

**Background to a Petition
Submitted to the City Council and City Manager
of the City of Oak Ridge, Tennessee**

- Whereas: the Oak Ridge City Council by Resolution No. 8-131-99 (August 2, 1999) approved the transfer of Lot 24-CD-709.00 to the Industrial Development Board (IDB) for incorporation into the Valley Industrial Park and further approved the Second Amendment to the December 12, 1998 agreement between the City and the IDB to include Lot 24-CD-709.00, and
- Whereas: the Oak Ridge City Council earlier approved the transfer of Lot 24-CD-709.01 to the Industrial Development Board (IDB) for incorporation into the Valley Industrial Park, and
- Whereas: the intent of the transfers to IDB was to facilitate the sale of property to an individual without public notice and without the opportunity for other citizens to acquire the same properties, and
- Whereas: the City Manager at the time the transfer of Lot 24-CD-709.00 was approved indicated that the transfer process used by the City Council inappropriately disregards the due process and equal opportunity intent of state law and the charter provisions for the disposal of public property
- In that: City Council action is inconsistent with Article V, Section 19 of the City Charter which states that disposal of public property shall be by sale, with sealed bids taken or public auction held on such property, and is inconsistent with City Code Section 2-60 which describes the same mechanisms for the disposal of City property that are described in Article V, Section 19 of the City Charter, and
- Whereas: the property appraisal for Lot 24-CD-709.00 performed by the IDB (\$2,500/acre for each of 73 acres located near the heart of Oak Ridge with excellent highway access excellent visual attributes) is highly suspect in that it gives the appearance of having been done to justify a previously discussed price rather than to establish an independent land value, and
- Whereas: the proposed use of the property (i.e., document storage) fails to represent the highest and best use of the property and will fail to provide either a significant number of jobs or high-paying jobs to the citizens of Oak Ridge, and
- Whereas: the management of the property to date indicates that the developer lacks the sensitivity and has been unable to supply the engineering oversight required for the development of such a topographically challenging and highly visible site,
- In that: the steep slopes of the property were clearcut and graded without obtaining the required state environmental permits or constructing sediment retention basins, with the result that the visual quality of the site has suffered substantial damage, and on July 29, 2001 a mudslide occurred that damaged nearby public and private property and disrupted traffic at what is arguably the busiest intersection in Oak Ridge (the intersection of So. Illinois Ave., Lafayette Ave. and Scarboro Rd.), and
- Whereas: the site's current unvegetated condition creates the potential for further slope instability and erosion, and
- Whereas: the current development plan for the site would lower the ridgetop by up to 70 feet and the rock formation underlying the ridge (i.e., the Rome Formation) tends to be more resistant than other local rock formations, an attempt to lower the ridgeline by 70 feet may require blasting and, therefore, may pose a threat to nearby buildings and the safety of motorists on roads near the site, and
- Whereas: the current plan to level the ridgetop and construct industrial buildings on the newly level surface would do irreparable, permanent harm to the aesthetic qualities of a topographic feature that is one of the most visible in the City and that provides visitors their first impression of the City, and
- Whereas: the City has spent \$300,000 conducting two studies (a Visioning study and the City Center study) to assess the possibility of developing unique identifying features and attractions that help define the City

character and serve as both a source of civic pride and an attraction for tourists, and

- Whereas: the City Center project concluded that the City of Oak Ridge lacked a defining sense of place, and recommended creating assets that would give locals and visitors a sense of what of what Oak Ridge is in a location near the City's greatest density of commercial development with the intent of stimulating activity within and visits to the city's main commercial district, and
- Whereas: the City of Oak Ridge lacks a public space that provides an opportunity for the City to view itself (i.e., a location from which citizens and visitors can obtain a perspective on the City and the Cumberland Mountains that highlights the City's historic setting, natural beauty and regional context from an easily accessible location near the City Center), and
- Whereas: the Pine Ridge site provides such a perspective on the City affording an extraordinary open vista of the entirety of the City of Oak Ridge and the surrounding region, including an unparalleled view of Cumberland Plateau, the City's central commercial area, the eastern and western portions of the City, and Union Valley and the Y-12 complex, and
- Whereas: the Pine Ridge site further provides exceptional access and location, sitting as the site does at the entrance to the City and to the City Center on the major entry route to the City, and
- Whereas: the site's combination of view, access and location are unavailable elsewhere in the City and unequalled in supporting development of a signature feature of the City, and
- Whereas: additional features of the Pine Ridge site support its development as a public space because:
- the site is located in close proximity the City center and the City's hotel, shopping, museum and entertainment developments,
 - development of the site as a public space would complement the proposed City Center development concept by strengthening the identity and character of the town center without being dependent upon further town center development,
 - the site is contiguous with and could potentially serve as an important entrance point and anchor for the existing City greenway network complementing the City's unique system of greenbelts and trails, enhancing the public image and visitor value of Oak Ridge's substantial greenway investment,
 - the site could provide a dramatic and visible entrance to the City, and
- Whereas: these opportunities are not currently available within the City of Oak Ridge, and
- Whereas: the extraordinary character and attributes of the site are inherent in the site's topography and location and do not require man-made structures other than paved road access and signage, and
- Whereas: the cost of capturing the benefits of the site as a unique and high quality City attraction and identifying feature of the City are limited to the forfeited sale price (\$160,492.50 for Lot 24-CD-709.00 and \$60,000 for Lot 24-CD-709.01), the cost of providing a park roadway and signage, the reasonable cost of improvements made by the developer, and the cost of undertaking soil protection and vegetation restoration activities on the site, and
- Whereas: the impact of a vista park on Oak Ridge citizens in terms of community pride, identity, recreational opportunity and economic benefit from creating a memorable visitor attraction near the town center is of immeasurable value, and
- Whereas: the City's transfer process failed to consider the highest and best use of the site in terms of City planning and the site's unique topography, location and visibility, and
- Whereas: these oversights indicate flaws in the current development plan, the situation is not yet irreversible, and
- Whereas: it is in the best interest of the community to acknowledge the deficiencies in the current site development plan and redirect development to reflect recent lessons learned from the progression of this project, we submit this: