

Think Quality - Think Future

Blount County Planning Department

Blount County Courthouse - 327 Court Street

Maryville, TN 37804-5906

Tel (865) 273-5750 - FAX (865) 273-5759

e-mail - planning@blounttn.org

MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 273-5750)

DATE: February 1st -14th, 2007

SUBJECT: Staff reports on agenda items for the Thursday January 25th, 2007 regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats: Major Subdivisions:
 - 1. **Brittingham at William Blount Unit 2 located at William Blount Drive and County Farm Road by HP Properties: 4 detached home lots and 52 attached small lots located along new county roadways.**

This plat is Phase 2 of the Apostolic Place Subdivision off William Blount Drive (Previously William Blount Drive at County Farm Road Subdivision) by L.B. Lee Developers.

The entire proposed development is now owned by HP Properties.

Unit 1 was approved as Apostolic Place by the Blount County Planning Commission and the Maryville Planning Commission in August of 2006.

The Blount County Planning Commission reviewed the first Concept Plan at the April 2006 regular meeting. The Blount County Planning Commission recognized lots 3, 4, 9, and 37 as effectively part of the Maryville Planning Region at the May 2006 regular meeting. The Maryville Planning Commission has approved the preliminary plat within

their jurisdiction after the resolution of issues of road intersection design and traffic signalization at William Blount Drive.

Background:

Unit 2 of Brittingham at William Blount is located across from William Blount High School on William Blount Drive. The first 1000 feet of the parcel from William Blount right-of-way is located within the Maryville Urban Growth Boundary and Maryville Planning Region. The remainder of the parcel to the rear is within the Blount County Planning Region.

The portion of the parcel in Blount County Planning Commission jurisdiction awaited resolution of issues of applying S-Suburbanizing zone standards in the Growth Plan Rural Area of the County outside the Urban Growth Boundary of Maryville. The current understanding of the S-Suburbanizing Zone in the County as per the 1101 Growth Plan allows for a minimum lot size compatible with 6.2 units per acre, or 7,000 square feet on public sewer. In applying cluster development standards lot size may be reduced to one-half the minimum in the zone (or 3,500 square feet) with commensurate Open Space accommodation for the Planned Unit Development. Determination of plat conformity with PUD requirements under zoning will be addressed by Roger Fields separate from this memo.

Unit 2 of Brittingham is contained completely in the Blount County Planning Region. The preliminary plat indicates a total of 10.95 acres. The four detached home lots are to contain 1.09 acres and the 52 attached home lots contain a total of 9.86 acres. For consideration of the commensurate open space requirement, the preliminary plat indicates 1.16 acres of common area, several lots well over 3500 square feet in size, and nearly 1 acre of dedicated right-of-way, in addition to drainage areas located on some lots. The determination of commensurate open space is a zoning issue and will be addressed by Roger Fields.

The portion of Unit 1 containing part of the pond was re-zoned commercial for 600 feet off of William Blount Drive. The developer had requested a second extension of the commercial zone however that request was withdrawn prior to action by the County Commission.

This staff analysis is inclusive of Unit 2 as a whole and how it relates to the overall plan including the previously approved Unit 1 preliminary. The portion of the parcel within the Maryville Planning Region has been reviewed by county planning staff and, due to the road extending into the county planning region, will require independent review and processing by the Maryville Planning Commission.

Analysis:

Design of plat, plat description:

The Unit 2 parcel is rolling terrain and appears to have been pasture land. All of the proposed new lots are to have driveway access off of proposed new county roads. None of the new lots are to have any additional driveway access off of County Farm Road.

The parcel is impacted to the East by an active rail road track. This area may require particular attention for safety purposes and should be buffered for any residential use.

Staff has requested the developer supply all plans and engineering to the City of Maryville for a full preliminary review, and recommendation of the entire site, including the portion beyond the Maryville Urban Growth Boundary. This is particularly important for coordinating the sections of the internal road within both the Maryville and Blount County jurisdiction, coordination of traffic control measures at the intersection with William Blount Drive, and the extension of Maryville sewer.

