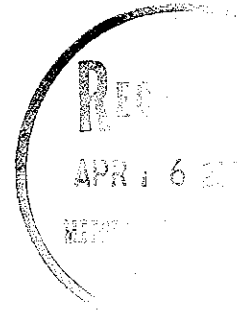


April 14, 2008

Mr. Mark Donaldson  
MPC Executive Director  
Suite 403, City/County Building  
Knoxville, Tennessee 37902



Re: Propose Use on Review  
Child Day Care Facility  
Park West Church of God  
File Number: 4-1-08-UR

**Attention:**

**Mr. Mark Donaldson, MPC Executive Director and  
Knoxville/Knox County Metropolitan Planning Commissioners:**

Mr. Bart Carey  
Mr. Art Clancy, III  
Mr. Herbert L. Donaldson, Sr.  
Mr. Richard Graf  
Ms. Kimberly K. Henry  
Mr. Michael A. Kane  
Mr. Jack Sharp

Mr. Robert Anders (V-Chair)  
Mr. Trey Benefield (Chair)  
Ms. Laura Cole  
Mr. Stan Johnson  
Mr. Robert M. Lobetti  
Ms. Rebecca Longmire  
Mr. Nick Pavlis  
Mr. Wes Stowers

Dear Director Donaldson:

I would like to object to the Agenda of Park West Church of God's request to have a Day Care Facility at this location due to a few of the following items of objections:

The Neighbors of this Church is a community consisting of 41 Condos that are composed mostly of retired homeowners called the Adell Ree Homeowners, Inc. with its Mailing address as:

Adell Ree Homeowners, Inc.  
1018 Ree Way  
Knoxville, Tennessee 37909-2365

**With the location of the Church and this area we would receive much noise form a group of 80 Children. Being retired many of the folks are in bed late in the day or taking naps in the afternoons. Even on Wednesdays and Sundays evenings sometimes it is very noisy with the Children out in the play area. This we can bear with the Church; however, daily use of the play area we have reason to be concern if this is approved as use for a Day Care. The Church is very close to a group of homes on a bank that slopes down to this play area and the noise seems to be funneled right up this bank into the bedrooms, the screen porches and other areas that are used during the day thus making life hard to cope with this type of disturbances.**

**Another concern is the increase of traffic in and around the residential Neighborhood which already has experienced a history of accidents. The Church private street exit to the City Street that is used by the Adell Ree residents. At present this street does not have a STOP sign; however, the Pastor has agreed to have a STOP SIGN place at this location per request.**

**I am sure the Day Care Center will be required to have a place fenced off for the use of a playground; however, even with this it can make a creation of “attractive nuisance” (i.e. the existence of a playground will become a prized place for neighbor kids to “hang out at hours” at all hours of the day and night). With the Church and this Adell Ree having had some experience of vandalism with outside person(s) coming into the area and some maliciously destroy property from this source. This could and no doubt would add to that problem with outside person thinking that they would not be as easy spotted with the coming and going of the added traffic flow. This community has just recently been having the engagement of the Police Department with the beginning of and formation of a ‘NEIGHBOR WATCH PROGRAM’ for the Adell Ree Condo complex.**

**Most of the Residents of this Condo Complex are retired Seniors that made this purchase in this area due to the care and the attention the Adell Ree Condo Association gives the grounds, the appearance and the maintenance of the outside area. The value of the Condos has held a place on the Market at the present time with a fair value if the need to sale should ever have to be made. With the age of the Residents a time will come that the unit may have to be placed on the market for the Resident to go to an Assisted Living place. With the added cost of being in an Assisted Living Place all the funds possible from the sell of the property would surely be of help in such a location.**

Some have made the purchase with that in mind and with being able to sell the property with the market value that is fair as far as when the purchase was made in the beginning. If a Day Care Center is placed and the problems arise as the above items of situations has stated the value could be much lower due to this condition and the Resident having made the purchase with this in mind finds that there in NO MARKET as far as market value for their property! We hope the Commission will take this into consideration when making a decision of the Church's request. It is hoped that the request for Day Care Facility for 80 Children is denied for the good of the members of this community of retired persons.

Thank each of you for your consideration of the items above when you make your review and make recommendation as to this important item(s) that face this group of Residents that will have some problems that would have to be over come in having this type program so close to this area of retired residents that have had a great place to live.

Sincerely,



David C. Duckett  
7702 Ester Way  
Knoxville, Tennessee 37909-2366

### Items of Concern Summary:

- Noise from the Playground during the day which would cause life as known at present to be changed by the Retired Homeowners.
- Increase of traffic for the Seniors/Homeowners upon exit and entrance of the Condo Area.
- More People and more possible Vandalism in the area from the 'Attractive Nuisance' - the playground.
- A Decrease of Property Value to Homeowners due to the increase noise level and problems of selling the property when it becomes necessary
- Please give this much consideration for us, the retired persons, here!

