



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

**FILE #:** 1-E-10-RZ **AGENDA ITEM #:** 33  
1-C-10-SP **AGENDA DATE:** 2/11/2010

POSTPONEMENT(S): 1/14/10

**APPLICANT:** HUBER PROPERTIES, LLC  
**OWNER(S):** MILLER JAMES EMERSON & JUDY BRISCOE TRUSTEE

**TAX ID NUMBER:** 162 064  
**JURISDICTION:** Commission District 5

**LOCATION:** Southeast side S. Northshore Dr., northeast of Choto Rd.  
**TRACT INFORMATION:** 3.4 acres.  
**SECTOR PLAN:** Southwest County  
**GROWTH POLICY PLAN:** Planned Growth Area  
**ACCESSIBILITY:** Access is via S. Northshore Dr., a minor arterial street with 21' of pavement width within 85' of right of way.  
**UTILITIES:** Water Source: First Knox Utility District  
Sewer Source: First Knox Utility District  
**WATERSHED:** Tennessee River

**PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)  
**PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / CN (Neighborhood Commercial)  
**EXISTING LAND USE:** House  
**PROPOSED USE:** Neighborhood commercial  
**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, extension of MPC approved NC to the west.  
**HISTORY OF ZONING REQUESTS:** None for this site, but NC and conditioned CN zoning was approved by MPC on December 10, 2009 to the west (12-B-09-SP). This is still pending  
**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Residences and vacant land / LDR / A (Agricultural)  
South: Vacant land / NC (pending) / CN (k) (Neighborhood Commercial) (pending)  
East: Vacant land / NC (pending) / CN (k) (Neighborhood Commercial) (pending)  
West: S. Northshore Dr. - Residential subdivision / LDR / PR (Planned Residential) @ 2.4 du/ac  
**NEIGHBORHOOD CONTEXT:** This area is developed with agricultural, rural residential and low density residential uses under A and PR zoning.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION #1-C-10-SP, amending the Southwest County Sector Plan to NC (Neighborhood Commercial) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

This site meets criteria for approval of neighborhood commercial uses, as recommended. The neighborhood commercial designation is appropriate for this expansion of a commercial crossroads location which is in close proximity to residential uses.

- ▶ **RECOMMEND that County Commission APPROVE CN (Neighborhood Commercial) zoning, subject to the following 4 conditions.**

1. Uses within the area of the site depicted on the attached map (Exhibit B), shall be limited to the permitted uses and uses on review marked with an asterisk on the attached copy of the CN zoning district from the Knox County Zoning Ordinance (Exhibit C).
2. All outdoor site lighting must be full cutoff luminaire, meaning the luminaire/light fixture shall allow no direct light emissions above a horizontal plane through the luminaire's lowest light-emitting part. Also, lights located under gasoline service station canopies, canopies for bank automatic teller machines, and other such similar canopies shall be recessed into the structure ceiling and shall use light shields so as to prevent glare. No portion of the bulb or the glass/plastic surrounding the bulb shall protrude from the structure ceiling unless it can be shown that a different style would be equivalent to or better than this requirement. The maximum number of footcandles at a property line that is adjacent to non-commercial or non-office zoned land shall be 0.5 footcandles. The maximum number of footcandles at a street right of way or a property line that is adjacent to commercial or office zoned land shall be 3.0 footcandles. Lighting and photometric plans must be submitted with development plans to demonstrate that these conditions will be satisfied.
3. All development shall be subject to a unified architectural plan that meets the intent of the General Plan's village-like appearance, consistent with development policy 9.9 of the Knoxville-Knox County General Plan 2032. All structures must be built using residential materials on the exterior, be compatible with the scale of residential structures in the area. Visible paving should be minimized throughout the development.
4. Any proposed development shall be subject to MPC approval of a development plan as a use on review. For each individual plan submittal, an overall site plan must also be submitted for the site in its totality. This applies to this site, as well as the adjacent 12 acres already approved for CN zoning by MPC on December 10, 2009.

With the above conditions, CN zoning is appropriate at this location to serve residents who live in the vicinity of the site, as well as commuters travelling on either of the two streets at this intersection. CN zoning will allow low impact commercial uses and includes considerable landscaping and other development regulations to minimize the impact on nearby residential areas, as well as improve the aesthetic appeal of the development. The condition limiting the use of the northeast and southeast portions of the site to selected less intense CN uses will provide a transitional area between commercial and residential areas, as well as establish a stopping point for commercial uses to keep them from extending further down Northshore Dr. or Choto Rd.

**COMMENTS:**

This 3.4 acre site is proposed to be added into the previously approved 12 acre site for development of neighborhood commercial uses, creating a total area of about 15 acres to be designated and zoned for neighborhood commercial. As indicated in the December 10, 2009 MPC staff report for 12-B-09-SP and 12-B-09-RZ, staff is recommending approval of the NC plan designation for this entire site, and approval of CN zoning, subject to the same conditions recommended by MPC at the December meeting.

**SECTOR PLAN REQUIREMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

**NEW ROAD OR UTILITY IMPROVEMENTS:**

There have not been any recent road improvements around the intersection of S. Northshore Dr. and Choto Rd. However, Knox County Engineering reports that there is a history of crashes at the intersection and that there has been some study into installing either a traffic signal or a roundabout to help with traffic control. There is a crest on S. Northshore Dr. in front of the subject property that limits the sight distance for vehicles turning from Choto Rd. onto S. Northshore Dr. Knox County Engineering reports that preliminary study indicates that the road grade must be lowered about six feet to eliminate the sight distance issue, which would involve about 350 linear feet of S. Northshore Dr. in the improvements. The expectation is that if the applicant is granted this rezoning and the right to develop the property, that he should enter a public-private partnership

to help fund the improvements, or finance the improvements himself. The applicant has had discussions with Knox County Engineering staff about this issue. Engineering staff has also stated that a traffic impact study will be required prior to development of the property. Depending on the results of this study, there may be additional improvements needed, such as the addition of turning lanes or some form of added traffic controls at the intersection. The expectation is that if this site is approved for neighborhood commercial development, that the developer would participate in making needed road improvements in some form of private-public partnership, the most likely occurrence.

**ERROR OR OMISSION IN CURRENT PLAN:**

The current sector plan calls for low density residential use for the site. However, this site is located at the intersection of a collector and arterial street, which makes it a viable location for a small commercial node. During the last update of the Southwest County Sector Plan, which was adopted in August, 2005, comprehensive planning staff had identified this intersection as an appropriate location for neighborhood commercial uses, but that proposal was taken out of the plan after staff heard concerns from area residents at public meetings. The staff's opinion has not changed that neighborhood commercial would be the best use of this site.

**CHANGES IN GOVERNMENT POLICY:**

This location adjacent to an intersection is appropriate for neighborhood commercial uses. The requested CN zone is intended to allow lower impact neighborhood serving commercial uses. Being located at the intersection, two points of access may be gained to the site from the arterial or collector street. This site is a typical situation for establishment of a commercial crossroads.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:**

There has been pressure to develop commercial uses at this intersection in the past. The number of residential permits issued in the area since 2000 seems to indicate a perceived demand for commercial services to serve area residents as well as commuters driving through the area. This location, because it is at the intersection of a collector and an arterial street, is appropriate for the establishment of a small commercial node. Permitting commercial development at this location could lead to much needed improvements to this dangerous intersection, where there is a history of crashes.

**REZONING REQUIREMENTS:**

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

1. CN zoning is appropriate for this expansion of the commercial crossroads location at the intersection of collector and arterial streets.
2. The surrounding area has been developing rapidly with residential uses. MPC staff research shows that within 2 miles of this site, 1,321 building permits have been issued for detached houses since the year 2000, as well as 10 condominium units and 5 mobile homes. The closest commercial use to the subject site is about 1.2 miles to the north along Harvey Rd., which is a convenience store with fuel pumps, developed in PR zoning. The next closest commercial uses/zoning are about 2.9 miles to the northeast, on Concord Rd., north of Northshore Dr. Commercial uses/zoning on Kingston Pike to the north are about 3.5 miles to the north of the site. These numbers indicate that establishment of commercial uses at this location would substantially reduce vehicle miles travelled, because area residents would not have to drive as far to obtain certain commercial goods and services that could be offered at this location.
3. The development criteria of the CN zone allows for commercial development that is compatible with nearby residential uses. On parcel 19 to the southwest, which is about one acre in size, CA zoning and a commercial plan designation were applied for twice within the last 8 years (12-D-01-RZ/12-A-01-SP and 9-C-04-RZ/9-B-04-SP). In 2001, the CN zone was not available. Staff recommended denial of both requests and the applicant withdrew the requests before they were ever heard by MPC. In 2004, staff recommended approval of a C sector plan designation, limited to CN zoning and approval of the rezoning to CN, rather than the requested CA zoning. These requests were denied by MPC on 9/9/04, due to neighborhood opposition, and there were no appeals filed. Staff maintains its position that CN zoning is appropriate at this intersection. The subject property is larger in size than the one acre site that was previously considered, which will allow more space for increased setbacks and a better landscaping and traffic circulation plan, leading to an overall higher quality development.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:**

1. The requested CN zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as

possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.

2. The subject property clearly fits the criteria spelled out in the above general description of the CN zone from the Knox County Zoning Ordinance.
3. The development criteria contained within the CN zone are essential to minimize the impacts to adjacent residential uses and leading to compatible development. Staff would not support any BZA variances to these development standards for this site, as they would undermine the compatibility with surrounding properties and dilute the effectiveness of the CN zone.

#### THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools and the traffic impact will depend on the type of commercial uses that are established.
3. CN zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. Also, the CN zone requires substantial landscaping throughout the perimeter of the site and parking areas, requires sidewalks to connect with adjacent neighborhoods, permits only indirectly illuminated, monument signs and contains criteria to prevent site lighting spillover to adjacent properties, which are further specified in the above recommended condition 2.
4. Many uses allowed within the CN zone, such as restaurants, fueling stations (with or without convenience stores), child day care centers and any use which includes drive-through or drive-in facilities, requires use on review approval by MPC prior to construction. This will provide the opportunity for MPC and County Engineering staff to review the plan and address issues such as traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the amendment from LDR to NC, the requested CN zoning would be consistent with the Southwest County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of these requests could lead to future requests for neighborhood commercial or similar zoning in the surrounding area. Each request would have to be considered on a case by case basis, based on its own merits. Staff would likely not recommend further expansion of neighborhood commercial uses at this time, beyond the approximately 15 acres being considered between these and the upcoming January applications referenced above.
4. The proposal is supported by several development policies of the Knoxville-Knox County General Plan 2032. Several of these policies are listed below, exactly as written in the plan under "Development Policies."
  - 8.2 Locate neighborhood commercial so that it will enhance, rather than hinder, the stability of residential areas.
  - 8.3 Focus on design quality and neighborhood compatibility in reviewing development proposals.
  - 9.9 Encourage village centers as the preferred form of retail development, and use the neighborhood commercial zones to provide day-to-day services near residential areas.
  - 9.11 Locate community-serving commercial areas where they can easily be shared by several neighborhoods.
  - 9.12 Locate day care centers and other neighborhood services at the edges of neighborhoods or in village centers. Locate freestanding day care facilities (those serving six or more children) on the perimeter of residential areas, on arterial or collector streets, in a manner which will not adversely affect surrounding properties.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

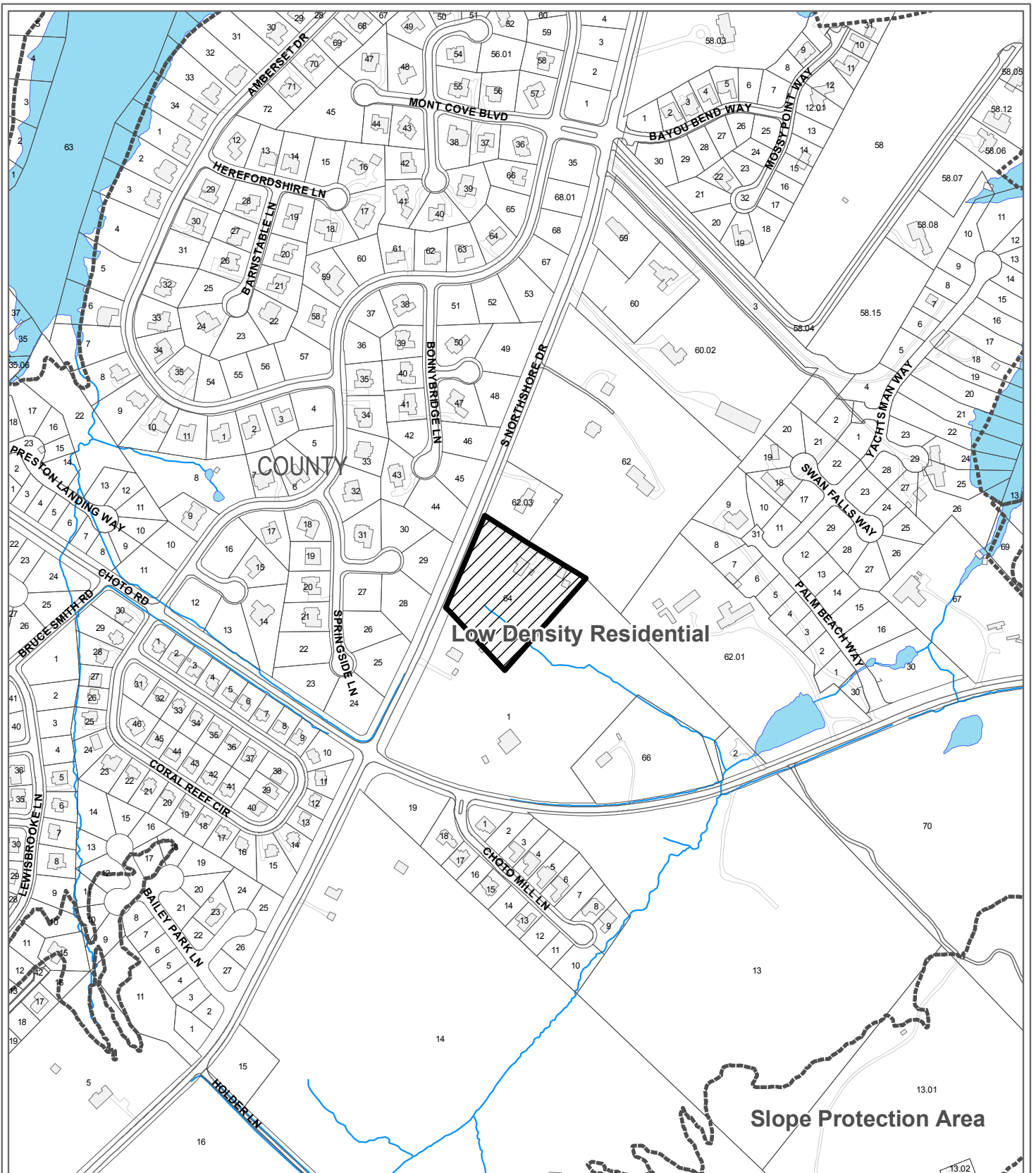
1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning

Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 3/22/2010. 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.



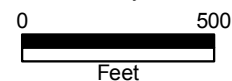
**1-C-10-SP / 1-E-10-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)  
To: NC (Neighborhood Commercial)



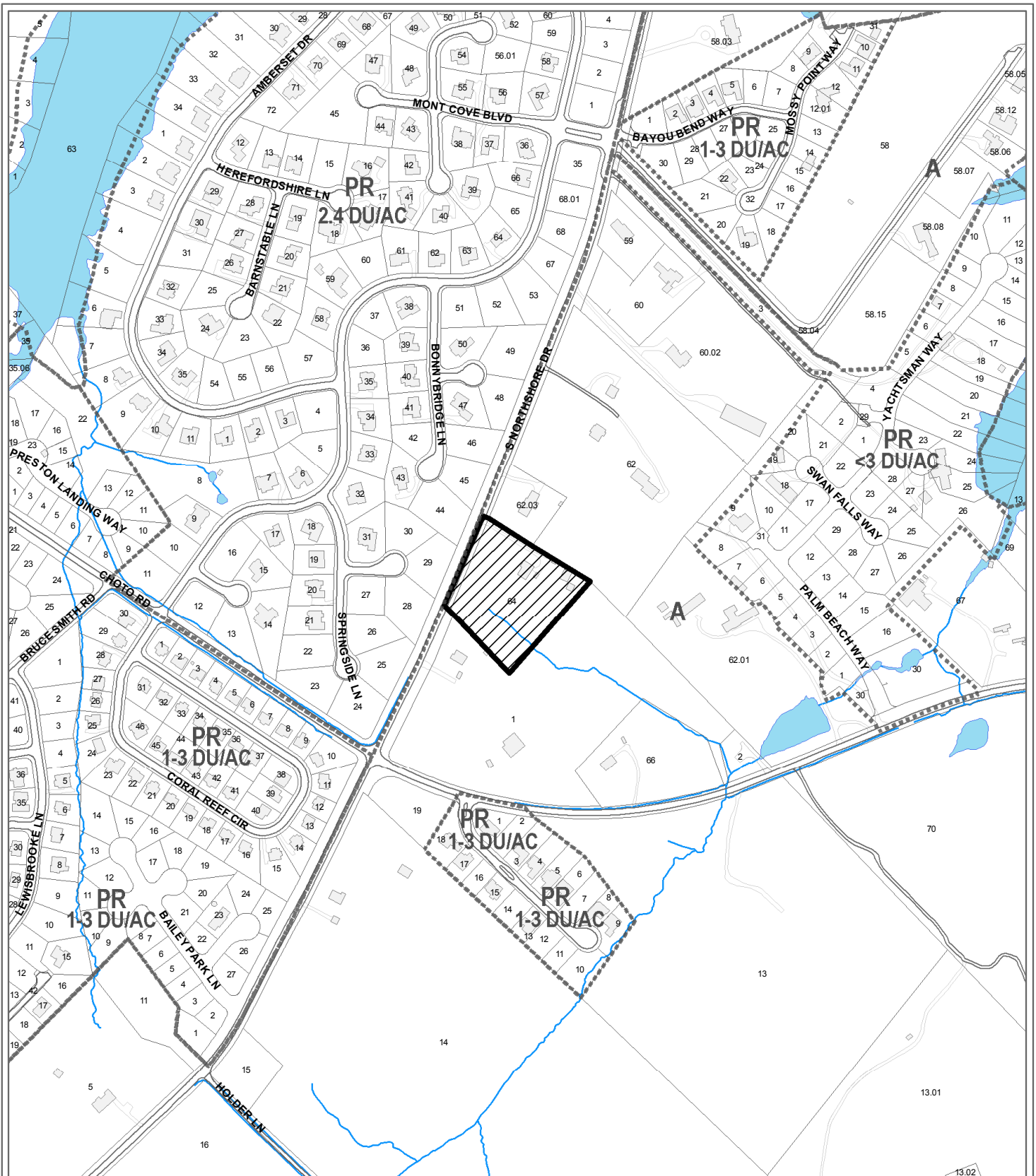
Petitioner: Huber Properties, LLC

Map No: 162  
Jurisdiction: City



Original Print Date: 12/28/2009      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