Traffic Impact Study and Intersection Design:

A revised traffic study from June 2006 indicated that one traffic signal will be incorporated into the overall design of the preliminary plat. The County Farm Road intersection at William Blount across from entrance to the subdivision will require signalization and turn lane improvements along and contained within the William Blount Drive right-of-way. The proposed development will create a four-way intersection at this location. A traffic signal is not proposed for the other intersection (in front of William Blount Middle School).

A detailed design for the intersection and signal lights has been supplied to TDOT for review and approval. Planning staff has received a full road plan for the intersection of the proposed development, the traffic light and lane designs, as submitted to TDOT as well as an acknowledgement letter from TDOT that their review process has begun. However, TDOT approval of the intersection plan has not been supplied to the county at this time

Staff notes that the original traffic impact study assumed single family development in the present phase under consideration. For documentation purposes, staff suggests that an updated traffic impact study be supplied with the appropriate density of present development incorporated. Staff does not foresee a change in the ultimate requirements for intersection and traffic lights at entrance to the subdivision.

The new Unit 2, as submitted indicates 56 single family residences, in addition to the 14 lots planned for Unit 1, for a total of 70 single family lots. That is 43 more lots than reported by the traffic engineer in the June 2006 study. The daily traffic for 70 homes is approximately 770 trips versus the 312 of the previous information supplied by the traffic engineer.

A boulevard type of road is planned to form a four-way intersection with William Blount Drive and County Farm Road, which will provide the only access to the proposed subdivision. The proposed entrance along William Blount Drive is under review by TDOT and will require TDOT approval of intersection design and traffic signalization.

As of this time, the Highway Department Superintendent has not received any signal design from TDOT or the project engineer. However the project engineer has indicated on February 8th 2007 that the traffic signal is under construction. Staff has confirmed in the field and with Maryville Engineering and the Highway Superintendent that no construction has begun on the traffic signal. Furthermore, the Superintendent indicated that a signal plan was requested at the pre-construction meeting and is required prior to construction for staff review.

Unit 1 was approved with the condition precedent that the traffic signal be installed. Unit 1 was also approved at such time that the "future development" was not indicated beyond the proposed 27 single family lots (which included the 14 Unit 1 lots) mentioned in the "Current Plan June 2006". The superintendent has stated that discussions with the new owner included a method for a letter of credit for the traffic signal for Unit 1 only, and that the traffic signal shall be fully installed and functional prior to any additional final lots.

Existing County Road(s): William Blount Drive is State Highway 335 and is maintained by the State of Tennessee. All road improvements along William Blount Drive are to be approved by TDOT.

The proposed entrance along William Blount Drive is under review by TDOT and will require TDOT approval of intersection design and traffic signalization. Staff has not received any written confirmation of final design approval of the intersection or signal from TDOT.

Utilities: All of the proposed lots are to be served by public water and public sewer and underground electric. According to the project engineer, none of the project is located in a floodplain. Utility plans have been submitted with the preliminary plat. All water, sewer and electric improvements shall be fully installed to each lot or a surety posted to the appropriate utility prior to any final plat. All conduits must be in place prior

to posting a surety for any utility completion to insure that the new road sections are not cut or bored later.

The developer has indicated on February 8th 2007, that the sewer was under construction. As of this time there is no indication from the City of Maryville confirming that the proposed 56 new lots can be accommodated by the sewer or that plans have been approved for the additional lots.

Drainage Plan: A full drainage plan with calculations has been supplied for the proposed Unit 2 of Brittingham in addition to a drainage plan for Unit 1. Staff notes the two church sites and proposed car wash location from Unit 1 shall require independent drainage plans to be accommodated on each site respectively since these drainage considerations have not been made at this time. In addition the drainage considerations should be incorporated in the site plans submitted to the Building Commissioner for zoning compliance.

In it is the developer's responsibility to secure a Storm Water Pollution Prevention Plan (SWPPP) permit from the State of Tennessee or any other applicable state permits for grading and clearing prior to commencing construction for the roads or drainage facilities for any portion of Unit 2.

All drainage facilities contained outside of the proposed right-of-way(s) shall be the maintenance responsibility of a property owner's association for Brittingham Subdivision. All drainage facilities shall be constructed for any phased development. Any changes to drainage plans shall be revised in writing. All drainage facilities shall be certified as being built according to plans by the project engineer prior to releasing any future final plat.

