



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

Chris Albrecht <cm601albrecht@charter.net>

Fri, Jun 5, 2015 at 5:20 PM

Reply-To: cm601albrecht@charter.net

To: commission@knoxmpc.org

June 5, 2015

Planning Commissioners:

I am writing in regard to **MPC File Number 6-f-15-RZ**

I am a home owner in the Mallard Bay subdivision which is adjacent to the property being proposed for rezoning. I have the following concerns:

- The proposed entrance to the planned development is in very close proximity to the entrance/exit for Mallard Bay subdivision, Herons Point subdivision and a busy convenience store/gas station. This is on Harvey Road, which is narrow, has no shoulders, is heavily traveled (usually at excessive speed), and is just around a blind curve from a VERY narrow Norfolk Southern railroad underpass. I am sure that the additional traffic will exacerbate an already bad situation.
- An 18 slip community marina and individual boat docks are planned for this proposed development. This particular cove is very much a back water area of Ft. Loudoun Lake. It is very narrow and shallow. In fact, during winter pool conditions, it is nothing but a mud flat. It can only be made navigable by extensive dredging which introduces environmental impact concerns. I imagine TVA will take a dim view of what is proposed.
- I understand that the developer plans to develop the property and sell the lots to individual builders *with no restrictions in place*. This could have a very negative impact on the property values in Mallard Bay, Herons Point and Willow Cove subdivisions. This would affect not only homeowners, but I imagine Knox County as well when taxable home values decline.
- Mallard Bay common space and fishing pier that are adjacent to the proposed development would undoubtedly get a great deal of use from the new residents, leaving Mallard Bay responsible for repair and maintenance of the additional wear and tear that would occur.
- Another very real possibility is that as these new residents trespass on the adjacent Mallard Bay common space, someone could injure themselves. In our litigious society, the trespasser would more than likely sue our HOA. These last 2 points put an unfair burden on Mallard Bay residents.

There are certainly other negatives with this particular rezoning request, so it is my hope that after careful deliberation and consideration, you, the MPC will deny this request.

Thank you for your consideration,

William Albrecht

12659 Bayview Dr.

Knoxville, TN 37922

966-4096

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC file number 6-f-15-RZ

1 message

'A Ardison' via Commission <commission@knoxmpc.org>

Sun, Jun 7, 2015 at 9:32 PM

Reply-To: acardison@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Cc: "dlargent@gmail.com" <dlargent@gmail.com>

Dear Commissioners,

As a resident of Montgomery Cove, a neighborhood with common property that has significant shoreline on the cove involved in MPC file number 6-f-15-RZ, I write to respectfully request that you DENY the proposed re zoning. In addition to very serious concerns about the devaluing of nearby neighborhoods, as the mother of four, my greatest concern is one of safety.

Both the waterways and the roads in this area have seen an enormous increase in traffic. The cove is packed on summer days, as are the roads at nearly all times. We have seen multiple "near misses" as boats jam the cove, while swimmers are frequently in the water. Further, with a tunnel under the train tracks nearby, any additional traffic would cause problems. The tunnel under the railway bridge is already subpar. So much so, that Knox County Schools rezoned Mallard Bay, Montgomery Cove and the other neighborhoods North of the tunnel to Northshore Elementary because it was unsafe for buses to go under the tracks through the tunnel!

The geography, infrastructure, and waterways are not able to withstand continued growth in this area. Please deny any change to current zoning, plans to add housing to less than an acre lots, and additional docks in this area. It is a saturated area that lacks the space, roads, and ample waterway to support further development.

Respectfully,
Alex Ardison

12409 Amberset Drive
Knoxville, TN 37922

Sent from Yahoo Mail for iPad

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-F-15-RZ

1 message

bobsworld@charter.net <bobsworld@charter.net>

Sun, Jun 7, 2015 at 8:16 PM

Reply-To: bobsworld@charter.net

To: commission@knoxmpc.org

Dear Planning Commissioners,

My husband and I are writing to you today regarding our objection to the rezoning of property 0 Harvey Road with MPC filing number 6-F-15-RZ, from Agricultural to Planned Residential. We understand that the developer has preliminary plans for a new development divided into 34 lots about 1/4 acre in size, some homes on the water to have their own private dock as well as a community dock of 18 to 20 slips. The size, quality, and value of any lake front lots will not be consistent with the same lots/homes already planned for and/or built on the water. Some of the homes not on water will have their back yards facing the railroad tracks and may lead children and young adults to play or walk on the railroad tracks leading to injury or death. He will be selling the lots to individual builders that reduces the consistency of quality and size of homes in the development. To our knowledge, no other developments on Harvey Road have larger densities than 3 homes/acre. This development will also have an impact on the cove, ecosystem, and safety of the water secondary to the high boat traffic. A study should be done by the TVA, before this rezoning decision, on whether it is even feasible to dredge this area, the impact of the low lying areas to flooding, and runoff another development may have to the lake itself.

We also feel strongly that access to and from the road would create a dangerous situation off Harvey Road. Numerous cars speed along that stretch of road, to and from the three way stop intersection. The underpass to and from Boyd Station Road is narrowed, to not quite two lanes, with many drivers in larger SUV's and elderly drivers staying nearer to in the center of the two lanes. The new development with an average of two to three cars from each home would add an extra 68-102 vehicles in and out of already very dangerous two-lane road. In addition, buses attempting to pick up school children on only one access road into and out of the same development with a cul-de-sec turn around at the very end of the development near the community dock area, is dangerous.

In addition to an increase in vehicles on this stretch of road, there will also be more children entering the already overcrowded Farragut School system. With the numerous new developments on Northshore and Harvey past Choto Road, and new land already rezone for high density developments in that area, the impact on the school system will be negatively felt.

We request that you deny the rezoning request of the property to PR, or significantly reduce the density to only three to four homes in keeping with the quality, size, and value that is consistent with the surrounding developments on the lake front. A smaller density would also have less of an impact on the roads, lake, and be in the best interest of the residents and tax payers in the area.

Sincerely,

Robert & Laurette Beekman
Heron's Pointe Residents
1100 Avocet Lane
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Zoning hearing File number 6-f-15-RZ

1 message

Linda Biggers <lindabiggers@charter.net>

Sat, Jun 6, 2015 at 4:23 PM

Reply-To: lindabiggers@charter.net

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

My husband and I live at 1316 Watersong Lane in The Woods at Montgomery Cove. We moved here three years ago and chose a lot in an established neighborhood to build our house. This was much more costly than buying in a less developed neighborhood where the developer might go under or lower the building standards to attract builders.

We are very concerned that this proposed development is very high density, proposes a marina in a narrow cove with a parking lot attached, and does not appear to have any strong covenants and restrictions. This will be very detrimental to established neighborhoods like Mallard Bay, Montgomery Cove, Jefferson Park and The Woods at Montgomery Cove. People who have spent a lot of money will feel like they have had the rug pulled out from under them. Case in point is Jefferson Park which we did not consider because it was only about 20 percent built out when we moved here. Now a whole section of vinyl sided houses have been built right next to the entrance. Knoxville has a real treasure with Fort Loudon Lake. It attracts people from other areas of the country. Please don't destroy it with a bad decision and bad zoning just to enrich one developer. Another consideration is that Choto Rd is already like a superhighway.

Thanks for your consideration,
Keith and Linda Biggers
[865-288-7666](tel:865-288-7666)

Sent from my iPad

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] File Number 6-f-15-RZ

1 message

'Linda Bolton' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 4:17 PM

Reply-To: allegro54@yahoo.com

To: commission@knoxmpc.org

In reference to MPC File Number 6-f-15-RZ

I would like to inform you that I am opposed to the proposed development adjacent to Mallard Bay Subdivision off Harvey Road. This area is already congested with traffic from the existing subdivisions and homes in the area. Placing another entrance onto Harvey Rd would be dangerous as well as congested for those coming and going from Mallard Bay, of which I am a resident. This would also create problems at the very busy railroad underpass.

I understand that the plans include multiple docks and boat slips, which will encroach on our very small cove where our children kayak and fish off our pier. There is already a problem with kids from other neighborhoods using our property and gazebos. Having a very crowded subdivision that close would very likely increase that problem. This number of docks, etc, would also add a lot of noise and congestion in the tiny cove.

I believe the values of homes stuck between a railroad track, a gas station and a drainage ditch would not be comparable to the surrounding homes and would lower our property values.

This many homes in that small area is not in keeping with low density housing called for in the sector plans.

Thank you for your time and consideration.

Linda Bolton
12717 Mallard Bay Dr.

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Case # – 6-F-15-RZ

1 message

Mike Burtch <mpburtch@msn.com>

Mon, Jun 8, 2015 at 1:41 PM

Reply-To: mpburtch@msn.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I am writing in reference to rezoning file number (6-F-15-RZ). Some of the issues I have with this proposal are: High Density of homes/acre (than what is the normal residential ratio) 3-4 homes/acre proposed when normal is 2

There will be a negative impact on traffic flow through the narrow underpass with increased number of cars, safety of school bus service in and out of this subdivision. It will also take away the beautiful open land we have in this area. It's a mistake to crowd a bunch of homes in that small plot just for the sake of making money.

Michael and Crystal Burtch
Heron's Pointe Residents

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ / Concerned homeowner

1 message

Scott Callicutt <scallicutt@premiersurgical.com>

Sun, Jun 7, 2015 at 11:05 AM

Reply-To: scallicutt@premiersurgical.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

6/7/2015

Knox Planning Commission (MPC File Number 6-f-15-RZ),

I am a concerned home owner in the Harvey/Boyd Road region of Knox County. It has come to my attention that there is a request to rezone an area from agricultural to residential across from the Mallard Bay Subdivision in Knox County/Farragut. I do not live in Mallard Bay but as a concerned home owner in that area I have some serious concerns regarding this new subdivision. First, the current road infrastructure in that area cannot support the level of traffic that 30 plus new homes will bring. The single lane road underneath the bridge is already a hazard given the existing level of traffic. Placing a neighborhood in such close proximity will only create a level of congestion that, in my opinion, is a serious liability concern. If this neighborhood is approved the developer should be responsible for expanding the railway overpass to create two lines of traffic. The county must enlarge the road as well. The current infrastructure cannot support much more congestion.

Second, from what I gather there is plans for a community marina. Turkey creek cove is already a very busy cove for boating with the existing homes present. Adding a neighborhood with a community marina is insane with the existing number of lakefront homes and congestion. More boating accidents will occur! The county is now aware of this potential liability if they were not before. If the planning commission makes any recommendations to TVA please express your concern.

Third, the adjacent lake front and neighborhood homes along that stretch of property are zoned for 1-2+ DU/acre. It is my opinion that any new development should be held to that standard.

In closing, I am not against new development. However, this neighborhood will require the county and/or developer to upgrade the existing road and railway infrastructure to deal with the 60+ new cars (plus the existing congestion) flowing through that neighborhood and intersection everyday. A new neighborhood marina is a serious liability to area boating. The lake front lots should be consistent with the surround community.

Thank you for hearing my concerns.

Scott Callicutt

1247 Charlottesville Blvd

Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Property development in MPC File Number 6-f-15-RZ

1 message

'Lottie Childers' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 4:46 PM

Reply-To: lachilders3@yahoo.com

To: commission@knoxmpc.org

Our names are Garry and Lottie Childers and we are residents of Mallard Bay Subdivision located on Harvey Rd. in Knox County.

We are opposed to the development plans of the property in MP File Number 6-f-15-RZ which is located right next to our subdivision.

We feel the development will create a danger entering and exiting our subdivision on Harvey Road. This road is an already heavily traveled road thus creating a dangerous situation.

The prices of homes that are proposed in this development, if you so allow, aren't keeping up with the values of homes in Mallard Bay Subdivision. We moved here for the quality of homes and the neighborhood. We feel the value of our property would decrease tremendously.

We have a beautiful common area for the residents of our subdivision, and we feel it will be taken over by the new residents of the development due to the closeness of the common ground and fishing pier.

The quality of homes that will be built are inferior in size and quality to the homes in Mallard Bay, thus having a negative impact on home prices.

We both are asking that you please take into consideration the above factors, and not allow the above property development to go through.

Sincerely,

Garry and Lottie Childers

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning near Mallard Bay

Melissa <melissacox@charter.net>

Sat, Jun 6, 2015 at 9:56 AM

Reply-To: melissacox@charter.net

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Dear Planning Commissioners,

I am writing to you concerning the Rezoning of Agriculture land to Private Residence near Mallard Bay subdivision. As a member of the nearby community, I implore you to give extra thought to this decision. My problem does not involve changing house values, but just plain logistics.

Another entrance to a subdivision would be a serious problem between Heron's Pointe/Mallard Bay double entrance, the gas station, and the railroad underpass which is all on a curve. Not only do we have a ton of regular traffic from residents and workers trucks, there are a significant amount of cyclists and runners on our road. If and when the traffic gets out of hand, there would be almost no way to fix the problem with a traffic light in the small curved area.

Another logistical problem is water traffic on "the cove." If there is a small marina planned, there becomes more boat traffic in a cove with numerous boats and jet skis already from Jefferson Park, Mallard Bay, Montgomery Cove, and The Woods at Montgomery Cove. Then, add in the many families with high school children that like to swim across the cove from Montgomery Cove community dock to personal docks on the other side at Mallard Bay. We also have numerous kayakers and stand up paddle boarders. We just don't need any more water congestion.

Finally, if you look in person at the area in question, there is not enough room for 34 houses to be built squished into the land before the railroad track. If the person selling their home right there already cannot sell it, who is to say all of these new people will want to buy houses there. More developing and building without buyers creates projects that become abandoned and are a waste of our natural land resources.

To close, I would like to thank you sincerely for taking the time to read my letter. I know your job must be difficult to make these decisions day in and day out. We appreciate your hard work and dedication to our community.