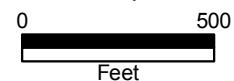
**1-E-10-RZ  
REZONING**

From: A (Agricultural)  
To: CN (Neighborhood Commercial)

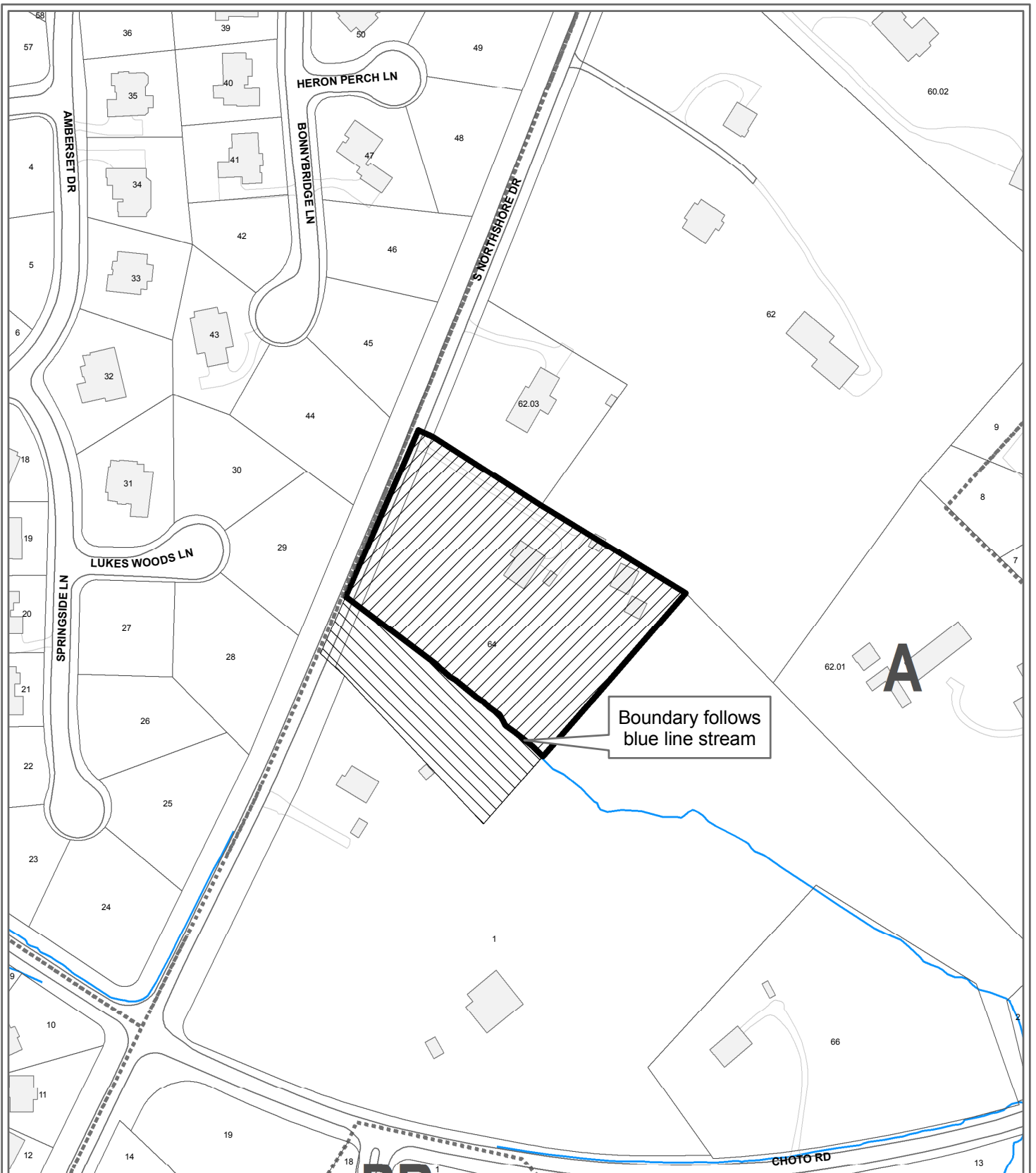


Petitioner: Huber Properties, LLC

Map No: 162  
Jurisdiction: City



Original Print Date: 12/28/2009      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**Exhibit B: Area Recommended for Limited CN Uses (1-E-10-RZ)**



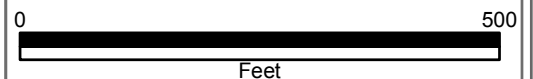
From: A (Agricultural)  
 To: CN (Neighborhood Commercial)

Petitioner: Huber Properties, LLC

Map No: 162  
 Jurisdiction: County



Original Print Date: 12/28/2009 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE SOUTHWEST COUNTY SECTOR PLAN**

**WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

**WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

**WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

**WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Southwest County Sector Plan, consistent with the requirements of the General Plan; and

**WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and

**WHEREAS**, Huber Properties, LLC, has submitted an application to amend the Sector Plan from Low Density Residential to Neighborhood Commercial for property described in the application; and

**WHEREAS**, the Metropolitan Planning Commission staff recommends approval of an amendment to the Southwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

**WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on February 11, 2010, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Southwest County Sector Plan, with its accompanying staff report and map, file #1-C-10-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that the Commission of Knox County likewise consider this revised amendment to the General Plan 2033.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

"Exhibit C"  
1-C-10-SP/1-E-10-RZ  
Item 42  
Zone Regulations

Article 5

**5.38 NEIGHBORHOOD COMMERCIAL ZONE (CN)**

5.38.01 General Description

This commercial zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.

5.38.02 Uses Permitted

Only the following uses shall be permitted by right in the CN zoning district. Where North American Industry Classification System (NAICS) codes are indicated after permitted uses, the businesses listed under that classification in the United States Office of Management and Budget *North American Industry Classification Manual, 1997 edition*, shall be permitted providing all other requirements of this ordinance are fulfilled. All uses permitted are subject to administrative site plan approval (Article 6, Section 6.70):

- A. Retail sales limited to:
  - Grocery stores (NAICS 4451)
  - Household supplies
  - Clothing/shoes/jewelry (NAICS 448)
  - Garden and lawn supplies (NAICS 4442)
  - Drugs and medicine (NAICS 446110)
  - Small appliance sales (NAICS 44311) and repair (NAICS 811412)

Baked goods (NAICS 445291)  
 Delicatessen goods  
 Newsstands/bookstores (NAICS 45121)  
 Florists (NAICS 453110)  
 Gift shops (NAICS 453220)  
 Arts/crafts (NAICS 453920)  
 Antiques  
 Hardware (NAICS 44413)  
 Fabric/upholstery shops  
 Video sales and rentals (NAICS 532230)

B. Business and personal services limited to:

- \* Barber and beauty shops (NAICS 8121)
- \* Tailor/shoe repair (NAICS 811430)
- \* Laundry and dry cleaning drop-off / pick-up stations only
- \* Banks and similar institutions (NAICS 522)
- ~~Laundromats limited to self-service facilities (NAICS 812310)~~
- \* Copying services (NAICS 56143)
- ~~Equipment rental (excluding vehicles intended for highway use) (NAICS 532)~~

- \* C. Business and professional offices, which provide direct services to customers limited to:
  - Travel agencies (NAICS 561510)
  - Outpatient medical (NAICS 621)
  - Dental (NAICS 6212)
  - Real estate (NAICS 531)
  - Finance and accounting (NAICS 523, 5412)
  - Architect/engineering (NAICS 5413)
  - Insurance (NAICS 524)
  - Legal services (NAICS 5411)
  - Local, state and federal government offices and programs

- \* D. Veterinary clinics and animal hospitals, with no boarding of animals (NAICS 541940).

- \* E. Accessory uses to the principal use such as: parking facilities (subject to Article 3.50), indoor storage areas, signs (subject to Article 3.90).
- F. Commercial telecommunications towers, if the proposed tower is located 500 feet or more from a residence or residential zone, provided they meet the requirements of Article 4.92.
- \* G. Residential uses may be located on the second floor and above of a business. Dwellings may also be located on the same site only if an accessory use to the primary use for a business.
- \* H. Uses similar to the uses listed as "uses permitted" may be considered for appropriateness by the Planning Commission under the Use Determination public hearing process. If the requested use is approved, it may be located in this zoning district.

#### 5.38.03 Uses Permitted on Review

- \* A. Child day care centers, provided they meet the requirements of Article 4.93.
- \* B. Adult day care facilities, provided they meet the requirements of Article 4.98.
- C. Restaurants (NAICS 722)
- D. Fueling service stations with or without convenience stores (NAICS 447110).
- E. Any permitted use listed above, which includes drive-through or drive-in facilities.
- F. Outdoor storage of materials, products, or equipment.
- G. Commercial telecommunications towers, if the proposed tower is located within 500 feet of a

residence or residential zone, provided they meet the requirements of Article 4.92.

5.38.04 Building Size and Type Regulations

- A. No building shall exceed 35 feet in height.
- B. No individual building or commercial establishment shall have a floor area exceeding 5,000 square feet.

5.38.05 Lot area

The building lot must be a minimum of 10,000 square feet in size.

5.38.06 Front yard setbacks and landscaping requirements

All buildings shall be setback from the street right of way lines not less than thirty-five feet. Parking must be setback a minimum of ten feet. The parking setback area must contain a minimum of one native shade tree, capable of reaching 50 feet in height at maturity, per every 60 feet or portion thereof of linear street frontage. The native shade trees must be spaced a minimum of 50 feet apart at the time of planting. One ornamental tree is required per every 25 feet or portion thereof of linear street frontage, to be placed between and among the shade trees, with a minimum of 15 feet spacing from the shade trees.

