

**SHEPPEARD, SWANSON & MYNATT, PLC**

ATTORNEYS AT LAW

616 W. HILL AVENUE

KNOXVILLE, TENNESSEE 37902

SARAH Y SHEPPEARD††

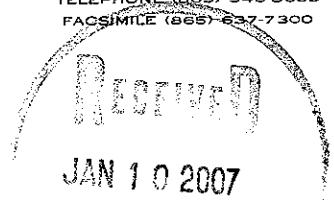
CHARLES W. SWANSON†

WILLIAM A. MYNATT, JR.†

†CERTIFIED CIVIL TRIAL SPECIALIST  
\*SUPREME COURT RULE 31 MEDIATOR

MAILING ADDRESS  
POST OFFICE BOX 2149  
KNOXVILLE, TENNESSEE 37901-2149

TELEPHONE (865) 546-3653  
FACSIMILE (865) 637-7300



January 10, 2007

Mr. Mark Donaldson  
Executive Director  
Metropolitan Planning Commission  
400 Main Street, 4<sup>th</sup> Floor  
City/County Building  
Knoxville, TN 37901

Re: South Waterfront Development Code

Dear Mr. Donaldson:

I am writing this letter to you on behalf of my client, City Councilmember Joe Hultquist. As you know, of course, Councilman Hultquist is the Councilmember who represents the First Councilmanic District which includes the area which is encompassed by the proposed South Waterfront Development Code. The South Waterfront Development Code currently is scheduled to be heard on the Metropolitan Planning Commission agenda at the January 11, 2007, meeting.

On behalf of Councilman Hultquist, I would like to request that the members of the Metropolitan Planning Commission consider a very minor amendment to the proposal as submitted. That minor amendment would involve adding to the territory encompassed by district SW-6 a parcel of property located on Blount Avenue immediately west of the Norfolk Southern Railroad tracks, which is more specifically designated as Parcel Number 108 EA 002. This minor alteration to the SW-6 boundary line would expand the SW-6 Henley Gateway District so as to frame the rail line as well as Chapman Highway.

I would appreciate it very much if you would raise this proposed minor alteration to the SW-6 District with the members of the Metropolitan Planning Commission for their consideration at the January 11 meeting. Of course, I understand that raising this issue for the Commissioners' consideration does not imply that either you or the members of your professional staff necessarily will endorse this amendment. As usual, I am sure that you and the members of your staff will give the Commissioners the benefit of your best objective thoughts and advice on the proposed amendment although, obviously, Mr. Hultquist's preference would be that you find the rationale for including this additional parcel as persuasive and in the best overall interest of creating an excellent

South Waterfront Development Code.

If you have any questions or if you desire further information concerning any of the foregoing, please do not hesitate to contact me. Thank you very much for your anticipated courtesy and cooperation in this matter.

Yours truly,

A handwritten signature in cursive script, appearing to read "Charles W. Swanson", with a long horizontal flourish extending to the right.

Charles W. Swanson

CWS/akm

cc: Councilmember Joe Hultquist

We are concerned about zoning changes that could allow high density multi family homes next door. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	REASON I CAN'T OFTEN COME TO MEETINGS
JUNIOR LEVIN	2717 Blount Ave		WORK
Kyla + George Davis	2709 Blount Ave		WORK
Matthew Davis	2709 Blount Ave		work
A Brett Spaulding	2701 Blount	573-5900	work
Tessa Ventura	2701 Blount Ave	573-5900	WK
Sybil Caughon	2526 Blount ave	573-7339	WORK
Raymond Young	2504 Blount Ave		
STAY WAREMOUTH	2320 W. Blount Ave	573-9229	WORK
Swendolyn Tadgott	2308 Blount Ave.	579-5137	Retired
Keona Crisp Grayson			Retired

We are concerned about zoning changes that could allow high density multi family homes next door. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	REASON I CAN'T OFTEN COME TO MEETINGS
Betty G. Hansen	2529 Blount Ave.	573-5173	Timing, example MPC 1:30 pm.
Walter D. Warren	2529 Blount ave	573-5173	
Jerry Brown	2615 Blount	573-6027	
Larry Currie	2638 W Blount	684-9318	
Kendall	318 Redwine		
George Parate	611 Redwine	405-91017	
Marilyn Pleasant	289 W Blount	384-5458	

