

▶ **FILE #:** 9-F-18-RZ **AGENDA ITEM #:** 26
 POSTPONEMENT(S): 10/11/2018 **AGENDA DATE:** 11/8/2018
 ▶ **APPLICANT:** BRIAR ROCK PARTNERS, LLC
 OWNER(S): Briar Rock Partners, LLC

TAX ID NUMBER: 133 N D 001 [View map on KGIS](#)
 JURISDICTION: County Commission District 4
 STREET ADDRESS: 8512 S Northshore Dr
 ▶ **LOCATION:** Southeast side S. Northshore Dr., southwest of Dunwoody Blvd.
 ▶ **APPX. SIZE OF TRACT:** 17.74 acres
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 24' of pavement width within 70' of right-of-way.
 UTILITIES: Water Source: First Knox Utility District
 Sewer Source: First Knox Utility District
 WATERSHED: Tennessee River

▶ **PRESENT ZONING:** A (Agricultural)
 ▶ **ZONING REQUESTED:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Vacant land and residence
 ▶ **PROPOSED USE:** Detached residential development
DENSITY PROPOSED: 5 du/ac
 EXTENSION OF ZONE: Yes, extension of PR zoning from the north and west
 HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: Residential subdivision / RP-1 and PR (Planned Residential)
 South: Houses and vacant land / A (Agricultural)
 East: Houses and vacant land / A (Agricultural)
 West: S. Northshore Dr., assisted living facility, residential / R-2 (General Residential) and PR (Planned Residential)
 NEIGHBORHOOD CONTEXT: This area is developed primarily with rural agricultural and low to medium density residential uses under A, RP-1, R-2, PR and RA zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 4 du/ac (Applicant requested 5 du/ac).**

PR zoning at the recommended density will allow reasonable development of the site, consistent with the sector plan and surrounding development, and also consistent with the residential density guidelines of the Hillside and Ridgetop Protection Plan (HRPP).

COMMENTS:

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. The recommended zoning and density for the subject property are appropriate to allow reasonable use of the site, while remaining compatible with surrounding development and zoning, and consistent with the policies of the HRPP.
2. With application of the residential density and land disturbance guidelines from the HRPP, the maximum density should be about 4 du/ac. The slope analysis, map and calculations are attached.
3. The property is in the vicinity of several RP-1 and PR planned residential developments.
4. 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 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 maintains that PR is the most appropriate zone for this development.

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. Staff's recommended zoning and density will be compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The site is not located within the Parental Responsibility Zone for schools, but sidewalks may still be required on at least one side of each street within the development, and possibly along the S. Northshore Dr. frontage.
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. The proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 88 dwelling units to be proposed for the site. That number of detached units, as proposed, would add approximately 922 vehicle trips per day to the street system and would add approximately 36 children under the age of 18 to the school system. The recommended PR zoning at a density of up to 4 du/ac would allow for a maximum of 70 dwelling units to be proposed for the site. That number of detached units would add approximately 747 vehicle trips per day to the street system and would add approximately 29 children under the age of 18 to the school system.
5. Depending on where access to the development is proposed, road improvements to S. Northshore Dr. may be necessary. The applicant will be expected to make any road improvements that are deemed necessary by the Knox County Engineering Department. The applicant will also be required to certify on the plans that adequate sight distance is available at the project entrance. A traffic impact study will be required if the development is projected to create more than 750 trips per day.

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 the site, which allows consideration of PR zoning at a maximum density of 5 du/ac.
2. Approval of this request could lead to future requests for PR zoning in this area.
3. The recommended zoning and density do not present any apparent conflicts with any other adopted plans.

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: 922 (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: 36 (public school children, ages 5-18 years)

Schools affected by this proposal: Rocky Hill Elementary, West Valley Middle, and West High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- 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.

If approved, this item will be forwarded to Knox County Commission for action on 12/17/2018. 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.

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS AND LAND SURVEYORS
4334 Papermill Road
Knoxville, Tennessee 37909
Phone (865) 588-6472
Fax (865) 588-6473

October 8, 2018

Mr. Jeff Archer
Knoxville MPC

Dear Mr. Archer:

We request the following at the October 11, 2018 MPC meeting:

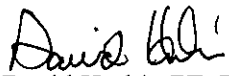
Please postpone consideration of the following rezoning request:

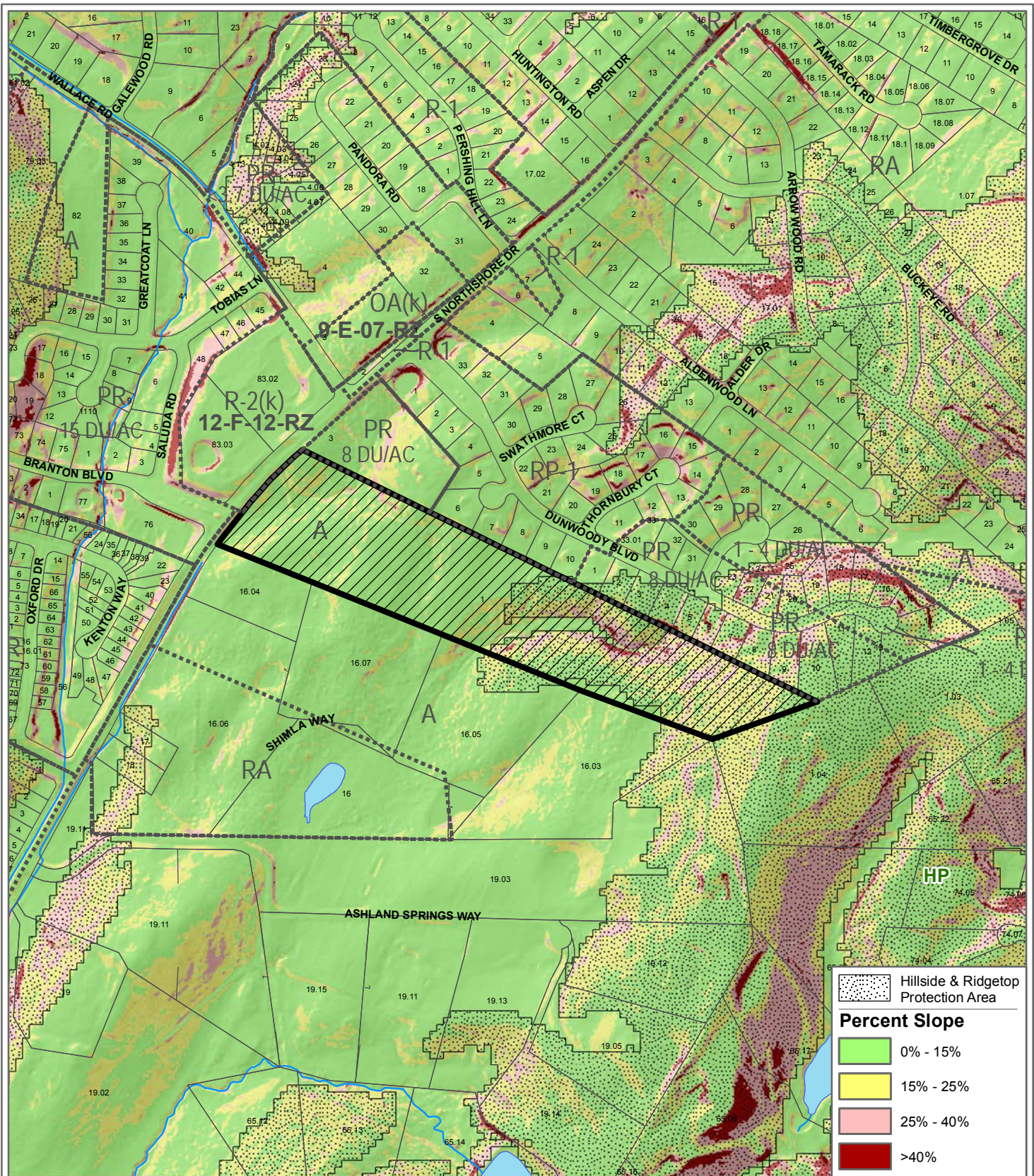
- Briar Rock Partners – Northshore Drive (9-F-18-RZ)

Until the November 8, 2018 MPC meeting.

Thank you for your assistance.

Sincerely,


David Harbin PE, RLS



**9-F-18-RZ
REZONING - SLOPE ANALYSIS**

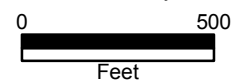
From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: Briar Rock Partners, LLC

Map No: 133
Jurisdiction: County

Original Print Date: 8/15/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



9-F-18-RZ Slope Analysis

			Acreage
Non-Hillside Portions			10.42
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	3709	2.13
2	15%-25%	5973	3.43
3	25%-40%	2024	1.16
4	>40%	219	0.13
			6.84
Ridgetop Area			0
Site Total			17.26

MPC STAFF - SLOPE / DENSITY ANALYSIS
9-F-18-RZ -Briar Rock Partners, LLC - A to PR

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	10.42	5.00	52.1
0-15% Slope	2.13	5.00	10.7
15-25% Slope	3.43	2.00	6.9
25-40% Slope	1.16	0.50	0.6
Greater than 40% Slope	0.13	0.20	0.0
Ridgetops	0		0.0
Subtotal: Sloped Land	6.85		18.1
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	17.27	4.07	70.2
Proposed Density (Applicant)	17.27	5.00	86.4

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 Knox 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.

9/7/2018

9-F-18-RZ-PP-9-13-18



Sherry Michienzi <sherry.michienzi@knoxmpc.org>

[MPC Comment] Fwd: Briar Rock Partners - Northshore

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Fri, Sep 7, 2018 at 8:43 AM

Reply-To: mike.brusseau@knoxmpc.org

To: Commission <commission@knoxmpc.org>

Postponement request for item #42 Briar Rock Partners, LLC (9-F-18-RZ)

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

From: David B. Harbin <harbin@bhn-p.com>

Date: Thu, Sep 6, 2018 at 4:28 PM

Subject: Briar Rock Partners - Northshore

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

Cc: Ken Sunzeri <kensunzeri@gmail.com>, "Arthur G. Seymour, Jr."

<ajseymour@fmsllp.com>, Hanson Tipton <htipton@watsonroach.com>



Mike:

Please see attached...

David Harbin PE, RLS

Batson, Himes, Norvell & Poe

4334 Papermill Drive

Knoxville, TN 37909

(865)588-6472



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

[MPC Comment] Northshore Development

1 message

McIntosh, Jeffrey <jeffrey.a.mcintosh@medtronic.com>
Reply-To: jeffrey.a.mcintosh@medtronic.com
To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Tue, Sep 11, 2018 at 7:38 AM

Commission,

I live in Whittington Creek and our kids attend bluegrass. The traffic turning out of Whittington and Kensington has become very dangerous. I think significant thought needs to be given to the impact of fatality and injury accidents by further developing and not altering Northshore to support this increased demand. Also as soon as folks get past the turns there is significant distracted driving (phone concerns). Your attention and pause is requested.