Warmest Regards,
Melissa Cox
Mallard Bay Homeowner

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Objection to Development Plans of the Property in MPC File Number 6-f-15-RZ

1 message

Gayla Creasey <creasey3@gmail.com>
Reply-To: creasey3@gmail.com
To: commission@knoxmpc.org

Fri, Jun 5, 2015 at 6:38 PM

Dear Planning Commissioners,

My wife and I learned of the plans to develop the property adjacent to Mallard Bay Subdivision as reflected in MPC File Number 6-f-15-RZ. As residences of Mallard Bay, we strongly object to the projected plans as defined in the referenced filing. Our objections are based on the following:

1. We are concerned that the significant increase of traffic at the Harvey Road and Boyd Station Road intersection will create further congestion at the bridge going under the railroad tracks.
2. We are also concerned that projected plans call for the entrance to the new development to be placed next to the Mallard Bay entrance. This will create a safety issues for residences of Mallard Bay when the are coming into, or exiting, our subdivision.
3. The values of our homes will decrease because of the smaller and lower price homes being projected to be built in this development.
4. The congestion that will be created in the cove between the two developments will impact waterfront prices in the cove for Mallard Bay residences.
5. Increased water traffic in the cove will create noise and other nuisances for Mallard Bay residences.
6. It will be impossible to keep residences of the new development off of the Greenspaces that are paid for by Mallard Bay residences.

Bottom line is that this development will decrease the property values of Mallard Bay homes and will create safety/nuisance issues for Mallard Bay residences associated with the proposed development. Also, the cove between the two developments is too narrow to accommodate a common dock and other individual docks for the new development. We strongly encourage the Planning Commission to deny the development plans as delineated in MPC File Number 6-f-15-RZ.

Sincerely,

Scott and Gayla Creasey

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning proposal

1 message

mpdegraff@charter.net <mpdegraff@charter.net>

Sat, Jun 6, 2015 at 8:37 AM

Reply-To: mpdegraff@charter.net

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

re: MPC File Number 6-f-15-RZ

Dear Commissioners:

I strongly object to the proposal to rezone this property for development as planned. Aside from the fact that the small plot of land does not seem suited for multiple dwellings, and forget the obvious objections with respect to property values, my main concern is for safety.

My biggest objection is that this is a VERY dangerous stretch of road. The proposed entranceway is at a curve where I've personally seen cars go off the road. The blind curve combined with congestion at the narrow railroad bridge underpass has already resulted in many accidents & near misses.

Several years ago, I requested that our children's bus stop be moved into our neighborhood & off the main road due to the traffic, congestion & safety issues. Knox County Transportation immediately agreed. I would hope that once the MPC studied this section of road, common sense would prevail and the application for rezoning would be denied for the sake of public safety.

Thank you

Patti DeGraff
12624 Bayview Drive
Knoxville, TN 37922
mpdegraff@charter.net
[865-675-6868](tel:865-675-6868)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File #6-f-15RZ June 11 Meeting { from Mallard Bay Resident }

1 message

Amy Encarnacion <aeconnect@mac.com>

Fri, Jun 5, 2015 at 9:27 PM

Reply-To: aeconnect@mac.com

To: commission@knoxmpc.org

To whom it may concern:

I am a current resident of the Mallard Bay Subdivision. I have been informed by my neighborhood board of directors

that 12 acres of land adjacent to my neighborhood is being re-zoned to residential. A Mr. John Huber has proposed to develop the

land, then sell lots to individual builders. Therefore they're will be no control over square footage, quality or consistency of future homes.

I was also told he was planning to dredge and install 18 community boat slips and 9 private docks. This cove is VERY narrow and

shallow. Hopefully TVA will not permit the proposal as it would be horrible for the ecosystem and add such congestion and noise to this

small waterfront area.

I feel this proposed development would negatively affect my property value. And negatively impact the quality of living in my

neighborhood. Also, the developer should be held accountable for infrastructure support. Increased traffic under the train bridge

and already poor sight lines along curve of Harvey road are serious safety issues!

I am asking you to please take more time to consider LOWERING THE DENSITY ALLOWED on the land re-zoned to residential.

Thanks for your consideration.

Amy Encarnacion
12207 Mallard Bay Dr.

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezone Case # 6-F-15-RZ

1 message

BJE711 via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 3:03 PM

Reply-To: bje711@aol.com

To: commission@knoxmpc.org

To: Knox County Municipal Planning Commission**Rezone Case # 6-F-15-RZ**

From: Betty Estes and Patricia Timm
1146 Avocet Lane
Heron's Pointe Subdivision
Knoxville, TN

We are opposed to the rezoning of this agricultural land for another subdivision of 40 housing units on 10 acres of land behind the Gas Station/ Convenience store. This is also contingent to an offer to First Utility for 25 foot of their land to create an EXIT ROAD that will empty onto Harvey Road, just before the above mentioned store.

- 1. The majority of traffic on Harvey Road has to go under a very narrow underpass which already has backup traffic often, as there is a three way stop there. When school is in session there is more backups.**
- 2. The normal residential ratio of homes per acre is 2 per our HOA info. The proposed 40 units increases that ratio to 4 per acre. This increases the number of autos drastically in this area.**
- 3. The safety of the school bus service would be again questioned for this area.**
- 4. Personally on 2 occasions I had to quickly pull into Mallard Bay exit road when trying to exit my own subdivision. This is due to blind curve and speeding traffic on Harvey Road. We were very fortunate no one was exiting Mallard Bay at the time.**

Thank you for allowing us to input our opposing reasons to this rezoning.

Betty Estes
Patricia Timm
Heron's Pointe Subdivision

BJE711@aol.com



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

'foreut@aol.com' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 9:47 PM

Reply-To: foreut@aol.com

To: commission@knoxmpc.org

Re: MPC File Number 6-f-15-RZ

Dear Members of the Planning Commission,

My wife and I have been homeowners in Mallard Bay Subdivision since 2004. We chose this neighborhood for many reasons but most importantly for the uncrowded, quiet cove of the river, lot size, home size, the quality of these homes, and because Mallard Bay had covenants and restrictions preventing others from building homes not in keeping with existing homes in the neighborhood.

I understand a planning commission hearing will be held on June 11th requesting to rezone an area of land adjacent to our neighborhood from agricultural to planned residential (MPC File Number 6-f-15-RZ). I would like to submit this letter as an objection to the rezoning of this land and the development that is being proposed by John Huber for this land.

First, I object to the rezoning of this land from agricultural to planned residential because trees along the front common area and lakefront will be removed affecting the beauty and serene nature of homes along the opposite shoreline and in one of our common areas in Mallard Bay. Also, with the close proximity of this land to the railroad tracks, the loss of trees and the proposed number of homes with water access will increase the noise level, car traffic, and boat traffic in our neighborhood and Turkey Creek Cove. We have already seen a drastic increase in the boat congestion in Turkey Creek since the development of Jefferson Park and adding even more boats to an already busy area increases the risks of accidents and injuries. The proposed development will generate increased car traffic on a very busy road in an area that already becomes congested at the intersection of Harvey Road and Boyd Station (going under the train trestle) and, additionally, by creating another entrance to a neighborhood within a few feet of entrances to two other neighborhoods and a convenience store, makes it increasingly difficult to enter and exit the existing neighborhoods and increases the risk of accidents.

Second, I object to the sheer number of homes currently planned for this small area: 34 lots for single resident homes, 18 community boat slips, and 9 private boat docks crowded into a small 12 acre area. It also concerns me that these plans could change at any time from single resident homes to multi-unit dwellings since the planned residential zoning allows this option to the developer. The proposed development is immensely different from the current low density, adjacent neighborhoods. The impact to Mallard Bay would be extremely detrimental. My property value and those of my neighbors will be drastically reduced. Currently adjacent homes and homes in nearby neighborhoods are zoned for approximately 1 to 2.4 acres with average costs of 500,000 to 3 million. This is significantly different from the proposed 1/2 to 3/4 acre lots with homes ranging in purchase prices of 250,000 to 500,000. These lower value homes with water access would be less than 300 feet from the shoreline of Mallard Bay with the first private boat dock only 50 feet from one of our community gazebos. It is my understanding the developer plans to sell these small lots to individual builders with no proposed restrictions or covenants in place, thereby, no ability to maintain the quality standards that exist in surrounding neighborhoods. Any development of lesser quality homes than the surrounding area will have a negative impact on home prices in the area.

Third, The proposed water front access in such a shallow, narrow, and already congested cove poses

safety concerns and devaluation of existing property values. The negative effects of the proposed dredging of the lake behind current homeowners' property, the small size of the cove, and again the dangers associated with increased boat traffic in an already congested area are some of the reasons Mallard Bay has chosen not build community boat slips in this location. With such a close proximity, I am also concerned that this proposed development could view our community ground and fishing pier as theirs to use at our expense and Mallard Bay would have no way to control this unlawful use of our property.

Last, before you vote, I ask you to consider this proposal as if it was planned next door to your home. Would you want to decrease your property value, increase boat, increase car traffic, and increase the noise level of your home? If you do approve the rezoning from agricultural to planned residential, I urge you to attach restrictions on the development to require low density single family homes of the same size, valuation, and quality of adjacent neighborhoods to enable existing homeowners to maintain their property value, safety, and beauty of their properties. This rezoning and development will detrimentally change property values and dynamics in Mallard Bay and other surrounding neighborhoods forever. I implore you to consider the points I have made in objection to rezoning this land and this proposed development before you approve this request for rezoning. Thank you for your time and consideration.

Jeff Fuqua

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ - Huber Properties

1 message

Hayley <HayleyG@charter.net>

Sat, Jun 6, 2015 at 5:56 PM

Reply-To: HayleyG@charter.net

To: commission@knoxmpc.org

I have found out that Huber Properties wants to rezone property from agriculture to planned residential. I live in Mallard Bay and I am totally against this and hope you do not grant Huber Properties this request. There are many reasons that this rezoning should not be granted. This will affect my house appreciation and all of my neighbors. We have all put so much money into our home and community. The homes that Huber properties are planning to build are at a lower price point and also smaller parcel of land and therefore more congestion. The housing market has started to come back and Mallard Bay has finally began to sell homes and or land and we are finally starting to move past the bad economic trend. This also effects the communities all around us. The new community is on top of our common space and it will be impossible to keep in private, safe and maintained if this new community is build. In addition, I don't see how our common communities and homes will avoid damage during the construction phase. There will also be so much noise pollution since it so top of many communities and on a lake that echoes. Please be aware that Harvey road is a two lane congested road. It is very dangerous with blind spots and dark curvy roads. The new community's entrance is right on top of Mallard Bay entrance, Heron Point entrance and the Shell gas station. There is not enough room in that area as Virtue road/Boyd Rd entrance is already dangerous and small due to the bridge for the railroad. There are many accidents and road closures due to congestion which will only get worse. Please remember all of our communities have children, with school buses entering our communities and new drivers on the road. This scares me as a mother. It is the intent of Huber builders to dredge the lake and build a marina and other docks. Even though this is a TVA issue, the lake would be so crowded and dangerous. But most important all of this construction will harm Mallard Bays appearance and bring damage to our community. It also is such a shame that we are not keeping green and will be getting rid of the trees. All of the foliage will be knocked down, this is an eyesore to everyone and will also increase the sound of the train and traffic in that area. I moved to Tennessee so that I can see trees, rolling hills, lake and beauty. I picked this specific area because it was not congested. Since I have moved to this area so many new communities have popped up and commercial buildings. The congestion is worse, the danger greater and the trees and greener I moved here for are all gone. The trend to keep on building does not work in most communities. It does not help the economy. I have moved from Florida that the same thing happened, more new homes means more unsold older homes and more congestion without looking into the future and realizing that our schools are overcrowded and our road cannot handle the congestion. You cannot keep on adding new communities to the area without thinking to the future and other infrastructure.

Feel free to contact me if you have any questions.

Hayley Goldfeld

Cell – [954-610-7394](tel:954-610-7394)

—

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

Linda Graddy <lindagraddy48@gmail.com>

Fri, Jun 5, 2015 at 2:35 PM

Reply-To: LindaGraddy48@gmail.com

To: commission@knoxmpc.org

My Husband Darrell and I object to MPC File Number 6-f-15-RZ for the following reasons.

Then entrance road will cause traffic problems in an all ready busy area so close to our Mallard Bay Entrance. In addition the will cause even more traffic under the Harvey Road and Boyd Station railway underpass, which currently is pretty dangerous with the amount of traffic going through there.

This will be very close to our Mallard Bay common grounds and our fishing pier. Could cause trespassing on our grounds with no way for us to protect it from being used at our expense.

Water front development would be very close in proximity to the Mallard Bay fishing dock and some of our docks. The close proximity to our shorelines would create havoc in an already shallow and narrow cove. The narrow cove is already congested. The EPA and TVA should take a look at the water issues out there. The proposed community boat dock would cause problems in the cove and that is why Mallard bay does not have one.

Any development of lessor quality than the surrounding homes will have a negative impact on home prices in the area. I urge you to consider these factors and protect the hundreds of existing homeowners and tax payers as opposed to allowing a developer to detract from the area with a small number of homes on small lots that are not in keeping with existing home values.

Adjacent and nearby homes are zoned for about 1-2.4 acre lots and this area should be kept to those same criteria

This development will create congestion and noise factor in this area on the roads and waterways.

Building dwellings on that property expose the railroad tracks to greater possibility of human intrusion on the tracks

Thank you for your time and consideration on this matter.

