

▶ **FILE #:** 6-F-15-RZ

AGENDA ITEM #: 25

AGENDA DATE: 6/11/2015

▶ **APPLICANT:** HUBER PROPERTIES

OWNER(S): John Huber

TAX ID NUMBER: 162 04701,04706,04707 & 04708 AREA ZONED A ONLY [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS:

▶ **LOCATION:** Northeast side Harvey Rd., north of Mallard Bay Dr.

▶ **APPX. SIZE OF TRACT:** 9.8 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Harvey Rd., a major collector street with 21' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 4 du/ac

EXTENSION OF ZONE: Yes, adjacent to PR to the south and west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Railroad right-of-way / Farragut Town Limits

South: Lake and residential subdivision / PR (Planned Residential) @ 1-2.4 du/ac

East: Houses and lake / A (Agricultural)

West: Commercial development, Harvey Rd., residential subdivision / PR (Planned Residential) @ 1-3 du/ac

NEIGHBORHOOD CONTEXT: With the exception of the small commercial node to the west of the subject property, developed under PR zoning, the surrounding area is developed entirely with agricultural and rural to low density residential development under A, PR and RA zoning in Knox County and various residential zones applicable in the Town of Farragut to the north.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3.5 du/ac. (Applicant requested 4 du/ac).**

Condition: Prior to Knox County Commission's consideration of this matter on July 27, 2015, the applicant must provide adequate documentation from First Knox Utility District (FUD) to provide a minimum 40 foot wide

easement through their property to the applicant to access the proposed development, as shown on the concept/use on review plan (7-SC-15-C/7-H-15-UR). MPC and Knox County Engineering staff will have to determine whether this condition is met prior to the Knox County Commission meeting. If it is determined that it is adequately addressed, then this condition may be removed by Knox County Commission before final approval of the rezoning request. If the condition is not met, the request should be either postponed or denied.

PR is an appropriate zone for residential development of this site and is consistent with the sector plan proposal for the property. Staff is recommending a lower density than requested for better compatibility with the surrounding development pattern and zoning. The recommended density, although slightly higher than prevailing zoning densities in the area, is 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. The recommended and proposed density is still below the maximum density of 5 du/ac that can be considered under the LDR (Low Density Residential) sector plan designation.

COMMENTS:

Staff is recommending the condition because, currently, the applicant does not have the ability to provide legal access for the proposed development. Staff is of the opinion that the property should not be rezoned unless it is certain that sufficient legal access to the site can be provided. The applicant has been involved in negotiations with FUD, and has stated that a verbal agreement has been reached for FUD to provide the additional land needed (see attached email from John Huber), but the FUD Board must officially approve the land transfer before it is official. This process should be completed prior to the Knox County Commission hearing on July 27, but is not likely to be accomplished before the MPC meeting on June 11.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

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:

1. PR is the most appropriate residential zone that can be considered for this site. The proposed density is compatible with the surrounding development and zoning pattern.
2. The requested PR zoning and density is consistent with the sector plan proposal for the site and the site is designated as Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. PR zoning will require MPC approval of a development plan as a use on review prior to construction on the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for proposed development of this site.

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:

1. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compatibility with surrounding development and zoning.
2. The applicant has submitted the attached concept/use on review development plan (7-SC-15-C/7-H-15-UR) for MPC's consideration at the July 9 meeting. This plan shows 34 single family detached lots on a total of 16.36 acres. However, only acreage above the 820 contour may be counted toward density because of the development constraints on land below it. The development plan indicates that 10.17 acres are above the 820 contour, which results in a proposed density of 3.34 du/ac.
3. The following approximations are based on the concept plan's reported acreage of 10.17 acres above the 820 contour, which is the land that may be counted toward density. At the recommended density up to 3.5 du/ac, up to 35 dwelling units could be proposed for the site. That number of detached units would add approximately 395 vehicle trips per day to the street system and would add approximately 22 children under the age of 18 to the school system. The requested density of up to 4 du/ac would allow for a maximum of 40 dwelling units to be proposed for the site. That number of detached units, would add approximately 436 vehicle trips per day to the street system and would add approximately 25 children under the age of 18 to the school system.
4. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

5. Harvey Rd. is classified as a major collector street and has adequate pavement width of more than 20 feet to accommodate the proposed residential development. Access to the development is proposed to Harvey Rd., south of the commercial development, partly within an FUD-owned property containing a pump station. A close-up of the development plan is also attached showing the proposed access drive. The applicant's engineer has also provided the attached letter verifying that adequate sight distance on Harvey Rd. is available from the proposed entrance to the development. Harvey Rd. has a posted speed limit of 30 mph, meaning that 300 feet of clear sight distance is required. The engineer attests that more than 400 feet of clear sight distance is required in both directions.

5. Public water and sanitary sewer utilities are available in the area, but may need to be extended to serve the site.

6. Staff has concerns about the proposed proximity of residential structures to a heavily-used rail line (30 plus trains per day). In the unlikely event that a derailment, chemical spill or other catastrophe occurred in the area, these units and the persons living in them would be especially susceptible to harm. Care should be taken to locate the units as far from the rail line as possible. The stretch of railroad right-of-way adjacent to the subject property also has two parallel rail lines within it, where trains stop to allow trains heading in the opposite direction to pass before proceeding. Therefore, trains will frequently stop and idle in this area, causing longer periods of time with noise impact generated by adjacent train operations.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Southwest County Sector Plan designates this site for low density residential uses, consistent with PR zoning at up to 5 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal.

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

ESTIMATED TRAFFIC IMPACT: 446 (average daily vehicle trips)

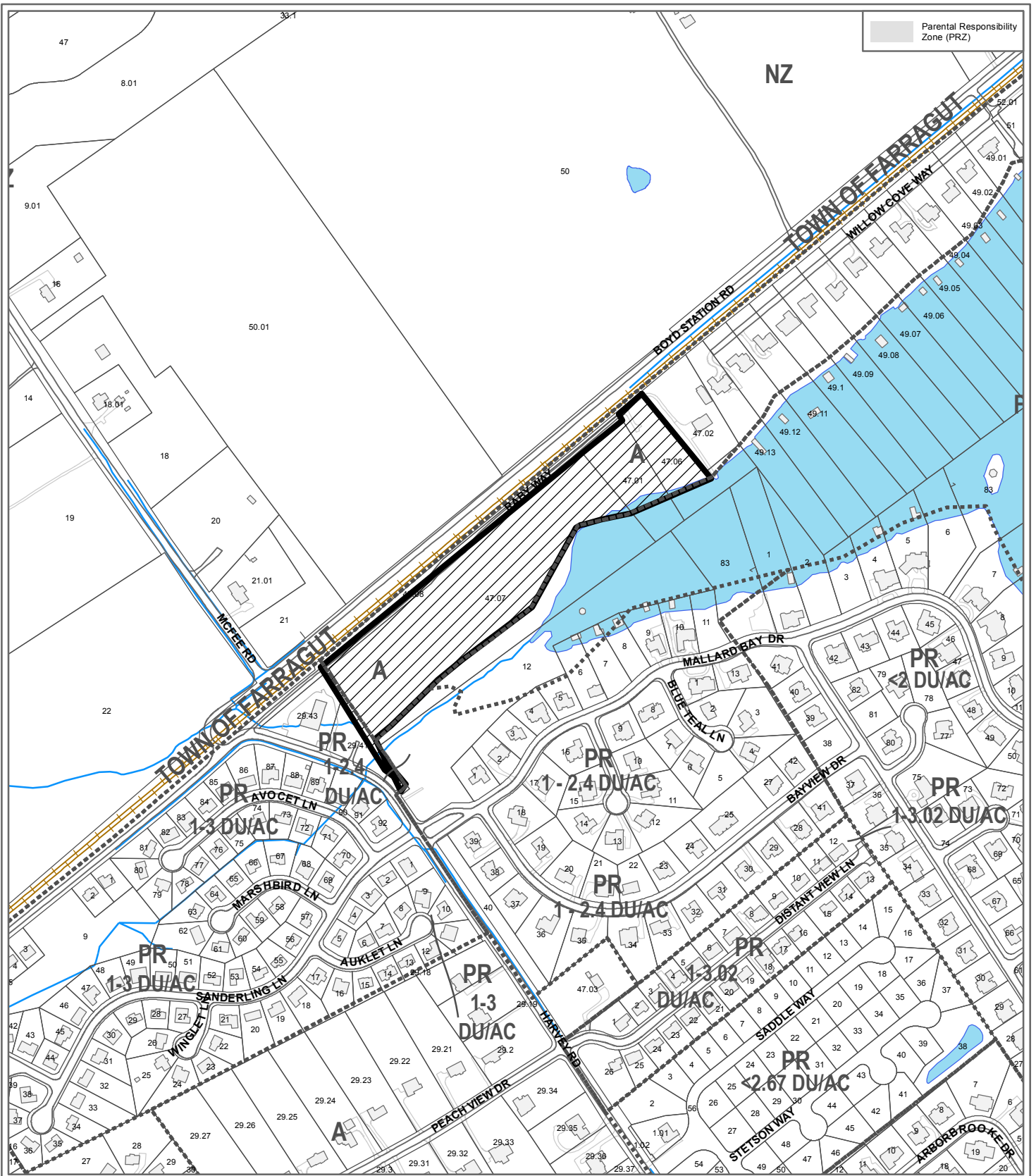
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

ESTIMATED STUDENT YIELD: 25 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut Middle, and Farragut High.

