

I (Dr. Charles Comiskey) am a resident of Irwin Dr. and own a house at 504 Irwin Dr., directly behind which (and south of) lies the easternmost portion of the subject property (separated by a thin strip of someone else's land). After detailed consideration of the nature of the property and the characteristics of our neighborhood, I have come to oppose the original rezoning request (PR at 3.5 du/acre) as well as the revised request (PR at 1 du/acre) as proposed in the MPC Rezoning Report.

I have several concerns, including the increase in traffic on Irwin Dr., but I believe others are addressing the traffic issue. Therefore, my comments herein will address the general unsuitability of the property for anything like what is being proposed, especially in light of the relatively small portion of the property that may be marginally suitable for development and the consequent need for the developer to “cluster” the units at virtually unlimited density. Furthermore, I take this opportunity to comment on the absurdity of the existing zoning ordinance, which allows for such “clustering.” It is nothing but a scam, a gift to developers at the expense of homeowners and the character of neighborhoods.

The majority of the property is not suitable for development. Most of the land is steeply (25-75%) sloped and rocky (topo map available on KGIS). According to the Knox Co. soil survey (soil map available on KGIS), the vast majority of the property soils (Apison series, AmF, AmE, and AmD types) are poorly suited for development. According to Tables 11 and 12 of the aforementioned soil survey, these soil types are rated 1 on a 0-1 scale (with increasing value denoting increasing difficulty) for development of dwellings, local roads and streets, shallow excavations, lawns and landscaping, septic tanks, and other sanitary facilities due to steepness of slope and/or shallow depth to bedrock, as well as other factors. The AmC soils, which occupy a substantial portion of the lower (5-12%) slopes on the property, also have characteristics that raise serious development concerns (see Tables 11 and 12 cited above). Even soils of the lesser sloped portions of the property (Heiskell silt loam, 2-5% slopes; HeB on the soil map) are poorly suited to development due soil wetness and moderately slow permeability of the subsoil. Only the Corryton-Townley complex soils (CtC on the soil map), which occupy perhaps 3-4 acres in the northwest corner of the property, are considered even moderately suitable for development according to the Knox Co. soil survey (note that the applicant's initial plan for a small residential development, presumably Phase 1 of the overall property development, occupies almost the entire extent of the CtC soils on the property). In addition to these issues, a creek and a TVA right-of-way run through the lower and mid-reaches of the property, respectively.

So, given these site factors, what would be the results of approval of either the original or revised rezoning request? At 3.5 du/acre, this would mean 189 units on ~15 acres of land (just less than 13 units per acre or a little over 3300 square feet per unit). At 1 du/acre, this would mean 54 units on the ~15 acres (3.6 units per acre or a little over 12000 square feet per unit). These are “best estimates” since the area suitable for development is likely less than 15 acres (see above). Contrary to the Rezoning Report, neither such density of development would align “with the residential character along Irwin Drive.” Similarly, the letter from the applicant's lawyer (Mr. Mullins of Frantz, McConnell & Seymour) submitted to the Planning Commission states that “PR zoning at up to 4 du/acre is consistent with the surrounding residential uses”. This is unadulterated bullshit. We already have the Grizzly Creek monstrosity, which is not in alignment with the residential character of the rest of the Irwin Dr. area. We don't need a Grizzly Creek on steroids. While I recognize that there is a housing shortage in Knox Co. and have no problem sensible development of the subject property, nothing I see being proposed falls into that category.

Prior to becoming involved with my neighbors in evaluating and ultimately opposing this proposed rezoning, I was not knowledgeable regarding local zoning code rules and procedures. To say I am

shocked at the ludicrousness of this “clustering” scam is an understatement. The substance of Mr. Mullins' letter in support of the original rezoning request is entirely based on this ill-conceived hustle. The ridiculous nature of this “give away” to developers is particularly distressing since, under PR, there appears to be no lower limit on lot size. It defies my imagination how this con has not been challenged in court by someone or some group with standing that has been victimized by such nonsense. If there are 15 acres suitable for development on the site, the 1 du/acre should be applied to only that acreage. This could be easily accomplished by allowing MPC planners to set du/acre at fractions of total property acreage. In our case, that would be 0.28 du/acre for the 54 acre property. That would be consistent with the character of our neighborhood and would get my support.