5.38.07 Side yard setbacks and landscaping requirements

- A. Where the side yard is adjacent to a residential district, the building setback shall be not less than twenty feet. The required side yard must be landscaped with a minimum of one evergreen tree per every 30 feet or portion thereof of side yard property depth (portion outside of required front and rear yards). The evergreen trees must be spaced a minimum of 30 feet apart at the time of planting. Shrubs and/or ground cover plantings must cover the

remainder of the side yard, except for the space within 10 feet from the base of the evergreen trees.

- B. Where the side yard is not adjacent to a residential or agricultural district, the building setback shall be not less than ten feet. The side yard must be landscaped with a minimum of one native shade tree per every 60 feet or portion thereof of side yard property depth (portion outside of required front and rear yards). The native shade trees must be spaced a minimum of 50 feet apart at the time of planting. One ornamental tree is required per every 25 feet or portion thereof of side yard property depth (portion outside of required front and rear yards), to be placed between and among the shade trees, with a minimum of 15 feet spacing from the shade trees.

**5.38.08 Rear yard setbacks and landscaping requirements**

- A. Where the rear yard is adjacent to a residential or agricultural district, the building setback shall be not less than twenty-five feet. The required rear yard must be landscaped with a minimum of one evergreen tree per every 25 linear feet or portion thereof of rear yard property length. The evergreen trees must be spaced a minimum of 30 feet apart at the time of planting. Shrubs and/or ground cover plantings must cover the remainder of the rear yard, except for within 10 feet from the base of the evergreen trees.
- B. Where the rear yard is not adjacent to a residential or agricultural district, the building setback shall be not less than ten feet. The rear yard must be landscaped with a minimum of one native shade tree per every 60 feet or portion thereof of rear yard property length. The native shade trees must be spaced a minimum of 50 feet apart at the time of planting. One ornamental tree is required per every 25 feet or portion thereof of side yard property depth (portion outside of required



front and rear yards), to be placed between and among the shade trees, with a minimum of 15 feet spacing from the shade trees.

5.38.09 Additional Landscaping and Site Development Standards

A. Parking areas:

1. All parking lots of 20 or more spaces shall contain within the interior of the parking lot not less than one native shade tree, capable of reaching 50 feet in height at maturity for every ten spaces or fraction thereof. In no case shall more than 10 parking spaces be located in a row without a planting island (minimum of 9 feet in width) containing at least one native shade tree surrounded by shrubs and groundcovers.
2. Where parking abuts the building, there must be a sidewalk of at least five feet in width between the parking spaces and the building.
3. At the end of any parking row, there must be a terminal planting island (minimum of five feet in width) containing at least one native shade tree surrounded by shrubs and groundcovers.
4. At least 50 percent of the length of the exterior walls of the building must have a landscaping strip of at least four feet in width.

B. Any pre-existing, healthy, applicable landscaping on a proposed site may be counted toward any of the landscaping requirements of this zoning district.

5.38.10 Off-street Parking

As regulated in Article 3, Section 3.50 of this resolution.

5.38.11 Signs

As permitted by Article 3.90 of this resolution.

5.38.12 Health Department Approval

The development shall not be approved until the Knox County Department of Code Administration has been notified in writing by the Knox County Health Department that the disposal system for sewage abides by all applicable standards.

5.38.13 Utilities

All utility transmission lines serving individual uses shall be placed underground.

5.38.14 Site Lighting

Lighting of all types shall be directed away from all residential or agricultural districts and any public rights-of-way.

5.38.15 Administration

For uses listed as permitted uses within the CN (Neighborhood Commercial) zoning district, no building or structure shall be erected or altered until and unless a plan for such development has been filed with and approved by the Knox County Department of Code Administration. The plan shall be filed in accordance with the requirements of Article 6, Section 6.70 (Administrative Site Plan Review), of this zoning ordinance.

5.38.16 Sidewalks

Pedestrian sidewalks must be provided on each site to allow access to the adjacent neighborhood. If adjacent properties have a sidewalk, the sidewalk must connect with it. If adjacent properties are vacant, then the developer must post

a bond with the Knox County Department of Engineering and Public Works to guarantee installation of a sidewalk at the time of development of adjacent properties. Sidewalks must be paved with a minimum width of 4 feet.

From: prschaffer@aol.com  
To: mike.hammond@knoxcounty.org  
Sent: 21/01/2010 16:47:54 Eastern Standard Time  
Subj: Supporting the Northshore & Choto development

Dear Mr. Hammond:

I have been reading about the proposed development at Northshore Drive and Choto Road and am a bit surprised by the negative reaction of some of the local residents. A small convenience retail center would be a bonus for the community as there is pent up demand for services such as a convenience store, dry cleaning drop off/pick up, and maybe even a nice neighborhood restaurant. I live in the area and drive through that intersection many time every week headed to the baseball fields and often wish there was a Weigel's or similar store to grab gas or a Gatorade for my son. A development like this would not bring additional traffic to the area, it would only serve those who are already on these roads. Additionally, that intersection needs to be signalized with or without this development. It has become quite dangerous over the years as the numerous subdivisions have been built.

More often than not, I'm sure you only hear from the detractors on an issue so I wanted to let you know there are some who think this is a good idea. Thank you for your time and your dedicated service to our community.

My best,

Paul Schaffer  
742 Cabot Drive  
Knoxville, TN 37934

## I strongly SUPPORT limited commercial development at Northshore and Choto road

From:  mccmuir tds.net (mccmuir@tds.net)

Sent: Tue 1/19/10 11:16 PM

To: thomas.strickland@knoxcounty.org; sam.mckenzie@knoxcounty.org; mark.harmon@knoxcounty.org; amy.broyles@knoxcounty.org; ivan.harmon@knoxcounty.org; tony.norman@knoxcounty.org; finbarr.saunders@knoxcounty.org; ed.shouse@knoxcounty.org; mike.hammond@knoxcounty.org; craig.leuthold@knoxcounty.org; richard.briggs@knoxcounty.org; greg.lambert@knoxcounty.org; brad.anders@knoxcounty.org; larry.smith@knoxcounty.org; michele.carringer@knoxcounty.org; bud.armstrong@knoxcounty.org; dave.wright@knoxcounty.org; paul.pinkston@knoxcounty.org; michael.brown@knoxcounty.org; tbenefield@benefieldrichters.com; michaeal.brusseau@knoxmpc.org; anders@holstongases.com; ubailey@esper.com; bartcarey@comcast.net; jnframpton@hotmail.com; artclancy3@gmail.com; cole5137@bellsouth.net; rlcraig@usit.net; gewart@georgeewart.com; s.johnson692@gmail.com; makane1@bellsouth.net; Nathan.J.Kelly@gmail.com; rebeccalongmire@hotmail.com; wstowers@stowerscat.com

Dear Sirs and Madams,

I would like to take this opportunity to express my support of limited commercial development in the Northshore/Choto area. I have been a resident of that area for the past 14 years and have witnessed the tremendous growth it has undergone. When I first built our house at 2044 Wilkerson Road (off Harvey Road), there was very little that far west. Over the years, several neighborhoods have been developed, roads improved and now, we even have the Davis Family YMCA. All these additions have not only added to the comfort and convenience of the area but increased property values and in turn, revenue for the county. Even with this growth, there still exists a stigma that that far is west is too remote. Currently, you must travel into Farragut or Lenoir City to obtain simple conveniences such as gasoline, groceries, a cup of coffee, or a dinner out. One of the things that I feel would greatly add to the convenience of that area is a Weigels or similarly establishment. I believe that based on how well the Mini-Mart that opened last year off Harvey Road was received that this would eventually prove to be a welcome addition to the neighborhood. The convenience of getting gas on the way to and from the house, run in to get some milk in hurry, or even a simple cup of coffee (I love Weigels and Pilot chilled french vanilla cream) would be a welcome and much needed addition.

If traffic patterns are a concern, maybe you could consider another round-a-bout similar to concord and northshore. Although I originally was opposed to that (mainly out of ignorance), I believe it has proven to be a tremendous improvement in traffic flow.

Thank you for your time and consideration.

Michael Muir

**corner of choto and northshore SUPPORT**

From: **Rich Levenson** (richlevenson@gmail.com)

Sent: Fri 1/22/10 11:48 AM

To: makane1@bellsouth.net; wstowers@stowerscat.com; Amy Broyles (amy.broyles@knoxcounty.org); Anders (anders@holstongases.com); Art Clancy (artclancy3@gmail.com); Bart Carey (bartcarey@comcast.net); Brad Anders (brad.anders@knoxcounty.org); Bud Armstrong (bud.armstrong@knoxcounty.org); Cole (cole5137@bellsouth.net); Craig Leuhold (craig.leuhold@knoxcounty.org); Dave Wright (dave.wright@knoxcounty.org); Ed Shouse (ed.shouse@knoxcounty.org); F. Saunders (finbarr.saunders@knoxcounty.org); George Ewart (gewart@georgeewart.com); Greg Lambert (greg.lambert@knoxcounty.org); Ivan Harmon (ivan.harmon@knoxcounty.org); JN Frampton (jnframpton@hotmail.com); Larry Smith (larry.smith@knoxcounty.org); Mark Harmon (mark.harmon@knoxcounty.org); Michael Brown (michael.brown@knoxcounty.org); Michael Brusseau (michaeal.brusseau@knoxmpc.org); Michele Carringer (michele.carringer@knoxcounty.org); Mike Hammond (mike.hammond@knoxcounty.org); Nathan Kelly (Nathan.J.Kelly@gmail.com); Paul Pinkston (paul.pinkston@knoxcounty.org); Rebecca Longmire (rebeccalongmire@hotmail.com); Richard Briggs (richard.briggs@knoxcounty.org); RL Craig (rlcraig@usit.net); S Johnson (s.johnson692@gmail.com); Sam McKenzie (sam.mckenzie@knoxcounty.org); T. Benefield (tbenefield@benefieldrichters.com); Thomas Strickland (thomas.strickland@knoxcounty.org); Tony Norman (tony.norman@knoxcounty.org); U Bailey (ubailey@esper.com)

Dear Friends and Commissioners,

I know there has been alot of discussion about the zoning and use of this property..I live on Northshore less than a mile from this potential development,and I feel that this development with a Weigal like store and light commercial has alot of merit...I would assume that Bruce will make that intersection safer and by doing this will make Northshore a safer road to get in and out on.