Respectfully,

Jeff McIntosh
Senior Sales Director | Respiratory & Monitoring Solutions

Medtronic
Respiratory & Monitoring Solutions
6135 Gunbarrel Avenue | Boulder, Colorado 80301 | United States
Mobile [865.607.5827](tel:865.607.5827) | Fax [865.978.6311](tel:865.978.6311)
jeffrey.a.mcintosh@medtronic.com
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**LET'S TAKE HEALTHCARE
FURTHER, TOGETHER**

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This message was directed to commission@knoxmpc.org

Re: Briar Rock Partners, LLC (9-F-18-RZ)

Hanson Tipton <htipton@watsonroach.com>

Sep 28, 2018 1:50 PM

Posted in group: **Commission**

Mr. Archer and Commissioners –

I am writing to you regarding Item #34 on the October 11, 2018 MPC Agenda, an application for re-zoning filed by Briar Rock Partners, LLC (9-F-18-RZ). I live at 1515 Dunwoody Blvd. and my property shares a border with the parcel that is the subject of this application. Our neighborhood is uphill and upstream from the subject parcel.

Last week several of my neighbors and I met with Mr. Sunzeri and Mr. Harbin, along with others including Mr. Seymour and their local builder. At the meeting Mr. Sunzeri told us about his plans for the property and assured us that he does not plan to build the number of units he originally applied for (5 du/ac), nor does he plan to build the number of units that the MPC Staff Recommendation recommended be approved (4 du/ac).

During the meeting my neighbors and I also informed Mr. Sunzeri and his team about environmental issues we were aware of, on both the property he was planning to develop and the property in our own neighborhood. These issues include sinkholes, caves, and regular flooding problems, as well as a stream that crosses the subject property. We relayed this information not only for Mr. Sunzeri's benefit (he and his team did not appear to be aware of much of what we told them about the sinkholes, caves, and flooding,) but also to protect our own property as development downhill/downstream from us could adversely impact our property, particularly regarding flooding problems that several residents in Dunbarton Oaks have already experienced for many years. We showed Mr. Sunzeri photographs and video footage of the issues on our own land as well as the subject property.

Mr. Sunzeri thanked us for this information and he and Mr. Harbin told us that they would conduct a geotechnical survey of the land to address these environmental concerns. I do not currently know the status of this survey and do not know when to expect it to be complete. As of today we are less than two weeks away from the October MPC meeting. My neighbors and I would suggest that it would be appropriate to **postpone the Commission's consideration of the re-zoning application** at least until the geotechnical survey is complete and we have had an opportunity to review its results and consult with our own engineers regarding the impact that developing this land will have on our own property, uphill and upstream.

Regardless of whether the re-zoning hearing is postponed for the reasons above, I would also like to comment on the MPC Staff Recommendation to "approve PR (Planned Residential) zoning at a density of 4 du/ac." The Staff Recommendation notes that approval of 4 du/ac would be "compatible with the surrounding or adjacent zones." This is not the case. Most of the area where we live surrounding this parcel of land is developed at 3 du/ac or considerably less. Our neighborhood, Dunbarton Oaks, runs along the northern border of this parcel and occupies 29.2 acres of land. Dunbarton Oaks contains 66 single family residences, resulting in a density of **2.26 du/ac**. To the south of the subject property lies Ashland Springs Way and Shimla Way. That land is all developed with much less density than even our own neighborhood.

The Staff Recommendation to approve development at 4 du/ac would nearly **DOUBLE** the density of the immediately surrounding areas and would clearly not be consistent or compatible with the character of the surrounding community. As the Staff Recommendation notes, this density would allow up to 70 dwelling units (more than are built in Dunbarton Oaks) on a parcel of land MUCH smaller than Dunbarton Oaks. At our meeting with him, Mr. Sunzeri himself indicated that he does not think it would be wise to build this many units. We agree.

My neighbors and I do not oppose all development whatsoever and we understand that we live in a Planned Growth Area. However, development needs to be done responsibly and not to the detriment of the existing community. My neighbors and I urge the Commission to follow its own zoning ordinance requirements and approve development that is consistent with the character of our existing community. Development at a density of 2.26 du/ac or less would be consistent with that character. Development at a density of 4 du/ac clearly would not. (Development at that density would also cause even more drainage and flooding issues for our land than we already experience.)

My neighbors and I appreciate the work that the Commission does and we look forward to discussing these issues with you when the time is right. We submit that it is premature to consider re-zoning this land at this time given the environmental issues outlined above. If and when this land is considered for re-zoning, we submit that 4 du/ac is far too dense for development in our community. We urge the Commission to only approve development at a density that is consistent with the character of the existing community. We have many other concerns about the planned development (including traffic impact and other concerns,) but understand that the re-zoning stage is not the appropriate time to address those issues.

Please feel free to contact me if you have any questions about this e-mail or need any additional information.

Very truly yours,

Hanson R. Tipton

865-637-1700 (office)

865-525-2514 (fax)

hrtipton@watsonroach.com



[Website](#)

[Bio](#)

[V-Card](#)

Watson, Roach, Batson, Rowell & Lauderback, P.L.C.

P. O. Box 131

Knoxville, Tennessee 37901-0131

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Item #34 on the Preliminary Agenda for MPC meeting 10/11/18 - (Application 9-F-18-RZ)

allen <allenjacobs@hotmail.com>

Oct 5, 2018 9:59 AM

Posted in group: **Commission**

Good morning all - I am writing to ask you to postpone the re-zoning vote on the property on Northshore Drive because most of the concerned neighbors will be out of town next week for Knox County Schools Fall Break and will be unable to attend the MPC meeting.

I live in Dunbarton Oaks subdivision which is adjacent to the subject property. I am also a licensed structural engineer (P.E.) in Tennessee and other states. I have seen flooding on the subject property and on multiple lots and cul-de-sacs in Dunbarton Oaks on at least 10 occasions in the last 10 years. Many of our neighbors adjacent to the subject property had front and rear yard flooding last week during the heavy rains for 3 and 4 days in a row.

There is an active creek on the subject property and multiple sinkholes on the subject property. I don't know if the Stormwater Engineering requirements are the same for Knox County as they are for the City, but I think that much more effort needs to happen to get TDEC and possibly the EPA involved to determine the adequacy of the subject property to even be graded or graded and have houses built on it. I think based on a sinkhole and pond in a sinkhole in adjacent properties to the subject property that the land should be considered a Critical Sinkhole Watershed.

I also recommend a geotechnical specialty company such as PE, GEOS, REMBCO, or ETS be employed to perform many soil borings on the subject property to determine if the soil and rock and underlying geology can even support houses with an adequate soil bearing capacity.

I ask for a delay in the re-zoning vote, and our hope would be that after further testing, if the land is deemed un-fit for residential development, that the subject property remains zoned Agricultural.

Thank you.

Allen Jacobs, P.E.

8413 Hurstbourne Ct.

Knoxville TN 37919

Cell = 865-740-9443

Sent from Mail for Windows 10

Google Groups

RE: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

Amy Anderson <amyande@hotmail.com>

Oct 5, 2018 1:25 PM

Posted in group: **Commission**

Dear Mr. Archer and MPC staff,

I am writing in reference to the proposed development by Briar Rock Partners, LLC off of Northshore Drive. I have several concerns with this proposed plan, as I will list below.

First and foremost, is the environmental impact that the development of this property may have on current property owners. The proposed plan backs up to Dunwoody Blvd., which I live off of and have property that backs up to the property that is for-sale. The property that is up for rezoning has serious water issues, many sink-holes and caves, and a major creek running through it that drains into the fields and into the back of several of our properties. We made the developers aware of this issue (as they had not walked the property) and presented them with evidence of the flooding, caves, and sink-holes when we met with them a few weeks ago. They were not aware of these issues. Several of us property owners have spent thousands of dollars (literally, we have the bills to prove it) to correct flooding issues in our yards and homes. I myself, have had to bring dumptruck loads of dirt into our backyard to fill a depression and have had to have the yard regraded so that water drains properly. I have attached pictures of this process. Also, many of us have suffered from foundational issues due to this improper water drainage in the neighborhood. In a nutshell, the water from our neighborhood and another neighborhood further down Northshore Drive ends up in the property directly behind Dunwoody Blvd. As stated, this has already created many issues for us property owners and we are concerned that water will be re-directed back onto our property by the creation of this development. We have several pictures of the flooding from the creek and in the property directly behind Dunwoody Blvd and in our own yards. We would be happy to share this evidence with any of you upon request. We feel that this is an issue that must be addressed. The property should stay zoned AGRICULTURAL.

Density: Since the back of the property is not buildable, the density of all the houses is planned to be up front, which puts 5 or so homes per acre on the front portion of the property. Once again, this is a concern due to the environmental issues stated above. Furthermore, the plan puts houses and streets within a 25 foot buffer (basically right up to the property line) of many of the properties off of Dunwoody Blvd.

Safety: Having streets back right up to the property lines of our houses creates a great safety concern for many of us, as our neighborhood is full of children. This issue would have to be addressed by the property owners with fences or a tree buffer, if possible.

Traffic: As you all are well aware of, Northshore Drive near Wallace Rd. intersection is a very busy road already. Traffic issues have been made worse at this intersection by the apartments off of Wallace Road, as well as the overall increase of traffic down Northshore Drive. The proposed development would have an entrance almost directly across from Lyon's Crossing entrance and approx. 100 feet from Wallace Rd and our neighborhood entrance. With no turn lanes on Northshore, this creates even more of a safety and traffic concern. If you look at the plan, it is a head-on collision nightmare in the making.

Neighborhood schools: As more developments are made along Northshore Drive, it is putting a strain on our local schools, which already report that they are at or above capacity. Specifically impacted is Rocky Hill Elementary school. Many of us chose to live in this area because of the excellent school system, particularly the elementary school. At some point, some consideration has to be taken to the potential impact to the quality of the school resulting from the over-development of Northshore Drive.

Thank you for taking your me t o read my concerns. As the October MPC meeng is scheduled o ver Knox County Schools fall break, myself and many of my neighbors will be out-of-town and unable to attend the meeng. Please do not le t our absence be mistaken for us not caring as a community. Please address our concerns.

**RE: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting
(Application 9-F-18-RZ)**

berryart <berryart@bellsouth.net>

Oct 4, 2018 10:56 PM

Posted in group: **Commission**

Good evening all,

(Hugh - Mike says he will yell Abigail behind you at all swim meets if this is ignored)

We'd like to express our concern about the subject agenda item and strongly suggest that you vote to keep the property zoned as agricultural.

We have lived in Dunbarton Oaks for 19 years. We are opposed to the rezoning of the Hunter property to residential for many reasons. We can't be at the meeting, but we'd like you to know a few items:

- We know that the property has numerous sinkholes and caves. We have personally experienced foundation settling and drainage issues due to the same thing, confirmed by our insurance company, which are very costly to repair.
- Drainage on the hill and lower portions of our neighborhood continues to be a problem, with flooding in significant rains.
- We know that the owners and the county have not completed a geotechnical survey, and continued development could harm our property and affect the streams in the area as well.

Regards,

Leah and Mike Berry

Briar Rock Partners

Russell Biven <coachbiven@gmail.com>

Oct 4, 2018 7:45 AM

Posted in group: **Commission**

Mr. Archer and Commissioners,

Thanks for everything you do in our community. I, along with many of my neighbors, request that you postpone the MPC meeting set for October 11th, item #34.

As you know, that is during Knox County's Fall break. I would hope you could work with us on this request. Many of us are very active in our community and have lived here a long time, while the buyer is based in California.

Thank you for your consideration.

