a development may have on the community but my wife and I believe the current proposal is superior to other options such as another subdivision or more intrusive commercial development. Based on comments made at town hall meetings concerning this project, most of the people in opposition seem to be only concerned about how this project will impact their views from their property. We realize this property will be developed by someone and believe Mr. Huber is very interested in seeking input from our community whereas other developers might not be so considerate. We have spoken with several members of our community and we believe the majority are in favor of the project. Those that have attended the meetings and voiced objections are a very vocal minority.

Based on Mr. Huber's reputation and Knox County requirements, we believe the development will not be an eye sore. Further, we do not believe it will negatively impact the traffic in the area and, with the addition of a controlled intersection, will make the area much safer.

If you would like to speak with me further concerning this issue, please call me at 865.548.3190.

Sincerely,

R.E. Foust

R. E. Foust, CPA
Vice President
Pugh & Company, P.C.
315 North Cedar Bluff Road, Suite 200
Knoxville, TN 37923
Phone: (865) 769-1654
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From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/9/2009 8:23:04 AM
Subject: Fwd: Northshore Project

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

>>> "Joseph Hamdi" <jhamdi@fhbank.com> 12/8/2009 4:40 PM >>>
I am a resident of Cabot Ridge. I strongly support this project off Northshore and Choto Road. The developer has a very good concept plan and knowing some of his projects, will finish it in a manner that will enhance our area. We need a market closer in to our neighborhood and need stores nearby so we don't have to drive a long way. I don't believe it will affect traffic since most of us will be driving by it anyway. It's only a destination to the residents that live close by, not the whole Farragut area or west Knoxville. The other C-store on Choto is not within our path or this market. It has its own client base that lives closer to it.

Joe Hamdi

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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: Mike Brusseau
To: Betty Jo Mahan
Date: 12/2/2009 4:27:54 PM
Subject: Fwd: Northshore Dr and Choto Development

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

>>> "Neil Schmitt" <neil.schmitt.gbx9@statefarm.com> 12/2/2009 2:19 PM >>>
Dear member of the MPC,

I am aware that the Northshore Drive and Choto RD area is being considered for development by Huber Development. I live in that area and have had discussions with several people about the future of this area, and would like to share my feelings with you

Living in the area, my first preference for that or any property near there, would be a quiet park like setting. But unfortunately if history is any indicator, it is inevitable that Northshore will become more and more developed. If this is indeed the case, I would then like to say that I hope that the MPC will give preference to developers that are local and more sensitive to the "scenic highway" that Northshore has been designated. I believe John Huber to be one that would understand the concerns of the citizens and give every attempt to protect the area and the values of other's property. I have asked Mr. Huber that should he be successful in being able to develop this property to consider the more progressive developments that you now see in Florida and the Hilton Head area where buildings are further removed from the road and landscaping is used to keep a more natural setting. I think everyone can agree that this development, whether a grocery store, a convenience store, or other similar ideas will be considered destination stops, not needing such high visibility.

With our without this immediate development, our neighborhood and this immediate area has a real road problem that I hope can be resolved. I am afraid as Jefferson Park completes it's subdivision and the YMCA opens, we will see increased traffic at rates of speed much too high for this area. People go too fast, cross the yellow line frequently and are not aware of the dangers exiting the Montgomery Cover subdivision due to terrible visibility. Possibly this development will facilitate or require improvements prior to completion.

In summary I hope that your authority can work with Mr. Huber to develop a plan that would be satisfactory to the community and yet satisfy the inevitable development for this area. Thank you for your work on behalf of the county citizens.

Respectfully,

Neil Schmitt

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/2/2009 9:28:30 AM
Subject: Fwd: Proposed Development - Northshore and Choto

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

>>> Dale Walker <wwalkerdale@hotmail.com> 12/2/2009 9:29 AM >>>

To the Knox County Planning Commission:

My name is Dale Walker and I am a resident of Bayou Bend located on Northshore Drive, just east of the development proposed by John Huber. I am president of the Bayou Bend Homeowners Association, but I am not representing the HOA in this matter. My opinion here represents only me and my wife, Laura.

We have enjoyed living in Bayou Bend for six and a half years with one drawback. It's a fairly long drive to any businesses, so we try to combine trips as much as possible to save gas and money. The limited development John Huber has proposed would definitely improve the local area and improve our standard of living. Having a convenience store within walking distance, or just a short drive away, along with some other facilities such as a deli, dry cleaners, etc. would save gas and money. The zoning requirements, along with John Huber's reputation for first class work, will ensure the attractiveness of the development. The area would become more of a neighborhood rather than just a series of subdivisions built on farmland.

