

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 7-A-13-UR **AGENDA ITEM #:** 58
 POSTPONEMENT(S): 7/11/13-3/9/2017 **AGENDA DATE:** 4/13/2017
 ▶ **APPLICANT:** SOUTHLAND ENGINEERING
 OWNER(S): Southland Engineering Consultants

TAX ID NUMBER: 120 E D 001 [View map on KGIS](#)
 JURISDICTION: City Council District 2
 STREET ADDRESS: 7144 Deane Hill Dr
 ▶ **LOCATION:** South side of Deane Hill Dr., east side of Winchester Dr.
 ▶ **APPX. SIZE OF TRACT:** 2.19 acres
 SECTOR PLAN: West City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Winchester Dr., a local street with a pavement width of 26' with a 50' wide right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Fourth Creek

▶ **ZONING:** RP-1 (Planned Residential) pending
 ▶ **EXISTING LAND USE:** Duplex & vacant land
 ▶ **PROPOSED USE:** Attached residential development
 3.64 du/ac
 HISTORY OF ZONING: Rezoning of the site to RP-1 at 5.99 du/ac was approved by City Council in 2014
 SURROUNDING LAND USE AND ZONING: North: Detached dwellings / RP-1 residential
 South: Norfolk-Southern R.R. / R-1 residential
 East: Detached dwelling / RP-1 residential
 West: Detached and duplex dwellings / R-1 residential
 NEIGHBORHOOD CONTEXT: The site forms the eastern boundary of the Deane Hill Estates Subdivision. Development in this subdivision consists of a mixture of detached and duplex dwellings. Norfolk-Southern Railroad forms the southern boundary of the site. A new detached residential subdivision has been developed to the north of the site on what was part of the Deane Hill Country Club property.

STAFF RECOMMENDATION:

- ▶ **APPROVE the request for up to 8 attached dwellings (6 new and 2 existing dwellings) on this site as shown on the development plan subject to 8 conditions**
1. Connection to sanitary sewer and meeting all other relevant requirements of the Knox County Health Dept.
 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 3. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for this project.

4. Meeting all other applicable requirements of the Knoxville City Arborist.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Certification on the final plat by the applicant's surveyor that there is 300 feet of sight distance in both directions at each driveway looking onto Winchester Dr.
7. Establishment of a homeowners association that will be responsible for maintenance of the stormwater control facilities and other commonly held assets
8. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to obtaining any building permits.

With the conditions noted, this plan meets the requirements for approval in the RP-1 District and the other general criteria for approval of a use on review.

COMMENTS:

The applicant is proposing to construct six attached dwellings on this site at the present time. The development will consist of three new residential structures with each building containing two dwelling units. The other two units were built when the site was zoned R-1 (Low Density Residential). Knoxville City Council approved rezoning this property to RP-1 (Planned Residential) at 5.99 du/ac. The plan as submitted complies with the density limits established by the current zoning.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed development will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed plans for the residential development will have minimal impact on the adjoining uses considering that the site is located in an area of other attached and duplex type residential uses.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed residential development meets the standards for development within the RP-1 (Planned Residential) District and all other relevant requirements of the Zoning Ordinance.
2. The proposed residential development is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the site has direct access to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan recommends LDR (Low Density Residential) use for the area. The proposed plans are consistent with the Sector Plan
2. The site is located within the City as shown on the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 76 (average daily vehicle trips)

