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February 5, 2025

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

**RE: 6930 Shady Lane  
File Nos.: 1-I-25-RZ**

Dear Commissioners and Staff:

I represent multiple homeowners along Shady Lane, the Crystal Springs Homeowners Association, and Pete and Cindy DeBusk ("Community Members") in regard to the above-captioned file. Mesana Investments, LLC, as an option holder, through Scott Davis, has proposed rezoning the above property ("Property") from the Agricultural zone ("A") to the Planned Residential zone ("PR") with a proposed density of up to five (5) dwelling units per acre. This rezone and development, is inconsistent with the plan for the area, will place unnecessary strain on the local infrastructure, and exacerbate already existing safety concerns. The rezoning and plan amendment requests should be denied, and this letter serves to provide you with a brief overview of the reasons for that denial.

**CHARACTER OF THE AREA**

The Property is currently zoned A. It is bordered to the north by Cunningham Road across which is the Regency Heights subdivision zoned Low Density Residential ("RA"). It is bordered to the east by Beaver Brook County Club ("Beaver Brook") which is zoned Open Space ("OS"). It is bordered to the south by multiple large single-family lots and to the west, across Shady Lane, by the twenty (20) acre DeBusk Estate, all of which are also zoned A. As such, the area surrounding the Property is largely open space with some single-family homes on no less than 1/3 acre lots with most much larger. The closest property zoned PR is nearly a quarter of a mile away in the Wallingford Estates subdivision which is made up of only twelve (12) lots ranging between 2/3 and 2 acres

each (rendering it an improper analogy). Furthermore, Wallingford Estates is only zoned for up to three (3) dwelling units per acre (although it is much less in reality) and is the only PR zoned property within 3/4 of a mile of the Property, with the next closest being the Crossroads North apartment complex which is within the Maynardville Pike Commercial District. Thus, the Property is uniquely positioned in primarily open, rural space, between the Maynardville Pike commercial corridor and the Dry Gap Pike dense-residential corridor both of which are approximately one (1) mile away to the east and west respectively.

As such, allowing PR development at 5 dwelling units per acre in this area would begin the process of merging the Maynardville Pike commercial corridor and Dry Gap Pike dense residential corridor and in turn, completely eliminating the remaining open rural space in this part of Knox County.

Furthermore, the PR zone contemplates being utilized to create mixed-use developments incorporating residential, commercial, social, and recreational uses all in one location. This is inappropriate to this requested space first, for the reasons already mentioned and the effect it would have in merging the Maynardville Pike commercial corridor and Dry Gap Pike dense residential corridor. Second, it is inappropriate because of the nature of the Property. This Property is only twenty (20) acres and far too small for a mixed-use/PR development. In addition, the placement of commercial, social, and recreational facilities in this location is inappropriate in light of the surrounding uses in these low density residential, agricultural, and open-space zones. Therefore, the PR zone, especially with up to five (5) dwelling units per acre, is wholly inappropriate for this Property.

It is our position that it is in the best interest of the County that this Property be rezoned to RA at two (2) dwelling units per acre or less. Such a rezoning and density would match the character of the limited residential development in this area. The RA zone at two (2) dwelling units per acre or less allows for the development of single-family homes on lots similar to what already exists in the Regency Heights subdivision and Crystal Springs neighborhood.

#### **TRAFFIC AND SAFETY CONSIDERATIONS**

The Rezoning Report indicates that this proposed rezoning from A to PR at up to five (5) dwelling units per acre will result in an increase in traffic at rate of 963 daily trips. Whether the developer intends to access the Property via Cunningham Road or Shady Lane, this increase is not manageable. Cunningham Road is an already busy throughfare connecting the previously described Maynardville Pike commercial corridor and Dry Gap Pike dense residential corridor. The stretch along the Property is without shoulders

and, when traveling east, is just before a rise in the road that blocks the view of Cunningham Road where it bisects Beaver Brook and its four crosswalks which carry pedestrians (including children) and golf carts across Cunningham Road. This interaction between a busy road, blind spot, and pedestrian crossings already poses significant safety hazards and the addition of 963 daily trips, many of which it can be assumed will be by the young drivers that often come with new neighborhoods, will make an already untenable situation even more dangerous. If access is sought via Shady Lane, all of the above-mentioned conditions will still exist, as Shady Lane is a dead-end street which can only be accessed via Cunningham Road. Furthermore, as a dead-end street, Shady Lane is narrower and less equipped to handle this volume of traffic; a significant increase over the less than 50 homes it currently serves. As such, the addition of this development, at this scale, would further overwhelm an already dangerous corridor and should prohibit the requested rezoning. Again, if rezoning is considered necessary, a rezone to RA at two (2) dwelling units per acre or less, would be more appropriate, as it would allow for development but at a lower density with a more manageable traffic impact.

Should the rezoning be deemed appropriate, either to PR or RA, my clients request that the developer be required, as a condition of the rezoning, to limit access to the Property to access via Cunningham Road directly across from Imperial Drive. Further, that the developer be required to install a traffic circle at the intersection of Imperial Drive, the entrance to the Property, and Cunningham Road. This would serve two purposes. First, it would allow a safer and more efficient way for this new development and Regency Heights to enter Cunningham Road in such close proximity to one another. Second, it would slow the flow of traffic on Cunningham Road as it approaches the blind spot short of Beaver Brook resulting in a safer traffic flow for the pedestrians crossing Cunningham Road. Community Members feel a traffic circle is superior to a traffic light in this particular circumstance as a traffic light may be "overkill" during non-rush hours when traffic in and out of the developments is reduced, and a traffic light, when green, would not serve to slow the flow of traffic approaching the pedestrian crossings.

## CONCLUSION

For these reasons, the Property should not be rezoned to PR at a density of up to five (5) dwelling units per acre. This area serves as a rural oasis between the much busier Maynardville Pike commercial corridor and the Dry Gap Pike dense residential corridor. A change to RA at two (2) dwelling units per acre or less is a reasonable compromise. The rezoning and density requested will exacerbate an already untenable traffic situation in a dangerous corridor that has pedestrian crossings. As such, rezoning should be limited to RA at two (2) dwelling units per acre or less with the installation of a traffic circle at the intersection of Imperial Drive, the entrance to the Property, and Cunningham

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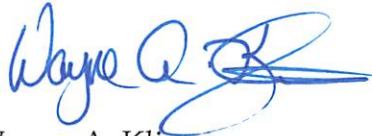
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Road to create and meet safer road conditions. The Community Members respectfully request you deny the request to rezone the Property to PR at up to five (5) dwelling units per acre and rezone the Property to RA with a density of two (2) dwelling units per acre or less, along with the desired conditions.

Sincerely,

**HODGES, DOUGHTY & CARSON**



Wayne A. Kline

*Attorney for Shady Lane Homeowners, Crystal Springs HOA, and Pete and Cindy DeBusk*

CC: Eli N. Hardin, Esq.

CC: Crystal Springs HOA