



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

[MPC Comment] 8-SA -18 -C; 8-A-18 -U

1 message

'westman423@aol.com' via Commission <commission@knoxmpc.org>

Tue, Aug 7, 2018 at 7:35 PM

Reply-To: westman423@aol.com

To: commission@knoxmpc.org

Dear Knox County MPC,

This week as I traveled to and from work, I was able to appreciate nature at its best; a wooded street leading to my home with multiple deer along the road going in both directions. However, I have serious concerns about a development on Toole's Bend Road ruining our scenic and relaxing drive home. The deer will disappear. The road will become a congested and dangerous highway. What is the reason for this drastic destruction? The greed of a developer.

Toole's Bend Road is narrow, winding, and rather dangerous with the current number of homes that it services. There is a tree cutting business on the road that utilizes large vehicles which currently bring oncoming traffic to a stop when they approach. The addition of 700 homes will be disastrous. Voting to allow 700 homes to be added to this road, in my opinion, is negligently putting the lives of the residents at risk for the financial interests of a developer. I feel the concerns of the community need to be shared so that government leaders have full knowledge of the situation at hand and can make decisions that will prevent having a negative impact on the legal obligations on the county.

The developer has stated an alternate road is available, Tedford Road. This road is 17 feet wide in spots. It is not even two lanes all the way through. This road is not a viable option for traffic, especially emergency traffic. Toole's Bend is lined with trees that frequently fall taking out power lines and closing the road. It was closed for approximately three weeks when one part gave way during heavy rains. The community was forced to use the narrow Tedford Road. Traveling this road was a gamble to say the least and I was never so glad to see Tooles' Bend reopen after the county repaved the entire road. Repaving does nothing but add an additional layer of asphalt to the surface. The underlying road bed remains the same and has already proven it is not sturdy by its recent collapsing in one area. Again adding 700 additional homes and vehicles to this road is putting the lives of the community members at risk, simply because of greed.

In this political season, we heard multiple candidates say they wanted to preserve our "Tennessee way of life." I too want to preserve my own and my community's way of life by not being concerned of being in an accident or even killed due to allowing one developer become wealthier. The scenic and relaxing drive home, which is the reason we bought our home, will be destroyed and will turn into a congested and stressful battle of the roadway.

Please understand that I am not against development of this land. I would support development that keeps the overall number of housing units to a minimum. Every inch of the land can be developed, as far as I am concerned, with single family dwellings that include some acreage. My absolute concern is the number of residences being considered. It is a safety issue for me.

I ask that you make an informed and intelligent decision. The developer cares about money. It is business to him. I care about my neighborhood and my way of life as well as the safety of all our residents. I would like to continue to see our wooded road remain untouched and see the deer along the road, just as nature intended.

Thank you,

Michael Hughes
8809 Cove Point Lane
Knoxville, TN 37922

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This message was directed to commission@knoxmpc.org



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

[MPC Comment] Post Oak Bend proposal

1 message

'Stephen Harris' via Commission <commission@knoxmpc.org>

Tue, Aug 7, 2018 at 3:26 PM

Reply-To: sgh3252@aol.com

To: commission@knoxmpc.org

Cc: county.mayor@knoxcounty.org

MPC Commissioners,

I realize that approving sensible property developments which result in more housing is one of the tasks to which you've been charged. I also expect that the safety and security of others living in the community affected by the development would also be a task you accept. I appreciate very much your service to Knox County.

I hope and assume that each of you has taken the time to drive the length of Tedford Dr and Tooles Bend Rd., the only two ways out of the Tooles Bend peninsula. If you are preparing to vote on this life changing proposal without doing so is both feckless and uninformed.

My children and grandchildren travel these roads several times a week, driving on roads that are only 17' wide in places. They are what they are: old, narrow, country farm roads. They are among the most perilous roads in Knox County in good weather; Tedford is often frozen in spots during the winter.

In March of this year a large tree fell across Tooles Bend, destroying the guard rails and blocking access to Northshore. It was closed for several days while County crews cleared the road and rebuilt the guard rails, leaving only Tedford as an exit/entrance to the community.

We're all for reasonable development, safe development, smart development. Proposing to go from less than 200 homes and roughly 400 vehicles to almost a thousand homes and as many as 2000 vehicles is neither reasonable, safe, or smart.

Thanks again for your service and for your fair consideration of the pleas from those in the Northshore Corridor community.

Sincerely,

Stephen Harris
And my wife April
Daughter Sommerville, granddaughter June Rosemary
Son Bo, grandson George

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This message was directed to commission@knoxmpc.org

KRAMER RAYSON LLP

ATTORNEYS AT LAW

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R.R. KRAMER (1888-1966)
E.H. RAYSON (1923-2017)

August 8, 2018

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

RE: Concept 8-SA-18-C
Development 8-A-18-UR
Post Oak Bend LLC, Applicant

Dear Commissioners:

We are writing with respect to the above-referenced matter on behalf of the Northshore Corridor Association (the "NCA"). The NCA is an association of a number of homeowners' associations whose members will be impacted by the proposed subdivision, including the following:

Amberleigh
Cove Pointe
Kelsey Forest

Lyons Crossing
River Club
Victoria's Inlet

Keller Bend
Whittington Creek
Cobblestone

The NCA is neither opposed to development, nor is it opposed to the development of the property in question. In fact, the NCA is in favor of development. The NCA, however, is opposed to unthoughtful development that seeks to force the proverbial round peg, or should we say Post Oak, into a square hole imposing negative consequences, burdens and risks upon both new and longstanding citizens and residents.

Is the proposed subdivision, the concept and overall plan for which you are being asked to approve, such a round peg? Based upon the existing conditions and circumstances, and what one can reasonably project about the impact of the proposed development, the NCA contends that as currently proposed it would be such a round peg. The proposed plan creates a host of

infrastructure and safety issues, not only for those on the Tooles Bend peninsula, but for all residents of the Northshore corridor. Avoiding the harmful impacts that would likely result from the proposed development, requires one to first assess what makes this proposed development unique so it can be evaluated on its own merit and not simply viewed as a typical project that comes before you.

This is no garden variety project. The mere size of the area to be developed places it in a class by itself. Moreover, the density of the dwelling units proposed when applied to its large size makes the project different than any other subdivision on the Tooles Bend peninsula, as well as in the adjacent peninsulas of Keller Bend and Lyons Bend. Another factor making the proposed subdivision unique is the fact that the ways to access the area are simply not suitable for the type and level of traffic that will come from the development. This is not only because the roads into the Tooles Bend peninsula are narrow and winding, but also because they have no shoulders, no sidewalks, no bus or large vehicle turn-about areas and their hilly topography create poor lines of sight for travelers.

Finally, once travelers from the peninsula negotiate narrow, winding, hilly and shoulderless Tooles Bend, Tedford and Badgett Roads, they will join the thousands of citizens who regularly travel Northshore Drive as will be addressed in more detail below. The NCA respectfully asks – given the magnitude of the additional traffic that will be funneled from the proposed subdivision onto Northshore Drive, why shouldn't the traffic impact study be expanded to include Tedford Road, Badgett Road and Northshore Drive? In short, the traffic study cannot be conducted within a vacuum; the geography of the Tooles Bend peninsula dictates that all traffic must ultimately intersect with Northshore Drive. Thus, in order to have a complete understanding of the real impact of this project on the residents along the Northshore corridor it is imperative that any traffic study take Northshore into account. Regardless of whether consequences can be fully mitigated, it is respectfully suggested that as a governmental planning organization, gaining an understanding of what proposed projects will bring, especially where what they will bring is large, is MPC's responsibility before acting.

The NCA is very appreciative of the willingness to postpone the vote on the proposal and the opportunity to learn more of the details. While the learning process continues daily for the NCA, the following can be gleaned from the historical records, as well as from the information that has been submitted by the applicant.

History and the Knox County Zoning Ordinance

The proposed concept and development plan states in the plat notes that "This property is zoned PR @ 3 du/acre." (Revised Plan, Note 5).

The historic record and the provisions of the Knox County zoning ordinance do not support this. Attached to this letter as **Exhibit 1** is the 1993 rezoning application for the Bailey Farm with related papers including the staff recommendation and the August 5, 1993 letter from

the attorney for the owners of the property at the time, Jane and David Bailey. The dwelling units per acre requested in the application was “1-3 du/ac.”

The text of the Knox County Zoning Ordinance in Section 5.13, the section that creates and defines the “PR planned residential zone,” makes clear that the planning commission retains substantial discretion in the formulation of the development plan in a PR zoning district. In section 5.13.01 it states:

Each planned unit development *shall* be compatible with the surrounding or adjacent zones. Such compatibility *shall* be determined by the planning commission by review of the development plans. (emphasis supplied).

The minutes of the August 12, 1993 meeting of the MPC, the meeting at which the application for rezoning was taken up, explicitly state (Ex. 1, p. 000290) that the rezoning request for “PR planned residential zone at 1-3 du/ac approved.”