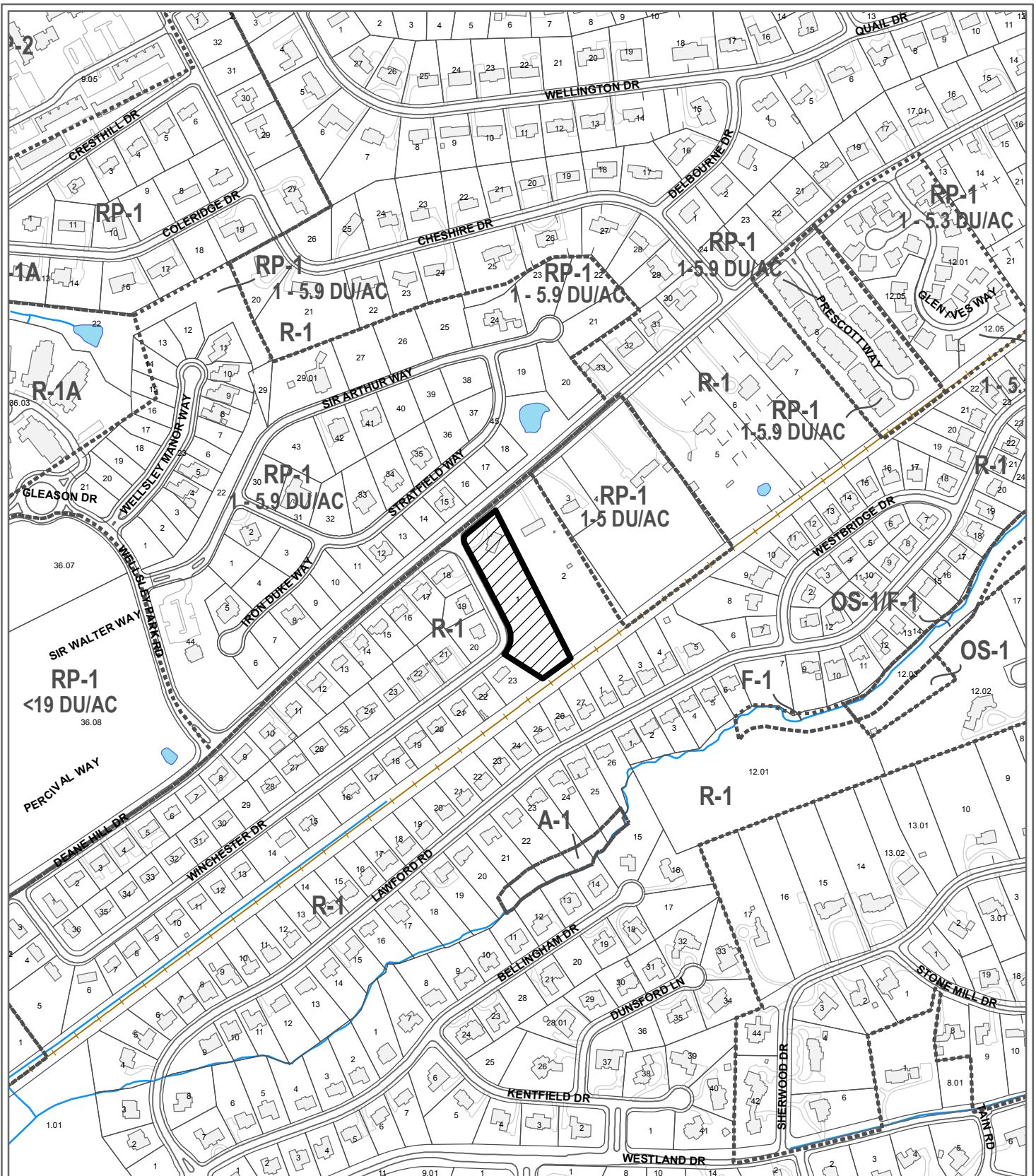
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 0 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West 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.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**7-A-13-UR
USE ON REVIEW**