I believe the development would actually decrease traffic on Northshore Drive as it would eliminate the need to drive to Farragut to buy a gallon of milk or a loaf of bread. While there is a small convenience store on Choto near the NS tracks, they charge very high prices due to lack of competition nearby.

Thank you for taking to time to hear the opinion of a resident and voter.

Best regards,

Dale Walker

12252 Mossy Point Way

Knoxville, TN 37922

865-675-2799

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

PSA, Inc. P.O. Box 740

Lenoir City, TN 37771

Ph 865-271-1093

Direct LineFax 865-271-1015

John Higdon

PSA, Inc.

P.O. Box 740

Lenoir City, TN 37771

Ph 865-271-1093 Direct Line

Fax 865-271-1015

**LTC (R) David A. Jones
12214 Cotswold Lane
Knoxville, Tennessee 37922**

December 6, 2009

Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, Tennessee 37902

Attention: Mark Donaldson, Executive Director

Dear Mr. Donaldson,

I am writing regarding MPC file number 12-B-09-RZ, a request by Huber Properties, LLC to rezone the property at the corner of Choto Road and Northshore Drive. I would like to state that I am opposed to this request and ask that the MPC not endorse it.

The reason for my opposition is simple. The land use outlined in proposed zoning change is not needed, does not fit in with other adjacent land uses and is unsafe. Let me explain these points.

First we do not need this type of development. We currently have two convenience stores located within 2 miles of my home. I can obtain fuel, food, beverages, fish bait and much more! If I do need something else I can drive to Turkey Creek or Farragut within 10 minutes.



Second, land use in this area is almost completely residential or public parks. That is the way we like it. If this zoning request was for a residential development I would gladly support the applicant.

Third, the roadway in the area of this proposed development is unsuited for this type of commercial traffic. Extensive tax dollars that we don't have will be required to insure this project is safe for motorists and pedestrians. Why expend these funds when we have empty storefronts all around the three mile area that would be impacted?

Thank you in advance for hearing my concerns. I hope the MPC will do the right thing and deny this request.

Sincerely,

David A. Jones

From: Sarah Powell
To: Betty Jo Mahan
Date: 12/3/2009 10:20:01 AM
Subject: Fwd: Proposed Rezoning to Neighborhood Commerical at the corner of Northshore and Choto

>>> John Lash <jrl031963@yahoo.com> 12/3/2009 9:06:29 AM >>>

It is my understanding the Commission will consider the re-zoning application for the above on December 10, 2009. I firmly believe the application is not in the best interest of the surrounding neighborhoods for a variety of reasons. However this email is being sent to address specifically the requirements in the zoning regulations in section 5.38.03 D. Can you either provide via email or tell me the procedure to procure documents supporting your review for fueling service station. I would assume that this would include documentation on potential environmental impacts, hazardous materials storage and odor issues being potentially being emitted for the proposed establishment. Thank you in advance for your help on this issue.

John Lash
12531 Choto Mill Lane
Knoxville, TN 37922
(865) 719-0448

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/7/2009 8:44:36 AM
Subject: Fwd: Rezoning at Northshore and Choto Road (item 37 on agenda)

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

>>> "Jim McEvers" <djmcevers@charter.net> 12/4/2009 1:23 PM >>>

Dear Mr. Brusseau:

I spoke with Mr. Huber at length last week regarding the proposed rezoning at Northshore and Choto from Residential to Residential Commercial.

He made me aware that meetings had been held with residents of Montgomery Cove, Choto Mill, etc. I had asked about any additional meetings but did not receive any indication of future meetings.

Basically I question if any commercial development is needed in a predominantly residential area.

With the extensive retail stores of all varieties available just a short distance to Kingston Pike, I can see little advantage to having additional congestion at that intersection. Since most people in this area must travel McFee Rd, Concord Road, or Westland Road to access this area, there is ample opportunity to access multiple retail outlets for gas, milk, bread, groceries, dry cleaners, etc. within a relatively short distance.

There is also a small convenience store, AM Express, that can fill the need for gas, gallon of milk, and similar such items located not a mile from the intersection.

Mr. Huber made reference to possibly a convenience store (Weigel's?), real estate office, ice cream parlor, children's play area, etc. as possible tenants.

It does not appear to me that we are in such dire need of any of these "services" to justify putting a commercial complex, no matter how "neighborhood friendly" it is, in this predominantly residential area.

In conclusion, I believe this request is poorly justified (if at all) and therefore voice my opposition to any form of rezoning from residential for commercial development.

Thank you.