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

If approved, this item will be forwarded to Knox County Commission for action on 7/27/2015. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**6-F-15-RZ
REZONING**

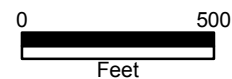
From: A (Agricultural)
To: PR (Planned Residential)



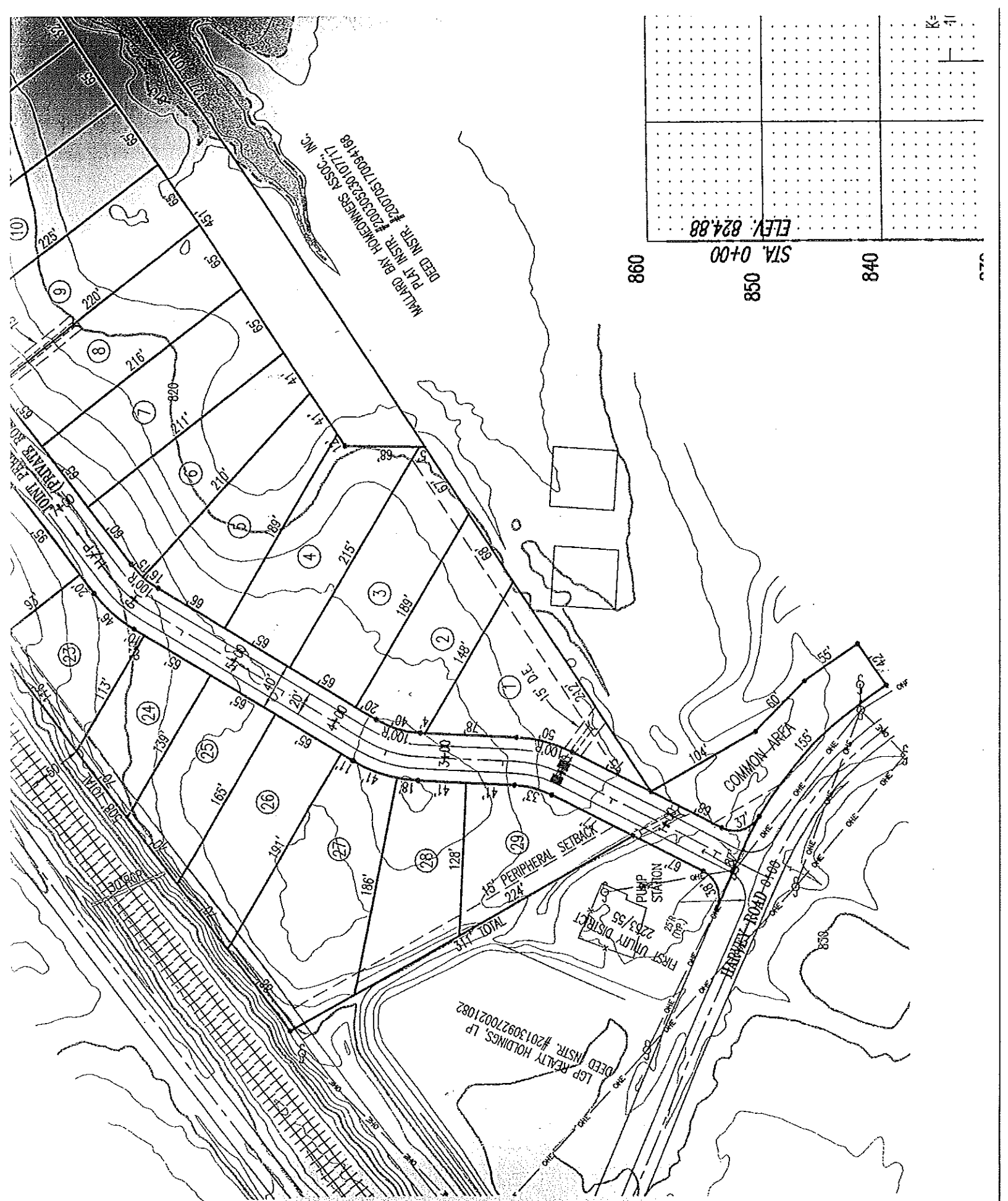
Petitioner: Huber Properties

Map No: 162

Jurisdiction: County



Original Print Date: 5/8/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





Michael Brusseau <mike.brusseau@knoxmpc.org>

Huber Properties 6-F-15-RZ

David B. Harbin <harbin@bhn-p.com>
To: Mike Brusseau <mike.brusseau@knoxmpc.org>
Cc: John Huber <john@southernsignature.net>

Wed, Jun 3, 2015 at 2:09 PM

Mr. Brusseau:

John Huber of Huber properties has requested to rezone property on Harvey Road (MPC File #6-F-15-RZ). Mr. Huber desires to develop this site as a single family detached development. Access for the proposed development will be a private road that connects to Harvey Road through property currently owned by First Utility District. A question has arisen as to whether adequate sight distance is available at this connection point to Harvey Road.

Harvey Road is classified as a major collector with approximately 20 feet of pavement width. The posted speed limit is 30 mph. The required sight distance is 300 feet.

I have inspected the site of the proposed intersection and have determined that sight distance in both directions, as defined by the Minimum Subdivision Regulations is at least 400 feet, which far exceeds the 300 foot requirement.

David Harbin PE, RLS

Batson, Himes, Norvell & Poe

4334 Papermill Drive

Knoxville, TN 37909

[\(865\)588-6472](tel:(865)588-6472)

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

[MPC Comment] Fwd: Harvey Road Property Access

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Mon, Jun 1, 2015 at 9:19 AM

Reply-To: mike.brusseau@knoxmpc.org

To: Commission <commission@knoxmpc.org>

Re: Item 6-F-15-RZ

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

From: **John Huber** <john@southernsignature.net>

Date: Fri, May 22, 2015 at 2:09 PM

Subject: Harvey Road Property Access

To: Michael Brusseau <mike.brusseau@knoxmpc.org>

Cc: dan.kelly@knoxmpc.org

Michael,

RE: Access to Harvey Road property

I have worked out a tentative agreement with First Utility District regarding the access to the Harvey Road property. FUD owns property (a pump station) located on the south side of the gas station and the north side of deeded access to my property on Harvey Road. They have tentatively agreed to quit claim +/- 50' to me to allow access to the property with a road acceptable to Knox County. At this stage, we are planning on a private road with a 40' ROW. I intend to submit a concept plan showing single family detached homes for the property on Tuesday. The concept is based on a "lock it and leave it" mentality with relatively small lots. The density of the development will be very close to 4 dwelling units per acre.

Please let me know if you have any questions.

Thank you,

John Huber*Owner / Broker*

P.O. Box 23038

Knoxville, TN 37933

O 865-966-1600

F 865-978-6600

E john@southernsignature.net

—

Michael A. Brusseau, AICP, Senior Planner
Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
400 Main St.
Knoxville, TN 37902
Phone: (865) 215-2500
Fax: (865) 215-2068
www.knoxmpc.org

—

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

Brunner, Karen <BrunnerKL@roanestate.edu>

Thu, Jun 4, 2015 at 8:42 AM

Reply-To: brunnerkl@roanestate.edu

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

Memorandum

TO: Knox County Metropolitan Planning Commission

FROM: Karen Brunner, Resident, Mallard Bay Subdivision, Knoxville, TN

DATE: June 4, 2015

RE: MPC file number 6-F-15-RZ, Huber Properties

I am writing to express my grave concerns regarding proposed re-zoning plans for the property adjacent to Mallard Bay Subdivision on Harvey Road.

If the zoning is changed to Planned Residential, any additional residential property would add to an already congested and dangerous traffic situation in that immediate area. Currently the narrow roadway under the train trestle at Boyd Station and Harvey Road is even worse than usual because of potholes that have not been addressed since the winter. Additional traffic, especially associated with new construction, will only add to the problems of that compromised intersection.

Additionally, the section of Harvey Road toward Mallard Bay Subdivision is also currently unsafe. This section of roadway was built long before there was as much residential housing as there is now, and like many roads in West Knoxville, is barely adequate to accommodate the amount of traffic using it. Not only is the roadway extremely narrow, but there is insufficient shoulder to avoid a drop-off into the adjacent ditch on the right side of the road driving north on Harvey, should an oncoming vehicle travel over the center line. Countless times I have narrowly avoided this situation as a landscaping truck or other large vehicle (or car simply driving too fast/carelessly) approaches me. Additional residential traffic will only exacerbate a bad traffic situation.

Of course, from a property value and quality of life standpoint, I am concerned about new residential, multi-dwelling buildings spoiling the waterfront greenspace that attracted me and all of my neighbors to build in the Mallard Bay Subdivision in the first place. However, from your perspective as commissioners charged with maintaining safe and appropriate zoning for all neighborhoods, I would respectfully request that you seriously consider the traffic issues associated with re-zoning per MPC file number 6-F-15-RZ and deny the proposal.

Karen Brunner

Vice President for Institutional Effectiveness, Planning, and Research

Roane State Community College

276 Patton Lane

Harriman, TN 37748

[865-882-4606](tel:865-882-4606)

brunnerkl@roanestate.edu

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This message was directed to commission@knoxmpc.org



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

[MPC Comment] June 11, 2015 Planning Commission Meeting

1 message

dlargent@gmail.com <dlargent@gmail.com>

Mon, Jun 1, 2015 at 9:46 PM

Reply-To: dlargent@gmail.com

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

Cc: "bartcary@comcast.net" <bartcary@comcast.net>, "eason.mpc@gmail.com" <eason.mpc@gmail.com>, "mgoodwinmpc@gmail.com" <mgoodwinmpc@gmail.com>, "brianpierce@mbiarch.com" <brianpierce@mbiarch.com>, "herb@claibornehauling.com" <herb@claibornehauling.com>

June 1, 2015

MPC File Number: 6-F-15-RZ

Huber Properties

Dear Planning Commissioners,

I write you in objection to the property at 0 Harvey Road, Knoxville TN. 37922, the property regarding MPC filing number 6-F-15-RZ being rezoned from A (agricultural) to PR (Planned Residential). 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 the consent list. I and many others ask that you do not agree to this zoning change as it would cause harm to many citizens in the immediate area. The property has been zoned agricultural for decades and a change now could allow for what has been green and buffer space to become developed and out of harmony with its surrounding neighborhoods. Current zoning codes require a development must be designed to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhoods. A zoning change to PR opens up the door for the land to be developed for attached houses, duplexes, multi-dwelling structures or developments. Condominiums or multi- unit dwellings of any type, or potential rental properties are certainly not in keeping with the surroundings.