With respect to the decision concerning “population density” in a PR zone, the Knox County Zoning Ordinance at Section 5.13.13 could not be clearer when it states that “The appropriate development density of each project shall be determined by the planning commission...” The MPC has considerable leeway in determining the appropriate density for each project. In this case, approving a plan submitted with a density on a lower scale (e.g., 1 du/ac as opposed to 3 du/ac) would mitigate many of the issues and safety concerns brought about by the additional traffic into the area, yet still allows for the owners to create a substantial development in keeping with the surrounding areas.

Finally, at Section 5.13.15.B.3, the Zoning Ordinance requires that “The Planning Commission shall review the conformity of the proposed development and shall recognize principles of good civil design, land use planning and landscape architecture.”

Size and Proposed Density of the Project

Based on the application, the size of the tract is apparently 415.04 acres. The application also suggests that there would be 276.3 developable acres. However, the revised development plan states that 260.51 acres are situated above the 813-foot contour. Attached to this letter as **Exhibit 2** is the advertisement of a realtor representing the owners of the property which states that the Bailey farm contains 233.6 acres of developable land on the development.¹

¹ Due to the proximity of the land to the Tennessee River, there is some complexity involved in determining how much of the land is “developable” which the NCA has been trying to understand. TVA has stated that it possesses a flowage easement on all areas of land along the Fort Loudon Reservoir below the elevation of the 822-foot contour. Plat note 12 of the revised development plan submitted by the applicant provides that of the 623 total building units, Lots 26-65, 149-171, 233-240 and 248-309, or a total of 130 lots will require fill to raise the level of the land above the flowage easement at the 822 contour. Of course, this filling activity will require at least TVA approval. **Exhibit 3** to this letter is a copy of the development plan with the 822-foot contour shown in red. One can see more clearly from this illustration the areas that will require fill.

Depending upon the size of the developable areas of the land, the maximum density allowable based on the current zoning would be three times the number of developable acres. It is NCA's understanding that the site plan currently proposed contains 623 dwelling units. **Exhibit 4** attached to this letter contains calculations of the relative density of dwelling units currently in the three adjacent peninsulas of Keller Bend, Lyons Bend and Tooles Bend as compared to the density that would be in the proposed subdivision once it is completed. **Exhibit 4** puts the development into context vis-à-vis other riverfront areas adjacent to Northshore Drive.

In the estimated 1,166.2 acres in the Keller Bend area there are 179 dwelling units or .15 dwelling units per acre. In the estimated 2,346 acres in the Lyons Bend area there are 832 dwelling units or .35 dwelling units per acre. In the present day Tooles Bend area, there are estimated to be 1,635.7 acres containing 197 dwelling units or .12 dwelling units per acre. **Exhibit 4.**

As NCA understands it, the current development calls for 623 dwelling units on 260.51 acres of land above the 813 contour. This equates to approximately 2.39 dwelling units per acre. Thus, the proposed development is not compatible with the surrounding areas as it would contain substantially greater density than those areas.

Traffic and the Traffic Impact Study

One of these incompatible areas, namely existing Tooles Bend, would share with the proposed development the primary access road serving the peninsula, Tooles Bend Road. A traffic impact study (revised July 2018) has been prepared for the applicant that assesses the projected impact on traffic the proposed development would have only on Tooles Bend Road.

The traffic impact study only considers three intersections: (1) Tooles Bend at South Northshore, (2) Tooles Bend at Badgett, and (3) Tooles Bend at Tedford. However, due to the geography of the Tooles Bend peninsula, most all traffic on Tooles Bend Road ultimately ends up back on Northshore Drive – either at Tooles Bend near the Kensington subdivision or at Keller Bend. Thus, before the Commission can make an informed decision about the impact of this development, an expanded traffic impact study – that takes the entirety of the Northshore corridor into account – must be conducted. This is especially true in light of Northshore being one of Knox County's most highly travelled and well-populated areas.

Turning to the traffic impact study that was revised in July 2018, NCA has not had the opportunity to obtain expert advice concerning the study, and is frank to say that it does not understand some of the data contained in the study. However, NCA would observe that the study suggests an increase in daily trips by vehicles on Tooles Bend Road of 5,960, from 1,670 trips per day currently to 7,630 trips per day. This means there will likely be at least 4.56 times more traffic on roads that are admittedly very narrow, ranging in width from 17 to 20 feet.

As is evident from a trip down Tooles Bend Road, it is curvy, hilly, has no shoulders and requires extreme care to maneuver. Given current traffic levels there should be cause for concern for the safety of those traveling in and out of the peninsula. Moreover, commonsense dictates that 623 more dwelling units created by the proposed development will increase the number of school buses, emergency vehicles and large vehicles, in general, that by necessity will need to travel an already inadequate Tooles Bend Road. As a practical matter, it is unclear how these types of large vehicles, or construction equipment are currently able to safely traverse Tooles Bend Road.

Once these vehicles reach Northshore Drive, they will only exacerbate an already congested thoroughfare. Current estimations show that the traffic volume at Northshore Drive at Tooles Bend Road is 13,879 vehicles per day. The volume would increase to approximately 19,835 vehicles per day if the development proceeds in its full scope, about a 43% increase. In light of these projections, the development, as proposed, would exacerbate serious traffic issues that already exist on Northshore Drive. Moreover, the ability to turn onto or out of the Tooles Bend peninsula will be problematic unless significant alterations to the traffic flow (e.g., roundabouts, stop lights, etc.) are required. Traffic congestion cannot be chalked up to a mere inconvenience; it also amounts to a safety issue. The more congested a roadway, the more likely accidents will occur. Perhaps more importantly, with a heavily congested roadway, emergency response times will obviously increase.

How can it be prudent to allow such an exaggerated increase in density under all of these circumstances, when a very fine development could be proposed that would not carry the same degree of burdens and risks for the rest of the citizens in the impacted area.

Safety Questions Unaddressed

Beyond the foregoing as it relates to safety, the NCA, while not wanting to be alarmist, notes the following that should be considered for any increases in density in the Tooles Bend area:

- There are no school bus turnarounds or pullover spots in existence on Tooles Bend, Tedford or Badgett Roads, nor are there sidewalks for students who disembark from school buses.
- At some places, due to inadequate width and sharp curves, school buses must be in the oncoming lane of travel in order to pass.
- Response times for emergency vehicles by necessity are slowed given the nature of the roads.
- Analysis of the water supply and pressure must be part of this review process. Past events suggest that these are inadequate for effective firefighting. With four

story apartment buildings, firefighting would require tactics that are not now needed.

- Given the challenging access to the area, how will it be possible to bring additional or upgraded utility lines to the property? How will the lives of residents be impacted during construction if there is a way to get lines to the property?
- Is it the best use of the land to approve a concept where to provide 20% of the building units will require the level of the land which is adjacent to the Tennessee River to be filled with the resulting impact on the shoreline areas?

Conclusion

The NCA acknowledges that many of these noted factors currently impact Toole Bend residents in ways that similar circumstances also impact the residents in the other two peninsulas. The existing infrastructure challenges are not the issue. The issue is that logic, reason, good judgment, as well as good land use planning, require that when you have a problem, you don't make decisions that make the problem worse when there is a rational alternative.

Thank you for the time you have taken to review this, and for your public service that is essential to our community. We know it is usually not easy to make these difficult decisions.

Yours truly,



Thomas M. Hale

TMH/pm
cc (via e-mail):

Northshore Corridor Association
Mr. Tom Brechko
Mr. Gerald Green
Arthur G. Seymour, Jr., Esq.
Culver R. Schmid, Esq.
Brandon L. Morrow, Esq.

