

Google Groups

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 with we met with them a few weeks ago. They were aware 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 picture 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, 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 time to read my concerns. As the October MPC meeting is scheduled over Knox County Schools fall break, myself and many of my neighbors will be out-of-town and unable to attend the meeting. Please do not let 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...hmmmmmmmm). 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 "Faststeel 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) <cgjohnson@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 Lavelle 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

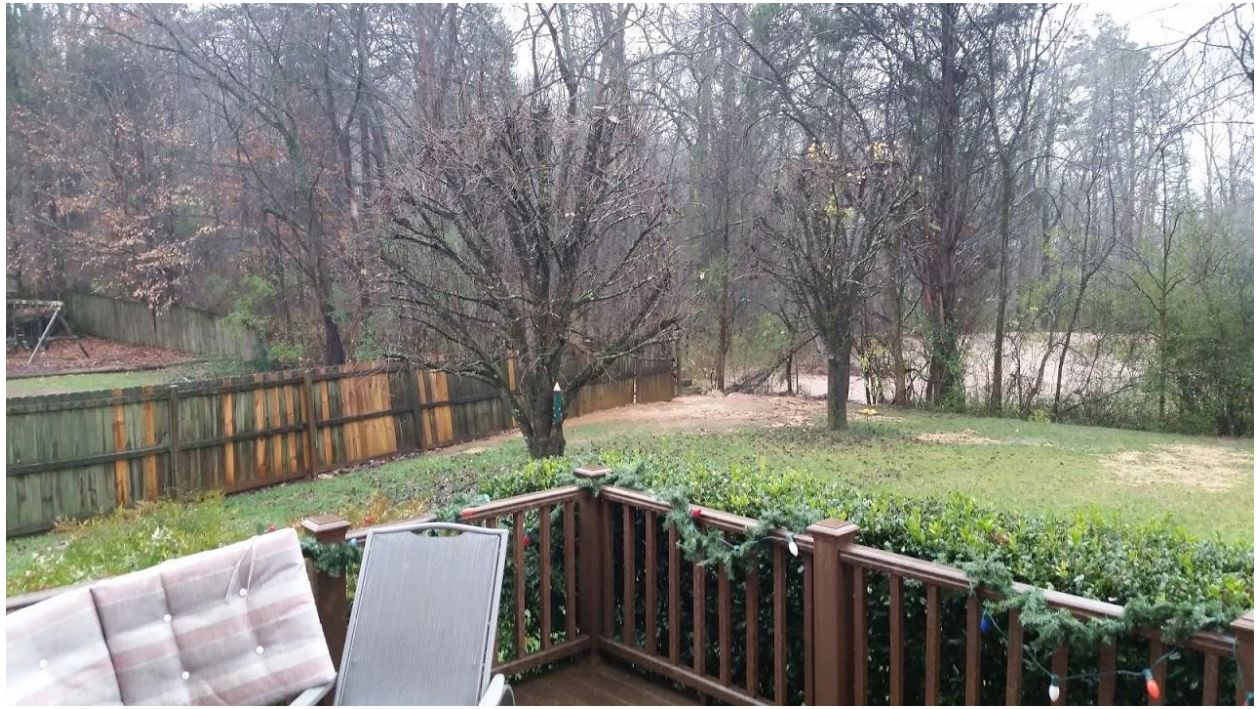


Watson, Roach, Batson, Rowell & Lauderback, P.L.C.

P. O. Box 131

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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.