Russell Biven

Briar Rock Partners

Russell Biven <coachbiven@gmail.com>

Oct 5, 2018 8:22 AM

Posted in group: **Commission**

Mr. Archer and Commissioners,

I want you to know that my role in media has nothing to do with this situation. I'm simply coming to you as a member of the community.

If this piece of property was "normal," we would all debate the issue and settle on something. We understand our area needs to grow, but this is a different beast.

The environmental impact will be beyond measure if you allow this development to take place.

We've spent almost \$22,000 because of the impact the property behind us has had. Building would only make this issue worse from an environmental standpoint. I'm providing pictures of caves and sinkholes that simply need to be addressed.

We have many more videos and pictures of the inside of these caves that have running water underneath them.

Thank you for your time.

Russell Biven











Google Groups

RE: MPC Item #34 on the Preliminary Agenda for 10/11/18 Application 9-F-18-RZ

Valerie Cox <valmcox@yahoo.com>

Oct 8, 2018 8:25 AM

Posted in group: **Commission**

My name is Valerie Mire and I live in Dunbarton Oaks which is adjacent to the property you are reviewing. I am honestly not big on letter writing to public officials because I can't imagine how you can possibly read all these emails and read the reviews for each meeting. I would much rather meet with you in person without a 5 minute clock ticking above my head, but I guess that's not going to happen either, sohere goes.

The land you are reviewing is full of running water, sink holes AND water run off from all developments that surround it. Properties that are adjacent to the land on review (on all sides) have all had sink hole and water issues (ASK THEM). Eventually the water has to go somewhere and the CITY and the COUNTY apparently think they can beat mother nature - WE CAN'T.

First and foremost, I implore you and the rest of the committee to LEARN the history of this property. You will be surprised how much there is. It dates back to a time before any of these neighborhoods were built on Northshore. A man that lives on Rudder Lane (behind the property in question and behind our neighborhood), Dr. Ambrose, knows it all. He will be at the MPC hearing if you are interested in talking with him.

Steve Williams was the developer and he wasn't the best. When Steve made this neighborhood he made a "deal" with the County and the City to get the rights to develop. Half the neighborhood is county and half is city. He cut corners everywhere. People (inspectors) knew it then and now. Numerous complaints about water issue have been hashed out over the last 20 years. The last one was just a few years ago when the city had to spend a substantial sum of money to repair the drainage systems under the main roads in the neighborhood - apparently Steve did not adhere to city codes (inspectors knew about this).

Why is this the Hunter's problem? They just want to go from Ag to Planned Neighborhood

Well let's face it. It's not. BUT, if you allow the change in zoning - you are opening this up to development.....so you should know that ANY developer is going to have their hands full on this and lawsuits to the City and the County are going to fly.

FOLLOW the MONEY

Did you know that Mrs Hunter has passed and one of the sons still lives and wants to stay. He is fighting with his brother (impending lawsuit) because if you change the zoning, then his taxes increase, but he may not be able to sell the land for development. Again, not your issue, but an interesting fact.

Another interesting fact, **LOCAL DEVELOPERS have all quickly passed on this property.** It's not "buildable" to make the numbers make sense. The current developer is out of CA. He doesn't know the history. He is going to try to put a bunch of cheap homes on this property and sell it to unsuspecting young families who live here! **Your job is to protect them.** It's been hard on all of us in this neighborhood to make the costly repairs required. I can't imagine the repairs that these new houses will need within 5 years.

A FRESH IDEA

So what are you to do? If people want to change the zoning of their property, they can. I agree - **PROVIDE AN ALTERNATIVE**. The County caused this problem. They knew it at the time. **MAKE IT RIGHT**. OFFER the Hunter's a fair price for the land to **make it a park**. The density of the properties up and down that road is heavy. You allowed an apartment complex on Wallace Road recently. A new development in front of Lyons Crossing that is an embarrassment. An Assisted Living Center down the street. More to come I am sure.....but there is no GREEN SPACE. There is park at Westland and the parks on the other side of Pellissippi Parkway. That's it.

You could even make it a private pay dog park. Other cities have that all over the place. People would pay a quarterly park pass to the county to use the park. **Wow, A REVENUE STREAM for the County**.

You are the planning committee, you can do what you want. DO YOU WANT TO PROTECT the current property tax payers and the future property tax payers? Do something positive.

Water Issues in Dunbarton Oaks that effect the adjacent property.

Main Road - Dunwoody Blvd.

The drainage was not cement and had collapsed over the years. When the city fixed the problem all they did was open up the water to cause drainage problems on 2 homeowners' properties. Each of those homeowners have spent more than \$25K each trying to fix the issues on their properties TO NO AVAIL. It can't be fixed without a major overhaul. We expect to find this problem all over the neighborhood soon as the material originally used was only meant to last 20 years!

Thornbury Court

Again, check with City offices of storm drainage they have the records. Almost every house on this road now has foundation issues due to water drainage. We have all "jacked up" our foundations. The city put special drainage at 8410 (Wayne Blasius' home- prior owner, friend of Steve Williams, worked at the city in development.....hmmm I wonder how Steve got the deal with the city...hmmmmmm). The water issues at that house caused lawsuits - check the records. The house was a blight on the neighborhood because the problems couldn't be fixed without big money. The house ended up falling apart and was finally sold in foreclosure to a contractor who is slowly fixing what he can.

My house on 8419 was supposed to be fixed by the previous owners and to their credit they did add a sump pump and fixed the foundation. I have lived here for 4 years and have spent \$65K on SURPRISE water issues. The only answer according to the city, contractors, and engineers is for me to excavate the land. This will get the water off my property but it will cause huge problems for my neighbors.

Hurstbourne Court

My last house 8413 Hurstbourne Court was built by someone other than Steve - but that didn't matter because it is the land that is the problem. That cul de sac apparently was a big creek back in the day. Instead of diverting the water, they paved over it in a "dry spell". That water dumps into the property in question also. Where will all this water go???????

Ask the Hunter's. After Dunbarton Oaks was developed, they were flooded out of their property. They sued the city/county over the problem. the city/county had to build a culvert to divert water under Northshore to dump it across the street on Steve's other properties!

Google Groups

Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

BROOKE DUNCAN <brookeclaudia@comcast.net>

Oct 5, 2018 8:22 AM

Posted in group: **Commission**

Dear Commissioners,

RE: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

My family has lived in Dunbarton Oaks for the past 12 years. During that time, I have witnessed most of my neighbors experiencing foundation issues and flooding. Why is this? Our neighborhood was built by Steve Williams on land filled with sinkholes that the builder filled in, covered up and hid. This has been well documented.

Our neighborhood floods frequently at its lower points. Recently the county discovered the storm drains weren't even connected to the property drainage ponds.

When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm our property as well as land downstream from the Hunter property. Addressing these issues will cost the County significant money.

Now the Hunter property behind us has a request to be rezoned from agricultural to residential. I am 100% opposed for two reasons. First, since building on this property will further compromise the stormwater drainage system and will cause further drainage issues in our neighborhood. Second, the poor people who buy houses on the Hunter property will have the same issues as it is filled with sinkholes.

If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even **MORE** flooding problems for us and others in the surrounding area.

It is my understanding that there has been no geotechnical survey conducted. That calls into question the builder's concern for his own money and, more importantly, the fate of his future buyers.

As a taxpayer and resident of Dunbarton Oaks, I implore you to keep the Hunter property zoned agricultural.

Brooke & Claudia Duncan

10/9/2018

Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ): - Google Groups

8424 Swathmore Court

Dunbarton Oaks



Google Groups

Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ) BRIAR ROCK PARTNERS LLC

mary3ford@aol.com <mary3ford@aol.com>

Oct 5, 2018 11:20 AM

Posted in group: **Commission**

My name is Mary Ford and I live at 1604 Dunwoody Blvd next to the proposed property up for discussion for rezoning next Oct 11th.

I am adamantly **OPPOSED** to the rezoning to PR.

This land is incompatible with any sort of development due to serious anomalies: sink holes, caves, hillsides, streams, depressions and serious flooding issues that literally spill over onto adjacent properties. The current TOPO map on file does NOT fully represent the lay out of this property. One must walk it, survey it and do an extensive on-site analysis. The very definition of a sink hole states that they evolve and change over time due to the storm water break down of the underlying limestone. For this reason, the current TOPO maps for this property are sorely out of date. Please see attached pictures.

According to the Knox County Stormwater Management Manual:

(seen here: https://knoxcounty.org/stormwater/manual/Volume%202/knoxco_swmm_v2_chap8_jan2008.pdf)

Disturbance of the immediate area around a sinkhole during construction activities shall be minimized to as little as possible. The use of mechanized equipment near the sinkhole throat should be avoided. All use of explosives shall be in compliance with the State Fire Marshall's Office. The underground system of caves and streams is dynamic and explosions in the vicinity can alter or block underground drainage passages. Sinkhole areas are known to be unstable for construction and structures placed on soil foundations in sink areas may be subject to both settling and collapse of the sink.

Our neighborhood (Dunbarton Oaks) was built by Steve Williams in the early 90's on very similar land adjacent to the proposed property (stream, sink holes, etc). It should have never been approved by the MPC to be rezoned for anything but agricultural. Steve Williams did NOT implement appropriate remedies for the massive sink holes or water shed problems. Many, MANY neighbors have suffered the long term (and still very present) consequences of errant decisions that are now irreversible. We have many neighbors who can testify to sinking/cracking foundations, flooding issues and massive bills which reflect that. One neighbor spent \$20k+ on their flooding in their backyard (that leads to the Hunter property) along with jacking up their home due to sinking. Our personal home also had to be raised due to the center sinking almost 2 inches lower than the rest of the house.

Twenty years ago, Mrs Hunter (who lived on the property up for rezoning) had to attain legal counsel due to the lake in her front yard because of Dunbarton Oaks and the absence of a TRUE water drainage solution. An underground culvert was built (we believe paid for by the county) and drilled all the way under Northshore Dr to alleviate her flooding. This will have to be expanded to accommodate even more development on her property, especially if the developer simply fills in the sink holes. Disturbing and filling in sink holes completely disrupts the historic and natural drainage system. That water must resurface **somewhere** and will only compound our already present flooding issues both in our neighborhood and the neighborhood to the other side of the Hunter property (Ashland Springs Way).

The people who sat on the MPC 20+ years ago, along with the developer and engineers are all responsible for approving a piece of property that will forever have long term consequences on families for years to come. **Right now, is YOUR opportunity to not allow this same mistake again.**

The developer out of California, Mr Sunzeri, met with our neighborhood on Sept 21. He was accompanied by a team of folks including his engineer and head construction man who are both local to Knoxville. When we expressed our concerns for the land and our current problems with our adjacent land, his team had no idea about the serious environmental concerns. **His team promised a geo-technical survey, which we were told has not been done yet.** And there has been no set date for any in the future.

Again according to Knox County's own Stormwater Management Manual:

1. Knox County Engineering **requires** geotechnical studies for structures located within fifty (50) feet of the highest hachured contour (also called the "rim") of a sinkhole.
2. Uncontrolled fill placement may present additional settlement hazards when fill is placed in or near sinkholes. Knox County **requires** that appropriate geotechnical studies be done and measures taken to insure structure foundations are designed to take into account potential sinkhole locations and instability. Such studies should account for potential foundation problems for both undisturbed sink areas and those previously filled by others.

IF Mr Sunzeri moves forward with this development withOUT a geo-tech survey, he would be in violation of Knox County's own regulations.