There are now alot of developments which I feel would be served by these stores..I don't feel this a destination that by having this would create more traffic,but more a service to all the surrounding homeowners...

In advance I thank you for your time and energy you spend being a Commissioner and your work to make Knoxville a great place to live...

Best wishes,  
Rich

--

--

Rich Levenson  
RE/MAX Preferred Properties  
Knoxville Tn  
865.694.8100



---

**SUPPORT Northshore/Choto**

From: **Kim Dickey** (kimdickey@charter.net)

Sent: Mon 1/18/10 8:11 PM

To: thomas.strickland@knoxcounty.org; sam.mckenzie@knoxcounty.org;  
mark.harmon@knoxcounty.org; amy.broyles@knoxcounty.org; ivan.harmon@knoxcounty.org;  
tony.norman@knoxcounty.org; finbarr.saunders@knoxcounty.org; ed.shouse@knoxcounty.org;  
mike.hammond@knoxcounty.org; craig.leuthold@knoxcounty.org; richard.briggs@knoxcounty.org;  
greg.lambert@knoxcounty.org; brad.anders@knoxcounty.org; larry.smith@knoxcounty.org;  
michele.carringer@knoxcounty.org; bud.armstrong@knoxcounty.org;  
dave.wright@knoxcounty.org; paul.pinkston@knoxcounty.org; michael.brown@knoxcounty.org;  
tbenefield@benefieldrichters.com; michaeal.brusseau@knoxmpc.org; anders@holstongases.com;  
ubailey@esper.com; bartcarey@comcast.net; jnframpton@hotmail.com; artclancy3@gmail.com;  
cole5137@bellsouth.net; rlcraig@usit.net; gewart@georgeewart.com; s.johnson692@gmail.com;  
makane1@bellsouth.net; Nathan.J.Kelly@gmail.com; rebeccalongmire@hotmail.com;  
wstowers@stowerscat.com

Hello,

I'm writing you today in SUPPORT of the Northshore / Choto commercial development.


I have lived in Mallard Bay since 2003 and I would welcome the development. In fact, I would go as far to say that I would even welcome the Weigels. I would look forward to that cup of coffee that is so conveniently located a mile away. In my opinion I believe that this area would really enjoy the development once it was here. The way I have understood the plans it truly seems like a first class development which could only increase our values. The last thing we need is another neighborhood. So long story short I vote YES!

Blessings,  
Kim Dickey  
1114 Canvas Back Lane  
Knoxville, TN 37922

---

---

## Huber Development @ Choto Road

From:  Jo Davis (jodavis5@gmail.com)

Sent: Sun 1/17/10 1:56 PM

To: thomas.strickland@knoxcounty.org; sam.mckenzie@knoxcounty.org; mark.harmon@knoxcounty.org; amy.broyles@knoxcounty.org; ivan.harmon@knoxcounty.org; tony.norman@knoxcounty.org; finbarr.saunders@knoxcounty.org; ed.shouse@knoxcounty.org; mike.hammond@knoxcounty.org; craig.leuthold@knoxcounty.org; richard.briggs@knoxcounty.org; greg.lambert@knoxcounty.org; brad.anders@knoxcounty.org; larry.smith@knoxcounty.org; michele.carringer@knoxcounty.org; bud.armstrong@knoxcounty.org; dave.wright@knoxcounty.org; paul.pinkston@knoxcounty.org; michael.brown@knoxcounty.org; anders@holstongases.com; ubailey@esper.com; bartcarey@comcast.net; jnframpton@hotmail.com; artclancy3@gmail.com; cole5137@bellsouth.net; rlraig@usit.net; gewart@georgeewart.com; s.johnson692@gmail.com; makane1@bellsouth.net; Nathan.J.Kelly@gmail.com; rebeccalongmire@hotmail.com; wstowers@stowerscat.com

Greetings,

My name is Jo Davis and I am a resident of The Mill at Choto in Knox County. I know many of you have been inundated with letters regarding the Huber Development across the street from my subdivision. I would like to share my thoughts about the project. While, change will occur I am of the stance that change can be productive as long as it done with the utmost care of those already living in the area. I am not representing my subdivision as I am not on the board, but just a tax paying resident of Knox County who has already had a long go around with Knox County Engineering concerning the water drainage issue when my subdivision was conceived six years ago. My main concern is with completing the project correctly so that the water drainage issue is once and for all solved in my backyard. As the water drains now it sufficiently transfers the water through my backyard, but any sizable increase in water at a greater rate will not be feasibly carried though without flood issues on my property. Mr. Huber has been open to discussing the drainage issue with me and is hopeful that a drainage plan can be formulated with his civil engineers to accommodate everyone involved. We will be meeting with him and his civil engineer on this upcoming Wednesday @ 4:30. in The Mill at Choto if anyone could or would like to discuss and walk the land in question. I really have no other issue with impending development as Mr. Huber seems open to the community's needs and questions. Hopefully some type of compromise can be determined and I look forward to hearing from many of you on this very heated debate. If anyone would like more information feel free to contact me through email or my cell phone 865-806-1024.

Sincerely, Jo Davis 12518 Choto Mill Lane, Knoxville, TN 37922

>>> <[david.higdon@cibavision.com](mailto: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](mailto:david.higdon@cibavision.com)

**From:** Richard Briggs [mailto:rmbiggs52@gmail.com]  
**Sent:** Tuesday, December 08, 2009 8:00 PM  
**To:** Joseph Hamdi  
**Subject:** Re: Northshore Project

Mr. Hamdi

Thank you for your email. Actually the MPC on Thursday will be first be evaluating and making a recommendation to the county commission. The county commission will vote on it at the Jan meeting.

I agree with you on this project. This section of the county has no services nearby. I have received several emails in favor of the project and thus far none opposed. Although I will need to review the MPC's evaluation and recommendation, I am certainly looking favorably on Mr Huber's project.

I really appreciate your input. We weigh the opinion of folks who live in the area of a proposed project much more than any other information we receive.

Thank you again for contacting me.

Richard M. Briggs, MD  
Knox County Commissioner  
District 5

On Tue, Dec 8, 2009 at 4:40 PM, Joseph Hamdi <jhamdi@fhbank.com> wrote:

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

"Craig Leuthold" \_\_\_\_\_ To  
 <[craig.leuthold@knoxcounty.org](mailto:craig.leuthold@knoxcounty.org)> <Chris\_Gaylor@bramco.com>  
 > \_\_\_\_\_  
 01/25/2010 08:39 AM . cc  
 \_\_\_\_\_ Subject  
 Re: Support Northshore/Choto Development

Chris,  
 Thank you for your input on this issue I will keep it in mind when this comes before commission.  
 Craig Leuthold

----- Original Message -----

**From:** [Chris\\_Gaylor@bramco.com](mailto:Chris_Gaylor@bramco.com)

**To:** [thomas.strickland@knoxcounty.org](mailto:thomas.strickland@knoxcounty.org) ; [sam.mckenzie@knoxcounty.org](mailto:sam.mckenzie@knoxcounty.org) ;  
[mark.harmon@knoxcounty.org](mailto:mark.harmon@knoxcounty.org) ; [amy.broyles@knoxcounty.org](mailto:amy.broyles@knoxcounty.org) ; [ivan.harmon@knoxcounty.org](mailto:ivan.harmon@knoxcounty.org) ;  
[tony.norman@knoxcounty.org](mailto:tony.norman@knoxcounty.org) ; [finbarr.saunders@knoxcounty.org](mailto:finbarr.saunders@knoxcounty.org) ; [ed.shouse@knoxcounty.org](mailto:ed.shouse@knoxcounty.org) ;  
[mike.hammond@knoxcounty.org](mailto:mike.hammond@knoxcounty.org) ; [craig.leuthold@knoxcounty.org](mailto:craig.leuthold@knoxcounty.org) ;  
[richard.briggs@knoxcounty.org](mailto:richard.briggs@knoxcounty.org) ; [greg.lambert@knoxcounty.org](mailto:greg.lambert@knoxcounty.org) ; [brad.anders@knoxcounty.org](mailto:brad.anders@knoxcounty.org) ;  
[larry.smith@knoxcounty.org](mailto:larry.smith@knoxcounty.org) ; [michele.carringer@knoxcounty.org](mailto:michele.carringer@knoxcounty.org) ;  
[bud.armstrong@knoxcounty.org](mailto:bud.armstrong@knoxcounty.org) ; [dave.wright@knoxcounty.org](mailto:dave.wright@knoxcounty.org) ; [paul.pinkston@knoxcounty.org](mailto:paul.pinkston@knoxcounty.org) ;  
[michael.brown@knoxcounty.org](mailto:michael.brown@knoxcounty.org)

**Sent:** Friday, January 22, 2010 5:44 PM

**Subject:** Support Northshore/Choto Development

To: The Knox County Commission

Dear Sir/Madam Commissioners

I am a resident of Montgomery Cove Subdivision - 12440 Amberset Dr. I understand that there is a "high-end" commercial development proposed for the Northshore/Choto corner. I wanted you to know that I support light commercial development for the proposed site if done properly. The area has needed some "convenience shopping" near the area for some time. If it is done in a proper and aesthetically pleasing manner, it could only enhance the area in my opinion.

