

I am a current homeowner at the adjacent new subdivision referenced within the request and also a licensed architect. I have reviewed the request, property, and zoning regulations in detail.

I urge the board to **DENY** the rezoning request based on the following evidence and facts:

1. While a new traffic light and left/right turn lanes were added at Beaver Ridge Road, turning lanes were not added along West Emory Road – which is the bulk of the traffic along that intersection. Rezoning to allow for commercial use would only increase the traffic congestion causing backups along West Emory as motorists try to turn either left or right without any additional turning lane or deceleration lane. This is a potential liability issue for any personal injuries due to traffic accidents from poor approvals and planning. Adding a retail use to this site would only increase the congestion.
2. The subject property would most likely require an entrance from West Emory and also Beaver Ridge Road into the retail development. Any entrance along these roads would only further add to the already congested traffic area. In addition, the potential ease for a motorist to try and bypass the intersection by cutting through the lot to either adjacent road would potentially cause additional traffic issues and potential for personal injury from traffic accidents.
3. As the lot is small at only 3.36 acres, it will most likely require variances for any type of retail development including setback variances, parking variances, landscape variances, building size, signage, etc. If the subject property under a new zoning cannot meet the required regulations of that zoning without a variance, then that proposed zoning is not appropriate for that location or property and the applicant should pursue other properties that are appropriate. The front yard setback of 35', side yard setback of 25' and rear yard setback of 35' will drastically reduce the buildable area and parking area. Per the zoning, parking cannot be located in the setbacks. Based on a cursory evaluation of the regulations – there would be limited space for any adequate building or parking/drive aisles without variances. If variances are required – then this property is not compatible or consistent with the proposed zoning and should be denied immediately.
4. There are currently two abandoned retail buildings located at the opposite end of Byington Beaver Ridge/Oak Ridge Highway. These buildings are located on small lots at a busy intersection with dedicated turn lanes. These buildings appear to have failed due to their location – which is similar to this request. There was most likely major traffic congestion, poor access, etc. that contributed to the failure. The buildings now stand abandoned and not maintained – an eyesore in the community. This is most likely to be repeated at the subject lot as well due to the same inherent issues.
5. The only retail development along West Emory Road occurs at the intersection of Harrell/Carpenter along West Emory. This area is heavily congested and subject to numerous traffic accidents as motorists try to turn left or right from the road to West Emory or into the retail development. The retail development has limited site area resulting in reduced parking, inappropriate access, and visibility issues. These same issues are most likely to occur at the subject property as well.

6. This property rezoning for commercial retail use is not compatible or consistent with the current surrounding land uses of residential and agriculture. There are no immediate surrounding commercial uses nor the need for any such uses. Any commercial uses at this area would be inappropriate and not consistent with the spirit or intent of the comprehensive plan. This area is a highly rural residential and agricultural area with high traffic and congestion and limited road access. Adding any retail would only increase these already unmitigated issues and not be substantial enough to support this community.

Based on the above information, facts, and data – I strongly urge the board to deny this rezoning request to maintain the integrity of the community and for the safety of its citizens.

John P Mashburn, Architect