Linda S Graddy :)
12321 Mallard Bay Dr
Knoxville, TN 37922
[571-594-3372](tel:571-594-3372)
Linda S Graddy :)
[571-594-3372](tel:571-594-3372)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

**[MPC Comment] rezoning near Mallard Bay and Willow Cove subdivisions
MPC #6-f-15-RZ**

1 message

George Jones <gjones787@me.com>

Fri, Jun 5, 2015 at 4:10 PM

Reply-To: gjones787@me.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I live in Mallard Bay subdivision on the lake and oppose the rezoning across the cove due to the amount of houses they are going to "cram" into such a small space and the amount of docks they will "cram" on the lake.

Thanks,
George & Lisa Jones
12613 Mallard Bay Dr
[865-406-2902](tel:865-406-2902)

Sent from my iPad

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] 6-F-15-RZ

1 message

Joan Kearney <joanhkearney@gmail.com>

Sat, Jun 6, 2015 at 11:42 AM

Reply-To: JoanHKearney@gmail.com

To: commission@knoxmpc.org

Cc: Heron's Pointe <hoa.heronspointe@gmail.com>, Kim Wiebe <nkwiebe@tds.net>

Dear Planning Commission Members:

My husband and I have been residents of Heron's Pointe Subdivision at Harvey Road and Sanderling Lane since 2003. During the last 12 years we have seen increased traffic along Harvey Road as more housing is built in this area and especially after the construction and opening of the Rocky Top convenience store at 1116 Harvey Road. Many motorists on Harvey Road already disregard the posted speed limit and this would create a more unsafe situation than currently exists. Turning in either direction off Sanderling Lane and onto Harvey Road is extremely dangerous now and a point of concern for the residents who have requested repeated police surveillance of speeding drivers on Harvey Road.

In regard to the hearing by the commission on the subject of rezoning (6-F-15-RZ) we would like to state that we are **unequivocally opposed** to this rezoning and planned development for the following reasons:

1. The impact on the traffic flow on & onto Harvey Road would create a more dangerous situation than already exists. Boyd Station Road feeds onto Harvey at a very narrow RR underpass. There is a residential driveway 150 feet & a convenience store driveway 350 feet from this intersection which has already impacted the traffic congestion at this point. Two existing subdivision entrances (Mallard Bay & Heron's Pointe) feed onto Harvey Road 200 feet from the proposed access to the apartment complex.
2. Our understanding is that the normal residential zoning ratio of homes/acres is 2/acre. This proposal creates a high density of 3-4/acre. That indicates that the number of additional vehicles feeding onto/off of Harvey Road would be nearly 100 vehicles.
3. School bus service to existing subdivisions and this proposed apartment complex would be an issue of safety for children and vehicles.

Thank you for your attention to this issue and please vote it down.

Sincerely,

Joan & Dan Kearney
12900 Sanderling Road
Knoxville, TN 37922

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] 6-f-15 RZ

1 message

Westy Kent <wkent@kentcommercialinc.com>

Sun, Jun 7, 2015 at 5:07 PM

Reply-To: wkent@kentcommercialinc.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Cc: "Bob Paulson (BobP727@aol.com)" <BobP727@aol.com>

I was in surgery this Friday and just became aware of this proposed subdivision in our neighborhood. I own a house on Auklet Lane and would certainly be in an area affected by this development. I agree with my neighbors and friends that at the current density this development would have a hugely negative impact on our already limited roads and access. I would support one acre or half acre housing but not the current proposal. I hope this email reaches you in time to count as a voice against this development.

Sincerely,

Westy Kent

Westy Kent

KENT

C O M M E R C I A L , I N C .**T E N A N T R E P R E S E N T A T I O N S E R V I C E S**

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1401 North Oak Street, Suite 602**Arlington, VA 22209****703-528-7799 (Voice)****703-528-1525 (Facsimile)****301-980-9701 (Cellular)****wkent@kentcommercialinc.com****www.kentcommercialinc.com**

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC file number of 6-F-15-RZ, Huber Properties

1 message

William Lonergan <william.r.lonergan@gmail.com>

Fri, Jun 5, 2015 at 6:12 PM

Reply-To: William.R.Lonergan@gmail.com

To: commission@knoxmpc.org

I am against the re-zoning of Huber Properties which will have negative impact on the Mallard Bay Subdivision, on the Mallard Bay side of Harvey road; reference MPC file number of 6-F-15-RZ, Huber Properties.

If the re-zoning goes through it will change from Agriculture to Planned Residential. Under planned Residential the following uses, buildings, and structures are permitted subject to review:

1. Houses
2. Duplexes
3. Multi-dwelling structures or developments. The number of dwelling units is determined by a formula. RP-1 district allows for a population density of up to 24 dwelling units per net acre. RP-2 has an allowable density of up to 40 dwelling units per acre.

The Developer that is asking for re-zoning is Huber Properties. Condominiums could be developed on that property if the re-zoning goes through. It's possible that from our entrance and along Mallard Bay drive be looking at condos in the future. The entrance to the property is a road that actually exists cutting into it from Harvey Road an immediate hard left prior to running into our common area. Potential issues I have with rezoning:

1. The entrance would be within 200 feet of our entrance and at the end of our hedge row.
2. Our common area and brown gazebo would likely become play grounds for those new residents
3. Additional traffic issues at Boyd station and Harvey Road.
4. Loss of green space next to our neighborhood with a possible loss of a long tree line replaced with unsightly buildings, road, and parking lots.
5. Negative impact on our property values.
6. Additional boating and recreational traffic in our cove.

If the re-zoning is approve it will have a negative impact on my neighborhood, I am a against the re-zoning and request Huber Properties remain as agricultural.

William and Carol Lonergan

12206 Mallard Bay Drive

Knoxville, TN

[240-382-0380](tel:240-382-0380)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Harvey Road Zoning

Drew Mann <drew.mann@gmail.com>

Fri, Jun 5, 2015 at 1:07 PM

Reply-To: drew.mann@gmail.com

To: commission@knoxmpc.org

I am writing you to ask that you spend a great deal of time on the proposed Harvey road project. The builder claims this is a low density area, and that is simply untrue. The traffic around the traintracks is already crazy. Please please, do your homework and do not just let this pass without serious considerations.

I am a resident of Mallard Bay, and the traffic taking a left or right is already bad, please don't make things worse.

I wont even get into the value of our homes in the neighborhood, the tax base we represent.

Thanks for listening and trust you will delay this matter and spend more time investigating.

Drew Mann
12521 Mallard Bay Drive
[865.803.3010](tel:865.803.3010)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-F-15-RZ

1 message

Nancy Martin <ngmartin09@gmail.com>

Sun, Jun 7, 2015 at 5:19 PM

Reply-To: ngmartin09@gmail.com

To: commission@knoxmpc.org

Dear Commissioners,

I am respectfully writing to ask for a few minutes of your time to let me express my objection and concerns about the rezoning request for development plans of the property in **MPC File Number 6-F-15-RZ which is to be discussed at the June 11, 2015 Planning Commission Meeting.**

I live in Mallard Bay subdivision which is adjacent to this proposed development. As a member of the Board of Directors of Mallard Bay Homeowners Association, we have received numerous emails and calls of concern from our homeowners. I am not opposed to this property being developed, but would expect that consideration would be given to its absolute negative impact to the surrounding area, and the proposed development plans would be denied as submitted.

This small plot of land in **MPC File Number 6-f-15-RZ** sits surrounded by a convenience store, a very very active train track that is traveling over a train trestle with a crossover, an older established neighborhood of lakefront homes (Willow Cove), and across the narrow cove, our neighborhood Mallard Bay. The proposed entrance is yards away from our Mallard Bay entrance and this proposed development entrance road will run along our common area property which includes a walking trail leading to a gazebo on the water. Directly across from our entrance is the entrance to Herons Point subdivision. This spot on Harvey/Choto Road is a very congested area during the school year with buses and cars leaving the subdivisions traveling either to Northshore Drive, or in the opposite direction to Boyd's Station Road/Kingston Pike. If turning towards Boyd Station and Kingston Pike, all three of these entrances are less than 100 yards from a 3 way stop and the right turn road going under the train trestle. Barely two cars can go under this trestle at one time. Also in this mix is the in/out entrance to the convenience store next to the 3 way stop. Much of this is described in the agenda information online, but it downplays the reality of the congestion and inconceivable notion of approving another neighborhood and 446 cars to pass through. Please consider these safety and congestion concerns in your decision.

I have serious concerns about this proposed development of 34 ¼ acre lots hurting the property value of our homes in Mallard Bay. The developer plans to sell the lots to builders, therefore there is no control over what will actually be built there. Huber told us he could not confirm if there will be an HOA or not. However, it is certain that they will be less than 2500 feet, very close together, and selling anywhere from \$250,000 - \$350,000 interior lots, and unknown amount for those on the lake. The homes in Mallard Bay range from \$500,000 to \$1 Million - \$3 Million lakefront homes. Home square footage ranges up to 8,000+ square feet on the lake. This proposed development home values and square footage are not in keeping with the surrounding values of in Willow Cove, Mallard Bay,

Montgomery Cove, and Jefferson Park, especially all the lakefront property. Allowing up to 3.5 homes per acres, leaves us open to the very real possibility of a townhouse community being built which is absolutely not in keeping with the surrounding neighborhoods.

I am equally concerned about the proposed waterfront plan of 9 private docks and a community dock with 18 boat slips. Because the cove is narrow, the community dock would stick out too much causing unsafe boating conditions. The first few private docks will be 50 feet from our community dock and gazebo of which is visited by families and children. The boat congestion with 27 additional boats in a very narrow cove area will certainly create safety hazards. Our Mallard Bay community dock and boat ramp is in this cove also. We are especially opposed to the proposed community dock which will cause safety hazards to other boaters in the cove as well this "marina" atmosphere would detract from what the cove offers to all surrounding lakefront homeowners and boaters in the cove.

There are a number of other areas of concern, but I am hopeful that those that I have mentioned above will afford us your consideration and ultimately the denial of the rezoning of a planned development as presented to you by John Huber on June, 11, 2015. I am aware of the increased amount of rezoning going on here in this part of Knox County and am accepting of community conscious development. I sincerely do not consider my objection to this proposed development to be a case of "not in my backyard", but one in which the developer is out to make money for himself by pushing a development that clearly does not fit with the property or its surroundings. Personally speaking, it is frustrating to think that the MPC could approve rezoning for one developer who would profit from selling 34 lots to builders at the expense of the investment hundreds of Knox County taxpayers have made for themselves and their families.

Thank you for your time and your thoughtful consideration in this rezoning request.

Sincerely,
Nancy Martin
Mallard Bay Board of Directors
12600 Mallard Bay Drive
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

The Martins <tnmartins@charter.net>

Sat, Jun 6, 2015 at 12:40 PM

Reply-To: tnmartins@charter.net

To: commission@knoxmpc.org

To whom it may concern:

We are writing to let you know that we object to the development plans of the property in MPC File Number 6-f-15-RZ and would like for it to be addressed at the June 11, 2015, Planning Commission meeting.

As homeowners in the adjacent subdivision, Mallard Bay, we feel that homes of the proposed value and lots of the proposed size would have a negative effect on property values in our area. The proposed homes are not in harmony with the value of and the quality of the surrounding homes. And the proposed lot sizes are not in keeping with the surrounding water front developments.

The proposed community boat dock would create havoc in our shallow, narrow, and already congested cove area. Their plans call for spaces for 27 boats in this cove which is a huge safety concern. With so many boats in such a small area, the risk of bodily harm is greatly elevated. This is the reason that we, as Mallard Bay homeowners, have refrained from building our own community boat dock.

Due to the close proximity with Mallard Bay, there would be no way to keep new homeowners off of our common areas. Mallard Bay homeowners pay to develop and maintain these common areas for the sole use of its homeowners - not for the use of the public.

The proposed entrance would create dangerous traffic conditions on an already busy street, as well as increased traffic at the already heavily congested intersection under the railroad bridge at Harvey Rd and Boyd Station.

In closing, we feel that any development of lesser quality than the surrounding homes will have a negative impact on home prices in our area. We urge you to consider these factors and protect the hundreds of existing homeowners and taxpayers as opposed to allowing a developer to detract from the area with a small number of homes on small lots that are not in keeping with existing home values.

Thank you for your consideration,
Alan & Amy Martin (12524 Mallard Bay Dr)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File No. 6-f-15-RZ

1 message

McMillan, Summer <smcmillan@bakerdonelson.com>

Sat, Jun 6, 2015 at 9:06 PM

Reply-To: smcmillan@bakerdonelson.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Dear Members of the MPC:

We write to express vehement objection to the development plans for the property in MPC File No. 6-f-15-RZ. We are also hereby requesting that this matter be discussed at the June 11, 2015 Planning Commission Meeting and that the existing recommendation of the MPC staff be modified to address the following concerns. These concerns are particularly of import to us as homeowners directly across the cove from the proposed development.

The entrance to the proposed development is intended to be cut in just a matter of feet from the entrance to the Mallard Bay subdivision entrance on a very busy street. Traffic on this road and under the railroad trestle is already very heavy and congested.

The Mallard Bay common area, including the fishing gazebo, are private property, and with the proximity of another development, the unauthorized use of our property and associated liability would endanger the continued ability of Mallard Bay to provide those resources for our homeowners.

Zoning for PR opens up the potential for numerous housing types and density that do not conform to the standards of value and quality of the adjacent developments such as Mallard Bay, Montgomery Cove, and Jefferson Park. These dwellings of lower quality would be immediately adjacent to these upscale neighborhoods, and therefore would impact our property values in a very negative way.

Additionally, the proposed waterfront development would be very close to the Mallard Bay fishing gazebo and the docks of waterfront homes, including ours. The close proximity our shorelines would create havoc in an already shallow and narrow cove, which is already congested and has become more so since the development of Jefferson Park. In the last five years, the amount of erosion of the shoreline on our property has been marked and noticeable. The proposed community boat dock for the new development would cause further problems of this nature, which is precisely why Mallard Bay does not have a community boat dock.