Please advise should you require any clarifying or further information from me on subject.

Best regards,

Chris Gaylor  
 President  
 Power Equipment Company

**From:** Consoli, Richard [mailto:rconsoli@innovativecontrols.com]  
**Sent:** Monday, December 07, 2009 3:29 PM  
**To:** John Huber  
**Subject:** Thank you

John – A president of the Montgomery Cove Homeowners association, I want to thank you for your willingness to meet with the MC homeowners as well as other residents living in the area. The end result of your efforts (whether favorable or unfavorable) has raised awareness within the community allow people to participate in the process and provide feedback to your development. Regardless of my personal opinion on your development, the awareness has certainly been raised by the following actions:

1. Two open meetings at our clubhouse
2. Website Survey posting for all residents to participate.
3. Numerous homeowner discussion board posts both for and against the development.

Thank you again,

Richard Consoli  
Division President  
Innovative Controls  
Office: 865-671-7700  
\* Direct Line: 865-288-5401 \*

[www.innovativecontrols.com](http://www.innovativecontrols.com)



>>> Sarah Compton Wright <[misscompton459@hotmail.com](mailto:misscompton459@hotmail.com)> 1/22/2010 4:03 PM  
>>>

To: Knox County Commission and Metropolitan Planning Commission:

I am writing to convey my absolute support for the commercial development proposed by John Huber at Northshore Drive and Choto Road. I believe I have a truly unique perspective on this matter as Mr. Huber began developing my family farm (The Christian Family Farm) into the subdivision, Covered Bridge at Hardin Valley just a few years ago. Not only was Mr. Huber a consummate gentleman and businessman to my family during the entirety of the land acquisition process, he went above development requirements to build an exclusive and elegant subdivision with incredible amenities for the residents. I commend Mr. Huber for his efforts developing my family's land and I am confident that the people of the Northshore Drive and Choto Road area will be overwhelmingly pleased with the elevated standard of work that Mr. Huber demands and will produce given the opportunity.

For pictures of the caliber of work that Mr. Huber produces, the following link goes to pictures of Covered Bridge at Hardin Valley.  
<http://www.hardinvalley.com> .

Regards,

Sarah Compton Wright  
865-660-0872

## Northtshore at Choto Rd<sup>1</sup>

From:  Michael L. Chadwell (mchadwell@charter.net)

Sent: Tue 1/19/10 12:48 PM

To: mark.harmon@knoxcounty.org; amy.broyles@knoxcounty.org; ivan.harmon@knoxcounty.org; tony.norman@knoxcounty.org; finbarr.saunders@knoxcounty.org; ed.shouse@knoxcounty.org; mike.hammond@knoxcounty.org; craig.leuthold@knoxcounty.org; richard.briggs@knoxcounty.org; greg.lambert@knoxcounty.org; brad.anders@knoxcounty.org; larry.smith@knoxcounty.org; michele.carringer@knoxcounty.org; bud.armstrong@knoxcounty.org; dave.wright@knoxcounty.org; paul.pinkston@knoxcounty.org; michael.brown@knoxcounty.org; tbenefield@benefieldrichters.com; michaeal.brusseau@knoxmpc.org; anders@holstongases.com; ubailey@esper.com; bartcarey@comcast.net; jnframpton@hotmail.com; artclancy3@gmail.com; cole5137@bellsouth.net; rlcraig@usit.net; gewart@georgeewart.com; s.johnson692@gmail.com; makane1@bellsouth.net; Nathan.J.Kelly@gmail.com; rebeccalongmire@hotmail.com; wstowers@stowerscat.com

I have lived in Channel Point subdivision on Choto Rd. for 15 years and I would welcome a neighborhood commercial project here. Hopefully it would help getting the caution light replaced with a traffic light. There has been enough residential development out here that this project should be successful. It would be nice to be able to buy some gas or pick up a few items without having to go back to Kingston Pike. Just because a small group is more vocal with their opposition, that doesn't mean that there is no support for this. Thank you.

Michael L. Chadwell  
2307 Clipper Lane  
Knoxville, TN 37922

**From:** Richard Briggs <rmbriggs52@gmail.com>  
**To:** Neil Schmitt  
**Sent:** Wed Dec 02 15:13:40 2009  
**Subject:** Re: Northshore Dr and Choto Development

Mr. Schmitt

Thank you for your message to the county commission who will eventually be voting to change the zoning so the project can go forward.

I've review the plans with John Huber and it appears to be a good project. As you can imagine, there will be opposition but Mr Huber has a good reputation and his previous projects have won awards for being well planned and preserving greenspace.

Again, I appreciate your input. Usually we only hear from those opposed to a project.

Richard Briggs, MD  
Commissioner, District 5

On Wed, Dec 2, 2009 at 2:19 PM, Neil Schmitt <[neil.schmitt.gbx9@statefarm.com](mailto:neil.schmitt.gbx9@statefarm.com)> wrote:

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:** 1/22/2010 4:21:55 PM  
**Subject:** Fwd: IN FAVOR - Huber Development - Northshore and Choto Rd Development

Re: Jan items 42 and 51

>>> Sarah Compton Wright <misscompton459@hotmail.com> 1/22/2010 4:03 PM >>>

To: Knox County Commission and Metropolitan Planning Commission:

I am writing to convey my absolute support for the commercial development proposed by John Huber at Northshore Drive and Choto Road. I believe I have a truly unique perspective on this matter as Mr. Huber began developing my family farm (The Christian Family Farm) into the subdivision, Covered Bridge at Hardin Valley just a few years ago. Not only was Mr. Huber a consummate gentleman and businessman to my family during the entirety of the land acquisition process, he went above development requirements to build an exclusive and elegant subdivision with incredible amenities for the residents. I commend Mr. Huber for his efforts developing my family's land and I am confident that the people of the Northshore Drive and Choto Road area will be overwhelmingly pleased with the elevated standard of work that Mr. Huber demands and will produce given the opportunity.

For pictures of the caliber of work that Mr. Huber produces, the following link goes to pictures of Covered Bridge at Hardin Valley. <http://www.hardinvalley.com> .

Regards,

Sarah Compton Wright  
865-660-0872

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/25/2010 8:13:50 AM  
**Subject:** Fwd: Montgomery Markets

Re: Jan items 42 and 51

>>> Erica Whitehead <whiteyandfeebee@hotmail.com> 1/22/2010 4:28 PM >>>

Dear Commissioners,

Recently, the proposal for a new development named Montgomery Markets located at the intersection of Choto Road and Northshore Drive was brought to my attention. This letter is written in an effort to make it clear to Knox County Commissioners and Planning Commissioners that I am in FULL SUPPORT of this type of development at that location.

As a long time resident in the immediate vicinity, as well as a small business owner, this development appeals to me for a number of reasons, not the least of which could include the possible expansion of my business to that location.

As we all know, the area surrounding the intersection of Choto and Northshore has become one of Knoxville's fastest growing areas for residential neighborhoods, yet it has no retail services to "support" it for miles around. It is my belief that the addition of a development like Montgomery Markets (including a first class fueling station like Weigels or Pilot) would prove to be a tremendous asset to the community.

This development would shorten driving distances needed to travel for residents to get basic needs as well as provide an opportunity to make this area even more appealing to future home buyers.

I urge you to lend the Montgomery Markets development your support and allow one of Knoxville's nicest areas an opportunity to continue to grow smartly and in the right direction.

If you have any questions or if I can be of any further assistance, please feel free to contact me at 865-458-9332.

Thank you for your time, attention, and most of all, consideration.

Sincerely,

Brian K Whitehead  
Owner/Artistic Director  
The Village Salon

---

Hotmail: Trusted email with powerful SPAM protection.  
<http://clk.atdmt.com/GBL/go/196390707/direct/01/>

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/12/2010 3:28:50 PM  
**Subject:** Fwd: I Support Development for Northshore Dr and Choto Rd

Re: Items 43 and 51

>>> Dale Walker <wwalkerdale@hotmail.com> 1/12/2010 3:05 PM >>>

To the Knox County 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.

My wife Laura and I 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.

I attended the hearing before the Planning Commission last month and spoke in favor of the development. Neighbors with whom I have discussed the development are also in favor of having a small place to shop and eat near our neighborhood.

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:** 1/22/2010 10:08:46 AM  
**Subject:** Fwd: NORTHSHORE/ CHOTO DEVELOPMENT YES

Re: Jan items 42 and 51

>>> TERESA <teresazinkle@chartertn.net> 1/22/2010 10:05 AM >>>

Hello,

My husband Dr. Steven Zinkle and I would like to say that we feel the new development proposed for the corner of Choto and Northshore would be a great thing. We welcome that development especially if it uses the example of the new YMCA that is just up the road in this same area. Also, we would like to see if this development go through something in the order of a Weigel's maybe with closing hours of around 10pm. Please note that Northshore and Choto would need a red light instead of the caution light that is there now, and the grading of both east and west Northshore would make the road much safer to traffic since those hills are interfering with visibility.

We have lived in Lakeshore Meadows for 9 years and feel that this development would be a nice fit for this area immensely!

Thank you,

Steve and Teresa Zinkle  
3005 Meadow Cove Point Rd  
37922

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/21/2010 3:11:14 PM  
**Subject:** Fwd: In support of the Northshore/Choto development

Re: Jan items 42 and 51

>>> "John Norris" <jnorris@energypublishing.biz> 1/21/2010 9:58 AM >>>  
Dear Sir or Madam,

My name is John Norris and I live at 1245 Walnut Branch Ln. Knoxville Tn 37922 which is located in the Walnut Grove Subdivision. I would like to show my support of the development of the Northshore/Choto area to a light commercial zone. I believe that adding a Weigles to that area would be an improvement to the area. As you know there are several subdivision in that area and I'm sure the addition of store and gas station in that area would improve the quality of life for the families living nearby.

