

Re: MPC May 11, 2006 Hearing
Agenda Item No. 12.a. & b
MPC File Nos. 11-SE-05-C, 4-L-06-UR

Dear Commissioner Massey:

For several months S & E Properties has brought before this Commission a number of matters relating to its proposed subdivision off Campbell Station Road near the intersection of Yarnell Road. During this time, a number of individuals in the Tall Pines Estates group, living in the vicinity have reviewed various documents in the MPC staff files which are associated with the S & E proposal.

Being very familiar with the area, in examining these documents we have identified several significant problems. The most critical of these involve the use of criteria in the design of the Concept Plan that are quite different from actual, known conditions. Attached are some materials that will help to focus on this as you are considering this matter.

A few weeks ago, we were able to meet with Scott Smith of S & E Properties and his attorney, Arthur Seymour, Jr. We were pleased at their expression of interest in learning about the problems we had identified and in their indicated willingness to help to address some of those concerns. However, we were disappointed in reviewing the latest revisions to the Concept Plan to find that nothing had been included to alleviate any of these problems. Also attached is a copy of our recent letter to Mr. Smith.

One of the most disturbing matters involves the criteria used for locating and designing the proposed subdivision entrance on Campbell Station Road. That is based on a Traffic Impact Study dated March 31, 2006 (Revised from November 14, 2005) that was prepared for S & E Properties by Cannon & Cannon, Inc., which has also been hired as the consulting Engineers and Field Surveyors for the proposed subdivision. A copy of that study was furnished to the MPC staff for its review and use in making its recommendation. Unfortunately, that study does not reflect actual traffic conditions and as prepared is very misleading.

For example, it contains no information explaining that vehicles traveling along this section of Campbell Station Road routinely exceed the posted speed limit of 30 MPH. Ignoring the actual circumstances, the study instead uses the posted limit as its criteria for sight distance. This is particularly significant since Campbell Station Road, proceeding from the South, just before reaching the proposed subdivision entrance is a steeply, descending, winding tree-covered road that makes a sharp turn at the bottom of the hill immediately before the proposed S & E development is reached. The report does not describe this situation. To the contrary, on page 2, it contains the statement that *"Figure 1 is a location map that identifies the project site in relation to the roadways in the vicinity of the proposed development."* As can be seen in the attached copy, Figure 1 is actually very misleading as to the configuration of Campbell Station Road at and near the site and its proposed entrance. While not showing the steepness of the road and the trees covering it, the attached copy of the vicinity map from the Concept Plan much more accurately depicts the actual circumstances

It is recommended on page 15 of the study that *"sight distance in excess of 400 feet be established and maintained."* The study recognizes that this would probably necessitate vegetation removal for spring and summer. Assuming adequate vegetation could be removed, this sight distance could perhaps be achieved for drivers looking south from the proposed entrance. However, drivers approaching from the south would not have a site distance of 400 feet since their eyes would

be focused on negotiating the curve at the bottom of the hill and would not be facing the subdivision entrance until completing the curve, about 300 feet away.

For the developer to provide an entrance as presently shown on the Concept Plan, knowing that it is designed to criteria that do not reflect actual conditions, would show total disregard for the safety and welfare of the users of the road at that location. No doubt there would be additional accidents occurring resulting in serious injuries, or possible deaths, as the study's projected 1,330 daily new trips would be made through such an unsafely designed entrance.

Mr. Smith indicated an interest in relocating the subdivision entrance to Yarnell Road if property could be acquired to permit this. A 2+ acre tract, which would enable this to be done, has now been made available on the market.

Similar to the road conditions, criteria used for designing various features of the Concept Plan, which would be affected by flooding and water run off, do not reflect actual circumstances associated with heavy rains and flooding that periodically occur. See attached photos taken from a neighbor's adjoining property, of flood waters on the subject property. They show the type of flooding that periodically occurs on the property being developed. Clearly the water is on a number of lots as presently drawn on the S & E's Concept Plan for the proposed subdivision. Moreover, no provision has been made apparent for preventing flooding from becoming more severe on Tall Pines Estates property located downstream from the development.

As discussed with Mr. Smith (see attached letter) the density of lots shown on S & E's Concept Plan are significantly greater than and quite a contrast to the character of the neighborhood where the minimum property size is one acre, with owners often having somewhat more acreage. In view of the existing character of the surrounding neighborhood, lots in the proposed subdivision should be much closer to a one acre size.

Thank you for considering these matters as you review the S & E proposal.

Tom Scanlan

A handwritten signature in black ink that reads "Tom Scanlan". The signature is written in a cursive, flowing style.

For the Tall Pines Estates group

May 8, 2006

1501 N. Campbell Station Rd.
Knoxville, TN 37932

May 6, 2006

Scott Smith
S & E Properties
405 Montbrook Lane
Knoxville, TN 37919

Dear Mr. Smith,

This letter is on behalf of the group of Tall Pines Estate property owners in the vicinity of S & E's proposed subdivision development off Campbell Station Road.

