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Date: 2/10/2010 10:13:01 PM
Subject: MPC Agenda Item #34 - Washington Pike / Murphy Rd rezoning

Knox County Metropolitan Planning Commissioners
2010 February 10

Dear MPC Commissioners,

I am writing in support the City of Knoxville's rezoning proposal (Agenda Item #34, 1-10-RF-RZ and 1-D-10-SP) for the Washington Pike / Murphy Rd area. I am also writing to request action on this issue at the February 11th meeting.

I organized a community meeting in early January which was well attended by residents, business owners as well as representatives from MPC staff, MPC Commission, County Commission and City Council. All attendees were interested in the proposal and asked good questions. The primary concern raised was traffic issues. Rezoning to use-on-review SC-1 will keep additional area development from making the traffic problems worse by requiring improvements that are in scale to the proposed development.

We have worked with MPC staff and City Council since mid-October to come up with a proposal that balances the rights of property owners to develop the property as well as preserve historical settings and the rural atmosphere of the area, the primary reason that many people have located in the area. The SC-1 designation does not significantly impair the abilities of a property owner to develop the area; in fact a great deal of uses are allowed under the SC-1 designation. What it does provide is a requirement to thoroughly plan the development to minimize the impact on the area (roads, utilities, landscaping, lighting, building design).

I also believe that the SC-1 designation on all of the parcels will actually enhance the value for the property owners because it will require

all parcels to be developed to the same standards and provide for coordination of curb cuts and road improvements amongst property owners.

The property in question has been under various bankruptcy and foreclosure proceedings, which now seem to have run their course. Several banks own the different parcels.

I agreed, on behalf of the residents, to a 30 day postponement at the January 2010 MPC meeting in order to give the new bank owners time to understand the proposal and any impacts to them. Representatives of National Bank of Tennessee were kind enough to meet with area residents at New Harvest Park on January 28th to listen to resident's ideas of future development and services.

Only in the last 48 hours have I been contacted by the a representative of National Bank with concerns for the proposal. I understand that there are concerns about the SC-1 designation and required size of buildings and numbers of tenants, and that this might represent a "taking" of land from the banks since the property is comprised of smaller lots. I'm a bit confused as to why this would be so though, because the banks loaned the initial owner funds based on a comprehensive development plan, and thus based the value of the land on that. This rezoning would preserve the need for that comprehensive development plan, and thus the value of the land. Selling off the lots individually would, in a layman's opinion, seem to result in a lower value of the property. Hopefully Mr. Wise will have some counsel for you on that matter.

I'm not sure that I buy the argument that the rezoning would decrease the value of the existing C-3 land. The C-3 land, on the small lot sizes currently platted, seems nearly undevelopable with the existing road infrastructure. Improvements to the road infrastructure would almost certainly be required to make the land developable and sellable, and these road improvements are not going to come about from a single property owner. A unified zoning district would encourage either a single developer to acquire the land and proposed a unified

development plan, or it would encourage disparate property owners to work together on a cohesive development plan. Either action is better for the property owners, and the neighbors, than the alternative – unrestricted development.

I personally am in favor of the SC-1 designation or the alternative language recommended by MPC staff that leaves the zoning as C-3 but adds the use-on-review requirement and other conditions. I am not in favor of removing any of these conditions from the rezoning request.

I thank the MPC staff for their efforts in analyzing the area and working on a recommendation that will balance the desires and rights of residents, the city, and the property owners. I urge you to approve one of the staff recommendations.

Sincerely,

--Kevin

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