



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] Agenda Item 18 - 8-SF-20-C / 8-J-20-UR - connectivity

1 message

Kevin Murphy <murphysprings@gmail.com>
Reply-To: murphysprings@gmail.com
To: Commission <commission@knoxplanning.org>

Wed, Sep 9, 2020 at 4:31 PM

Dear Commissioners,

At Agenda Review, there was discussion about adding a stub-out for connectivity to the parcels to the south in case it is ever developed. A statement was made that it is not necessarily one of the requirements; it's evaluated by planning and EPW about whether or not it makes sense.

The [Subdivision Regulations](#) address street connectivity in section 3.04.C (pages 3-9 through 3-11)

- 3.04.C: An interconnected street system is an important component of sound neighborhood development.
- 3.04.C.1 speaks to the purpose of an *interconnected* street system
- 3.04.C.2.b: **Providing for future street connections to adjoining undivided property**. The proposed street system of a subdivision may be required to include street stub-outs for the logical extension of the street system into the surrounding area

1. Has anybody asked planning staff, and Knox County EPW staff, for their analysis of providing future connectivity to the parcel on the south side? No analysis is provided in the case file.
2. The Subdivision Regulations clearly state the importance of connected street systems and grant the Planning Commission the authority to require connections to adjoining property, if the developer doesn't offer a connection.

The onus should be on Planning Commission to determine why a future street connection would **not** be required and state that. The subdivision regulations encourage future street connections, and it follows those should be made **unless** a case is presented on why a future street connection does not make sense.

Commissioner Roth stated that oftentimes adjacent subdivisions don't want traffic going through them. If that's an important development goal, then the developer could make these streets Private streets, not owned or maintained by the county, and thus control the access and traffic on those streets. But if the developer wants to turn the streets over to the county for maintenance, then the developer should implement a design that meets the vision of the subdivision regulations.

Also, even if you don't have a street connection, you should require a sidewalk connection or stub-out for a future connection, at a minimum.

Please add a condition

Sincerely,

--Kevin

Kevin Murphy, Chair
Knox County Planning Alliance
[4508 Murphy Rd](#)
[Knoxville, TN 37918](#)

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This message was directed to commission@knoxplanning.org



Subdivision Regulations Pages 3-9 through 3-11.pdf
84K

Major Road Plan and the right-of-way corner radius requirements of Sections 3.04.J.2 and 3.04.J.3 of these regulations, if recommended for approval by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.

B. Classification of Streets. Streets shall be functionally classified as follows:

1. **Interstate.** A divided highway designated under the Interstate Highway System, designed for the safe, unimpeded movement of large volumes of through traffic with full access control and grade separation at intersections.
2. **Expressways.** A divided highway designed for the safe, unimpeded movement of large volumes of through traffic with full or partial access control that may contain both at-grade intersections and grade separated intersections.
3. **Major Arterial.** A street which provides major movement within the area, provides intercommunity connections to the local street system, and moves through traffic between activity centers. Access management is desirable.
4. **Minor Arterial.** A street that augments the principal arterial system, carries trips of moderate length and moves through traffic between activity centers. Access management is desirable.
5. **Major Collector.** A street that primarily provides for short distance traffic movements and primarily functions to collect and distribute traffic between local streets and high volume traffic generators and arterials.
6. **Minor Collector.** A street that primarily functions to collect and distribute traffic between local streets and arterials and provides direct access to abutting land.
7. **Local Street.** A minor street that provides direct access to abutting land.
 - a. Cul-de-sac streets are local streets having only one (1) open end providing no access to another street. The closed end provides a turnaround circle for vehicles. No other street intersects between the two (2) ends, and property fronts on both sides of the street.
 - b. Dead-end streets are similar to cul-de-sacs except that they provide no turnaround circle at their closed end and are not permitted as streets in any proposed subdivision. Stub streets planned for future continuation are not considered to be dead-end streets.
8. **Alleys.** Alleys are rights-of-way, dedicated to public use typically for one way traffic flow, which afford a secondary means of vehicular access to the back or side of properties otherwise abutting a street and which may be used for public utility purposes. Alleys generally have two (2) open ends and each end connects with a different street.

C. Street Connectivity. An interconnected street system is an important component of sound neighborhood development.

1. **Purpose.** An interconnected street system is necessary to:
 - a. ensure that streets will function in an interdependent manner;
 - b. provide adequate access for emergency and service vehicles;
 - c. connect neighborhoods;
 - d. promote walking and biking;
 - e. reduce miles of travel that result in lower air emissions and wear on the roadway;
 - f. provide continuous and comprehensible traffic routes;
 - g. reduce the volume of traffic and traffic delays on major streets (collectors and arterials); and
 - h. ultimately improve livability in communities by providing parallel routes and alternative route choices.
2. **General Standards:**
 - a. **Connecting to existing streets.** The proposed street system of a subdivision shall provide for the continuance of existing or dedicated right-of-way or streets in adjoining or nearby tracts when it is determined by the Planning Commission to be feasible.
 - b. **Providing for future street connections to adjoining undivided property.** The proposed street system of a subdivision may be required to include street stub-outs for the logical extension of the street system into the surrounding area. If required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works, a turnaround may be required for the street stub-out. The restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
 - c. **Impact of future street connections.** When street connections are made between subdivisions, the future traffic patterns should be evaluated to identify any impact from the connections. Cut-through traffic and speeding on local residential streets should be discouraged through proper design measures.
 - d. **Notification of future street connection.** When streets are designed to connect to an adjacent property to allow for future connectivity between developments, the end of the new street shall be posted with a sign designating the street end as a future street connection. The sign shall be clearly visible from the end of the new street and shall be of a size and design meeting the requirements of the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public

Works. The Concept Plan and Final Plat for the subdivision shall also clearly identify that the street end is designed for future connection.