KNOXVILLE-KNOX COUNTY
M P C
 METROPOLITAN
 PLANNING
 COMMISSION
 H E N N E S S E E

REZONING
 JUN 21 1993
 METROPOLITAN PLANNING COMMISSION

For 7/8/93 mtg

Suite 403 - City County Building
 400 Main Avenue
 Knoxville, Tennessee 37902
 615-521-2500

City Council District _____ County 5 Commission District _____
 Date Filed: 9/2/93 Fee Paid: 750.00 File Number: 7-11-93-RZ
 Map Number: 155/ Zoning District: A5 City County Sector: Southwest
 Name of Applicant: Riverside Ventures

PROPERTY INFORMATION:

Address: (Street Name) _____ (Street Number) _____
 General Location: NE/S Pellissippi Pkwy SW/S Ft. Loudoun Lk.
S NE/S Teales Bend Rd
 Description: Parcel(s) 77 82.02, 84 84.27 City Block(s) _____
 Other Fronting approx 1950' SE/S Teales Bend Rd., Fronting approx
8200 NE/S Pellissippi Pkwy. Fronting approx 900'
SW/S Ft Loudoun Lake To Floodway Canal
 _____ 260 acres above 413' contour
 Size of Tract: 260 Acres _____ Square Feet

CHANGE REQUESTED:

I (we) request that the MPC, after appropriate study, recommend an amendment to the official zoning map to change the zoning of the property described above.
 FROM: AGRICULTURE
 TO: PR
 Previous Zoning Requests: None noted

APPLICANT'S PROPOSED USE OF PROPERTY:

(Be Specific) Residential Development

 Density Proposed: _____ Dwelling Units per Acre 1-3 du/ac
 Existing Land Use: Residential / Agriculture

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE MAILED TO:

John K. King P.O. Box 2425 Knoxville, TN. 37901 ⁶¹⁵ 546-4646
 Name: (Print) Address City State Zip Telephone

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, as listed on the back of this form.
 Signature: John K. King
John K. King P.O. Box 2425 Knoxville, TN. 37901 546-4646
 Name: (Print) Address City State Zip Telephone

APPLICATION ACCEPTED BY:

EXHIBIT 1

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
X Riverside Ventures	C/o Mr/Mrs David Bailey	P.O. Box 10953,	Knoxville, TN	37939	✓	

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION

REZONING REPORT

MEETING DATE: 8/12/93 ▶ FILE NO. 7-U-93-RZ
PP from 7/8/93

APPLICANT: RIVERSIDE VENTURES

JURISDICTION: City__ Council District__ County X Commission District 5

▶ LOCATION: Northeast side Pellissippi Pkwy., southwest side Ft. Loudoun Lake,
southeast side Tooles Bend Rd.

▶ APPX. SIZE OF TRACT: 260 acres

CLT MAP & PARCEL NO.: 155 & 156/parcels 77, 82.02, 84 & 84.27

SECTOR PLAN: Southwest County

ACCESSIBILITY: Access is via Tooles Bend Rd., a local street with a 18' pavement width
within a 40' ROW.

UTILITIES: Water Source: First Utility District 6"
Sewer Source: First Utility District N/A

▶ PRESENT ZONING: A Agricultural Zone

▶ ZONING REQUESTED: PR Planned Residential Zone

EXISTING LAND USE: Residential/agricultural

▶ PROPOSED USE: Residential development

EXTENSION OF ZONE: No

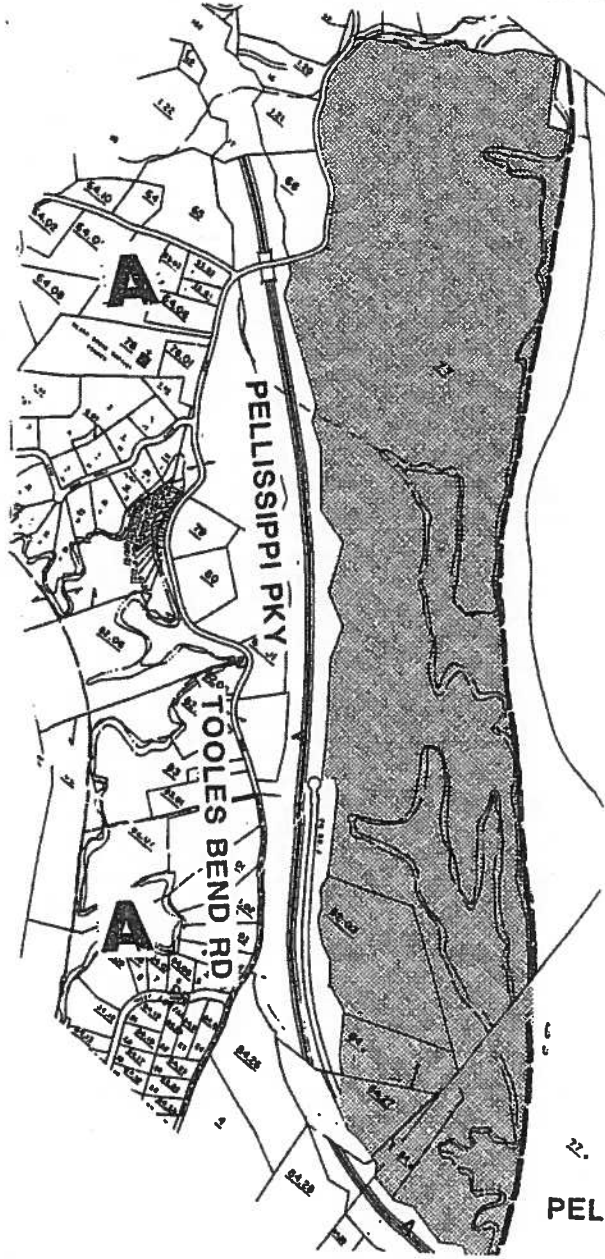
HISTORY OF ZONING: None noted

SURROUNDING LAND USE & ZONING: This gently rolling, open site is surrounded by property zoned A
Agricultural, F-1 Floodway, OS Open Space and PR Planned Residential.
Development consists of single-family residences on individual lots.

COMMENTS: This is predominantly a rural residential area with a large amount of open
space noted.

▶ STAFF RECOMMENDATION: APPROVE PR Planned Residential because this zoning is consistent with
surrounding zoning and development.

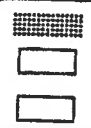
APPROVE a density of 1 to 3 du/ac, which is consistent with the
adopted Southwest Sector Plan for rural and low density residential
areas. No development plans for densities greater than 1 du/ac should
be approved unless public sanitary sewers are provided.



PELLISSIPPI PKY
BRIDGE

REZONING

PROPOSED USE



FROM A AGRICULTURAL ZONE TO PR PLANNED
RESIDENTIAL ZONE

JURISDICTION

COUNTY X

PETITIONER: RIVERSIDE VENTURES
FILE NO: 7-U-93-RZ
CLT NO: 155 & 156



PUBLIC NOTICE

The following amendments to the Knox County Zoning Resolution will be considered by the Board of County Commissioners on September 27, 1993 at 1:30 p.m. in the Main

Assembly Room of the City-County Building, Main Avenue, Knoxville, Tennessee. Data pertinent to these amendments may be seen in the office of the Metropolitan Planning Commission, Fourth Floor, of the City-County Building, Main Avenue, Knoxville, Tennessee. Knox County does not discriminate on the basis of disability in its provision of services, programs, activities or benefits. If you need assistance or accommodations for a disability, please contact the ADA office at 252-2716 & we will be glad to work with you to conduct any reasonable request.

REZONINGS

BETTY T. RILE - SOUTH-EAST SIDE E EMORY RD. SOUTHWEST OF BEELEN RD. - Rezoning from A Agricultural Zone to PR Planned Residential Zone. Parcel 114, CLT Map 28, 8th Commission District, Northeast County Sector Plan. MPC recommendation: Approve PR Planned Residential Zone of 1 - 3 du/ac.

JOE TOUCHTON - NORTH-EAST SIDE HALLERTOWN PK. NORTHWEST OF OLD HALLERTOWN PK. - Rezoning from A Agricultural Zone to PR Planned Residential Zone. Parcel 4, CLT Map 24, 8th Commission District, Northeast County Sector Plan. MPC recommendation: Approve PR Planned Residential Zone of 1 - 4 du/ac.

KATHERINE ROGERS MAY-FIELD - SOUTHEAST SIDE RUDDER LN. SOUTH OF NORTHEAST DR. - Rezoning from A Agricultural Zone to PR Planned Residential Zone. Parcel 74, CLT Map 14, 4th Commission District, Southwest County Sector Plan. MPC recommendation: Approve PR Planned Residential Zone of up to 1 du/ac.

ALVIN UNDERWOOD - SOUTHEAST SIDE ANDERSONVILLE PK. NORTHWEST OF HERRIS LN. - Rezoning from A Agricultural Zone to Industrial Zone. Parcel 92.01, part of parcel 107, CLT Map 27, 8th Commission District, North County Sector Plan. MPC recommendation: Approve for amended area.

RIVERSIDE VENTURES - NORTHEAST SIDE PELLICCIOTTI PK. SOUTHWEST SIDE FT. LINDOUM LAKE. SOUTHEAST SIDE TROLES BEND RD. - Rezoning from A Agricultural Zone to PR Planned Residential Zone. Parcels 77, 82.02, 84 & 84.02, CLT Maps 15 & 15a, 8th Commission District, Southwest County Sector Plan. MPC recommendation: Approve PR Planned Residential Zone of 1 - 3 du/ac.

ROBERT BETHWELL - NORTHEAST SIDE WAKE-FIELD RD. SOUTHWEST SIDE W. NORTHEAST SIDE COGOLI RD. SOUTHEAST SIDE I-40/75 - Rezoning from CD Business & Manufacturing, PC Planned Commercial & A Agricultural Zones to CA General Business Zone. Parcels 2, 31 & 107, 8th Commission District, Southwest County Sector Plan. MPC recommendation: Approve PC Planned Commercial Zone.

