

▶ **FILE #:** 7-D-16-RZ **AGENDA ITEM #:** 26
 POSTPONEMENT(S): 7/14/2016 - 10/13/2016 **AGENDA DATE:** 11/10/2016

▶ **APPLICANT:** **S & E PROPERTIES**
 OWNER(S): Eric Moseley

TAX ID NUMBER: 132 04909, 04917 & 04918 [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 825 Freels Ln

▶ **LOCATION:** **Southeast side Millstone Ln., west side Freels Ln.**

▶ **APPX. SIZE OF TRACT:** **40.34 acres**

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Millstone Ln., a local street with 13-35' of pavement width within 40-45' of right-of-way, and Freels Ln., a local street with 14' of pavement within 40-50' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek and Ten Mile Creek

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

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

▶ **EXISTING LAND USE:** **Residence and vacant land**

▶ **PROPOSED USE:** **Residential development**

DENSITY PROPOSED: **5 du/ac**

EXTENSION OF ZONE: No

HISTORY OF ZONING: The PR zoning to the northeast was approved in the 70's and 80's and are developed with densities approximately 7-11 du/ac.

SURROUNDING LAND USE AND ZONING: North: Large lot residential / A (Agricultural)
 South: Large and small lot residential, Railroad right-of-way, Golf course, / A (Agricultural), OS-1 (Open Space Preservation), PR 1-3 du/ac (Planned Residential)

East: Large lot residential, West Valley Middle School / A (Agricultural)

West: Large lot residential / A (Agricultural)

NEIGHBORHOOD CONTEXT: Adjacent development consists of large lot single-family residences, and attached and detached residences and apartments to the north. West Valley Middle School is immediately to the east and S. Peters Rd. is less than a mile away.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac, subject to 3 condition. (Applicant requested 5 du/ac)**

1) Lots that abut parcels 132-049.01 and 132-049.12 must have an average lot size of 1 acre, with no lot being less than .75 acres in size.

2) Lots that abut parcels 132-050 and 132-050.02 must have an average lot size of .5 acres, with no lot being less than .4 acres in size.

3) Prior to approval of a Final Plat or issuance of any building permits for a development proposed at a density of greater than 1 dwelling unit per acre, Millstone Lane must be improved to a minimum of 20 feet in width from the entrance of the development to the improved portion to the east, and a 5-foot wide sidewalk must be installed on the south side of Millstone Lane from the development entrance to the existing sidewalk to the east.

COMMENTS:

Millstone Lane is a local road that is improved with a sidewalk on the east end near the entrance to West Valley Middle School. The western portion of Millstone Ln. has a pavement width of approximately 14' with no sidewalk. If the PR zoning is approved as recommended, road improvements to a portion of Millstone Ln. and Freels Ln. will be needed, including a sidewalk connection to the existing sidewalk along Millstone Ln. A traffic study is typically required for residential developments that generate 750 trips per day or more, which if the site is developed at approximately 2 dwelling units per acre or more, a traffic study will be required.

In order to determine if road improvements could be accommodated within the existing right-of-way (ROW), the applicant and the surrounding neighbors submitted surveys to staff showing what they believe the ROW to be. These surveys had conflicting information so Knox County requested one of their contracted surveyors complete their own survey. The County and neighborhood surveys had similar findings and determined the ROW (property line to property line) is 36' wide at its narrowest point, which is at the Millstone Ln. and Freels Ln. intersection. Staff requested the applicant submit a roadway widening plan, including sidewalk extension, to determine if they could be accommodated in the ROW. This plan is attached and shows that the improvements can be accommodated and shows that Millstone Ln. will need to be widened up to 10 feet, which is at the Freels Ln. intersection. This plan is preliminary and additional design details will be provided during Concept Plan review.

The attorney for the surrounding neighbors disputes the claim that what is shown as ROW on the surveys (property line to property line) is controlled by Knox County. According to the attorney, there is no record that the land between the road surface and the adjacent property lines was ever deeded to and accepted, nor condemned, by Knox County for the purposes of ROW. This land may still be privately owned and therefore cannot be improved without purchasing the property. Knox County has determined that they only maintain the Millstone Ln. pavement, nothing on the edges of the road such as ditch line.

The subject property is currently zoned Agricultural (A), which allows houses on 1 acre lots, the same as the properties in the immediate vicinity. There are lots approximately 1 acre in size at the end of Freels Ln. The properties along Millstone Ln., west of Freels Ln., are also zoned Agricultural, however, the lots are 2 acres in size or greater, which is consistent with the Estate (E) zone district which requires a minimum lot size of 2 acres. The properties along Millstone Ln., east of Freels Ln., are zoned Planned Residential (PR) and have lot sizes of approximately 5,000 square feet. This subdivision was developed at approximately 6 dwelling units per acre.

If the PR zoning is approved at 3 du/acre, the average lot size would be approximately 10,000 - 12,000 square feet, however, the lot sizes could be smaller if portions of the site are left undeveloped or if the lot sizes vary in size. Staff has recommended average minimum lot sizes for lots that abut the adjacent properties that front along Millstone Ln. The two eastern most lots will be the most impacted by the new subdivision and in order for the new subdivision to be more compatible with the surrounding development, staff is recommending that any new lots abutting these two lots be an average of 1 acre in size with no lot being less than .75 acre. For the two western most lots that front on Millstone Ln., staff is recommending that any new lots abutting these two lots be an average of .5 acre in size with no lot being less than .4 acre.

This property is within the parental responsibility zone (PRZ) of West Valley Middle School, where school bus service is not provided. Because of this, sidewalks will be expected within the subdivision and as an improvement installed by the developer along Millstone Ln. and/or Freels Ln. from the neighborhood entrance to the existing sidewalk along Millstone Ln. In addition, the development should maintain the required 35' peripheral boundary when submitting a development plan for use-on-review approval and should include an amenity area for the development. The northwestern portion of the subject property has frontage along an unimproved portion of the Millstone Ln. ROW. There should not be full access to this portion of Millstone Ln. from the subdivision. Access to the western end of Millstone Ln. should be restricted to lots that have a size consistent with other lots along this portion of Millstone Lane.

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. This site is accessed from Millstone Ln. and Freely Ln., narrow local streets, and is adjacent to large lot residential developed under the A zoning and is in the vicinity of other small lot residential developed under the PR zoning.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. PR zoning at 3 du/ac or greater is not compatible with the scale and intensity of the immediate adjacent properties if developed with consistent lot sizes, but is compatible with the scale and intensity of the other nearby development and zoning. If the zoning is approved, the size and width of lots that are on the exterior boundary of the development should be more consistent with the surrounding properties. Landscape screening within the peripheral setback will also need to be considered.
4. The site is within close proximity to a public middle school.
5. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as road improvements, traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

THE 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 has recommended conditions to the zoning that would require lots abutting the existing lots along Millstone Ln. be larger and more compatible with the surrounding development. Staff maintains that PR is an appropriate zone for the property.

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. At the requested density of up to 5 du/ac on the 40.34 acres, up to 201 dwelling units could be proposed for the site. At 3 du/ac, up to 121 dwelling units could be proposed for the site. A Concept Plan application has been submitted by the applicant and it proposes approximately 136 lots, which is approximately 3.4 du/ac.
2. If the property is developed under PR zoning with consistent lot sizes, is not compatible with the scale and intensity of the immediate adjacent properties and zoning, but is compatible with the scale and intensity of the other nearby development and zoning. If the zoning is approved, the size and width of lots that are on the exterior boundary of the development should be more consistent with the surrounding properties. Landscape screening within the peripheral setback will also need to be considered.
3. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
4. Public water and sanitary sewer utilities are available to serve the site.
5. Millstone Ln. will most likely require improvements if the property is developed at densities greater than approximately 1-2 du/ac. The applicant has provided documentation that road and sidewalk improvements can be accommodated within the presumed Millstone Ln. However, the attorney for the neighbors has disputed whether the right-of-way was ever deeded to or condemned by Knox County.

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 proposes low density residential uses for this property, consistent with the requested 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. The site is appropriate to be developed under PR zoning because it is within the recommended density range in the Low Density Residential sector plan designation (max. 5 dwelling units per acre).
4. The northwestern portion of the site has 11.3 acres within the hillside protection area, however, it primarily consists of low to moderate slopes with only .52 acres being over 25 percent slope.
5. Approval of this request could lead to future requests for PR zoning in this area, consistent with the sector plan's low density residential proposal for the area.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping 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: 1970 (average daily vehicle trips)

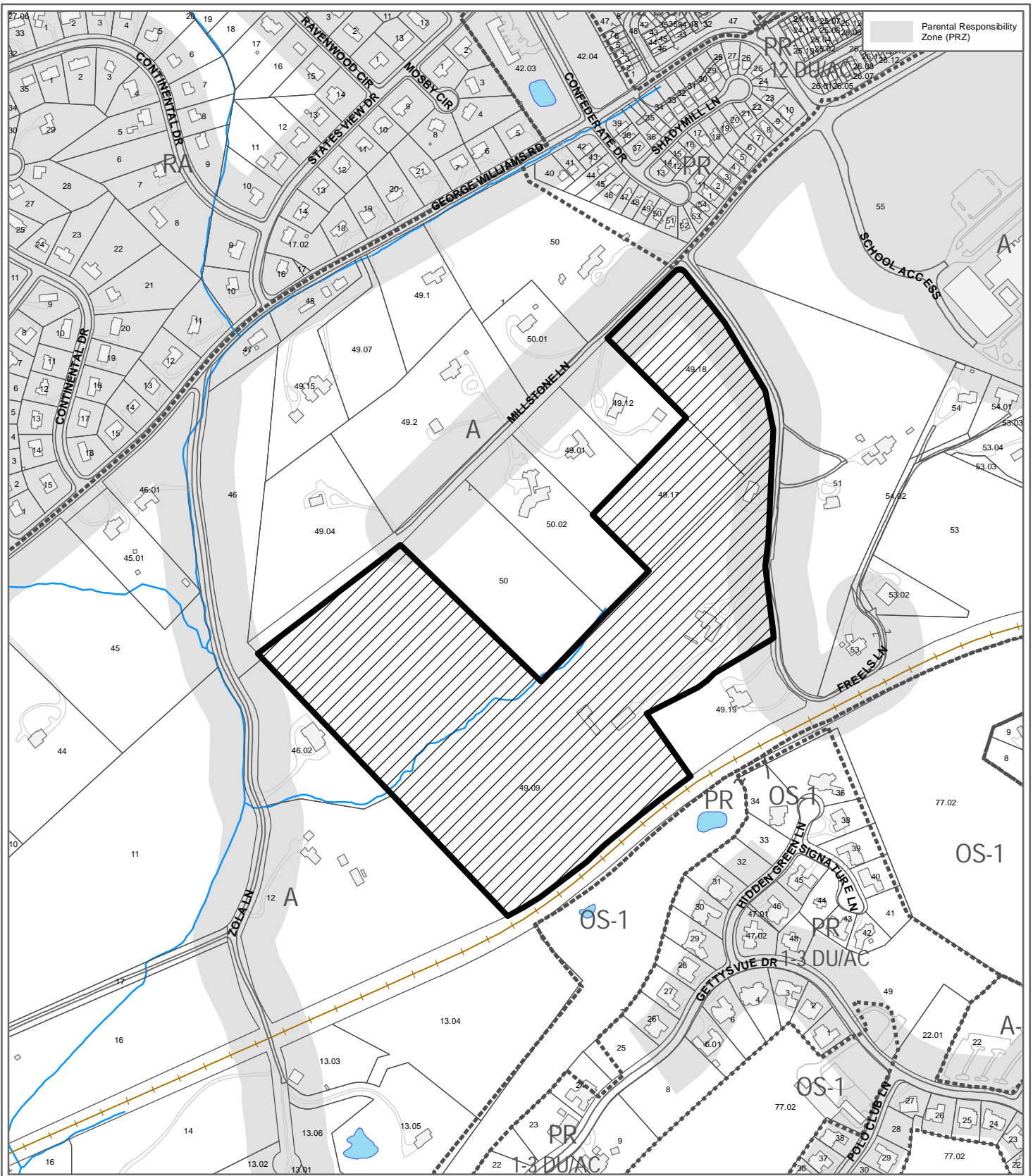
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 126 (public and private school children, ages 5-18 years)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Bearden 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 12/19/2016. 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.



**7-D-16-RZ
REZONING**

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



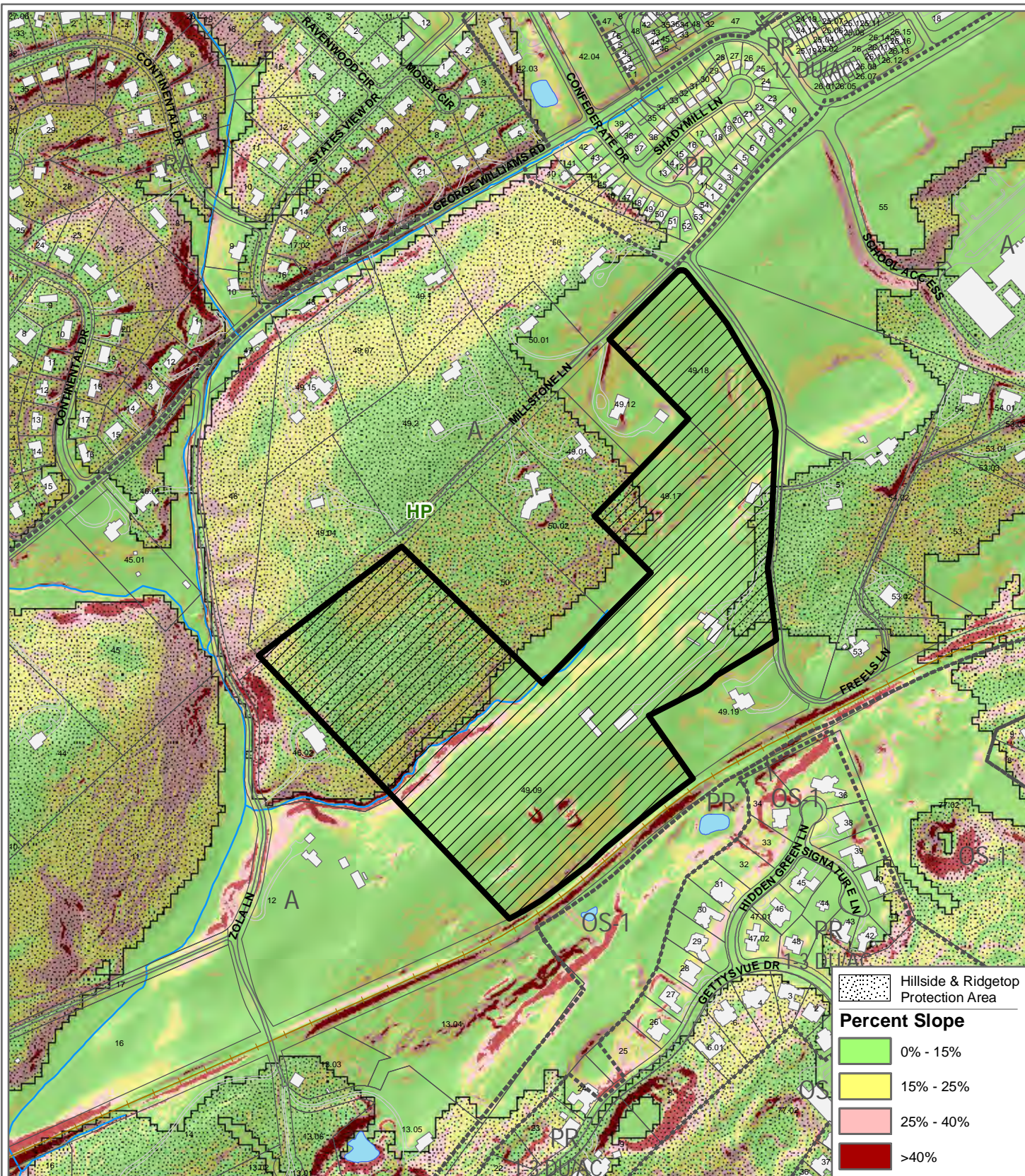
Petitioner: S & E Properties

Map No: 132

Jurisdiction: County



Original Print Date: 6/15/2016
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**7-D-16-RZ
REZONING - SLOPE ANALYSIS**

