

January 15, 2023

Knoxville-Knox County Planning Commission  
400 Main Street, Suite 403  
Knoxville, Tennessee 37902

Re: 1-A-23-UR – Information from the Property Owner

Dear Planning Commissioners:

I am the in-house counsel for the property owner/applicant, Pelennor Fields, LLC (“Pelennor Fields”), and its affiliate/lessee, LuckyGunner, LLC (“Lucky Gunner”). I am writing to respond to comments tendered to the Planning Commission regarding our Use on Review application, and to provide additional information about the subject property, its intended use, and the impact on the surrounding area.

1. This property has been used as a shooting range and hunting ground for over a decade. Pelennor Fields acquired the property in 2015. It has been leased to Lucky Gunner since that time, and in the intervening period Lucky Gunner has regularly and consistently used the property as a private shooting range. The property was also used for shooting and hunting by its prior owner. It has been regularly and consistently used for this purpose for well over a decade, all without a single complaint from the surrounding community.
2. The range has been and will remain private. It will not be open to the public. It will not be a shooting club. It will not have memberships. It will be used exclusively by the property owner and its invitees/lessees for their own private purposes. The property is used primarily by Lucky Gunner to test products and create marketing and educational content for its customers. You can see examples of this content – much of which was filmed at the property – at <https://www.luckygunner.com/lounge/>. We have no plans to change the type or intensity of use, so there will be no corresponding negative impact on the surrounding area.
3. Almost every comment submitted in response to our application raises concern about noise. What is telling is that almost every comment is written in the future tense. In other words, most of the commenters are completely unaware that the property has been used as a shooting range for more than a decade. I can think of no better evidence of the non-intrusive nature of our activities. Put simply, noise is not an issue. If the community did not know we were here before, they will not know we are here in the future.
4. I have researched the noise from the range, and I can confirm it does not impact the surrounding community. On Friday, January 6<sup>th</sup>, I traveled to the following three locations in the surrounding area to determine whether shooting from the range can be heard: (a) East Tennessee State Veterans Cemetery, which is 1.7 miles to the north off John Sevier Highway; (b) Serene Cove subdivision, which is 0.8 miles to the north off John Sevier Highway; and (c) the top of Sunsent Ridge Lane in Mountain Place subdivision, which is



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1 mile to the south off John Sevier Highway. While I was at each location, a member of our staff was at the range firing multiple rounds from a 30-06 bolt action rifle. This is one of the largest calibers of commercially available ammunition, and consequently one of the loudest. I was not able to hear any sound from the range. This was on a cold, dry, clear day in the middle of winter, when the air was thin and there was no vegetation on the trees. These were prime conditions for noise to escape to the surrounding area, and yet I could hear nothing. To be clear, I am not claiming there are no property owners in the surrounding area who can hear noise from the property. I suspect there are. However, commenters' concerns about our range ruining the peace and quiet of the entirety of southeast Knox County are unfounded. Based on our experience, one cannot hear the shooting from the two nearest subdivisions, nor from the veterans cemetery.

5. The range is located in a deep valley that is surrounded by elevated ridges in all shooting directions. The shooting lanes sit at an elevation of between 900 and 910 feet. They are surrounded in all shooting directions by ridges that reach at least 1,000 feet in elevation. In other words, there is a natural barrier equivalent to a 10-story building that surrounds this property on all pertinent sides. This provides excellent sound suppression, as well as safety against projectiles escaping the property. One would be hard pressed to find another piece of property in Knox County that has better natural characteristics for a shooting range. Moreover, while we are seeking Use on Review approval for two parcels totaling approximately 28 acres, we also own two adjoining parcels to the north, which add an additional 28 acres. This is densely wooded, mountainous terrain that provides additional buffer to the surrounding area.
6. Contrary to many of the public comments, this is not a residential area. It is rural, sparsely populated, and densely forested. There are only four residential structures within 1,000 feet of the property. The parcel immediately to the south is an undeveloped 14-acre tract. The parcel immediately to the southwest is an undeveloped 105-acre tract. The parcel immediately to the west is an undeveloped 23-acre tract. As noted above, we own the 28 acres immediately to the north, which will remain undeveloped. Immediately to the east are two commercial properties (a plant nursery and self-storage facility) that front John Sevier Highway, and two residential properties to the north along French Road. Immediately across John Sevier Highway is an undeveloped 88-acre tract. To summarize, if one looks at the roughly 300 acres immediately surrounding this property, they will find four residences, a plant nursery, and a self-storage facility. This is one of the least populated and least developed areas in Knox County.

It is our understanding from speaking with our outside attorneys and Planning Commission staff that we are not required to obtain Planning Commission approval to continue using the property as a shooting range due to the non-commercial nature of our use. We have nevertheless voluntarily sought MPC approval for two reasons:

- (1) By obtaining Planning Commission approval, we will be protected under Tenn. Code Ann. § 39-17-316 from challenges by new landowners if the makeup of southeast Knox County changes over the coming decades. We have invested hundreds of thousands of dollars in this property. Like any property owner, we want to protect our investment.



(2) By obtaining Planning Commission approval, there will be a public record that there is a shooting range on this property. People who invest in the area in the future will be provided with notice and an opportunity to plan accordingly. As it stands, we could continue to use our property as a private shooting range and people seeking to invest in the area would have no way of knowing. Use on Review approval is the only way to provide constructive notice to the public that there is a range on this site. We believe the public would like to know this information, and that the Planning Commission and its staff should know this information in order to make well-informed planning decisions about this area in the future.

We recognize our application is controversial. We recognize the mere thought of guns raises concern for some people, regardless of circumstance. With that said, we have safely and responsibly used this property as a shooting range for nearly a decade without a single complaint from the surrounding community. That will not change.

We welcome any questions you may have. We also invite you to come view the property. We would be happy to demonstrate its appropriateness for this use. Please feel free to reach out to me directly, or contact our outside attorney, Taylor Forrester.

Regards,



Briton S. Collins, Esq.  
[briton@luckygunner.com](mailto:briton@luckygunner.com)