We appreciated you and your attorney, Arthur Seymour, Jr., meeting with us several weeks ago to learn of concerns we have about the design of that project. At that time, you expressed interest in finding approaches for helping to address some of those concerns. We wanted to work together with you in good faith to do so.

Earlier this week we were able to obtain from the MPC staff a copy of the Concept Plan, as revised 4/28/06 and Cannon and Cannon, Inc's March 31, 2006 revision of its traffic study, which had been furnished to the MPC staff on 4/06/06. Needless to say, we were somewhat surprised and very disappointed that we could find no revisions that had been incorporated in the plan to help alleviate any of the problems that had been identified.

For example, the Concept Plan continues to show a subdivision layout and an entrance that have been designed to criteria differing from the known actual traffic, flooding and water run-off conditions. To knowingly do this, to say the least, would be irresponsible and would show a total disregard for the safety and welfare of those who would be affected. During your meeting with us, you commented that if property were available which would give access to Yarnell Road from your proposed subdivision that would provide a good alternative and you would seriously consider relocating the entrance to Yarnell Road. This would avoid the dangerous situation that would be caused by an entrance, as now proposed and designed, on Campbell Station Road. As one of our group informed you a few days ago, a 2+ acre tract that would provide such access on Yarnell Road has been placed on the market.

When you met with us, there was also discussion about the density of lots as shown on S & E's earlier concept plan being significantly greater than and quite a contrast to the character of the neighborhood where the minimum property size is one acre, with owners often having somewhat more acreage. In view of this, we asked if provisions could be made to help provide some buffer and transition, such as increased size of lots on the subdivision boundary and vegetation screens. Rather than providing anything to help this situation, in the latest revision of the Concept Plan, you have further reduced the size of the lots that would adjoin neighboring property owners.

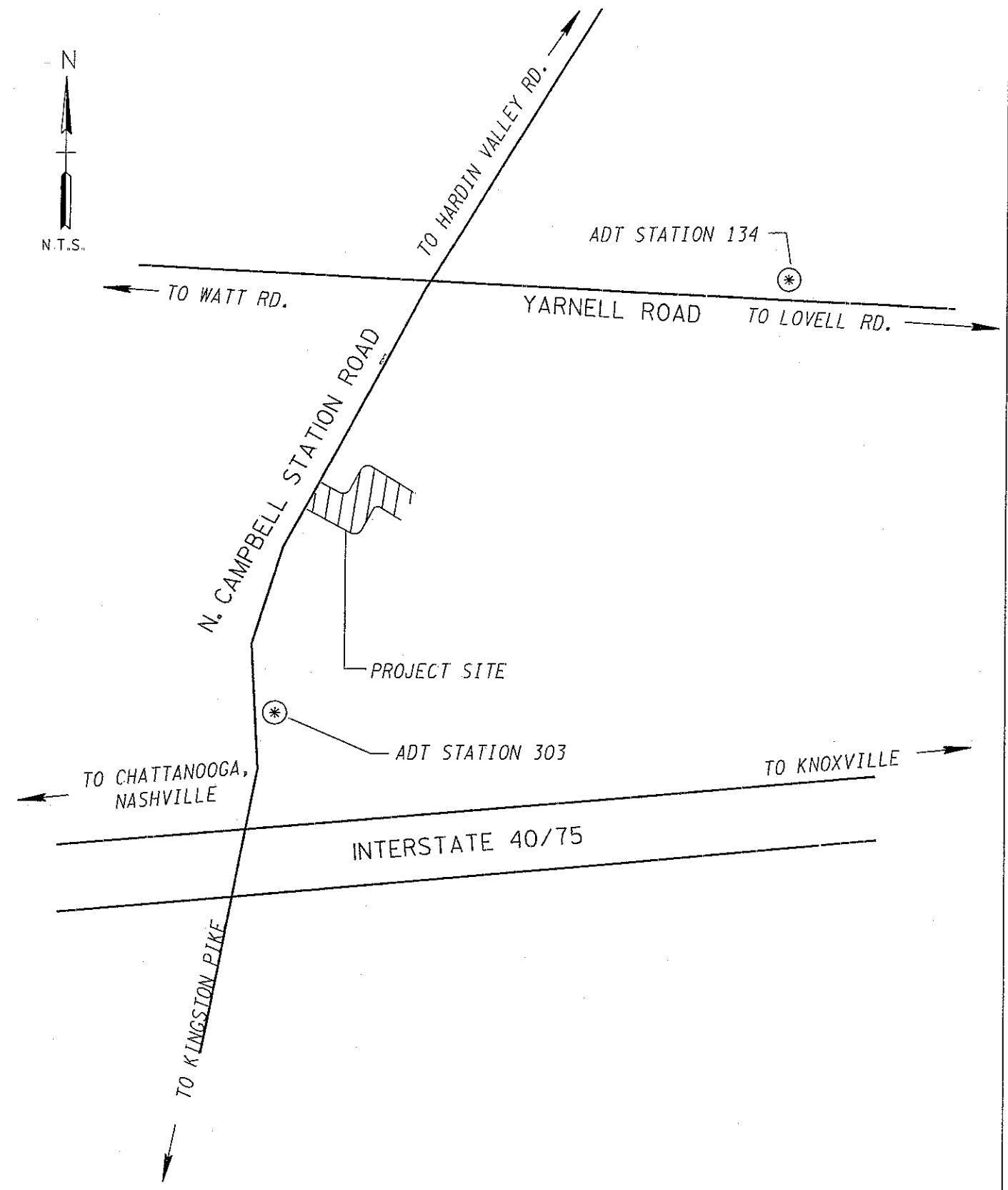
In light of the significant problems that were discussed with you, none of which have been alleviated, we will take further steps to resist the development of the subdivision, as presently designed, to help assure that the safety and welfare of those affected will be protected.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Scanlan".