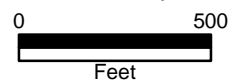
From: A (Agricultural)
To: PR (Planned Residential)



Original Print Date: 6/30/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: S & E Properties

Map No: 132
Jurisdiction: County



MPC STAFF - SLOPE / DENSITY ANALYSIS

7-D-16-RZ - Eric Moseley - A to PR

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	28.94	5.00	144.7
0-15% Slope	6.92	5.00	34.6
15-25% Slope	3.87	2.00	7.7
25-40% Slope	0.5	0.50	0.3
Greater than 40% Slope	0.02	0.20	0.0
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	11.31		42.6
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	40.25	4.65	187.3
Proposed Density (Applicant)	5	5.00	70.0

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines
for Recommendations on Changes to the Zoning Map and Development Plan/
Concept Plan Review within the Hillside and Ridgetop Protection Area
that is within the Urban Growth and the Planned Growth Area

<i>Percent of Slope</i>	<i>Recommended Maximum Density Factor*</i>	<i>Recommended Maximum Land Disturbance Factor**</i>
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knoxville County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

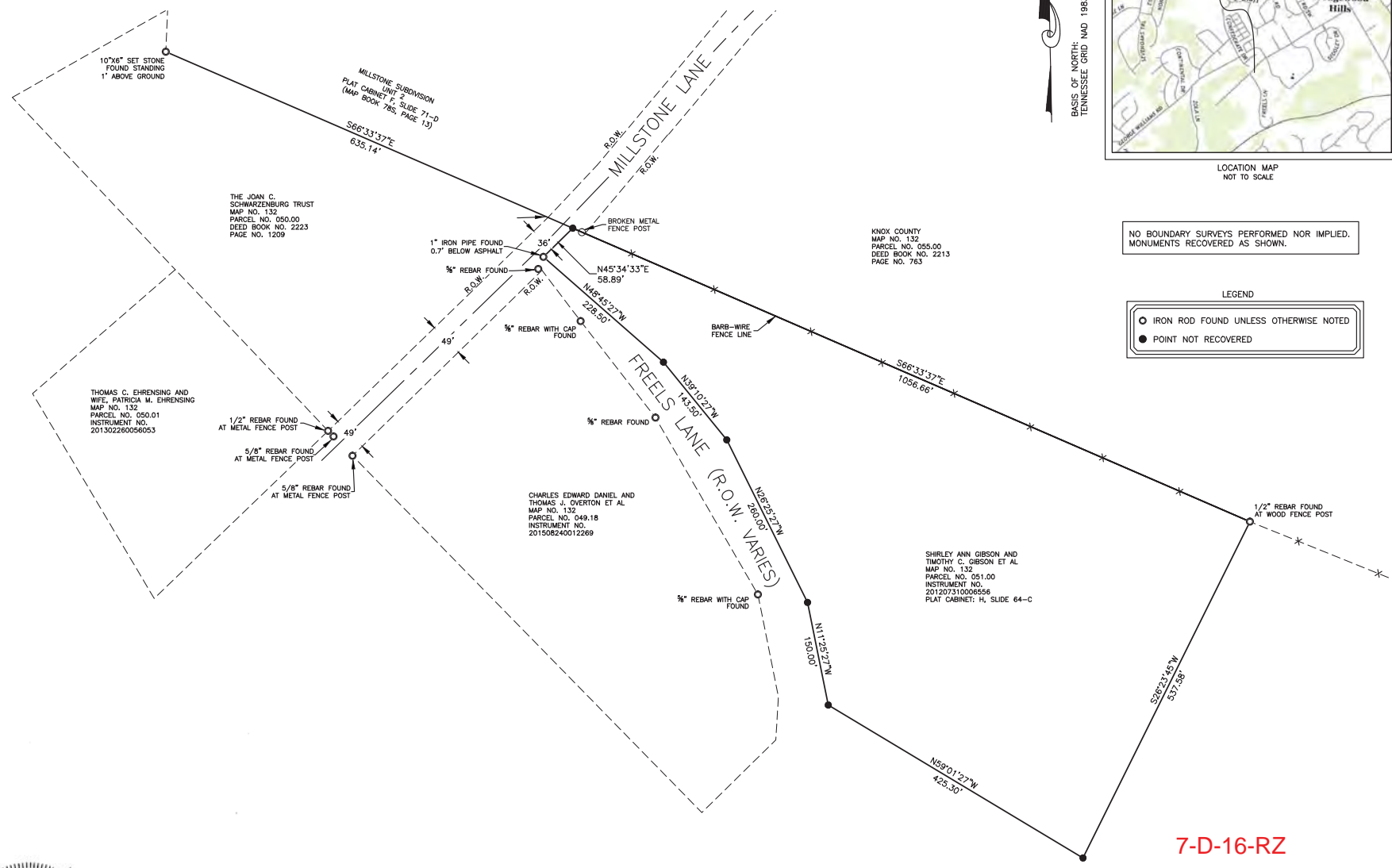
The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33



LOCATION MAP
NOT TO SCALE

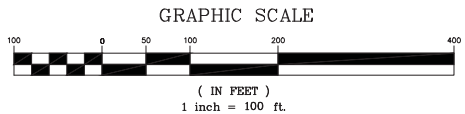
NO BOUNDARY SURVEYS PERFORMED NOR IMPLIED.
MONUMENTS RECOVERED AS SHOWN.

- LEGEND
- IRON ROD FOUND UNLESS OTHERWISE NOTED
 - POINT NOT RECOVERED



7-D-16-RZ
10/12/2016

SURVEY PRODUCED FOR KNOX COUNTY



NO.	DATE	REVISIONS DESCRIPTION



SURVEY OF:
ROW OF MILLSTONE LANE AT FREELS LANE
VAUGHN & MELTON
KNOXVILLE, TENNESSEE

VM
Vaughn & Melton
Consulting Engineers, Inc.

KENTUCKY
606-248-6600

TENNESSEE
865-546-5800

NORTH CAROLINA
828-253-2796

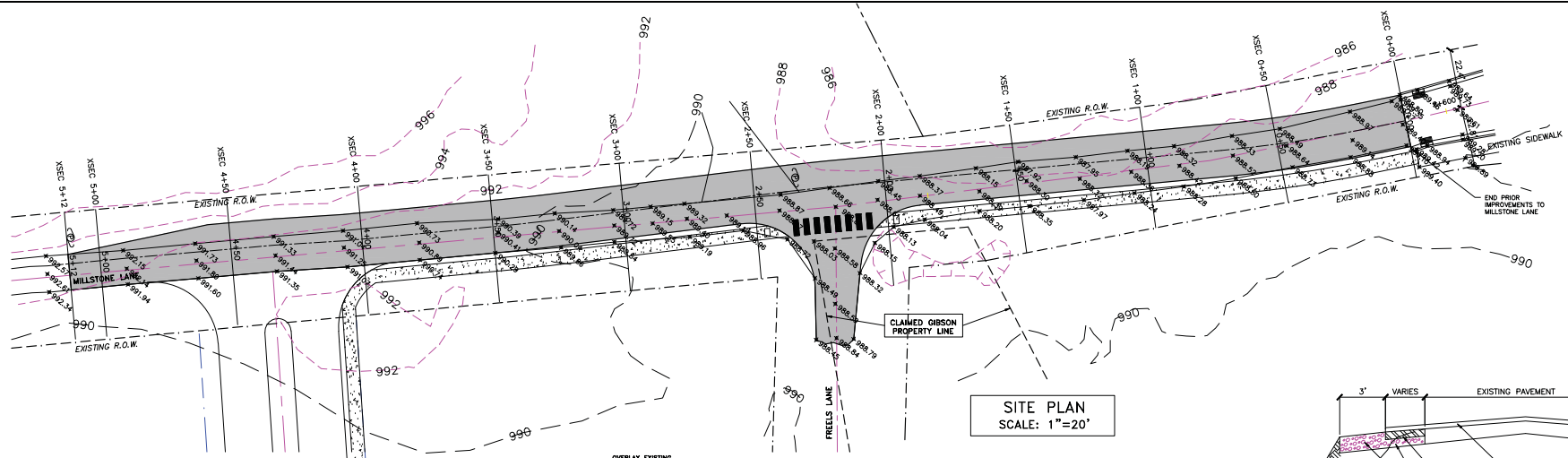
SOUTH CAROLINA
864-574-4775

GEORGIA
770-627-3590

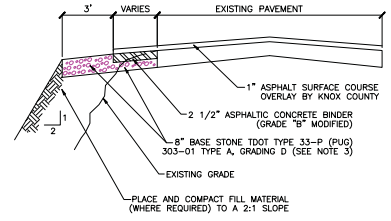
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DRAWN: LG
CHECKED: SC
JOB NO.: 51610-28
SCALE: 1" = 100'
DATE: OCTOBER 11, 2016
FILE NAME: SEE PLOT STAMP
DRAWING TITLE: SURVEY OF: MILLSTONE LANE ROW AT FREELS LANE
SHEET: 1 OF 1
DRAWING NO.: 1

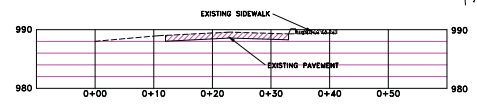




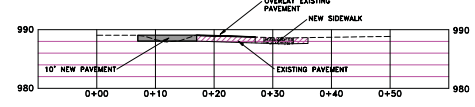
SITE PLAN
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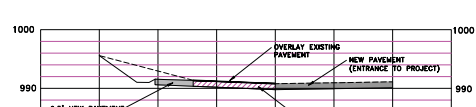
TYPICAL ROAD WIDENING SECTION
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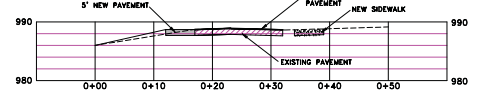
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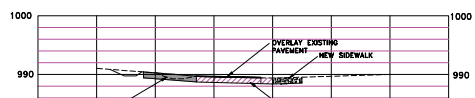
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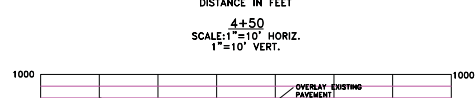
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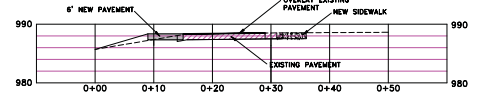
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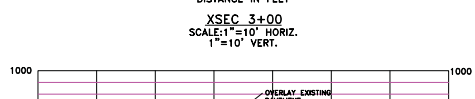
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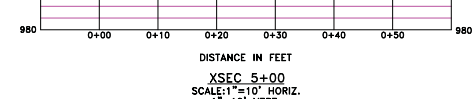
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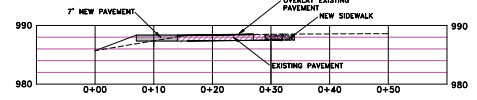
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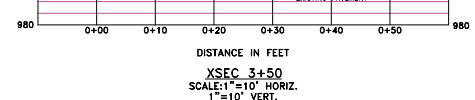
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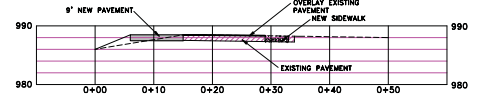
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XSEC 1+50
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XSEC 4+00
SCALE: 1"=10' HORIZ.
1"=10' VERT.



XSEC 2+00
SCALE: 1"=10' HORIZ.
1"=10' VERT.

7-D-16-RZ
Revised: 10/28/2016



SCALE: 1"=20'
28 OCT 2016

SHEET TWO

CROSS SECTIONS FOR PROPOSED ROAD WIDENING
PROPOSED DANIELS PROPERTY REZONING
KNOX COUNTY, TENNESSEE

Prepared For:
Volunteer Development, LLC
405 Montbrook Lane
Knoxville, Tennessee 37919
(865) 454-3727

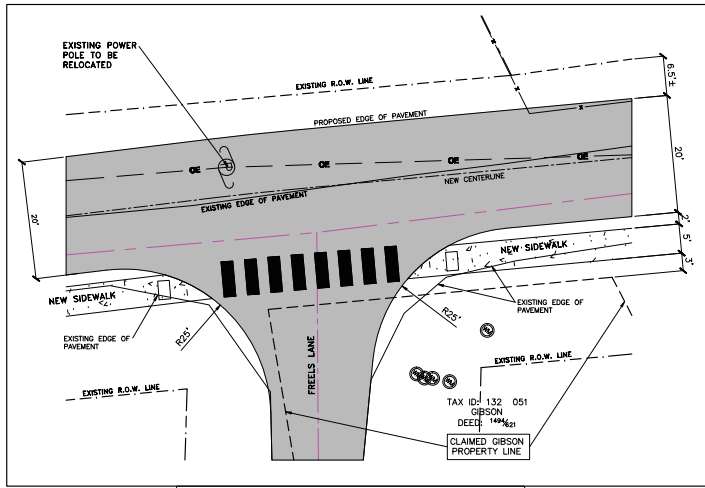
Municipality:
Knox County Department of Engineering and Public Works
205 W. Baxter Avenue
Knoxville, Tennessee 37917
(865) 215-5800



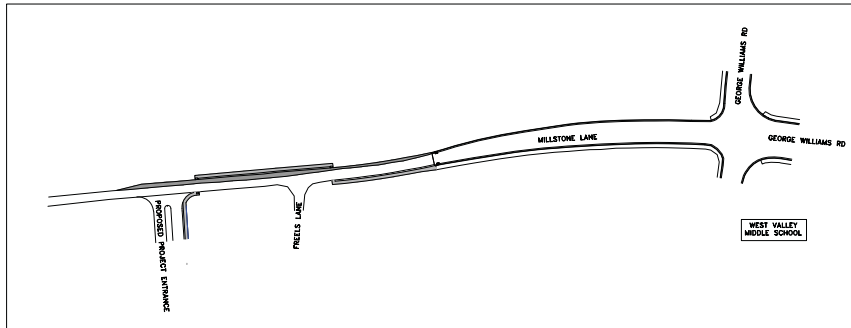
NOTE:
CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY
Contractor shall shore and brace all open cut trenches as required by State and Federal Laws and Local Ordinances to conform with recommendations set forth in AGC Manual of Accident Prevention in Construction to protect life, property or works to avoid excessively wide cuts in unstable material.
DESA RULES SHALL BE ADHERED BY

IDEAL ENGINEERING SOLUTIONS INCORPORATED
Ideal Engineering Solutions, Inc.
325 Wooded Lane
Knoxville, Tennessee 37922
(865) 755-3575

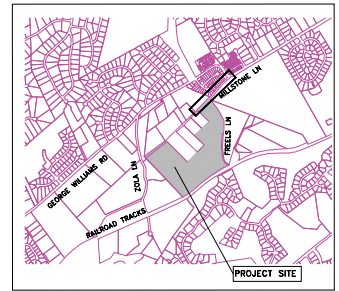
COPYRIGHT 2016



INTERSECTION DETAIL—SCALE: 1"=10'



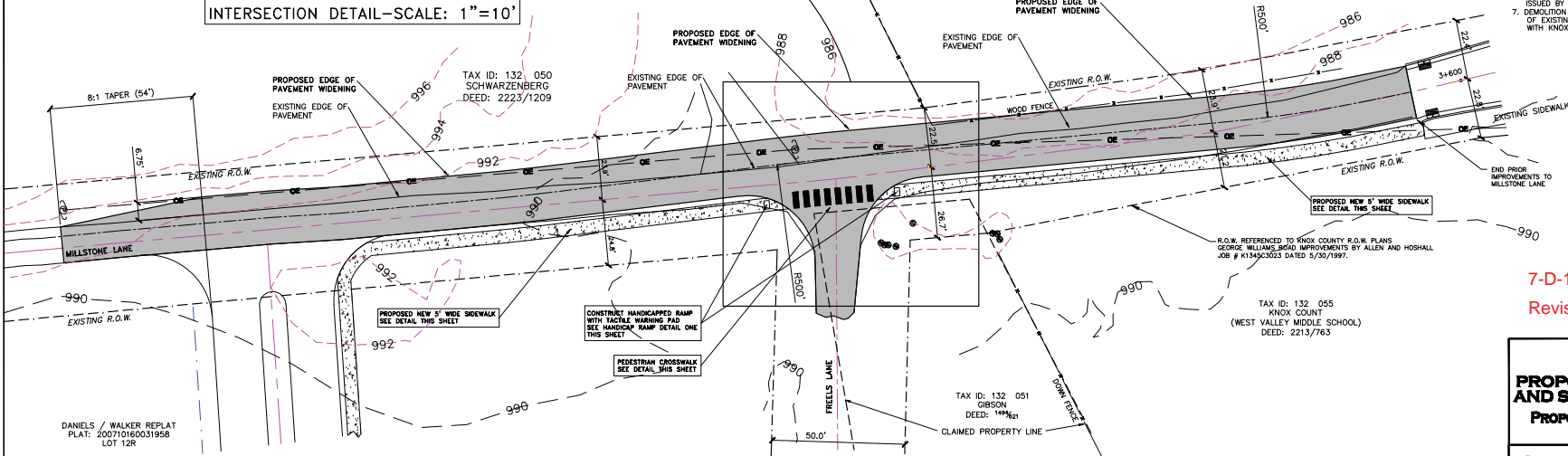
VICINITY MAP NOT TO SCALE



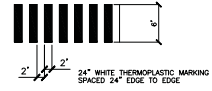
VICINITY MAP NOT TO SCALE

GENERAL NOTES:

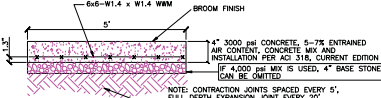
1. CONTRACTOR TO VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. LOCATION OF UTILITIES IS BASED ON THE BEST AVAILABLE INFORMATION. CALL TENNESSEE "811" AT LEAST 72 HOURS PRIOR TO CONSTRUCTION ACTIVITIES FOR UTILITIES LOCATION.
2. CONTRACTOR RESPONSIBLE FOR COMPLIANCE WITH OSHA REQUIREMENTS FOR SLOPE STABILITY, SHORING, AND SLOPE CONTROL DURING CONSTRUCTION.
3. BACK FILL MUST BE PLACED AND COMPACTED TO 95% OF STANDARD PROCTOR PRIOR TO UTILITY INSTALLATION.
4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING GRADES AND ALIGNMENTS PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES OR INCONSISTENCIES TO IDEAL ENGINEERING SOLUTIONS, INC. AT 755-3575.
5. TRAFFIC CONTROL DEVICES SHALL BE IN ACCORDANCE WITH MANUAL ON LINEWORK TRAFFIC CONTROL DEVICES, LATEST EDITION.
6. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.
7. DEMOLITION OF EXISTING STRUCTURES AND ABANDONMENT OF EXISTING UTILITIES TO BE PERMITTED AND COORDINATED WITH KNOX COUNTY.