THE METROPOLITAN PLANNING COMMISSION
MINUTES FOR AUGUST 12, 1993
IN THE MAIN ASSEMBLY ROOM, CITY/COUNTY BUILDING

The Metropolitan Planning Commission met in regular session on August 12, 1993 at 1:30 p.m. in the Main Assembly Room, City/County Building, Main Street, Knoxville, Tennessee. Members present were:

Mr. Bob Bowers
Mrs. Joan Allen
Mr. Dick Graf
Mr. John Tindell
Ms. Imogene King

Mr. Charles Busler
Dr. Jack Reese
Mr. Jeff Wilkins
Mr. Mark Margetts
Mrs. Cathy Rogers, Chair

7-U-93-RZ -

**RIVERSIDE VENTURES - NORTHEAST SIDE S. PELLISSIPPI PKWY.,
SOUTHWEST SIDE FT. LOUDOUN LAKE, SOUTHEAST SIDE TOOLES
BEND RD. - Rezoning from A Agricultural Zone to PR Planned
Residential Zone. Parcels 77, 82.02, 84 & 84.27, CLT Maps 155 &
156, 5th Commission District, Southwest County Sector Plan.**

STAFF RECOMMENDATION:

**APPROVE PR Planned Residential because this zoning is consistent
with surrounding zoning and development.**

**APPROVE a density of 1 to 3 du/ac, which is consistent with the
adopted Southwest Sector Plan for rural and low density residential
areas. No development plans for densities greater than 1 du/ac
should be approved unless public sanitary sewers are provided.**

Mr. John King:

Attorney representing the petitioner.
The developer plans to do a quality development. Mr. King has met
with area representatives and had numerous telephone calls to
discuss the plans. The neighborhood has been given the plans. The
developer is willing to do what they can about the road and feel there
can be some improvements on Tooles Bend Road. It is unlikely the
road will be greatly widened. Some people expressed concerns about
widening the road that more development might come to the area or
traffic go faster.

Mr. King submitted a packet of materials (this packet becomes a part of these minutes).

Mr. King requested approval of the staff recommendation.

Mr. Ed Luedeka: 8820 Cove Point Ln.
He opposed on ground of the density.

Mr. Luedeka submitted a packet of materials outlining their opposition (this packet becomes a part of these minutes).

Approximately 15 people stood in the audience in opposition to this request.

Mr. Luedeka stated most of the surrounding property owners have 1 acre lots and some have up to 15 acres. He expressed a concern about the traffic. Tooles Bend Rd. has very sharp curves. The visibility is poor. This will add to already existing difficulties with the road.

Rocky Hill and Bearden are the designated schools. This would cause a burden on the schools and busing expenses. They believe 1 du/ac is best, but would be willing to compromise at 1.25 du/ac.

Ms. Virginia Bailey: Area resident.
She opposed and asked the density to be 1.25 du/ac.

Mr. Whitaker: The density is about the same as that allowed in RA. PR would ensure that nothing could be built until MPC approved the plan.

Mr. Roger Dailey: Tooles Bend Rd.
He stated a difficulty with the number of children in the schools and on the buses. He would like to give the petitioner the opportunity to build, but limit the density.

Mr. Whitaker: With RA or RAE, the maximum density would be 3 to 4 du/ac.

Mr. King: What is being rezoned PR is everything above the Floodway. This is approximately 208 acres and the density would be determined on that number. RA would allow higher density than PR. During 1991, 1992 and year-to-date 1993, there have been 6 accidents on that road according to the Knox County Emergency personnel. Mr. King stated he will keep a dialogue going with the neighborhood but he is unwilling to state the density as they request.

Mr. Whitaker: Approximately 155 acres would be restricted by the Floodway designation. Only the land out of the Floodway would be usable.

Mr. Graf: Mr. Graf stated that most PR does not build out at the maximum density. However, the set density gives the developer the ability to look at the property and see what is best. If a developer can play with the density, he can play with open space and such things as a club house.

Mr. Pruitt: There is no plan for sewer in the immediate future unless this developer facilitates it.

Mr. King: First Utility District is willing to supply sewers if the developer is willing to pay for it.

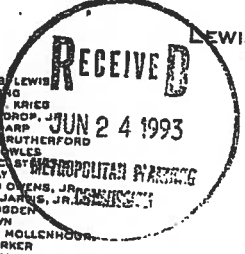
MPC Minutes, August 12, 1993

Page 3

MOTION (WILKINS) AND SECOND (ALLEN) WERE MADE TO APPROVE PR PLANNED RESIDENTIAL ZONE. MOTION CARRIED 10-0. PR PLANNED RESIDENTIAL ZONE APPROVED.

MOTION (WILKINS) AND SECOND (REESE) WERE MADE TO APPROVE PR PLANNED RESIDENTIAL ZONE AT 1 - 3 DU/AC. MOTION CARRIED 10-0. PR PLANNED RESIDENTIAL ZONE AT 1 - 3 DU/AC APPROVED.

FILE 7-U-93RZ



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SPECIAL COUNSEL:
AARON WYCKOFF

OF COUNSEL:
MARY M. FARNER

June 23, 1993

Commissioner Ronald Davis, Sr.
1109 S. Chilhowee Drive
Knoxville, TN 37914

RE: Riverside Ventures Tooles Bend Property Rezoning
MPC File # 7-U-93-RZ

Dear Commissioner Davis:

On behalf of Riverside Ventures, property owner and developer, we are pleased to present to you this package of information in support of a rezoning request which will be on the July 8, 1993, MPC agenda. The zoning change is necessary to allow for the development of a high quality planned residential community off Tooles Bend Road. The 260 acre Ft. Loudon lakefront property is currently zoned Agriculture. Our client is requesting that the zoning be changed to low density (1-3 units per acre) Planned Residential. This package includes information about the property and the proposed development which hopefully will answer many of your questions concerning the rezoning request.

Because utility services will be extended to the property, the requested change in zoning is in conformance with the Pellissippi Parkway Extension Corridor Study. Discussions with MPC staff indicate that our proposed single family residential development is the preferred type of development. Following the approval of PR zoning, we would look forward to working closely with the community residents and the MPC staff in the development of an environmentally sensitive, creative land use concept plan for the development.

In order to gain input from the community, we are meeting with community representatives to explain the need for the re-zoning. It is our intent to continue to work with them throughout the process. We would ask that if you receive any telephone calls or correspondence from individuals expressing concern with this project that you please contact me so that we may contact them to resolve any unknown, potential conflicts which may arise. Likewise, if you have any personal concerns or questions, do not hesitate to give me a call. I can be reached at 546-4646. Thank you in advance for your consideration and support of this rezoning request.

Very truly yours,

LEWIS, KING, KRIEG & WALDROP, P.C.



John K. King

bcc: Dan Kelly

**RIVERSIDE VENTURES
TOOLES BEND ROAD PROPERTY**

PROPERTY DESCRIPTION

PROPERTY OWNERS: Riverside Ventures, a company owned by three daughters and six grandchildren of David and Jane Bailey.

HISTORY: Riverside Farm was acquired in 1943 by John Kreis, Jane Bailey's grandfather, from the State of Tennessee. The acquisition of the property was part of a settlement from the condemnation of his original 1,000 acre farm in East Knoxville at the Forks of the River which is presently the state farm. This came about as a result of the TVA flooding a large portion of the property and reducing the amount of acreage available. This farm was the largest in Knoxville with a dairy operation larger but similar to the one they operated on Riverside Farm.

In 1891, Mr. Kreis, at age 18, began assembling the adjoining property around the Forks of the River farm and originated the largest hatchery in the South and largest dairy in the Knoxville vicinity. The condemnation of a large portion of the farm by TVA caused a severe hardship on the family. Because of such a reduction in available acreage and facilities, the hatchery had to be moved into town, the dairy had to be disbanded, and 18 families that lived and worked on the farm had to be relocated and find other jobs.

At this death in 1945 at age 72, he left the farm to his granddaughter, Jane Bailey, with the provision that his daughter, Hazel Oliver, be given a life estate. Mrs. Oliver took over the management of Riverside Farm and organized a large operation of hatching and raising turkeys. Hence people remember and refer to the property as the "turkey farm". Later it was no longer feasible to raise turkeys, then she raised cattle. Both farms were always known as Riverside, as the property is today.

Jane Bailey's mother died in 1988 and since then, David and Jane Bailey have managed the farm for their three daughters and grandchildren, because the property is now under their ownership. With this background, it can be understood the amount of love and hard work it has taken through the years to keep this property intact until the right time to develop. Because this and the long history of land ownership in Knox County, the Bailey's feel an

**RIVERSIDE VENTURES
TOOLES BEND ROAD PROPERTY**

PROPERTY DESCRIPTION

obligation to the past and future generations to do this development with the appropriate care and planning for a high quality residential development.