Furthermore, the value of a home that sits on the proposed building lot size of 1/2 to 3/4 acre and sells for less than \$1 million is not in keeping with homes on the water in this area, and would have a tremendously negative impact on the value of homes in Mallard Bay. Adjacent and nearby neighborhoods are zoned for roughly 1-2.4 DU/Acre, and sector plans in the area call for low density development. The value of the homes on the Mallard Bay waterfront range from \$1 million to \$3 million, and the homes on interior lots are valued above \$500,000. With no guarantee that there will be a homeowners' association or restrictive covenants in place for the proposed development to maintain the quality standards that exist in surround neighborhoods, there is an increased risk of the devaluation of our property.

We therefore urge you to look carefully at all of these considerations and protect the hundreds of existing homeowners and taxpayers from the addition of a dangerous entrance, increased traffic, and having their property devalued by a developer seeking to maximize his profit through a development with non-conforming, densely-packed homes.

Thank you for your consideration. We and a number of our neighbors plan to be in attendance at the meeting on June 11, 2015.

Greg and Summer McMillan
12631 Mallard Bay Dr.
Knoxville, TN 37922

Under requirements imposed by the IRS, we inform you that, if any advice concerning one or more U.S. federal tax issues is contained in this communication (including in any attachments and, if this communication is by email, then in any part of the same series of emails), such advice was not intended or written by the sender or by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transaction or tax-related matter addressed herein.

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning at 0 Harvey Road (6-F-15-RZ)

1 message

jkejmill@bellsouth.net <jkejmill@bellsouth.net>

Sat, Jun 6, 2015 at 11:38 AM

Reply-To: jkejmill@bellsouth.net

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

June 6, 2015

MPC File Number: 6-F-15-RZ

Huber Properties

Dear Planning Commissioners,

I am writing to you to object to the rezoning of the property at 0 Harvey Road, Knoxville TN. 37922 from Agricultural to Planned Residential. This request is in reference to MPC filing number 6-F-15-RZ. I request that if this file number is on the consent list for the June 11, 2015 Planning Commission meeting agenda that it be taken off of the consent list.

This zoning change would bring about new construction on the property behind our house that is not designed for that use. The Mallard Bay common area adjacent to this property along with a large portion of the property that is requested to be rezoned is a large flood zone. Significant flooding issues would result from any construction activities and new development. During heavy and especially prolonged periods of rain, this common area floods from the creek in both directions and spreads up into our backyards. The entire area basically becomes a shallow lake and stays that way for a significant period of time. All of the new impervious surfaces and raised elevations brought about by new development would force the water closer to the basements of our homes, possibly into roadways, and would also impact the future homeowners on the other side of the creek. It would probably even cause flooding and storm water issues upstream of our properties. I just don't see how a builder can create any plan that manages that much water in that small amount of space without significant risk and future problems for many homeowners. The area was designed with enough width to handle a large amount of storm water and based on experience has just enough space to handle it. I can't believe that any new structures, impervious surfaces, or even change to the current surface in this flood zone would be allowed, knowing that it will cause risk of flooding to many current and future homeowners.

Rezoning this green area behind our house will also remove the natural area and the beautiful tree line filled that has served as a perimeter and buffer for our neighborhood and convert it to entrance roads, parking lots, and potentially apartments, duplexes, etc. This will result in an area that is significantly out of character with our neighborhood and other neighborhoods around us. The property that the builder is planning to develop is confined between a small, shallow cove and a busy railroad track, and we know that builders trying to squeeze a development into a very small, poorly designed space will almost always divide properties into much smaller parcels, with no concern to the impact of surrounding homeowners lives or

property values. The houses that would be built will also be right up against the RR tracks, which will be a large concern for the lakefront homeowners that the developer is targeting. This will probably result in the developer, or a new developer, modifying their plans to less expensive houses or multi-dwelling structures, again impacting existing property values along our road. Additionally, because of the narrow footprint of the property, any children living in the new development will also be exposed to the risk of busy RR tracks right up against their play areas. Also because of this limited space, there will be no opportunity for a buffer between the new residents and our neighborhood to prevent encroachment and continuous use of our common area.

I am also concerned about the entrance. There is not enough space between the Mallard Bay entrance and the curve to create a suitable entrance to any new neighborhood. It is right up against the entrance to Mallard Bay and also enters the Harvey Road just beyond a hard curve with limited visibility on a very busy two lane road. It seems to me that we will be creating a dangerous situation for everyone that travels this road by shoe horning in a poorly designed entrance to such a dangerous and congested part of our road.

Another area of concern are plans to add additional boat traffic in the small shallow cove. The cove is narrow and only a few feet deep, and is used by kids in the area for kayaking, paddle boats, fishing, etc. Adding boat traffic to this area will create an extremely congested and dangerous situation.

All four of these concerns that I mentioned would have a very negative on the quality of life, the safety, the environment, and the property values of many homeowners in our surrounding neighborhoods. I request that you please deny the rezoning of this property to PR and protect the interest of homeowners in our area.

Thanks,
Johnny Miller

Johnny Miller
12711 Mallard Bay Dr.
Knoxville, Tn. 37922

Sent from Windows Mail

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning of property in MPC File Number 6-f-15-RZ

1 message

'Greg Needham' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 5:00 PM

Reply-To: gwneedham@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Dear Commissioners:

I adamantly oppose the rezoning of property in MPC File Number 6-f-15-RZ and do want it to be discussed at your June 11, 2015 Planning Commission Meeting.

Within a 200 yard section of Harvey Road, there are:

(2) Subdivision entrances – Mallard Bay and Heron Point; Mallard Bay has over 120 property owners many of which have a minimum of (2) cars/drivers and some with (4).

(2) Utility service entrances

(1) Convenience store entrance with heavy traffic in the morning, lunch and afternoon.

There also exists a 1.5 lane railroad trestle causing today's traffic to back up during morning and afternoon rush hour.

I understand the developer is requesting (34) zero lot line lots. Simply stating this condensed housing area will severely impact the aforementioned area - more congestion that is not needed in this section of Harvey Road.

I also understand the developer plans to add (9) boat docks into a cove that is so dangerously crowded today that I sold my boat three years ago due to the addition of the Jefferson Park boat dock traffic. I ask that you visit the cove today and see for yourself the already dangerous conditions on the weekend. Not to mention more noise and erosion that frankly will cause the cove to become "dead" over the years due to silt build-up.

I ask that you please consider the quality of life that exist today and the already heavy congestion on this section of Harvey Road and vote NO to the rezoning.

Best regards,

Greg Needham
12642 Bayview Drive
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] 5-B-15-UR - I am OPPOSED

1 message

James Norris II <jamesnorris2@gmail.com>

Sun, Jun 7, 2015 at 11:05 PM

Reply-To: jamesnorris2@gmail.com

To: commission@knoxmpc.org

Dear Commissioners:

I am writing to make you aware that I am opposed to the approval of this Use on Review for the purposes of installing a cell phone antenna tower in our neighborhood. I am a homeowner and my house is less than 500 feet from this site. After living in Knoxville for 13 years, my wife and I chose to move to this wonderful neighborhood due to its aesthetics, views, characteristics, and neighbors.

The proposed antenna simply does not fit in a residential area. It is out of characteristic with the homes and beauty of our neighborhood. Our neighborhood is situated along the Dogwood Trail, and for good reason. I feel that an unsightly tower would detract for our lovely area. Due to our high elevation, we have some amazing views of the mountains and the city. Should those views and our beauty be compromised so that a couple of companies can make money?

I also have legitimate concerns that go beyond aesthetics. I am also opposed to this tower due to its impact on property values. There is a lot of research that shows that homes near these antennas are harder to sell and that many buyers will not even consider property in these areas. If the property values in our area decrease, this would be a major blow to many hardworking citizens. Additionally, I have concerns about the health effects of these towers. I understand that the Telecommunications Act of 1996 precludes you from denying the request "based upon the potential adverse health impact of the radio frequency emissions from the cell tower". So although that says it can't be denied on that basis, it does not mean that the concern is not still there. Please do five minutes of research and you will find that there are legitimate health concerns.

The application for this tower claims that they cannot find another suitable site within a mile. That cannot be true. There are large portions of wooded lane on our same ridge, just near the intersection of Parkdale Road and Rifle Range Road. No one lives near these wooded areas and the terrain is not suitable for building homes. Additionally, there are some areas nearby where there are already electric towers and more space available for cell towers. I believe that this company needs to research other options which are definitely within a mile.

Our group is not completely opposed to cell towers, we are just opposed to them in neighborhoods. ALL neighborhoods - yours, ours, anyone's. We implore you to vote NO against this plan. At the minimum, please postpone and require them to prove that they have investigated other means and options. My fellow neighbors and I will be attending the meeting this coming Thursday to voice our opposition in person. If you approve their plan, we are also planning to appeal your decision. Please hear our voice and vote in opposition.

I appreciate your service to our community and thank you for taking the time to read my email.

Thank you,

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James E. Norris II

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

Vince <vinceob@live.com>
Reply-To: vinceob@live.com
To: commission@knoxmpc.org

Sun, Jun 7, 2015 at 10:40 AM

The purpose of this e-mail is to inform the Knox Planning Commissioners of my objection to the subject rezoning request. As the owner of a lakefront home in the Jefferson Park Subdivision, the reasons for my objection the development will have on the property value of my home are the following:

1. The 1/4 acre lot on a waterfront development will limit the size and cost of a potential home to well under the roughly \$1 million dollar lakefront homes in Mallard Bay, Montgomery Cove, Jefferson Park, and Willow Cove current and future home values. This will have a negative impact on the current value of my property value.
2. The high density home site with an 18 community boat slip marina and 9 private boat docks, plus any additional boats that would be launched from the proposed boat ramp would add to the currently congested relatively small Turkey Creek boating area.
3. The 34 proposed homes would add more traffic to the heavily traveled Harvey Road creating additional safety hazards for motorists.

Considering the above, I reiterate my objection to the current rezoning plan of high density homes, and request that if any approval is granted to the rezoning, that consideration be given to significantly increasing the size of the lakefront and interior lots to be consistent with surrounding lakefront communities.

Thank you for your consideration.

Sincerely,

Vencil and Virginia O'Block
1403 Charlottesville Blvd.
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning File # 6-F-15-RZ

1 message

Conny Ottway <connyottway@charter.net>

Sat, Jun 6, 2015 at 11:17 AM

Reply-To: connyottway@charter.net

To: commission@knoxmpc.org

Dear Municipal Planning Commission,

I live in the Heron's Pointe subdivision located on Harvey Road near the proposed site of developer John Huber's rezoning area near the Rocky Top Godfather's Pizza gas station on Harvey Rd.

This is a very busy, but dangerous area, due to a 3-way stop on rural roads that happens with a railroad overpass overhead. Actually, I considered not buying my home here, due to that intersection. Everyone has seen numerous wrecks there, and if you read the Knox Co. Police reports (RAIDS online), you read that there are wrecks there every day or so.

The idea of building 40 more units of housing behind this gas station area would further make this area much worse. Most large trucks can't even drive under that railroad overpass bridge, including the school busses.

I am very much against building so many units of housing on that small of a parcel of land. One house per acre is rather tiny to me, since I moved here from a 150-acre farm. But to crowd 40 homes on 10 acres sounds like a trailer court to me.

Please look into all of this carefully and consider what that area looks like before going with the developer's ideas.

I wish I could attend the meeting on June 11 to make my opinion known in person, but I can't take off from work.

Sincerely,

Constance Nagy Ottway

12901 Sanderling Lane

Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] 6-f-15-RZ. Harvey Road

1 message

'Shirley' via Commission <commission@knoxmpc.org>

Sat, Jun 6, 2015 at 2:34 PM

Reply-To: airwhirl@aol.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Commissioners,

My name is Shirley Paulson and I am a homeowner in Mallard Bay. I know you have received many letters from other concerned homeowners in my area. Not just Mallard Bay where we will have the most to lose if this housing development is approved.

It seems like so much of the little bit of country we have out here is being developed. And I understand this is progress but it needs to be guarded with a very heavy hand. Builders should not be allowed to develop where land has not even been zoned for housing. There is a reason this area was zoned for agriculture. I hope each of the commissioners that vote on this very important item will come out and look for themselves to see how 30-40 new homes in an area that is already over saturated will affect each and every home owner.

My main concern is the safety of driving on Harvey road. With three developments exiting within feet of each other and a Shell gas station is very dangerous. With the new housing development they are proposing it will bring 60-80 more cars into an already over saturated area. Housing developments need to be spread out more. A traffic survey should be done before this is approved.

The new entrance to the development looks out of place. You shouldn't have to force something to work if it's not working. Also the new development does not have any common ground for children to play on so that will cause a problem with them using Mallard Bay as their playground.

The new developer is also proposing many new boat slips in a very narrow and shallow cove causing a lot more noise and congestion in a very crowded area. It will definitely lower property values for many homeowners.

Most homes on the lake in this area have half acre lots or larger. With 3-4 homes being built on one acre does not keep to the look and feel of the rest of the area million dollars homes and up.

And no one has even mentioned the wildlife that I have grown to love in that area. The Eagles that fly and nest nearby as well as the grey herons and many many other birds. It will be so sad to see them uprooted from their homes.

It is the commissions duty to protect the homeowners and tax payers of this county from more unnecessary building. There are other areas in Knoxville that would be better suited for this builder and his plans. Please consider the hundreds of homeowners that have much to lose if this is approved.