We are concerned about zoning changes that could allow high density multi family homes next door. Please take steps to ensure that the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	REASON I CAN'T OFTEN COME TO MEETINGS
James Eamon	2804 Scottish Pl	57609-9052	Work
Lived Here	15 yrs		

HELEN NESS 2816 SCOTTISH PL - I DON'T DRIVE  
I'VE BEEN HERE ALL MY LIFE

Mary & Paul Woban 2907 Scottish Pike 573-0571 SICKNESS  
HUSBAND HAS LIVED HERE SINCE AGE OF 13 NOW 70 YEARS OLD

Barbara Davidson 2911 Scottish Pike Bobjets, don't drive  
I have lived here 46 yrs. My son at 2910 Scottish Pike. don't  
(Don't) want to sell WORK TO LOVE

Richard D'Amico 2911 Scottish Pike  
I have been here lived here 45 yrs.  
This is a good neighborhood I want to keep it like that  
don't want to ruin it with any more condos





We are concerned about zoning changes that could allow high density multi family homes next door. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME ADDRESS PHONE REASON I CAN'T OFTEN COME TO MEETINGS

Bess Newton 511 M. MOSA AVE 300-6667 work-related

There are lots of families and owners on M. MOSA AVE, and until now, we haven't felt that our street would be negatively affected, we'll be at the next meeting!

William McNeill 603 Augusta Ave 310-5044 work-related

MARSHIA OLSON 601 AUGUSTA AVE 577-1234



Home  
Phillips Ave  
Langford, Claude, Barber, Dixie and the alley ways.

1. We are concerned with the loss of our properties and their value due to the increased Right-Of-Ways (ROW) on Phillips Ave, Langford, Claude, Barber, Dixie and the alley ways.

2. We are also concerned about zoning changes that could allow high-density multi family homes next door and uncontrolled parking and parking garages.

Please take steps to make sure the south waterfront neighborhoods will keep their small town neighborhood atmosphere.

NAME ADDRESS PHONE REASON I CAN'T OFTEN COME TO MEETINGS

Shirley Waldman 804 Phillips Ave 573-1227 work found

Comment: Please see attached sheet

Chris - work hours  
Branda - have 2 small children that have homework every night

Chris + Branda Diles 804 Phillips Ave 573-1227

Comments: I have small children and do not want their yard taken away and do not want more traffic going up and down our street. Dixie not safe.

Comments: Mrs. Jeanette S. Winter 573-7619 607 Phillips Ave - it is not fair to widen Phillips Ave - all the houses in the same house own blocks, and if they did that - it would take all my trees in front.

Comments

1. We are concerned with the loss of our properties and their value due to the increased Right-Of-Ways (ROW) on Phillips Ave, Langford, Claude, Barber, Dixie and the alley ways.
2. We are also concerned about zoning changes that could allow high-density multi family homes next door and uncontrolled parking and parking garages.

Please take steps to make sure the south waterfront neighborhoods will keep their small town neighborhood atmosphere.

NAME ADDRESS PHONE REASON I CAN'T OFTEN COME TO MEETINGS

D. Graham Byars 907 Sevier 573-7474

Comment: Very concerned about allow ROW and Sevier Ave. Plans (only two lanes of moving traffic with two parking lanes - how would emergency

vehicles negotiate this give it is also a comment: mess route & has significant traffic

Comments:

Comments

Howie Phillips  
808 Phillips Ave  
Knoxville, TN 37910

1. We are concerned with the loss of our properties and their value due to the increased Right-Of-Ways (ROW) on Phillips Ave, Langford, Claude, Barber, Dixie and the alley ways.

Howie Phillips  
808 Phillips Ave  
Knoxville, TN 37910  
WR

2. We are also concerned about zoning changes that could allow high-density multi family homes next door and uncontrolled parking and parking garages.

Please take steps to make sure the south waterfront neighborhoods will keep their small town neighborhood atmosphere.