Respectfully,

Jim McEvers
12630 Early Road
Knoxville, TN

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/9/2009 8:19:47 AM
Subject: Fwd: Objection to Sector Plan Change and subsequent Rezoning from Residential to Residential Commercial,

>>> "Jim McEvers" <djmcevers@charter.net> 12/8/2009 7:46 PM >>>
To: MPC Commissioners

From: Jim A. McEvers

Subject: Item 37 on current agenda (see below)

37. HUBER PROPERTIES, LLC

Southeast side S. Northshore Dr., northeast side Choto Rd.,

Commission District 5.

a. Southwest County Sector Plan Amendment 12-B-09-SP

From LDR (Low Density Residential) to NC (Neighborhood Commercial).

b. Rezoning 12-B-09-RZ

From A (Agricultural) to CN (Neighborhood Commercial).

I am writing to respectfully express my absolute objection to this action.

We have lived at 12630 Early Road going on 18 years. This area is predominantly residential and even the thought of putting a commercial site at the proposed location is absurd. Although the "Residential/Commercial" designation is supposed to make it more palatable, it is still traffic, asphalt, congestion, etc. There is also the mention of a possible traffic light or, heaven forbid, another round about!

As the Westside Shopper News (12/7/2009) put it; "Huber wants stores on Choto". I would ask; "So what? There are those of us who don't want stores (or other commercial development) in this area.

Again, quoting the Westside Shopper News; Mr. Huber is proposing " . tenants such as a dry cleaner, bank, or pizza restaurant." It is absurd to think that we need a dry cleaner in our neighborhood!! Is it so urgent that we get our clothes cleaned that we can't drop them off on

our way home on Kingston Pike or other major routes to this area? Also, is there is such a shortage of banks that we need another one "right next door"? With the profusion of ATM's at essentially every corner, why would we possibly need a bank out here? Also, what happens if you don't bank with that particular institution? You're going to Kingston pike after all!! With regard to a pizza restaurant, lord knows there is such a shortage of places to buy pizza and even get it delivered to your doorstep that you might have to drive for miles looking for pizza!!

When I spoke with Mr. Huber, he alluded that, while there was not a contract with Mr. Weigel, there was a possible potential for a store at that location. How many convenience stores do we need? There is a Weigel's on Kingston Pike (12640 Kingston Pike) just 4.5 miles from the Choto/Northshore intersection. With just a few minutes planning on people's way home from work they can pick up a gallon of milk, loaf of bread, or fill up their cars. They have been doing it for better than 18 years!

When did it become so critical that we get to the bank, get a pizza, get our clothes dry cleaned, get a gallon of milk, or fill up our car that we are willing to put up with the blemish created by the proposed commercial development with its' associated adverse impact on our environment and residential community, increased traffic, and resulting congestion?

Everyone in this area is just minutes from Kingston Pike and virtually unlimited access to essentially all the resources a person could need.

I do not believe that any rational justification can be made to approve such a sector plan change and subsequent rezoning and therefore strongly urge you to deny the proposed action.

By the way, while we are on the subject, what good are sector plans if they can be arbitrarily changed "willy nilly" just so a developer can stick something else in? As Mr. Benefield so eloquently put it (to paraphrase): "Codes enforcement is essentially two guys and a truck!".

Also from the Westside Shopper News: "It is not the best practice to amend a sector plan and rezone property at the same time (but it happens all the time)". I would like to ask: "When do we put a stop to this?"

Thank you.

Sincerely,

Jim McEvers

12630 Early Road

Knoxville, TN 37922-6128

228-2148

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/7/2009 8:41:10 AM
Subject: Fwd: Proposed plan

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

>>> Janet Michel <jrmichel@tds.net> 12/4/2009 9:42 AM >>>

Dear Mr. Brusseau,

I have just been informed of a proposed plan for rezoning for the purposes of building a commercial and/or residential establishment at the corner of Northshore Drive SW and Choto Dr.

Please know that I have been a resident of Knox County since 1970 and this sector since 1992 and I am pleased with the access I have to gasoline and a convenience store at the present. Vehicle access to this site will be dangerous. I have seen accidents and MANY near misses at the Choto/Northshore intersection. I, personally, have had to slam on my brakes and divert my line of driving to avoid an accident on numerous occasions. I am disabled and do not drive this road during rush hour. I'm certain the near misses increase during rush hour.

If you wish to discuss this issue with me, please feel free to call me at 966-5918.

Janet R. Michel

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/7/2009 8:45:46 AM
Subject: Fwd: Rezoning at Northshore and Choto Road (item 37 on agenda)

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

>>> "Ben Pethel" <bpethel@tds.net> 12/6/2009 11:54 AM >>>
Dear Mr. Brusseau:

I am writing to express my opposition to rezoning the referenced parcel from residential to commercial. In my opinion, it is not in the best interest of the community to amend the comprehensive zoning plan to provide an isolated island of commercial property in a residential area.