Shirley Paulson
12625 Mallard Bay Dr.
Knoxville, Tn 37922

Sent from my iPad

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ Huber Properties (Opposed to it)

1 message

'Bob Paulson' via Commission <commission@knoxmpc.org>

Sat, Jun 6, 2015 at 1:26 PM

Reply-To: bobp727@aol.com

To: commission@knoxmpc.org

I am writing in **opposition** to the proposed rezoning of 0 Harvey Road. (Huber Properties).

They are proposing having an entrance extremely close to Mallard Bay and Heron's Pointe. This entrance along with the proposed development feels like they are trying to fit a square peg into a round hole. It just doesn't fit. I can't think of another area where 3 subdivisions dump out into basically the same spot. To compound this there is a sharp curve just past these entrances along with a low railroad overpass. This along with a Shell station right there creates a traffic nightmare as it is. Many times it is difficult exiting Herons Pointe due to this situation. To really grasp the gravity of this you have to see it in person. Looking at it on a map doesn't do it justice.

The amount of homes he wants is **not in sync** with other waterfront communities in the area. They all have 1 to 2 homes per acre and are valued upwards of 1 -3 million. To allow a higher density in this proposed development would surely reduce the value **significantly** of the homes in Mallard Bay. Some may not shed a tear about this but to the people who have bought in the area did so with the reasonable expectation (as with all the other waterfront communities) that this standard would be kept. To lose a significant amount of value due to changing the standard to enrich a developer would be a tragedy.

Another factor with the closeness to Mallard Bay and how he plans to **squeeze** in the entrance is the fact that our common area along with our gazebo will almost look like it is part of the new community. Therefore it will be very difficult if not impossible to keep the new residents out without extreme measures. Once again another reason values will drop not to mention quality of life.

If this rezoning is approved it could get worse. What is to keep him from doing what he feels gets him the most money with the PR zoning label. I have a feeling that developers do not have good track record of doing what they promise.

He is also requesting a 18 boat marina that is probably an issue for TVA. However if he gets the rezoning then that is a strong possibility. Once again it is something you would have to see in person on a nice weekend day. It is extremely crowded in this small cove / water area as it is. Mallard Bay doesn't even have one.

In summary, this proposed community **does not fit** with the adjacent communities. That tract of land was never planned for this. All one has to do is to look how the area was developed (Mallard Bay, Herons Pt. the Shell station etc.) to see that they are trying hard to make this work for them **without regard to adjacent properties**. The line needs to be drawn somewhere on these changes.

Thank you for your consideration on this matter. I will be attending the June 11th meeting.

Robert L Paulson
12625 Mallard Bay Dr.
Knoxville, Tn. 37922
865-671-2142 - H

954-461-9761 - C

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Oppose building plans file 6-f-15-RZ

1 message

'S Perkins' via Commission <commission@knoxmpc.org>

Mon, Jun 8, 2015 at 7:05 AM

Reply-To: retinamd@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Cc: "S. Perkins" <retinamd@yahoo.com>

Dear Sir:

We are residents of Montgomery Cove and oppose development plans in MPC file number 6-f-15-RZ. The proposed plans call for building 34 houses with boat docks on 1/4 acre lots. These properties are not consistent with the adjacent neighborhoods and the sector plans calling for low density development. The proposed plans would increase road traffic in an already congested area.

Thank you for your consideration.

S. Perkins
12323 Amberset Drive

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number6-f-15-RZ

1 message

Judith Podany <veggiemom@charter.net>

Fri, Jun 5, 2015 at 6:23 PM

Reply-To: veggiemom@charter.net

To: commission@knoxmpc.org

Dear Commission,

As a homeowner in Mallard Bay, that will directly be affected by this re-zoning proposition, I am positively outraged that this proposition would even have been considered. To me this smacks of someone being paid under the table. The development of this property will do nothing but hurt the property values of Mallard Bay and cause unbelievable traffic problems on Harvey and Boyd Station Roads trying to maneuver under the very small two lane train bridge, not to mention obstructing the entrance to Mallard Bay. This area was never planned for any kind of major traffic flow and there is no way of improving it, short of eliminating the train tracks. There is already very limited access into this area. This proposed property would also infringe on the amenities of Mallard Bay at our expense. The whole project is absolutely not in keeping with the rest of the communities on the water.

In short, MPC File Number 6-f-15-RZ is ill conceived and will hurt every homeowner who has already invested in the surrounding communities, causing major congestion and hurting property values. As Knox County taxpayers, we have the right to protest to such an absurd proposal.

Sincerely,

Judith A Podany
12310 Mallard Bay Dr.
Knoxville, Tn 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC File Number 6-f-15-RZ

1 message

Michael Riker <mwriker@gmail.com>

Fri, Jun 5, 2015 at 12:11 PM

Reply-To: mwriker@gmail.com

To: commission@knoxmpc.org

Planning Commissioners:

My name is Michael Riker and my wife Amanda and I moved to the Knoxville area from Kansas City about one year ago. We looked at several neighborhoods in and around Knoxville and ultimately chose a house in Mallard Bay. A job at East Tennessee Children's Hospital brought us here but our greatest joy/pride has been our new home and the neighborhood we have chosen to start a family in. We now have a 5 month old and enjoy walking him and our dog Kali around the neighborhood and down to the community docks.

While the property we purchased is our home it is also an investment.

We have been made aware of the intention to build several zero-lot-line homes near the entrance of our neighborhood. The proposed plan would allow the construction of greater than 30 units with a parking lot and possibly boat slips in what is best described as a very tight space. We have several concerns regarding this plan. The developer plans on developing the property and then selling to individuals/builders with no particular regulations regarding quality or aesthetics. The increased traffic will further congest the area at the Boyd Station/Harvey Road area. The proposed development is immediately adjacent to the Mallard Bay common area and there would likely be no way to prevent unsanctioned use of the area by occupants at the new development. The small cove/finger of the lake that serves as our neighborhood boat launch would become further congested. The children which play in the common areas and near the docks would be exposed to this higher traffic as well.

Working in the Pediatric ER has exposed me to many things including seeing several children struck/injured, and even killed by vehicles. A higher concentration on motorized vehicle traffic only increases the likelihood of these occurrences. Safety of my family and specifically my child is my utmost concern. While I'm sure the developer has monetary gain as their ultimate goal your goal as Commissioners should be to serve the people on Knox County. Please consider this when deliberating MPC file number 6-f-15-RZ.

A concerned citizen,

Michael W. Riker, MD

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC Filing Number 6-F-15-RZ

Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Mon, Jun 8, 2015 at 2:06 PM

----- Forwarded message -----

From: **Daniel Roling** <droling@gmail.com>
Date: Fri, Jun 5, 2015 at 12:25 PM
Subject: [MPC Comment] MPC Filing Number 6-F-15-RZ
To: commission@knoxmpc.org

MPC File Number: 6-F-15-RZ
June 5, 2015

Huber Properties

Dear Planning Commissioners,

I would like to object to the proposed rezoning at 0 Harvey Road, Knoxville TN. 37922 -- MPC filing number 6-F-15-RZ. The proposed rezoning from agricultural to Planned Residential is not in keeping with the adjoin neighborhood or the surrounding neighborhoods. The density is completely wrong for this area and it should be kept in line with the adjoining property – notable Mallard Bay. I believe the item is on the agenda for the consent for the June 11, 2015 Planning Commission meeting; I definitely do not want this to be consented to. Please remove this from the consent list. I understand property owners have a right to develop their property, but any rezoning needs, in my opinion, to take into account the impact it will have on the surrounding area. The proposed plan is not in keeping with existing developments. There needs to be a less dense plan proposed and water and dock access needs to be addressed. What is proposed will clearly be detrimental on the existing as to usage and will create significant congestion on a very narrow cove. Any development needs to produce a development in keeping with Mallard Bay, which is the adjoining development.

It is my understanding that the plans call for 34 lots/homes to be developed on lots that average only one-fourth of an acer of developable space. Thus, the houses will be small, on zero lot line plots, look crowed, and clearly will be much denser than the surrounding neighborhoods. This will have a negative impact on existing valuations, which will reduce the tax base for the whole area. Having a small, inexpensive house on water front property with zero lot lines is not what this area is about. I bought into Mallard Bay for the luxury neighborhood that it was to become. And it has, but this would down grade it immensely.

Building estimated \$300,000 homes crowded together across from \$1.0 million and upwards homes will only damage the value of the more expensive homes. And lower the tax base in the process.

Lastly, the traffic congestion in the area is already bad enough and there are ongoing wrecks because of the poor traffic flow patterns and the congestions caused by the underpass at the Norfolk Southern railway. Serious improvement to the road needs to be completed before any more development along the Harvey Road / Choto / Northshore area is allowed to be developed. Adding another access point so close to Mallard Bay will only exacerbate the back-ups at the underpass, and may contribute to more wrecks.

Daniel Roling
12415 Mallard Bay Drive
Knoxville, TN 37922

865-323-2367

Daniel A. Roling

droling@gmail.com

O - 865-392-4287

C - 865-323-2367

Notice: This message is intended only for the addressee and may contain information that is privileged and confidential. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please call the sender immediately at (865) 392-4287 and delete all copies of the message and any attachment. Neither the transmission of this message or any attachment, nor any error in transmission or misdelivery shall constitute waiver of any applicable legal privilege. No employee or agent of this company is authorized to conclude any binding agreement on behalf of the company with another party by email without the agreement being wholly in writing, attached to the email as a separate document, and signed by an original signature of



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC file # 6-F-15-RZ objection

1 message

Irving Rosenbloom <volgrad1@gmail.com>

Fri, Jun 5, 2015 at 12:42 PM

Reply-To: volgrad1@gmail.com

To: commission@knoxmpc.org

Dear MPC As a 28 year resident of Willow Cove, directly next to the proposed development, I would like to offer my concerns. Plan is to build homes on very small lots not consistent with our neighborhood or others very close such as Mallard Bay, Montgomery Cove, and Jefferson Park. Plans call for some of the home sites to have boat docks plus a community dock. There is way too much traffic in our small cove already and feel this would be very dangerous. THX! Irving Rosenbloom 12532 Willow Cove Way

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Objection to MPC file number 6-f-15-RZ

1 message

'Brett Selwitz' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 11:40 AM

Reply-To: redelmo@aol.com

To: commission@knoxmpc.org

To Whom it may concern,

I am writing to object to the development of the property directly adjacent to the Mallard Bay subdivision, MPC file number 6-f-15-RZ. I, as all the others in our subdivision, and the surrounding lakefront subdivisions have spent a great deal of money on our homes and feel any new development in the surrounding lakefront area should be built to the standards of the surrounding lakefront communities. Multi family units, Condos, or a zero lot type community would have a negative impact on all of our property values, not to mention the safety hazard it would cause with an entrance so close to our existing one. Another important factor is the traffic congestion already experienced at the two lane underpass/bridge, at Harvey Rd. and Boyd Station. Some other important factors are listed below:

- The entrance would create dangerous entrance and exit on to an already very busy street
- Due to the closeness of Mallard Bay common ground and our fishing pier asset, there would be no way to keep the new residents out of our property. It would become their playground at our expense.
- The lower value homes would be a stone's throw away and across a narrow cove our upscale neighborhood, and therefore would impact valuations in a very negative way.
- Water front development would be very close in proximity to the Mallard Bay fishing dock and some of our docks. The close proximity to our shorelines would create havoc in an already shallow and narrow cove. The narrow cove is already congested. The EPA and TVA should take a look at the water issues out there. The proposed community boat dock would cause problems in the cove and that is why Mallard bay does not have one.
- Anything less than a home on a 1/2 to 3/4 acre lot that sells for less than a million dollars plus, is not in keeping with homes on the water and in the area, and would be negative to valuations.
- Adjacent and nearby neighborhoods are zoned for roughly 1-2.4 DU/Acre.
- Sector plans in the area call for low density development, which this is not.
- The homes on our water front range from \$1 million to around \$3 million while the homes on the interior lots are valued above \$500,000 and increasing.
- There is a possibility of no home owners association with no C and R's or rules in place to maintain the quality standards that exist in surrounding neighborhoods.
- The developer will develop the property and sell off the lots to individual builders with no restrictions in place.
- Building dwellings on that property expose the railroad tracks to greater possibility of human intrusion on the tracks.
- There will be no way to keep the new homeowners off of our common areas.
- This development will create a huge noise factor.
- There are floodway and 820 line issues to contend with.
- Any development of lesser quality than the surrounding homes will have a negative impact on home prices in the area. I urge you to consider these factors and protect the hundreds of existing homeowners and tax payers as opposed to allowing a developer to detract from the area with a small number of homes on small lots that are not in keeping with existing home values.

Brett Selwitz
Mallard Bay Homeowner

Brett Selwitz - President
The Great American Sign & Screen Printing Co.
8817 Kingston Pike Suite A
Knoxville, TN 37923

865-357-7446

www.greatamericansignco.com

Please check all proofs carefully especially spelling, The Great American Sign Co. tries extremely hard to get everything correct the way you want it. Upon customer approval The Great American Sign Co. will take no responsibility to redo customers product at Great American Sign Co. Expense. We appreciate your business.

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Fwd: MPC File number 6-f-15=RZ

1 message

cltr via Commission <commission@knoxmpc.org>

Sat, Jun 6, 2015 at 10:46 PM

Reply-To: cltr@aol.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Sent from my iPad

Begin forwarded message:

From: cltr@aol.com**Date:** June 6, 2015 at 3:16:36 PM EDT**To:** commission@knoxmpc.org**Subject:** MPC File number 6-f-15=RZ

I am concerned about the proposed development of this property as indicates as it does not keep with the standards of the waterfront property in the immediate area. Putting in what amounts to, small, high density home along the waterfront is not good for property values nor is it good for the quiet cove. I am not against development, but I am against the proposed development. If the builder wants to build homes on larger lakefront lots, consistent with the area that's fine, but high density is not. Also adding a mini-marina in that area would be bad for the area. We do not need to stress the area in this fashion, nor do we need to allow a project that will have negative impact to property values and enjoyment of this wonderful cove.