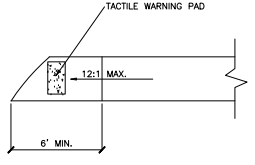
SITE PLAN SCALE: 1"=20'



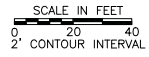
CROSSWALK MARKING WITH LONGITUDINAL LINES NOT TO SCALE



SIDEWALK DETAIL NOT TO SCALE



HANDICAPPED RAMP DETAIL NOT TO SCALE



NOTE:
CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY
Contractor shall shore and brace all open cut trenches as required by State and Federal Laws and Local Ordinances to conform with recommendations set forth in AGC Manual of Accident Prevention in Construction to protect life, property, or works to avoid excessively wide cuts in unstable material.
OSHA RULES SHALL BE ABIDED BY

SHEET ONE
PROPOSED ROADWAY WIDENING AND SIDEWALK EXTENSION PLAN
PROPOSED DANIELS PROPERTY REZONING
KNOX COUNTY, TENNESSEE

Prepared For:
Volunteer Development, LLC
405 Montbrook Lane
Knoxville, Tennessee 37919
(865) 454-3727

Municipality:
Knox County Department of Engineering and Public Works
205 W. Baxter Avenue
Knoxville, Tennessee 37917
(865) 215-5800

IDEAL ENGINEERING SOLUTIONS INCORPORATED
Ideal Engineering Solutions, Inc.
325 Wooded Lane
Knoxville, Tennessee 37922
(865) 755-3575

ARTHUR G. SEYMOUR, JR.
ROBERT L. KAHN
REGGIE E. KEATON
DONALD D. HOWELL
DEBRA L. FULTON
MICHAEL W. EWELL
JOHN M. LAWHORN
JAMES E. WAGNER
BEVERLY D. NELMS
MARY ELIZABETH MADDOX
BENJAMIN C. MULLINS
RICHARD T. SCRUGHAM, JR.
MATTHEW A. GROSSMAN
KEVIN A. DEAN
DANIEL F. WILKINS



office 865.546.9321
office fax 865.637.5249

550 W. Main Street
Suite 500
P.O. Box 39
Knoxville, Tennessee 37901

of counsel
FRANCIS A. CAIN
IMOGENE A. KING
JASON T. MURPHY

fmsllp.com

Email: ajseymour@fmsllp.com

Direct Fax: 865-541-4612

July 14, 2016

Via email only to: commission@knoxmpc.org

MPC Commissioners

Knoxville-Knox County MPC
Suite 403, City County Building
400 Main Street
Knoxville, Tennessee 37902

Re: Agenda Item #31
S & E Properties

Dear Commissioners:

This letter is written on behalf of the applicant for the above rezoning which requests Planned Residential.

The property is located on Millstone Lane, adjacent to the West Valley Middle School. The property around it is zoned from Medium Density Residential to Low Density Residential.

The subject property is classified as Low Density Residential under the Sector Plan, which would allow up to 5 units per acre.

The MPC staff recommended 3 dwelling units per acre and the applicant is requesting 3.5 units per acre, which is 1 ½ units under what would be permitted by the Sector Plan.

As mentioned, the property is essentially adjacent to the West Valley Middle School. It has little or no slope on it.

Since it is in the parental responsibility zone, sidewalks will be provided within the subdivision and there will be a sidewalk connection from the entrance to the subdivision to the existing sidewalk in front of the middle school.

July 14, 2016

Page 2

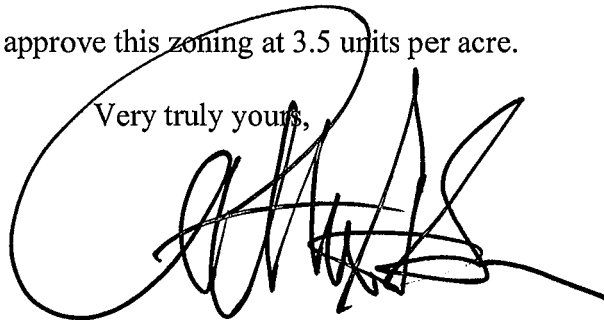
The applicant recognizes that from Freels Lane to the entrance to the subdivision on Millstone Lane, there will probably need to be road improvements and is prepared to fund those.

There may be opposition from residents. Millstone Lane ends just to the west of this property. With the road improved, there should be no traffic issues there.

Since this is an application for Planned Residential zoning, the next step if the zoning is approved would be submittal of a Concept Plan and Use-on-Review. This would show the layout of the subdivision, buffers between it and adjoining properties, road layout, etc. The applicant will meet with all adjoining property owners to discuss the Concept Plan.

We would urge you to approve this zoning at 3.5 units per acre.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Arthur G. Seymour, Jr.', written over the typed name below.

Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:lbb

SAWDOX\CLIENTS\7035\0000001\CORRESPO\01430618.DOCX



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

[MPC Comment] Opposition to Proposed Rezoning Request for Millstone Ln 7-D-16-RZ

1 message

Campbell, Michael <MCampbell@scrippsnetworks.com>
Reply-To: mcampbell@scrippsnetworks.com
To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Tue, Jul 5, 2016 at 1:25 PM

Good morning MPC:

As a concerned neighbor and representative of the residents for Millstone Ln, Freels Ln and Zoya Ln we are opposed to the proposed rezoning of the properties in and around Millstone Ln (7-D-16-RZ). Formal opposition documentation will be coming shortly but we are opposed based on the following reasons:

1. Knox County Zoning Ordinance Section 4.10.16 - Be compatible with the character of the neighborhood including the size and location of buildings in the vicinity.
2. Knox County Zoning Ordinance Section 4.10.17 - The use will not significantly injure the value of adjacent property by noise, lights, fumes, odors, vibration, traffic congestion or other impacts which may detract from the immediate environment.
3. Knox County Zoning Ordinance Section 4.10.18 - The use is not of a nature or so located as to draw substantial additional traffic through residential streets.
4. Negative financial impact said rezoning will have on existing neighborhood residences.

Please note that we will be attending the July 14th rezoning meeting and will be presenting our position of opposition at that time.

Thank you in advance for your consideration of this matter.

Sincerely,

Michael Campbell, MBA, MS

Michael Campbell, MBA, MS | Director, Project Management | Business Process Management

Office: [865-560-4284](tel:865-560-4284) | Cell: [865-414-8660](tel:865-414-8660) | Skype: souppmp

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HGTV | Food Network | Travel Channel | DIY Network | Cooking Channel | Great American Country | TVN | Fine Living | Asian Food Channel



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

[MPC Comment] Rezoning of the Millstone Ln / Freels Ln Property-File # 7-D-16-RZ.

1 message

Eddie Sanford <eddie@eddiesanford.com>

Mon, Aug 1, 2016 at 10:01 PM

Reply-To: eddie@eddiesanford.com

To: commission@knoxmpc.org

Dear MPC Board of Planning Commissioners,

I want to personally thank each person on the MPC for their consideration of our community request regarding the subject of File # 7-D-16-RZ and our recent petition drive.

Our agricultural property consists of 30+ acre on George Williams Road and is within a few hundred yards as the crow flies of the subject property. We have competed directly with the same developer S & E properties, and other developers many times over the past 25 + years and for similar reasons on each side of our land. Our family and neighbors have a different view of responsible development of our area than that of S & E Properties specifically. We do not want more houses just to say we have more houses. We want to see our specific area developed in a manner that is consistent with how our many existing home owners have sought for our area...large lots with fine upscale homes. Therefore we greatly depend on your balanced and voluntary judgement in defining what reasonable rezoning / development looks like. We realize we also have plenty of existing multi unit per acre or high density developments in our area and we simply do not want to see more of these in our area.

I also realize that our general community may not always respond properly. I trust that our Millstone Lane / Freels Lane neighborhood group is communicating in a fashion that is clear and yet not cumbersome or over taxing to a voluntary board of Knoxville / Knox County residents. We sincerely appreciate what your group attempts to accomplish. You take much valuable time out of your personal and professional lives to invest in the over all responsible improvements in our specific community development.

If for some reason our specific group is not communicating fairly, or properly, we sincerely seek to know how to do so better if your Board so desires. Please let anyone in our group know how we can make your job easier.

Again, thank you for your voluntary service!

Sincerely,

George E. Sanford
Licensed General Contractor
G.E.S. Custom Remodel LLC
9628 George Williams Road
[865-805-5321](tel:865-805-5321)

--

This message was directed to commission@knoxmpc.org



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

[MPC Comment] OPPOSITION TO THE REZONING APPLICATION BY S & E PROPERTIES, LLC- FILE # 7-D-16_RZ

1 message

Chris Wingo <chris.wingo1@gmail.com>
Reply-To: chris.wingo1@gmail.com
To: commission@knoxmpc.org

Sun, Jul 31, 2016 at 8:54 PM

I want to voice my opposition to FILE # 7-D-16-RZ based on the points outlined in our formal petition. Thanks for looking out for the best interest in our community and keeping it a safe place to live and raise a family!

Sincerely,

Chris Wingo
[865-755-5319](tel:865-755-5319)
9211 Millstone Lane
Knoxville, TN 37922

--

This message was directed to commission@knoxmpc.org



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

[MPC Comment] Opposition to the rezoning application by S&E properties, LLC-File # 7-D-16-RZ

1 message

Katie Giddens <katie.d@reagan.com>

Sat, Jul 30, 2016 at 1:21 PM

Reply-To: katie.d@reagan.com

To: commission@knoxmpc.org

I want to voice my opposition to File # 7-D-16-RZ based on the points outlined in our formal petition. Thanks in advance!

Katie Giddens

9213 Millstone Lane, Knoxville, Tn. 37922

Sent from my iPad

--

This message was directed to commission@knoxmpc.org

45 Identical Letters Received

August 1, 2016

Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
400 Main Street
Knoxville, TN 37902

**RE: Opposition to Rezoning Application filed by S&E Properties, LLC
MPC File # 7-D-16-RZ**

Dear Commissioners:

I am an owner of the property located at 9315 Millstone Lane
My property is [adjacent/near] to the 40-acre tract of property that is subject to the above-referenced rezoning request.

As you probably know, a number of property owners in the area, including myself, have organized in opposition to this rezoning and development, which we believe will have a dramatic negative impact on our properties and the surrounding community. We have held several meetings to discuss the proposed development and its impact on our community, and we have been overwhelmed by the extent of the community's opposition to S&E's plans. We have hired the law firm of Kennerly, Montgomery & Finley, P.C. to advise and represent us in our opposition, and they will be present at the August 11th MPC meeting to present our position to the Commission. However, I am personally reaching out to you to express my opposition to the rezoning and ask that you consider the concerns of the surrounding community when this rezoning request next comes before MPC.

The reasons for my opposition to the rezoning request are the same community-wide concerns that are set forth in a Petition that is being filed with MPC in opposition to S&E's rezoning request. Being a signatory to the Petition, I will not repeat the concerns raised in the Petition, but I do adopt them by reference. I simply again ask that you thoughtfully consider the concerns raised by the surrounding community when this rezoning request next comes before MPC. Thank you for your consideration of this very important matter.

Respectfully,

Thomas Ehrensing
[signature]

Thomas Ehrensing
[print name]

If this zoning change is allowed to pass,

The respect for the Metropolitan Planning Commission is gone! The community will lose one more valley to greed. This developer's design is terrible.

Tom



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

[MPC Comment] OPPOSITION TO THE REZONING APPLICATION BY S&E PROPERTIES, LLC - FILE # 7-D-16-RZ

1 message

Kati Sanford Goodner <katigoodner@gmail.com>
Reply-To: katigoodner@gmail.com
To: commission@knoxmpc.org

Wed, Aug 3, 2016 at 10:55 AM

Dear Commissioners:

Please allow this email to serve as my opposition to File # 7-D-16-RZ based on the points outlined in the formal petition provided to you by counsel for those of us who own property in and around the Millstone area.

Best Regards,
Kati Sanford Goodner

Property Owner of
9606 George Williams Rd.
Knoxville, TN 37922

[865.806.0762](tel:865.806.0762)

--
Katherine Sanford Goodner

--

This message was directed to commission@knoxmpc.org

KM KENNERLY MONTGOMERY

Attorneys & Counselors Since 1916

E-MAIL: jtallent@kmfpc.com



August 4, 2016

Knoxville-Knox County Metropolitan Planning Commission
Knoxville City County Bldg
400 W Main St #403
Knoxville, TN 37902

Re: File Number 7-D-16-RZ

To Whom It May Concern:

Enclosed please find a Petition for filing regarding rezoning of Millstone Lane/Freels Lane Property, File Number 7-D-16-RZ. The petition contains electronic signatures and comments of many concerned citizens. Feel free to contact me should you have any questions.

Very truly yours,

KENNERLY, MONTGOMERY & FINLEY, P.C.

By

A handwritten signature in black ink, appearing to read "Jack M. Tallent, II".

Jack M. Tallent, II

JMT:ces
Enclosure

KENNERLY, MONTGOMERY & FINLEY, P.C.
550 MAIN STREET, FOURTH FLOOR | KNOXVILLE, TENNESSEE 37902
P.O. BOX 442 | KNOXVILLE, TENNESSEE 37901
PH (865) 546-7311 | FX (865) 524-1773 | WWW.KMFPC.COM

**Millstone Neighbors: Oppose the Rezoning of the Millstone Ln / Freels Ln
Property-File # 7-D-16-RZ**

THE UNDERSIGNED citizens and residents of Knox County, Tennessee come together for the purpose of petitioning the Knoxville-Knox County Metropolitan Planning Commission in opposition to the rezoning application by S&E Properties, LLC, being File # 7-D-16-RZ. As grounds for their opposition, the undersigned state the following:

There is not sufficient existing right of way to accommodate the infrastructure improvements that will be necessary to support the proposed development. The proposed development is in an isolated location on Millstone Lane, which is a small dead-end street in West Knox County that currently serves less than twenty houses. There is no other access point for the proposed development than from Millstone Lane, meaning that the development, if approved, will result in an approximate 10-fold increase in vehicle traffic on Millstone Lane. MPC's staff and Knox County Engineering have both stated that any rezoning and development of the subject property will require the widening of portions of Millstone Lane to accommodate the increased traffic and the installation of sidewalks due to the West Valley parental responsibility zone. However, our attorneys advise us that a review of the Knox County land records indicates that there is not sufficient existing right of way to allow Millstone Lane to be widened and improved in this way – a conclusion that has been confirmed by Knox County Engineering. While S&E could certainly try to secure additional right of way to accommodate the development, one of the properties from which right of way would have to be secured is owned by Tim & Shirley Gibson, who are opposed to the rezoning and development and are adamant that they will not sell any right of way in aid of this proposed development.