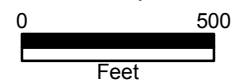


Attached residential development in RP-1 (Planned Residential) pending

Petitioner: Southland Engineering

Map No: 120

Jurisdiction: City



Original Print Date: 6/27/2013

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

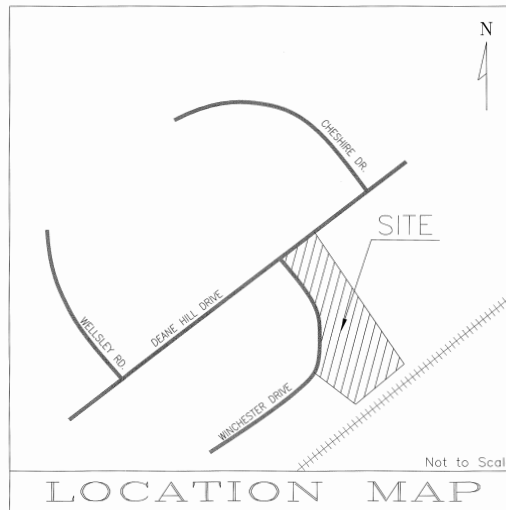
CONCEPT & DESIGN PLAN
FOR

CHECKERBOARD COTTAGES
ON DEANE HILL DRIVE

CLT MAP 120ED, PARCEL 1
47 WARD, CITY BLOCK # 47630, CITY OF KNOXVILLE
DISTRICT-9, KNOX COUNTY, TENNESSEE

INDEX OF PLANS

| SHEET NO. | DESCRIPTION |
|-----------|-------------------------------|
| 1 | TITLE SHEET |
| 2 | SITE, GRADING & DRAINAGE PLAN |
| 3 | LANDSCAPE PLAN |



SOUTHLAND ENGINEERING CONSULTANTS, LLC
GENERAL CIVIL & LAND SURVEYORS
4907 BALL ROAD
KNOXVILLE, TENNESSEE 37931
PHONE: (865) 694-7756
FAX: (865) 693-9699
E-MAIL: wrghabi@sengconsultants.com