NAME	ADDRESS	PHONE	REASON I CAN'T OFTEN COME TO MEETINGS
Christopher Sneed	808 Phillips Ave		
Comment:	Knoxville, TN 37910		
			Widening Phillips Ave + surrounding streets is a terrible idea.
Comments:			
Comments:			
Comments:			

four people  
James  
Phillips  
Zone

1. We are concerned with the loss of our properties and their value due to the increased Right-Of-Ways (ROW) on Phillips Ave, Langford, Claude, Barber, Dixie and the alley ways.

2. We are also concerned about zoning changes that could allow high-density multi family homes next door and uncontrolled parking and parking garages.

Please take steps to make sure the south waterfront neighborhoods will keep their small town neighborhood atmosphere.

NAME	ADDRESS	PHONE	REASON I CAN'T OFTEN COME TO MEETINGS I DO NOT HEAR WELL - WHEN I ATTEND MEETINGS I DO NOT HEAR ONE WORD SPOKEN
Jewel Hill Davis	704 PHILLIPS AVE.	573-6817	

Comment:

At. W. Davis 704 PHILLIPS AVE

573-6817

HOMEBOUND FOR OXYGEN

Comments:

JARA ROWMS 104 PHILLIPS AVE 573-6817

Comments:

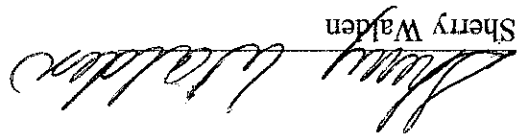
Ellen J. Davis 704 Phillips 573-6817

Comments Specifically why do the alley & Phillips Ave need to be widened



January 10, 2007

The neighborhood of Phillips Ave. does not need wider streets to encourage more traffic flow. There are several children in the neighborhood and they deserve a safe yard to play in with less traffic. This is a residential area in which families have a vested interest. To widen the streets most of the older trees will be destroyed and will take away from the ambiance of the neighborhood. It seems senseless to build an area around a natural resource such as the river and destroy everything else with concrete and steel. If we wanted a West Knoxville feel to our homes and community I'm sure that's where we all would have chosen to live.

  
Sherry Walden

We are concerned about zoning changes that could allow high density multi family buildings displacing existing residences in the South Waterfront area. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	E-MAIL
John Stewart	6611 Rudge Rd Lane	37909	584-3534

Comment

Rev John Hill 714 Wesley Rd. 37909 Knoxville, TN 584-4357

Don Robinson 1709 White Pine Circle Knoxville TN 363-0808

comment

Bill Moore 1111 Gratz St. 37907 Knoxville, TN 523-7946

John Lockup 8945 Shallowford R. 37923 jrlockey516@hotmail 6903127

John T. Randle 1318 No. Buena 37912 687-9060

comment Robert A. Randle 1918 N. Buena " varh@renvux.net "

PAT CHASTAIN Pat Chastain 603 Galbraith Rd ptandjoe@prodigy.net 6903526

comment This is an longstanding community that should be upgraded not destroyed

JOEL Z. RE LIX [Signature] " " "

We are concerned about zoning changes that could allow high density multi family buildings displacing existing residences in the South Waterfront area. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	E-MAIL
Julie Welker	307 Maple Loop	579-9799	ladyvolsfan023@comcast.net

Comment \_\_\_\_\_

Angie Tucker	307 Maple loop	579-9799	TinzyTucker53@Comcast.net
--------------	----------------	----------	---------------------------

comment \_\_\_\_\_

Libby Johnson	441 Cates St	983-5234	
---------------	--------------	----------	--

comment please Preserve neighborhoods - long established - we need citizens to speak out against unfair development in an already established neighborhood

comment \_\_\_\_\_

comment \_\_\_\_\_



We are concerned about zoning changes that could allow high density multi family buildings displacing existing residences in the South Waterfront area. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	E-MAIL
Margaret S. Lela	2142 Chamber Blvd	865 505-5741	telefax@bellsouth.net
Christine Childs	2004 Banks Rd	773-5151	chr.ssyrc23@hotmail.com
Sally C Woods	37918 6001 Nottingham Rd.	865 689.2701	Sallywoods@mintspring.com
comment	Please do not destroy the South Waterfront Culture.		
comment			

We are concerned about zoning changes that could allow high density multi family buildings displacing existing residences in the South Waterfront area. Please take steps to make sure the South waterfront neighborhoods will keep their character.

NAME	ADDRESS	PHONE	E-MAIL
Rick Held	212 Mansfield	579-6222	rickheld@bellsouth.net

Comment \_\_\_\_\_

Nancy Andrews 5416 Springlance Circle 534-3125 nandrews05@hotmail.com  
comment Keeping our neighborhoods preserved will only enhance the city & country in the long ~~run~~ run.

Terry Faulkner 4178 Ridgeway Ln 584-3659 tfaulkne@UTK.EDU  
comment \_\_\_\_\_

Charles Faulkner 4172 Ridgeway Ln 584-3659 cfaulkner@utk.edu  
comment Please help preserve single family neighborhoods

Alice Wershing 1605 Sundrop Dr 584 4741 AWershing@aol.com  
~~George Reynolds~~ George Reynolds 9415 W Sunset Rd 375141

## E-MAIL COMMENTS RECEIVED

Dave, I regret that I will be out of the country for the January 10-11 meetings relating to the Waterfront.

Current neighborhood concerns seem to be mainly two:

- 1) The definition of height limits and how the roofing style affects the number of allowable stories--that is, doing whatever is needed to preserve the viewshed of current property owners.
- 2) We do not want Phillips included in the streetscape definitions--that is, not widened--because there is not room to have sidewalks without taking much of our tiny yards and several massive trees. The same goes for Langford, although it could be widened in the direction of the river. Widening these two streets would be terrible for our property.

Patti, I hope you concur on this. Chime in if not.

Thank you, Dave, for your excellent facilitation of this difficult process.

Jenny Arthur

Mr. Hill-

Greetings- my name is David A. McDaniel. I live in and own the house at 703 Phillips Ave., and own the one at 701 Phillips Ave. I'm the guy that came out to meet you and Patty Berrier a few weeks back when you were walking around our neighborhood. I really appreciate the service that you and Joe Hultquist are rendering to the city and our neighborhood. I just wanted to send you a brief note to give you my thoughts on the process as it stands now. If I have a concern, it's that we won't go far enough in this thing. Folks in this neighborhood aren't known for being overly visionary. And for the record, just between you and I, Martha Olsen and Patty Berrier do not necessarily speak for me. I think that the form based codes as they are presently outlined are far too restrictive, and will do more harm than good in the long run. I mean, really-- a view of the river is not a civil right. If it was, I'd be knocking on the Conley's door to get them to clean out the fence row which currently totally obstructs my view of the river 6-7 months of the year. I think that restricting construction to a maximum of 35 ft. would choke out a lot of valuable development. I appreciate the basic idea behind the forms based zoning, and am in agreement with it, but I think the city and our neighborhood would be better served to let the market take its course, which is what ultimately will drive this whole thing anyway. I respect Martha and Patty and they are certainly entitled to their opinions, but again, I want to emphasize that they don't necessarily speak for me. When you look around this neighborhood, and if you're really objective about it, how much of it really should be preserved anyway? How many homes/buildings really have any architectural or historical value? Not many. Neither of my houses fit that criteria. And while I am not lobbying for the wanton destruction of this neighborhood, I'm not sure that it's preservation in its present state, untouched, is desirable or realistic either. I personally believe that many of these folks who guard their property like crazy and who are the most vocal in opposition to this process will sell in a heartbeat when the market does what it must eventually do. When the money shows up on their front porch, I really believe the rules will change, and quickly. One more thing. Let us not forget what we have here. Has it ever entered your mind (surely it has) that you can get on a boat here in downtown Knoxville and go to any port of call in the world? Think of the possibilities! Where else can you get on a boat in the American heartland and go to Amsterdam? Sydney? Jakarta? Hong Kong? You can get there from here! If you have the boat and the money, anyway. Dave, that's HUGE!! I hope that as this process unfolds, our maritime possibilities will be taken into account, and stewarded wisely. I didn't intend to be so verbose, but it's difficult to get a word in edgewise at the meetings, usually. Again, I really appreciate all you're doing for us, and look forward to talking with you again soon.