Thanks

John Norris

VP Sales and Administration

Energy Publishing, Inc.

224 South Peters Rd

Suite 202

Knoxville TN 37922

865-584-6294

865-558-6101 fax



**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/20/2010 3:52:49 PM  
**Subject:** Fwd: Support for Northshore/Choto Commercial Development

Re: Jan items 42 and 51

>>> <jimmiller520@aol.com> 1/20/2010 3:36:24 PM >>>

My wife and I, Jim and Judy Miller, live at 12330 S Northshore Drive, Knoxville, TN 37922. We support the Light Commercial Development. We feel a nicely designed commercial development would be so much better than a hog farm or a multiunit housing project. If the development is done properly, it will be an asset to the community. Many of the people protesting are just trying to limit development after they got their piece of rural land. Jim Miller

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/22/2010 2:11:40 PM  
**Subject:** Fwd: Support for market in Northshore/Choto area

Re: Jan items 42 and 51

>>> "Renee McNutt" <renee@boppspot.com> 1/22/2010 12:58 PM >>>  
Dear County Commission:

We would like to voice our support for the proposed development in the Choto Road/Northshore Drive area. We live very close to this area and would love to see a small commercial spot there, especially a Weigel's so that we do not have to go all the way back to Kingston Pike for milk, gas, etc. We believe this would be a positive addition to the area.

Please support the rezoning of the area so that this development can move forward.

Sincerely,

Tom & Renee' McNutt  
13135 Clear Ridge Rd  
Knoxville 37922

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/22/2010 2:12:27 PM  
**Subject:** Fwd: SUPPORT Northshore/Choto Development

Re: Jan items 42 and 51

>>> Michele Lawson <mklawson31@yahoo.com> 1/22/2010 11:01 AM >>>

Good Morning Ladies and Gentlemen,

My name is Michele Lawson and I am a resident of Lakeshore Meadows subdivision. I want to take a moment to express my support of the Huber Properties, LLC proposed development along Northshore Drive. I believe the area is in need of a project such as this. I also feel strongly that a fueling station/convenience store such as a Weigles would be a great asset to the residents in the area. As it is now, our closest fuel station is approximately 9 miles away. I do not consider the AM Market as an option due to the fact the owners choose to take advantage of being the only store in the area and therefore gouge the residents with prices that are far from competitive.

I realize that improvements to Northshore Drive are part of the plan but I would like to emphasize that a traffic light is desperately needed at this intersection. This would slow traffic considerably and assist all those who are making left-hand turns.

Please vote YES January 25th and February 11th.

Thank you advance for your time and consideration.

Steve and Michele Lawson12220 Bluff Shore Drive

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/20/2010 9:23:46 AM  
**Subject:** Fwd: Support of Northshore / Choto Development

Re: January items #42 and 51

>>> "Toni Kopkau" <tkopkau@charter.net> 1/19/2010 7:34 PM >>>  
To Whom it May Concern:

My name is Toni Kopkau and I live in Channel Point subdivision ( 12242 Channel Point Drive) off of Choto Road. I am also the President of the Channel Point HOA. I do not speak for all of the subdivision but I would like to express my personal support of any light commercial development proposed at the corner of Northshore Drive and Choto Road. It would be nice to have some small commercial development that would save us time and provide convenience on our way home from work. I do not see that this development would in any way hurt our rural standing. The idea of a Weigles on the corner is a great idea as well as having a small family restaurant available .

I would add that we really need a traffic light or round about at that location as well.

Please vote YES on January 25th and Feb 11th.

Thanks you for your time and consideration.

Jon and Toni Kopkau

12242 Channel Point Drive

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/12/2010 1:31:35 PM  
**Subject:** Fwd: FW: Letter of Support for Northshore Dr and Choto Rd

Re: Items 42 and 51

>>> "R. E. Foust" <rfoust@pughcompany.com> 1/12/2010 1:31 PM >>>  
Knox County 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. As a lifelong resident of Knox County I have lived in close proximity to much more unattractive developments (e.g. city dump, light industrial) and welcome the addition Mr. Huber is proposing.

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

Thanks

R.E.

\_\_\_\_\_  
  
R. E. Foust, CPA  
Vice President  
Pugh & Company, P.C.  
315 North Cedar Bluff Road, Suite 200  
Knoxville, TN 37923  
Phone: (865) 769-1654  
FAX: (865) 769-0660  
E-mail: [rfoust@pughcompany.com](mailto:rfoust@pughcompany.com)  
Website: [www.pughcompany.com](http://www.pughcompany.com)

\*\*\*\*\*  
\*\*\*\*\*

Circular 230 Compliance Statement: To insure compliance with the standards imposed by the Internal Revenue Service in Circular 230, we are required to inform you that any U.S. federal tax advice contained in this communication (including attachments) is not intended or written to be used - and cannot be used - for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending to another party any transaction or matter addressed herein.

Confidentiality Notice: The information contained in this email is privileged and confidential information intended for the sole use of the individual(s) or entity named in the message header. If you are not the intended recipient, you are hereby notified that any dissemination, copying or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this message in error, please notify the sender of the error and delete this message.

\*\*\*\*\*  
\*\*\*\*\*

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/12/2010 3:29:33 PM  
**Subject:** Fwd: Mr. John Huber and Knox Cty Commission vote on Jan 25

Re: Items 43 and 51

>>> <cdenton@metlife.com> 1/12/2010 3:14 PM >>>

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. John 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](http://www.clarkdenton.metlife.com)

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

Metropolitan Life Insurance Company (MLIC), New York, NY 10166. Auto and Home Insurance offered by Metropolitan Property and Casualty Ins. Co. (MPCIC) and affiliates, Warwick, RI. Securities and investment advisory services offered by MetLife Securities, Inc. (MSI) (FINRA/SIPC), a registered investment adviser. MLIC, MPCIC, and MSI are affiliates. The information contained in this message may be CONFIDENTIAL and is for the intended addressee only. Any unauthorized use, dissemination of the information, or copying of this message is prohibited. If you are not the intended addressee, please notify the sender immediately and delete this message.

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/22/2010 8:07:19 AM  
**Subject:** Fwd: In Favor of Choto/Northshore Development

Re: Jan Items 42 and 51

>>> courtney boyce <ckb2442@hotmail.com> 1/22/2010 7:20 AM >>>

Dear Sirs,

We have been residents of the Choto area since 1998 and are very excited with the idea of this commercial development. We live in Channel Point Subdivision and feel that this development would enhance our community. Please feel free to use us as an example of residents that are in support of this at the upcoming meeting.

Sincerely,

Steve and Courtney Boyce  
2442 Caravel Lane  
Knoxville, TN 37922  
865-414-6387

---

Hotmail: Powerful Free email with security by Microsoft.  
<http://clk.atdmt.com/GBL/go/196390710/direct/01/>



**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/22/2010 10:09:21 AM  
**Subject:** Fwd: IN FAVOR OF DEVELOPMENT ON NORTHSORE @ CHOTO

Re: Jan items 42 and 51

>>> Dale Akins <[dakins@themarketedge.com](mailto:dakins@themarketedge.com)> 1/22/2010 9:54 AM >>>  
To: Mike Brusseau  
Metropolitan Planning Commission

The purpose of this e-mail is to express my OVERWHELMING SUPPORT for the commercial development proposed by John Huber on the corner of Northshore Drive and Choto Road. I have been a resident of Montgomery Cove since 2002, which is one of the adjacent residential developments. The Metropolitan Planning Commission's growth study and analysis was very thorough and the Planning Commission was correct in voting unanimously, if memory serves, to amend the sector plan to allow this type of highly restrictive commercial development to proceed. I hope the Knox County Commission will concur.

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. 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 be successful plus this person is psychic since they know the private contract price of the land. 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.

Mr. Huber has acted responsibly and I hope his vision is allowed to become a reality.

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

-----  
MONTGOMERY COVE WEBSITE 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](http://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:** 1/26/2010 9:13:43 AM  
**Subject:** Fwd: Northhsore @ Choto

Re: Jan items 42 and 51.

>>> Scott Davis <swd444@gmail.com> 1/25/2010 1:11 PM >>>

As one of the largest property owners in the Choto area, I want to express my support for the neighborhood commercial development being proposed by the Hubers. Neighborhood commercial zoning is ideal for this location and would benefit the residents of the Choto area.

Thank you for your time and attention to this matter.

Sincerely,

Scott Davis  
Jefferson Park  
Eagle Bend Development  
865-806-8008

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/20/2010 9:24:23 AM  
**Subject:** Fwd: Choto Road development

Re: Jan items 42 and 51

>>> Patty Van Dyne <pattyvandyne@me.com> 1/20/2010 8:50 AM >>>  
I am writing regarding the proposed development on Northshore Road at Choto. I vehemently oppose 15 acres of land being rezoned for commercial use. Look at ALL the empty buildings in Farragut--we don't need to build more "strip malls" to lie empty and take up our beautiful rural setting.  
I moved out here to enjoy the "country side" . If I wanted to live next to shops and offices I would have chosen a different location! Give us a Weigels on the corner (not 15 acres!) if you MUST, but please don't take away our rural setting!!  
Thank you for your attention to this matter,  
Patricia Van Dyne  
2313 Clipper Lane

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/25/2010 12:32:55 PM  
**Subject:** Fwd: PLEASE READ MY OPPOSITION TO THE CHOTO/NORTHSHORE INTERSECTION REZONING & CHANGES

Re: Jan items 42 and 51

>>> <MHale53028@aol.com> 1/25/2010 12:33 PM >>>

Dear MPC & Knox County Commissioners

I would like to voice my opposition to the proposed change from Low Density Residential (LDR) to Neighborhood Commercial NC/CN At the Choto & Northshore roads intersection.