OWNER:
PRIMOS LAND COMPANY, LLC
4907 BALL ROAD
KNOXVILLE, TENNESSEE 37931
PHONE (865) 694-8582

SITE ADDRESS:
7144 DEANE HILL DRIVE
KNOXVILLE, TENNESSEE 37919

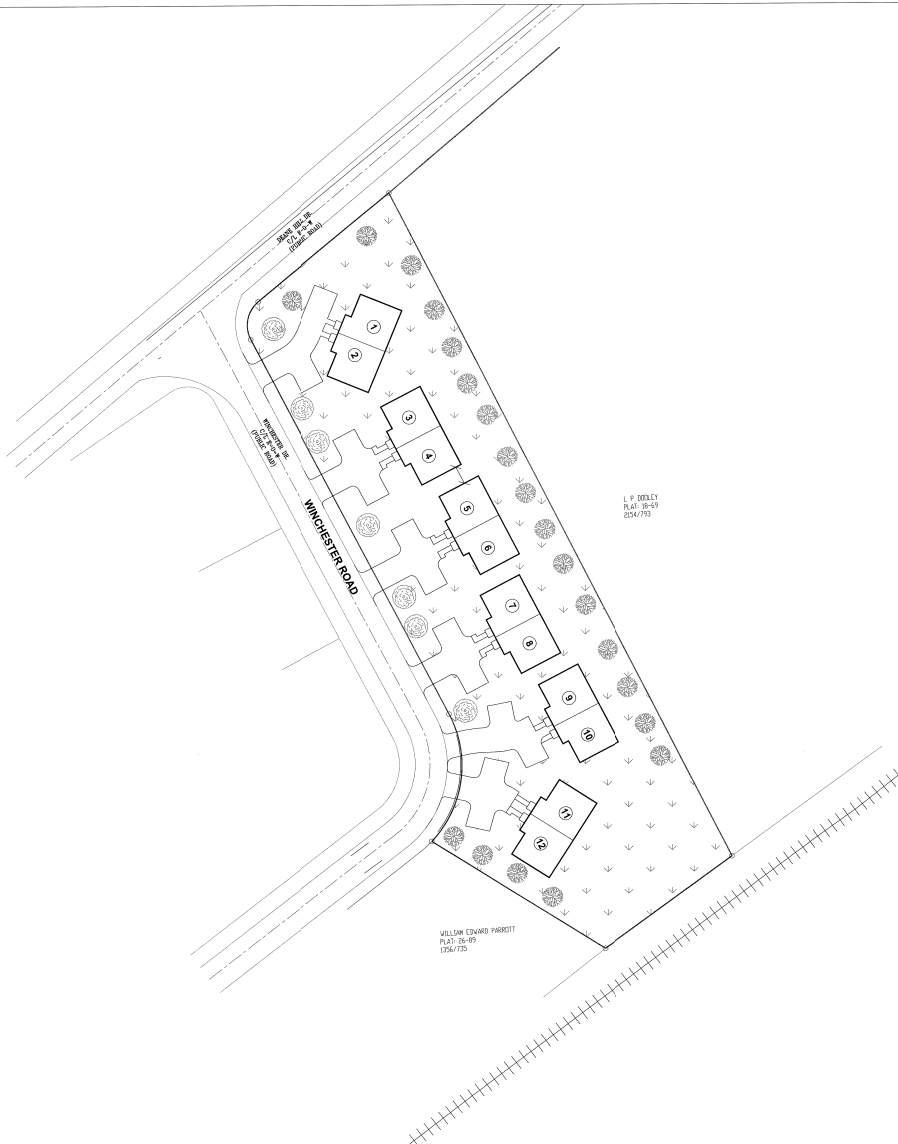


MAY 16, 2013

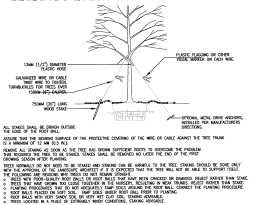
7-A-13-UR Revised: 11-30-16

SHEET 1 OF 3 SHEETS

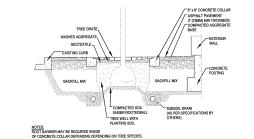
RHS-05-13-TS



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TREE PLANTING DETAIL - TREES 75MM (3.0 IN.) CALIPER OR LARGER



TREE WELL DETAIL

LANDSCAPING NOTES AND SCHEDULE

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DEVELOPER SHALL MAINTAIN ALL TREES AND SHRUBS IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.

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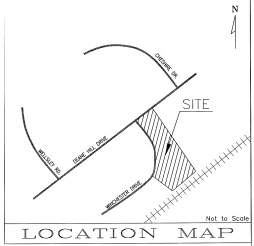
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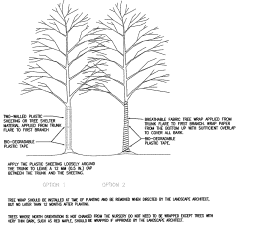
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NOTE CONF. # 102650173
THREE DAYS PRIOR TO ANY EARTHWORK OR CONSTRUCTION CONTRACTOR MUST CONTACT:
TENNESSEE ONE-CALL
1-800-351-1111
RECORD AND SAVE YOUR CONFIRMATION NUMBER.



TREE WRAPPING DETAIL

| SYMBOL | COMMON | PLANT MATERIAL | SIZE | NOTES |
|---------------|--------|---------------------------------|----------------------|-------|
| (Tree Symbol) | TREE | MAPLE | 8" DBY 10' CAL | |
| (Tree Symbol) | TREE | LYLAND O/PREE OR CLEVELAND PEAR | 8" DBY 10' CAL | |
| (Lawn Symbol) | LAWN | NY 51 PEGSAC | 50 LBS/50 20' DIA | |

SITE ADDRESS:
2004 BELLE TERRA ROAD
KNOXVILLE, TENNESSEE 37923

OWNER/DEVELOPER:
RUFUS H SMITH JR & COMPANY
4907 BALL ROAD
KNOXVILLE, TENNESSEE 37931
PHONE (865) 694-8582
FAX (865) 693-9699

SOUTHLAND ENGINEERING CONSULTANTS, LLC
GENERAL CIVIL & LAND SURVEYORS
4909 BALL ROAD
KNOXVILLE, TENNESSEE 37931
PHONE: (865) 694-7756
FAX: (865) 693-9699
Email: wgh@seco.com
www.southlandengineering.com

| DESIGNED | WAR | APPROVED | ENGINEER |
|----------|-----|----------|----------|
| DRWVN | WAR | | |
| CHECKED | WAR | | |