Thank you for your understanding

Steven Slatas

12630 Woodcove Lane

Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC file number 6-f-15-RZ

1 message

Felicia Thompson <fjrthompson@gmail.com>

Fri, Jun 5, 2015 at 4:09 PM

Reply-To: fjrthompson@gmail.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Dear commissioners,

I am writing to you with my concerns for the proposed rezoning of the property next to our Mallard Bay Subdivision. As a new owner in the subdivision, I am very concerned about our property value significantly decreasing if this adjacent land is re-zoned. Our family finally was able to move to Mallard Bay subdivision after having lived in Knoxville for seven years. I am extremely worried that our house will not have the same property value as it did a year ago. Our dream of having a home in a nice subdivision that maintains its high value could be crushed by your decision. Our family is still in the process of making significant improvements to our home as we expected to obtain a return on our investment. The property value of our neighborhood will decrease for several reasons. The lot sizes of the concerned land will be significantly smaller than ours. There may be no governing board for the aesthetics of the new structures. If there were no reason to worry about the decisions people make to the outward appearance of their home, there would be no HOAs. After having gone through the approval process for our remodeling project, I know firsthand why these architectural committees are necessary!

The main reasons we purchased property in Mallard Bay is because the houses maintain their high value, have beautiful lake views, and have nice common areas for our children. At the moment, I feel safe allowing my children to play in the neighborhood, in the common areas, and on the docks. If this land is re-zoned, my children will no longer be allowed to play around the docks or the common area as there will be no way to keep people off and or away from our common areas. My children were given a kayak and paddle board as Christmas gifts. These gifts were given with the hope they would use them at our neighborhood dock. Again, they will not be allowed to use these in the summer if this land is re-zoned.

Another concern is with the increased traffic congestion in an already dangerous area around our entrance, the gas station, and the train tressel. The amount of traffic in this area is already excessive. Putting in an entrance so close to our subdivision entrance is asking for wrecks to occur!

I sincerely appreciate your consideration in this matter of concern our family!

Felicia Thompson
12518 Dockside Lane
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] 6-F-15-RZ

1 message

joel tillman <joeltillman2@charter.net>

Sun, Jun 7, 2015 at 1:35 PM

Reply-To: joeltillman2@charter.net

To: commission@knoxmpc.org

Hello:

I am a resident of Heron's Point Subdivision. I am sending this e-mail to the commission because of my concern over the development of more property on Harvey Road. Traffic is a real concern here already coupled with bicyclists and school busses. These proposed 40 houses will only add to the traffic congestion and increase in danger for many in this area. I'm all for development, but this effort (albeit unintentional) is somewhat indifferent in its lack of consideration for potential immediate and future danger. Many people will be affected by this adversely. If forty houses are built and at least 2 vehicles exist per unit, that is at least 80 more vehicles having to negotiate these already present dangers daily. I sincerely feel that more danger than good would result from this effort not only for those residents already in this vicinity, but also for those who would purchase units.

Please seriously consider this in your meeting ... safety for many is at stake.

Thank you for your time,

JTillman

[865-659-0903](tel:865-659-0903)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Re:

1 message

richard toole <richard-toole@att.net>

Sat, Jun 6, 2015 at 7:59 PM

Reply-To: richard-toole@att.net

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

It amazes me that not one commissioner took the time to respond to my letter. Apparently, commissioners have forgotten that they work for the voters. Election time is coming soon.

On Saturday, February 14, 2015 9:16 AM, "richard-toole@att.net" <richard-toole@att.net> wrote:

Rezoning on Wallace Road

I am appalled that the MPC would pass rezoning for Wallace Road. The commission do not even listen to the side of the homeowners in this area. We have lived on a farm for 45 years that is next to this property. We have 15 horses on our land and this is the life that we love. To know that the commission would let apartments be built on this site is so disheartening. No such thing as the "old homestead" any longer, because we are slowly getting forced out of the life we wanted. Over the years we have seen the farm land around us be sold, but it was subdivisions put in, not apartments. And for anyone to stand up there and say that it takes 7 seconds to turn onto Northshore from Wallace Road??? That is nothing but a down right lie. Exactly what time of day did they try to get onto Northshore? Midnight? Wallace Road runs between Nubbin Ridge Road and Northshore and is carrying more traffic now than it was ever intended to. Who stands up for the residents of Knox County? I never imagined that this would pass the MPC. It has been brought to you before and turned down, so just what makes this developer so different? The 75 or more people who showed up from our neighborhood apparently means nothing to the commission. Disgusted does not even begin to explain how I feel right now.

Teresa Toole
1201 Wallace Road
Knoxville, TN 37919
[\(865\)680-9311](tel:(865)680-9311)

Sent from Windows Mail

--

6/8/2015

KnoxMPC Mail - [MPC Comment] Re:

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC file # 6-F-15-RZ

1 message

'Brian Usury' via Commission <commission@knoxmpc.org>

Sat, Jun 6, 2015 at 12:14 PM

Reply-To: tiptopplumbing@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I live in Herons Pointe and strongly disagree with the rezoning and building of 40 homes on 10 acres. First of all I don't think that is enough land. Second it is too dangerous as it is pulling out of our subdivision. We almost get ran over every time and adding that many more vehicles in that curve is going to cause a lot of accidents. Also with train underpass usually only one vehicle at a time can fit safely. I think this is a horrible idea and completely disagree. I hope everyone can see how terrible the idea is and make a wise decision. Thank You

Thanks and Have A Blessed Day!

--

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Huber Development off Harvey/Martell Road

1 message

Waibel, William (ELS) <b.waibel@elsevier.com>

Fri, Jun 5, 2015 at 1:41 PM

Reply-To: b.waibel@elsevier.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Planning Commissioners,

I am writing to encourage you to not support the new Huber development (off Harvey/Martell Rd) in our community. I ask that you exercise your role in the planning of our community and not to allow a developer to put as many houses as he/she can conceivably squeeze into any open field in our community. I live in the Willow Cove neighborhood, just north of the proposed property. There are a number of reasons I feel strongly about this:

- Allowing 30-40 houses on a piece of property that normally would have 5-6 houses is inconsistent with any of the developments in the immediate proximity and would be unsightly and would adversely affect the value of our homes.
- The traffic on Boyd Station road currently is too much, adding to that traffic would just make it worse and more dangerous for those of us who need to turn on Boyd Station. There have been 4 serious traffic accidents in the last 2 years within a quarter mile of our entrance. The accident last Sunday almost (if it hasn't) resulted in the loss of a woman's life. There are too many people who use that road, they drive too fast, and there is no law enforcement despite our repeated requests. Adding more homes in that area would just make it more dangerous. Send your 16 year son or daughter out on that road on a daily basis and you will see why we are concerned.
- The increased boat traffic in that little corner of the cove would also be excessive. If Boyd Station road doesn't kill you, go out on lake in Turkey Creek on a Saturday – you'll increase your odds.
- If the development were successful in obtaining permits to build the boat docks, the dredging would be ridiculous. The lake is only about 2 feet at summer pool in that area. I think for our health, it is best we leave the silt from the bottom of Turkey Creek on the bottom of Turkey Creek.

Please vote against the rezoning of this property, but if you have to allow the rezoning – please demand that the density of the houses is consistent with other developments in the area such as Mallard Bay, Montgomery Cove, Willow Cove, Jefferson Park, and Taylor's Landing. Just because we have an open acre, we don't have to allow 4 houses to be put in there.

Thank you for your consideration,

Bill Waibel

12504 Willow Cove Way

Knoxville, TN 37934

[865-622-1419](tel:865-622-1419)

--

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Rezoning issues near Mallard Bay

1 message

Veler, Pat <Pat.Veler@orau.org>

Fri, Jun 5, 2015 at 12:15 PM

Reply-To: Pat.Veler@orau.org

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I would like to object to the development plans of the property in MPC File Number 6-f-15-RZ for the following reasons:

Traffic congestion would definitely become a safety issue for this area.

It is already difficult to exit or enter the Mallard Bay subdivision due to increased traffic flow.

Also the intersection at Harvey Road is already heavily congested. Additional further traffic would add more volume and slow traffic therefore safety concerns. The railroad tunnel is narrow and traffic has to proceed slowly. Traffic backup would cause problems.

Property values could be possible impacted. We purchased our home in this subdivision with the intent of increased property values.

We would appreciate if the board would consider all of the factors.

Certainly the traffic issues are the biggest concerns on a narrow two lane road and a railroad tunnel that barely meets the width area for passing of two vehicles.

Thank you

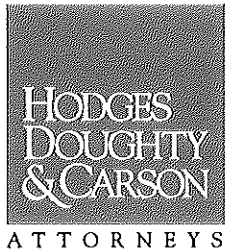
Tom and Pat Wantland

Mallard Bay

Sent from my iPhone

—

This message was directed to commission@knoxmpc.org



ROY L. AARON
DEAN B. FARMER
ALBERT J. HARR
EDWARD G. WHITE II
THOMAS H. DICKENSON
J. WILLIAM COLEY
J. MICHAEL HAYNES
T. KENAN SMITH
WAYNE A. KLINE
B. CHASE KIBLER
JOSHUA M. BALL
JOSHUA J. BOND
LISA J. HALL
KANDI R. YEAGER
E. MICHAEL BREZINA III
W. MICHAEL BAISLEY
OLIVER D. ADAMS
WESLEY D. STONE

ASSOCIATES

WILLIAM D. EDWARDS
MABERN E. WALL
J. SCOTT GRISWOLD
DONALD J. FARINATO

SPECIAL COUNSEL
CHRISTOPHER A. HALL

OF COUNSEL

ROBERT R. CAMPBELL
JOHN W. WHEELER
DALTON L. TOWNSEND
DAVID N. WEDEKIND
JULIA S. HOWARD
HIRAM G. TIPTON

RETIRED

JONATHAN H. BURNETT
DAVID E. SMITH
DOUGLAS L. DUTTON
WILLIAM F. ALLEY, JR.

J.H. HODGES (1896-1983)
J.H. DOUGHTY (1903-1987)
RICHARD L. CARSON (1912-1980)
JOHN P. DAVIS, JR. (1923-1977)

June 8, 2015

MPC Commissioners:

Re: Huber Properties
Rezoning Report File 6-F-15-RZ

Dear Commissioners:

Huber Properties has proposed a rezoning and plan amendment on property across the cove from Mallard Bay Subdivision and Heron Point Subdivision (not located on the water) and directly beneath the railroad tracks that run parallel to Boyd Station Road on the North. The access is via Harvey Road over a First Utility District pump station road located on the south side of a gas station and to the north side of the deeded access to the proposed property. The proposed rezoning includes a request of density up to 4 dwelling units per acre (du/ac). Staff recommends a density of up to 3.5 du/ac if the Metropolitan Planning Commission (MPC) recommends a change from A (Agriculture) to PR (Planned Residential).

I represent the interest of the Mallard Bay Subdivision, the Heron Point Subdivision and many of the individual homeowners adjacent to and surrounding the proposed property.

This property is unsuitable for the requested development. Unlike other areas in the surrounding neighborhoods, and especially to the south of the railroad tracks, the surrounding zoning density does not come close to either the requested 4 du/ac or the 3.5 du/ac recommendation by the MPC staff.

Development of this property should be compatible with neighboring residences in use, density and scale. In a planned residential zone, the Knox County Zoning Ordinance requires:

“Each planned unit development shall be compatible with the surrounding or adjacent zones.” (Article 5.13.01)

This proposed density and rezoning is not compatible with the surrounding and adjacent zones, as clearly shown on the Knox County Zoning Map exhibited to your package. The development in use of surrounding land is generally either agricultural, or subdivisions with houses on large lots,

single family residences on large tracts of acreage or planned residential single family residences averaging a little more than 2 du/ac.

The community believes the zoning plans approved by MPC and adopted by Knox County Commission protect the community from these intrusive and high density uses. MPC should deny the Huber Properties proposal for such a high requested density.

To add to the very high density request are a number of other problems that mitigate against such high density as requested or recommended by the MPC staff. Although planned residential is consistent with the Sector Plan proposal for this property, staff recognizes and recommends a lower density than requested for better compatibility with the surrounding development pattern and zoning. The recommended density is higher than the prevailing zoning densities in the area as is outlined in the MPC staff rezoning report for this agenda item on page 2, paragraph 2, sentence 2. Although the staff recommendation is alleged to be appropriate because "the site is somewhat isolated from surrounding residential subdivisions by the lake to the South and East, railroad tracks to the North and the commercial development to the West," nothing could be further from the truth. The homeowners at Mallard Bay Subdivision will have to live with this proposed dense development as they look across the very narrow and extremely shallow cove that separates the subject parcel from the Mallard Bay Subdivision. Although the maximum density of the Southwest Sector Plan of 5 du/ac that can be considered under the low density residential designation is less, the compatibility issue does not come near to being addressed by either the requested 4 or the recommended 3.5 du/ac. The community is requesting the density be designated no higher than 1.0 du/ac.

The Applicant does not have the ability to provide legal access for the proposed development. Although the Applicant has been in negotiations with First Utility District and indicates a verbal agreement has been reached to provide land needed for ingress and egress, the process the Applicant is going through leads only to the same conclusion that the community has reached - the proposed 9.8 acres is not suitable for the requested density and will only cause an unsightly incompatibility with the surrounding neighborhoods. The requested density cannot be based upon the amount of usable acreage to create an aesthetically pleasing and compatible development with such high density numbers.

The Knoxville-Knox County General Plan 2033, 11.2, page 68 and the Southwest Plan and Development, Appendix A, 11.2, page 38 both state:

"The density for residential development will be based upon the usable acreage, excluding areas which are under water, in floodways, have steep slopes, or are otherwise developable."