David A. McDaniel

---

Dave,

In reviewing the Streetscape Standards of the Form Based Development Code (FBDC) Draft (Section 5) I have a few comments about the Utilities requirements for each of the designated streetscape types. Several of the streets are required to have "All underground" utilities, but nowhere in the document are underground utilities defined. I believe it is the intent of the design standards to require any new construction to have underground services from the KUB distribution and collection systems but to allow existing homes and business to retain their existing services. As we discussed in our meeting with you and Gavin some months ago, it will be very expensive to underground the existing overhead electric facilities that presently serve the customers, both along the public roads (City responsibility) and the service lines that connect the customer's homes and businesses to the distribution system (customer's responsibility). I think at a minimum clarification language needs to be included to define what is meant by underground utilities so future business and residents clearly understand what is required of them.

Another issue that was discussed during some of the Committee meetings was the location of the utility meters. With the requirement that buildings be placed very close to the property line with a maximum setback of 10' the presence of gas and electric meters on the front facade of buildings would be visually distracting and could also interfere with pedestrian traffic. Is it the intent that these services be provided at the rear of any new building? Moving the utility services to the rear will impact the owner's initial cost of service but will result in a much neater street view. Under Section 4, Property Development, External Elements, each of the areas has a section titled "External Mechanical Units, Electric Units & Rain Barrels" that could possible expanded to address utility connections. Although I am representing KUB's interest in reviewing these documents I would also recommend that any provisions also include all other utilities including but not limited to telephone, internet, cable TV, satellites, etc.

I will be attending the Committee meeting tomorrow afternoon and will be glad to discuss these issues with you in greater detail.

Mike Patterson  
KUB, Manager Systems Operations

---

It seems to me, but perhaps I am over simplifying, that if the folks on Phillips don't want sidewalks right away (maybe down the road they will feel differently) the City can find plenty of other places to spend the infrastructure money.

IMO Langford does need to be widened - but on the river side. And yes, there is a big drop off there. But my engineer husband assures me that the road widening can still be done on that side.

My real question is - are these things that need to be resolved in the form-based code? Or are they other elements of the plan that can be resolved separately? I think the latter but perhaps I am wrong.

Rachel Craig

---

Honestly I don't think most people want sidewalks on Phillips at all, But we do want the road fixed because of water run-off. And curbs might actually stop people from parking in their front yard even though they have a whole street in front of their house to park. Our street on the 800 block of Phillips has major problems with parking because parking was not enforced for the two multi family houses on this block.

So yes, Phillips home owners have a right to have the road finally redone properly not with paving more asphalt over old asphalt.

But taking any more property will basically make the lots useless and God forbid anything major were to happen if the lots became more non-conforming since FBC is not going to do much to protect the residential.

It may be that FBC is not where the ROW needs to be resolved, but I don't think we are safe if it is not defined in FBC. I do understand that things can change over time, but to widen the street at anytime now or in the future will ruin the residential neighborhood. How will people be able to infill with a house or build a house? So the only thing that can occur is to take several lots and put them together, (is this not what the developers want to do, cheap land for sell) which then makes the neighborhood no longer a neighborhood but a high density condo area.

I just heard that there is no parking required for any SW at all, SW1, 2, 3... that someone can build or remodel and not have to make sure they have parking for the units that they have added. Dave correct me if I am wrong please. This is a real blunder when it come to SW1. Hey! This will really preserve the neighborhood now. Yes I am being sarcastic. Can anyone explain why there are no restrictions in SW1? There are restrictions in the current code for parking.

See, at the last council workshop before Christmas some of us questioned why FBC was not being written to make non-conforming lots conforming. We also brought up infill housing. Some council members think the current zoning/code should just be incorporated and variances applied for. So why there are the current parking rules not incorporated into FBC?

I am grateful to hear Jim's thoughts on the widening of Langford, but still don't know why it has to be done behind the 700, 800 and 900 blocks. I may regret this, but behind the 600 block the road needs to be reopened, but still not with a ROW of 50'.