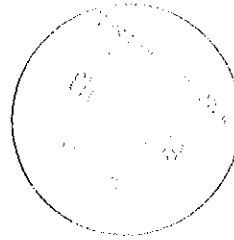
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SCALE
HORIZONTAL: 1"= 50'
CONTOUR INTERVAL: 2'
DATE
5-16-2013
DEED REF. INST. #200909030017341
CONTOUR INTERVAL: 2'

LANDSCAPE PLAN FOR
CHECKERBOARD COTTAGES
ON DEANE HILLE DRIVE
CLT MAP 120ED, PARCEL
47 WARD, CITY BLOCK # 47530, CITY OF KNOXVILLE
DISTRICT-9, KNOX COUNTY, TENNESSEE
RHS-05-13-LP
SHEET 3 OF 3 SHEET(S)

9/13/13

MPC



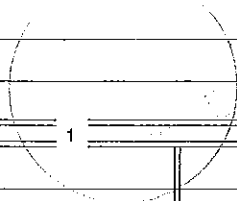
MA-13-UR

I have been up to your office a time or two and to your meetings several times. My family and I live on Deane Hill Drive and our street seems to be the hot bed for development in Bearden. We would like to register our disagreement with the wholesale way development after development is being approved with no consideration as to how this affects our lives. Deane Hill is a narrow ditched road with heavy traffic. You guys continue to say on your approval recommendations something like 'the schools and the road will not be negatively affected'. Granted one development would not impact us but 249 apartments, 28 proposed units next door to my house and the Winchester development that was approved for 10 units – when does a cumulative number of vehicles become an issue? Surely the cumulative additional vehicles create some concern.

I have included with this letter a copy of the 43 petitions disagreeing with how our area is being developed. Heck, I am a CPA with several construction contractor clients so I believe in development but it just seems logical that it should incorporate improvements to Deane Hill Drive.

To not seem totally negative, I would like to thank you for recommending that the density stay at 5.49 or whatever on the Winchester property. Everyone in the neighborhood was amazed that the developer or his representative said they were doing the neighborhood a favor to develop that land. That seemed like a novel approach to development to all of us.

Jack Sherrod and Family
7116 Deane Hill Drive
Knoxville, TN 37919-5809
(O) 588-7459 (H) 776-9445



✓ (10)

✓ (14)

✓ (8)

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| | WINCHESTER | | Chesham | |
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43 Identical Petitions submitted and on file

June 19, 2013

Councilman Duane Grieve:

We would like to be heard by the Mayor and City Council about matters that are affecting our neighborhood - specifically planned developments and traffic issues in and around Deane Hill Drive.

Sincerely,

Deane Hill Area Residents

Signed: Thomas J. Mattingly Date: 6-21-12
Print Name: THOMAS J. MATTINGLY

Signed: Susan Mattingly Date: 6-29-12
Print Name: SUSAN MATTINGLY

Address: 16715 Deane Hill Drive
37919

June 19, 2013

Councilman Duane Grieve:

We would like to be heard by the Mayor and City Council about matters that are affecting our neighborhood - specifically planned developments and traffic issues in and around Deane Hill Drive.

Sincerely,

Deane Hill Area Residents

Signed: Mary V Wolf Date: 6/20/13
Print Name: MARY V WOLF

Signed: Stefanie Wolf Trephorn Date: 6-30-13
Print Name: Stefanie Wolf Trephorn

Address: 11009 Deane Hill Dr.
Knoxville, TN 37919

865-357-0087

We have (previously) suggested
at least one sidewalk, No
18 wheelers, speed limit should
be 30 miles per hour (S. Peter St.
is a 4-lane w/ sidewalks and is
MPQ April 13, 2017 and we need a stop sign) Agenda Item # 58

Jack Sherrod

From: Eckert, Virginia W. <Virginia.Eckert@alcoa.com>
Sent: Tuesday, June 25, 2013 10:10 AM
To: jescpa@bellsouth.net
Subject: Deane Hill

Jack & Lavonne.....I live at 7013 Deane Hill and received your letter regarding development in the neighborhood. It's in the mail back to you.