If approved, the structural integrity of many homes will be at risk, along with water shed and flooding issues both to this property and adjacent properties.

He has not communicated with our neighborhood as to how he is going to ensure the structural integrity of all these homes.

He has not communicated with us as to how he is going to protect the underground and above ground water drainage systems.

He has not put forth a plan as to how he will take owner responsibility for the direct and indirect consequences of additional flooding that will spill onto the adjacent properties.

There is a reason why this land has remained undeveloped for decades. Developers LOCAL to Knoxville know this property is riddled with problems and have walked away.

We implore you to **DENY** the application by Ken Sunzeri and Briar Rock Partners out of Campbell, CA.

Mary Ford









Google Groups

Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

Wendy Jacobs <wendyjacobs3673@gmail.com>

Oct 5, 2018 11:54 AM

Posted in group: **Commission**

Good morning, MPC officials:

I am a resident of Dunbarton Oaks subdivision and am writing not only as a concerned resident, but also as the HOA Treasurer. Unfortunately, I will be unable to attend the Oct 11 re-zoning meeting to voice my concerns as it is Knox County Schools fall break and we will be out of town.

My ask of you is that before you vote please take the time to have a Geo-technical survey conducted as there has not been one conducted on the subject property. That survey will allow you the ability to make the most effective decision on re-zoning. The Hunter property is currently zoned as agricultural and has numerous sink holes and caves and has historically served as a storm drainage system for the whole valley south of Northshore Drive. Due to the extreme flooding and sink holes issues that Dunbarton Oaks has experienced, I strongly urge that prior to voting on the re-zoning that a Geo-technical survey be conducted as the topographical maps (TOPO) being presented for your review **DO NOT reflect the current** and vast amount of visible sink holes that exist on the property today.

Dunbarton Oaks is adjacent to the property being reviewed and we have experienced extreme flooding on our main neighborhood road which is not only hazardous and costly to our properties, but also unsafe at times for our children. Steve Williams was the developer for our subdivision, which built our neighborhood on similar sink holes and has caused many of our residence significant issues with foundation problems and sever flooding. Developing the Hunter property as residential, not only will impact our subdivision with even more sever flooding due to the fact that the water will have no where to go since the Hunter property acts as a storm drainage system as stated above; but if re-zoned as residential, the future homeowners of that development can expect to experience very similar and costly issues.

Another very important thing to know as you are considering re-zoning this property, when Dunbarton Oaks was developed, it caused such significant flooding on the front portion of the Hunter property that the County was forced to build a culvert under Northshore Drive to alleviate the flooding issues impacting the highway and the property. Creating a residential development on this property will compound these problems and could be costly to the County, Dunbarton Oaks as well as other downstream properties and those that travel an already very busy Northshore Drive.

Again, my ask of you is that before you vote, please have a Geo-technical survey conducted on this property, which will allow you the ability to make the most informed decision on the impact that re-zoning this property will have to Northshore Drive, Dunbarton Oaks subdivision and downstream properties.

Thanks,
Wendy Jacobs
8413 Hurstbourne Court
Knoxville, TN 37919
Dunbarton Oaks Subdivision

Google Groups

Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

Christiane Jacobssen <cmjacobssen@gmail.com>

Oct 5, 2018 8:22 AM

Posted in group: **Commission**

- We live in Dunbarton Oaks, 1507 Dunwoody Blvd, Lot 6, and are **OPPOSED** to rezoning the Hunter property from Agricultural to Residential.
- I, Chris Jacobssen, you will be in the attendance at the hearing on October 11, 2017.
- We are aware of numerous **sinkholes** and caves across the Hunter property (including the bottom portion, near our home,) which have historically served as a stormwater drainage system for the whole valley south of Northshore Drive, which includes our neighborhood. The water flows downhill from East to West.
- Our neighborhood was built by Steve Williams on top of similar sinkholes and has suffered numerous issues and damage as a result of sinkholes and drainage problems in Dunbarton Oaks (flooding/sinkholes/foundation problems). The Bivens, Lavelles, Haydens, Copes, Meehans, Dorstens, and Tiptons have been forced to spend significant amounts of money to repair these problems. The end of our driveway has broken away, and the back of our property has dipped as well.
- The lower portion of our neighborhood now **floods** multiple times a year with big rain storms. Our HOA has pictures and video of this flooding.
- When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm our property as well as land downstream from the Hunter property. Addressing these issues will cost the County significant money.
- If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even **MORE** flooding problems for us and others in the surrounding area.
- There is also a stream across the Hunter property that flows out of our neighborhood. It needs to be protected.
- **No geotechnical survey** has been conducted on this land and many of the sinkholes are not shown on the current topographical (TOPO) maps. But they are there and several of our neighbors have seen them. They have pictures and video of them as well.
- For all of these reasons, this land needs to **STAY ZONED AGRICULTURAL**.

Guy and Chris Jacobssen
1507 Dunwoody Boulevard, Lot 6
Knoxville, TN 37919
865-691-6047
cmjacobssen@gmail.com

Google Groups

October 11 Agenda Item

Thomas Jernigan <tmjernigan@att.net>

Oct 5, 2018 10:19 AM

Posted in group: **Commission**

Dear Mr. Nystrom,

I am writing you as you are a representative to the County Commission for my district and in the setting that I cannot attend the meeting of October 11 secondary to work obligations. This letter is in regards to Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ). In short, this land must remain agricultural secondary to high flooding risk. It has a creek in the middle and multiple sink holes and is likely to result in even worse flooding in the area and poorly constructed housing at risk of flooding and excessive "settling".

I have lived on a lot with home that directly abuts this land since 1997 and have walked it many times and I am familiar with it during all types of weather. When we first moved into our house in January of 1997, I had concerns that someone may develop the land there...until I walked it. Immediately behind our home, but still on our lot, the land begins sloping downward to a "creek" approximately 40-50 yards from the back of the house that usually has some water in it (although can be dry during the summer). When we have a hard rain, enough flowing water is in our backyard to submerge significant portions of the yard before it flows through the corner of the neighbors yard then down into the now swollen creek that flows to and eventually drains down by Northshore drive, where it saturates a flat field (where the builder is planning to put houses) while it waits to drain under Northshore Drive through a culvert that the county had to build secondary to prior flooding problems. Between the creek and multiple large sized sink holes, I cannot imagine the group with an option to develop this land walked it before obtaining the option. They likely saw the location and the topographic map (from the air about every 20-30 feet). Other developers have looked at this land but on seeing it have backed away secondary to the risks of building.

Because the land we are currently on was similar to the proposed at one time, I will relate that we, like many others in our neighborhood, have had foundation problems costing us significant amounts to shore up. Within a few years, we noted cracks developing inside our home between dry wall pieces and cracks in the brick on the outside running the height of the house. We have had to patch and repaint inside multiple times secondary to the same. We have had two major interventions on our foundation to stabilize the house requiring hydraulic lifting and placement of multiple footers and piers. Samples of quotes from the engineering teams who evaluated are "Install one extra footer and steel jack post....to prevent the wall from sagging and cutting into plumbing pipes." and "The right rear of the house as viewed from the street is having settling problems this includes the chimney" which required hydraulic lifting of the house and installation of "Fasteel piers to provide stabilization". The back portion of our lot is spontaneously developing soft and irregular contours and depressions and we have cracking developing inside again although not as rapidly as it was initially before the engineers worked on the house.

I realize there are only so many hours in your day, but please look at this and educate other members on the commission as to the situation. At least before proceeding, have an engineer or EPA or a MPC representative actually walk and evaluate this land in person. It is not suitable for building and should remain agricultural.

Thank you for your time and service.

Sincerely,

Tom and Maria Jernigan

10/9/2018

October 11 Agenda Item - Google Groups

1605 Dunwoody Blvd.
Knoxville, TN 37919

Google Groups

Hunter Property rezoning

Johnson, Greg (APAC-Harrison) <cjohnson@harrisoncc.com>

Oct 5, 2018 3:33 PM

Posted in group: **Commission**

As a resident of Dunbarton Oaks I am against the recent building upstarts in our area. As a 30 year employee of a highway construction company, I have seen the nightmare of constructing new roads to meet overcrowded areas. There were new apartments recently constructed across from us and huge building projects are being planned. We fight every day to get to and from work and school on an overcrowded and unsafe road with only one way out. More people and cars can only increase the problems that currently exist. What was once a great place to reside is becoming a huge parking lot. Getting thru Rocky Hill is often overcrowded and folks are detouring thru subdivisions and thru school zones to try to bypass this area.

The Hunter Property right beside us also offers other problems like drainage which we already have in our area. Our subdivision was built over creeks and no regard for water flow. My neighbors below me often get flooding in their yards. I myself get a big pool of water and mud with each big rain. Not to mention the caves under the ground in the area. Our flat yard now has two big low spots due to settlement.

The new development will in all likely hood increase drainage problems. The water has to go somewhere.

Please do some preplanning for all these folks that you are allowing to move into this area and us! I moved here from Alcoa Highway and now are seeing the same problems creeping in that I moved away from.

Greg Johnson

City of Knoxville Taxpayer

Google Groups

RE: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

Matt Lavelle <mattlavelle2@hotmail.com>

Oct 5, 2018 1:25 PM

Posted in group: **Commission**

Dear MPC staff and county commissioner:

My name is Ma Laà velle and I live in Dunbarton Oaks subdivision, adjacent to the property up for rezoning. I am strictly opposed to this re-zoning for a number of issues. This property should stay **Agricultural**.

First and foremost, my opposition to this property arises from the fact that development of this property may impact my own property as well as my neighbors due to the numerous flooding issues our neighborhood as well as myself have had to deal with. The water from my own back yard drains directly onto the property in question and into the flowing stream that is on the property behind our house. I am aware of numerous **sinkholes** and caves, and large flowing stream across the Hunter property which have historically served as a stormwater drainage system for the whole valley south of Northshore Drive, which includes our neighborhood as well as my house (one sinkhole and the stream, which floods out of its bank during a heavy rain, I can see from my backyard). Just to make you aware, the water flows downhill from East to West and we are upstream of the Hunter property. I have spent thousands of dollars having to bring in several dumptrucks full of dirt to regrade the back yard and fill in a depression (see pictures attached). When we bought the house, on the first rain the depression served as a small lake. Not a good thing in a backyard. My neighbors had likewise had **major** flooding issues and have likewise had to spend thousands of dollars fixing them.

Just as for background information, Our neighborhood was built by Steve Williams on top of similar sinkholes and has suffered numerous issues and damage as a result of sinkholes and drainage problems in Dunbarton Oaks. When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters, who own the property in question of rezoning. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm my property as well as land downstream from the Hunter property. If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even **MORE** flooding problems for myself and others in the surrounding area. When my wife met with the developers, their attorney, and few others from the neighborhood, the developers promised lots of things (lots to appease the crowd) but one of the promises was to do a geotechnical survey, which has not yet been conducted. Many of the sinkholes, like the one I can stand in and is still over my head, is not shown on the current TOPO map. If this land is not developed properly, it will be a nightmare for all involved. For all of these reasons, this land needs to **STAY ZONED AGRICULTURAL**.

Myself or my wife will not be able to be at the zoning meeting next week, as we have plans to be out of town for Knox County fall break. Please do not let our absence been misinterpreted as not caring.