S&E's proposed density and MPC staff's recommended density are both incompatible with adjacent zones, and thus contrary to the Knox County Zoning Ordinance. PR zoning is not appropriate for every residential development, but is instead intended to encourage developers to use imaginative solutions to environmental design problems and to create developments that are compatible with adjacent zones. In this case, the adjacent zones are all Agricultural with an average density of only .14 du/ac. MPC staff has recommended a density of 3 du/ac despite expressly acknowledging that such a density is not compatible with adjacent zones. The 5 du/ac requested by S&E is even

worse. Rezoning the subject property to PR with a density that is acknowledged to be incompatible with the adjacent zones is not only contrary to the requirements of the Knox County Zoning Ordinance, but will also negatively impact the property values of the adjacent and surrounding properties. This is not to mention the effect that such a rezoning will have on the livability and value of the surrounding properties, which were purchased with the specific intent of living in a large-tract zone.

S&E's concept plan evidences that S&E envisions a development that is inconsistent with the surrounding area, the PR zoning guidelines, and MPC's staff recommendations. S&E has filed a concept plan that gives no consideration whatsoever to the purposes or requirements of PR zoning, nor to the impact the proposed development would have on the surrounding community. For instance, the concept plan depicts a 136-lot development on 40 acres, yielding a density of 3.4 du/ac. However, included within the proposed development are two existing houses on large plots of land that are not numbered and appear to only be included within the boundaries of the proposed development in order to attempt to dilute density. If these two plots are removed, then the development's true density is approximately 3.8 du/ac. MPC staff has recommended that any development of the subject property include large periphery lots to buffer the adjacent properties. However, approximately 50 periphery or adjacent lots depicted on the concept plan are .25 acres or smaller, with some being as small as .16 acres. This is incompatible with not only the Knox County Zoning Ordinance but also the MPC staff recommendations. Finally, MPC's PR guidelines require that at least 15% of the development be set aside as usable open space and recreational area. However, there is no open space or recreational area reserved on the concept plan other than 3 detention ponds. Again, this is incompatible with MPC requirements.

There are significant topographic and hydrologic concerns respecting the subject property. The subject property has historically been subject to heavy flooding. There is also known karst topography in the area, including a well-developed cave system that runs immediately beneath the subject property. These factors raise legitimate concerns about the safety and practicality of constructing a dense subdivision on the subject property, including high risks to surrounding property owners of increased flooding and sinkhole development.

There are risks of damage to nearby water and septic systems. Most of the immediately adjacent properties rely on well water and septic systems, both of which may be at risk of damage and contamination if this development moves forward as proposed.

Approving the proposed rezoning will exacerbate existing traffic conditions at the intersection of Millstone Lane and George Williams Road. This intersection serves as one of two main access points for West Valley Middle School. Because Millstone Lane is a dead-end street, every vehicle going to or from the proposed development must necessarily travel through this intersection. The intersection is already a point of major traffic congestion in the area – particularly when West Valley Middle School is in session – to the point that there are times when vehicles cannot move due to school traffic. While a traffic study has not yet been conducted, MPC staff has estimated that the proposed development will yield an additional 1,900 vehicle trips per day through this intersection, which will exacerbate a very significant problem.

Approving the proposed rezoning will exacerbate existing school overcrowding. West Valley Middle School is already overcrowded, and this proposed development, if approved at the requested or recommended densities, will result in additional students enrolling, again exacerbating an existing problem.

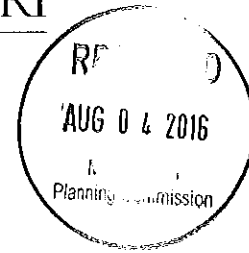
IN CONSIDERATION OF THE FOREGOING CONCERNS, the undersigned citizens request that MPC deny S&E's rezoning application. If a rezoning to PR is to be approved, however, the undersigned citizens request that the approved density be no more than 1.5 du/ac, which we believe would be a reasonable compromise between S&E's desire to develop the property for profit and the community concerns expressed above – particularly the zone compatibility issues presented by the surrounding properties. Finally, if a rezoning to PR is to be approved, we also request that MPC require all periphery lots within the proposed development to be 1 acre in size or more, which will allow for sufficient buffer between the surrounding lots and the development to minimize the impact that the development will have on the community's existing large lots and tracts, which are zoned Agricultural.

KM KENNERLY MONTGOMERY

Attorneys & Counselors Since 1916

E-MAIL: jtallent@kmfpc.com

August 4, 2016



Knoxville-Knox County Metropolitan Planning Commission
Knoxville City County Bldg
400 W Main St #403
Knoxville, TN 37902

Re: File Number 7-D-16-RZ
Opposition to the Rezoning Application by S&E Properties, LLC

I, along with Briton S. Collins of the law firm of Kennerly, Montgomery & Finley, P.C., represent homeowners around the proposed tract which S&E Properties, LLC proposes to have rezoned from Agricultural to PR. My clients believe this application should be denied for many reasons. The most important are as follows:

- (1) **There is not sufficient existing right of way to accommodate the infrastructure improvements that will be necessary to support the proposed development.** The proposed development is in an isolated location on Millstone Lane, which is a small dead-end street in West Knox County that currently serves less than twenty houses. There is no other access point for the proposed development than from Millstone Lane, meaning that the development, if approved, will result in an approximate 10-fold increase in vehicle traffic on Millstone Lane. MPC's staff and Knox County Engineering have both stated that any rezoning and development of the subject property will require the widening of portions of Millstone Lane to accommodate the increased traffic and the installation of sidewalks due to the West Valley parental responsibility zone. However, our attorneys advise us that a review of the Knox County land records indicates that there is not sufficient existing right of way to allow Millstone Lane to be widened and improved in this way – a conclusion that has been confirmed by Knox County Engineering. While S&E could certainly try to secure additional right of way to accommodate the development, one of the properties from which right of way would have to be secured is owned by Tim & Shirley Gibson, who are opposed to the rezoning and development and are adamant that they will not sell any right of way in aid of this proposed development. Enclosed is a survey from May 8, 1972 prepared by Hatmaker Surveyors showing the 60 foot frontage owned by the Gibsons.
- (2) **S&E's proposed density and MPC staff's recommended density are both incompatible with adjacent zones, and thus contrary to the Knox County Zoning Ordinance.** PR zoning is not appropriate for every residential development, but is

KENNERLY, MONTGOMERY & FINLEY, P.C.
550 MAIN STREET, FOURTH FLOOR | KNOXVILLE, TENNESSEE 37902
P.O. BOX 442 | KNOXVILLE, TENNESSEE 37901
PH (865) 546-7311 | FX (865) 524-1773 | WWW.KMFPC.COM

instead intended to encourage developers to use imaginative solutions to environmental design problems and to create developments that are compatible with adjacent zones. In this case, the adjacent zones are all Agricultural with an average density of only .14 du/ac. MPC staff has recommended a density of 3 du/ac despite expressly acknowledging that such a density is not compatible with adjacent zones. The 5 du/ac requested by S&E for the 136 lot proposed development is even worse. Rezoning the subject property to PR with a density that is acknowledged to be incompatible with the adjacent zones is not only contrary to the requirements of the Knox County Zoning Ordinance, but will also negatively impact the property values of the adjacent and surrounding properties. This is not to mention the effect that such a rezoning will have on the livability and value of the surrounding properties, which were purchased with the specific intent of living in a large-tract zone.

- (3) **S&E's concept plan evidences that S&E envisions a development that is inconsistent with the surrounding area, the PR zoning guidelines, and MPC's staff recommendations.** S&E has filed a concept plan that gives no consideration whatsoever to the purposes or requirements of PR zoning, nor to the impact the proposed development would have on the surrounding community where there is approximately 1 house per 7 acres. The concept plan depicts a 136-lot development on 40 acres, yielding a density of 3.4 du/ac. See attached photo depicting the current large tracts or lots and the stark contrast of the proposed development. It is significant that included within the proposed development are two existing houses on large plots of land that are not numbered and appear to only be included within the boundaries of the proposed development in order to attempt to dilute density. If these two plots are removed, then the development's true density is approximately 3.8 du/ac. MPC staff has recommended that any development of the subject property include large periphery lots to buffer the adjacent properties. However, approximately 50 periphery or adjacent lots depicted on the concept plan are .25 acres or smaller, with some being as small as .16 acres. This is incompatible with not only the Knox County Zoning Ordinance but also the MPC staff recommendations. Finally, MPC's PR guidelines require that at least 15% of the development be set aside as usable open space and recreational area. However, there is no open space or recreational area reserved on the concept plan other than 3 detention ponds. Again, this is incompatible with MPC requirements.
- (4) **There are significant topographic and hydrologic concerns respecting the subject property.** The area in and around the subject property has historically been subject to heavy flooding. The Petition filed with MPC states the subject property has been subject to heavy flooding. For clarification, it should be understood the area around the proposed development rather than the land within the proposed development is subject to flooding. There is also known karst topography in the area, including a well-developed cave system that runs immediately beneath the subject property. These factors raise legitimate concerns about the safety and practicality of constructing a dense subdivision on the subject property, including high risks to surrounding property owners of increased flooding and sinkhole development.

- (5) **There are risks of damage to nearby water and septic systems.** Most of the immediately adjacent properties rely on well water and septic systems, both of which may be at risk of damage and contamination if this development moves forward as proposed.

- (6) **Approving the proposed rezoning will exacerbate existing traffic conditions at the intersection of Millstone Lane and George Williams Road.** This intersection serves as one of two main access points for West Valley Middle School. Because Millstone Lane is a dead-end street, every vehicle going to or from the proposed development must necessarily travel through this intersection. The intersection is already a point of major traffic congestion in the area – particularly when West Valley Middle School is in session – to the point that there are times when vehicles cannot move due to school traffic. While a traffic study has not yet been conducted, MPC staff has estimated that the proposed development will yield an additional 1,900 vehicle trips per day through this intersection, which will exacerbate a very significant problem.

- (7) **Approving the proposed rezoning will exacerbate existing school overcrowding.** West Valley Middle School is already overcrowded, and this proposed development, if approved at the requested or recommended densities, will result in additional students enrolling, again exacerbating an existing problem.

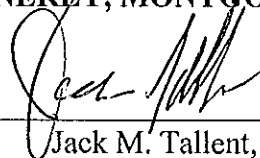
In consideration of the foregoing concerns, I would respectfully request that MPC deny S&E's rezoning application. We submit this rezoning is not reasonable and would be incompatible with the neighborhood, will create problems and is contrary to goals of PR zoning.

If there is any consideration given to a rezoning of this property to PR, however, my clients request that the approved density be no more than 1.5 du/ac, which would be a reasonable compromise between S&E's desire to develop the property for profit and the community concerns expressed above, particularly the zone compatibility issues presented by the surrounding properties. Also, if rezoning to PR is to be approved, my clients would request that MPC require all periphery lots within the proposed development to be 1 acre in size or more and be landscaped along these lots to provide a buffer between the surrounding lots and the development to minimize the impact that the development will have on the community's existing large lots and tracts, which are zoned Agricultural.

Very truly yours,

KENNERLY, MONTGOMERY & FINLEY, P.C.

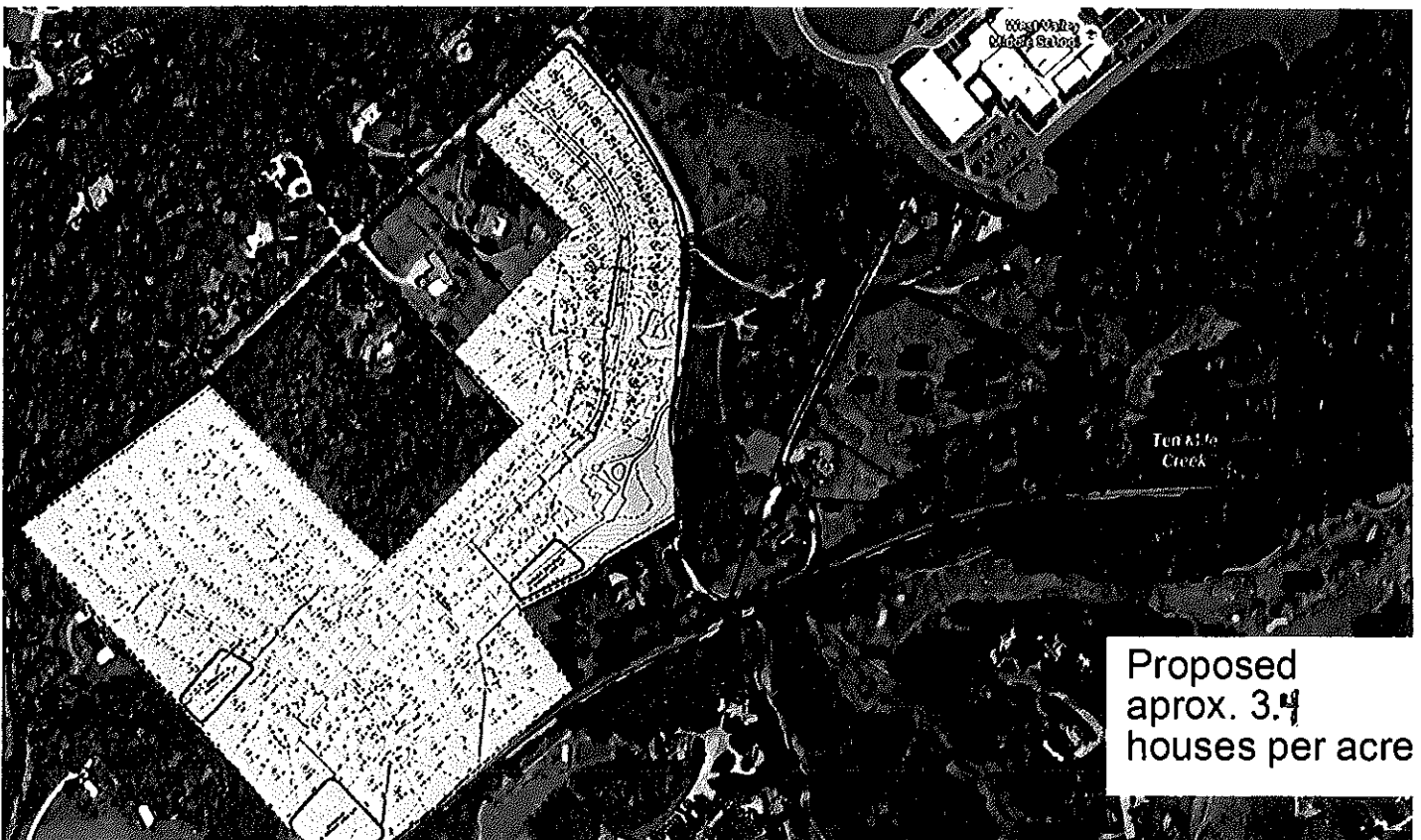
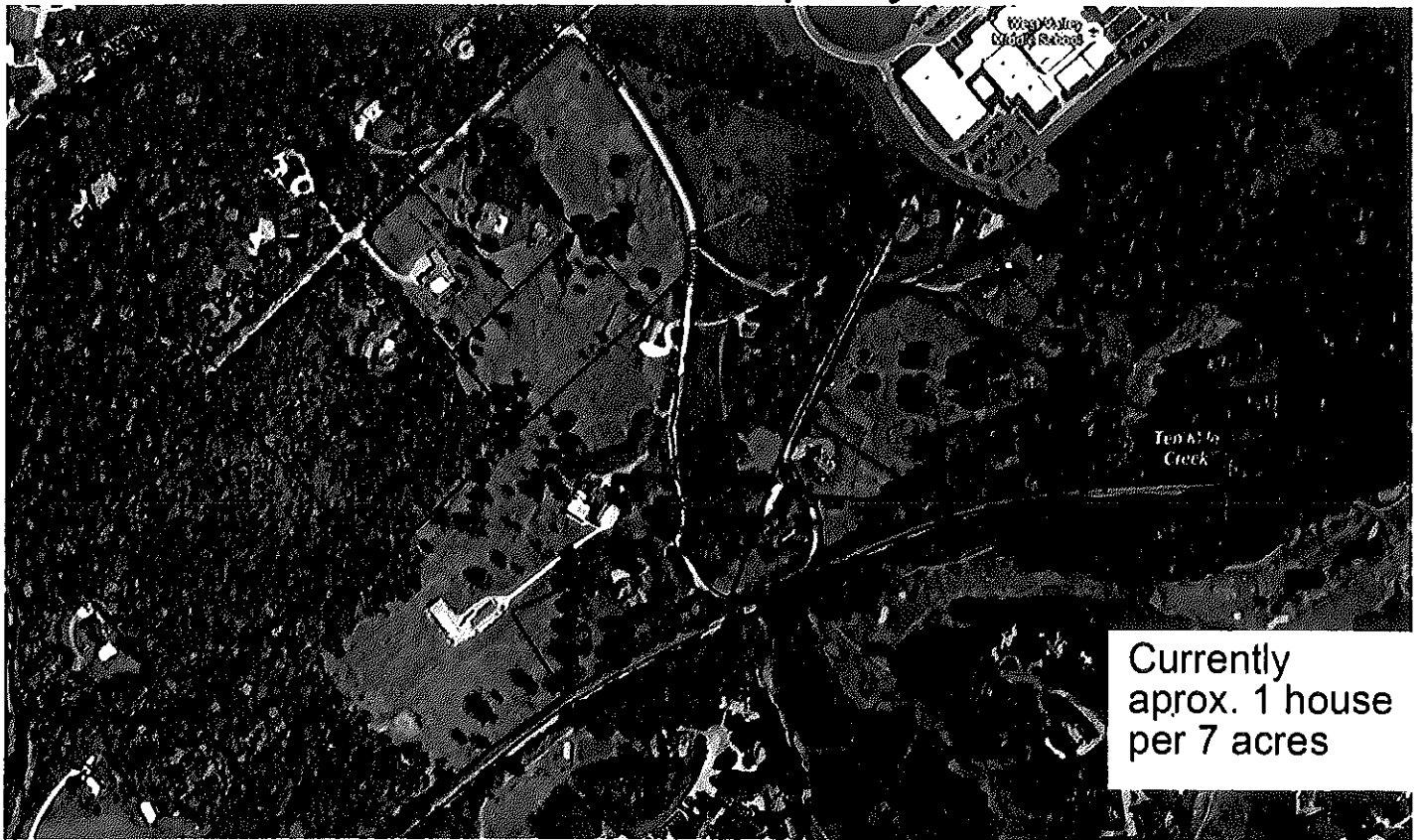
By _____