- D. **Complete Streets.** All developers need to assess the need for complete streets (including traffic calming) and are encouraged to work with Planning Commission, City of Knoxville Department of Engineering, and Knox County Department of Engineering and Public Works staff in designing the street system for all new subdivisions in accordance with nationally accepted standards for complete streets practice, as outlined by the National Complete Streets Coalition. Complete streets are streets designed and operated to enable safe access for pedestrians, bicyclists, motorists and bus riders of all ages and abilities both along and across the streets, which are part of an integrated and connected street network.
- E. **Street Design Standards for Expressways, Arterials, and Collectors.** Street design standards for future expressways, major and minor arterials, and major and minor collectors shall be determined by the government agencies responsible for their design and construction. Relevant agencies may include the Tennessee Department of Transportation, the City of Knoxville Department of Engineering and the Knox County Department of Engineering and Public Works.
- F. **Right-of-Way.** Right-of-way widths shall meet the following requirements:
 - 1. **Local Streets.** The minimum right-of-way for a local street shall be fifty (50) feet. Additional right-of-way shall be provided for streets that are designed with a boulevard, complete street or other non-standard section, as determined by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works. A reduced right-of-way width may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Work.
 - 2. **Alleys.** Alleys shall have a minimum right-of-way of twenty (20) feet. Additional right-of-way may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works to adequately serve the anticipated vehicular traffic and site conditions.
- G. **Pavement Widths.** Pavement widths shall meet the following requirements:
 - 1. **Local Streets.** Local streets shall have a minimum pavement width of twenty-six (26) feet. A reduced pavement width may be approved by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works.
 - 2. **Alleys.** Alleys shall have a minimum pavement widths of ten (10) feet. A greater pavement width may be required by the City of Knoxville Department of Engineering or the Knox County Department of Engineering and Public Works to adequately serve the anticipated vehicular traffic and site conditions.
- H. **Grades of Streets and Alleys.** Grades of streets and alleys shall be as follows:
 - 1. **Minimum Grade.** The minimum grade of any street shall be not less than one (1) percent.



Laura Edmonds <laura.edmonds@knoxplanning.org>

[Planning Commission Comment] Proposed Smith development along Northshore Drive

1 message

Lavelle, Amy E. <aelavelle@pstcc.edu>

Tue, Sep 1, 2020 at 2:28 PM

Reply-To: aelavelle@pstcc.edu

To: "commission@knoxplanning.org" <commission@knoxplanning.org>, "tboyer@etf.org" <tboyer@etf.org>, "jdent@dia-arch.com" <jdent@dia-arch.com>, "Eason.mpc@gmail.com" <Eason.mpc@gmail.com>, "jwroth@qmwkx.com" <jwroth@qmwkx.com>, "Lbrowning@summitsouthmortgage.com" <Lbrowning@summitsouthmortgage.com>

Dear Mr. Archer and MPC staff,

I am writing in reference to the proposed development off of Northshore Drive. I have several concerns with this proposed plan, as I will list below.

1. First and most importantly is the environmental impact that the development of this property may have on current property owners or future property owners in that development. The proposed plan backs up to Dunwoody Blvd., which I live off and have a property that backs up to the property that is for sale. The property that is up for development has serious water issues, many sinkholes and caves, and a major creek running through it that drains into the fields and into the back of several of our properties. We made the developers aware of these issues and presented them with evidence of the flooding, caves, and sinkholes when we met with them. They were not aware of these issues. Several of us property owners have spent thousands of dollars (literally, we have the bills to prove it) to correct flooding issues in our yards and homes. Many of us have suffered from foundational issues due to this improper water drainage in the neighborhood. Concisely, the water from our neighborhood and another neighborhood further down Northshore Drive ends up in the property directly behind Dunwoody Blvd. There has already been a lawsuit associated with this water run-off on to the property that is to be developed. As stated, this has already created many issues for us property owners and we are concerned that water will be re-directed back onto our property by the creation of this development. We have several pictures of the flooding from the creek and in the property directly behind Dunwoody Blvd and in our own yards. We would be happy to share this evidence with any of you upon request. We feel that this is an issue that must be addressed. Just in the past week, a hole in the road at the top of the neighborhood opened and had to be filled by four trucks of cement. We have another neighbor whose driveway collapsed (their whole street is built on a creek bed according to old topo maps) and another neighbor on that street has a large hole that just opened up in the back yard and you can hear water running under it! No future property owner needs these same issues. I would suggest that the property be carefully studied before development.

2. Density: Since the back of the property is not suitable for building, the density of all the houses is planned to be upfront, which puts 5 or so homes per acre on the front portion of the property. Once again, this is a concern due to the environmental issues already stated.

3. Safety: Having streets back right up to the property lines of our houses creates a great safety concern for many of, as our neighborhood is full of children. This issue would have to be addressed by the property owners with fences or a tree buffer, if possible.

4. Traffic and Northshore flooding: As many of you all are well aware of, Northshore Drive near Wallace Rd. the intersection is a very busy road already. Traffic issues have been made worse at this intersection by the apartments off of Wallace Road, as well as the overall increase of traffic down Northshore Drive. The proposed development would have an entrance almost directly across from Lyon's Crossing entrance and approx. 100 feet from Wallace Rd and our neighborhood entrance. With no turn lanes on Northshore, this creates even more of a safety and traffic concern. If you look at the plan, it is a head-on collision nightmare in the making. Furthermore, there has been an increase in the flooding on Northshore in the past years. If water run-off from this property is not properly managed, then it will just add to the flooding on Northshore Drive (some of which occurs almost directly across from the proposed property on the Lyon's crossing side of the road).

Thank you for the time to read my email and concerns. I hope that the MPC will take the time to make sure that this development is done in the proper manner.