To rezone from A to PR zone, certain requirements of zoning ordinances must be met. These include:

1. The proposed Amendment shall be necessary because of substantially changed or changing conditions in the area and districts affected, or in the city/county generally:

A. An appropriate residential zone can be considered for the site. The proposed density is the most problematic issue because the recommended density and the requested density are both incompatible with the surrounding development and zoning pattern. There exists a buffer between this property and all properties to the North, of which many are currently zoned agricultural and are developing. The zoning and density classifications of these properties should have little or no effect on those properties to the North. As stated earlier, all properties to the South are incompatible with the high requested and recommended density pattern.

B. Although a PR zoning would require MPC approval of a development plan as a use on review prior to construction on the site, the density as designated will reflect the outcome of such a development plan. Density must be considered at this point in the process in order to provide guidance for the appropriate development plan based upon the density designated.

2. The proposed Amendment shall be consistent with the intent and purpose of the applicable zoning ordinance.

A. Although PR zoning is intended for land development which encourages unified building and site development programs, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with a total project by unified architectural and open space treatment, there is little room left for anything but single family residential or other uses which would be totally incompatible with the surrounding community of single family residential houses, if the requested or recommended density is utilized.

B. Most importantly, each development must be compatible with the surrounding or adjacent zones. The compatibility of this proposed rezoning must be determined by the MPC. In order to have a development plan that reflects appropriate compatibility with the surrounding community, the density must be restricted to compatible density on this particular property.

3. The proposed amendment shall not adversely affect any other part of the county, nor shall any direct or indirect adverse effects result from such amendment.

A. A designation of a density greater than 1.0 du/ac will not be compatible with the surrounding developments, particularly on the south side of the railroad tracks and close to and surrounding the property at issue. The Applicant has already submitted a concept/use and review development plan for MPC's consideration at the July 9, 2015 meeting. The plan shows 34 single family detached lots on a total of 16.3 acres. This is incorrect on its face and only illustrates the high density request that the Applicant would like to see approved by the MPC. Only acreage above the 820 contour line may be counted toward density because of the development constraints

on land below the 820 contour line. Only 10.17 acres are above the 820 contour line which results in a proposed density less than requested. That does not mean that 3.34 du/ac is appropriate. In fact, it is inappropriate and incompatible. At the recommended density of up to 3.5 du/ac, Applicant could develop up to 35 dwelling units on this proposed site on only 9.8 acres, of which some of it is undevelopable.

B. The land that is to be counted toward density must include the compatibility issue and not just the number of total units that Applicant could squeeze into this property. To be compatible with the surrounding neighborhoods on a 9.8 acre tract of land that is abutting the railroad on the North side and a shallow creek and cove that flows into the Tennessee River on the Southside, this property will only comply with the intent and purpose of the applicable zoning ordinance if it has a reduced density for purposes of development.

C. Lastly, the staff indicates the PR zoning at the recommended density is compatible with surrounding development; however, this recommendation is inaccurate. The development of such a high density number of units in such a small parcel of land will have a severe impact on adjacent properties. The impact includes, but is not limited to, a very high density development in the midst of very large single family houses in densities of very low character and on lots that are very large, especially in comparison to those proposed by Applicant. Harvey Road is a major collector street with adequate pavement width but inaccessibility to the development as proposed on the access drive proposal. The proposed entrance is very close to the entrance and exit to the Mallard Bay Subdivision (less than 300 feet). MPC Commissioner's notebooks are replete with requests by citizens who presently live in the area requesting you not approve such high density because the ingress and egress from this proposed site will introduce a hazardous condition on the adjacent property owners, particularly the Mallard Bay and Heron Point Subdivisions. To the immediate west is a tunnel that is already hazardous and the serious safety hazard will only be exacerbated by the estimated 446 average daily vehicle trips if the density is to be as high as recommended by MPC staff.

D. MPC staff sees the problems associated with such a high density and recommends a reduction to 3.5 du/ac from the requested 4 du/ac by the Applicant. Maps and photographs of the area have been provided with homeowner's letters, especially letters and amendments to letters from Dave Largent, member of the Board of Directors for the Mallard Bay Homeowners Association. Importantly, the lakefront properties of the proposed rezoning property are shallow in nature; so shallow in fact the Applicant would have to dredge from the lake bed in order to accommodate marine craft in what is now too shallow a cove for even a shallow draft boat.

E. Allowing for development of this property would place single family housing adjacent to railroad tracks which will create an unsafe environment. Increasing the density to such incompatible levels would exacerbate safety problems. MPC Staff has recognized the potential safety problems and commented on it in its recommendation to the MPC. Once again, the safety factors that are of concern make such high density incompatible with the surrounding community.

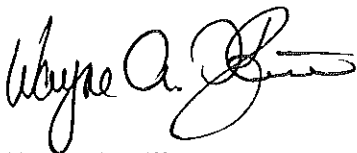
F. PR Zoning could allow for other types of developments that are incompatible with the surrounding community. These include the potential for multi dwelling buildings, condominiums, and other zero lot line potentials that could have a negative impact on the community as well as the property values of surrounding and neighboring subdivisions, all of which are single family residential on much higher acreage than the proposed density.

G. Certainly an engineering traffic study would be required before even considering such a zoning change and requested density. A traffic study would show the treacherous nature of the 90 degree turn at the intersection of this development entrance and exit with not only the Harvey Road/Boyd Station Railroad underpass, but also the close proximity with the small commercial building and the entrance and exit to the subdivisions. The proposed development entrance and exit would literally be on top of the Mallard Bay Subdivision entranceway. The limited visibility, the adjacent entrance/exit way for the Bayview and Peachtree Farms Subdivisions, the Heron Point Subdivision entrance, a convenience store, and the 90 degree curve all interfere with visibility and challenges the safety of the residents, their guests and families in this focused area for the requested rezoning. Within a span of 200 feet on Harvey Road, three residential developments, including the proposed development, would be entering Harvey Road. Without an engineering traffic study, the proposed development must be either severely limited by the density allowed or denied. The approval of the requested or recommended density will create a dangerous, treacherous and unsafe exacerbation of currently dangerous road and traffic conditions.

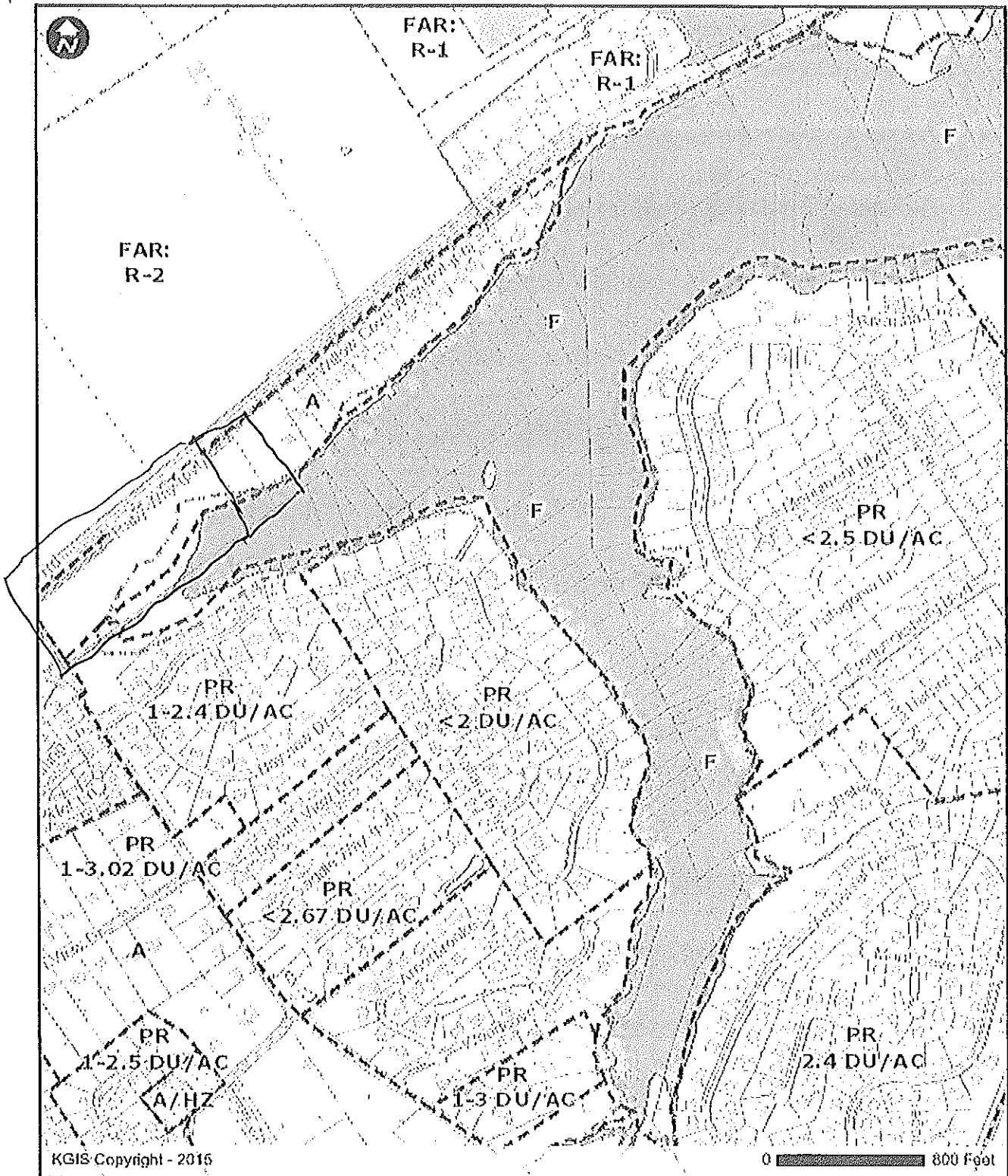
In summary, this proposal will have a high impact on the community in spite of the fact that it is less than 10 acres in total development tract size. The adjacent community requests the MPC deny this application.

Attached please find exhibits illustrative of the points discussed in this letter. I will be talking with you about these illustrations at the Thursday MPC meeting or can answer questions at Tuesday's Agenda Meeting.

Respectfully,



Wayne A. Kline
On behalf of Mallard Bay Subdivision,
Heron Point Subdivision and the
Community surrounding the proposed property on the south side of the property



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0 800 Feet

DU/AC of area Neighborhoods

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47.06

47.01

FAR

LDR

STPA

47.07

West 99th

Boyd Station Rd

Boyd Station Dr

Boyd Station P
Boyd Station Dr

12
16
9
7
6

LDR

9.41

LDR

Harvey Rd

Malhard Bay Dr

Malhard Bay Dr

Malhard Bay Dr

91
92

1
2
3

10
15

9
8
7

17
18

14

10
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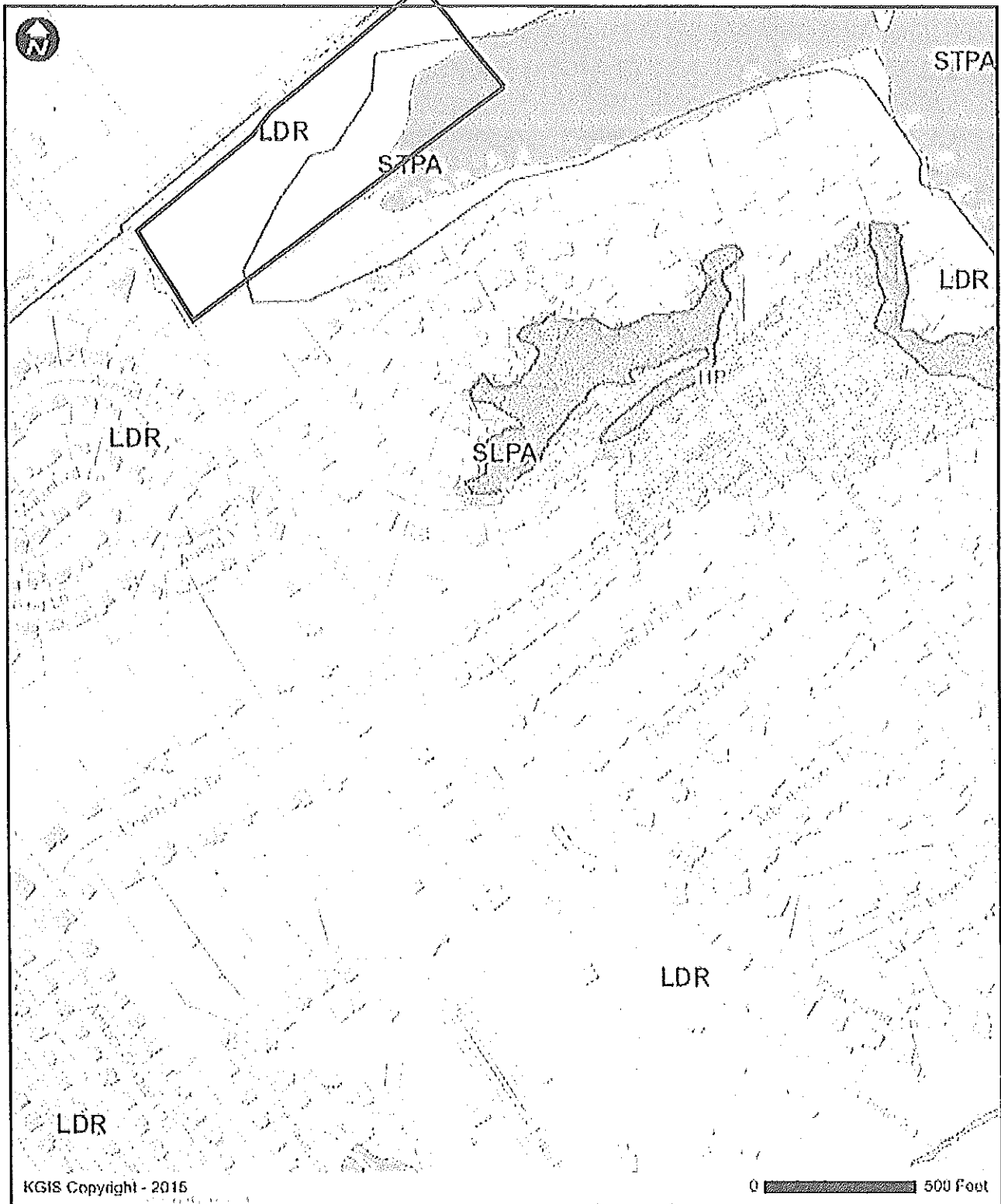
0 200 Feet

