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[MPC Comment] October 9, 2014, MPC Agenda Item 23, 609 Cedar Lane, File Nos. 10-B-14-SP, 10-B-14-PA, 10-B-14-RZ

1 message

Carlene Malone <carlene.malone@gmail.com>

Fri, Oct 3, 2014 at 3:15 PM

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Dear Commissioners:

The attached letter from Fountain City Town Hall, INC., requests that the above items be denied or tabled. The requested amendments and rezoning introduce profound changes to the Cedar Lane area.

Thank you for considering our request.

Carlene Malone, 687-8148

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This message was directed to commission@knoxmpc.org



Cedar Lane rezoning, 2014.docx

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FOUNTAIN CITY TOWN HALL, INC.
PO BOX 18001, KNOXVILLE, TN, 37928

October 3, 2014

RE: October 9, 2014, MPC Meeting, Item 23, 609 Cedar Lane, File Nos. 10-B-14-SP, 10-B-14-PA, 10-B-14-RZ

Dear Commissioner:

The Board of Fountain City Town Hall, Inc., requests that the proposed amendment to the Sector Plan from Civic/Institution to Office; the amendment to the One Year Plan from Low Density Residential to Office; and the proposed rezoning from R-1 to O-1, be denied or tabled.

Cedar Lane is **presently zoned only residential** from the railroad tracks east to Knox Avenue near Broadway. The requested Plan Amendments and Rezoning break the residential zoning by introducing office zoning and doing away with the recognized, clear boundary provided by the railroad tracks.

The requested changes are a fundamental departure from the existing adopted plans and will have a profound impact on every aspect of Cedar Lane. What is being proposed **is not the extension** of an existing land use zone. **It is the introduction of a zone unlike any of the presently existing zoning.** If approved, this request will invite other rezoning requests which may well be difficult to deny, impact traffic volumes and patterns, impact the need for road improvements, impact lighting, signs, noise, etc.

The standards for zoning changes are listed in **Article VII, Section 6E**, of the Knoxville Zoning Ordinance. It states in part: ***"1. Text of Map Amendments – The following conditions shall be met for all amendments.***

- a. The proposed amendment shall be necessary because of substantially changed or changing conditions in the area and districts affected, or in the City generally.*

- c. The proposed amendment shall not adversely affect any other part of the City nor shall any direct or indirect adverse effects result from such amendment."*

There are no changed or changing conditions in the area and districts affected, as required in **"a"**. The area remains a strong, occupied, diverse, residential neighborhood. Recent MPC and City Council actions approving the General Rezoning for the Inskip area have further strengthened and stabilized the residential area.

The requested Plan Amendment and rezoning will have a destabilizing and negative effect on both the immediate area and the general area. The impact of changes in traffic patterns, additional requests for rezoning, etc., will pose challenges to those living on Cedar Lane. Unlike residential development, office development will be a destination for the public-at-large, in the midst of a residential area.

And, regarding condition **"c"**, above, there are adverse effects on the City as well. It will be clear that areas such as this, which have remained stable and include diverse housing types such as single-family, condos, apartments, and community-serving institutions such as churches and schools, are not sustainable in the long-term. Existing single-family housing will slowly and painfully devolve into transitional housing stock, placing additional burdens on City services. And, neighborhoods across

Knoxville will be more reluctant than ever to allow diverse housing types or community-serving institutions into their community.

Furthermore, we find the recommendation of the staff to be very weak. The staff report admits that there are no changed or changing conditions in the area, a condition that the staff report states **must be met in order to rezone**. The basis of the staff's recommendation is nothing more than the idea that adopting these changes will provide a **transitional area** (in the middle of totally residentially zoned property on all sides) and that **"Office uses may be appropriate from this subject property southwest to the commercially zoned area as a transitional zone between commercial and residential uses."** Note that the "commercially zoned area" is 800 feet away, and across a railroad track.

For these reasons, we ask that the requested Plan Amendments and Rezoning be denied.

If MPC is unwilling to deny the applications, we ask that they be tabled.

The Sector Plans and Corridor Studies are developed over a period of months and include careful study of potential impacts of development as well as community issues. Sector Plans and studies are intended to include broad community participation. The fundamental changes represented by this application deserve that same level of thoughtful, broad consideration. That opportunity is not provided by the Plan Amendment process dealing with one parcel of land.

For that reason, if the requests are not denied, we ask that the requested items be tabled until a broad community, participatory review can take place.

Thank you for considering our request.

Yours truly,

Charlotte Davis, Carlene Malone, Co-Chairs, Land Use Committee