I hope to see you at the meeting tomorrow evening at 5:30. And hope to see all council members and the community. I have to say I am ashamed of the lack of a crowd, but people are burned out. I am there myself.

Patti Berrier

---

Dave,

This is a quick note in support of the South Waterfront Development Code that will be considered by the MPC tomorrow (January 11). While not perfect, the code is very good. It also includes provisions for flexibility. It is needed now for the South Waterfront. I hope the MPC will support it.

Best regards,

Mary English  
Member, South Waterfront Oversight Committee

---

Dave,

Thanks for collecting comments to send to MPC. Here's mine.

For the last 18 months, I have been privileged to represent the south Knoxville Community onf the South Waterfront Oversight Committee. The City, the consultants, the Oversight Committee, property owners, community members, business owners, regulators, and other stakeholders have been working on the Form Based Code for the south waterfront for many months now. The product that's on the current MPC agenda

represents a real consensus of all the stakeholders, although of course not every individual agrees with every single element of the code.

I urge you to pass the code without amendments. We know it will need tweaking after we have some experience with it, and the mechanisms are in place for making that happen. Amending the code on the fly would mean bypassing the open, transparent public process that all of us have been so committed to.

I also urge you to approve the code tomorrow. A postponement would not be in the public interest.

As you know, there is a Use on Review request on your agenda (#88) for a key piece of property in the waterfront district. This application was filed under the current codes, and unfortunately does not conform either with the new codes or with the Vision Plan as adopted by City Council. So there will be opposition to this request.

There are several more projects in the pipeline. The developers need a code to take to their lenders. If we don't get this code in place soon, they may choose to file applications under the existing code, and then we will have a very messy situation on our hands.

In summary, I hope you will support passage of the Form Based Code tomorrow. Thanks for your time.

Rachel Craig  
2222 Island Home Blvd.  
Member, South Waterfront Oversight Committee

---

January 10, 2007

Mr. Dave Hill  
Senior Director, South Waterfront Development  
City County Building, 400 Main Street, Room 503  
Knoxville, TN 37902

Dear Dave:

Thank you for offering to share this letter before the meeting tomorrow morning. I am, first and foremost, excited about the South Knoxville Waterfront Development. My optimism began when I first heard about it and continues even now, following the Neighborhood meeting tonight. I would say, that due to that optimism, along with other important life circumstances, I have not been as active as I typically am when it comes to such important issues. In my naivete regarding zoning regulations, I was admittedly not paying attention as closely as I should have been as the form-based zoning discussions began. Receiving the letter in the mail was actually my first clue that big changes were happening, and that my neighborhood was affected.

So, for a week, I have been learning as much as possible, and I still have a long way to go. This doesn't even include talking to my neighbors to see if they understand the situation. You see, I live in a very interesting part of this development, Mimosa Avenue. According to the Regulating Plan, we are currently zoned in SW3, or Sevier Avenue (pale yellow). I live on a street full of houses, not businesses. These are mostly single-family homes, with front porches, with children that play in the yard, back gardens, yard sales, etc. We quite a variety--including some lovely students, public library employees, senior citizens, and the occasional professional hockey players that rent homes on Mimosa--but we all have one thing in common--we have not been coming to the meetings, and our neighborhood is slated to be zoned as SW3, or commercially/mixed use.

I understand the "Main Street" idea, the store fronts, the shops--I love that!! But that is not my street, that is a concept for Sevier Avenue--one street over. The planners have accidentally missed the mark on this one, and I'm devastated that I was not at a meeting to help them understand the nature of our street, which seems to be included in this zoning plan simply because it is between Sevier Avenue and the railroad track that borders this development on the south.

I'm feeling torn, on one hand excited for the changes that are happening, and so glad to be so close to them. On the other hand, I am frighteningly close to the changes. I love my street full of families in their homes, and these zoning regulations do NOT support these homes. Although I understand we are zoned R-3, we live a reality of individual homes, plus one two-story condominium. We live in a reality of back gardens, front yards, and children playing in them, which these regulations do NOT support. One could not even rebuild a home like I have, which is a beautifully maintained 1918 Arts and Crafts bungalow--according to the SW3 zoning regulations that are proposed today.

