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**Subject:** FILE #: 11-SA-10-C, Brandywine at Turkey Creek, Agenda Item #9

January 10, 2011

Mr. Donaldson and Honorable Commission Members,

The subject items is on your agenda this week with a request to modify/eliminate a previous condition attached to the approval of the subject item's concept plan.

That condition was to improve the road/intersection at Fretz Road and Campbell Station Road. The width on Fretz Road is extremely narrow and already a hazard when you have opposing traffic. Permitting additional traffic onto that road in a reverse development model, combined with the environmental impacts of development, creates a poor quality of life and likely safety hazard for the existing residents and visitors of our Town/County.

Issues Per the Town of Farragut (in general):

\* The Town has been dealing with this project/applicant for quite a while and continuously meet to ensure progression at the applicant's pace. However, as you know, when basic ordinance requirements are not met or guidelines followed, it causes delays. With regard to the intersection, we are in receipt of inadequate intersection design plans with alleged privately negotiated ROW. This ROW as illustrated on the plans was apparently acquired and subsequently dedicated to the Town of Farragut without the Town's knowledge, review, or approval. At this point, I am not even sure if that is legal. This alone causes numerous issues; paramount being that places our federal funding in jeopardy since the intersection ROW acquisition was not vetted, negotiated and acquired in accordance with Federal/State regulations.

\* Posting a LOC in lieu of road improvements puts the burden back onto the governmental entity to track all logistics and "collect" if the improvements are not made. This will utilize encumbered resources and rarely do you end up with what was attached to the LOC. Moreover, the past 5 years has taught us all that there is no such thing as irrevocable credit.

\* The track record for this development and other area developments does not provide the comfort level necessary for regulation latitude.

Town of Farragut Recommendation:

The applicant is asking you to waive a requirement which would relieve the applicant of the burden of providing adequate infrastructure improvements for existing and future residents. On behalf of the Town of Farragut, I respectfully request that you stand fast and not waive or modify the condition of requiring the intersection/road improvements prior to final platting. Thus we concur with the MPC Staff recommendation to postpone. Town of Farragut representatives will be at your meeting to answer any questions you may have of us.

We have enjoyed, as always, working with your professional staff on projects such as this and want you to trust that we are here to provide the best product possible for our residents, business partners, and visitors.

Sincerely,

Gary Palmer

Associate Town Manager

Town of Farragut

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