Erosion Controls: The previous SWPPP does not cover this section. The project engineer has indicated this plan has been submitted to the State pending approval. The county Storm Water Coordinator has not been supplied a new notice of coverage for this phase yet

Any construction activity, earth moving, or grading that occurs prior to a pre-construction meeting with staff is solely at the risk of the developer. All state and county erosion control permits shall be supplied to staff prior to the pre-construction meeting.

The developer shall apply for a county grading permit from the Storm Water Coordinator as required and all erosion control measures shall be in place and inspected by the Storm Water Coordinator prior to any on-site construction. All state and county erosion control permits are required and the responsibility of the owner. All erosion control measures shall be maintained in operable condition though out construction on-site.

Proposed Road Plan: A road plan with profiles, cross section and proposed road layouts and road drainage facilities have been submitted for Unit 2. Unit 1 contains a boulevard. The design indicates a 16' one-lane entrance road and a 24' two-lane exit road contained in an enlarged right-of-way. The internal boulevard and non-standard design is being reviewed by the Highway Department. The remainder of the internal road is a 26-28' wide roadway contained in a 50' right-of-way. The number of lots is appropriate for the road section off of the internal 26' wide road.

The design of the boulevard section with median, intersection, and signal are being coordinated by the developer, TDOT and the highway department. Deceleration lanes on William Blount Drive and turn lanes have been incorporated into the design currently under review by TDOT. Any additional comments from the highway department shall be presented at the time of the meeting.

The boulevard section must meet the City of Maryville's Commercial Road Standard for stone, asphalt base and topping thicknesses as specified by the Maryville Planning Commission. Road standard beyond the Maryville region will have to meet the new County standards for the Blount County Planning Commission. The proposed road section indicated on this plat does not exceed 13% grade and the road design does not require any variances to the regulations.

The internal road design of the boulevard and taper appear have been modified based on staffs previous comments as recommended. The internal roadways for this phase are 28' wide and 22' wide. The internal roadways in the rear are to serve 52 lots as per the proposed preliminary plat and with the internal looping the 22' wide roads are satisfactory.

Property Owner's Association: The developer shall supply a copy of a Property Owner's Association to include all of the lots in Brittingham, Unit 1 and Unit 2 including the residential lots, church sites and car wash tract in the maintenance responsibility for the drainage facilities and other common elements. Staff review shall be required prior to any final plat submission for either Unit and review by the Attorney for the County Mayor may be required at staff discretion.

Drainage easements for access around the pond shall be established on the commercial tract(s) as well as those of the proposed residential lots and around all dams and other drainage structures. The residential POA shall be responsible for the maintenance of the pond and surrounding facilities as this is the area that drains to the pond.

Construction of Improvements: As of this time there has been some grading for Unit 1 and storm sewer installation. The proposed new road shall be built according to the project engineering plans and according to county road standards for that section in the Blount County Planning Region.

Both water and electric shall be completely installed to serve these lots prior to final plat for any lots and to avoid unnecessary disturbance to the roadway after completed. Should a surety be posted for the electric and water utility prior to final plat for Unit 2, certification of said surety shall be required in addition to insuring that conduit has been installed for all road crossings prior to binder surface paving.

The developer shall contact the Highway Department to schedule a pre-construction meeting prior to any on-site construction for Unit 2 of Brittingham. County Engineering Department staff has reviewed the profiles and road plan submitted for the proposed preliminary as shown. Any and all modifications to roads, drainage and lot design shall be supplied to staff with an updated preliminary plat submission. In addition, the developer shall supply all required permits and/or road plan changes in writing.

Administrative Considerations: All road construction and utility construction shall be completed prior to releasing any phased final plat.

The proposed Unit 2 of Brittingham preliminary plat was reviewed inclusive of subdivision regulations for small lots along county roads with public water, underground electric and public sewer.

As required, the preliminary plat was supplied with topographic information, road plan, drainage plan and calculations, an erosion control plan, and sewer plan information. The SWPPP has not been supplied. The developer shall supply a certification letter from a qualified engineer of adequate compaction of the new road sections for Unit 1 and Unit 2 prior to any base stone application. No lot shall be advertised or offered for sale prior to recording of final plat. No lots in Unit 2 shall be approved until unit 1 is completed inclusive of the construction of the traffic signal.