I was out of town only to return to find a sad situation occurring in this area. Regarding the MPC action for the so called approved Resolution #12-B-09-SP amending the Southwest County Sector Plan to NC (Neighborhood Commercial) and recommendation the Knox County Commission adopt by resolution the amendment. I hope it is not too late to voice my opposition. This is at the Choto Road Northshore intersection.

The following is why.

Concern #1: Commercial encroachment into this scenic country/ residential environment...

Like the majority of homeowners who made a conscious decision to move out to a more rural setting, we are concerned about the changes proposed through this proposed rezoning & plan for commercial development. We, like many other homeowners, could have prioritized convenience over pastoral setting by staying in town, but we did opt for country living. We also feel this setting and environment adds to the "real" value of our homes and that this unique area still exists and yet is within 10 minutes of Farragut, Turkey Creek, & The Northshore Pellissippi Developments & all of their commercial benefits.

Concern #2: NONVIABILITY

This venture/rezoning is not realistically viable. There is a saturation of available commercial property opportunities that sit empty, block after block in Farragut, Turkey Creek & Northshore Pellissippi areas. To even fathom that this development can be successful within this remote low-density area is unrealistic. The one convenience store/ gas station (Harvey/Boyd Station) is barely making it... it lacks variety of stock for most immediate essentials due to lack of demand. The restaurant at Choto Marina (a nice dream) but has changed hands numerous times, is it because there is little demand & the business thus is not sustainable? Sadly to say this may become the case if a similar business/s were to come into the Choto /Northshore location. If the

commercialization goes through in this area it will set a negative precedent & only encourage future commercial development completely changing this area.

If these commercial ventures do not materialize or more importantly fail there will be a dirge of empty buildings that will deteriorate, become vandalized, open to vagrancy & become blight on this area. CRIME WILL INCREASE If you think it is on the up tick just wait, I am sure it will really increase out here & with that you can bet that there will also be a tremendous increase in in-home invasions...just think about that. For once please respect the wishes of the residents out here. Do not let this occur!!

PLEASE DO NOT PUT IN ANOTHER GAS STATION (ESPECIALLY LIKE THE ONE SHOWN ON THE DRAWING SHOWING MONTGOMERY MARKETS. We do not need a giant super convenience gas station with 8 pumps!!!!

#### Concern #3 TRAFFIC

What is the traffic impact of such a plan? It is my understanding this has not been properly addressed? There should absolutely be a functioning 4-way traffic signal & maybe even cameras at best, or at worst, a roundabout. This should all be at the cost of the developer NOT the community.

#### Concern #4: LIGHT POLLUTION

Lighting anywhere similar to that at Pellissippi and, Turkey Creek & areas in & around Farragut would be light pollution to this area! The luminaires should be consistent to that of a simple residential post lamp... in other words, do not light up the sky turning night into day & the lights should go off at no later than at 9:00PM I think that fair & reasonable. After all, since this is going to be in the middle of residential homes I doubt families will be patronizing the businesses after that time ... the glare would be completely unacceptable for this community. It should be less than 0.5 foot-candles never more!

#### Concern # 5: LANDSCAPING & SITE DEVELOPMENT

Would it be possible to increase the set back lines? For example the set back line at the new YMCA is way too close to the road! Very unattractive & a potential hazard. It would be nice to see these greater set backs from both perimeters around Northshore & Choto road be increased substantially to at least 50 feet or more, given that there seems to be a lot of acreage here why not really make this look great. Where it backs up to residences even greater setbacks!

The Plan shows a very poor attempt a landscaping...a joke at best. Perimeters by Choto & Northshore should be heavily treed & landscaped similar to the trees & landscapes bordering Montgomery Cove...and long beautiful boulevards leading both from Choto & Northshore with traffic lights or roundabout thus providing two entrances to mitigate traffic & enhance this so called village market center. Lets make this look like a really planned beautiful residential looking village if it is to exist.

Concern #6: COST

All costs for so-called improvements such as: traffic, traffic control, lighting, planning, landscaping, safety, architectural beautification, etc., should be entirely funded by the applicant/developer and not funded by the residents of the surrounding communities.

Concern#7: ARCHITECTURE

Please if this happens at least use foresight, class & elegance in the design. Don't make it look commercial & uninviting like the new YMCA, what an unbecoming design for the area!!!! Don't make them look commercial, make it look like homes & a true village setting like the Palmetto Bluff community, or Sea Brook or Keowah (they have class & style) than at least it will fit with the fact that this is a residential community!

It seems to me that there is no real need nor true demand by the residents I have spoken with from these communities. It is too unrealistic to think that businesses can be viable out here. Condos or patio homes yes, independent/assisted living facilities maybe, but businesses, probably not. What has been the motivating reason for the MPC to adopt this resolution & rezoning & move forward so rapidly?

It is my hope for this area that you will consider keeping the area zoning LDR. Please!

Thank you for your time,

Respectfully,  
Sally Jean Hale  
Channel Point  
865-675-3540

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 1/21/2010 9:04:47 AM  
**Subject:** Fwd: Please vote AGAINST the Choto Neighborhood Commercial project!

Re: Jan items 42 & 51

>>> Renee Cook <reneecook@aol.com> 1/21/2010 9:07 AM >>>

Dear Representative for our county,

I live at the end of Choto Road. It is a quiet area; we must drive slowly to avoid deer, turkey groups, and other wild animals. I like it this way. I feel so lucky to live where it feels like the "country." This home has been a sanctuary from the rapid pace life of the city--a sanctuary that I have enjoyed providing for my children. Our neighborhood even voted against street lights so that we could hope to see the stars at night.

Please hear the negatives of this large shopping center from my point of view:

1. This development would greatly increase traffic draw and congestion at the entrance to the Choto peninsula. Just at the site where I feel like "I'm home" will now become one more traffic battle.
2. Cutting down trees and pouring asphalt decreases habitat for the wildlife, driving them away from those of us who enjoy sharing the world with them.
3. The lighting sky glow alone will ruin our feeling of being separate from the city.
4. I don't live right at the intersection of Northshore Drive and Choto Road, but please have mercy on those who do. Putting a loud, busy, glaringly bright development in their front yards will ruin their ability to retreat and relax, not to mention their property values.
5. There are empty commercial buildings scattered all over West Knoxville. If this development becomes one of them, we are stuck with a dead building in our front yards! I, for one, do not plan to shop there. I am hearing many others say the same.

This may seem another case of local naysayers against potential revenue increases, and I guess it is. I ask you to consider not forcing this avenue of revenue on us, though. This is a trend that, if allowed to succeed all over Knoxville, will ruin one of our town's greatest assets--the ability to feel "small town" even as we grow into a "big city."

Thank you for considering my opinion.

Renee Cook  
12112 Channel Point Drive  
Knoxville, TN 37922  
865-675-3556



# 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 & NORTHSHORE 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:** 1/20/2010 9:26:14 AM  
**Subject:** Fwd: Follow up to Commercial Development at Nothshore & Choto

Re: January items 42 and 51

>>> Patty Van Dyne <pattyvandyne@me.com> 1/20/2010 8:55 AM >>>

>> A letter from a neighbor to a neighbor...I (along with MANY others)  
>> agree with Mr. Weaver!!!  
>> Toni Kopkau,  
>>  
>> I respect your right to disagree with the opposition to this  
>> commercial  
>> development. I don't know where you live but I am sure it is not  
>> close to  
>> where the development is going in. Most of us in this area have  
>> moved here to  
>> get away from that type of development. There is a Weigel's gas  
>> station on  
>> a corner about every 2 miles in the city. I currently use those gas  
>> stations routinely. However, if they put one on the corner where  
>> most of us  
>> oppose it, they will have seen the last of my business, not that  
>> they give a  
>> rat's rear.  
>>  
>> The gas station they put near the underpass is going out of business  
>> because people like myself are irritated that they think there is  
>> no end to more  
>> development and we will not shop there. There are empty shop  
>> buildings all  
>> over this end of town. When do we citizens have a right to not be  
>> invaded  
>> by commercial development near our homes?  
>>  
>> For those who oppose the development, the only solution is to talk  
>> to the  
>> commissioners one-on-one. The decision will be made long before  
>> the meeting  
>> with back door politics. I can assure you the lawyers for Bill  
>> Weigel and  
>> the other developers are already busy. The hearing will be for  
>> show. I  
>> have already been the victim of that type of obscene maneuvering in  
>> the past  
>> long before the previous commissioners showed their rears to the

>> general  
>> public. Whether the new commissioners are a new breed or just the  
>> same old  
>> scoundrels remains to be seen.  
>>  
>> I would be nice if Bill Weigel cared enough to survey the people in  
>> the  
>> area to see if they really wanted it. But that would only happen  
>> if he really  
>> cared what people wanted.  
>>  
>> I won't be available for the meeting so I hope the opposition can  
>> carry the  
>> day. However, I am not optimistic. I would be nice if everyone  
>> in this  
>> area would refuse to shop in the center if it goes in. For my  
>> part I will  
>> never be shopping at the corner of Northshore and Kingston Pike.  
>>  
>> Sam  
>>  
>>  
>>  
>> Dr Sam C. Weaver  
>> President  
>> Proton Power, Inc.  
>> 487 Old Waller Ferry Road  
>> Lenoir City, TN 37771  
>> Telephone: 865.389.4713  
>> Fax: 865-671.1605  
>> Email: [scweaver@protonpowerinc.com](mailto:scweaver@protonpowerinc.com)  
>> Website: [www.protonpowerinc.com](http://www.protonpowerinc.com)  
>