

From: "Kevin P. Murphy" <kmurphy@alumni.rice.edu>
To: "Mark Donaldson" <Mark.Donaldson@knoxmpc.org>, <michael.brusseau@knoxmpc.org>
Date: 9/8/2009 10:15:16 PM
Subject: Murphy Road Car Wash Rezoning report

Hi Mark,

I do want to commend Michael for some out-of-the-box thinking with the proposed conditions on the Jernigan / Murphy Road Car Wash rezoning request. While I'm obviously opposed to the use in general, it was a good compromise suggestion and an excellent idea. I could hope that similar conditioning might be used in some other property nearby if it ever comes up for rezoning.

Thanks for your work - it is appreciated.

I sent the attached letter to the commissioners tonight. Could you please forward to Ms. Mahan as well for inclusion into the record?

--Kevin

Kevin P. Murphy
4508 Murphy Rd
Knoxville, TN 37918-9179
September 8, 2009

RE: Staff Report for 9-I-09-RZ : Rezoning for Murphy Road Car Wash to C-4

Dear MPC Commissioners,

I've reviewed the staff report for 9-I-09-RZ. While I do not agree with overall the staff recommendation to approve the rezoning with the two conditions, I must commend the staff for coming up with setback, signage, site lighting and landscaping requirements that are appropriate for the area. I also recognize that MPC staff has limited time and resources to prepare the report, and I do appreciate their efforts to come up with a compromise solution.

There are a few areas that were not addressed in the staff report (and may well be out-of-scope for what the staff should address in a report). If these are taken into consideration, then I believe the decision should be to deny the rezoning request, or at least table it for a period of time until they can be addressed by the applicant.

Noise – City of Knoxville noise ordinances permit a sound level of 80 dB(A) to emanate at the property line of a commercial property from 7:00AM until midnight. How loud is 80 dB? A garbage disposal or a telephone dialtone are commonly cited examples. Perhaps development on this land should be held to similar noise standards as residential areas (65 dB from 7AM – midnight)?

This is a residential and rural area. There are commercial uses, already approved for the property, that do not generate the noise impact that a car wash will generate.

The noisy portion of a car wash is from the exit to about 80 degrees either side of the car wash, along with any exterior vacuums. The sides and entrance of a car wash are relatively quiet. If the applicant absolutely must have the car wash on this property, then perhaps it can be reconfigured so that the exit does not point to residential land, but instead to the applicant's planned shopping center.

Historical Resources in Area – The report did not mention my house, which is eligible for listing on the National Register of Historical Places. It did not mention that the car wash is across the street and next to the 205 acre Murphy Farm, which is a certified Tennessee Century Farm (established 1797). It also did not mention the MPC staff work currently in progress to define a H-1 historic zoning overlay for my 50 acres of the Murphy farm.

The identification of such historical resources should at least be noted on the staff report, as well as an analysis of the potential impact to these resources.

I'm undertaking substantial measures to save an old house and old farm. If a car wash is built next door, I will have to live with all of the negative aspects of it for decades and the incongruity of it and the rural way of life I am trying to preserve.

Developing (or established) Commercial Node – the staff report cites a developing commercial node at the Washington Pike and Murphy Road intersection. Since property in the area was first rezoned in 2003, only a Weigels has been built. A single gas station

hardly makes a development hot spot. The rest of the area within a few thousand feet is restricted to low density residential, agricultural, and a single CPA.

The Knoxville Center Mall area, which is just four (4) minutes away by automobile, provides adequate commercial services for the area. A commercial node at the intersection of Washington Pike and Murphy Road is not necessary for the greater community.

Northeast County Sector Plan – Two concepts from the Northeast County Sector Plan were not mentioned in the staff report - [Washington Pike Rural Heritage Corridor](#) and [Ritta: A Neighborhood on the Rural Fringe](#). As I stated in my letter of 2 September, I believe the rural heritage corridor should start at the Murphy Road and Washington Pike intersection at our farm. The sector plan envisions this beginning on the other side of our farm (at Luttrell Road), but I believe my relatives and I are willing to give an opportunity to start the corridor at Murphy Road and Washington Pike. Our farm also is the geographic core of the Ritta community, and as such any concepts related to Ritta: A Neighborhood on the Rural Fringe should apply to the farm and the development on Washington Pike.

I think there's some additional discussion that needs to be had about the proposal. I contacted the applicant and his staff several times in 2008 to inquire about the status of the proposed self storage facility behind the proposed car wash, and was told plans were not finalized. On 22 July 2009 I contacted the applicant's staff to inquire about the plans for a car wash that I heard was rumored, but I did not hear back from them until the applicant's building permits were denied by the City of Knoxville because of zoning restrictions. Then I received a very prompt response and invitation to meet, which were finally able to arrange finally last week. I think there's some significant meeting and planning that needs to occur for this area between the applicant, the Murphy family, North East Knox Preservation Association, the Wynngate, Shannon Valley and Summer Rose homeowners associations, and MPC staff.

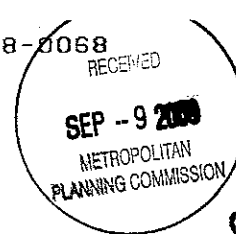
I do appreciate the efforts of the MPC staff in preparing the zoning report. I've probably spent more time writing this letter than MPC staff was given to write the zoning report, and I am pleased with a few of the ideas brought up in the staff report. There was some out-of-the-box thinking that needs to be commended.

Please vote to deny this rezoning request, or at least to table it until further analysis can take place.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Murphy', with a long, sweeping horizontal stroke extending to the right.

Kevin P. Murphy



NEKPA

Northeast Knox Preservation Association

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Knoxville, Tennessee 37928
www.neknox.org



September 9, 2009

Metropolitan Planning Commission
400 Main Street
Suite 403, City County Building
Knoxville, TN 37902

VIA FAX - 865.215.2068

RE: File #9-I-09-RZ
Request for Rezoning to C-4 by Murphy Road Partnership, LLC / Murphy Road Car Wash, LLC

Dear Commissioners:

Today I received a telephone call from Garrett Jernigan regarding this proposed rezoning, informing me of their new plans for the property.

As the neighborhood organization that originally negotiated with Victor Jernigan about the zoning for this property, we have a keen interest in the changes to the zoning that they are requesting.

However, there is not enough time for me to poll the board, much less the membership, before the meeting tomorrow. Therefore, I am asking for a postponement so that our neighborhood group and the Alice-Bell/Spring Hill group can discuss the changed plans and what it means for our neighborhood.

Respectfully,

Lisa Starbuck
President