Amy Lavelle

Associate Professor

Pellissippi State Community College

865-694-6402

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This message was directed to commission@knoxplanning.org

John T. Batson, Jr.
Benjamin K. Lauderback
Hanson R. Tipton
Reid A. Spaulding*
Dan R. Pilkington
Emily C. Taylor
Courtney E. Read
Brian R. Bibb
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Robert H. Watson, Jr. (1945-2014)

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by the National Board of
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and Civil Trial Advocacy by the
National Board of Trial Advocacy

August 28, 2020

Knoxville-Knox County Planning
400 Main St, Suite 403
Knoxville, TN 37902



Knoxville-Knox County Planning:

I am writing to you regarding Item #18 on the September 10, 2020 Planning Commission Preliminary Agenda, an application for Concept Subdivision Plan and Use on Review filed by S&E Properties (8-SF-20-C and 8-J-20-UR). I live at 1515 Dunwoody Blvd. and my property shares a border with the parcel that is the subject of this application. Our neighborhood (Dunbarton Oaks) is uphill and upstream from the subject parcel on Northshore Drive.

Months ago, several of my neighbors and I met with the applicants/developers Commissioner Scott Smith and Eric Mosely, along with others including David Harbin and their local builder. At the meeting Mr. Smith and Mr. Mosely told us about their plans for the property in very general terms. My neighbors and I also informed Mr. Smith, Mr. Mosely, and the others of our existing property issues and concerns about how development of this parcel of land will harm our own property. We have brought these concerns to the attention of the Planning Commission before, when a different developer applied to the MPC for similar plans in 2018 and more recently at the hearing to re-zone this property on June 11, 2020.

I am writing to you in long form because I know that the time allotted to my neighbors and me at the September 10 meeting will not be anywhere near sufficient to relate just some of the issues that the Planning Commission needs to know about our property and the parcel in question before consideration of the applications for Concept Plan approval and Use on Review..

We need the Commission and any potential developers to know about environmental issues we have been aware of for years, on both the property S&E Properties plans to develop and the property in our own neighborhood. These issues include sinkholes, caves, and regular flooding problems, as well as a stream that crosses the subject property. We relayed this information to Mr. Smith and Mr. Mosely not only for their benefit as potential developers but also to protect our own property as development downhill/downstream from us will most likely adversely impact our property, particularly regarding flooding and related problems that several residents in Dunbarton

Oaks have already experienced for many years. We showed Mr. Smith and Mr. Mosely photographs and video footage of the issues on our own land as well as the subject property.

The subject parcel is riddled with sinkholes and caves, as well as a flowing stream across the land. This network of sinkholes has served for decades as a natural stormwater drainage system for the valley south of Northshore that our neighborhood and the subject parcel sit upon. Our neighborhood (Dunbarton Oaks) was built on top of similar land with its own sinkholes. When our neighborhood was built in the 1990s (by developer Steve Williams,) it caused considerable flooding problems and damage to surrounding properties, including that of Mrs. Hunter (the subject property.) Mrs. Hunter was forced to sue Mr. Williams and seek help from the County to address the problems this development caused her and her property. What's more, since its construction our neighborhood has consistently suffered problems caused by building on this land, from sinkhole damage to foundation problems to severe flooding. My neighbors have documented all of these problems and we will be glad to send you more information if you would like.

I have personally spent approximately \$16,000 on my own property to combat these problems and many of my neighbors have spent as much or more. Despite this expense, I **continue** to suffer stormwater flooding on my property. My next-door neighbor Russell Biven (at 1521 Dunwoody Blvd.) has a sinkhole on his property (that is on the border of the subject parcel) that continues to sink. He has similarly had to spend many thousands of dollars attempting to remedy the damage it has caused him. Many of our neighbors continue to deal with similar issues from building on this land. Just this week, a sinkhole formed at the top of our neighborhood that the County had to come out and fill and patch the road.

I have enclosed a flash drive that contains some photographs and video of flooding issues that I and my neighbors have experienced over the years. Most of these show the flooding that flows from my property onto the subject parcel. I want to stress to you that the flooding that is captured in these photographs and videos happens much more often than the dates we have documented, and is happening with increasing frequency. **This year alone my property has flooded more than five times already.** It is such a common occurrence that we simply cannot document it every time it happens. We have many more such photographs, as well as more video of flooding on our land and the subject parcel and I will be glad to send it to you if you wish.

MUCH more environmental investigation is necessary before the Planning Commission can safely allow development on this property. We wish to prevent a repeat of the mistakes made by Steve Williams. If this land is developed irresponsibly, it will directly harm my property and create an entire new neighborhood full of sinkholes and flooding problems. It will cost the County significant money to address these problems, as it did when a culvert had to be constructed under Northshore to address Mrs. Hunter's flooding problems when Dunbarton Oaks was built.

When Mr. Williams applied for re-zoning of an adjacent parcel on similar land in 1997, after the construction of Dunbarton Oaks, MPC recommended to grant that request. County Commission, however, recognized the danger of developing such land and the damage that development had already caused surrounding properties, and **DENIED** the MPC's request for a Resolution on February 24, 1997. The circumstances of that application were nearly identical to this one and it was denied for the same reasons this one should be.

We have been told by Mr. Smith and Mr. Mosely that they plan to build 44 houses on the subject parcel and we have been provided a draft of a concept plan for the proposed development. We have received vague promises that measures will be taken to prevent our property from harm. Other than that, we have received no information about the plans for this development. **We have received no specific plans for how stormwater and flooding from our neighborhood will be dealt with in the proposed development.** I e-mailed Mr. Smith on August 20, 2020 to ask him if there have been any updates to the Concept Plan, but I have not received any reply.

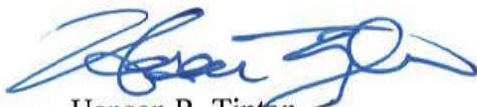
As of today, we are less than two weeks away from the September Planning Commission meeting. My neighbors and I would suggest that it would be appropriate to at the very least **postpone the Commission's consideration of the Concept Plan and Use on Review applications** at least until a geotechnical survey is complete and we have had an opportunity to review its results and consult with our own engineers regarding the impact that developing this land will have on our own property, uphill and upstream. Regardless of when this matter is considered by the Planning Commission, **no Concept Plan or Use on Review should be approved that does not include specific protection for my neighbors and me from adverse effects of development on this property.**

My neighbors and I do not oppose all development whatsoever and we understand that we live in a Planned Growth Area that is now zoned for residential development. However, as you know, development needs to be done responsibly and not to the detriment of the existing community.

My neighbors and I appreciate the work that the Planning Commission does and we look forward to discussing these issues with you at any time. We submit that it is premature to consider approving the Concept Plan and Use on Review for this land at this time given the environmental issues outlined above. We have many other concerns about the planned development (including traffic impact, buffers between our neighborhood and the proposed development, and other concerns,) but the environmental and flooding issues are certainly the most urgent at this time.

Please feel free to contact me should you need any additional information. We have many more photographs and videos we can show you of flooding in our neighborhood and sinkholes on the subject property. Thank you for your consideration of this matter.

Very truly yours,



Hanson R. Tipton
1515 Dunwoody Blvd.
Knoxville, TN 37919

Christmas 2015



Christmas 2015

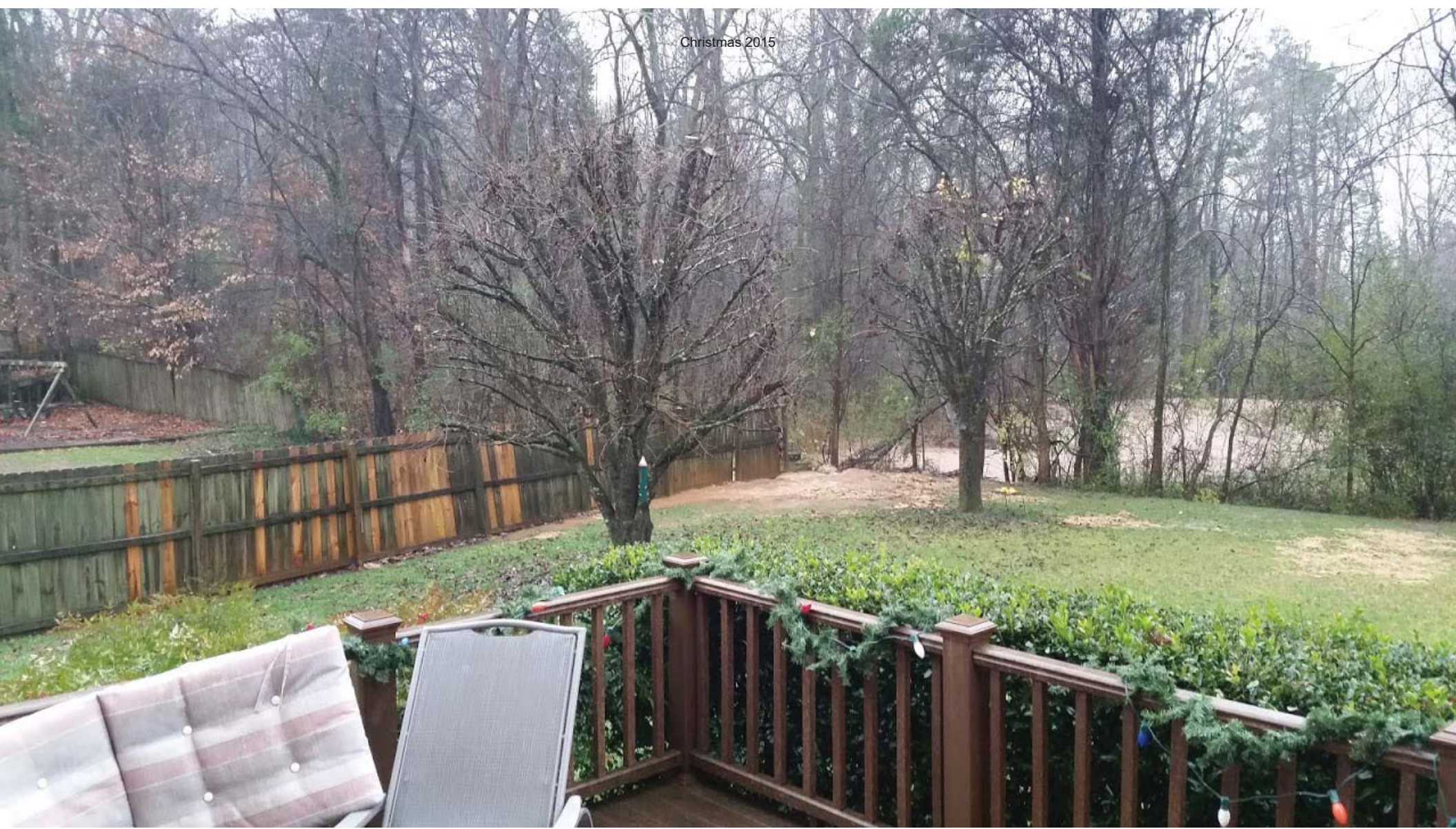


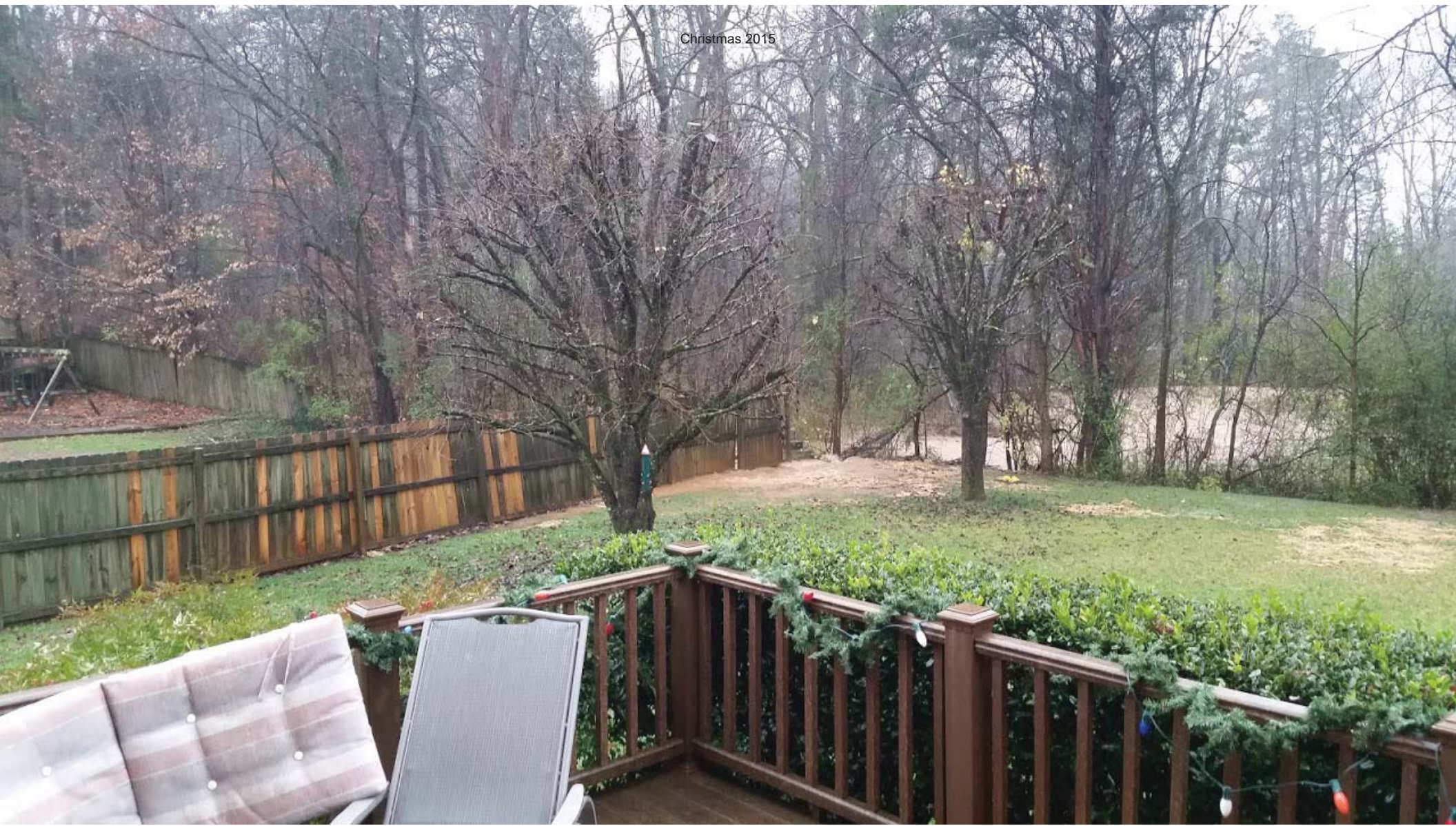
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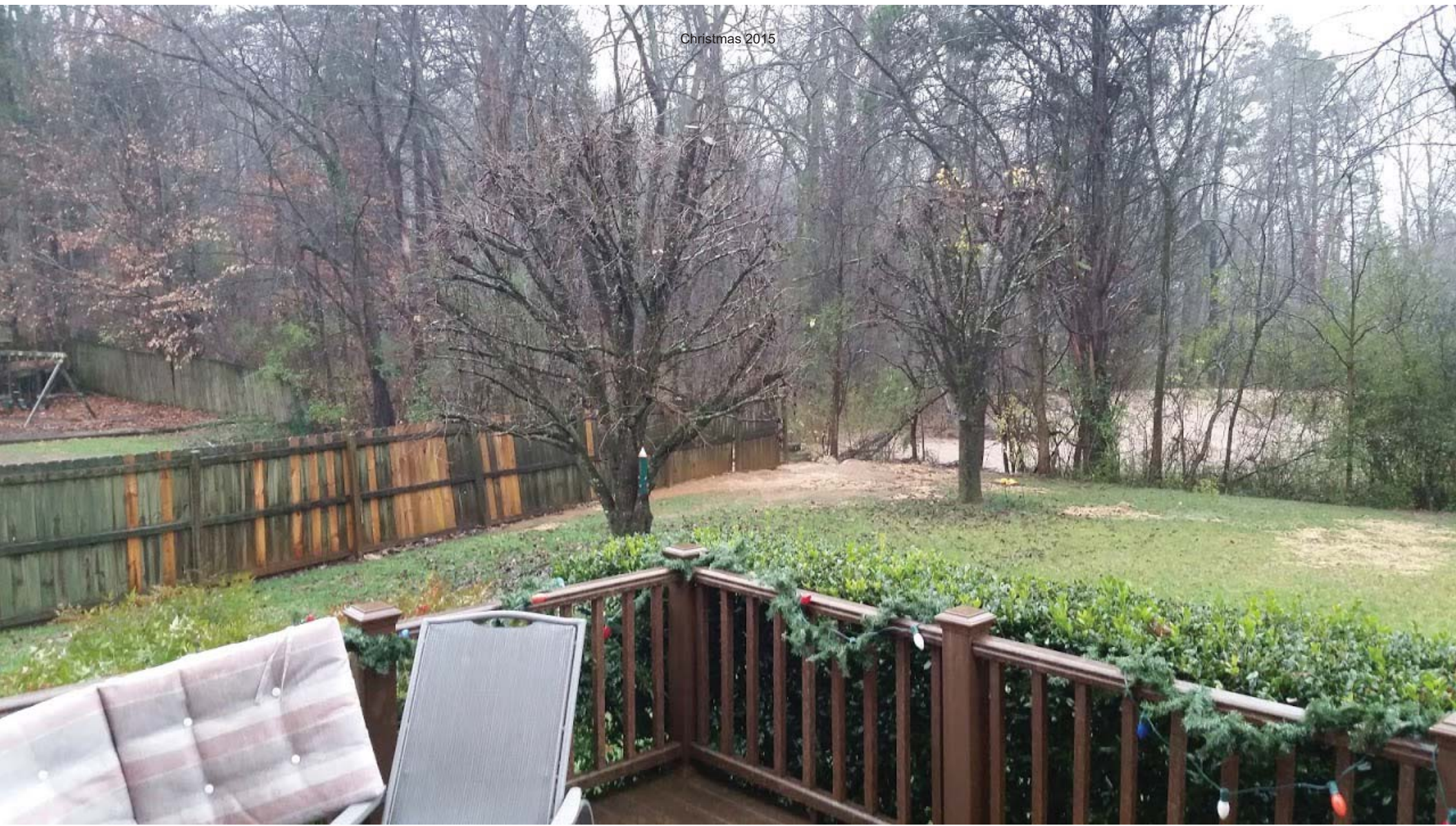