Attached are maps and photos of the area around the land that is up for re-zoning. As you can see, the development would be right across a small cove from million dollar homes. In the immediate area lies the neighborhoods of Mallard Bay, Montgomery Cove, The woods at Montgomery Cove, Jefferson Park and many other neighborhoods that represent a considerable amount of tax base for the County. PR development on that property would certainly lead to intrusion of non-home owners onto common areas of Mallard subdivision. You will also notice how close the entrance road would be to the entrance of Mallard bay and what a 90 degree turn the road would need to make to get to new development. We believe access to and from the road would create a dangerous situation off of Harvey Road. Cars tend to speed along that stretch of road and to the stop sign at Boyd Road. Any new development would add additional traffic to an already stressed road way and intersection at Boyd road and Harvey Road. Current zoning maps shows the Floodway zone in the area. You will also notice that the 820 line is very high up on the property at issue for re-zoning. We believe further study should be required regarding the 820 line, Floodway Zone, and potential water run-off from drainage pipes entering on to the property. Since the area is subject to flooding, some level of EPA study should also be conducted. Consideration to not allow the re-zoning should also be given as to the impact on the water front usage of the property. TVA should be involved in determining if waterfront usage could be allowed. There is not much room between the Mallard Bay Gazebo and the shoreline of the property. Additional water traffic would overcrowd a very small cove.

Allowing for development of that property would put housing right on top of railroad tracks which could lead to children and young adults playing on the tracks and become injured or killed. Lastly, opening up the door for any condominium or multi dwelling housing would certainly have a negative impact on property values in the immediate areas. I request that you deny the rezoning of this property to PR as that is in the best interest of hundreds of citizens and taxpayers in the area.

Dave Largent
12619 Mallard Bay Drive
Knoxville TN. 37922

Sent from Windows Mail

-

This message was directed to commission@knoxmpc.org

23 attachments



Scan0090.jpg
417K



Scan0091.jpg
345K



Scan0092.jpg
268K



Scan0093.jpg
322K



Scan0094.jpg
300K



Scan0095.jpg
563K



Scan0096.jpg
459K



Scan0097.jpg
488K



Scan0098.jpg
358K



Closeness of gazebo to development.JPG
401K



Drain pipe on proposed development.JPG
552K



Drain pipes on to propose development.JPG
522K



Entrance right next to Mallard Bay entrance.JPG
149K



Homes accross from development.JPG
523K



Mallard Bay Common area next to road and development.JPG
537K



Mallard Bay Gazebo parallel to development.JPG
92K



Poposed entrance off Harvey Rd..JPG
119K



Proposed Road to new Development.JPG
188K



view and closeness to Gazebo of development.JPG
129K



View from Gazebo of development site.JPG
555K



view od development site from gazebo.JPG
469K



View of development from common area.JPG
539K



View of development from Gazebo.JPG
313K

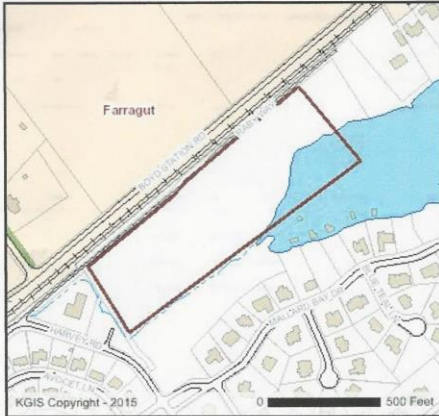








Parcel 162 04707 - Property Map and Details Report



Property Information	
Location Address:	0 HARVEY RD
CLT Map:	162
Insert:	
Group:	
Condo Letter:	
Parcel:	47.07
Parcel ID:	162 04707
Parcel Type:	
District:	W6
Ward:	
City Block:	
Subdivision:	
Rec. Acreage:	
Calc. Acreage:	10.60
Recorded Plat:	
Recorded Deed:	20090226 - 0053105
Deed Type:	Court Order: Qui
Deed Date:	2/26/2009

Address Information

Site Address: 0 HARVEY RD
KNOXVILLE - 37922
Address Type: UNUSED LAND
Site Name:

Owner Information

RABY JASON CHARLES
4619 APT 70 SUNFLOWER RD
KNOXVILLE, TN 37909

The owner information shown in this section does not necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY
City / Township:

MPC Information

Census Tract: 58.12
Planning Sector: Southwest County
Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 65
Voting Location: Farragut Middle School
200 WEST END AVE
TN State House: 14 Ryan Haynes
TN State Senate: 6 Becky Duncan Massey
County Commission: 5 John Schoonmaker
Bob Thomas
Ed Brantley

School Zones

Elementary: FARRAGUT PRIMARY
Intermediate: FARRAGUT INTERMEDIATE
Middle: FARRAGUT MIDDLE
High: FARRAGUT HIGH
Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council: Karen Carson
School Board: 5
Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

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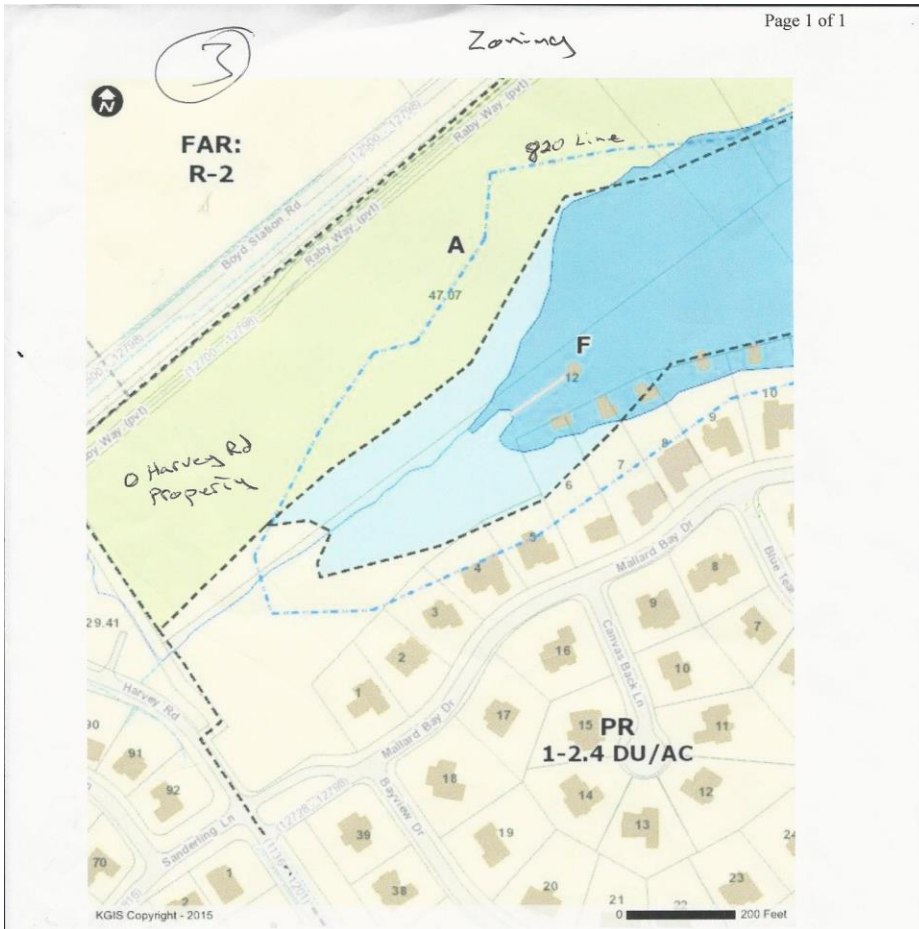
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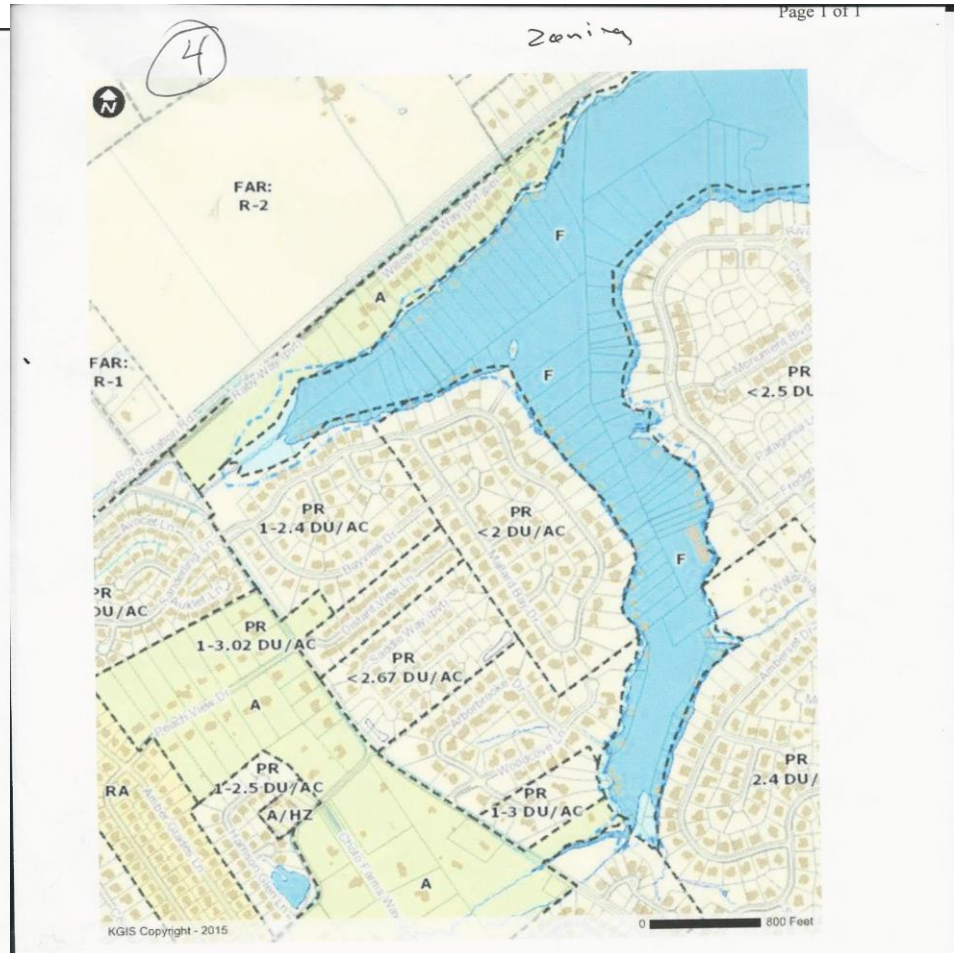
5/30/2015