Ma Lavelle



Google Groups

RE: Re: Briar Rock Partners, LLC (9-F-18-RZ)

Hanson Tipton <htipton@watsonroach.com>

Oct 5, 2018 10:19 AM

Posted in group: **Commission**

Mr. Archer and Commissioners –

I wrote you previously on September 28 regarding this re-zoning application (see e-mail below) but am writing again because my neighbors and I have learned that contrary to what he told us at our meeting two weeks ago, the developer (Mr. Sunzeri) has informed me that he has **NOT** conducted a geotechnical survey of this property and does not plan to do so before next Thursday's MPC meeting.

My neighbors and I urge you to **DENY** this application for re-zoning from Agricultural to Residential. Granting this application without any investigation whatsoever of the environmental features of this land – and the effects that development will have on the surrounding properties, including my own – would be irresponsible and dangerous.

As I wrote you previously, the subject parcel is riddled with sinkholes and caves, as well as a flowing stream across the land. This network of sinkholes has served for decades as a natural stormwater drainage system for the valley south of Northshore that our neighborhood and the subject parcel sit upon. Our neighborhood (Dunbarton Oaks) was built on top of similar land with its own sinkholes. When our neighborhood was built (by developer Steve Williams,) it caused considerable flooding problems and damage to surrounding properties, including that of Mrs. Hunter (the subject property.) What's more, since its construction our neighborhood has consistently suffered problems caused by building on this land, from sinkhole damage to foundation problems to severe flooding.

I have spent approximately \$16,000 on my own property to combat these problems and many of my neighbors have spent as much or more. My next-door neighbor Russell Biven has a sinkhole on his property (that is on the border of the subject parcel) that continues to sink. He has had to spend many thousands of dollars attempting to remedy the damage it has caused him. Mr. Sunzeri and his team witnessed this sinkhole first-hand. Many of our neighbors continue to deal with similar issues from building on this land.

I have attached some photographs of flooding issues that I and my neighbors have experienced over the years. We have many more such photographs, as well of video of flooding on our land and the subject parcel and I will be glad to send it to you if you wish. I have also attached a KGIS diagram of the many sinkholes in the area.

MUCH more environmental investigation is necessary before the Commission can safely allow development on this property. For reasons we do not know, Mr. Sunzeri has elected to ignore all of these problems and move forward anyway. My neighbors and I urge you to **DENY** his application. Do not allow him to willingly repeat the mistakes made by Steve Williams. If you allow this land to be re-zoned from Agricultural to Residential, it will directly harm my property and create an entire new neighborhood full of sinkholes and flooding problems. It will

cost the County significant money to address these problems, as it did when a culvert had to be constructed under Northshore to address Mrs. Hunter's flooding problems when Dunbarton Oaks was built.

When Mr. Williams applied for re-zoning of an adjacent parcel on similar land in 1997, after the construction of Dunbarton Oaks, MPC recommended to grant that request. County Commission, however, recognized the danger of developing such land and the damage that development had already caused surrounding properties, and **DENIED** the MPC's request for a Resolution on February 24, 1997. The circumstances of that application were nearly identical to this one and it was denied for the same reasons this one should be.

Please feel free to contact me should you need any additional information. We have many more photographs and videos we can show you of flooding in our neighborhood and sinkholes on the subject property. Thank you for your consideration of this matter.

Hanson R. Tipton
1515 Dunwoody Blvd.
Knoxville, TN 37919

From: Hanson Tipton
Sent: Friday, September 28, 2018 1:37 PM
To: 'jeff.archer@knoxmpc.org' <jeff.archer@knoxmpc.org>
Cc: commission@knoxmpc.org; jtocher.mpc@gmail.com; eason.mpc@gmail.com; mgoodwin.mpc@gmail.com; gerald.green@knoxmpc.org; contact@knoxmpc.org
Subject: Re: Briar Rock Partners, LLC (9-F-18-RZ)

Mr. Archer and Commissioners –

I am writing to you regarding Item #34 on the October 11, 2018 MPC Agenda, an application for re-zoning filed by Briar Rock Partners, LLC (9-F-18-RZ). I live at 1515 Dunwoody Blvd. and my property shares a border with the parcel that is the subject of this application. Our neighborhood is uphill and upstream from the subject parcel.

Last week several of my neighbors and I met with Mr. Sunzeri and Mr. Harbin, along with others including Mr. Seymour and their local builder. At the meeting Mr. Sunzeri told us about his plans for the property and assured us that he does not plan to build the number of units he originally applied for (5 du/ac), nor does he plan to build the number of units that the MPC Staff Recommendation recommended be approved (4 du/ac).

During the meeting my neighbors and I also informed Mr. Sunzeri and his team about environmental issues we were aware of, on both the property he was planning to develop and the property in our own neighborhood. These issues include sinkholes, caves, and regular flooding problems, as well as a stream that crosses the subject property. We relayed this information not only for Mr. Sunzeri's benefit (he and his team did not appear

to be aware of much of what we told them about the sinkholes, caves, and flooding,) but also to protect our own property as development downhill/downstream from us could adversely impact our property, particularly regarding flooding problems that several residents in Dunbarton Oaks have already experienced for many years. We showed Mr. Sunzeri photographs and video footage of the issues on our own land as well as the subject property.

Mr. Sunzeri thanked us for this information and he and Mr. Harbin told us that they would conduct a geotechnical survey of the land to address these environmental concerns. I do not currently know the status of this survey and do not know when to expect it to be complete. As of today we are less than two weeks away from the October MPC meeting. My neighbors and I would suggest that it would be appropriate to **postpone the Commission's consideration of the re-zoning application** at least until the geotechnical survey is complete and we have had an opportunity to review its results and consult with our own engineers regarding the impact that developing this land will have on our own property, uphill and upstream.

Regardless of whether the re-zoning hearing is postponed for the reasons above, I would also like to comment on the MPS Staff Recommendation to "approve PR (Planned Residential) zoning at a density of 4 du/ac." The Staff Recommendation notes that approval of 4 du/ac would be "compatible with the surrounding or adjacent zones." This is not the case. Most of the area where we live surrounding this parcel of land is developed at 3 du/ac or considerably less. Our neighborhood, Dunbarton Oaks, runs along the northern border of this parcel and occupies 29.2 acres of land. Dunbarton Oaks contains 66 single family residences, resulting in a density of **2.26 du/ac**. To the south of the subject property lies Ashland Springs Way and Shimla Way. That land is all developed with much less density than even our own neighborhood.

The Staff Recommendation to approve development at 4 du/ac would nearly **DOUBLE** the density of the immediately surrounding areas and would clearly not be consistent or compatible with the character of the surrounding community. As the Staff Recommendation notes, this density would allow up to 70 dwelling units (more than are built in Dunbarton Oaks) on a parcel of land MUCH smaller than Dunbarton Oaks. At our meeting with him, Mr. Sunzeri himself indicated that he does not think it would be wise to build this many units. We agree.

My neighbors and I do not oppose all development whatsoever and we understand that we live in a Planned Growth Area. However, development needs to be done responsibly and not to the detriment of the existing community. My neighbors and I urge the Commission to follow its own zoning ordinance requirements and approve development that is consistent with the character of our existing community. Development at a density of 2.26 du/ac or less would be consistent with that character. Development at a density of 4 du/ac clearly would not. (Development at that density would also cause even more drainage and flooding issues for our land than we already experience.)

My neighbors and I appreciate the work that the Commission does and we look forward to discussing these issues with you when the time is right. We submit that it is premature to consider re-zoning this land at this time given the environmental issues outlined above. If and when this land is considered for re-zoning, we submit that 4 du/ac is far too dense for development in our community. We urge the Commission to only approve development at a density that is consistent with the character of the existing community. We have many other concerns about the planned development (including traffic impact and other concerns,) but understand that the re-zoning stage is not the appropriate time to address those issues.

Please feel free to contact me if you have any questions about this e-mail or need any additional information.

Very truly yours,

Hanson R. Tipton

865-637-1700 (office)

865-525-2514 (fax)

hrtipton@watsonroach.com

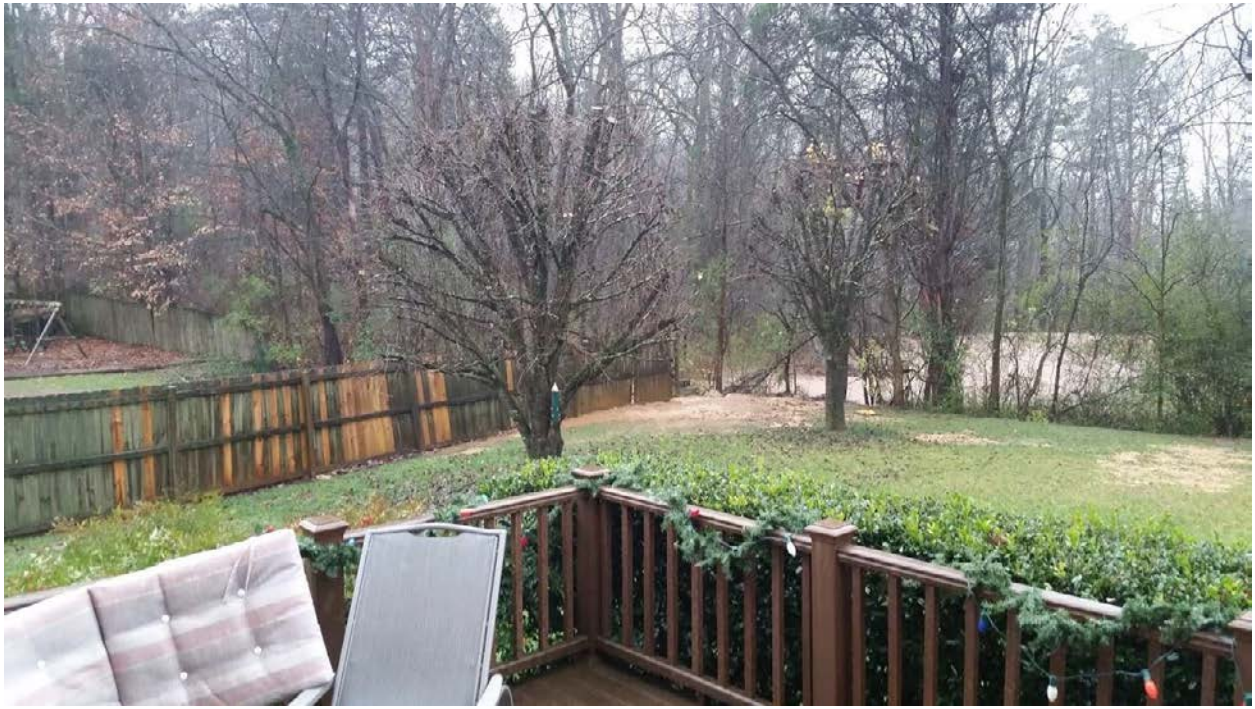


Watson, Roach, Batson, Rowell & Lauderback, P.L.C.