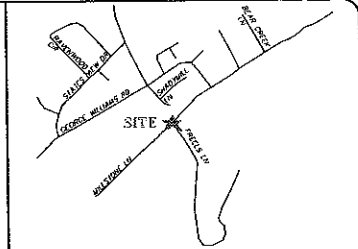
Jack M. Tallent, II

JMT:ces
Enclosure

Millstone Ln / Freels Ln Property-File # 7-D-16-RZ

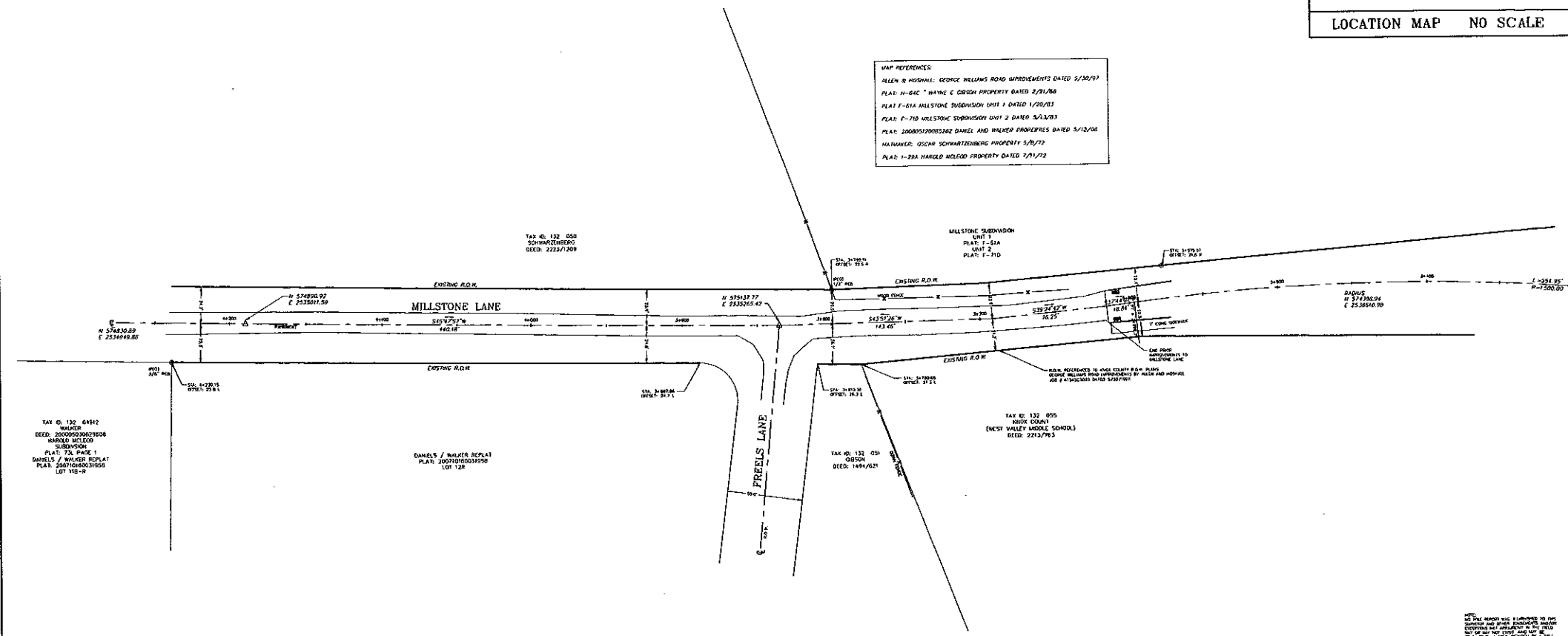


Approximate scale representation



LOCATION MAP NO SCALE

MAP REFERENCES:
 ALLEN & HOSHAL: GEORGE MILLBROOK ROAD IMPROVEMENTS DATED 5/30/97
 PLAT: H-64C WAYNE C OSBORN PROPERTY DATED 2/21/88
 PLAT: F-61A MILLSTONE SUBDIVISION UNIT 1 DATED 1/20/83
 PLAT: F-710 MILLSTONE SUBDIVISION UNIT 2 DATED 5/12/83
 PLAT: 20680520063262 DANIEL AND WALKER PROPERTIES DATED 5/12/04
 HANNAUER: OSCHM SCHWARTZBERG PROPERTY 5/19/72
 PLAT: I-28A HAROLD NEELEDD PROPERTY DATED 7/11/72

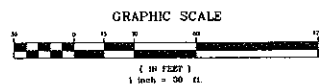


TAX ID: 132 04942
 WALKER
 DEED: 20000503027804
 HAROLD NEELEDD
 SUBDIVISION
 PLAT: 73A PAGE 1
 DANIELS / WALKER REPLAT
 PLAT: 2007101605031925
 LOT 12B-W

DANIELS / WALKER REPLAT
 PLAT: 2007101605031925
 LOT 12B

TAX ID: 132 055
 NEELEDD
 (WEST VALLEY MIDDLE SCHOOL)
 DEED: 2213/795

TAX ID: 132 051
 OSBORN
 DEED: 1494/621



NOT TO SCALE
 THIS REPORT HAS BEEN PREPARED BY AN ENGINEER REGISTERED IN THE STATE OF TENNESSEE. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THAT THE INFORMATION PROVIDED IS ACCURATE TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER SOURCES. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HIS FIRM.

CONDUCTED BY: RYM S. LYNCH
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 1411
 TENNESSEE



LYNCH SURVEYS LLC
 SUBDIVISIONS | AS-BUILTS | SITE DESIGN
 4405 OOSTER RD. KNOXVILLE, TENN. 37912
 865-584-2630 FAX: 865-584-2801 WWW.LYNCHSURVEY.COM



REVISIONS	
1	BRW/ML: R. LYNCH
2	CHK/ML: R. LYNCH
3	APP/ML: R.S.L.
4	SCALE: 1"=30'
5	DATE: 8/6/2016
6	

SURVEY FOR:
S & E Properties
 405 Montbrook Lane
 Knoxville, Tennessee 37919
 Phone: (865) 691-1111

RIGHT-OF-WAY SURVEY OF:
Millstone Lane at Freels Lane
 District 6, Knox County, Tennessee

PROJECT NO.
3929

7-D-16-RZ - cor - Kennerly

KM KENNERLY MONTGOMERY

Attorneys & Counselors Since 1916

E-MAIL: bcollins@kmfpc.com



August 31, 2016

Knoxville-Knox County Metropolitan Planning Commission
Attn: Mike Reynolds
400 W. Main St, #403
Knoxville, Tennessee 37902

VIA HAND DELIVERY

Re: File Number 7-D-16-RZ

Mr. Reynolds:

Enclosed for filing please find an August 31, 2016 survey prepared by Gary C. Clark (the "Clark Survey"), which addresses some of the property line and right-of-way issues surrounding the above-referenced file number.

As you will see, the Clark Survey contradicts the property lines indicated on the August 6, 2016 survey submitted by the applicant, which was prepared by Lynch Surveys LLC (the "Lynch Survey"). Relying on field measurements obtained by locating and surveying the boundaries described in applicable deeds of record, the Clark Survey clearly shows that the known property lines around Millstone Lane near its intersection with Freels Lane are significantly narrower than indicated on the Lynch Survey. Specifically, the property owned by Tim Gibson to the south of Millstone Lane is only 6-7 feet from the roadway edge rather than 15-16 feet as suggested by the Lynch Survey.

We have still not located any documents dedicating right of way to Knox County for this particular strip of Millstone Lane. This being the case, I do not see how Knox County can legitimately claim right of way rights outside of the existing roadbed. We believe that, in fact, there may be bands of property on the north and south sides of Millstone Lane that were not conveyed by some old deeds parceling out this area and are still owned by unidentified persons. This would include the 6-7 foot strip between Mr. Gibson's property and the roadway edge. We have not yet commenced a full title search to identify these persons because we just received the Clark Survey showing the known boundary lines; however, ascertaining with certainty the existence and identity of these potential property owners is imperative because they have property rights that could be impacted by a rezoning.

Furthermore, the Clark Survey shows that the boundaries of the applicant's property and that of Tim Gibson to the east are not as indicated on the Lynch Survey. Contrary to the Lynch Survey, the northern line of Mr. Gibson's property actually extends west across Freels Lane and into the area for which the applicant has requested rezoning. Although the section of Mr.

KENNERLY, MONTGOMERY & FINLEY, P.C.
550 MAIN STREET, FOURTH FLOOR | KNOXVILLE, TENNESSEE 37902
P.O. BOX 442 | KNOXVILLE, TENNESSEE 37901
PH (865) 546-7311 | FX (865) 524-1773 | WWW.KMFPC.COM


Gibson's land to the west of Freels Lane is admittedly small, this does not change the fact that the applicant does not have the authority to request a rezoning for this property owned by Mr. Gibson.

In light of this new information, we believe that the rezoning should either be denied or postponed indefinitely in order for these issues to be resolved.

Thank you for your attention to this matter. Please feel free to contact me should you have any questions.

Respectfully,

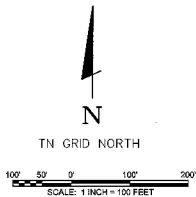
KENNERLY, MONTGOMERY & FINLEY, P.C.

By: 

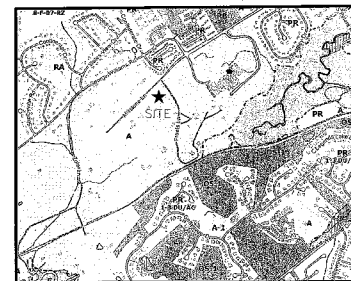
Briton S. Collins, Esq.

Enclosure

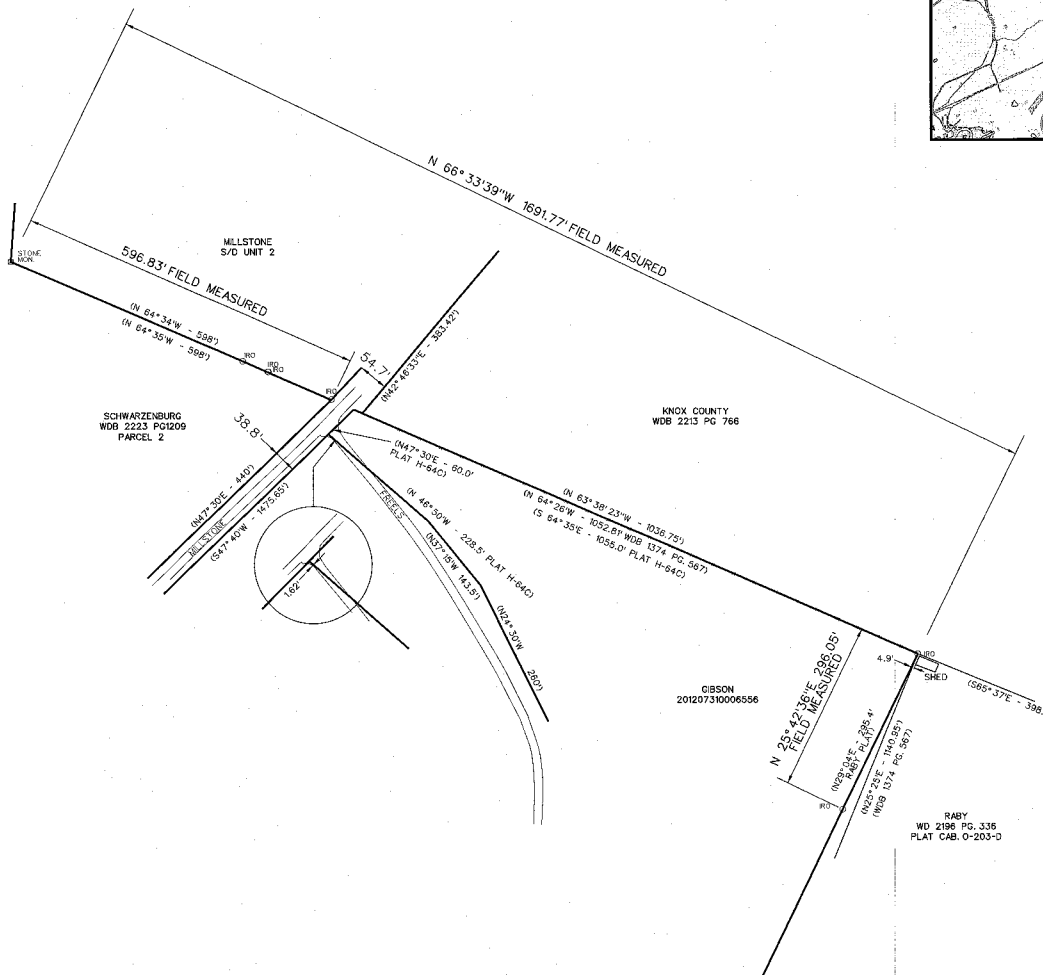
Cc: Arthur Seymour, Jr., Esq.



LEGEND
 () CALLS FROM RECORDED DEEDS OR PLATS



VICINITY MAP - NTS



NOTES:

1. THIS MAP REPRESENTS THE RESULT OF FIELD SURVEYS OF THE WESTERLY LINES OF GIBSON AND SCHWARZENBURG COMPARED TO THE RECORD DESCRIPTIONS AND PLATS. THE PURPOSE IS TO ILLUSTRATE DISCREPANCIES IN THE REPORTED RIGHT-OF-WAY WIDTHS FOR MILLSTONE LANE. NO CORNERS HAVE BEEN RESET.