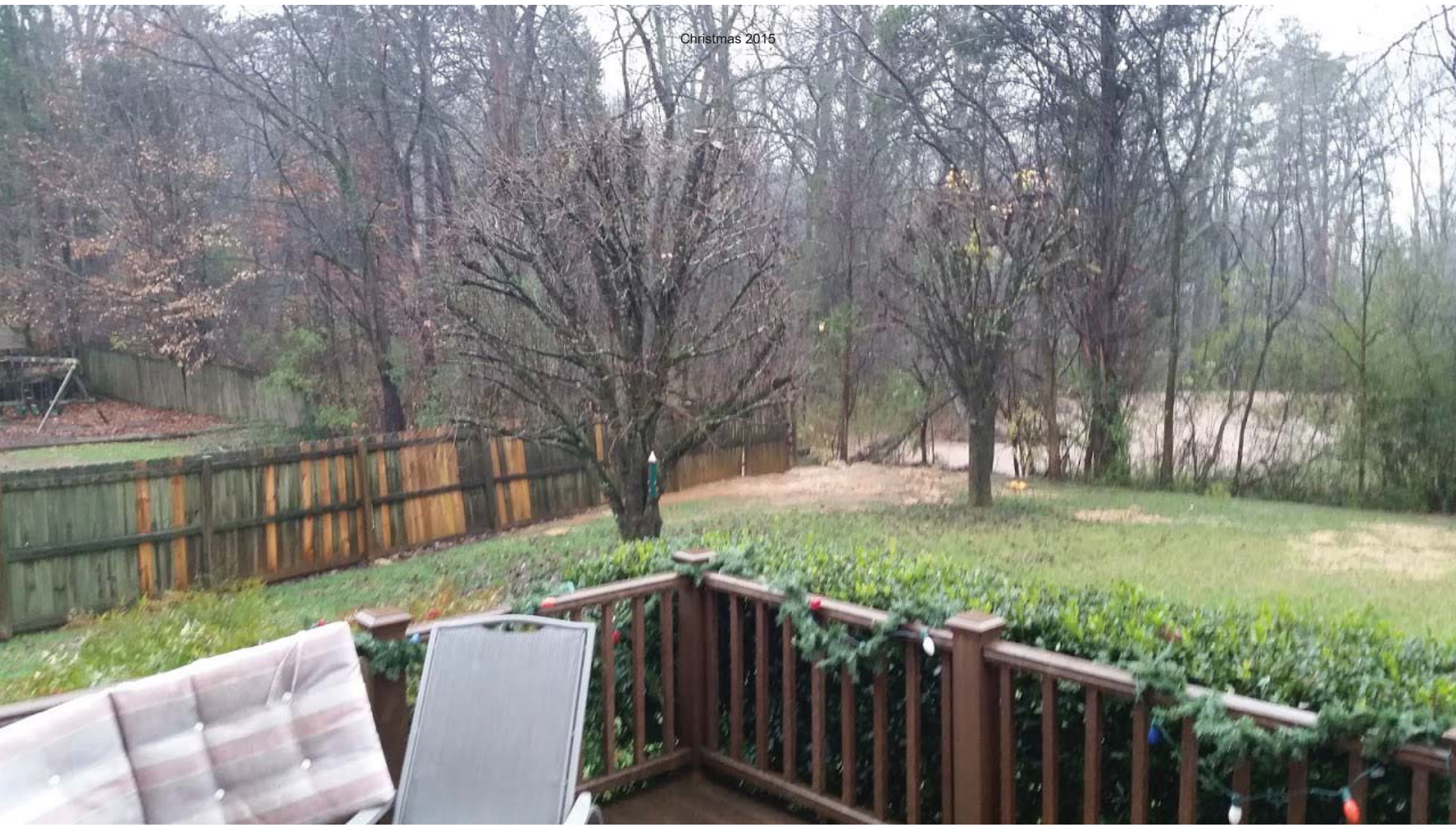
Christmas 2015











August 2017



August 2017



August 2017



August 2017



June 2018



June 2018







June 2018



June 2018





June 2018

February 2020



February 2020



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Biven yard 6.29.20



July 2020



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August 2020





Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] 8512 S Northshore Dr proposed development by Scott Smith (MPC meeting Sept 10th)

mary3ford via Commission <commission@knoxplanning.org>

Sun, Aug 30, 2020 at 1:49 AM

Reply-To: mary3ford@aol.com

To: "michelle.portier@knoxplanning.org" <michelle.portier@knoxplanning.org>, "Eason.mpc@gmail.com" <Eason.mpc@gmail.com>, "commission@knoxplanning.org" <commission@knoxplanning.org>

My name is Mary Ford and I live at 1604 Dunwoody Blvd next to the proposed property up for discussion Sept 10.

We informed Scott Smith and his partner Eric Mosely on June 3rd about our concerns with their proposed development on [8512 S Northshore Dr](#).

There are many topographical challenges made up of: sink holes, caves, hillsides, streams, depressions and serious flooding issues that literally spill over onto adjacent properties. The *current* TOPO map on file does NOT fully represent the lay out of this property. However, the KGIS topo map labeled from "2008-2010" shows some of the sink holes we are referencing.