Developer Notice:

- Any construction prior to a pre-construction meeting with staff or required permits is at the risk of the owner.
- The developer shall contact the Director of Engineering at the Blount County Highway Department at 982-4652 to schedule a pre-construction meeting.

- The owner shall apply for a county grading permit from the Blount County Storm Water Coordinator at 681-9301 and supply a copy of the permit at the time of the pre-construction meeting. All erosion controls must be fully installed and inspected by the Storm Water Coordinator prior to any on-site construction activities.
- A Storm Water Pollution Prevention Plan permit (SWPPP) and an Aquatic Resources Alteration Permit (ARAP) from the Tennessee Department of Environment and Conservation (TDEC), division of Water Pollution Control will also be required. These permits shall be supplied to planning staff at the time of the pre-construction meeting. Contact TDEC at 594-6035.
- Prior to any on-site construction the developer shall contact the Utility Inspector of the Blount Highway Department at 982-4652 regarding any utility construction to be done within the county right-of-way along County Farm Road.
- It is the responsibility of the developer and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Notice prior to construction:

1. A copy of the county grading permit shall be supplied to staff prior to a pre-construction meeting.
2. A copy of the SWPPP permit needs to be supplied prior to any on-site work for Unit 2. All erosion controls to be in place prior to any on-site work.
3. Compaction rates and core sample information for the fill section supplied to the Highway Department prior to a pre-construction meeting for Unit 2.

Outstanding items to be completed:

1. An updated trip generation model indicating the total of 70 single family home lots, inclusive of the additional adjacent uses has not been submitted.
2. The Highway Department has not received approved plans for the Traffic Signal and intersection design as required for Phase 1.

3. The Highway Department has not received compaction data for the Unit 1 section of roadway as required for Phase 1 approval.
4. POA documentation to be supplied to staff for review prior to final plat consideration.
5. Report on zoning conformity of PUD design and commensurate open space for cluster development as shown.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary plat due to identified deficiencies, 2) defer preliminary plat approval until deficiencies are addressed, or 3) grant preliminary plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

2. Grand Pines on the Creek Phase 2 off Tomotley Road by Matt Caldwell/SEC Properties 14 large tracts served by a 50' private road easement.

The Blount County Planning Commission approved Phase 1 of Grand Pines on the Creek at the February 23rd, 2006 meeting. Phase 1 contained four lots.

Background:

The preliminary plat for Grand Pines on the Creek Phase 2 is a proposed 14 lot subdivision containing 117 acres along 50' private road easements off of Tomotley Road. The proposed development has been reviewed inclusive of subdivision regulations for large tracts served by a private road easement with water, electric and individual septic systems.

Analysis:

Design of plat, plat description:

The parcel is in the R-1 zone. This parcel is relatively rolling land that is densely vegetated. A portion of the property is located within the Zone "A" flood boundary according to the project engineer, the lower portion of the parcel is partially pasture land. Lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, and 18 are impacted by the flood boundary. All lots appear to have adequate land area outside of the flood hazard zone. The entire parcel is currently vacant of any farming or other use. The proposed road in Phase 1 is planned to cross a section of the floodplain and a wet weather conveyance.

The proposed 14 tract phase 2 subdivision can be accommodated off of the existing paved surface of Tomotley Road at this location with the understanding that all improvements shall be the responsibility of the owner. No Phase 2 lots can be approved until after Phase 1 final plat is completed or as one future final plat indicating all lots and road easements.

Septic, Sanitary Sewer:

The developers have supplied a soil letter from a soil scientist indicating that each tract shown has “an area of soil that is usable for a conventional subsurface sewage disposal system”. The Environmental Health Department has reviewed the letter and indicated the preliminary plat for phase 2 is satisfactory based on the fact all lots are over 5 acres each. Individual lot evaluations would require a high intensity soil map which is not required for five acre tracts. According to the proposed plat, all of the tracts shown have a buildable site located outside of the floodplain as required.

Existing County Roads:

The road list for the county shows the county section of Tomotley Road as being 18 feet wide, and as measured in the field the county road is 19 feet wide from the location of the private road entrance to the bridge. This Bridge connecting Tomotley Road and Thompson Bridge Road is an existing one lane bridge scheduled for replacement within the next two to three years depending on federal funding and local matching.

Staff requested of the developer that the fill section through the floodplain be engineered and a drainage plan was supplied for the entire development. In addition staff requested of the developer that a drainage area be identified on a future final plat for the area that the calculated impounded water will impact. The project engineer has supplied a complete engineered road design through the floodplain, as well as a drainage plan with calculations as requested. The internal road design has been modified to have all lots served off of the one entrance shown, thus no other considerations for improvements down Tomotley Road beyond this location are required as was noted in the Phase 1 approval.

Utilities:

Public water and electric are proposed to serve all lots for the proposed Grand Pines Subdivision. All water and electric improvements shall be fully installed to each lot prior to final plat or a surety posted to the appropriate utility prior to final plat. The 14 tracts shown for Phase 2 shall be served by underground electric.

Drainage and Erosion Controls:

The drainage information and calculations supplied, as well as road design have been reviewed by staff. Drainage easements and the floodplain shall both be identified on the future final plat. The overall drainage calculations and plan appears satisfactory.

Construction of Improvements:

A portion of the Phase 1 road improvements have been completed. Prior to construction of the private road for Phase 2 the owner shall meet with planning staff for a pre-construction meeting. The private road for these 14 tracts shall be fully constructed with a full cul-de sac turn-around prior to final plat approval.

According to the road profile none of the road is greater than 13% slope which is acceptable. The entire private road shall be built on a compacted earth surface void of substandard soil condition in the sub-grade. Prior to stone application the owner shall contact the subdivision inspector for sub-grade inspection. The graded surface shall be a prepared crowned surface a minimum of 24 feet wide between ditches on both sides of the road. The gravel surface application shall be spread a minimum of 2 inches thick the entire length of the private road and on the cul-de-sac and be a minimum of 18 feet wide (nine feet on either side of crown in sub-grade). The three foot shoulders on both sides shall also be compacted sub-grade and seeded and covered in straw as soon as the stone surface is applied.

The fill section through the floodplain has been engineered by the project engineer. This section must be constructed in conformance with the plans submitted. Staff has recognized that a drainage easement behind the fill section shall be identified on the future final plat and will require such prior to final plat approval. The road section across this fill area is planned to have guard rails on either side which is appropriate for this type of roadway construction.

All tiles have been sized by the project engineer. The entrance of the private road at Tomotley road shall be a flat section (table top) and the first 30 feet shall be paved two lanes wide with a minimum of 40' turning radiuses. The paved section shall be a minimum of 2.5 inches of a baby binder on six inches of rolled pug mix, or 1.5 inches of binder and 1 inch of topping on top of 6 inches of rolled pug-mix. The paved surface entrance shall provide for improved turning movements on and off the gravel road, reduce wheel spinning and preserve the paved edge of Tomotley road for an overall safer intersection.

Sight distance along Tomotley road shall be achieved at the entrance by a combination of elevating the entrance and cutting back the vegetation and banks in both directions as much as needed in the field for highway department approval to be conducted by inspection.

Property Owner's Association:

The developer shall supply documentation for a Property Owner's Association inclusive of maintenance responsibilities for the private road and common features for staff review prior to final plat. Any future use of the Private Road easement, or temporary situation for potential future road construction should be included in the private covenants.

Administrative Considerations:

The proposed Grand Pines on the Creek plat was reviewed inclusive of subdivision regulations for large tracts served by a private road easement with public water and individual septic systems. As required, the Phase 2 preliminary plat was supplied with topographic information, drainage plan, road plan and a soil letter. The comments from the engineering department are included in this staff analysis. Staff is also acknowledging that this plat contains four "closed depressions". These areas as well as the drainage areas shall be identified with easements and shall exclude construction. The Floodplain shall be identified as well, however certain construction may be allowable in that area under the criteria as specified in the Floodplain Zoning Resolution.

Developer Notice:

- Any construction prior to a pre-construction meeting with staff or required permits is at the risk of the owner.
- The developer shall contact the Director of Engineering at the Blount County Highway Department at 982-4652 to schedule a pre-construction meeting.
- The owner shall apply for a county grading permit from the Blount County Storm Water Coordinator at 681-9301 and supply a copy of the permit at the time of the pre-construction meeting. All erosion controls must be fully installed and inspected by the Storm Water Coordinator prior to any on-site construction activities.
- A Storm Water Pollution Prevention Plan permit (SWPPP) and an Aquatic Resources Alteration Permit (ARAP) from the Tennessee Department of Environment and Conservation (TDEC), division of

Water Pollution Control will also be required. These permits shall be supplied to planning staff at the time of the pre-construction meeting. Contact TDEC at 594-6035.

- The developer shall contact the Blount County Building Commissioner at 681-9301 for a determination of certification of “no-rise” in the flood plain for construction of the fill section in the Zone “A” flood area; as specified in the Blount County Floodplain Zoning Resolution
- Prior to any on-site construction the developer shall contact the Utility Inspector of the Blount Highway Department at 982-4652 regarding any utility construction to be done within the county right-of-way along Tomotley Road.
- It is the responsibility of the developer and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Notice prior to construction:

1. A copy of the county grading permit shall be supplied to staff prior to a pre-construction meeting.
2. A copy of the Phase 2 SWPPP permit needs to be supplied prior to any on-site work for Phase 2.
3. All erosion controls to be in place prior to any on-site work. No new on-site construction until after a preconstruction meeting.

Outstanding items to be completed:

1. Re-establishment of vegetation on area cut for roadway that will not be utilized with this new design. Seed and straw as per County Storm Water Coordinator.
2. POA documentation to be supplied to staff for review prior to final plat consideration.
3. A drainage easement shall be shown on the final plat for the area behind the fill section of roadway across the wet weather conveyance. Easements shall also be identified around the closed depressions

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary plat due to identified deficiencies, 2) defer preliminary plat approval until

deficiencies are addressed, or 3) grant preliminary plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

C. Final Plats – Major Subdivisions: None

D. Preliminary and Final Plats - Major Subdivisions:

**1. Logan’s View (Lots 5-9) off Hutton Ridge Road by J. Dall
Construction: 5 lots served by two common driveway easements.**

Design of plat, plat description:

The preliminary and final plat for Logan’s View is a proposed 5 lot subdivision containing 5.2 acres located along Hutton Ridge Road.

The parcel is in the R-1 zone and the proposed density and lots sizes are appropriate. The parcel is gently rolling and slopes primarily away the county road. Lot 5 is a flag stem lot with road frontage; all four of the other lots are served exclusively by two separate common driveway easements

According to the preliminary plat all these lots are to be served by public water and individual septic systems. According the surveyor, none of the parcel is located in a floodplain. The proposed development has been reviewed inclusive of subdivision regulations for small lots to be served off a common driveway easement with public water, electric and individual septic systems.

Existing County Roads: Hutton Ridge Road is 18’ wide according to the county road list with adequate shoulders and ditches.

Septic, Sanitary Sewer: A preliminary soil map was supplied along with preliminary plat for Logan’s View (Lots 5-9) subdivision as required. The soil scientist has identified marginal soil characteristics. The environmental health department has given a favorable preliminary recommendation and is prepared to sign the final plats. Lot 9 has been identified with shaded field line areas on the final plat.

Utilities: Public water and electric are proposed to serve all lots for lots 5-9 of Logan’s View. All water and electric improvements shall be fully installed to each lot prior to final plat or a surety posted to the appropriate utility prior to final plat. Both utilities are prepared to sign the final plat that all lots are served by water and electric of provisions have been made by the owner.

Construction of Improvements: The two common driveways have been constructed and appear. The two drives appear to drain well and seed and straw has been applied along both sides of the driveways.

Drainage and Erosion Controls: As per the engineering department, a drainage plan was not required for this plat since the bulk of the drainage moves directly towards the rear of the parcel into the wooded areas. Both common drives were constructed to take advantage of the natural lay of the land and tie all the onsite drainage onto the parcel exclusively towards the wooded area in the rear. Minimal soil disturbance has occurred in preparation for this division. A county grading permit was required in the preparation of this preliminary and final plat.

Utilities: Public water and electric are to be installed to serve the lots. Both utilities are prepared to sign the final plat. Water shall be completed for final plat and electric shall sign the plat that service has been accommodated by payment agreement.

Property Owner's Association: A Maintenance Agreement or POA shall be recorded with the final plat inclusive of maintenance responsibilities for the common driveways for those lots respectively on either driveway.

Administrative Considerations: This proposed subdivision has been reviewed inclusive of the subdivision regulations for small lots and common driveway standards with public utilities and individual septic systems. The comments from the engineering department are included in this staff analysis. Staff has evaluated the road frontage lots and driveway locations and sight distance for all lots is satisfactory.

Outstanding Items to be completed:

1. Submission of fully executed maintenance agreement or POA for the common driveways.
2. Signature plats (including utility signatures or agreements) and a \$40.00 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary plat due to identified deficiencies, 2) defer preliminary plat approval until deficiencies are addressed, or 3) grant preliminary plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

E. Preliminary and Final Plats - Minor Subdivisions:

1. **Jordan Property off White Oak Lane by Gwendolyn Jordan: 3 lots; 2 lots with road frontage and 1 lot to be served by a 25' common driveway easement.**

Background: The preliminary and final plat for the Jordan Property is a proposed 3 lot subdivision containing 2.4 acres located along White Oak Lane.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and the proposed density is appropriate. The Jordan Property plat contains three proposed lots; one which is to be served exclusively by a common driveway easement that contains and established driveway. The parcel contains two structures and drains mainly away from the county road. All three of the proposed lots will access White Oak Lane by the common driveway easement only. All of the lots are to be served by public water, electric, and individual septic systems.

According to the plat, Lot 3 shown is only 29,600 square feet. The regulations require a minimum of 30,000 square feet with Health Department approval.

Existing County Roads: According to the county road list White Oak Lane is 12' wide. Minor Subdivisions of four lots or less per 12 month period are acceptable as per the Subdivision Regulations with respect to road criteria. The common driveway entrance is in place and requires no additional improvements along the county road.

Septic, Sanitary Sewer: The Environmental Health Department has reviewed the preliminary and final soils. All of the homes indicated on the plat are existing. As per the environmental health department all of the proposed lots are self contained and none of the field lines cross the proposed new lot lines. Lot 2 must be 30,000 square feet minimum. The environmental health department is prepared to sign the final plat once lot 2 is made larger.

Construction of Improvements: As of this time the common driveway has been constructed and appears satisfactory to meet the intent of the common driveway standards per the subdivision regulation requirements. The drive is well established, appears to drain well and has well established vegetation along both sides.

Drainage and Erosion Controls: A drainage plan was not required for this three lot plat. In addition all of the structures indicated on the plat and the driveway are all existing and no soil disturbance has occurred in preparation for this three lot division. Neither a Storm Water Pollution Prevention Plan (SWPPP) permit nor a county grading permit was required in the preparation of this preliminary and final plat.

Utilities: Public water has been installed to serve the lots as well as electric. Both utilities are prepared to sign the final plat.

Property Owner's Association: A Maintenance Agreement or POA shall be recorded with the final plat inclusive of maintenance responsibilities for the common driveway for lots 1-3.

Administrative Considerations: This proposed subdivision has been reviewed inclusive of the subdivision regulations for small lots and common driveway standards with public utilities and individual septic systems. The comments from the engineering department are included in this staff analysis. The proposed plat was reviewed for subdivision under the regulations for the Blount County Planning Region, any private covenants or restrictions are the responsibility of the owner(s).

Outstanding items to be completed:

1. Lot 3 shown is only 29,600 square feet. The regulations require a minimum of 30,000 square feet with Health Department approval. An updated plat must indicate 30,000 square feet minimum for lot 3.
2. Final POA or Maintenance Agreement documentation to be recorded with final plat.
3. Signature Plats and a \$20.00 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary plat due to identified deficiencies, 2) defer preliminary plat approval until deficiencies are addressed, or 3) grant preliminary plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

II. Misc. Items/Site Plans:

Misc Items:

1. **South Blount Utility Water Tower Site off Miser Station Road.**

This is a proposed utility lot for purposes of construction of a Water Tank.

This lot does not have a clearly identified access easement across Farmington Subdivision. Farmington is a very large parcel under first phase development on the front of the tract only. Access is not clearly identified from Miser Station Road across the Farmington parcel.

This plat would require a Variance from the lots standards for septic, electric, and water approval as well as certification from the Highway Department. The 20' easement would also require a variance.

NOTICE:

- A site plan shall be submitted to the Building Commissioner for Zoning Compliance. Contact Roger Fields at 681-9301.
- The owner (utility) shall apply for a county grading permit from the Blount County Storm Water Coordinator at 681-9301 and supply a copy of the permit at the time of the pre-construction meeting. All erosion controls must be fully installed and inspected by the Storm Water Coordinator prior to any on-site construction activities.
- The utility shall contact the Blount County Building Inspector at 681-9301 for building permits.
- Prior to any on-site construction the utility shall contact the Utility Inspector of the Blount Highway Department at 982-4652 regarding any utility construction to be done within the county right-of-way along any county roads.
- It is the responsibility of the owner and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Staff notes that the main outstanding issue is access easement, and suggests that this should be either resolved prior to plat approval or resolution made condition of plat approval. The Planning Commission has approved utility lots for the purpose of water towers, electric substations, etc. with variances to lot design on a regular basis to allow utilities to extend their services.

2. Request for variance of lot size requirements for division of Lot 1 of the Cecile E. Dotson Property along Roddy Branch Road.

The executor for the estate of Cecil Dotson and a prospective buyer request variance of lot size requirement under Subdivision Regulations to allow an equal size division of Lot 1 of the Cecil E. Dotson Property (platted February 2002 – see plat attachment).

Lot 1 was created in conformity with Subdivision Regulation and Zoning regulations applicable in 2002. An additional house was placed on Lot 1, reportedly in 2004, again in conformity with Zoning. At the time of plat and new house addition, minimum lot size was 25,000 square feet in both Subdivision Regulations and Zoning. Subsequently, the minimum lot size was increased to 30,000 square feet, exclusive of development hindrance which includes driveway easements.

The owner and prospective buyer wish to divide the two houses on Lot 1 onto separate lots. The total land area of the parcel at present is 60,548 square feet (1.39 acres). The common driveway takes up 11,152 square feet, leaving 49,395 square feet exclusive of development hindrance. If evenly divided, each lot would have 24,697 square feet of non-hindered area, 5,302 square feet less than required under present Subdivision Regulations.

If the total land area were to be evenly divided without consideration of common driveway development hindrance, each lot could contain the required 30,000 square feet, thus meeting Zoning requirements. Roger Fields should be contacted if either of the proposed new lots would fall below the 30,000 square feet minimum under Zoning, since this would imply a variance also under Zoning.

Staff finds that the Planning Commission has considered situations of multiple houses on a single lot created prior to regulations that would prohibit division, and has granted reasonable variance to allow division of the houses onto separate lots, provided that each lot could stand on its own for septic purposes (i.e. subject to standard three bedroom approval by the Environmental Department). Staff finds that the present request is of similar nature to past requests and allowance for variance would be appropriate with similar conditions. Staff notes also that the addition of one more lot would require either updating any common driveway easement maintenance agreement or institution of a formal common driveway maintenance agreement.

3. Replat of lots 8, 9, 10, 11 & 12 and a portion of the Recreation Area for Section 1 of Chalet Village off of Lindsey Street and Lake Shore Drive (Top of the World) by Ronald L. Campbell.

A variance for minimum lot size is requested in addition to a variance to the required right-of-way dedication along Lake Shore Drive.

See plat attached. The Planning Commission has granted variance to lot size to allow combination of existing lots of record that still do not meet present minimum lot size requirements and the owner requests that a variance be granted to allow the combination as shown. The variance request is for minimum lot size and the right-of way width dedication.

The issue of road width is one that the Commission has addressed before in similar situations, particularly for substandard lot .The previous actions took into consideration that combination of lots would be an improvement over the present lots of record situation, and accepted existing right-of-way so that the resulting combination of lots would not be adversely affected. The proposed combination would improve these existing lots of record in an old, established neighborhood, and should not adversely affect the existing road situation.

This item was deferred at the January 2007 regular meeting to have the proponent take this item to the Property Owner's Association for their approval prior to requesting a variance from the Planning Commission.

No information was provided back to staff in regard to the status of this item.

Following past precedence the Planning Commission typically denies the deferred item that does not have any additional information supplied without prejudice to future submission in order to clear that item from the agenda within the 60 day time window for action on the item.

pcmemos\2007-02-22 PC memo