- CURRENT ZONING:** Agriculture (A)
- CURRENT USE:** Residential and Agriculture
- PROPOSED ZONING:** Planned Residential (PR)
- PROPERTY SIZE:**
- | | |
|--|---------------|
| Area above the 822 contour: | 208.10 Acres |
| Area Between the 822 and the 813 contour
(normal summer pool of Ft. Loudon Lake): | 51.03 Acres |
| Area between the 813 contour and the
original water mark of the Tennessee River | <u>153.76</u> |
| Total Acreage: | 412.89 Acres |
| Total Acreage above the summer pool: | 269.13 Acres |
- CURRENT DENSITY:** The current Agricultural zoning would allow for a maximum of 1 DU per acre; minimum lot size of acre.
- PROPOSED DENSITY:** Low Density Residential (1-3 DU per acre gross); equates to 208-624 units total. The unit numbers are based upon the acreage above the 822 contour; providing for over 50 acres of open space.
- SECTOR PLAN:** The Pellissippi Parkway Extension Corridor Study (adopted by County Commission on September 19, 1988), which amended the Southwest Knox County Sector Plan (adopted by County Commission on May 19, 1986), recommends that this area remain in agricultural zoning which allows one (1) dwelling unit per acre until and unless urban services such as sewer, water, etc. are provided. With the provision of such services, the study recommends this area develop as Low Density Residential. The proposed development would include the extension of sewer and water service to the site, therefore the proposed low density residential zoning conforms with the sector plan.
- SCHOOL DISTRICTS:** Rocky Hill Elementary, Farragut Middle, Farragut High

LEWIS, KING, KRIEG & WALDROP, P.C.

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PATTY K. WHEELER**

* ALSO LICENSED IN MISSOURI
** ALSO LICENSED IN CALIFORNIA

August 5, 1993

Commissioner Jeff Wilkins
McCarty Holsaple McCarty
Suite 300, Nations Bank
5500 Main Avenue
Knoxville, TN 37902

RE: Riverside Ventures Tooles Bend Property Rezoning
MPC File #7-U-93-RZ

Dear Commissioner Wilkins:

In response to requests, the enclosed information has been supplied to neighborhood representatives of the Cove Pointe - Tooles Bend area. The enclosed, in general, is a comparison of the permitted development in a PR zone as opposed to an RA zone. It further describes reasons for the requested rezoning to PR. As you are aware, this matter is on your agenda for August 12, 1993.

Very truly yours,

LEWIS, KING, KRIEG & WALDROP, P.C.


John K. King

Enclosure

cc: Norman Whittaker
Commissioner Frank Leuthold
Commissioner Mike Ragsdale

**Riverside Ventures Tooles Bend Road Property
Benefits of Planned Residential Zoning**

At the request of the Tooles Bend Road community, the following is a description of the basis for requesting Planned Residential (PR) zoning instead of Residential A (RA). A comparison of the provisions of the two with respect to the surrounding uses, the natural environment and configuration of the site lead to the conclusion that PR zoning is the most appropriate classification. This conclusion is based upon the following major points:

1. The plans review and approval process for PR is more in depth and qualitative in nature, whereas the RA review process is almost exclusively quantitative in nature. The Planning Commission is required to evaluate the PR development plan based upon principles of good civic design, land use planning, and landscape architecture. The review of the RA concept plan and final plat is done on a technical basis only. There is a greater opportunity for public input in the land use planning and design process in the PR zone.
2. The RA zone allows for a higher effective density (3.25 to 3.7 DU/Acre Approx.) than the 1-3 DU/Acre requested and recommended in our PR application. The community has no input into the establishment of the density for the RA zone, they do in the PR zone.
3. PR requires a periphery setback, and provides that 15% of the gross area of the site be dedicated to open space. RA has no such provisions.
4. The ability to have varying lot sizes in PR will allow for the location of lots adjacent to surrounding properties to be in character with those properties.
5. PR zoning allows the preservation and enhancement of the natural environment through clustering of development on land which is most able to sustain development with minimum disruption to the physical and visual landscape. RA has no such provisions.
6. PR encourages land use planning solutions which are in harmony with the environment and the surroundings, providing a development which has an opportunity for high visual quality. RA encourages traditional "tract-like" subdivision development through rigid lot size and setback provisions with no provisions for open space and preservation of the environment.
7. In addition to all other requirements for submission of concept/development plans, PR zoned property also requires submission of a Use on Review application with benefits hereafter described. Such Use on Review application has to be approved by MPC and includes an appellate remedy to the Board of Zoning Appeals, consisting of 9 members of County Commission.
8. While PR allows commercial uses, Riverside Ventures has stated, and will state publicly and in writing, that no commercial uses are contemplated. The provisions of the PR zone and the Procedure for Authorizing Uses Permitted on Review state that the development

be integrated properly with other uses located in the district and that the development should not have an adverse impact on the character of the neighborhood. It is clear that commercial uses are not compatible with the surrounding neighborhood. It is clear that there is no basis for including commercial uses because such uses would not be financially feasible.

9. PR zoning provides for more effective involvement of both MPC, and the County Commission as well as members of the general public.

ADDITIONAL DEVELOPMENT FACTORS SUPPORTING PR REQUEST

1. Key to PR zone is flexibility - permits better planning opportunity where, as here, there is some property that is rocky, some steep, some in floodway, etc.
2. Can't develop a community boat dock/marina facility in RA zone.
3. Can't develop cluster housing concept in RA zone.
4. Can't develop zero lot line housing concept in RA zone.
5. Can't develop standard condominium housing concept in RA zone.
6. Overall densities and better land use development can be achieved where development plan submitted as to whole property for Use on Review Analysis by both developer and professional MPC staff.

Upon consideration of the above factors, applicants seek PR zone so as to permit the flexibility necessary for development. The development process required under such zoning affords protection for the interests of the surrounding neighborhood.

Comparison of the Provisions of the Residential A and Planned Residential Zoning Classifications

PROVISION	RA ZONE	PLANNED RESIDENTIAL
Uses Permitted	Single family, churches, libraries, mobile homes, country clubs, fire stations	Single family attached, semi-attached, detached, duplex, multiple-family, recreation facilities, commercial, education and community facilities
Uses Permitted on Review	Garage apartments, two family dwellings	None
Open Space Requirements	None	15% of the gross area (40 acres)
Effective Density	3.25 Dwelling Units Per Acre (676 Units)	1-3 Dwelling Units Per Acre (208-624 Units)
Setbacks	Periphery: None stated	Periphery: 35'
	Front Yard: 35'	Front Yard: 20'(detached), 15'(other)
	Side Yard: 8'	Side Yard: Not greater than 15'
	Rear Yard: 25'	Rear Yard: Not greater than 35'
Minimum Lot Width	75'	N/A
Maximum Building Coverage	30%	50% (but note open space requirement)
Administrative Approval Procedure	Concept Plan, final plat	Development plan, Use on Review Approval, final plat

FOR FURTHER EXPLANATION, SEE FOLLOWING PAGE.

Comparison of the Provisions of the Residential A and Planned Residential Zoning Classifications, continued.

1. In the RA Zone, if the concept plan and final plat meets the requirements of the zone (setbacks, etc.) and the provisions of the Knox County Minimum Subdivision Regulations (road geometry, drainage, etc.), the plan must be approved by MPC.
2. After rezoning to PR, and before a final plat is submitted, a development plan must be submitted for approval. The development plan must illustrate the location of roads, open space, lots, buildings, landscape development, etc. The MPC reviews the plan for conformance to the provisions of the zoning ordinance, minimum subdivision regulations. In addition, the MPC shall "recognize the principles of good civic design, land use planning, and landscape architecture. The Planning Commission and County Board of Commissioners may impose conditions regarding layout, circulation, and performance of the proposed development." These additional qualitative review standards are not a part of the approval process for development in a RA zone.
3. Under a PR zone, one acre of commercial use may be permitted for each one hundred units in the project provided that 25% of the total number of units proposed shall be ready for occupancy prior to any commercial building permit being issued. Applicants do not propose any commercial development.

USE ON REVIEW PROCESS

In addition to having to meet the development plan requirements of the PR zone, the plan must meet the requirements of the Procedure for Authorizing Uses Permitted on Review (Section 6.5). This review and approval process "is intended (1) to provide for uses which are beneficial to the Community...; and (2) to integrate properly the uses permitted on review with other uses located in the area."

The Planning Commission may approve a development plan under a Use on Review where it can be shown that "the proposed plan or use is in harmony with the general purpose and intent of the zoning ordinance and with the General Plan and is reasonably necessary for the convenience and welfare of the community.

The Planning Commission may deny a development plan under a Use on Review where the above stated provisions "cannot be shown or where it can be shown that approval would have an adverse impact on the character of the neighborhood in which the site is located."

bailey.A



THE BAILEY FARM

KNOXVILLE, TENNESSEE

Marcus & Millichap has been selected to exclusively market for sale the Bailey Farm, a 412.89-acre site located in southwest Knox County, Tennessee.