PREPARED FOR:
 TIMOTHY C. GIBSON
 800 FREEL'S LANE
 KNOXVILLE, TENNESSEE 37922

7-D-16-RZ
 8/31/2016

Certificate of Survey
 I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is 1/10000 as shown hereon. This survey has been prepared in accordance with the Standards of Practice for Land Surveys in the State of Tennessee.
 Date: 8-31-16

GARY C. CLARK, LLC
 LAND SURVEYOR - TN KY AL SC NC
 6013 CENTERWOOD DRIVE
 KNOXVILLE, TENNESSEE 37920
 OFFICE 865-257-9751
 garycdark.surveyor@gmail.com



MILLSTONE LANE R.O.W. @
GIBSON & SCHWARZENBURG PROPERTY
 KNOX COUNTY, TENNESSEE

DATE	DESCRIPTION	ORIGINATOR

SHEET 1 OF 1
 FILE NO. 15021-00

KM **KENNERLY MONTGOMERY**
Attorneys & Counselors Since 1916

E-MAIL: jtallent@kmfpc.com

August 4, 2016

Knoxville-Knox County Metropolitan Planning Commission
Knoxville City County Bldg
400 W Main St #403
Knoxville, TN 37902

Re: File Number 7-D-16-RZ

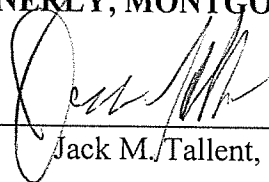
To Whom It May Concern:

Enclosed please find a Petition for filing regarding rezoning of Millstone Lane/Freels Lane Property, File Number 7-D-16-RZ. The petition contains electronic signatures and comments of many concerned citizens. Feel free to contact me should you have any questions.

Very truly yours,

KENNERLY, MONTGOMERY & FINLEY, P.C.

By



Jack M. Tallent, II

JMT:ces
Enclosure

**Millstone Neighbors: Oppose the Rezoning of the Millstone Ln / Freels Ln
Property-File # 7-D-16-RZ**

THE UNDERSIGNED citizens and residents of Knox County, Tennessee come together for the purpose of petitioning the Knoxville-Knox County Metropolitan Planning Commission in opposition to the rezoning application by S&E Properties, LLC, being File # 7-D-16-RZ. As grounds for their opposition, the undersigned state the following:

There is not sufficient existing right of way to accommodate the infrastructure improvements that will be necessary to support the proposed development. The proposed development is in an isolated location on Millstone Lane, which is a small dead-end street in West Knox County that currently serves less than twenty houses. There is no other access point for the proposed development than from Millstone Lane, meaning that the development, if approved, will result in an approximate 10-fold increase in vehicle traffic on Millstone Lane. MPC's staff and Knox County Engineering have both stated that any rezoning and development of the subject property will require the widening of portions of Millstone Lane to accommodate the increased traffic and the installation of sidewalks due to the West Valley parental responsibility zone. However, our attorneys advise us that a review of the Knox County land records indicates that there is not sufficient existing right of way to allow Millstone Lane to be widened and improved in this way – a conclusion that has been confirmed by Knox County Engineering. While S&E could certainly try to secure additional right of way to accommodate the development, one of the properties from which right of way would have to be secured is owned by Tim & Shirley Gibson, who are opposed to the rezoning and development and are adamant that they will not sell any right of way in aid of this proposed development.

S&E's proposed density and MPC staff's recommended density are both incompatible with adjacent zones, and thus contrary to the Knox County Zoning Ordinance. PR zoning is not appropriate for every residential development, but is instead intended to encourage developers to use imaginative solutions to environmental design problems and to create developments that are compatible with adjacent zones. In this case, the adjacent zones are all Agricultural with an average density of only .14 du/ac. MPC staff has recommended a density of 3 du/ac despite expressly acknowledging that such a density is not compatible with adjacent zones. The 5 du/ac requested by S&E is even

worse. Rezoning the subject property to PR with a density that is acknowledged to be incompatible with the adjacent zones is not only contrary to the requirements of the Knox County Zoning Ordinance, but will also negatively impact the property values of the adjacent and surrounding properties. This is not to mention the effect that such a rezoning will have on the livability and value of the surrounding properties, which were purchased with the specific intent of living in a large-tract zone.

S&E's concept plan evidences that S&E envisions a development that is inconsistent with the surrounding area, the PR zoning guidelines, and MPC's staff recommendations. S&E has filed a concept plan that gives no consideration whatsoever to the purposes or requirements of PR zoning, nor to the impact the proposed development would have on the surrounding community. For instance, the concept plan depicts a 136-lot development on 40 acres, yielding a density of 3.4 du/ac. However, included within the proposed development are two existing houses on large plots of land that are not numbered and appear to only be included within the boundaries of the proposed development in order to attempt to dilute density. If these two plots are removed, then the development's true density is approximately 3.8 du/ac. MPC staff has recommended that any development of the subject property include large periphery lots to buffer the adjacent properties. However, approximately 50 periphery or adjacent lots depicted on the concept plan are .25 acres or smaller, with some being as small as .16 acres. This is incompatible with not only the Knox County Zoning Ordinance but also the MPC staff recommendations. Finally, MPC's PR guidelines require that at least 15% of the development be set aside as usable open space and recreational area. However, there is no open space or recreational area reserved on the concept plan other than 3 detention ponds. Again, this is incompatible with MPC requirements.

There are significant topographic and hydrologic concerns respecting the subject property. The subject property has historically been subject to heavy flooding. There is also known karst topography in the area, including a well-developed cave system that runs immediately beneath the subject property. These factors raise legitimate concerns about the safety and practicality of constructing a dense subdivision on the subject property, including high risks to surrounding property owners of increased flooding and sinkhole development.

There are risks of damage to nearby water and septic systems. Most of the immediately adjacent properties rely on well water and septic systems, both of which may be at risk of damage and contamination if this development moves forward as proposed.

Approving the proposed rezoning will exacerbate existing traffic conditions at the intersection of Millstone Lane and George Williams Road. This intersection serves as one of two main access points for West Valley Middle School. Because Millstone Lane is a dead-end street, every vehicle going to or from the proposed development must necessarily travel through this intersection. The intersection is already a point of major traffic congestion in the area – particularly when West Valley Middle School is in session – to the point that there are times when vehicles cannot move due to school traffic. While a traffic study has not yet been conducted, MPC staff has estimated that the proposed development will yield an additional 1,900 vehicle trips per day through this intersection, which will exacerbate a very significant problem.

Approving the proposed rezoning will exacerbate existing school overcrowding. West Valley Middle School is already overcrowded, and this proposed development, if approved at the requested or recommended densities, will result in additional students enrolling, again exacerbating an existing problem.

IN CONSIDERATION OF THE FOREGOING CONCERNS, the undersigned citizens request that MPC deny S&E's rezoning application. If a rezoning to PR is to be approved, however, the undersigned citizens request that the approved density be no more than 1.5 du/ac, which we believe would be a reasonable compromise between S&E's desire to develop the property for profit and the community concerns expressed above – particularly the zone compatibility issues presented by the surrounding properties. Finally, if a rezoning to PR is to be approved, we also request that MPC require all periphery lots within the proposed development to be 1 acre in size or more, which will allow for sufficient buffer between the surrounding lots and the development to minimize the impact that the development will have on the community's existing large lots and tracts, which are zoned Agricultural.

Change.org Millstone Neighbors Signature List for Opposition Property File: #7-D-16-RZ

Signator	City	State	Postal Code	Signed On
Mike Campbell	Knoxville	Tennessee	37922	7/28/2016
Nancy DeTrana	Knoxville	Tennessee	37934	7/28/2016
Cristie Rabalais	Brandon	Mississippi	39042	7/28/2016
Becky Walker	Knoxville	Tennessee	37917	7/28/2016
Leigh Ann Cheung	Knoxville	Tennessee	37922	7/28/2016
Chris Wingo	Knoxville	Tennessee	37922	7/28/2016
james gorney	Knoxville	Tennessee	37922	7/28/2016
Tanya Johnson	Lexington	South Carolina	29072	7/28/2016
Katie Giddens	Knoxville	Tennessee	37922	7/28/2016
Tinah Utsman	Knoxville	Tennessee	37917	7/28/2016
Tina Gibson	Knoxville	Tennessee	37922	7/28/2016
Amanda Davenport	Strawberry Plains	Tennessee	37871	7/28/2016
Ryan Blair	Knoxville	Tennessee	37920	7/28/2016
Catharine Hatcher	Knoxville	Tennessee	37920	7/28/2016
George Anas	McGaheysville	Virginia	22840	7/28/2016
jennifer fuson	knoxville	Tennessee	37917	7/28/2016
Carl Worsham	Knoxville	Tennessee	37922	7/28/2016
Tracy Wingo	Knoxville	Tennessee	37923	7/29/2016
Ed Shelley	Knoxville	Tennessee	37922	7/29/2016
Frances Thomforde	New Market	Tennessee	37820	7/29/2016
Beth neil	Lebanon	Tennessee	37090	7/29/2016
Gidget Deal	Knoxville	Tennessee	37918	7/29/2016
Sherrie McCarty	Knoxville	Tennessee	37922	7/29/2016
George Simler	Knoxville	Tennessee	37922	7/29/2016
George Sanford	Knoxville	Tennessee	37922	7/29/2016
Holly Williams	Knoxville	Tennessee	37909	7/29/2016
Carol Wingo	Knoxville	Tennessee	37922	7/29/2016
Kelly Rogers	Knoxville	Tennessee	37922	7/29/2016
Yvette Tobin	Knoxville	Tennessee	37922	7/29/2016
Valerie Mire	Knoxville	Tennessee	37919	7/29/2016
Thomas Ehrensing	Knoxville	Tennessee	37922	7/29/2016
Teresa Lange	Knoxville	Tennessee	37922	7/29/2016
Amanda Day	Knoxville	Tennessee	37922	7/29/2016
Deanna Ward	Knoxville	Tennessee	37922	7/29/2016
Karen Honeycutt	Knoxville	Tennessee	37922	7/29/2016
Lori Middleton	Knoxville	Tennessee	37922	7/29/2016
Sheri Campbell	Knoxville	Tennessee	37922	7/29/2016
Pamela Riffle	Salem	Virginia	24153	7/29/2016
SCOTT SIMS	Knoxville	Tennessee	37922	7/29/2016
Kati Sanford Goodner	Knoxville	Tennessee	37922	7/29/2016
Linda Staton	Knoxville	Tennessee	37932	7/29/2016
Velvet Schweitzer	Knoxville	Tennessee	37922	7/29/2016
Heather Ramey	Knoxville	Tennessee	37922	7/29/2016
Erika Adams	Lenoir City	Tennessee	37771	7/29/2016
Cathy Barnes	Knoxville	Tennessee	37934	7/29/2016
Holly Sanford	Knoxville	Tennessee	37922	7/29/2016
Alex DeTrana	Knoxville	Tennessee	37922	7/29/2016
Bradley Hatcher	Knoxville	Tennessee	37917	7/29/2016
Charles Griffin	Knoxville	Tennessee	37917	7/29/2016
Cathy Morrison	Knoxville	Tennessee	37931	7/29/2016
whitney lawrence	Knoxville	Tennessee	37923	7/29/2016

Erin Sanford	Knoxville	Tennessee	37929	7/29/2016
Brian Dunleavy Dunleavy	Knoxville	Tennessee	37923	7/29/2016
Tonya Fitzgerald	Knoxville	Tennessee	37922	7/29/2016
Amy Stanfield	Knoxville	Tennessee	37921	7/29/2016
Meredith Lind	Knoxville	Tennessee	37922	7/29/2016
Grace Novinger	Knoxville	Tennessee	37917	7/29/2016
Madeline Thompson	Knoxville	Tennessee	37923	7/29/2016
Nathan Goodner	Knoxville	Tennessee	37922	7/29/2016
Sarah Ringley	Morristown	Tennessee	37814	7/29/2016
Jessica Cudzilo	Knoxville	Tennessee	37922	7/29/2016
caroline mercer	Knoxville	Tennessee	37922	7/29/2016
Corey Cudzilo	Knoxville	Tennessee	37922	7/29/2016
Judy Justice	Knoxville	Tennessee	37919	7/29/2016
Cydney Hensley	Knoxville	Tennessee	37922	7/29/2016
James Cudzilo	Knoxville	Tennessee	37923	7/29/2016
Frank Hall	Knoxville	Tennessee	37931	7/29/2016
Beverly C Gibbons	Knoxville	Tennessee	37922	7/29/2016
Patricia Ehrensing	Knoxville	Tennessee	37922	7/29/2016
Sharon Giles	Powell	Tennessee	37849	7/29/2016
Matthew Evans	Knoxville	Tennessee	37919	7/29/2016
Katie Kehne	Knoxville	Tennessee	37922	7/29/2016
Les Anas	Salem	Virginia	24153	7/29/2016
Allison Jackson	Knoxville	Tennessee	37923	7/29/2016
Kayla McCullough	Hot Springs National Par	Arkansas	71901	7/29/2016
Jennifer Rieger	Knoxville	Tennessee	37934	7/30/2016
Jamie Mitchell	Montgomery	Alabama	36111	7/30/2016
Kelly Norrell	Knoxville	Tennessee	37919	7/30/2016
Susan Eiland	Knoxville	Tennessee	37922	7/30/2016
Susan Simler	Knoxville	Tennessee	37922	7/30/2016
Dean Burress	Knoxville	Tennessee	37916	7/30/2016
Lisa Polte	Knoxville	Tennessee	37919	7/30/2016
Angela Roberts	Knoxville	Tennessee	37922	7/30/2016
JoAnna Lochen	Orlando	Florida	32835	7/30/2016
Shannon Blevins	Knoxville	Tennessee	37922	7/30/2016
Gary Morgan	Knoxville	Tennessee	37922	7/31/2016
Missy Speaks	Knoxville	Tennessee	37934	7/31/2016
Libby McCammon	Knoxville	Tennessee	37934	7/31/2016
Mike Compton	Knoxville	Tennessee	37922	7/31/2016
Edwin Guion	Knoxville	Tennessee	37922	7/31/2016
Gina Rose Epperson	Knoxville	Tennessee	37924	7/31/2016
dan sparkes	Knoxville	Tennessee	37922	7/31/2016
Kevin Anderson	Knoxville	Tennessee	37922	7/31/2016
Jami Anderson	Knoxville	Tennessee	37922	7/31/2016
Rebecca Ware	Knoxville	Tennessee	37922	7/31/2016
Alex Marks	Knoxville	Tennessee	37923	7/31/2016
Sandra Cogburn	Knoxville	Tennessee	37922	7/31/2016
Connie Cole	Knoxville	Tennessee	37922	7/31/2016
Jennifer Kurtz	Knoxville	Tennessee	37922	7/31/2016
Bill Fitzgerald	Knoxville	Tennessee	37922	7/31/2016
Jeff Johnson	Knoxville	Tennessee	37917	7/31/2016
Suzanne Caruthers	Knoxville	Tennessee	37919	7/31/2016
Michele Jackson	Knoxville	Tennessee	37917	7/31/2016
Marti Townsend	Knoxville	Tennessee	37922	7/31/2016