I hope to be at the meeting today, but if I am not able to make it because of work-related issues, I just ask that you take this letter into account, on behalf of my neighbors and I, and to simply do what you can--your best. I ask that you continue to be open to discussion in the upcoming year, for I plan to be more involved in the South Knoxville Waterfront Development.

Thank for taking the time to read this, and thank you Dave for leading the meeting so diplomatically. I hope that Knoxville can truly be a model in form-based zoning for the rest of the country to follow. Being a model most certainly involves leading in a way that takes every street into account, as a unique entity, which Mimosa Avenue surely is.

Kind regards,  
Bess Newton

---

Dave-

Great to meet you last night. Thanks for facilitating the process of public involvement in this project. It seems a task that demands a great deal of endurance and patience; so thank you for taking the time to consider these comments. To place in writing the substance of our conversation concerning the Mimosa Avenue area:

This area is currently slated to be zoned SW3. While it is clear that the corridor immediately adjacent to Sevier Ave is within the intent of SW3, the Mimosa neighborhood is better suited to SW1. This four-block cluster is by far the largest contiguous residential area in the entire rezoning plan that is not SW1.

At the Jan 10, 2007 meeting, the primary argument for this area to be SW3 was the rail right-of-way which would potentially become a light rail line. Yet there is a planned light rail directly adjacent to a much larger section of SW1 in the Scottish Pike area. Additionally, if we plan to have commercial use at the Mimosa portion of the right-of-way, then is it planned/hoped that the current right-of-way residents near Mimosa sell their property so it can be redeveloped?

What do we hope to achieve by zoning this neighborhood as SW3?

Is SW3 is apropos to this area:

- How many of the houses in the Mimosa neighborhood are currently in compliance with SW3?
- How many are 50' tall?
- How many approach 80% coverage?
- What are the implications of a SW3 Mimosa?
- Is SW3 likely to preserve the character of this area or diminish it?

Of particular concern is the apartment complex one lot west of 511 Mimosa Ave. The property is much larger than others in the area. Once the current structure is removed and this lot is redeveloped, the minimum requirements of SW3 would essentially mandate a building of imposing scale, even if it was a single family residence. In fact SW3 would demand a structure with a significantly greater footprint than the current building on the site (which we all can agree is an eyesore), and would encourage it to be a taller one. Please take a moment to consider the 10' build-to line, 75% frontage, and other minimum requirements of SW3. Because of these requirements, even the best-case scenario is completely inappropriate for this area. And once a developer

is held to these standards, how much more likely are they to place something far closer to the apocalyptic outcome?

This could easily occur in the short term as the apartment building's removal has already been specifically stated as a goal. This means that waiting a year to refine the zoning of this neighborhood may not be soon enough to prevent this from happening.

As this is the only lot in the four-block cluster (as far as I am aware) that faces this problem imminently, Bess Newton (511 Mimosa Ave) stands to be disproportionately affected by the implementation of SW3 on Mimosa. Therefore I propose that although general neighborhood feedback is currently low, Ms. Newton's input be given greater consideration. Additionally, if the intent of the process is to determine what residents would like to do with their neighborhoods, who has come forward to say they actually want SW3 in this area?

Although Ms. Newton would be affected heavily in the short term, once the lot in question has been redeveloped in accordance with SW3, it would lower incentive to preserve and improve current residences in the remainder of the Mimosa area. This would be a wedge that would likely diminish the neighborhood in the long term, and rather than encourage mixed use, would gradually convert the area to one of commercial focus. This sets a poor precedent that would discourage other homeowners in the vicinity including those not in the current rezoning plan. A unique residential area that is within short walking distance to downtown could eventually be lost.

Options:

- Make the Mimosa area SW1
- At the very least SW2 could be implemented to ameliorate the impact of redevelopment and discrepancy of scale.
- In the absence of a change in zoning status, there should be a specific limitation on the apartment complex lot during the one year "probationary" period.
- If this plan can be modified after a year - why can't we take a conservative stance and zone this as SW1 to begin with? This would allow for further reflection and input.

In summary: SW3 is inappropriate for the Mimosa neighborhood as SW3 fails to honor its essence. Rather, the neighborhood is in keeping in every way with all SW1 areas in the zoning plan and should immediately be implemented as such. While rethinking this plan after a year is necessary, it may be too late in this particular case. If SW1 cannot be immediately applied to this neighborhood, some stop gap measure should be taken to temporarily suspend the possible redevelopment of the apartment building lot until appropriate reflection can take place

Thank you for your efforts and consideration.

Sincerely,

Edward Richardson

2225 Spence PL  
Knoxville, TN 37920  
865.368.2483

---

Dave,

I am just now getting excited about the South Knoxville waterfront. I've lived in South Knoxville for 30 of my 41 years as well as attended South Knoxville Elementary across the street from the meeting place, as a child and I played on the streets we are discussing. It's really nice to see something really big and potentially fantastic occur on our humble lil' banks. I attended the meeting last night on the fly and just about had to pry myself away. I was fascinated.



I'll be as honest and to the point I can. I feel this development is a grand idea, albeit probably a bit aggressive in terms of growth and goals. I also feel this new zoning plan makes a lot of sense even though most of my fellow "riverrats" (a historic term for us folks on the south bank of Knoxville) don't seem to understand that it appears to me to be truly protecting their neighborhoods better than they are now and that the city and the designers seem to be working towards. It appears to me that zoning per scale and proportion instead of usage is brilliant. The non-boulevard shopping/commercial development down Sevier is also wonderful and I think in the end will be very much appreciated.

What bothers me is the dividing up of all the zones for the most part seem to truly respect the intact portions of residential. When in college I lived on Miller Avenue just south of Mimosa Avenue. That area is just as much full and thriving as is Phillips yet seems to be in the SW3 zone. The strip that runs along Sevier should indeed be zoned as you have it but to inately take that strip of houses behind it goes against all the beautiful arguments the team made in protecting those same types of houses on Phillips. I feel it would only be fair to protect those homes by making them SW1 as well leaving Sevier itself to grow in its commercial path as it needs.

I no longer live down there, I live further down Chapman Highway so this development shouldn't affect me. I'm now an architect that works downtown and still live in good ole South Knoxville. I fully understand the direction taken and how the planners came to many of their decisions...most of which I thoroughly feel will do nothing but make things much, much better for South Knoxville AND Knoxville. Please keep in mind however, when the South Knoxville connector was built I watched house after house, street after street, of my childhood, disappear for that road. A road which was intended to support the neighborhoods they were tearing down and the lives it tore up. Still today, it's rarely used. (personally I'd like to see all large vehicle traffic be required to take the connector to help control congestion downtown-but that's another directive) I'm in total support of the work you guys are doing and am nothing but impressed thus far. All I ask is that the team and the city not lose sight of indigenous populations rights to enjoy this development as much as possible and not lose sight of that right as the people who've been keeping house there literally for decades.

I'll definitely now be at all meetings not occurring during office hours. Thank you guys sooo much for all the work and honestly the guts to stand up in front of a neighborhood that sees changes in coming in waves.

Brian Pittman  
137 W. Ford Valley Road  
Knoxville, Tennessee 37920

PS. In all my desire to relate all my thoughts I left out my primary request. I feel it would be only fair and overall beneficial to retain all existing cohesive residential in a SW1 zone. Meaning the existing area behind the South Knoxville Baptist around Mimosa feels inappropriate to be opened up to 'all possibilities'.

---

Dave,

As follow up to last evening's meeting, Mr. Gill was indicating that if a (commercial/industrial) legal non-conforming use lost over 50% of their property due to a casualty loss, they would not be able to reconstruct their facilities and continue to operate as a non-conforming use. You indicated you would ask the City Law Dept and get their opinion and provide to Mr. Gill.

Would you please provide me with the response as well? Marathon's opinion is that we could rebuild. Further, taking it a step further, it is our opinion that we could destroy the present facilities and reconstruct new facilities to conduct our business without the presence of any casualty incident. A gain, if you could let me know the City's Law Department thinking on the above, it would be appreciated.

Thanks,  
Jon E. Stansbery, Marathon Petroleum