

**MPC file # 1-E-21-RZ MPC Jan 14, 2021**

MPC heard this rezoning March 2018, Dec 2019, and it is before you now for the third time.

Both times it was on County Commission agenda, the developer withdrew the rezoning request right before the vote by County Commission was to take place.

We are asking MPC to approve the rezoning to Planned Residential with a density of one dwelling unit per acre-up to 61 homes outside the 19-acre floodway - consistent with March 2018 MPC Professional Staff recommendation.

Nothing has changed since March, 2018 that would warrant a change in the recommendation.

Due to the constraints, the property should be rezoned to Planned Residential with a maximum density of up to 1 dwelling unit per acre.

32 years ago, this area was on MPC radar- August 15, 1988 MPC Staff report – “Development should be limited to protect environmental quality of the area and avoid creation of environmental problems in surrounding areas. These areas include the White’s Creek 500-year floodplain... flooding problems already exist within the White’s Creek Floodplain.

Quotes below are from MPC professional staff report March 8, 2018:

“PR at one dwelling unit per acre is appropriate given physical constraints. This site is very steep. Of the total 80 acres, only 22 acres are outside the Hillside-Ridgetop Protection area. Thirty-seven (37) acres have slopes above 15%, with more than 28 of those acres having slopes ranging from 25% to above 40%. Additionally, almost 19 acres are floodway. There is very limited vehicular access from this property to the only street available to enter/exit, Beverly Road. The road network in this area is substandard. History of serious flooding is well documented.”

“About 2/3’s of the site is designated for Slope Protection Area on the sector plan. Disturbance of the site for residential lot construction should be limited, to the greatest extent possible, to areas outside the Slope Protection Area and away from the steepest portions of the site, as identified by the staff slope analysis.” “Because of the nature of the slopes and the additional impact of the floodway, staff is recommending to limit density to no more than 1 dwelling unit per acre.”

“Steep slopes and floodway make it unsuitable for density greater than 1 dwelling unit per acre.” “PR at this recommended density will allow reasonable development...” “The extreme slopes of the property, with sparse and small developable areas, as well as impact of adjacent floodway, warrant the recommendation to a density not to exceed 1 dwelling unit per acre, up to 61 dwelling units, based on property outside floodway.”

At March 2018 MPC meeting- Comm. Scott Smith, a developer, said, “The area that is suitable, if any of it is- to do something is 2000 feet from Beverly Road, means you’ve got to build a road at a 30% slope adjoining a floodway -2000 feet back to the area you are going to develop. I think it is a big opportunity to make a big mess.”

Also at March 2018 MPC meeting- an MPC Commissioner asked staff- “Why did staff recommend 1 unit per acre?”-MPC Staffer Mike Brusseau said, “When you talk about rough properties, this is about a rough a one as I have seen. We don’t have information to justify any more than 1 unit per acre.”

At MPC Agenda Review December 10, 2019, MPC Commissioner Art Clancy said, "This is the worst piece of property in Knox County." (much laughter from commissioners followed this remark)

Because this site is on White's Creek which is a major tributary of First Creek, flooding from this site will impact most of Knox County's 2<sup>nd</sup> district and will spill over into the 4<sup>th</sup> district in the city where millions of dollars were spent at Fairmont-Emoriland for flood control.

Due to flooding, Beverly Road is closed 2-3 times a year at the proposed entrance, Norfolk-Southern has been clear there will be no changes to the narrow bridge that adjoins their railroad track with no crossing arms, and several times a year the railroad has to rebuild the bed of the track due to wash-out from rain.

Over 700 families in the affected area have been in complete agreement with us through this entire process. Large neighborhood groups including Alice Bell-Spring Hill Neighborhood, Tazewell Pike-Beverly Station Neighborhood Coalition, Oakwood-Lincoln Park Neighborhood Association, Fairmont-Emoriland Neighborhood Association, and Fountain City Town Hall, Inc. support our position and have supported us from the beginning.

Again, as we stated at the beginning of this letter, all of us were and are in agreement with the MPC professional staff at the March 2018 meeting regarding rezoning the proposed development to Planned Residential at a density of 1 dwelling unit per acre- 61 units total- thereby excluding the floodway and floodplain in determining the density."