susan price	Knoxville	Tennessee	37932	7/31/2016
cindy pack	Knoxville	Tennessee	37922	7/31/2016
Valerie Sanders	Knoxville	Tennessee	37922	7/31/2016
Leigh Seaman	Knoxville	Tennessee	37922	7/31/2016
Marc Rodriguez	Knoxville	Tennessee	37922	7/31/2016
Joanne Fuller	Knoxville	Tennessee	37922	7/31/2016
Eddie Mercer	Knoxville	Tennessee	37922	7/31/2016
Hazel Moxim	Knoxville	Tennessee	Knoxville	7/31/2016
Paul Pipkin	Knoxville	Tennessee	37922	7/31/2016
Sandra Kaplan	Knoxville	Tennessee	37931	7/31/2016
Sheri Weaver	Knoxville	Tennessee	37922	7/31/2016
Frank Long	Knoxville	Tennessee	37922	7/31/2016
Stephen Powell	Knoxville	Tennessee	37922	7/31/2016
Katina Bandy	Knoxville	Tennessee	37922	7/31/2016
Cindy Thomas	Knoxville	Tennessee	37922	7/31/2016
Robby Eddins	Knoxville	Tennessee	37934	7/31/2016
Roy Lessly	Knoxville	Tennessee	37922	7/31/2016
Casey Howard	Knoxville	Tennessee	37934	7/31/2016
Holly Aytes	Knoxville	Tennessee	37922	7/31/2016
Deanna Surber	Knoxville	Tennessee	37919	8/1/2016
Marcus Robertson	Knoxville	Tennessee	37922	8/1/2016
Cheryl McKenry	Knoxville	Tennessee	37909	8/1/2016
Isabel Urdal	Knoxville	Tennessee	37922	8/1/2016
Dan Baker	Knoxville	Tennessee	37922	8/1/2016
Heather Cook	Knoxville	Tennessee	37922	8/1/2016
April Ella	Knoxville	Tennessee	37922	8/1/2016
Jacqueline MacDonald	Knoxville	Virginia	37922	8/1/2016
Cortney Robertson	Knoxville	Tennessee	37922	8/1/2016
Kristie Hopwood	Knoxville	Tennessee	37922	8/1/2016
Victoria Ursitti	Knoxville	Tennessee	37922	8/1/2016
Vicky Dyer	Knoxville	Tennessee	37931	8/1/2016
Nancy Dunleavy	Knoxville	Tennessee	37923	8/1/2016
Chuck Moore	Knoxville	Tennessee	37922	8/1/2016
Kelly McPherson	Knoxville	Tennessee	37930	8/1/2016
Caroline Badgett	Knoxville	Tennessee	37922	8/1/2016
John Schwartz	Knoxville	Tennessee	37922	8/1/2016
Sheryldine Bates	Knoxville	Tennessee	37914	8/1/2016
Randall Armstrong	Knoxville	Tennessee	37934	8/1/2016
Craig Fernandes	Knoxville	Tennessee	37922	8/1/2016
Stan Hurt	Knoxville	Tennessee	37922	8/1/2016
Jennifer Baker	Knoxville	Tennessee	37922	8/1/2016
Vicky Estes	Knoxville	Tennessee	37922	8/1/2016
Giedrius Sodonis	Knoxville	Tennessee	37922	8/1/2016
Caitlin Stinnette	Knoxville	Tennessee	37923	8/1/2016
Sarah Badgett	Knoxville	Tennessee	37922	8/1/2016
Kathleen Whitcomb	Knoxville	Tennessee	37922	8/1/2016
Jesse Morgan	Knoxville	Tennessee	37922	8/1/2016
Zulette Melnick	Knoxville	Tennessee	37919	8/1/2016
steve vasgaard	Knoxville	Tennessee	37922	8/1/2016
Sally Hedgepeth	Knoxville	Tennessee	37922	8/1/2016
Susan Weeks	Knoxville	Tennessee	37922	8/1/2016
Stephen Ferrell	Knoxville	Tennessee	37922	8/1/2016
Maria Edwards	Knoxville	Tennessee	37922	8/1/2016

Nancy Dunn	Knoxville	Tennessee	37922	8/1/2016
Heather McLellan	Knoxville	Tennessee	37922	8/1/2016
Tammy Meyers	Knoxville	Tennessee	37922	8/1/2016
Amy Chumley	Knoxville	Tennessee	37917	8/1/2016
Bradley Flowers	Knoxville	Tennessee	37932	8/1/2016
Gabriel Woodson	Knoxville	Tennessee	37923	8/1/2016
Ron Lubke	Knoxville	Tennessee	37917	8/1/2016
Steven Moseley	Knoxville	Tennessee	37922	8/1/2016
George Laurence Krieps	Knoxville	Tennessee	37923	8/1/2016
Marietta Fargueson	Knoxville	Tennessee	37923	8/1/2016
Jay Meyers	Knoxville	Tennessee	37922	8/1/2016
KENNETH BARTLETT	Knoxville	Tennessee	37922	8/1/2016
Michelle Tamer	Knoxville	Tennessee	37922	8/1/2016
Megan Mansfield	Knoxville	Tennessee	37922	8/2/2016
Katie Wood	Knoxville	Tennessee	37923	8/2/2016
Martin Wood	Knoxville	Tennessee	37923	8/2/2016
Jessica Cheverton	Knoxville	Tennessee	37931	8/2/2016
Brian Kline	Knoxville	Tennessee	37922	8/2/2016
Kelly Piper	Knoxville	Tennessee	37909	8/2/2016
Melanie Kline	Knoxville	Tennessee	37923	8/2/2016
Leslie Adamczyk	Knoxville	Tennessee	Knoxville	8/2/2016
Joe Mansfield	Knoxville	Tennessee	37922	8/2/2016
Edward Strollo	Knoxville	Tennessee	37922	8/2/2016
Marianne & Kenneth Goodwin	Knoxville	Tennessee	37922	8/2/2016
Ryan Grose	Knoxville	Tennessee	37922	8/2/2016
Heatb Cheverton	Knoxville	Tennessee	37931	8/2/2016
Rebecca Gorney	Albany	New York	12210	8/2/2016
Michael Bazzett	Minneapolis	Minnesota	55409	8/2/2016
Martie Wood	Knoxville	Tennessee	37931	8/2/2016
Melissa Towle	Knoxville	Tennessee	37922	8/2/2016
Jessica Ritter	Knoxville	Tennessee	37931	8/2/2016
Marie Crawford	Knoxville	Tennessee	37922	8/2/2016
Melissa Slaymaker	Knoxville	Tennessee	37922	8/2/2016
Laura McFee-Adams	Knoxville	Tennessee	37934	8/2/2016
Natalia Hafner	Knoxville	Tennessee	37922	8/2/2016
William Pagett	Knoxville	Tennessee	37922	8/2/2016
Will Turcios	Knoxville	Tennessee	37922	8/2/2016
Jessica Wilson	Knoxville	Tennessee	37919	8/2/2016
Mary Bruer	Knoxville	Tennessee	37922	8/2/2016
Nolen Campbell	Knoxville	Tennessee	37922	8/2/2016
Steven Wrzesniewski	Knoxville	Tennessee	37922	8/2/2016
Bruno Bazzett	Minneapolis	Minnesota	55409	8/2/2016
Suzanne Carswell	Knoxville	Tennessee	37922	8/2/2016
Sean Bazzett	Knoxville	Tennessee	37922	8/2/2016
David Whitcomb	Knoxville	Tennessee	37922	8/2/2016
Derwin Hagood	Knoxville	Tennessee	37922	8/2/2016
Dennis Jeffers	Knoxville	Tennessee	37922	8/3/2016
David Kleinschmidt	Ward	Alabama	36922	8/3/2016
Donald Bailey	Knoxville	Tennessee	37922	8/3/2016
Andrea Mayfield	Knoxville	Tennessee	37922	8/3/2016
John McDonnell	Knoxville	Tennessee	37922	8/3/2016
grier novinger	Knoxville	Tennessee	37919	8/3/2016
Coral Turner	Knoxville	Tennessee	37922	8/3/2016

Charles Teague	Knoxville	Tennessee	37922	8/4/2016
Mary Teague	Knoxville	Tennessee	37922	8/4/2016

Comments

Name	Location	Date	Comment
Tanya Johnson	Lexington, SC	2016-07-28	Thus land is so important to my friends and neighbors to remain green space. I support thier decision
Katie Giddens	Knoxville, TN	2016-07-28	The traffic on this street because of traffic West valley school, safety of the children on this street, joggers, walkers and wild life that is abundant and have no where else to go if their habitat is taken away. Our street cannot handle any more traffic on this street. Traffic backs up of the morning and afternoon to pick up students at the school, blocks traffic and turn around in our drive ways, blocks our entrance to homes and mailboxes. Not safe.
Tinah Utsman	Knoxville, TN	2016-07-28	Keep it green!
Chris wingo	Knoxville, TN	2016-07-28	There is no way Millstone Lane can support this traffic. There is only one way in and one way out with this development. This would add over 1,900 cars per day passing by our homes. This is a safety issues. Keep Millstone and Freels the way is. A safe and great place to live!
james gorney	Knoxville, TN	2016-07-28	This is a unique, very quiet residential neighborhood with estate sized lots of several acres. Millstone Lane itself is a small country road, already bottlenecked twice each weekday, as it terminates at the entrance to West Valley Middle School. Adding densely populated sub-divisions to Millstone would result in unmanagable congestion. The entire special character of the neighborhood would be severely altered by excessive new development.
Nancy DeTrana	Knoxville, TN	2016-07-28	Our family recently purchased a home on Millstone lane due to the estate-sized lot and quiet street. This proposed development would change the face of this area, adding almost 2,000 car trips per day in this already congested area. This is such a unique neighborhood that would be irreversibly changed by this proposed development.
George Anas	McGaheysville, VA	2016-07-28	I have family in the neighborhood and we visit often. We appreciate what it is now and do not want the area developed.
jennifer fuson	knoxville, TN	2016-07-28	Stop. Just stop.
Catharine Hatcher	Knoxville, TN	2016-07-28	This is a beautiful quiet deadend neighborhood. The homes are all on very large estate sized lots. The proposed development would be a a traffic nightmare and an eyesore.
Carl Worsham	Knoxville, TN	2016-07-28	Traffic will be dangerous for the neighborhood and school children attending the nearby school. Also the existing road will be hazardous to existing homes due to location of driveways that cannot be relocated.
Frances Thomforde	New Market, TN	2016-07-29	I have friends in this area and I have worked at Weat Valley Middle and understand the congestion that is already present in this neighborhood. This little conclave cannot support the housing density that is being proposed. Please stop this plan as it is now written.
Beth neil	Lebanon, TN	2016-07-29	ruining land with house developments that are cheap,small-no lot line-ruin values of other homes that have been there for years.EYE SORE FOR LIFE
Beth neil	Lebanon, TN	2016-07-29	It ruins the value of homes that have been there for years-cheap homes-no lot lines.A complete eye sore for this spot of land that is getting harder and harder to find in communities of America.
George Sanford	Knoxville, TN	2016-07-29	I am signing to oppose S&E Properties plan to over develop our local community on Millstone Lane.
Carol Wingo	Richland, WA	2016-07-29	This is a small residential street and no capacity for that kind of extra traffic.

Name	Location	Date	Comment
valerie mire	Knoxville, TN	2016-07-29	This plan will negatively impact the value of the estate sized properties in that area. Additionally morning traffic is already dangerous on George Williams due to plenty of rental properties and the middle school. Traffic will impact other established neighborhoods in George Williams.
Thomas Ehrensing	Knoxville, TN	2016-07-29	This has to be the worst planed residential concept ever offered. Millstone and Freel's may be the last two one lane roads in Knoxville! 136 homes will butcher this neighborhood.
Amanda Day	Knoxville, TN	2016-07-29	I live in the traffic zone. Too much!
deanna ward	knoxville, TN	2016-07-29	We don't need more houses off George Willisms to over crowd streets/schools!!
Kati Sanford Goodner	Knoxville, TN	2016-07-29	Our community cannot continue to support short-sighted high density/low quality development designed to maximize profit for the developers at the expense of the land, the infrastructure, and the quiet and agricultural character of the community. Approval of the proposed development would destroy much of what is valued by the community, and would significantly devalue the homes and property in the area around it.
C Barnes	Knoxville, TN	2016-07-29	We have an interest in this property stays more rural
Holly Sanford	Knoxville, TN	2016-07-29	Too much development for this area.
Tina Gibson	Knoxville, TN	2016-07-29	My husband has lived on Freels Lane 45 years and I have been here almost 20. We have watched George Williams, Fox, Confederate, and Peters Road in the past 10 years become saturated with growth. The schools are overcrowded as is. West Valley Middle school traffic is horrendous for those of us living on Millstone and Freels. I get blocked out of my own neighborhood by rude parents that are making U-turns or lining up to meet their kids. I've almost had head on collisions with parents turning around at the top of Freels. It's ridiculous! Our area cannot support more traffic, not to mention the eye sore a high density subdivision will add, and how this will affect our property values. This is such a beautiful area. Please help us maintain some green space.
Cathy Morrison	Knoxville, TN	2016-07-29	Let's keep some of God's nature intact and not develop every inch of land and killing all the trees and wildlife.
Brian Dunleavy Dunleavy	Knoxville, TN	2016-07-29	have a financial interest
Tonya Fitzgerald	Knoxville, TN	2016-07-29	To have a neighborhood of that volume there would be a nightmare for traffic.. There is no way the streets can be widened and could handle the volume of traffic.
Meredith Lind	Concord, TN	2016-07-29	We live around the corner from the road. The traffic around west valley middle school is terrible during the school year. This area can't handle anymore traffic. Please leave that property to be residential. We walk , run and ride bikes on that road because of the low car traffic.
Grace Novinger	Knoxville, TN	2016-07-29	This is a unique and rare area in Knoxville where houses are not on top of each other. Let's keep it that way!
Madeline Thompson	Knoxville, TN	2016-07-29	We don't need more houses

Name	Location	Date	Comment
Jessica Cudzilo	Knoxville, TN	2016-07-29	If proof is needed of how deeply greenspace is appreciated simply watch the amount of people who use our dead end streets as respite from their busy neighborhoods to walk their dogs, go for a run or take a leisurely stroll as a family. Our family is not ignorant of the fact that money is a powerful monster, but we'd be doing the wildlife a disservice to not speak up on their behalf. Our young girls have learned about deer - does and bucks - turkeys, what coyotes sound like when they howl in unison, turkeys and the latest sighting - a fox - all from their backyard! Of all the reasons this development would be disastrous, as a homeschooling mom, this pangs me the most.
Judy Justice	Knoxville, TN	2016-07-29	For many years I have regularly had occasion to drive on Millstone and Freels Lanes and am quite familiar with the traffic problems and safety issues resulting from the fact that the entrance to West Valley Middle School on George Williams Road is at the only point of access to these small dead end lanes. There is simply no room at the entrance to Millstone Lane for any significant increase in traffic volume.
Cydney Hensley	Knoxville, TN	2016-07-29	It is one of the few places in Knoxville that hasn't been developed and I would love to see it kept that way. You pull into Freels Lane and feel like you're in a completely different town, while not having left - it's so beautiful. I would hate to see it become a huge neighborhood.
Beverly C. Gibbons, Ph.D.	Knoxville, TN	2016-07-29	<p>Twenty years ago I took a walk during a late winter snow and discovered the beautiful, barely touched land owned by "Moose" and Joanne Schwartzburg. Before selling us four acres, they vetted us heavily regarding our commitment to preserve the natural environment and agricultural nature of the neighborhood.</p> <p>We have lived here now for eighteen years; and it is a beautiful, rural 'home place' for us near busy centers of Knox County.</p> <p>But Millstone Lane is not just for us. Our family from all over the country come here to visit and stay with us. And neighbors from many streets nearby come with dogs, children, and aged parents to walk the quiet road and enjoy the open fields and wooded areas we are fighting to preserve.</p> <p>The proposed development plan would destroy all this, creating massive traffic problems, overcrowding our school, lowering property values, and destroying green space and the character of the neighborhood. Please vote no on the rezoning and development proposal from S&E Properties.</p>
Nathan Goodner	Knoxville, TN	2016-07-30	I'm not adverse to development and change; I just believe a project like this should support and enhance the surrounding community. This specific development fails to consider either of these goals. It's objective seems to only center around a bottom line. Please come up with a plan that the community can rally behind and future infrastructure can realistically support.
Susan Simler	Knoxville, TN	2016-07-30	This area is beautiful and the natural habitat of so many animals. Please don't destroy it.
Lisa Polte	Knoxville, TN	2016-07-30	Leave green space as is. This lovely quiet community does not need disruption. There is a school next door that needs protection.
Angela Roberts	Knoxville, TN	2016-07-30	not conducive for that area
Angela Roberts	Knoxville, TN	2016-07-30	Too much traffic for this small private road.
JoAnna Lochen	Orlando, FL	2016-07-30	I care!
Gary Morgan	Knoxville, TN	2016-07-31	There is already heavy traffic on George Williams Road and speeding is also a problem. West Valley Middle School is also overcrowded.
Howdy Guion	Knoxville, TN	2016-07-31	Traffic issues are already significant. This development would make them much worse.

