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Via email only to: commission@knoxmpc.org

MPC Commissioners
Knoxville-Knox County MPC
Suite 403, City County Building
400 Main Street
Knoxville, Tennessee 37902

Re: Agenda Item # 27
M&M Partners

Dear Commissioners:

M&M Partners seeks a change in the plan designation and zoning of property located at 12531 Lovelace Road off of Hardin Valley Road. The property is currently zoned Agricultural and the Plan Amendment has Agricultural/Rural Residential. The requested plan designation is Low-Density Residential with Planned Residential at no more than 4 units per acre.

This property is in a fast growing area of Hardin Valley Road and Knox County. There are two large subdivisions near it under construction at this time.

MPC staff's objection to this zoning request is the change in the plan designation.

The plan designation is a result of the Growth Policy Plan adopted by Knoxville/Knox County in 2000. State law then required local governments to designate areas of each county as Urban, Planned Growth or Rural.

- Urban Growth Boundaries were drawn for all cities and towns. The land within the UGB must be reasonably compact but adequate to accommodate all of the city's expected growth for the next 20 years. This was land that could be annexed.

- Planned growth areas were to be reasonably compact but large enough to accommodate growth expected to occur in unincorporated areas of the county over the next 20 years.
- Rural areas were to include land to be preserved for farming, recreation, and other non-urban uses. These were areas without utilities and nearby schools.

The Growth Policy Plan has become obsolete. The Growth Policy Plan states that it should be reviewed every three years beginning with the third year of the plan which was January 12, 2003. The foregoing has never been done.

Furthermore, designation of land as urban growth which would allow annexations has in effect been repealed by the legislature which prohibits any annexations by a City without permission of the property owner.

I respectfully submit that the designation of this area as rural is based on a Growth Policy Plan that it is out of date and has not been complied with by Knox County. All utilities are now available for this area. A new high school and elementary school have been built. Knox County has appropriated funds for a new middle school.

Accordingly, we would respectfully request that the plan designation be changed to Low-Density Residential and the property zoned at not to exceed 4 units per acre.

We respectfully would request that M&M's request be granted.

Very truly yours,



Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

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