----- Zoning lines
 F - Floodway Zone
 A - Agricultural zoned
 PR - Planned Residential

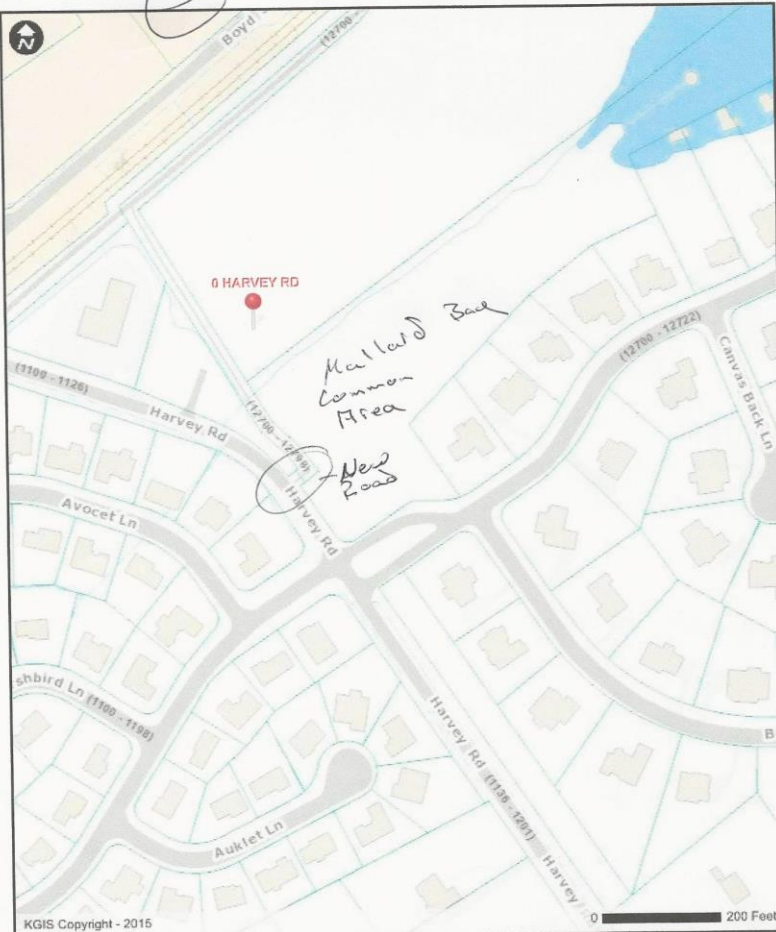
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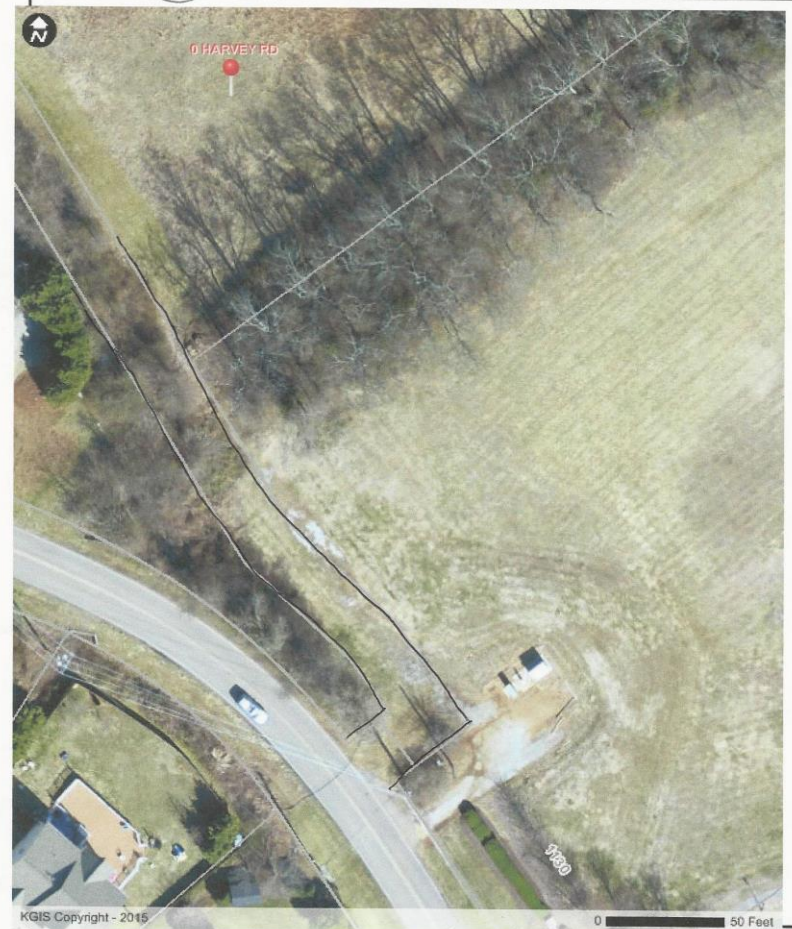


harvey entrance

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harvey entrance

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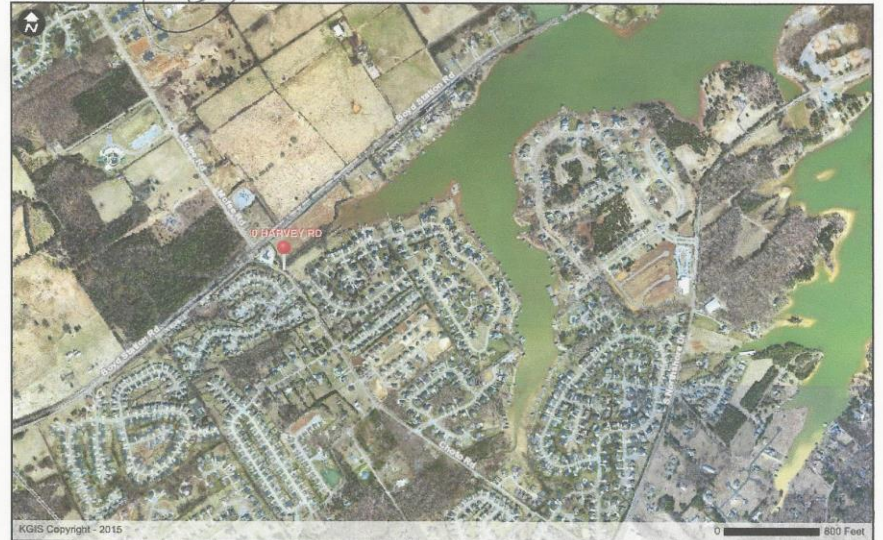


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0 100 Feet

topography 0 harvey

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

[MPC Comment] Fw: MPC File number 6-F-15-RZ

1 message

'kenhodak@yahoo.com' via Commission <commission@knoxmpc.org>

Wed, Jun 3, 2015 at 8:11 AM

Reply-To: kenhodak@yahoo.com

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

[Sent from Yahoo Mail on Android](#)**From:** "kenhodak@yahoo.com" <kenhodak@yahoo.com>**Date:** Wed, Jun 3, 2015 at 8:05 AM**Subject:** MPC File number 6-F-15-RZ

Dear Knoxville County commissioners,

I reside at 12,000 Mallard Bay Drive and am stating to you my objection to approving a zoning change to the above referenced subject heading (0 Harvey for clarity).

The current zoning status, Agricultural, is the best use for this parcel of land for a number of reasons. The Norfolk southern main rail line that provides the northern boundary and the TVA-owned lake to the south east severely limits any type of practical residential development to this parcel.

Also, there is no rational reason to sandwich in another community (especially multi-unit or densely packed units) into a section of Harvey Road that is already over-stressed due to currently approved neighborhoods and businesses. There is a sharp curve that limits visibility to south bound drivers further exacerbated by the Rocky Top Shell store that would be within one hundred feet of the proposed access into 0 Harvey and two subdivisions (Mallard Bay and Heron Point) that is another 200 feet from the access point. As you know Harvey Road is a narrow two lane country road with no berms, sidewalks, and minimal lighting. So, from a safety standpoint this rezoning effort should be denied by you.

There are additional reasons including aesthetic, environmental, and rational planning that upon its face should be enough to summarily deny the rezoning request. There are only a few places left that abut the water without some type of development and sandwiching in this parcel will create more problems for the county to deal with than the benefits received. Please give this request your thoughtful attention and deny the request.

Thank you for your consideration and for serving on the commission.

Kenneth Francis Hodak
865-804-2558

[Sent from Yahoo Mail on Android](#)

-

This message was directed to commission@knoxmpc.org



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

[MPC Comment] Rezoning at 0 Harvey Road

1 message

jackie.windham@wellsfargo.com <jackie.windham@wellsfargo.com>

Tue, Jun 2, 2015 at 2:05 PM

Reply-To: jackie.windham@wellsfargo.com

To: commission@knoxmpc.org

I would like to voice my concern over the Rezoning from A to PR for the property at 0 Harvey Road. The addition of condominiums in this area will downgrade the property values in the surrounding single family subdivisions, increase traffic and degrade the peaceful, serene setting in the Mallard Bay community. Please do NOT approve this rezoning request.