As I'm sure you do, I have story after story regarding speed, inconsiderate speeders, more than heavy traffic, along with cars and car parts in the yard!

If Duane Grieve and the Major have agreed to meet with us, I believe we should take them up on the offer.

I know the neighbors around me and they also are very disgruntled with the neighborhood traffic.

Let me know how I can help.

Virginia Eckert
7013 Deane Hill Drive

Jack Sherrod

From: Barbara <bebell1@bellsouth.net>
Sent: Sunday, June 30, 2013 10:40 PM
To: jescpa@bellsouth.net

email

Hi Deane Hill Neighbor:

My name is Barbara Bell and I live at 7204 Deane Hill Drive. My late husband (Richard Feron) and I moved here in 2001. We really have enjoyed the neighborhood except for the traffic. We have lost our mail box several times and have to wait for ever to get out our driveway. My husband talked to our City Council person when they were going to block off Golf Club and when they built the development on Wellsley Park Road and got no where.

I agree there needs to be something done to cut down on the traffic and to slow it down. I'm mailing back to you the signed letter and hope it helps. Please let me know of any progress and if I can be of any futher help. My e-mail address is: bebell1@bellsouth.net, phone # 865-693-7997.

TThank you,

Barbara Bell

Here is a brief of letter I sent to Planning Commission.

I have lived on Winchester for 32 years. It is a quite a peaceful neighbor hood. Most of the people living on Winchester are retired older couples. Some like myself are in their 80's + still working.

It is almost impossible to turn right on to Deane Hill between 6:30 + 9:00 in the AM + 4:30 to 6:00 in afternoon because traffic is so heavy, forget about trying to turn left on DH.

DH is used for a short cut to Kingston Pike off Marcell Road.

We can't handle another 60 to 80 cars.

When in the couple park 40, 60, 80 cars on the street, you can hardly drive down Winchester because of cars parked in the street, especially on the curve at the east end.

The duplex he has on corner of DH + Winchester has as many ^{as} 7 cars parked in the yard.

Many times I have waken 2 to 4 a.m. when car coming flying down Winchester + fails to make the curve + goes flying into that field at the ^{corner} end.

We cannot handle another 50 to 80 cars on the street

Please! Oh Please! ~~ending~~ ending this rezoning because if Smith 20 units he will try to squeeze in 50 units.

Virginia Bestfield



Graphic Design, Printing, Mailing...all under one roof. You'll See a World of Difference.

6131 Industrial Heights Dr. • Knoxville, TN 37909-1228 — P.O. Box 52730 • Knoxville, TN 37950-2730

MPC April 13, 2017

(865) 584-2265 • Toll Free: 1-866-288-5618 • Fax: (865) 584-4871

Website: www.burnsmailing.com • Blog: www.burnsmailing.com/blog

Agenda Item # 58

Alma Lee Walker

Mr. Sherrod -
Thank you for the opportunity
to sign this petition. I have
lived here 42 years and think
we have a wonderful neighborhood.
I applaud your efforts and
wish you success.

Alma Lee Walker

P.S. My husband, Robert, is deceased.

June 19, 2013

Councilman Duane Grieve:

We would like to be heard by the Mayor and City Council about matters that are affecting our neighborhood - specifically planned developments and traffic issues in and around Deane Hill Drive.

Sincerely,

Deane Hill Area Residents

Signed: Clarence B. Elmore Date: 6/26/13
Print Name: MARY JANE ELMORE

Signed: Clarence B. Elmore Date: 6/26/13
Print Name: CLARENCE B. ELMORE

Address: 220 GOLF CLUB RD
37919

Lived here since 1981

Keep trying - Good Luck

I personally, have tried at least 4 times to get a 3 wing & top at Golf Club & Quail - Victor Ashe was the mayor and could have cared less - I quit trying as there was no future - we had a canyon on our 3rd time - one of the most gorgeous & most beautiful tree & a young girl almost ~~was~~ being kept there by inches

June 19, 2013

Deane Hill Neighbors:

My family and I have lived at 7116 Deane Hill Drive since June of 1987. It is a great place to live. However, the traffic on the narrow Deane Hill Drive has increased steadily since we moved here about 26 years ago. In the past we have joined with several of our neighbors to attempt to have a voice in how our neighborhood is developing. We have had limited success but success just the same. We are not against development but just want to have some input into what type of development is allowed and also to be included in discussions about how Deane Hill Drive is affected by the obvious traffic flow increases. I have included with this note a copy of an article from the NS discussing the 249 unit apartment complex that is now being developed on Deane Hill. I have also included an article about the proposed development on Deane Hill that is being designed for 20-townhomes on 2.2 acres. The new development is even an attempt at increasing the density of development in our neighborhood.

Our council representative, Duane Grieve, has been very helpful in listening to our concerns and I hope we do not squander his help for our neighborhood in a time when an MPC employee told me that our neighborhood is a hot area for development. I went up to MPC to speak to them and the guy I spoke to said the developer had not even presented a plan but wanted it rezoned. He told me he did not think they would approve it for the 20 units but my understanding is that MPC did approve it but City Council, and specifically our representative, wants a plan from the developer and our input in order to make a sound decision for all of us.

Good Luck Only A Formality - it's a Done Deal

We have included a letter in petition form. If you feel as we do that we need to be able to express our concerns to City Council and the Mayor, please sign the petition and mail it back to me in the self-addressed and stamped envelope I have included. We will present them to Councilman Grieve and get back to you as to what other actions, if any, we need to take. Councilman Grieve has told me he and the Mayor will meet with us if we desire it.

Deal

If you have any questions, you can call me at home 776-9445 or at work 588-7459 or you can email me at jescpa@bellsouth.net.

My wife and I would like to live the remainder of our lives on Deane Hill as we own 4 1/2 acres and it is a very comfortable neighborhood to live in. Getting out of our driveway, mowing up near the road, keeping cars out of our front yard and keeping our mailbox standing has become more difficult over time and with the size of the developments being completed and proposed, it will no doubt get more difficult in the short term.

Please join with us on this as we have little clout by ourselves. Timing is important as Councilman Grieve has gotten a 28 day delay in voting on the new development and we are several days into it.

Thank you,

Jack & Lavonne Sherrod
7116 Deane Hill Drive
Knoxville, TN 37919-5809

** I sat there and watched the City Council - Some were almost sleepy - some were soooo RUDE! I knew then we were all there for something already settled - It was futureless*



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West Knoxville rezoning decision for townhomes postponed

Council asks for more information

By Gerald Witt

Tuesday, June 11, 2013

City Council delayed rezoning 2.2 acres in West Knoxville for a proposed 20-townhome development during its regular meeting, and council members asked for more information on the site.

"We've owned this property for approximately 40 years, but we've got an old duplex there," Rocky Smith, of developer Rufus H. Smith Jr. & Co., said Tuesday.

He requested an amendment to the West City Sector Plan with the rezoning that would allow the property to go from low-density to medium-density development. The ordinances were postponed on first reading.

"I think that part of the problem is we don't know what they're going to build, and there has been some concern over the density," Second District Councilman Duane Grieve said.

Grieve's district contains Smith's property.

The council postponed voting on the request for 28 days and asked Smith to bring plans to the city. Deane Hill Drive, and its neighborhood, parallels Kingston Pike from Old Weisgarber Road to Morrell Road.

"Some of the neighbors have said Deane Hill is becoming overburdened with traffic," Grieve said, speaking to increasing the density of a property through rezoning, and the neighborhood overall.

"Everything to the west is duplexes or single-family homes," Grieve said of Deane Hill. "Farther east, we do have those kinds of developments."

City Council moved quickly through its meeting Tuesday, addressing other matters in a series of speedy decisions.

The Historic Market Square Redevelopment District was expanded slightly to include 505 Market St. — the Arnstein Building — for which developers had received a Tax Increment Financing deal in 2009.

We have 1600 cars a day go in front of our home and school.

Have to Deane Hill Drive center blue from 606 & 606