Name	Location	Date	Comment
dan sparkes	Knoxville, TN	2016-07-31	green spaces need to be maintained and not destroyed.
Kevin Anderson	Knoxville, TN	2016-07-31	9301 George Williams Road
Kevin Anderson	Knoxville, TN	2016-07-31	Seeing is believing https://drive.google.com/file/d/0B8_Y2vTCqQ4hOEZXRmxMcFFkbnM/view?usp=sharing
Rebecca Ware	Knoxville, TN	2016-07-31	I live in the area and traffic is already a nightmare. Please don't develop what little green space there is left in West Knoxville.
Sandra Cogburn	Knoxville, TN	2016-07-31	This subdivision would create over crowding in an already dense area leading to increased overcrowding in our schools.
Bill Fitzgerald	Knoxville, TN	2016-07-31	This would create traffic mess
Marti Townsend	Knoxville, TN	2016-07-31	We have more than enough subdivisions but not enough greenspace.
cindy pack	Knoxville, TN	2016-07-31	I live in the area . There is no realistic way that area can support the proposed additional housing , traffic, and infrastructure . I also fear for the safety of the children attending West Valley. Too much traffix will be forced through an already busy school zone!
Valerie Sanders	Knoxville, TN	2016-07-31	Further housing development in the area directly surrounding West Valley Middle School would be irresponsible. The petition letter covers many of the reasons perfectly well, but doesn't emphasize one important point - urban sprawl and land destruction in Knox Co are out of control. It would be wonderful to see leadership take the stance of preserving land, habitats, and green areas as much as possible. There are plenty of buildings and houses that already exist that just need to be remodeled or repurposed. Knox Co needs to think long term. A building should be built to last for hundreds of years and the undeveloped land should be preserved for future generations. The disposable culture is unsustainable and irresponsible. Now let's see if the decision makers will listen to the people that know the area best - the community that lives there!
Leigh Seaman	Knoxville, TN	2016-07-31	Overdevelopment in this area of Knoxville has already caused problems due to insufficient infrastructure. Space on roads, space in schools...this area is not conducive to the development proposed.
Ed Mercer	Knoxville, TN	2016-07-31	In support of Homeowners that live on Millstone and Freels Ln. Property should be developed to compliment surrounding properties not to devalue them.
Hazel Moxim	Knoxville, TN	2016-07-31	Too many developments are being approved without any consideration of traffic and the current communities that purchased homes based upon the extended area around their home. Developers have way too much influence and the existing communities have way too little influence. Stop over developing the west side of Knoxville!
Stephen Powell	Knoxville, TN	2016-07-31	I believe we do not need this additional population density added to our roads and schools. The roads are really not aduaquat for the existing population much less increasing the density. Land use should be for single homes only.
Katina Bandy	Knoxville, TN	2016-07-31	I live in this area and don't want an increase in traffic.
Vicky Dyer	Knoxville, TN	2016-08-01	I have friends that this will affect.
Chuck Moore	Knoxville, TN	2016-08-01	Density way too high, too mych traffic on George Williams Rd. Mark my words there will head on collisions with too much traffic.

Name	Location	Date	Comment
Caroline Badgett	Knoxville, TN	2016-08-01	These families bought their property with the intent and assumption they would have a lot of land. Traffic is a major issue for all the neighborhoods around. We do not need any more housing developments around this area. Do not force these families to give up any of their land.
John Schwartz	Knoxville, TN	2016-08-01	Housing density too high for proposed development, and increased traffic will reduce safety for school children at West Valley Middle School. Also, during pick-up and drop-off times at the school the George Williams Rd is backed up; I could not even imagine the mess traffic will be with the additional cars from a new development as proposed.
Stan Hurt	Knoxville, TN	2016-08-01	We cannot stand the additional traffic of potentially 400 autos.
Jesse Morgan	Nashville, TN	2016-08-01	This is close to my neighborhood so I'd rather not see another development in the area. I do not want to have additional traffic to the area.
Zulette Melnick	Knoxville, TN	2016-08-01	Development plan entirely too dense for roads surrounding West Valley Middle School. This is also too dangerous for this small road with houses having no easements
steve vasgaard	Knoxville, TN	2016-08-01	It is inappropriate and too dense and traffic there is already bad during school. Plus the zoning
Susan Weeks	Knoxville, TN	2016-08-01	Increased traffic on George Williams will become even more dangerous. I moved here for the peaceful setting. We do not need another development In this area. All the green space and natural habitat for wildlife is in danger of perishing
Nancy Dunn	Knoxville, TN	2016-08-01	The traffic and overcrowding at WVMS is already a concern; this will make a disaster.
Heather McLellan	Knoxville, TN	2016-08-01	There is already too much traffic congestion on George Williams.
Gabriel Woodson	Knoxville, TN	2016-08-01	Such a beautiful part of Knoxville that would be a shame to lose to this type of over development.
George Laurence Krieps	Knoxville, TN	2016-08-01	Growth without planning for growth sake is chaos. And is in fact not growth at all, but a retraction of freedom.
Marietta Fargueson	Knoxville, TN	2016-08-01	Sergio Fargueson
KENNETH BARTLETT	Knoxville, TN	2016-08-01	I do not want all the extra traffic flow through our neighborhood
Katie Barnes	Sylva, NC	2016-08-02	Personal interest vested in this area of town. Also travel through mentioned intersection quite frequently (daily) and already find it to be congested.
Joe Mansfield	Knoxville, TN	2016-08-02	Concerned about traffic and congestion around the school
Rebecca Gorney	Burlington, VT	2016-08-02	My parents have lived on Millstone lane for nearly 25 years. It is a sanctuary of quiet and peacefulness in a growing city. The area has changed too much so quickly and more traffic, more people and more development is not needed!
Michael Bazzett	Minneapolis, MN	2016-08-02	This development is just flat-out a bad idea. Common sense.
Martie Wood	Knoxville, TN	2016-08-02	I have seen so many development approvals that sound reasonable at the time but turn into a totally different situation. That part of Knoxville is already quite overdeveloped, the additional strain on the school traffic and safety is not worth the profits by the development industry. We have to keep some agricultural areas in our county and city.
Marie Crawford	Knoxville, TN	2016-08-02	This proposed development will create massive overcrowding in this area.

Name	Location	Date	Comment
William Pagett	Knoxville, TN	2016-08-02	The two lane streets throughout this area are already dangerous due to the existing volume of traffic. The additional traffic generated by an additional 136 single-family homes will further degrade an already dangerous condition even further.
Steven Wrzesniewski	Knoxville, TN	2016-08-02	I believe this new subdivision would impact all of the current residences located in this area as well as West Valley Middle School. The layout of the project appears to be building large number residences in a relatively small area will create a safety issue with the increase use of the narrow roads in this area and George Williams which cannot support the increased traffic. The increase of students into the Knox County School System will cause additional stress on the already overcrowded facilities, understaffed and underpaid faculty thus causing taxes to be increased causing a burden on fixed income residence in the area.
Donald Bailey	Knoxville, TN	2016-08-03	I oppose the development
Andrea Mayfield	Knoxville, TN	2016-08-03	My family has enjoyed this beautiful rural homestead in suburban West Knoxville for nearly 20 years and we wish to maintain it's natural beauty and peaceful country surroundings.
Charles Teague	Knoxville, TN	2016-08-04	I agree with the complete wording of this petition.
Mary Teague	Knoxville, TN	2016-08-04	I agree with the concerns set forth in this petition.

REZONING PLAN AMENDMENT

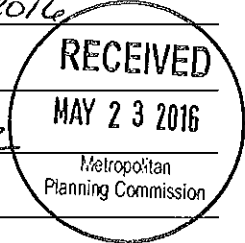
Name of Applicant: S+E Properties

Date Filed: 5/23/2016 Meeting Date: 7/14/2016

Application Accepted by: M. Payne

Fee Amount: \$3500.00 File Number: Rezoning 7-D-16-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: Millstone Lane, Freels Lane
General Location: 3/4 Millstone Ln, 1/4 Freels Ln.

Parcel ID Number(s): 132-04909, 132-04918
132-04917

Tract Size: 40.34 acres

Existing Land Use: Residential

Planning Sector: Southwest County

Growth Policy Plan: Planned

Census Tract: 5707

Traffic Zone: 234

Jurisdiction: City Council _____ District
 County Commission 5 District

Requested Change
REZONING

FROM: Ag

TO: PR (5 du/acre)

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Residential

Density Proposed 5 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Eric Moseley

Company: S+E Properties

Address: 405 Montbrook

City: Knoxville State: TN Zip: 37219

Telephone: 454-3727

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: _____

Company: Same as above

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: Eric Moseley

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

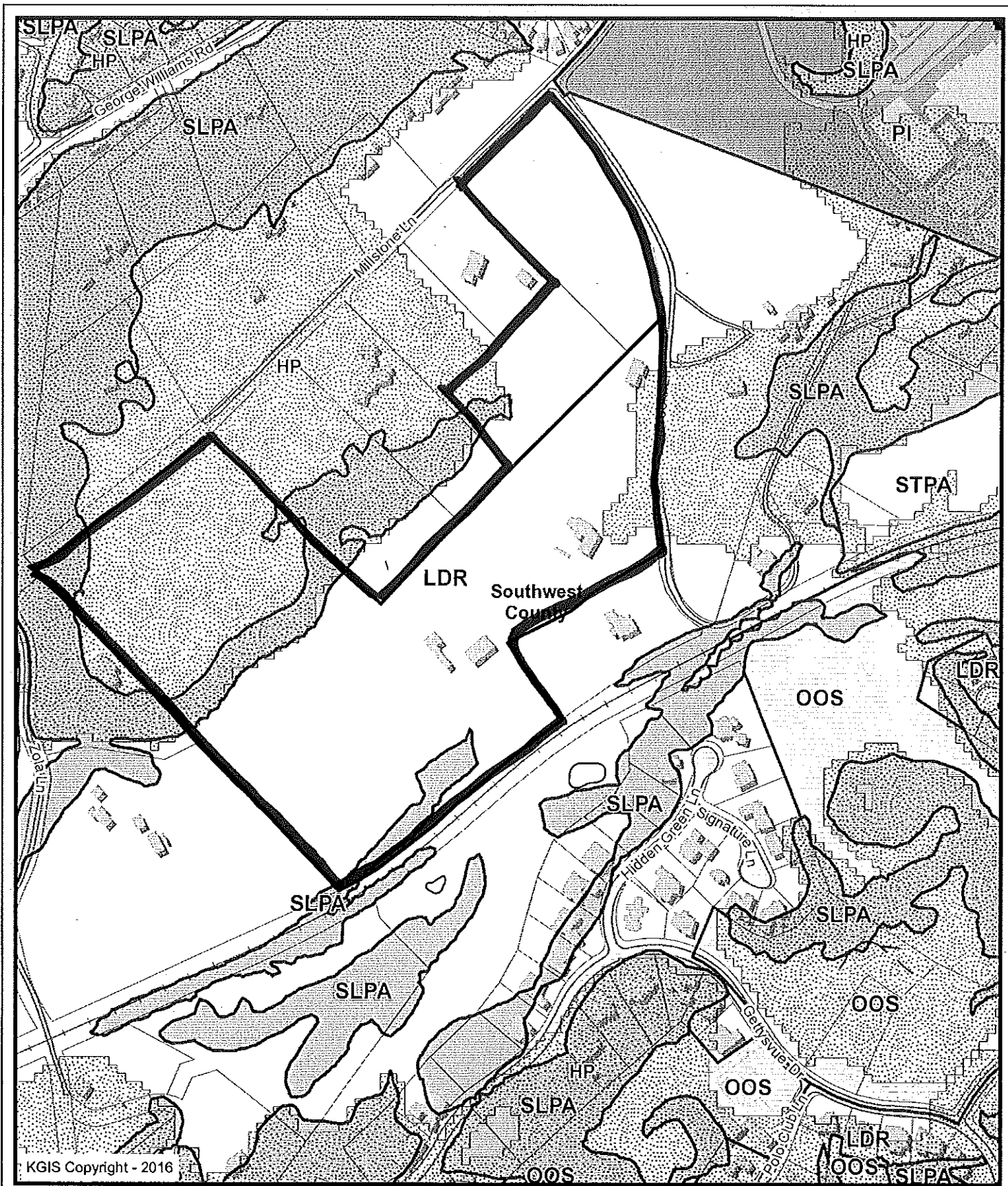
(If more space is required attach additional sheet.)

Name	Address	•	City	•	State	•	Zip	Owner	Option
<i>Eriz Moseley</i>	<i>405 Montbrook</i>								<i>X</i>

Eriz Moseley

405 Montbrook

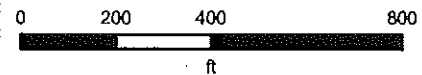
X



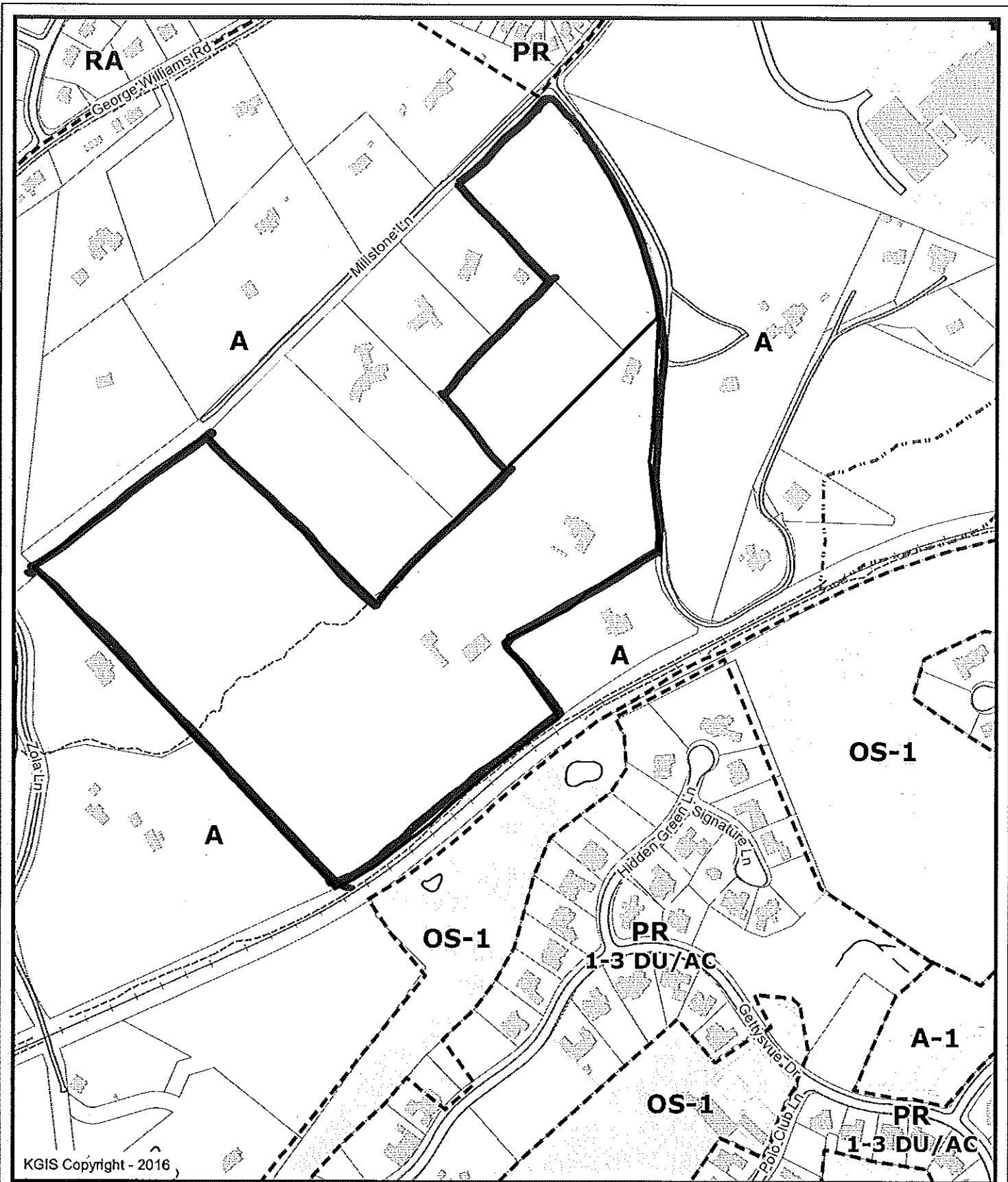
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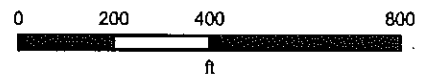


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