Jackie Windham

Branch Manager

Wells Fargo Home Mortgage | 121 Suburban Road, Suite 102A | Knoxville, TN 37923

MAC M8002-011

Tel 865-693-9561 Ext. 1003 | Cell 865-314-9261 | Fax 866-420-6710

jackie.windham@wellsfargo.com

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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

Neena <neenapembroke@gmail.com>

Thu, Jun 4, 2015 at 9:58 AM

Reply-To: neenapembroke@gmail.com

To: commission@knoxmpc.org, michael.brusseau@knoxmpc.org

I live in Heron's Pointe subdivision located on Harvey Rd near intersection with Boyd Station.

I oppose the above rezoning because --

The proposed development of **40 houses** is outlandish.

#1 that is far more homes than should be located on any 10 buildable acres in this area per the plan and per common sense.

#2 the area is already generating too much traffic for the Harvey Road – Boyd Station rail road underpass. It is a very narrow area and quite often CANNOT be used 2 current day passenger vehicles at the same moment in time. It is not simply a problem of "rush hour" traffic.

Please do not allow the proposed zoning change for the current development plan.

It seems to be only in the best interest of the developer's income level.

It is not in the best interest of Knox County and its citizens.

Neena Van Camp

1117 Avocet Lane

–

This message was directed to commission@knoxmpc.org



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

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

2 messages

dlargent@gmail.com <dlargent@gmail.com>

Thu, Jun 4, 2015 at 8:48 PM

Reply-To: dlargent@gmail.com

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

June 4, 2015

MPC File Number: 6-F-15-RZ
Huber Properties

Dear Planning Commissioners,

I write you to revise our objection to the property at 0 Harvey Road, Knoxville TN. 37922, the property regarding MPC filing number 6-F-15-RZ being rezoned from A (agricultural) to PR (Planned Residential). 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 the consent list. We are not necessarily against development but we do feel that allowing the property become PR opens up the door to development and housing that is not in keeping with the surroundings. Current zoning codes require a development must be designed to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhoods. We understand from the developer the preliminary plans for the new development on this property is for 34 lots about ¼ one quarter in size and houses will be sold for as little as \$350,000. The size of those lots and quality and price of those homes would certainly not be in keeping with homes anywhere on the entire cove and lake front in the area. Furthermore the lake front houses would not be of size, quality and value of any of the lake front homes in the entire area. He is proposing a zero lot community and that is certainly not in keeping with the surroundings. He will be selling the lots to individual builders which does not allow for any consistency of quality or size and further ensures a lack of consistency with the surroundings. A lack of C and R's would detract from the quality of our surroundings. We also object to putting in 9 private boat docks and a community dock of 18 slips. Our cove is narrow and it would be dangerous with that much boat traffic. Boat slips would be within 50 feet of our community gazebo. The community dock would be within 300 feet of our shore line. For the same reason a community dock was not built for Mallard bay should apply to this proposed development. Also, a boat launch would invite people from all over the area to access the lake from that ramp.

Attached are maps and photos of the area around the land that is up for re-zoning. As you can see, the development would be right across a small cove from million dollar homes. In the immediate area lies the neighborhoods of Mallard Bay, Montgomery Cove, The woods at Montgomery Cove, Jefferson Park and many other neighborhoods that are zoned low density and with average Dwelling units/Acre of 1 to 2.4. The propose development is for 4 dwelling unit per acre. That level of development would certainly lead to intrusion of non-home owners onto common areas of Mallard subdivision.

We believe access to and from the road would create a dangerous situation off of Harvey Road. Cars tend to speed along that stretch of road and to the stop sign at Boyd Road. Any new development would add additional traffic to an already stressed road way and intersection at Boyd road and

Harvey Road. The closeness of their entrance to our entrance also causes a dangerous situation.

Current zoning maps shows the Floodway zone in the area. The 820 line is very high up on the property up for re-zoning. We believe further study should be required regarding the 820 line, Floodway Zone, and potential water run-off from drainage pipes entering on to the property. Since the area is subject to flooding, some level of EPA study should also be conducted. Consideration to not allow the re-zoning should also be given as to the impact on the water front usage of the property. TVA should be involved in determining if waterfront usage could be allowed. There is not much room between the Mallard Bay Gazebo and the shoreline of the property. Additional water traffic would overcrowd a very small cove. Allowing for development of that property would put housing right on top of railroad tracks which could lead to children and young adults playing on the tracks and become injured or killed. Lastly, the proposed development would certainly have a negative impact on property values in the immediate areas. I request that you deny the rezoning of this property to PR or significantly reduce the density and require the development be in keeping with developments in the immediate area as that is in the best interest of hundreds of citizens and taxpayers in the area. Perhaps he should develop a few homes in keeping with what is across the cove as that would be in keeping with the surroundings.

Dave Largent
Board of Director for Mallard Bay Neighborhood HOA
Representing the HOA Members

This message was directed to commission@knoxmpc.org

7 attachments



Scan0095.jpg
570K



Scan0094.jpg
425K

Tamara Lyons <tamara6@gmail.com>
Reply-To: tamara6@gmail.com
To: commission@knoxmpc.org

Fri, Jun 5, 2015 at 9:07 AM

June 5, 2015

MPC File Number: 6-F-15-RZ
Huber Properties

Dear Planning Commissioners,

I want you to note our objection to what is being done at 0 Harvey Road, Knoxville TN. 37922, the property regarding MPC filing number 6-F-15-RZ is being rezoned from agricultural to Planned Residential. IS this in the agenda for the consent for the June 11, 2015 Planning Commission meeting agenda? Please remove this from the consent list. This will create a problem for housing development that is not in keeping with the surrounding area. The surrounding area has zoning codes that require that the development should be to produce a stable and desirable character that go along with all of our surrounding neighborhoods.

The developer says that the preliminary plans for his development is for about 34 lots. These parcels are **one fourth** the size of surrounding neighborhoods and will be sold for as little as \$300,000.

This will not be in keeping with the size and price anywhere in this area including surrounding neighborhoods . Let alone with he houses in the cove and lake front area. Those houses will never have the quality, and value of already existing houses in the entire area.

This would be a zero lot community not in keeping with the surrounding houses. Each individual builder that buys the lots can create inconsistent homes of lesser quality, size and a lack of covenants and restrictions that will diminish the quality of our surroundings.

We also object to putting in **nine** private boat docks and a community **dock of 18 slips**. Our cove is very narrow and it would be dangerous with that much boat traffic. Boat slips would be within 50 feet of our community gazebo. The community dock would be within 300 feet of our shore line.

For the same reason a community dock was not built for Mallard bay should apply to this proposed development. Also, a boat launch would invite people from all over the area to access the lake from that ramp. This cove is very narrow, small and this would definitively create problems.

I have attached maps and photos of the area around the land that is up for re-zoning. As you can see, the development of \$300,00 homes will be right across a small cove from million dollar homes . In the immediate area lies the neighborhoods of Mallard Bay, Jefferson Park, Montgomery Cove, The woods at Montgomery Cove, and many other neighborhoods that are low **density zoned** and with an average Dwelling units/Acre of 1 to 2.4. The propose development is for 4 dwelling unit per acre. That level of development would certainly lead to intrusion of non-home owners onto common areas of Mallard subdivision which is very open.

The road access would create a **very dangerous situation** off of Harvey Road. Cars tend to speed along that stretch of road and to the stop sign at Boyd Road. Any new development would add additional traffic to an **already stressed road way and intersection at Boyd road and Harvey Road**. The closeness of their entrance to our entrance also causes a dangerous situation. They are practically on top of our entrance.

Current zoning maps shows the Floodway zone in the area. The 820 line is very high up on the property up for re-zoning. We believe further study should be required regarding the 820 line, Floodway Zone, and potential water run-off from drainage pipes entering on to the property. Since the area is subject to flooding, some level of EPA study should also be conducted. Consideration to not allow the re-zoning should also be given as to the impact on the water front usage of the property. TVA should be involved in determining if waterfront usage could be allowed. There is not much room between the Mallard Bay Gazebo and the shoreline of the property. Additional water traffic would overcrowd a very small cove. Allowing for development of that property would put housing right on top of railroad tracks which could lead to children and young adults playing on the tracks and become injured or killed. Lastly, the proposed development would certainly have a negative impact on property values in the immediate areas. I request that you deny the rezoning of this property to PR or significantly reduce the density and require the development be in keeping with developments in the immediate area as that is in the best interest of hundreds of citizens and taxpayers in the area. Perhaps he should develop a few homes in keeping with what is across the cove as that would be in keeping with the souroundings.

Tamara Lyons
 Board of Director for Mallard Bay Neighborhood HOA
 Representing the HOA Members

[Quoted text hidden]