<https://www.kgis.org/KGISMaps/Map.htm>

Based on Mr Smith's concept plan, there are 5 houses on top sink holes (lots # 7, 10, 15, 17 and 41). Lot #10 is especially concerning since an entire person can fit inside that sink hole. Please see attached picture above.

According to the Knox County Stormwater Management Manual:

(seen here: https://knoxcounty.org/stormwater/manual/Volume%202/knoxco_swmm_v2_chap8_jan2008.pdf)

Disturbance of the immediate area around a sinkhole during construction activities shall be minimized to as little as possible. The use of mechanized equipment near the sinkhole throat should be avoided. All use of explosives shall be in compliance with the State Fire Marshall's Office. The underground system of caves and streams is dynamic and explosions in the vicinity can alter or block underground drainage passages. Sinkhole areas are known to be unstable for construction and structures placed on soil foundations in sink areas may be subject to both settling and collapse of the sink.

Twenty years ago, Mrs Hunter (who lived on the property) had to attain legal counsel due to the lake in her front yard because of Dunbarton Oaks and the absence of a TRUE water drainage solution. An underground culvert was built (we believe paid for by the county) and drilled all the way under Northshore Dr to alleviate her flooding. This design system will have to be expanded to accommodate even more development on her property, especially if the developer simply fills in the sink holes. Disturbing and filling in sink holes completely disrupts the historic and natural drainage system. That water must resurface *somewhere* and will only compound our already present flooding issues in our neighborhood, the neighborhood to the other side of the Hunter property (Ashland Springs Way), as well as the very documented flooding that has plagued Northshore Drive for years. (The small lakes that appeared on Northshore Dr in Feb 2019 contributed to Knox Co Schools having to shut down for days until the water subsided.)

Our neighborhood (Dunbarton Oaks) was built by Steve Williams in the early 90's on very similar land adjacent to the proposed property (stream, sink holes, etc). It should have never been approved by the MPC to be rezoned for anything but agricultural. Steve Williams did NOT implement appropriate remedies for the massive sink holes or water shed problems. Many, MANY neighbors have suffered the long term (and still very present) consequences of errant decisions that are now irreversible. We have many neighbors who can testify to sinking/cracking foundations, flooding issues and massive bills which reflect that. One neighbor spent \$20k+ on their flooding in their backyard (that leads to the Hunter property) along with jacking up their home due to sinking. Another neighbor has a sink hole opening up in their backyard right now where a stream used to be prior to development. Our personal home also had to be raised due to the center sinking almost 2 inches lower than the rest of the house. And just two weeks ago, a hole appeared on our main street with a sizable void underneath. Knox Co had to come fill it before it expanded any bigger.

The people who sat on the MPC 20+ years ago, along with the developer and engineers are all responsible for approving a piece of property that will forever have long term consequences on families for years to come. **Right now, is**

YOUR opportunity to not allow this same mistake again.

According to Knox County's own Stormwater Management Manual:

1. Knox County Engineering **requires** geotechnical studies for structures located within fifty (50) feet of the highest hachured contour (also called the "rim") of a sinkhole.
2. Uncontrolled fill placement may present additional settlement hazards when fill is placed in or near sinkholes. Knox County **requires** that appropriate geotechnical studies be done and measures taken to insure structure foundations are designed to take into account potential sinkhole locations and instability. Such studies should account for potential foundation problems for both undisturbed sink areas and those previously filled by others.

Mr Leo LaCamera (Knox Co Engineer with Stormwater Management) stated to me in an email on July 28, 2020 the following:

Ms. Ford,

They will need to place buffer on sinkhole near lot 41. Geotechnical report would be needed to build in buffer. I will forward your picture to developer's engineer. This appears to be a feature that would require a buffer.

Thanks Leo

We understand that 8512 S Northshore will be developed at some point in the future. We implore you to hold Scott Smith to your own codes, regulations, laws and policies already in place.

IF Mr Smith moves forward with this development withOUT a geo-tech survey, he would be in violation of Knox County's own regulations.

If approved, the structural integrity of many homes will be at risk, along with water shed and flooding issues both to this property, adjacent properties and Northshore Dr.

Mr Smith has not communicated with our neighborhood as to how he is going to ensure the structural integrity of all these homes built on or near sink holes.

He has not communicated with us as to how he is going to protect the underground and above ground water drainage systems.

He has not communicated to us any intention to conduct a geo-tech survey.

Lastly, we are highly concerned as to WHO will take responsibility for the direct and indirect consequences of additional flooding that will spill onto the adjacent properties, along with further flooding onto Northshore Dr. What action steps will be implemented to alleviate any future watershed problems?

Mary Ford

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This message was directed to commission@knoxplanning.org

6 attachments

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6993K



FullSizeRender.jpg-7.jpeg
1863K



FullSizeRender.jpg-8.jpeg
2401K



IMG_9267.JPG
184K



FullSizeRender.jpg-4.jpeg
159K



IMG_9265.JPG
171K















Dori Caron <dori.caron@knoxplanning.org>

[Planning Commission Comment] Item #18 on the September 10, 2020 Planning Commission Preliminary Agenda

Hanson Tipton <htipton@watsonroach.com>

Fri, Aug 28, 2020 at 3:32 PM

Reply-To: htipton@watsonroach.com

To: "commission@knoxplanning.org" <commission@knoxplanning.org>

Commissioners and Staff:

I am also sending this letter to you today via U.S. Mail with a flash drive enclosed that contains the referenced photographs and video of extensive flooding. I would like this letter and the media on the flash drive to be added to the Case File for this application. Thank you in advance for your time and consideration.

Chairman Phillips and Commissioners –

I am writing to you regarding Item #18 on the September 10, 2020 Planning Commission Preliminary Agenda, an application for Concept Subdivision Plan and Use on Review filed by S&E Properties (8-SF-20-C and 8-J-20-UR). I live at [1515 Dunwoody Blvd.](#) and my property shares a border with the parcel that is the subject of this application. Our neighborhood (Dunbarton Oaks) is uphill and upstream from the subject parcel on Northshore Drive.