P. O. Box 131

Knoxville, Tennessee 37901-0131

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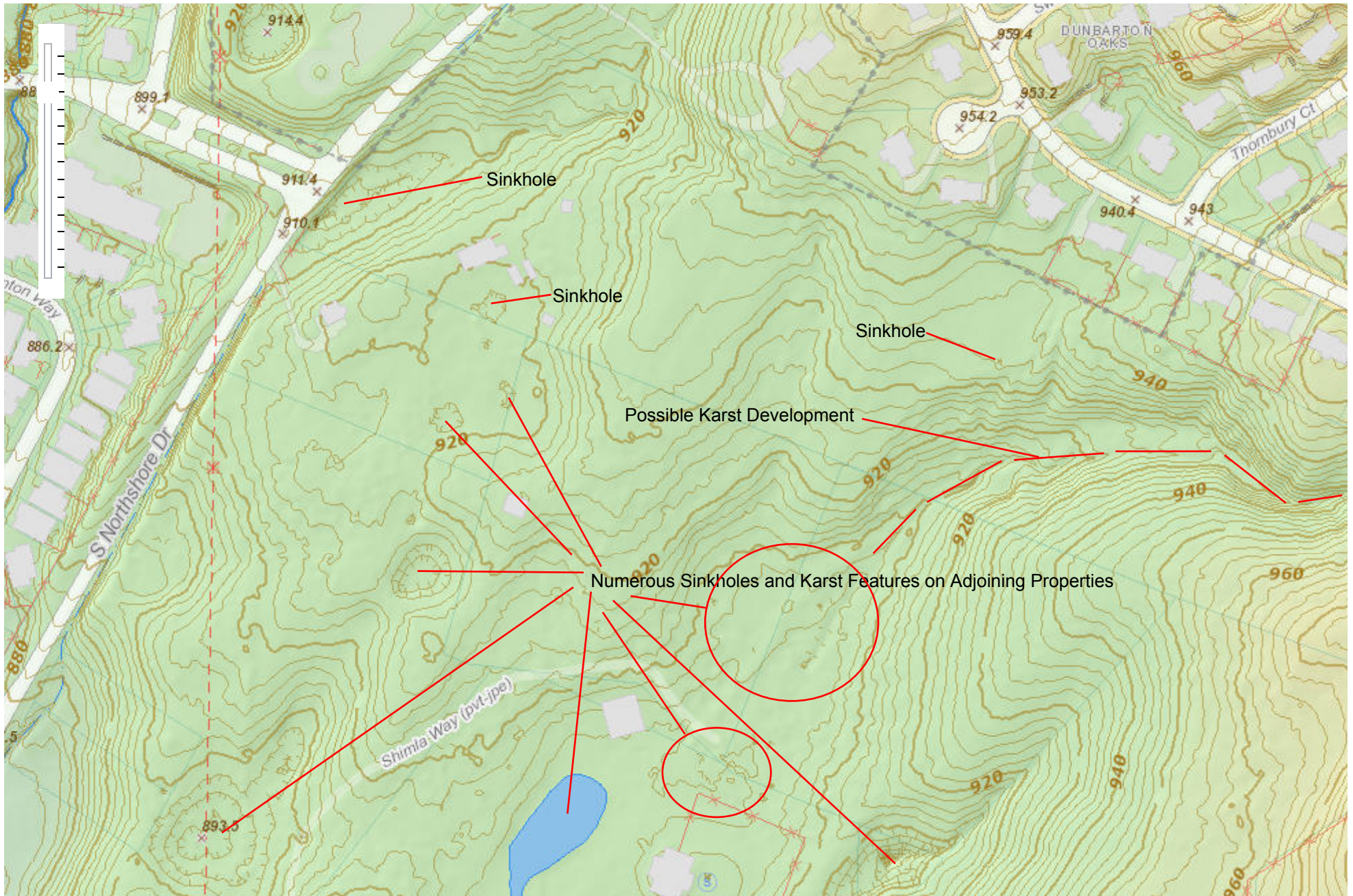








Note: A review of the USGS 7.5 minute Topographic Quadrangle Map online (tn.andforms.us) indicated one could anticipate encountering up to 15 sinkholes per 6.7 square miles (or cell) in the vicinity of the subject property.



BATSON, HIMES, NORVELL & POE

REGISTERED ENGINEERS AND LAND SURVEYORS

4334 Papermill Road

Knoxville, Tennessee 37909

Phone (865) 588-6472

Fax (865) 588-6473

September 6, 2018

Mr. Mike Brusseau:
Knoxville MPC

Dear Mr. Brusseau:

We request the following at the September 13, 2018 MPC meeting:

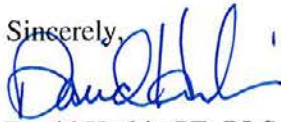
Please postpone consideration of the following rezoning request:

- Briar Rock Partners – Northshore Drive (9-F-18-RZ)

Until the October 11, 2018 MPC meeting.

Thank you for your assistance.

Sincerely,



David Harbin PE, RLS

Google Groups

Fwd: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ)

Terry Gilhula <terry.gilhula@knoxmpc.org>

Posted in group: **Commission**

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

From: **Valerie Cox** <valmcox@yahoo.com>

Date: Sun, Oct 7, 2018 at 11:00 AM

Subject: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ)

To: Valerie Mire <valmcox@yahoo.com>

- My name is Valerie Mire and I live in Dunbarton Oaks which is adjacent to the property you are reviewing. I am honestly not big on le er wri ng to public officials because I can these emails and read the reviews for each mee ng. I would much rather meet with you in person without a 5 minute clock cking above my head, but I guess that's not going t

The land you are reviewing is full of running water, sink holes AND water run off from all developments that surround it. Properties that are adjacent to all had sink hole and water issues (ASK THEM). Eventually the water has to go somewhere and the CITY and the COUNTY apparently think they can b

First and foremost, I implore you and the rest of the commi ee to LEARN the history of this property. You will be surprised how much there is. It dates back to a me before : Northshore. A man that lives on Rudder Lane (behind the property in ques on and behind our neighborhood), Dr. Ambrose, knows it all. He will be at the MPC hearing if you ar

Steve Williams was the developer and he wasn't the best. When Steve made this neighborhood he made a "deal" with the County and the City to get the rights to develop. Half city. He cut corners everywhere. People (inspectors) knew it then and now. Numerous complaints about water issue have been hashed out over the last 20 years. The last one v to spend a substan al sum of money to repair the drainage systems under the main roads in the neighborhood - apparently Steve did not adhere to city codes (inspectors knew

Why is this the Hunter's problem? They just want to go from Ag to Planned Neighborhood

Well let's face it. It's not. BUT, if you allow the change in zoning - you are opening this up to development.....so you should know that ANY developer is going to have their hands the County are going to fly.

FOLLOW the MONEY

Did you know that Mrs Hunter has passed and one of the sons s ll lives and wants to stay. He is figh ng with his brother (impending lawsuit) because if you change the zoning, t able to sell the land for development. Again, not your issue, but an interes ng fact.

Another interes ng fact, **LOCAL DEVELOPERS have all quickly passed on this property.** It's not "buildable" to make the numbers make sense. The current developer is out of C/ to try to put a bunch of cheap homes on this property and sell it to unsuspec ng young families who live here! **Your job is to protect them.** It's been hard on all of us in this neig required. I can't imagine the repairs that these new houses will need within 5 years.

A FRESH IDEA

So what are you to do? If people want to change the zoning of their property, they can. I agree - **PROVIDE AN ALTERNATIVE.** The County caused this problem. They knew it at Hunter's a fair price for the land to **make it a park.** The density of the proper es up and down that road is heavy. You allowed an apartment complex on Wallace Road recently. Crossing that is an embarrassment. An Assisted Living Center down the street. More to come I am sure.....but there is no GREEN SPACE. There is park at Westland and the park That's it.

You could even make it a private pay dog park. Other ci es have that all over the place. People would pay a quarterly park pass to the county to use the park. **Wow, A REVENUE**

You are the planning commi ee , you can do what you want. DO YOU WANT TO PROTECT the current property tax payers and the future property tax payers? Do something pos

Water Issues in Dunbarton Oaks that effect the adjacent property.

Main Road - Dunwoody Blvd.

The drainage was not cement and had collapsed over the years. When the city fixed the problem all they did was open up the water to cause drainage problems on 2 homeown have spent more than \$25K each trying to fix the issues on their proper es TO NO AVAIL. It can't be fixed without a major overhaul. We expect to find this problem all over the originally used was only meant to last 20 years!

Thornbury Court

Again, check with City offices of storm drainage they have the records. Almost every house on this road now has founda on issues due to water drainage. We have all "jacked up drainage at 8410 (wayne blasius' home- prior owner, friend of steve williams, worked at the city in development....hmmm i wonder how steve got the deal with the city...hmmm caused lawsuits - check the records. The house was a blight on the neighborhood because the problems couldn't be fixed without big money. The house ended up falling apart contractor who is slowly fixing what he can.

My house on 8419 was supposed to be fixed by the previous owners and to their credit they did add a sump pump and fixed the founda on. I have lived here for 4 years and ha The only answer according to the city, contractors, and engineers is for me to excavate the land. This will get the water off my property but it will cause huge problems for my ne

Hurstbourne Court

My last house 8413 Hurstbourne Court was built by someone other than Steve - but that didn't ma er because it is the land that is the problem. That cul de sac apparently was diver ng the water, they paved over it in a "dry spell". That water dumps into the property in ques on also. Where will all this water go???????

Ask the Hunter's. After Dunbarton Oaks was developed, they were flooded out of their property. They su the problem. the city/county had to build a culvert to divert water under Northshore to dump it across th properes!

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Google Groups

Fwd: Brooke Duncan commented on Knoxville-Knox County Metropolitan Planning Commission's post.

Terry Gilhula <terry.gilhula@knoxmpc.org>

Oct 10, 2018 8:07 AM

Posted in group: **Commission**

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

From: **Facebook** <update+mh33j13d@facebookmail.com>

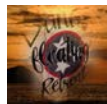
Date: Fri, Oct 5, 2018 at 7:48 AM

Subject: Brooke Duncan commented on Knoxville-Knox County Metropolitan Planning Commission's post.

To: <contact@knoxmpc.org>



Brooke Duncan commented on [Knoxville-Knox County Metropolitan Planning Commission's post](#).

**Brooke Duncan**

October 5 at 7:48 AM

RE: Item #34 on the Preliminary Agenda for the October 11, 2018 MPC meeting (Application 9-F-18-RZ):

My family has lived in Dunbarton Oaks for the past 12 years. During that time, I have witnessed most of my neighbors experiencing foundation issues and flooding. Why is this? Our neighborhood was built by Steve Williams on land filled with sinkholes that the builder filled in, covered up and hid. This has been well documented.

Our neighborhood floods frequently at its lower points. Recently the county discovered the storm drains weren't even connected to the property drainage ponds.

When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm our property as well as land downstream from the Hunter property. Addressing these issues will cost the County significant money.

Now the Hunter property behind us has a request to be rezoned from agricultural to residential. I am 100% opposed for two reasons. First, since building on this property will further compromise the stormwater drainage system and will cause further drainage

issues in our neighborhood. Second, the poor people who buy houses on the Hunter property will have the same issues as it is filled with sinkholes.

If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even MORE flooding problems for us and others in the surrounding area.

It is my understanding that there has been no geotechnical survey conducted. That calls into question the builder's concern for his own money and, more importantly, the fate of his future buyers.

As a taxpayer and resident of Dunbarton Oaks, I implore you to keep the Hunter property zoned agricultural.

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Facebook, Inc., Attention: Community Support, 1 Facebook Way, Menlo Park, CA 94025

Google Groups

Fwd: Amy Lavelle commented on Knoxville-Knox County Metropolitan Planning Commission's post.