Sector map

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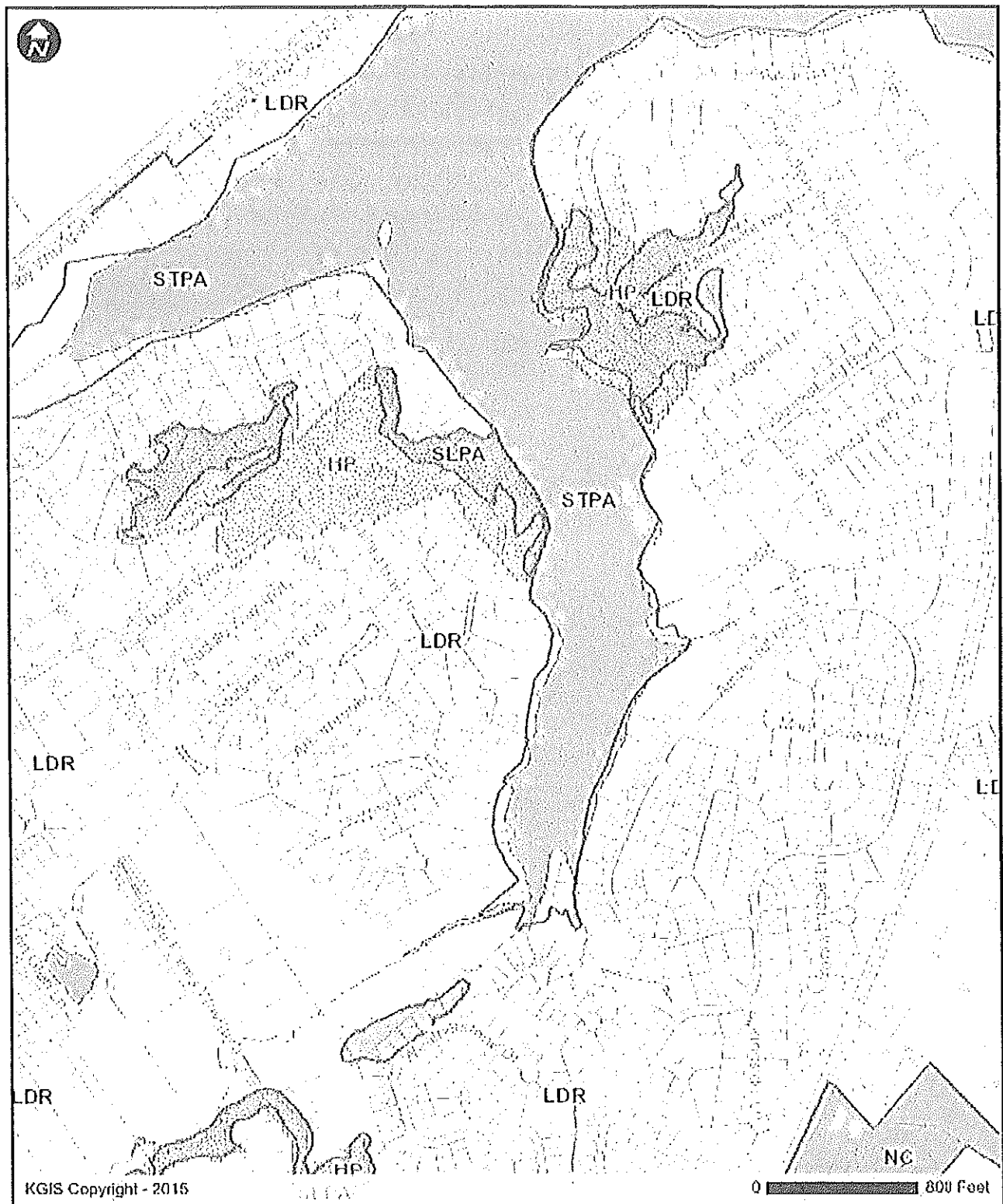


sector plan area

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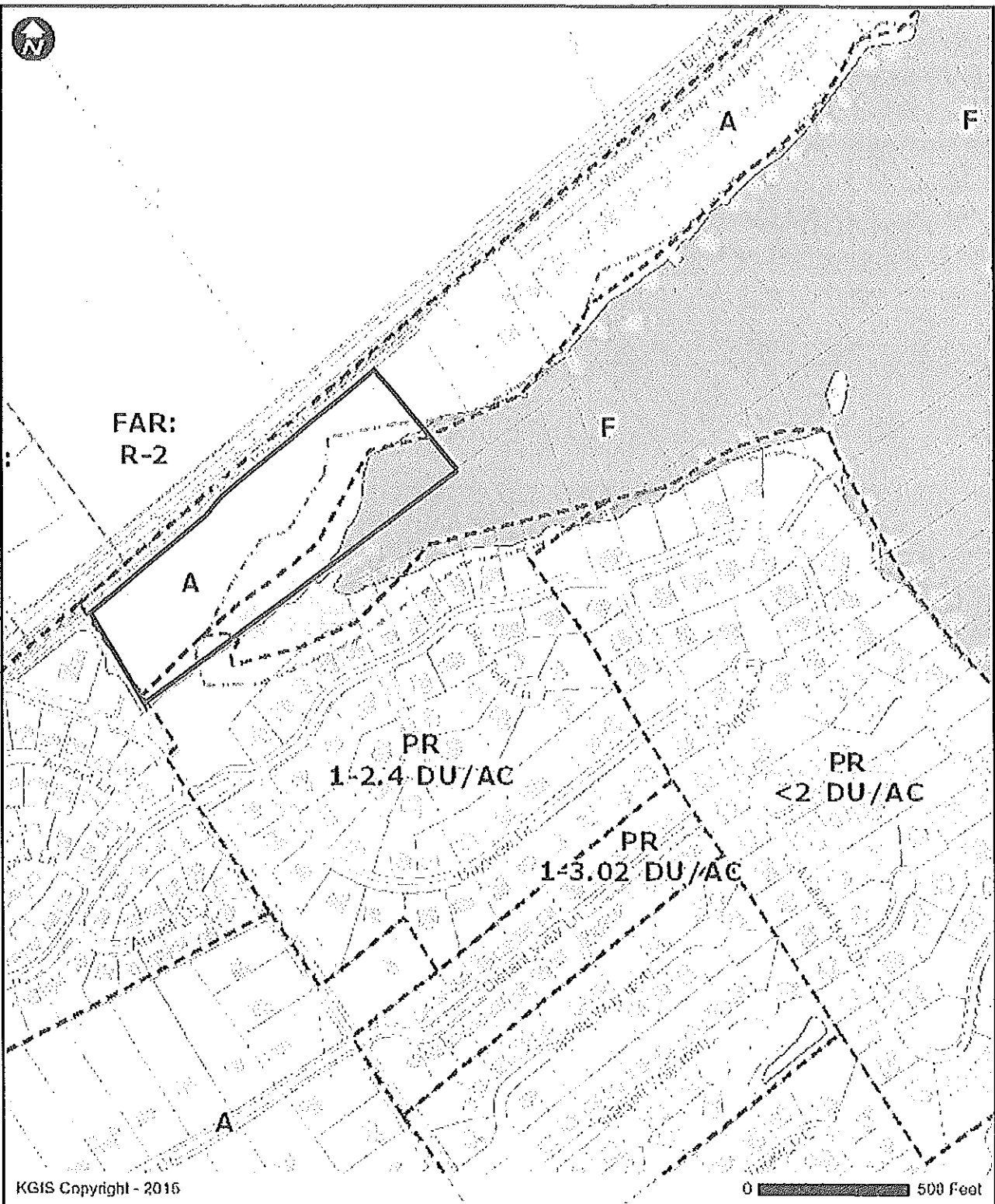
0 800 Feet

Sector plan of area

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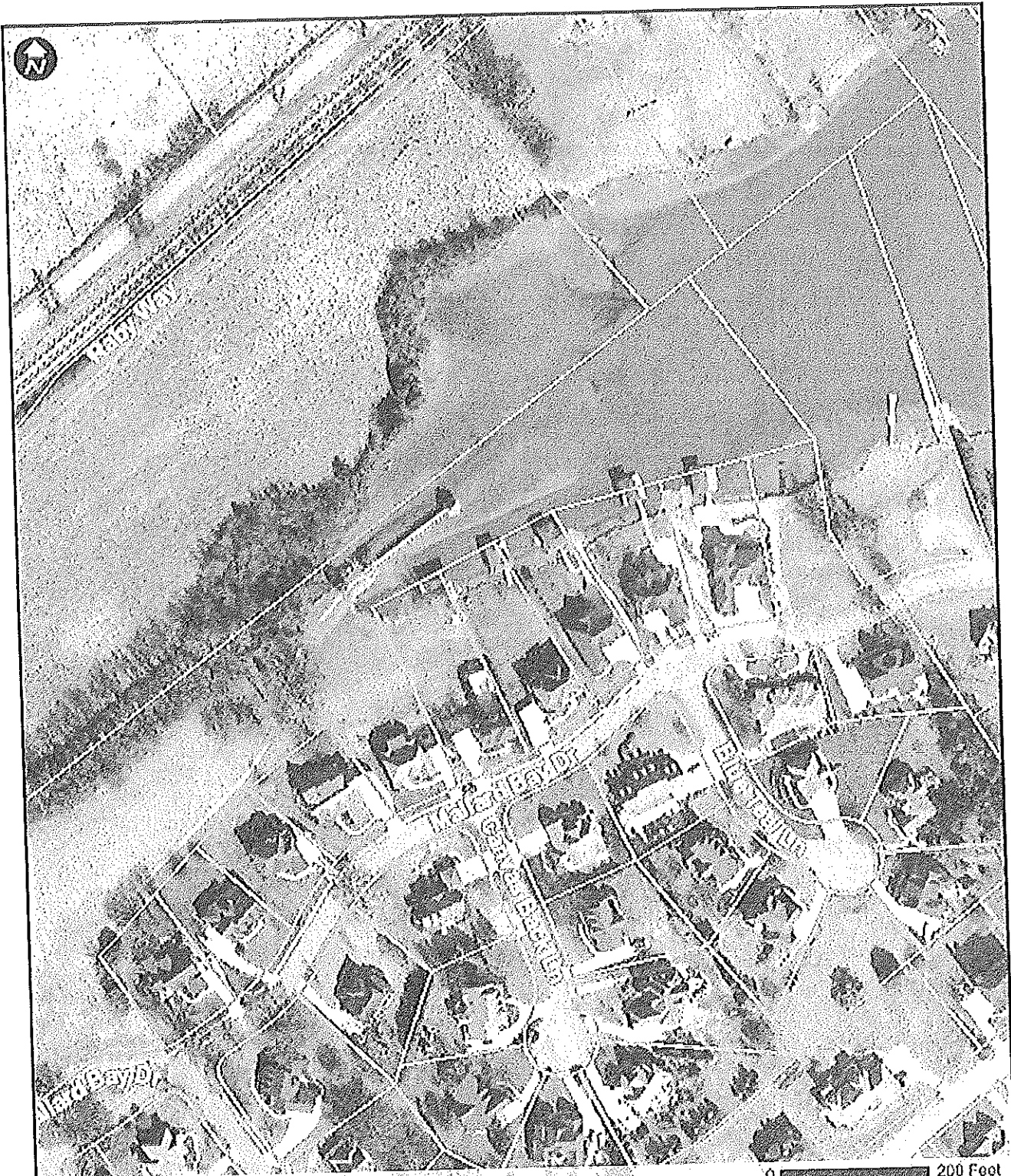
0 500 Feet

820 line

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0 200 Feet

narrow cove no mallard bay community dock

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Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Fwd: MPC-6-f-15-RZ

1 message

'Carolyn Whitehurst' via Commission <commission@knoxmpc.org>

Fri, Jun 5, 2015 at 11:27 AM

Reply-To: Cwhitehrst@yahoo.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Trying this again

Carolyn Rusch Whitehurst

Cwhitehrst@yahoo.com

Sent from my iPad

Begin forwarded message:

From: Carolyn Whitehurst <cwhitehrst@yahoo.com>
Date: June 5, 2015 at 9:19:59 AM MDT
To: "commission@knoxmpc.org" <commission@knoxmpc.org>
Subject: MPC-6-f-15-RZ

Commissioners:

As a property owner in Mallard Bay Subdivision next to the proposed listing above, please register my displeasure and objection to this proposed rezoning!

The intersection is too crowded and dangerous due to the close proximity of our entrance, the steep turn, the train tracks under bridge, and the store.

In addition to that mentioned above, the small cove there has drainage issues, and the proposed development would severely negatively impact our boat ramp, gazebo, and potentially our property values!

Carolyn Rusch Whitehurst

Cwhitehrst@yahoo.com

Sent from my iPad

Carolyn Rusch Whitehurst

Cwhitehrst@yahoo.com

Sent from my iPad

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This message was directed to commission@knoxmpc.org