Months ago, several of my neighbors and I met with the applicants/developers Commissioner Scott Smith and Eric Mosely, along with others including David Harbin and their local builder. At the meeting Mr. Smith and Mr. Mosely told us about their plans for the property in very general terms. My neighbors and I also informed Mr. Smith, Mr. Mosely, and the others of our existing property issues and concerns about how development of this parcel of land will harm our own property. We have brought these concerns to the attention of the Planning Commission before, when a different developer applied to the MPC for similar plans in 2018 and more recently at the hearing to re-zone this property on June 11, 2020.

I am writing to you in long form because I know that the time allotted to my neighbors and me at the September 10 meeting will not be anywhere near sufficient to relate just some of the issues that the Planning Commission needs to know about our property and the parcel in question before consideration of the applications for Concept Plan approval and Use on Review..

We need the Commission and any potential developers to know about environmental issues we have been aware of for years, on both the property S&E Properties plans to develop and the property in our own neighborhood. These issues include sinkholes, caves, and regular flooding problems, as well as a stream that crosses the subject property. We relayed this information to Mr. Smith and Mr. Mosely not only for their benefit as potential developers but also to protect our own property as development downhill/downstream from us will most likely adversely impact our property, particularly regarding flooding and related problems that several residents in Dunbarton Oaks have already experienced for many years. We showed Mr. Smith and Mr. Mosely photographs and video footage of the issues on our own land as well as the subject property.

The subject parcel is riddled with sinkholes and caves, as well as a flowing stream across the land. This network of sinkholes has served for decades as a natural stormwater drainage system for the valley south of Northshore that our neighborhood and the subject parcel sit upon. Our neighborhood (Dunbarton Oaks) was built on top of similar land with its own sinkholes. When our neighborhood was built in the 1990s (by developer Steve Williams,) it caused considerable flooding problems and damage to surrounding properties,

including that of Mrs. Hunter (the subject property.) Mrs. Hunter was forced to sue Mr. Williams and seek help from the County to address the problems this development caused her and her property. What's more, since its construction our neighborhood has consistently suffered problems caused by building on this land, from sinkhole damage to foundation problems to severe flooding. My neighbors have documented all of these problems and we will be glad to send you more information if you would like.

I have personally spent approximately \$16,000 on my own property to combat these problems and many of my neighbors have spent as much or more. Despite this expense, I **continue** to suffer stormwater flooding on my property. My next-door neighbor Russell Biven (at [1521 Dunwoody Blvd.](#)) has a sinkhole on his property (that is on the border of the subject parcel) that continues to sink. He has similarly had to spend many thousands of dollars attempting to remedy the damage it has caused him. Many of our neighbors continue to deal with similar issues from building on this land. Just this week, a sinkhole formed at the top of our neighborhood that the County had to come out and fill and patch the road.

I have enclosed a flash drive that contains some photographs and video of flooding issues that I and my neighbors have experienced over the years. Most of these show the flooding that flows from my property onto the subject parcel. I want to stress to you that the flooding that is captured in these photographs and videos happens much more often than the dates we have documented, and is happening with increasing frequency. **This year alone my property has flooded more than five times already.** It is such a common occurrence that we simply cannot document it every time it happens. We have many more such photographs, as well as more video of flooding on our land and the subject parcel and I will be glad to send it to you if you wish.

MUCH more environmental investigation is necessary before the Planning Commission can safely allow development on this property. We wish to prevent a repeat of the mistakes made by Steve Williams. If this land is developed irresponsibly, it will directly harm my property and create an entire new neighborhood full of sinkholes and flooding problems. It will cost the County significant money to address these problems, as it did when a culvert had to be constructed under Northshore to address Mrs. Hunter's flooding problems when Dunbarton Oaks was built.

When Mr. Williams applied for re-zoning of an adjacent parcel on similar land in 1997, after the construction of Dunbarton Oaks, MPC recommended to grant that request. County Commission, however, recognized the danger of developing such land and the damage that development had already caused surrounding properties, and **DENIED** the MPC's request for a Resolution on February 24, 1997. The circumstances of that application were nearly identical to this one and it was denied for the same reasons this one should be.

We have been told by Mr. Smith and Mr. Mosely that they plan to build 44 houses on the subject parcel and we have been provided a draft of a concept plan for the proposed development. We have received vague promises that measures will be taken to prevent our property from harm. Other than that, we have received no information about the plans for this development. **We have received no specific plans for how stormwater and flooding from our neighborhood will be dealt with in the proposed development.** I e-mailed Mr. Smith on August 20, 2020 to ask him if there have been any updates to the Concept Plan, but I have not received any reply.

As of today, we are less than two weeks away from the September Planning Commission meeting. My neighbors and I would suggest that it would be appropriate to at the very least **postpone the Commission's consideration of the Concept Plan and Use on Review applications** at least until a geotechnical survey is complete and we have had an opportunity to review its results and consult with our own engineers regarding the impact that developing this land will have on our own property, uphill and upstream. Regardless of when this matter is considered by the Planning Commission, **no Concept Plan or Use on Review should be approved that does not include specific protection for my neighbors and me from adverse effects of development on this property.**

My neighbors and I do not oppose all development whatsoever and we understand that we live in a Planned Growth Area that is now zoned for residential development. However, as you know, development needs to be done responsibly and not to the detriment of the existing community.

My neighbors and I appreciate the work that the Planning Commission does and we look forward to discussing these issues with you at any time. We submit that it is premature to consider approving the Concept Plan and Use on Review for this land at this time given the environmental issues outlined above. We have many other concerns about the planned development (including traffic impact, buffers between our neighborhood and the proposed development, and other concerns,) but the environmental and flooding issues are certainly the most urgent at this time.

Please feel free to contact me should you need any additional information. We have many more photographs and videos we can show you of flooding in our neighborhood and sinkholes on the subject property. Thank you for your consideration of this matter.

Very truly yours,

Hanson R. Tipton

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