However, should the MPC choose to rezone this area, please consider restricting vehicular access to the site via Choto Road only. The intersection of Choto and Northshore is located in a valley between two blind hills. The crest of the east hill is approximately where the pedestrian crossing is shown on the conceptual site plan. Vehicles entering and exiting the proposed development directly from Northshore Drive will create a dangerous conflict with westbound traffic due to the blind hill.

Thank you for your consideration in this matter,

Ben

Ben Pethel

2110 Holderwood Ln.

Knoxville, TN 37922

865-335-3584

bpethel@tds.net

From: CINDYandJERRY RAILEY <candjrailey@msn.com>
To: <tbenefield@benefieldrichters.com>, <anders@holstongases.com>, <ubailey@esper.com>, <bartcarey@comcast.net>, <artclancy2@gmail.com>, <cole5137@bellsouth.net>, <ricraig@usit.net>, <gewart@georgeewart.com>, <s.johnson692@gmail.com>, <makane1@bellsouth.net>, <j.kelly@gmail.com>, <rebeccalongmire@hotmail.com>, <wstowers@stowerscat.com>, <mark.donaldson@knoxmpc.org>
Date: 12/7/2009 8:58:59 PM
Subject: Plan Admendments & Rezoning Requests for December 10, 2009 MPC Mtg

MPC Commissioners:

Regarding New Applications 12-B-09-SP & 12-B-09-RZ Huber Properties

SE Side Northshore Dr; NE side Choto Rd.; County 5; Parcel ID 162MB001

We are opposed to the rezoning and subsequent development of this 12 acre parcel next to our neighborhood, Montgomery Cove. We currently have a gas station within a 1/2 mile radius of our subdivision and we have a large commercial developement, Turkey Creek, to satisfy all our shopping needs. Not to mention the addition of the new Kroger commercial development which is also within a three mile radius.

We do not have the infrastructure, in place, to support a "Neighborhood Commercial" development the size that Huber Properties is proposing. Our subdivision is "boxed" in by the river and Northshore / Choto roads.

We moved to Montgomery Cove 7 1/2 years ago to enjoy a more rural atmosphere. We love to spend time outdoors and have almost lost our "night" sky with all the lights from Knoxville and Turkey Creek. The Weigels Gas Station which is mentioned as the only tenant, to date, would light up our back yard with a big red glow.

In our opinion, the only people who would profit from this rezoning would be the developer and Weigels. With this in mind, please vote against the rezoning requested on this property.

Sincerely,

Cindy & Jerry Railey

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

From: Mike Brusseau
To: Betty Jo Mahan
Date: 12/7/2009 8:43:30 AM
Subject: Fwd: Rezoninmg at Choto and Northshore for a Retail complex

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

>>> "Craig Runger" <craig@johnbaileyco.com> 12/4/2009 12:44 PM >>>
Michael,

I am the President of the Choto Area Homeowners Association. I have owned property in the Choto Area since 1976. I have been involved in most of the development plans for the Choto prior to 1996, when the MPC, and County Commission broke their covenants with the 612 families that resided in the Choto at the time. Since that time the area that was the "safe place" to the Cherokees has been bastardized by developers who have had no real consideration for the beautiful vistas and land that once were taken for granted by all residents who lived there within the guidelines of 1 dwelling per acre and no commercial development.

Thanks to the developers, the MPC, the county commissioners, and others in county government, our area has been transposed, into an area of multiple houses overcrowding the landscape, a 2-lane State Road which to date has only killed 6 since 1996 despite the efforts of ignorant drivers that do not respect the area or its occupants, Mosquito Farms that lay claim to the summer nights.....thanks to the necessitated "catch basins" for multiple dwelling run-off in sub divisions and adjacent to all commercial buildings. Natural drainage is now a thing of the past. There was never any flooding over the roads prior to Montgomery Cove and Cabot Ridge now there are reminders during each heavy rain to remind residents of how miserably our County "leaders", and its employees have abused our trust.

Does this sound negative? I don't think so. I as a tax paying resident of the Choto respect the land and my neighbors, even though most cannot enjoy the memories of the once beautiful land we occupy as I can. In the meantime leave the intersection as it is. The folks in the Choto can afford to drive to Kroger 6 miles away if they need anything. It only takes 10 minutesif you sorta obey the speed limit!

Craig Runger
Account Executive
Tel: 865.524.0785
Cell: 865.599.4979
Fax: 865.524.0789
www.johnbaileyco.com