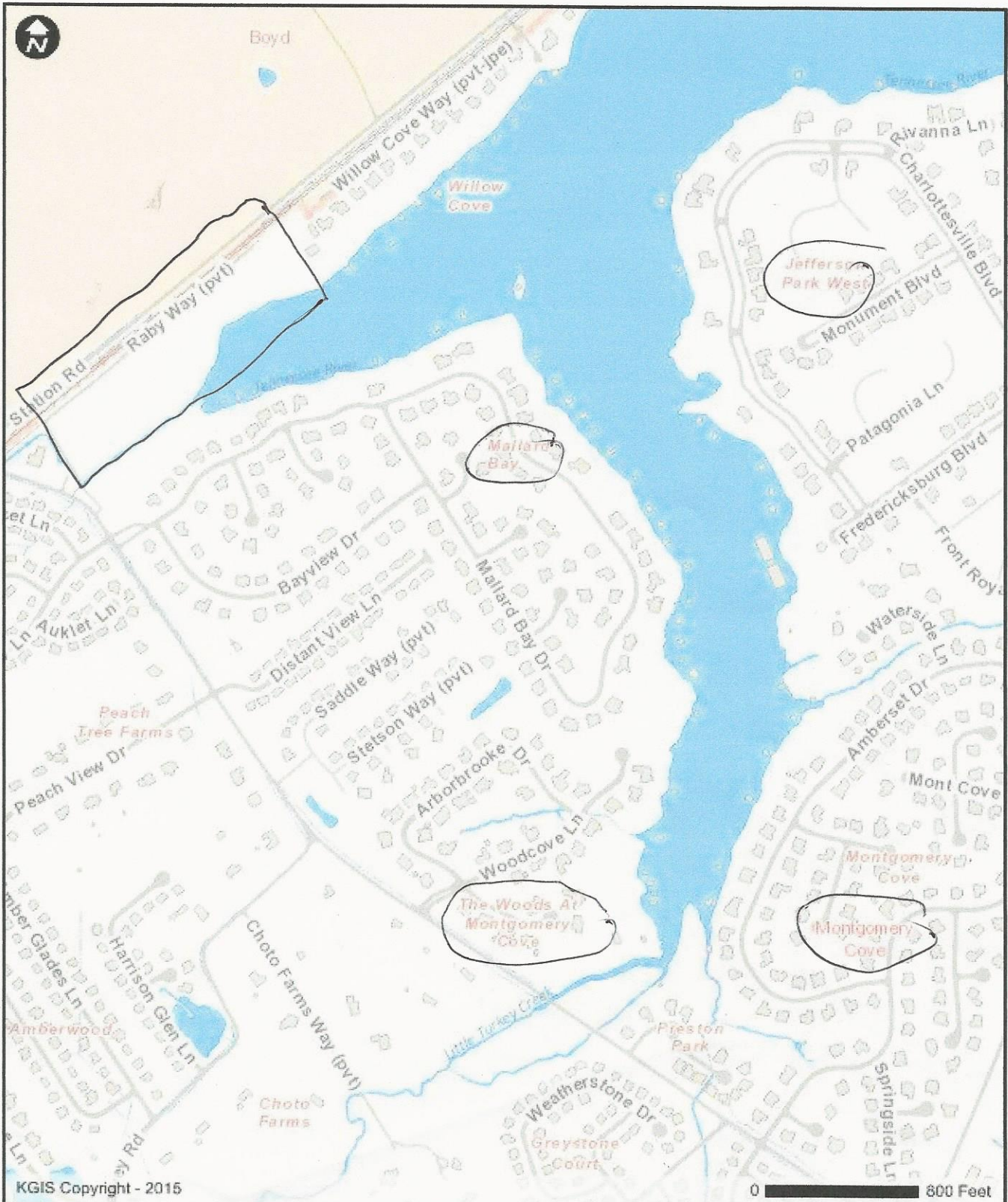
7 attachments



Scan0095.jpg
570K



Scan0094.jpg
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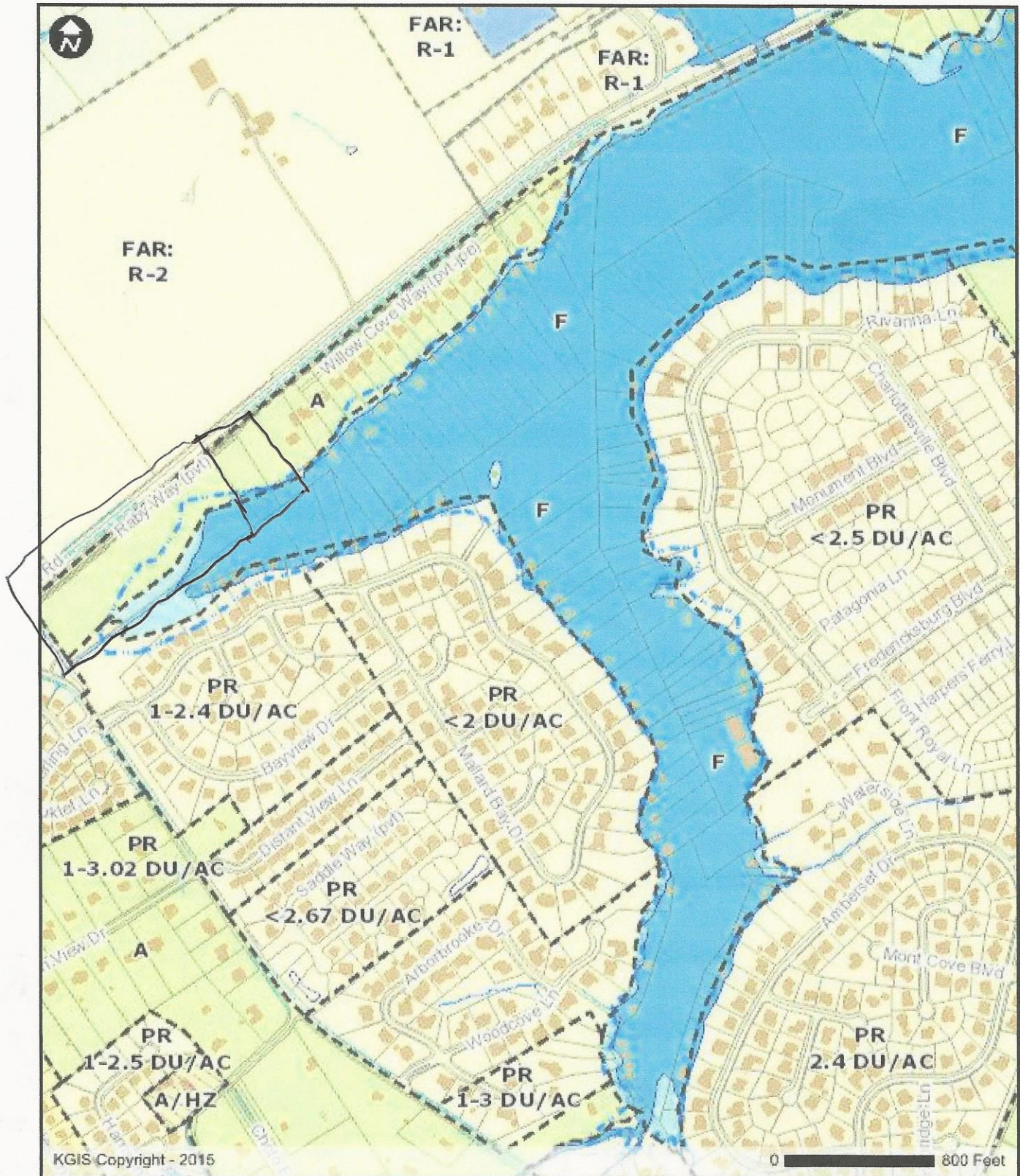


Map of area Neighborhoods

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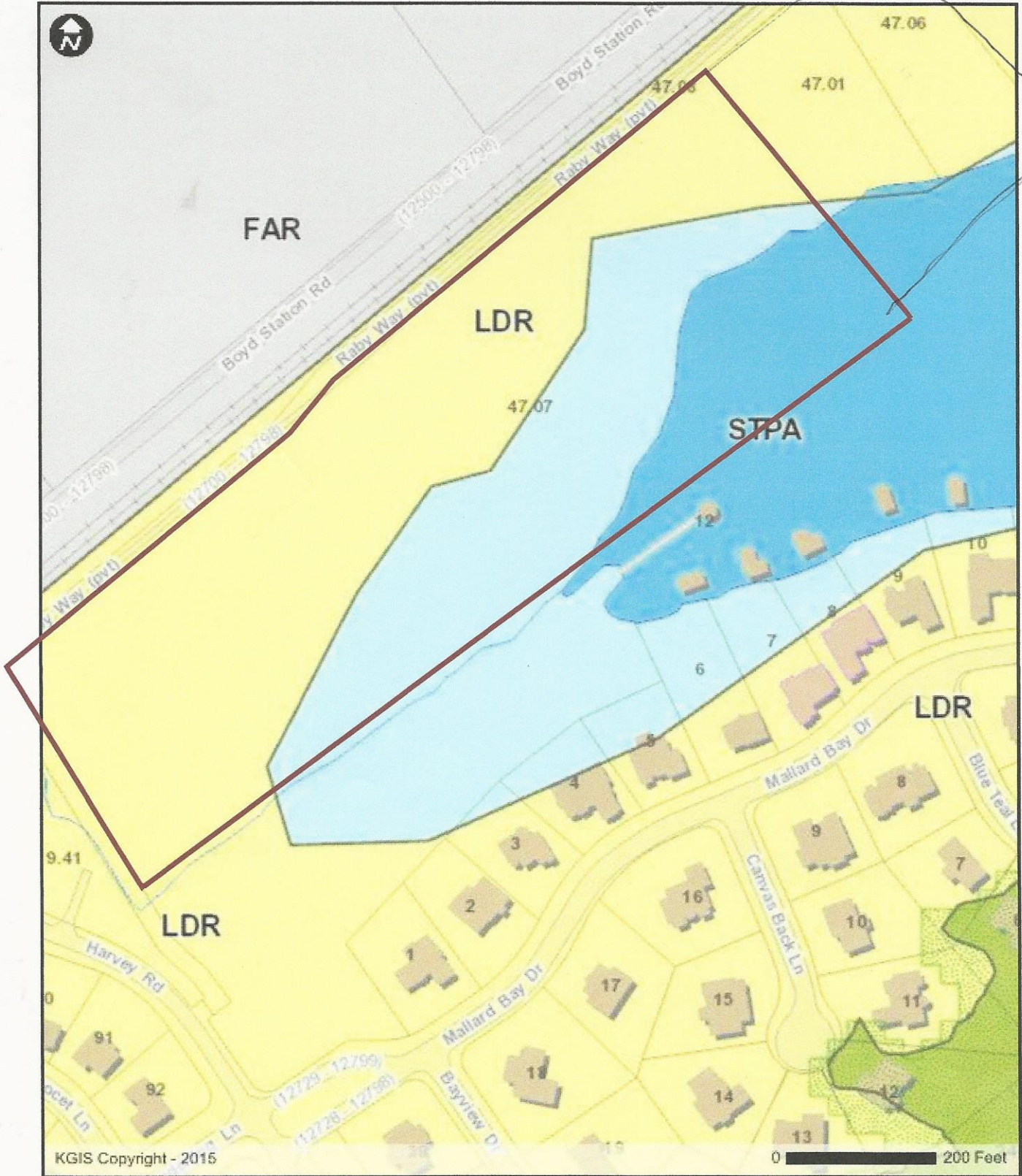