The Bailey Farm is located along Ft. Loudoun Lake, on the east side of Toolles Bend Road, and features approximately 3.8 miles of lake frontage. Approximately 153.76 acres are subject to a TVA flowage easement, yielding 258.5 acres of usable land above the 813' summer pool elevation contour, and 233.6 acres of developable land above the 822' elevation TVA flowage easement. The property is accessed via Toolles Bend Road in the Pellissippi/Northshore section of Knoxville and is characterized as an exclusive suburban residential area. The area is less densely developed than many other areas of west Knoxville, which has enhanced the overall desirability of the area for estate development.

EXHIBIT 2

INVESTMENT HIGHLIGHTS



Upscale Neighborhood

One of Knoxville's most sought after upper-bracket neighborhoods for the past several decades



Lake Frontage

3.8 miles of Ft. Loudoun Lake frontage, suitable for development of upper bracket estate homes



Scenic Views

Scenic views of Great Smoky Mountains and Ft. Loudoun Lake; boat docks permissible by TVA



Central to Area Amenities

Just off I-140 (Pellissippi Parkway); within 10-15 minutes of downtown, university, airport, major retail

EXCLUSIVELY LISTED BY

PAUL BLACKBURN *Senior Associate*

NASHVILLE OFFICE

Tel: (615) 997-2857

Fax: (615) 997-2910

paul.blackburn@marcusmillichap.com

License: TN 309944

CHAD MAY *Senior Associate*

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Seller retains all rights and discretion to determine the offer and acceptance process including but not limited to the right to accept or reject any offer in its sole and absolute discretion. Seller shall only be bound by duly executed and enforceable agreements entered into, if any. ALL MATTERS PRIVILEGED AND CONFIDENTIAL NON-ENDORSEMENT NOTICE Marcus & Millichap is not affiliated with, sponsored by, or endorsed by any commercial tenant or lessee identified in this marketing package. The presence of any corporation's logo or name is not intended to indicate or imply affiliation with, or sponsorship or endorsement by, said corporation of Marcus & Millichap, its affiliates or subsidiaries, or any agent, product, service, or commercial listing of Marcus & Millichap, and is solely included for the purpose of providing tenant lessee information about this listing to prospective customers. Marcus & Millichap is a service mark of Marcus & Millichap Real Estate Investment Services, Inc. © 2016 Marcus & Millichap. All rights reserved.