Terry Gilhula <terry.gilhula@knoxmpc.org>

Oct 10, 2018 8:06 AM

Posted in group: **Commission**

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

From: **Facebook** <update+mh33j13d@facebookmail.com>

Date: Fri, Oct 5, 2018 at 1:42 PM

Subject: Amy Lavelle commented on Knoxville-Knox County Metropolitan Planning Commission's post.

To: <contact@knoxmpc.org>



Facebook

[Amy Lavelle](#) commented on [Knoxville-Knox County Metropolitan Planning Commission's post](#).

**Amy Lavelle**

October 5 at 1:41 PM

This is a follow-up to emails myself, my husband, and numerous neighbors have sent regarding item #34 on the Preliminary Agenda for the Oct 11 meeting (9-F-18-RZ). Since this meeting is over Knox County fall break and many of us concerned are out of town, we want our voice heard.

I live in Dunbarton Oaks subdivision, adjacent to the property up for rezoning. I am strictly opposed to this re-zoning to PR for a number of issues. This property should stay zoned Agricultural.

First and foremost, my opposition to this property arises from the fact that development of this property may impact my own property as well as my neighbors due to the numerous flooding issues our neighborhood, as well as myself personally, have had to deal with.

The water from my own back yard drains directly onto the property in question and into the flowing stream that is on the property behind our house. I am aware of numerous sinkholes and caves, and a large flowing stream across the Hunter property which have historically served as a stormwater drainage system for the whole valley south of Northshore Drive, which includes our neighborhood as well as my house (one sinkhole and the stream, which floods out of its bank during a heavy rain, can be seen from my backyard). Just to make you aware, the water flows downhill from East to West and we are upstream of the proposed development property. I have spent thousands of dollars having to bring in several dumptrucks full of dirt to regrade the back yard and fill in a depression (pictures were sent with my emails). When we bought the house, on the first

rain the depression served as a small lake. Not a good thing in a backyard. My neighbors had likewise had major flooding issues and have likewise had to spend thousands of dollars fixing them.

Just as for background information, Our neighborhood was built by Steve Williams on top of similar sinkholes and has suffered numerous issues and damage as a result of sinkholes and drainage problems in Dunbarton Oaks. The bottom portion of our neighborhood now floods multiple times a year with big rain storms. We have pictures and video of this flooding. When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters, who own the property in question of rezoning. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm my property as well as land downstream from the Hunter property. If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even MORE flooding problems for myself and others in the surrounding area. When my wife met with the developers, their attorney, and few others from the neighborhood, the developers promised lots of things (lots to appease the crowd) but one of the promises was to do a geotechnical survey, which has not yet been conducted. Many of the sinkholes, like the one I can stand in and is still over my head, is not shown on the current TOPO map. If this land is not developed properly, it will be a nightmare for all involved. For all of these reasons, this land needs to STAY ZONED AGRICULTURAL.

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Facebook, Inc., Attention: Community Support, 1 Facebook Way, Menlo Park, CA 94025

Google Groups

RE: [EXT] Re: Hunter Property rezoning

Johnson, Greg (APAC-Harrison) <cgjohnson@harrisoncc.com>

Oct 10, 2018 8:09 AM

Posted in group: **Commission**

Believe me we will be there but we need those in charge to do what is in the best interest of the community.

From: Hugh Nystrom [mailto:Hugh.Nystrom@knoxcounty.org]

Sent: Wednesday, October 10, 2018 12:51 AM

To: Johnson, Greg (APAC-Harrison); commission@knoxmpc.org; jtocher.mpc@gmail.com; eason.mpc@gmail.com; mgoodwin.mpc@gmail.com; gerald.green@knoxmpc.org; contact@knoxmpc.org; jeff.archer@knoxmpc.org; tom.brechko@knoxmpc.org

Subject: [EXT] Re: Hunter Property rezoning

Greg, thank you for your email please make sure the neighborhood is well represented at the MPC meeting on Thursday. I've been out of state for the past week I'll be getting back to Knoxville Wednesday night. You are welcome to call my cell phone at 308-3565.

Hugh

Get Outlook for iOS

On Fri, Oct 5, 2018 at 12:10 PM -0700, "Johnson, Greg (APAC-Harrison)" <cgjohnson@harrisoncc.com> wrote:

As a resident of Dunbarton Oaks I am against the recent building upstarts in our area. As a 30 year employee of a highway construction company, I have seen the nightmare of constructing new roads to meet overcrowded areas. There were new apartments recently constructed across from us and huge building projects are being planned. We fight every day to get to and from work and school on an overcrowded and unsafe road with only one way out. More people and cars can only increase the problems that currently exist. What was once a great place to reside is becoming a huge parking lot. Getting thru Rocky Hill is often overcrowded and folks are detouring thru subdivisions and thru school zones to try to bypass this area.

The Hunter Property right beside us also offers other problems like drainage which we already have in our area. Our subdivision was built over creeks and no regard for water flow. My neighbors below me often get flooding in their yards. I myself get a big pool of water and mud with each big rain. Not to mention the caves under the ground in the area. Our flat yard now has two big low spots due to settlement.

The new development will in all likely hood increase drainage problems. The water has to go somewhere.

Please do some preplanning for all these folks that you are allowing to move into this area and us! I moved here from Alcoa Highway and now are seeing the same problems creeping in that I moved away from.

Greg Johnson

City of Knoxville Taxpayer

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and know the contents are safe. ATTENTION: Ce courriel vient de l'exterieur de l'entreprise. Ne cliquez pas sur les liens, et n'ouvrez pas les pièces jointes, à moins que vous ne connaissiez l'expéditeur du courriel et savez que le contenu est sécuritaire.

Google Groups

Fwd: Storm drains

Paul Ambrose <paulambrose@comcast.net>

Oct 15, 2018 6:08 PM

Posted in group: **Commission**

Mr. Archer, I am attaching two pictures. One is a 24 inch flat gratted cover to a storm drain on the east property line of the Northshore property that is recommended to be rezoned to PR. Storm water from the FRONT half of Dunbarton Oakes flows UP through this drain with any rain and flows into the subject property. This was built as a drainage OUTLET even though it looks like it should take water in! The other picture is a 24 inch culvert on the east line of the subject property that takes storm drainage water from the BACK half of Dunbartan Oakes and dumps it onto the subject property. Since the Buckeye and Aldenwood subdivisions, that were built in the 1950 and 1960s, are up stream, their storm water was merely directed down the hill onto the next property below them (that later became Dunbarton Oakes) Therefore, starting at the top of the hill on South Northshore at Buckeye and Aldenwood, all the water drains down the steep hill through this subject property. I am well acquainted with this as my property is downhill from the subject property and is flooded with any significant rain. The subject property is riddled with sink holes which are natures storm drains created by this excess water drainage. These drainage issues were the reason that the property west of the subject property was denied PR zoning at the County Commission Meeting on Feb. 24,1997. The county and the developer should be aware of the drainage problems that they will be getting into!

Thank you for your consideration. Paul Ambrose

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

From: **Paul Ambrose** <psambrose@gmail.com>

Date: Mon, Oct 15, 2018 at 4:34 PM

Subject: Storm drains

To: Paul Ambrose <paulambrose@comcast.net>





Google Groups

Application 9-F-18-RZ - November 8, 2018 1:30

Christiane Jacobssen <cmjacobssen@gmail.com>

Oct 16, 2018 5:12 PM

Posted in group: **Commission**

- We live in Dunbarton Oaks, 1507 Dunwoody Blvd, Lot 6, and are **OPPOSED** to rezoning the Hunter property from Agricultural to Residential.
- I, Chris Jacobssen, you will be in the attendance at the hearing on November 8th.
- We are aware of numerous **sinkholes** and caves across the Hunter property (including the bottom portion, near our home,) which have historically served as a stormwater drainage system for the whole valley south of Northshore Drive, which includes our neighborhood. The water flows downhill from East to West.
- Our neighborhood was built by Steve Williams on top of similar sinkholes and has suffered numerous issues and damage as a result of sinkholes and drainage problems in Dunbarton Oaks (flooding/sinkholes/foundation problems). The Bivens, Lavelles, Haydens, Copes, Meehans, Dorstens, and Tiptons have been forced to spend significant amounts of money to repair these problems. The end of our driveway has broken away, and the back of our property has dipped as well.
- The lower portion of our neighborhood now **floods** multiple times a year with big rain storms. Our HOA has pictures and video of this flooding.
- When our neighborhood was built in the 1990s, it also caused substantial flooding problems for the Hunters. The County was forced to build a culvert under Northshore to deal with these issues. Building on similar land again will compound these problems and directly harm our property as well as land downstream from the Hunter property. Addressing these issues will cost the County significant money.
- If the land directly downhill from us is developed (and those sinkholes filled in,) it will directly harm our property and cause even **MORE** flooding problems for us and others in the surrounding area.
- There is also a stream across the Hunter property that flows out of our neighborhood. It needs to be protected.
- We understand the prospective buyers were planning on doing a geotechnical survey. Such a survey would show the sinkholes are not shown on the current topographical (TOPO) maps. Several of our neighbors have seen them. They have pictures and video of them as well.
- For all of these reasons, this land needs to **STAY ZONED AGRICULTURAL**.

Thank you

Guy and Chris Jacobssen
1507 Dunwoody Boulevard
Knoxville, TN 37919
cmjacobssen@gmail.com
865-691-6047

Google Groups

MPC File # 9-F-18-RZ: Briar Rock Partners, LLC Rezoning Plan

Willie Robinson <knoxvillelegal@gmail.com>

Oct 19, 2018 11:42 AM

Posted in group: **Commission**

I am writing to object to the above zoning amendment for myriad reasons.

The impact on the already severely over burdened Northshore traffic would be both detrimental to the flow of traffic and could pose significant safety issues. This portion of Northshore has no traffic lights to regulate entering and exiting vehicles and significant delays and safety concerns are already present. These issues can only be exacerbated by increasing the number of cars traveling this area and entering Northshore. Without an adequate traffic study, widening of the roads or the installation by the city/county of traffic lights, this would be creating a potentially dangerous situation.

By allowing this area to be developed, the amount of noise pollution that will be generated will be unbearable for area residents. This is primarily a wooded area and it's quiet beauty is a significant selling point for residence of Rocky Hill. Construction's impact on local wildlife and reduction of wooded land would significantly reduce the attractiveness of this area to potential buyers of homes already here.

As it stands, our local schools are beyond capacity with students. Rocky Hill elementary has recently had to add portables to support the influx of elementary students. This has the dual effect of straining our schools resources and reducing the time each teacher can spend with a student. Rocky Hill is considered one of the finest schools in the state, with test scores to support this. Skewing the student/teacher ratio any further could impact our schools standing in the Tennessee educational system.

Further, a cursory look at the topographical and geographical information available suggests this land might be unfit for residential construction. Hills, streams, powerlines and potential sinkholes have long been a problem on this plot of land. I do not think sufficient study of the efficacy of building on this land or making it residential has been done.

Lastly, this development would encroach upon its neighboring developments, lessening the aesthetic value of the neighborhood and destroying fields that are currently used for enjoying nature and wildlife observation.

In summary, a rezoning of this area is not in the best interest of the citizens of Rocky Hill and I strongly urge you to seny any attempt to re-zone this property.

Thank you for your time and attention. If you have any questions or concerns with information in this email, feel free to respond to this email address at any time And I will get back to you as soon as possible.