DU/AC of area Neighborhoods

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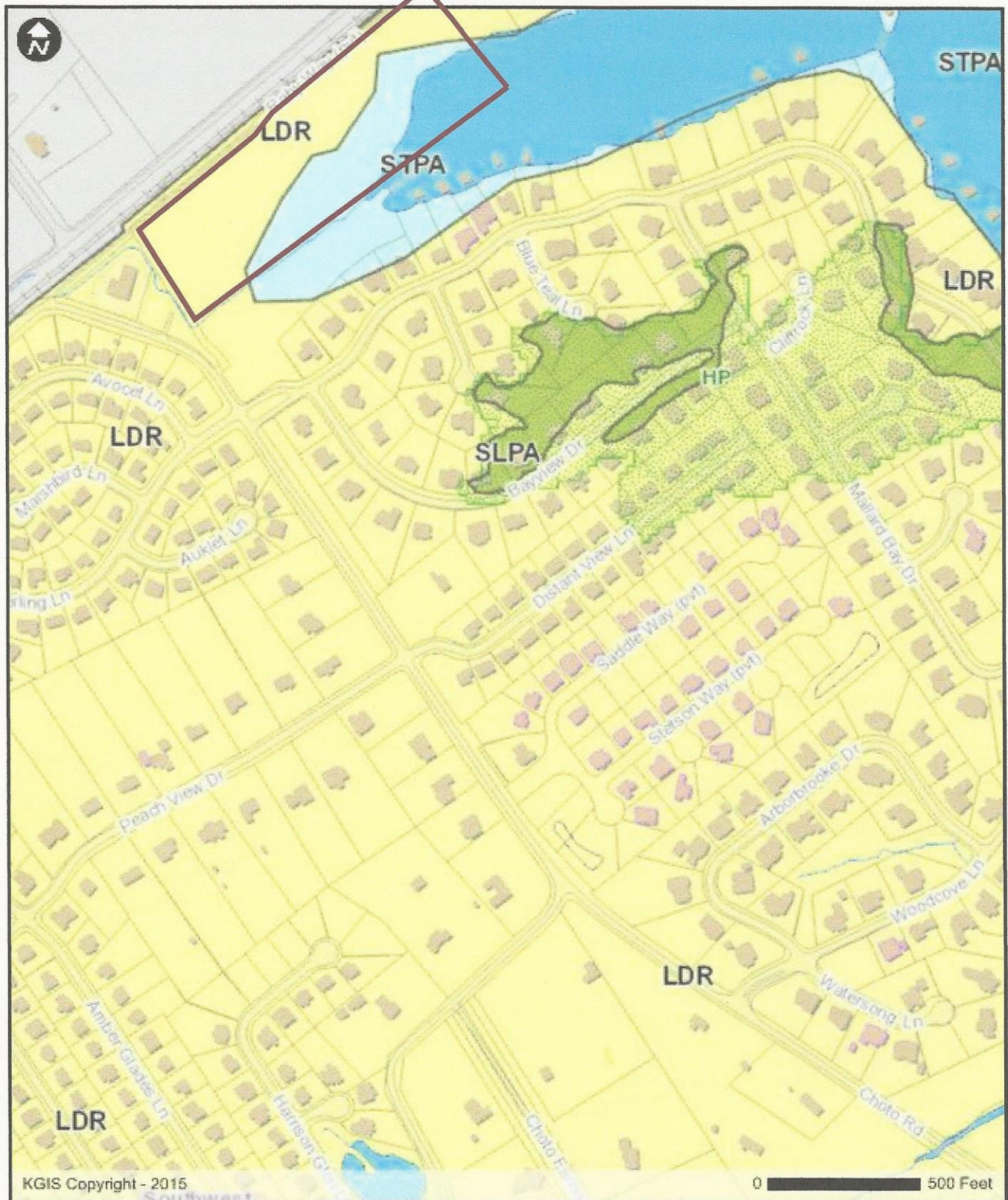


Sector map

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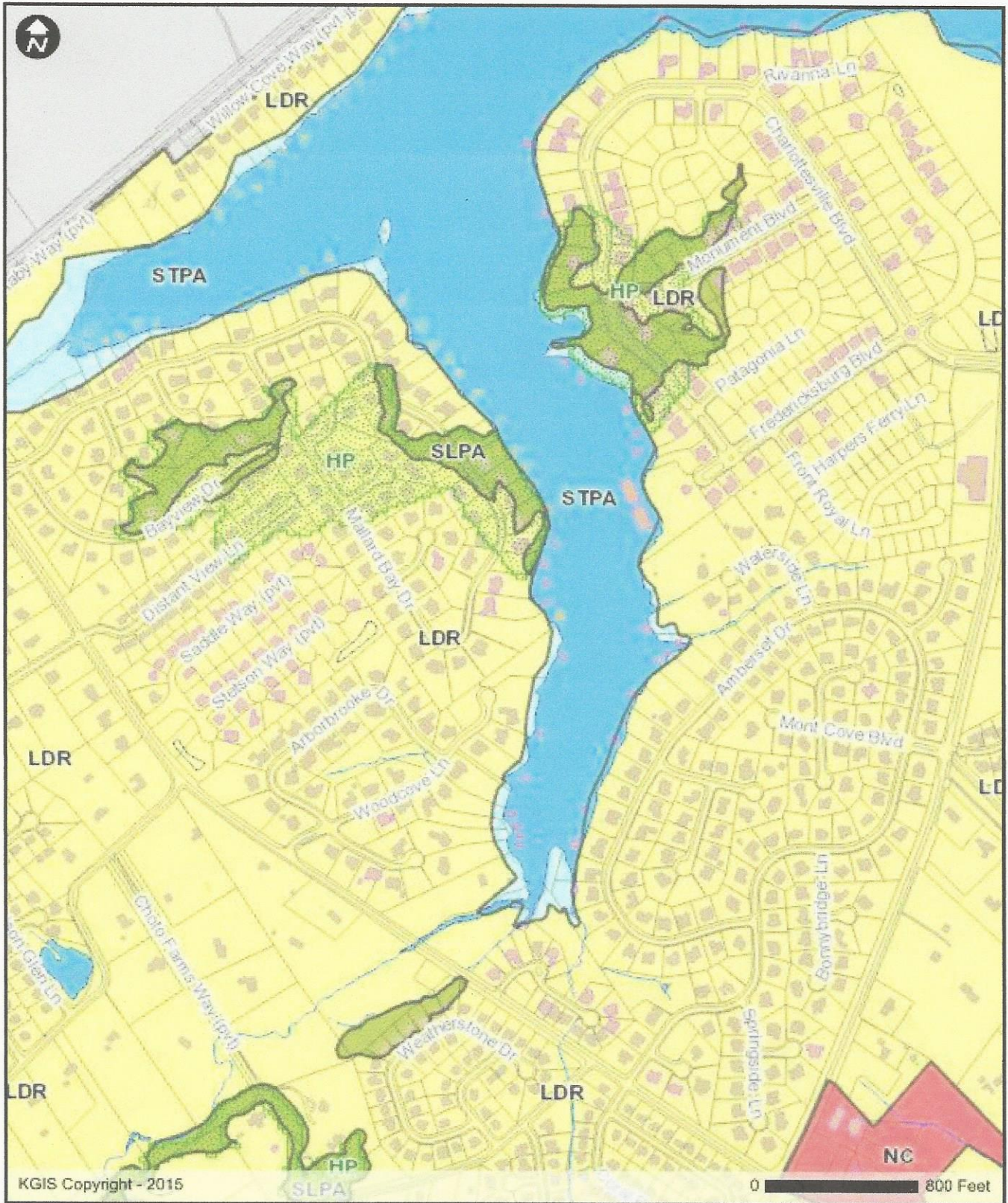
0 500 Feet

sector plan area

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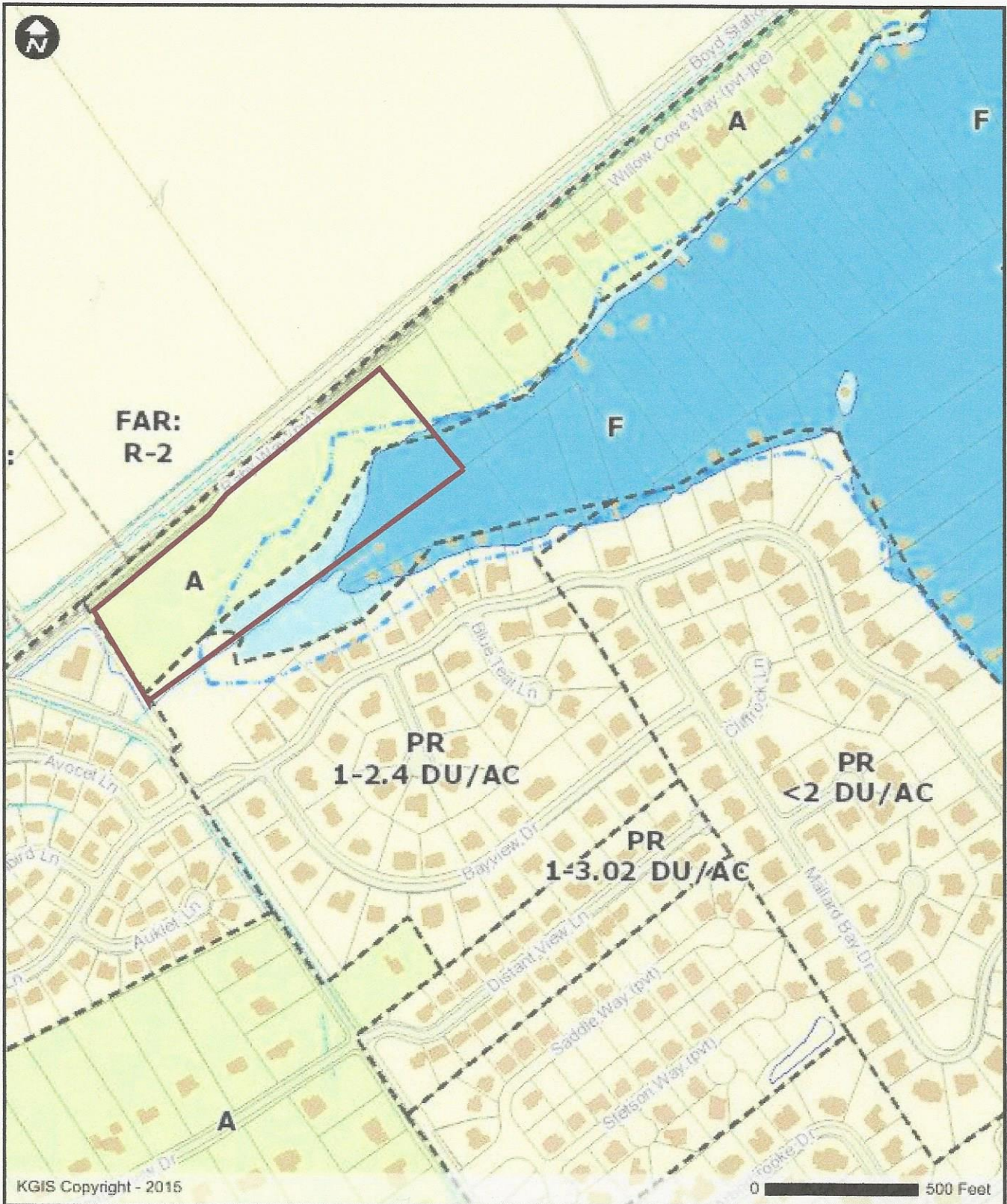