822 Line Superimposed on Topographical Site Map Post Oak Bend Development

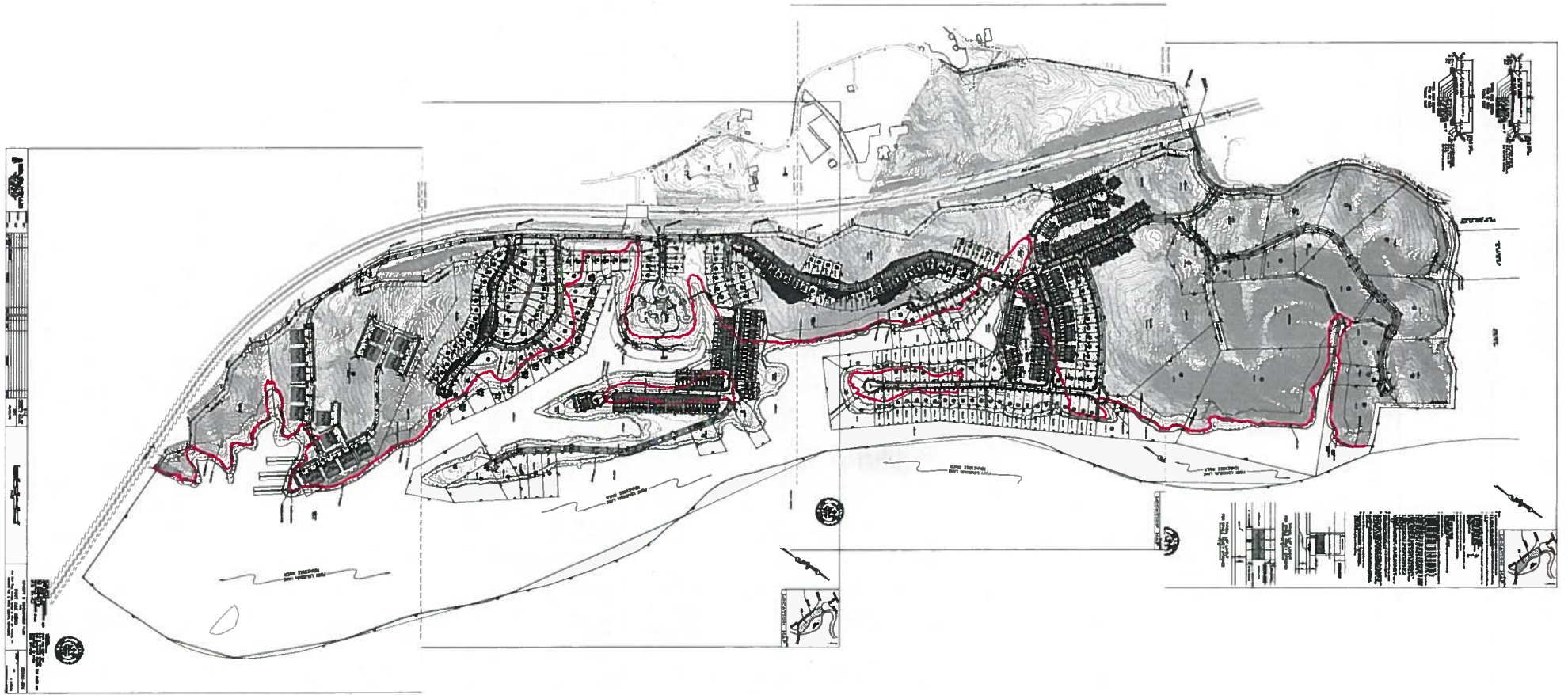


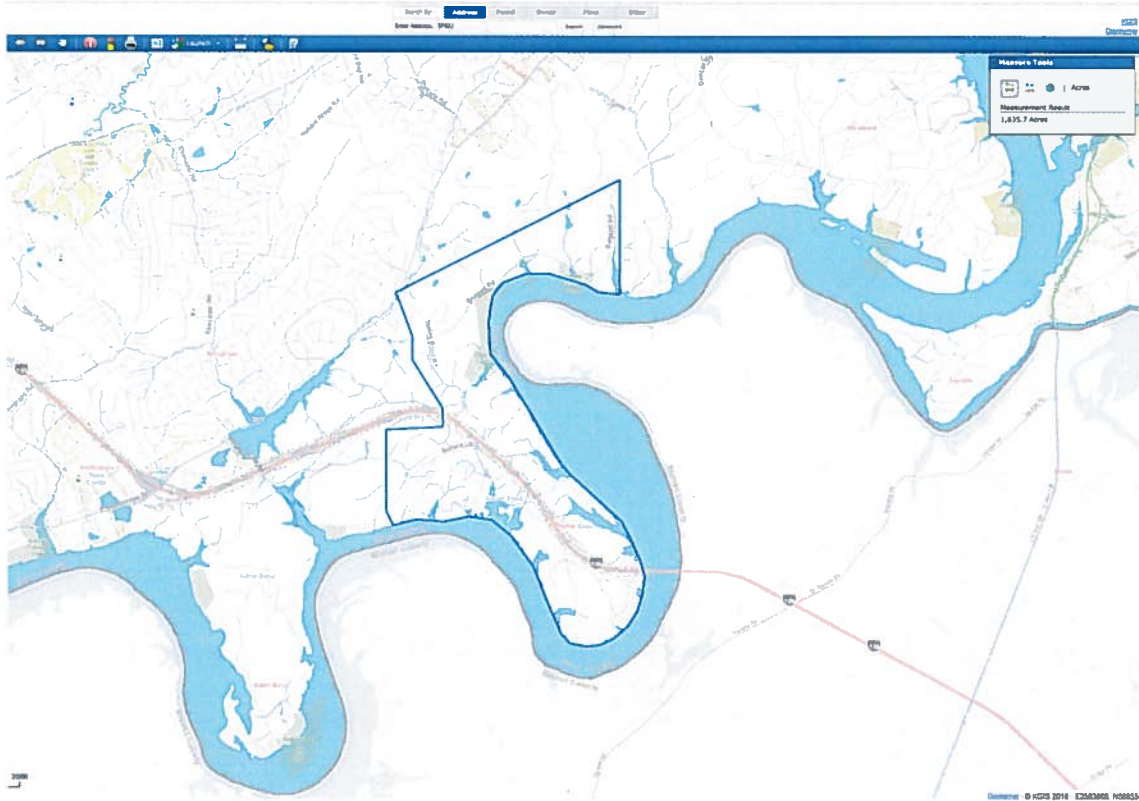
EXHIBIT 3

**COMPARING
SURROUNDING
COMMUNITY
DENSITY WITH
*POST OAK BEND***

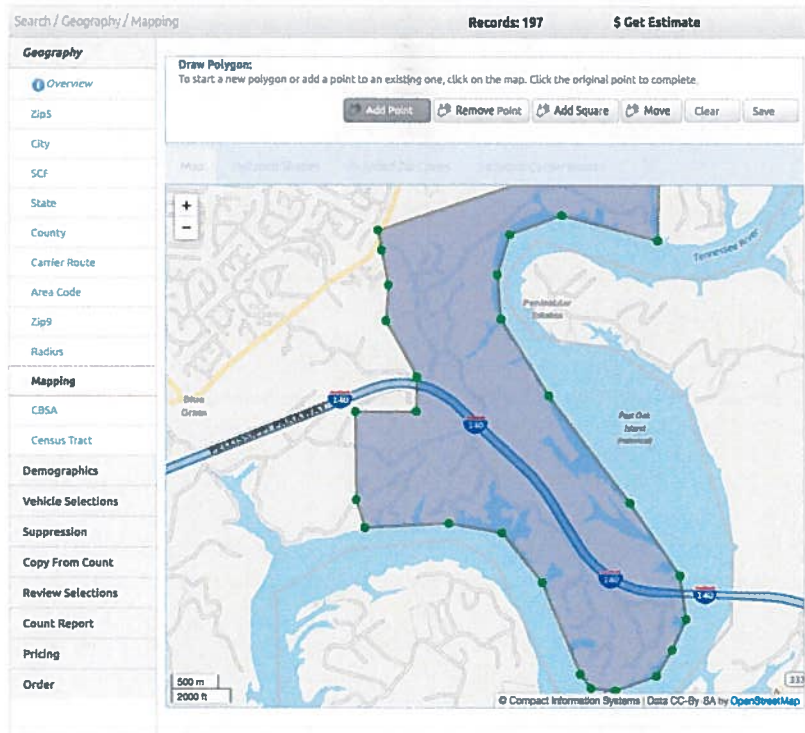
EXHIBIT 4

August 2018

TOOLES BEND



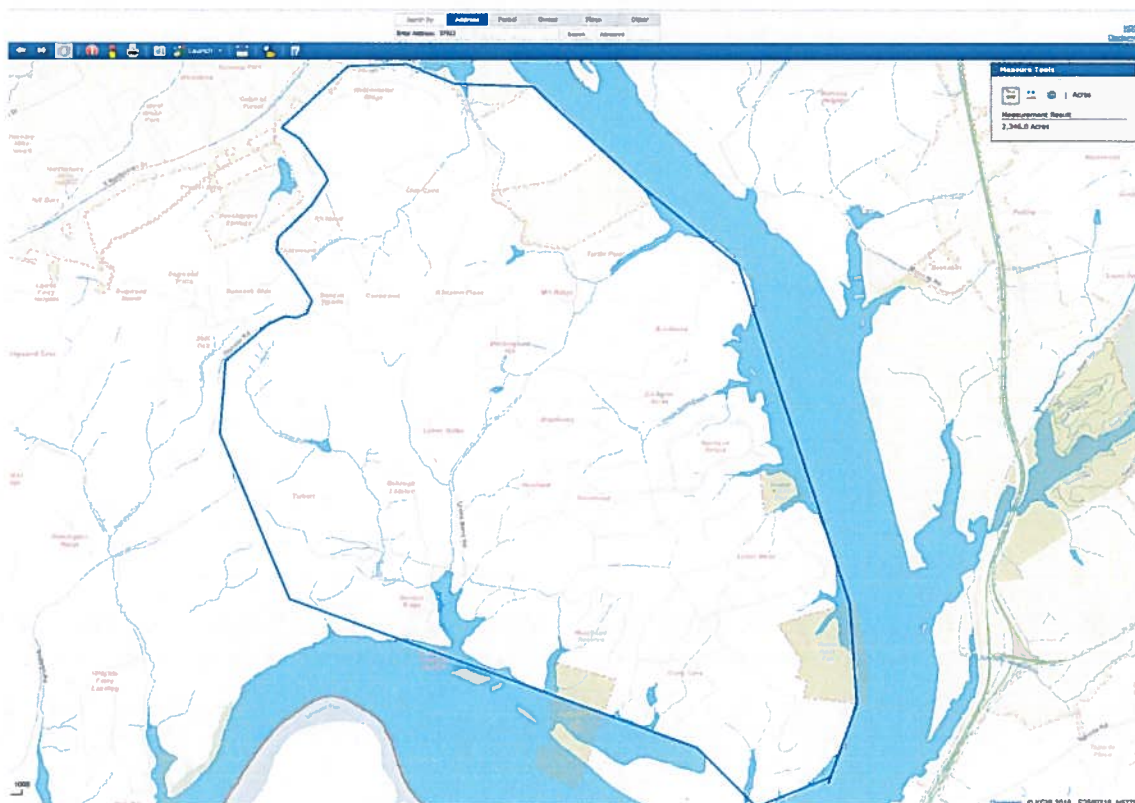
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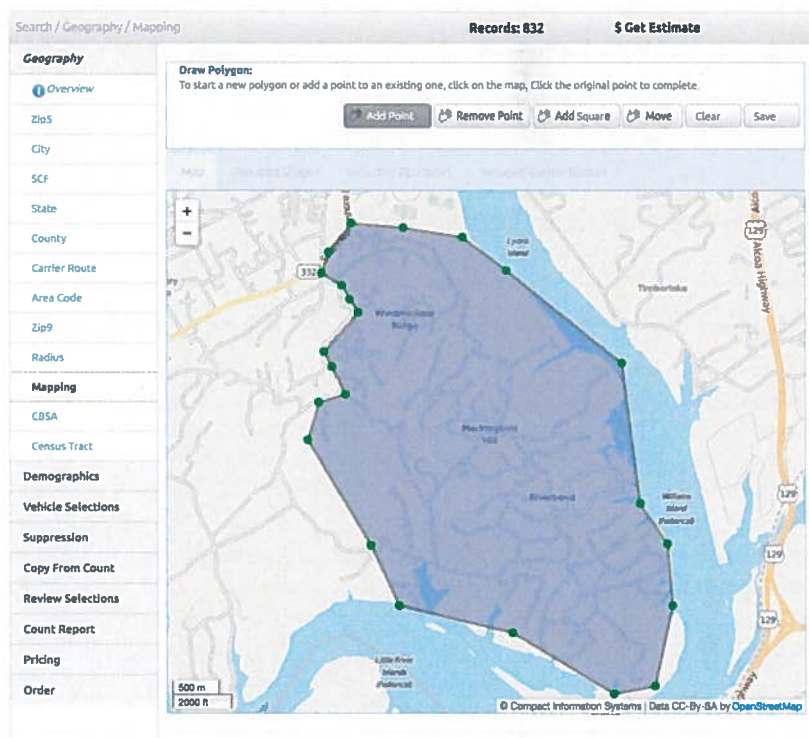
DENSITY
0.12 HOMES
PER ACRE

