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July 12, 2017

Via e-mail

Mr. Gerald Green
Metropolitan Planning Commission
Suite 403, City County Building
400 Main Street
Knoxville, TN 37902

Re: Agenda Item No. 7

Dear Gerald:

This letter is written on behalf of the owners of the Western Plaza Shopping Center.

The above proposed ordinance would allow consideration of residential as a Use on Review in the C-3 zone. Western Plaza is zoned C-6, while most properties in Bearden are probably zoned C-3. Western Plaza has been zoned C-6 since 1984. Prior to that, it was zoned SC-1.

In 2015, City Council passed a Resolution, a copy of which is enclosed, requesting the MPC to study commercial properties within the Bearden Village Opportunities Plan so as to allow residential uses mixed with commercial. As I recall, the specific impetus for this Resolution was to allow residential uses at Western Plaza, which was being redeveloped. Councilman Grieve requested the Resolution so that the redevelopment of Western Plaza would allow consideration of residential uses. I am sending a copy of this letter to Councilman Grieve to allow him to correct my recollection if it is wrong.

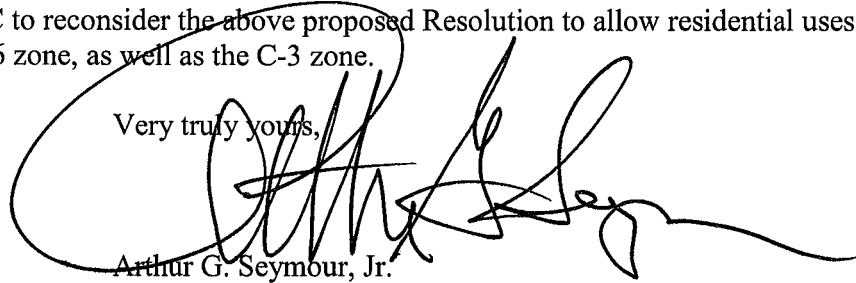
Although C-6 has different parameters than the C-3 zone, it appears to me that allowing residential uses in a C-6 zone as a Use on Review would be appropriate and would allow Western Plaza and other C-6 zoned properties to allow mixed uses under appropriate circumstances.

I understand from your memo you have suggested that Western Plaza look at rezoning from C-6 to C-3. I have not evaluated the consequences of that in depth, but I think it would be very difficult to do in view of loan agreements, etc.

Mr. Gerald Green
In re: Agenda Item No. 7
July 12, 2017
2 | Page

I would urge the MPC to reconsider the above proposed Resolution to allow residential uses as a Use on Review in the C-6 zone, as well as the C-3 zone.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'Arthur G. Seymour, Jr.', is written over the 'Very truly yours,' text.

Arthur G. Seymour, Jr.
FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:lbb
Enc.

cc: Vice-Mayor Duane Grieve (*via e-mail*)
MPC Commissioners (*via e-mail*)

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RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE RESPECTFULLY REQUESTING THE METROPOLITAN PLANNING COMMISSION TO CONSIDER AND MAKE A RECOMMENDATION TO CITY COUNCIL REGARDING THE POSSIBLE CHANGE TO THE ZONING CLASSIFICATION OF CERTAIN COMMERCIAL PROPERTIES FRONTING ON KINGSTON PIKE AND WITHIN THE AREA DEFINED BY THE BEARDEN OPPORTUNTIES PLAN TO ALLOW RESIDENTIAL DEVELOPMENT AND OFFICE DEVELOPMENT ON THE SAME SITES AND, TO THE EXTENT REQUIRED, AMENDING THE ONE YEAR COMPREHENSIVE DEVELOPMENT PLAN AND ZONING PLAN FOR THE CITY OF KNOXVILLE TO AMEND THE CLASSIFICATION OF SUCH PROPERTY, IF NECESSARY.

RESOLUTION NO: R-38-2015

REQUESTED BY: Grieve

PREPARED BY: Council

APPROVED: 02-03-2015

APPROVED AS AN EMERGENCY MEASURE: _____

MINUTE BOOK: 79 PAGE _____

WHEREAS, the majority of the area located in the Bearden Village Opportunities Plan is located within the 2nd District of the City of Knoxville; and

WHEREAS, certain large commercial properties located within the Bearden Village Opportunities Plan are presently zoned commercial; and

WHEREAS, there is an interest in possibly further developing said commercial properties to allow residential development and office development on the same sites; and

WHEREAS, unfortunately no zoning classification presently exists which would allow on a single piece of property commercial, residential and office development in the area defined by the Bearden Village Opportunities Plan; and

WHEREAS, the City Council desires to study and consider possible changes to the zoning classification within the area defined by the Bearden Village Opportunities Plan for commercial properties.

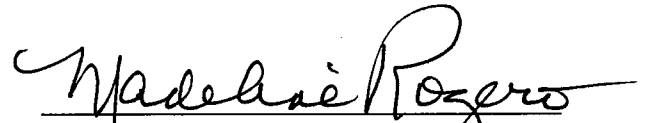
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KNOXVILLE:


SECTION 1: The Council of the City of Knoxville hereby respectfully requests the Metropolitan Planning Commission to consider and make a recommendation to City Council with regard to potentially creating, changing or amending zoning classifications for commercial properties located in the area defined by the Bearden Village Opportunities Plan to allow residential development and office development on those sites.

SECTION 2: In the event such change to the zoning classification is inconsistent with any One Year Comprehensive Development Plan or zoning plan for the City of Knoxville, or any other approved plans, the Metropolitan Planning Commission is also respectfully requested to take such action necessary to amend such plans consistent with the study requested herein.

SECTION 3: Upon adoption, the City Recorder is hereby respectfully requested and directed to forward a true and correct copy this Resolution to Dan Kelly, Knoxville/Knox County Metropolitan Planning Commission, to make him aware of Council's request with regard to this matter.

SECTION 4: This Resolution shall take effect from and after its passage, the welfare of the City requiring it.


Presiding Officer of the Council


City Recorder



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: February 3, 2015

DEPARTMENT: Legislative

DIRECTOR: City Council

AGENDA SUMMARY A Resolution respectfully requesting the Metropolitan Planning Commission to consider and make a recommendation to City Council regarding the possible change to the zoning classification of certain commercial properties fronting on Kingston Pike and within the area defined by the Bearden Opportunities Plan to allow residential development and office development on the same sites and, to the extent required, amending the One Year Comprehensive Development Plan and Zoning Plan for the City of Knoxville to amend the classification of such property, if necessary.

COUNCIL DISTRICT(S) AFFECTED

Council District 2

BACKGROUND

Requested by Councilmember Grieve

This Resolution begins the process of asking MPC to study and make a recommendation to City Council at a later date.

OPTIONS

Approve or Deny

RECOMMENDATION

Support the resolution

ESTIMATED PROJECT SCHEDULE

PRIOR ACTION/REVIEW

FISCAL INFORMATION

ATTACHMENTS:

- Resolution - Bearden Village Opportunities Plan (DOC)

RESULT:	APPROVED [8 TO 0]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
AWAY:	Nick Pavlis