Sector plan of area

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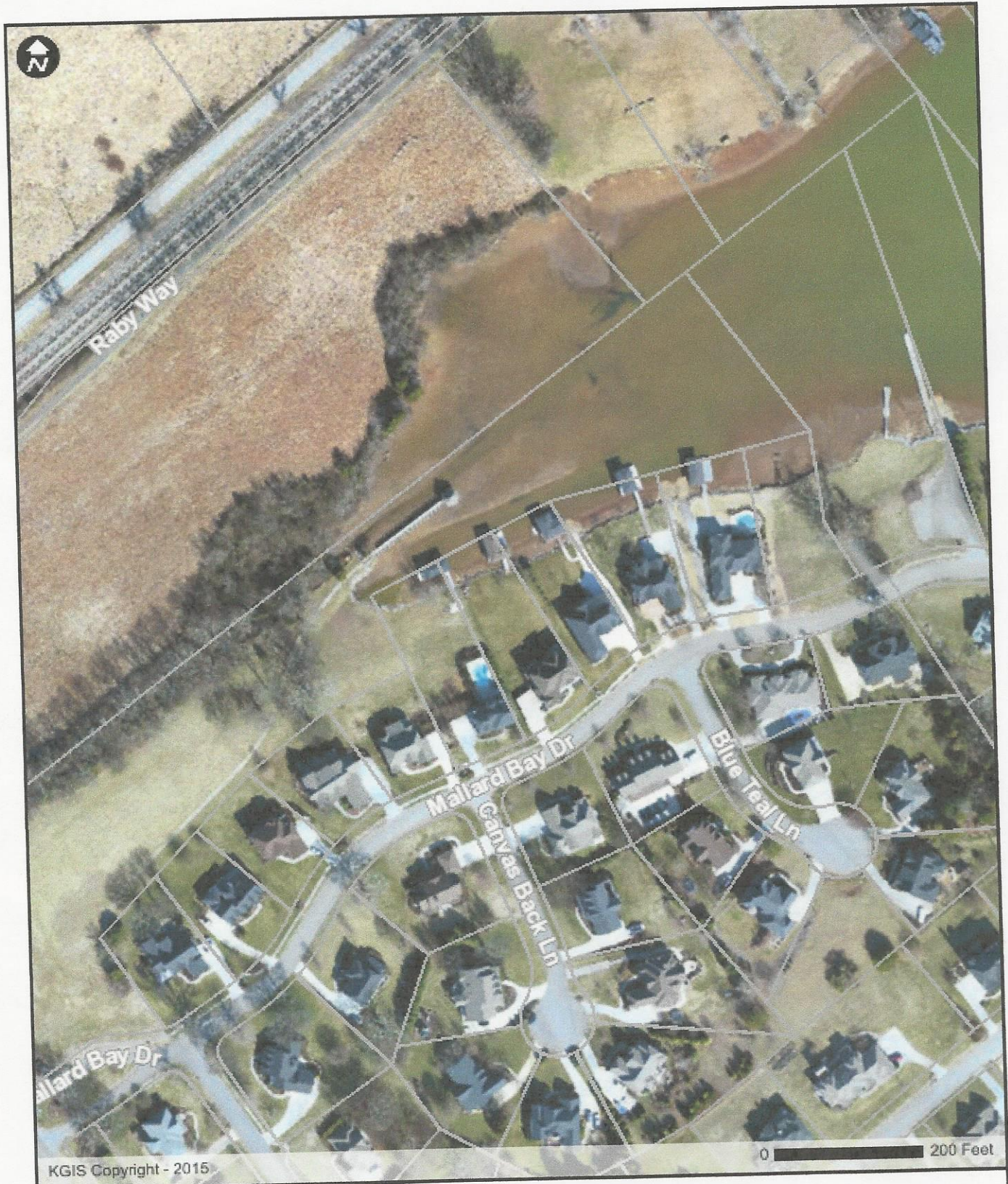
0 500 Feet

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

1 message

Jan Bailey Phillips <jl.bailey@baileyphillips.com>

Thu, Jun 4, 2015 at 4:59 PM

Reply-To: jl.bailey@baileyphillips.com

To: commission@knoxmpc.org

Dear Knox County Planning Commissioners,

I write this letter as a concerned member of the Knox County community. I live in Mallard Bay subdivision which is located on Harvey Road in west Knox County. On June 11, your committee will meet to discuss rezoning request **MPC file number of 6-F-15-RZ, Huber Properties**. Your committee is being asked to consider rezoning an agricultural property to planned residential. As part of the review and evaluation process, I would like to request that your committee closely review traffic hazard and safety issues in the proposed rezoning area with careful evaluation of the requested access point to Harvey Road.

I would like to share with your committee the current reality of entering onto Harvey Road from Mallard Bay as it exists today. As I pull to a stop at Mallard Bay Drive in order to turn either right or left onto Harvey, I have to juggle several traffic issues...

- To my left as I exit Mallard Bay, there is limited visibility. The attached *Mallard Bay Photo 1* shows the limited visibility issue. The visibility problem is compounded by the fact two subdivision are located at the top of the hill slightly beyond my visibility from Mallard Bay Drive (*Mallard Bay Photo 2*). So as I look left to check for traffic, I must also be aware that most likely traffic from Bayview subdivision and Peach Tree Farms subdivision are entering just beyond the hilltop. So my thoughts are – move quickly because most likely a car from Bayview or Peach Tree Farms could be topping the hill within seconds.
- Directly across from the Mallard Bay entrance is the Heron's Pointe entrance (*Mallard Bay Photo 3*). Therefore as I enter onto Harvey, I must also be keenly aware of any traffic exiting Heron's Pointe.
- To the right of the Mallard Bay entrance is a convenience store and a 90 degree curve *Mallard Bay (Photo 4)*. Once again, I find myself with limited visibility. As I judge the traffic to my right, I have to evaluate traffic exiting from the convenience store combined with the fact I have no idea what is heading my way beyond the 90 degree curve.
- As you can see, there are an unusually high number of traffic challenges to juggle as I exit from my neighborhood.

When I discovered the access for the proposed planned residential development was located within 200 feet of the Mallard Bay access and the Heron's Pointe access, I became gravely concerned about the safety of my family and my friends and neighbors in Mallard Bay and Heron's Pointe. If the requested rezoning from agricultural to planned residential is approved and granted, the traffic reality for all Mallard Bay residents, Heron's Pointe residents, Huber property residents and everyone travelling Harvey Road becomes:

- Within a span less than 200 feet on Harvey Road, 3 residential developments would be entering Harvey Road
- Can a short span of road with severe visibility issues be safe with 3 developments accessing the Harvey Road within feet of each other?
- Can a short span of road that is book-ended with a 90 degree curve plus convenience store traffic on one side and two subdivisions (Bayview and Peach Tree) entering just beyond the limited sight distance on the other side handle the additional traffic from yet another development and another neighborhood access point?

As part of your review, could you please research the following questions?

- What are the state and local laws and ordinances regarding adjacent accesses to an existing county road?
- What is the minimum number of feet required between accesses onto a road (e.g., Mallard Bay access, Heron's Pointe access, proposed Huber access)? Does the proposed Huber property meet the requirements?
- What are the requirements regarding the access location and access design for a planned residential road as the road enters a county road? Does the proposed Huber property meet the requirements?
- Regarding the adjacent entrances for Mallard Bay, Heron's Pointe and the proposed Huber property, will movements to and from one entrance conflict with the turning movement to and from the adjacent entrances?
- Will the construction of the Huber Property entrance road impact drainage for the adjacent Mallard Bay property? Should a drainage impact study be conducted?

In your role as Knox County officials, I sincerely request that with a critical eye each committee member carefully and thoroughly evaluate the safety and hazard issues presented by this rezoning request. As a Knox County resident, I hope the safety of our drivers – our residents - are of the highest priority when evaluating a small section of road that already has 2 subdivision access points (Mallard Bay and Heron's Pointe) and numerous safety issues.

In closing, it is my firm belief that the property in question should remain agricultural. I know your committee is evaluating numerous factors and issues related to this rezoning request (e.g., environmental, drainage, easements, right-of-way, grading, impact on surrounding neighborhoods, floodway zone, etc.), and I would never assume I understand the complexities of those many issues. Yet, I do understand the risk and danger associating with permitting a third access point on Harvey Road in the span of less than 200 feet. As a Knox County resident, I ask that you allow the land to remain agricultural and deny the rezoning request.

Respectfully submitted,

Jan Phillips