197 HOMES

LYON'S BEND



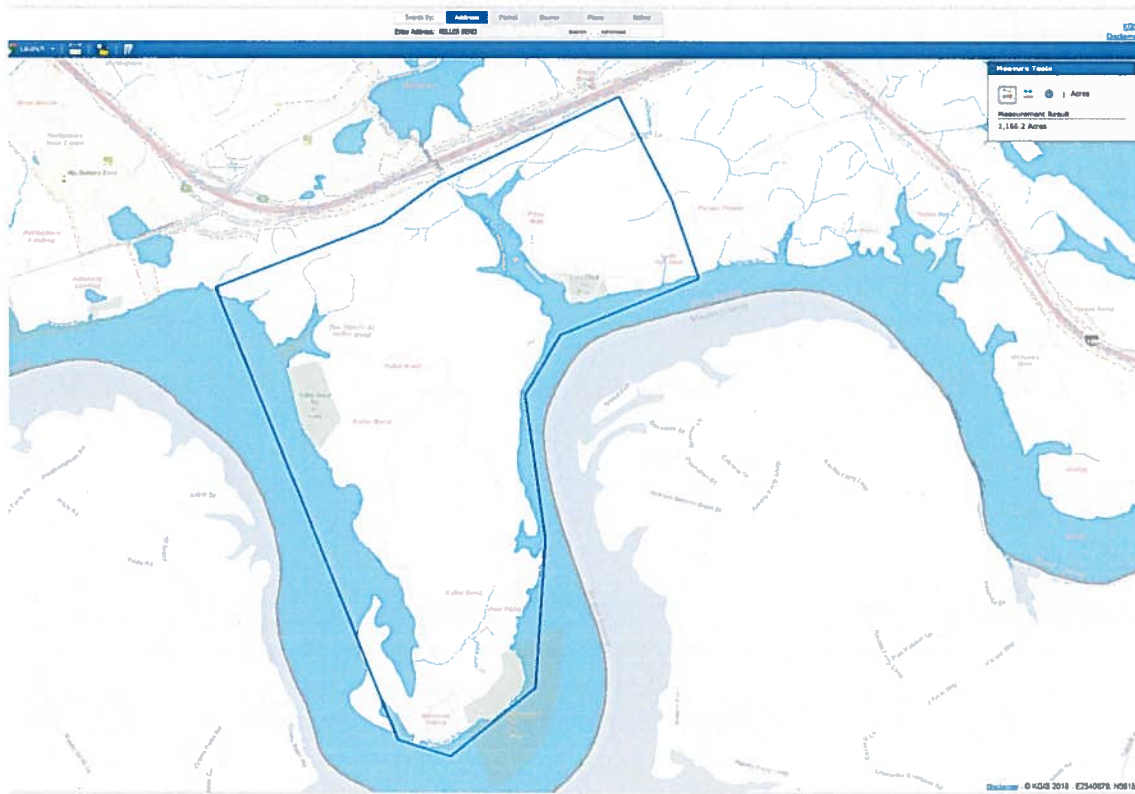
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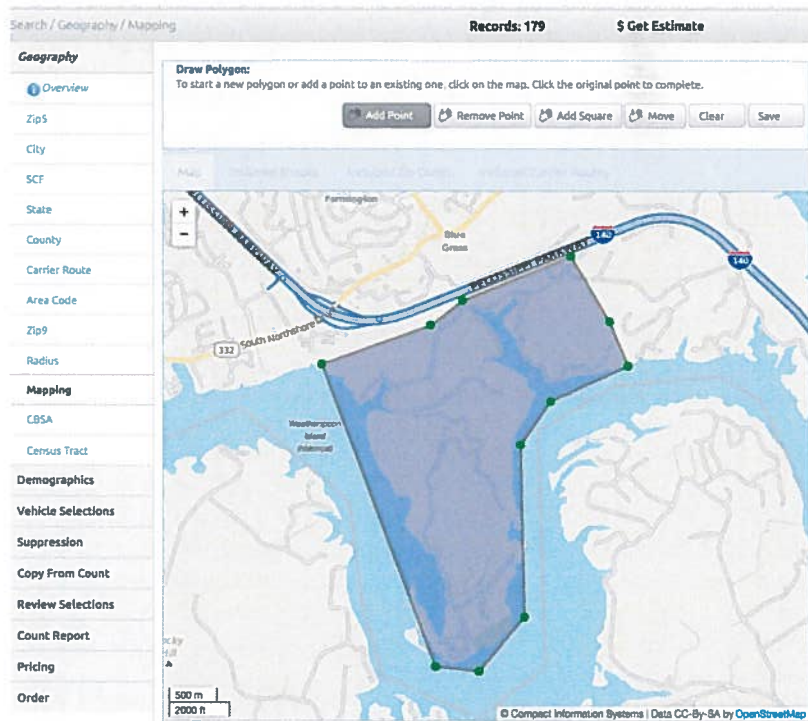
DENSITY
0.35 HOMES
PER ACRE

832 HOMES

KELLER BEND



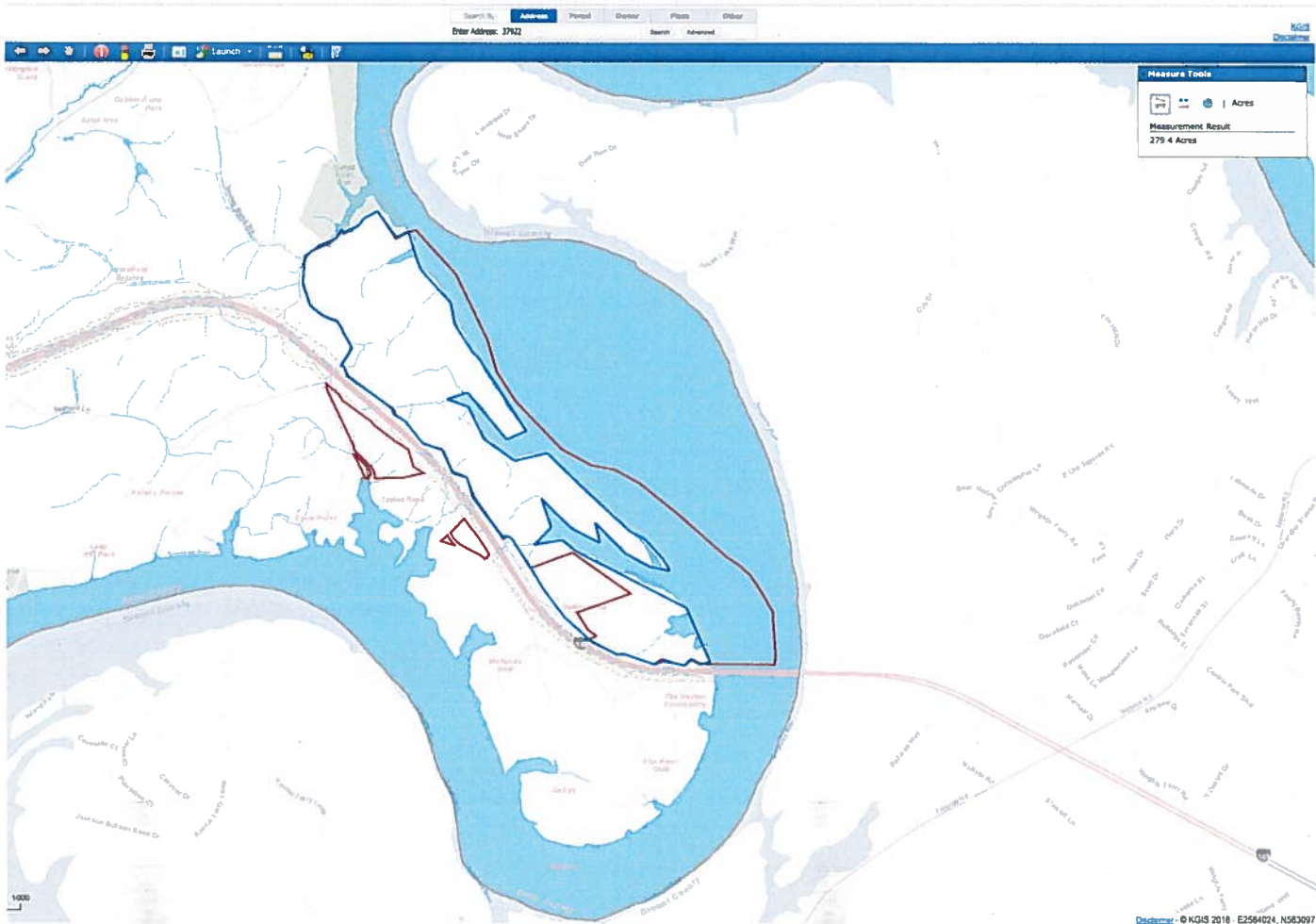
1,166.2 ACRES



DENSITY
0.15 HOMES
PER ACRE

179 HOMES

POST OAK BEND



260.51 ACRES*

DENSITY
 2.39 HOMES
 PER ACRE

623 HOMES

Surrounding Community Density Comparison

This is 19.9x current density of **Tooles Bend**

This is 6.8x current density of **Lyon's Bend**

This is 15.9x current density of **Keller Bend**

*Acres above 813 summer pool



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

[MPC Comment] Post Oak Bend Proposal

1 message

Emily DeLozier <eadelo@bellsouth.net>

Thu, Aug 9, 2018 at 10:45 PM

Reply-To: eadelo@bellsouth.net

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

To the MPC:

My husband and I attended the meeting today through the discussion of Item #15 Post Oak Bend. Traffic on Tedford Lane was briefly mentioned at the beginning of the discussion, but there was no discussion of the impact this proposed development might have on traffic on Northshore Drive. I am sure that you are aware of the current situation on Northshore in the late afternoons, especially Westbound between Rocky Hill and the I-140 intersection. This past Monday at 5:15, it took me 35 minutes to get from the Morrell Road/Northshore Dr. intersection to Tedford, a distance of about three (3) miles. I am sure it would have been much worse had it been a Friday. I am typically headed East from I-140 at that time, and there is always a backup there as well.

We are also concerned about the impact this development might have on traffic on Tedford Lane, of course. Although there is not a huge volume of traffic now, I can imagine that this route might be considered a way to avoid much of the back-ups on Northshore for those traveling East from the I-140 area. I grew up on the property I currently live on - my Grandmother was a Tedford, and the property was a land grant from the King of England (but I digress). Anyway, the speed limit is 30 mph. I would venture to say that the average speed of traffic around the blind curve where our driveway enters is likely around 40-45 mph. My Father was hit there several years ago, and it is amazing that there has only been one other accident over the years while entering Tedford from our driveway. Increased traffic would certainly pose a challenge for anyone along Tedford to enter or turn left while exiting their driveway. I am sure those attempting to enter or turn left onto Northshore share in this frustration!

I know that you have received many emails regarding this proposal, and I appreciate your listening ear and your patience. I just felt that these two areas were not recognized at today's meeting, and should be considered in your decision.

Thank you,

Emily DeLozier
9419 Tedford Lane
Knoxville 37922

--

This message was directed to commission@knoxmpc.org