Tom Scanlan
For the Tall Pines Estates group

cc Arthur Seymour, Jr.
cc Ray Lacy

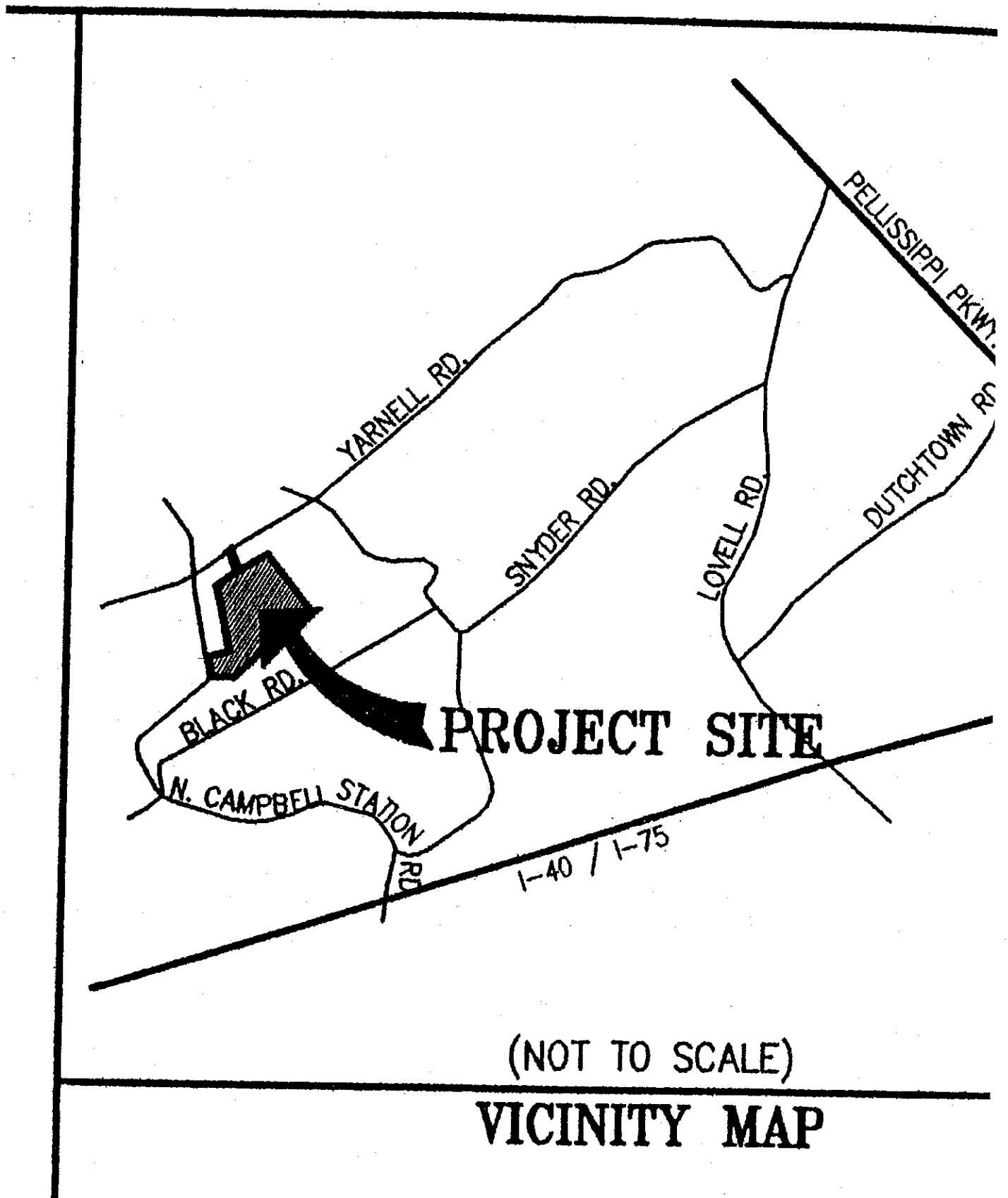


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FIGURE 1
SITE LOCATION MAP

N. CAMPBELL STATION ROAD DEVELOPMENT
TRAFFIC IMPACT STUDY



BLACK RD.

YARNELL RD.

SNYDER RD.

LOVELL RD.

PELLISSIPPI PKWY.

DUTCHTOWN RD.

N. CAMPBELL STATION RD.

I-40 / I-75

PROJECT SITE

(NOT TO SCALE)

VICINITY MAP