*FAX COVER PAGE*

**PARK WEST CHURCH OF GOD**

**7635 MIDDLEBROOK PIKE  
PO BOX 30198  
KNOXVILLE, TN 37930-0198  
(865) 693-0144**

<b>To: Mr. Mark Donaldson</b> MPC Executive Director	<b>From: Gerald McGinnis</b>
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<b>Pages: 3</b>	<b>(including this page)</b>	<b>Fax Number: (865) 693-7740</b>
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<b>Date: 5/07/08</b>	<b>Time:</b>
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**SPECIAL INSTRUCTIONS**

**Mr. Donaldson,**

**Following is a letter to the Commission members concerning Agenda Item #66 for tomorrow at 1:30pm. We wanted you to have some information beforehand.**

**Thank you,**

**Gerald McGinnis  
Lead Pastor, Park West Church**



Pastor Gerald McGinnis



May 7, 2008

Dear Commission Member,

We are writing to address the concerns of Adell Ree Homeowners, Inc. (hereafter ARHI) concerning our current Proposed Use On Review (Agenda Item #66). We are aware of the specific concerns of ARHI and would like to address each item as ordered in the summary of their letter to you prior to our meeting on Thursday, May 8, 2008.

- First, ARHI notes a concern that sound from the playground "would cause life as known at present to be changed." We would like to note by way of introduction that although the paperwork before you requests approval for a daycare, our intention is to establish an academic preschool (with limited hours and enrollment). In fact, by regulation we are only allowed to have a maximum of eighty total students. Further, these students will only be allowed on the playground on a rotation basis. We do not see how the loudest possible noise that this very small number of students could make would change life as currently known by the residents of ARHI. We currently have a home school coop that meets at our facility weekly with over one hundred students in attendance. There is no regulation on the number of these students permitted outside at any given time. Further, ARHI is not a retirement community. It is a neighborhood. Children from that neighborhood currently play outside making noise. So, we do not see how the addition of a preschool and its playground will change life for them. Finally, at the request of ARHI and at our own expense, we have already planted trees near the property line between our properties, and now plan to plant additional trees (again at the request of ARHI), and that at our own expense.
- Second, ARHI notes a concern for an "increase of traffic for the Seniors/Homeowners upon exit and entrance." We would like to begin by pointing out that the area under discussion here is a city street, not a private drive. In any case, we have installed a stop sign (at our expense) to aid in the safe flow of traffic onto this city street. Further, most of our people choose to and will continue to use our main entrance on Middlebrook Pike.
- Third, ARHI notes a concern about "more possible vandalism in the area" as a result from a proposed playground. We would like to note that we will be installing a six foot tall fence and locked gate around the playground. We must do that to meet regulations and for our own liability. So we cannot see how this would cause vandalism to increase. In fact, on Tuesday, April 15, 2008 our church received significant vandalism (prior to the existence of any preschool or playground). Thousands of dollars of damage was done,

7635 Middlebrook Pike • Knoxville, Tennessee 37909  
 (865) 693-0144 • fax: (865) 693-7740 • info@parkwest.org • www.parkwest.org

including the complete demolition of almost every window and many glass doors on the back of our property in the immediate area of the proposed playground. Interestingly, the violent and persistent noise at 3:00am that morning was not heard by even one member of ARHI and, therefore was not reported by them to the authorities. Even still, we have also made plans to install a gate to our back parking lot to allay the concern of ARHI that loiters can gather in that area and perhaps participate in such vandalism.

- Finally, ARHI is concerned about a potential "decrease of property value." If anything, the work that Park West Church has done and plans to do will increase property values. It is even likely that there are people in their neighborhood that could be interested in this program. Please remember, ARHI is not a retirement community. In addition, we have been told by two city council members that we have a very neat, well-kept, first-quality building. Our history shows our commitment to working for increased property values. In fact, we purchased and cleaned up a commercially zoned property at the intersection of Adell Ree Drive and Middlebrook Pike (connected to our property that fronts Middlebrook Pike and at the entrance to the Adell Ree community) to keep from property depreciation.

In attempt to be the best possible neighbor, we have taken numerous steps above and beyond what is necessary. In addition, we have opened our parking lot, walking track, workout room and other facilities to the residents of ARHI at no charge. We would like to thank you in advance for understanding and approving our request and for honoring the recommendation of your staff. I would also like to invite you to call me should you have any questions. My cell number is 865.805.8595.

Sincerely,

Rev. Gerald E. McGinnis  
Lead Pastor, Park West Church