Sincerely,
Your Concerned Citizen
Willie L. Robinson, Jr, esq.

Sent from my iPhone

Google Groups

Item #25 on Preliminary Agenda on Nov.8,2018 MPC (Application 9-F-18-RZ)

MiMi Grove <mimigrove03@gmail.com>

Oct 22, 2018 8:22 AM

Posted in group: **Commission**

Dear Mr. Archer and the MPC staff,

I have lived in Dunbarton Oaks subdivision for the past 20 years, which is adjacent to the proposed rezoning property. Our neighborhood has had years of flooding and structural damage due to the water issues. Multiple sink holes were covered up by the developer and cost thousands of dollars that many of my neighbors have had to pay.

There's an active creek behind our house on the proposed property, which also has multiple sink holes. Flooding is also an issue on the land adjacent on the other side of the property, which also floods farther down to Dr. Ambrose's property.

The environmental impact that for the development will have on the current homeowners needs to be considered. We are not against progress, but believe the density and traffic issues already on Northshore also need to be taken into consideration before changing the current agricultural zoning.

If it is rezoned, please limit the density of the houses to preserve the integrity of the surrounding area. Also consider subtracting the unbuildable areas of the property before allowing the number of houses to be determined.

I had planned to attend the original MPC meeting, but cannot attend the rescheduled meeting due to work conflict.

Thank you, Mimi Grove

Google Groups

Item #25 on the Preliminary Agenda for the November 8, 2018 MPC meeting (Application 9-F-18-RZ)

Jonathan Moffatt <jmoffatt@bellsouth.net>

Oct 22, 2018 9:01 PM

Posted in group: **Commission**

I am a home owner in the Dunbarton Oaks subdivision at 1740 Dunwoody Blvd. I send this e-mail to show my family's **opposition** to the proposed rezoning of the Hunter property - which lies to the immediate west of the Dunbarton Oaks subdivision - from Agricultural to Residential. My wife and I expect to be able to attend the MPC meeting of November 8, 2018.

I have lived at the back of the Dunbarton Oaks subdivision for approximately 12 years. My property lies just over a large hill which runs through much of the neighborhood. The long stretch of Dunwoody Blvd runs adjacent to the Hunter property. I almost purchased a home about two thirds of the way up Dunwoody as opposed to my current house at the end of Dunwoody Blvd. I have known many of my neighbors over the years.

This is a subdivision which was built into rolling hills of various lengths and sizes. Many of the homes in the subdivision have very hilly backyards or front yards. I have known flooding and general erosion to be a major problem for many of my neighbors over the years and several of the houses have been repaired due to structural damage from this flooding and erosion. It has been a consistent problem for several of my neighbors down Dunwoody Blvd for as long as I have lived here. The natural runoff for many of these homes along Dunwoody appears to me to be the backs of the properties which slope down and touch the Hunter property.

Additionally, the street has completely flooded to the extent that cars can barely pass closer to the front of Dunwoody. I know that those land owners have had to take financial steps to deal with that flooding which also affected the foundations of their homes. Those homes back right up to the Hunter property.

It is common knowledge around the neighborhood that the Hunter property contains sink holes as does the Dunbarton Oaks subdivision. It is similar land on rolling hills. Future homeowners in any new subdivision would likely suffer some of the same problems as homeowners have in this subdivision. The problems that flooding and erosion have caused affect everyone in the neighborhood. With runoff from many of this subdivision's homes leading to the Hunter property, construction on that property, such as that which would occur with a new subdivision, will likely cause additional flooding and the eventual structural damage which occurs due to such flooding.

Jonathan A. Moffatt
1740 Dunwoody Blvd
Knoxville, TN 37919

Google Groups

Item #25 on the Preliminary Agenda for the November 8th, 2018 MPC Meeting (Appl 9-F-18-RZ)

Mark Whitehead <markdwhitehead@gmail.com>

Oct 29, 2018 7:48 AM

Posted in group: **Commission**

I am writing this as a concerned homeowner in the neighboring Dunbarton Oaks. I am writing this email as I am in opposition to the rezoning of the Hunter Property from Agricultural to Residential.

I had witnessed on several occasions sever flooding at the based of our neighborhood and I am concerned that development of the Hunter Property will only worsen the issue. The majority of the water ends up on the Hunter Property and developing this land will cause issues to an already fragile irrigation system. I know that several of my neighbors have already spent significant amounts of money as a result of flooding and sinkholes in Dunbarton Oaks. I am afraid that disrupting the current water flow system, will only result in increased flooding in Dunbarton Oaks and neighboring communities that will lead to damage to property for the existing residents.

The development of the land will also increase traffic to an already congested area on Northshore. Adding additional residential dwellings will create additional traffic and make this stretch of Northshore increasingly dangerous as people enter and exit Northshore.

Based on the reasons outlined above, I do not think it wise to rezone the property. I appreciate your consideration in this matter.

Concerned Homeowner,
Mark Whitehead

REZONING **PLAN AMENDMENT**

Name of Applicant: BRIAR ROCK PARTNERS, LLC

Date Filed: 7/29/18 Meeting Date: 9/13/18

Application Accepted by: Jane Reed

Fee Amount: \$1490 File Number: Rezoning 9-F-18-RZ ~~69-56-18-2500~~

Fee Amount: _____ File Number: Plan Amendment _____

PROPERTY INFORMATION

Address: 8512 S NORTSHORE DRIVE
General Location: SOUTHEAST SIDE NORTSHORE DRIVE, SOUTHWEST OF DUNWOODY BLYD

Parcel ID Number(s): 133ND001

Tract Size: 17.74

Existing Land Use: VACANT

Planning Sector: ~~60R~~ Southwest County

Growth Policy Plan: PLANNED GROWTH

Census Tract: 57.01

Traffic Zone: 102

Jurisdiction: City Council _____ District
 County Commission 4 District

Requested Change

REZONING

FROM: AGRICULTURE

TO: PLANNED RESIDENTIAL

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

SF DETACHED SUBDIVISION

Density Proposed 5 Units/Acre

Previous Rezoning Requests: NONE KNOWN

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: KEN SUNZERI

Company: BRIAR ROCK PARTNERS, LLC

Address: 404 E. MCGLINCY LANE

City: CAMPBELL State: CA Zip: 95008

Telephone: (408) 963-8843

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: DAVID HARBIN

Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: (865) 588-6472

Fax: (865) 588-6473

E-mail: harbin@bhn-p.com

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: David Harbin

PLEASE PRINT

Name: DAVID HARBIN

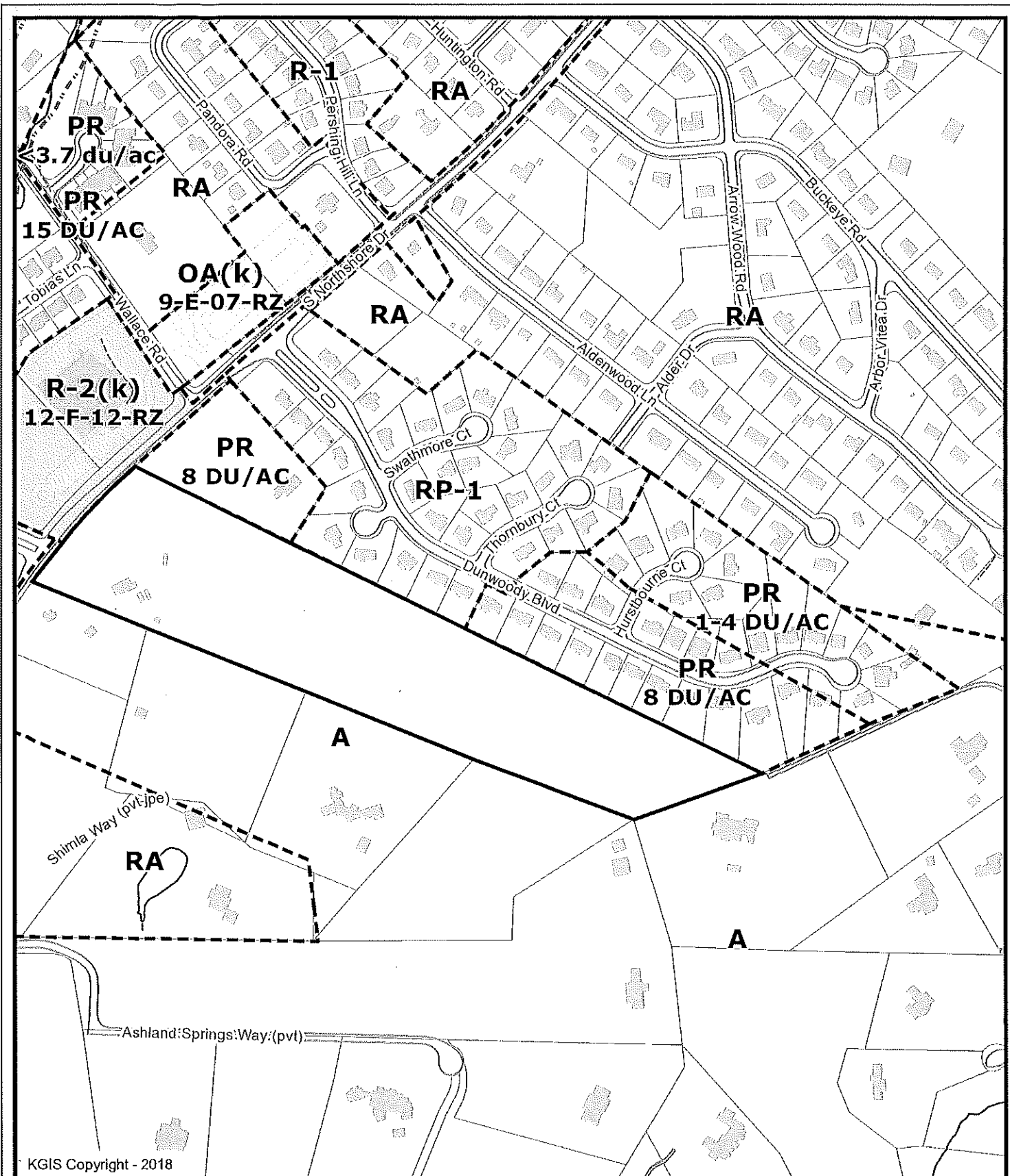
Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: (865) 588-6472

E-mail: harbine@bhn-p.com

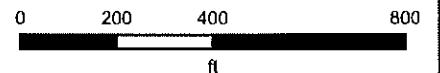


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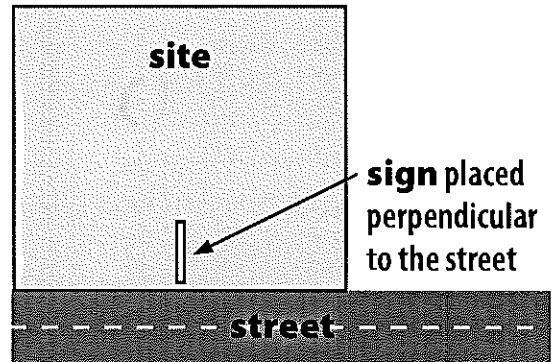
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Aug 29th and Sept 14th
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: [Handwritten Signature]

Printed Name: Briar Rock Partners, LLC

Phone: 865-588-6472 Email: clo BHKIP

Date: 7-30-18

MPC File Number: 9-F-18-RZ