

Think Quality - Think Future

Blount County Planning Department

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MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 273-5750)

DATE: July 1st - 17th, 2007

SUBJECT: Staff reports on agenda items for the *Thursday July 26th, 2007* regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
 - 1. **Montclair Subdivision off Pineview Road by Country Meadows LLC:
21 new lots off a proposed new county road.**

Analysis:

Design of plat, plat description: The parcel is located within the R-1 zone and the proposed density is appropriate. The preliminary plat for the Montclair Subdivision illustrates 21 small lots on a 24 acre parcel. A new paved county road section with cul-de-sac is planned to serve 19 of the lots. Lot 2R and lot 20 are served by an existing 50' easement. Lot 19 is to be served by a driveway easement across the flag-stem for lot 18. The parcel is gently sloping terrain and the bulk of the drainage will be directed towards the existing pond near the rear of the parcel that will become the main drainage detention facility for the subdivision. The bulk of the parcel is open pasture and is void of any farming activity.

Existing County Road(s): The county road list indicates that Pineview Road is 18.5 – 19.5 feet wide with adequate shoulders. According to the

highway department the proposed Montclair Subdivision is appropriate for the existing road serving the development.

Septic, Sanitary Sewer: The developer has supplied a preliminary soil analysis as required. The soil scientist has indicated natural drainage swales and marginal soil conditions. The environmental health department has reviewed all the proposed lots for septic tanks, field lines, and duplication areas and has stated that the proposal appears satisfactory for preliminary approval. Some possible lot line modifications on the final plat may be required particularly with the small lots sizes and the large drainage basin/pond in the lower section of the parcel.

Drainage and Erosion Controls: *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 at the time of the pre-construction meeting.*

The owner shall apply for and secure a county grading permit from the Storm Water Coordinator and all erosion control measures shall be in place and inspected by the Storm Water Coordinator prior to any on-site construction. It is the developer's responsibility to secure a Storm Water Pollution Prevention Plan (SWPPP) permit from the State of Tennessee for grading and clearing prior to commencing construction for the roads and drainage facilities for the proposed Montclair Subdivision. A copy of all applicable state and county grading permits shall be supplied prior to the pre-construction meeting with planning and engineering staff.

The project engineer supplied a drainage plan and calculations with the preliminary plat. All of the on-site drainage facilities shall be constructed for the entire development for any phased final plats.

Staff notes the natural swale and the existing pond on this parcel; special care should be given to drainage areas in such cases. The existing pond appears to collect drainage from the adjoining properties as well and drains the bulk of the parcel; lots 18 and 19 will drain primarily towards Pineview Road. The small barn near the crest of the hill is to be removed.

The remainder of the road drainage and detention plan appears satisfactory. Any changes in the field shall require as-built information be supplied. A final certification letter from the project engineer shall be required after project completion and prior to any final plats. All drainage features (including underground pipes outside the right-of-way) shall become the responsibility of a property owner's association to maintain. Adequate building sites for each lot must avoid drainage areas. All drainage facilities must be shown in easements on future final plats.

Proposed Road Plan: A road plan with profiles, cross section and proposed road layouts and road drainage facilities have been submitted. The road plan indicates road grades are all less than 13%.

The new regulations require the developer to install the new drive-over curbs and new road cross-section. A copy of the road details is available in the subdivision regulations and on-line. The intent of the new curbs is to eliminate the need to cut the curbs for home construction, and all conduit must be in place prior to binder surface application in order to reduce the short and long term damage to county roads. All road work is to be coordinated between the developer and the highway department and only after a preconstruction meeting with staff.

While lots 18 and 19 are to share a driveway, the planning commission has not required that an easement serving one lot (across another lot) be improved for final plat approval.

Adequate sight distance at the location of the intersection of Pineview Road has been verified by the engineering department. Some tree trimming along Pineview Road in either direction shall be coordinated by the developer with the Highway Department at the beginning of construction.

Public Water and Electric Utilities: Public water and underground electric are proposed to serve all of the lots in the new Montclair 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. Written verification shall be provided that a surety has been posted or the extension of services has been accommodated from the individual utilities prior to any phased final plats.

Property Owner's Association: The developer shall supply documents for a Property Owner's Association inclusive of all maintenance responsibilities for staff review prior to final plat. Staff also suggests that a maintenance agreement be in place for the shared driveway for lots 18 and 19.

Construction of Improvements: As of this time there has been no construction of any improvements on site for Montclair Subdivision

The developer shall contact the Highway Department to schedule the pre-construction meeting prior to any on-site construction for Montclair Subdivision. The comments of the highway department are included in this staff analysis as well as the comments of the storm water coordinator. Any and all modifications to roads, drainage and lot design shall be supplied to staff in writing with an updated preliminary plat submission.

Developer Notice:

- The owner shall contact the Planning Office at 273-5750 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.
- The owner shall supply a copy of the Storm Water Pollution Prevention Plan permit (SWPPP) from TDEC prior to the preconstruction meeting.
- 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 Pineview Road.
- The developer shall coordinate with the Subdivision Inspector at 984-3421 to schedule inspections during construction.
- 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.

Administrative Considerations:

The proposed Montclair Subdivision preliminary plat was reviewed inclusive of subdivision regulations for small lots along county roads with public water, underground electric and individual septic systems. As required, the preliminary plat was supplied with topographic information, road plan, drainage plan, calculations and preliminary soil information.

All road, drainage and utility construction shall be completed prior to releasing any phased final plat.

No lot shall be advertised or offered for sale prior to recording of any final plat.

Outstanding items to be completed:

1. All instructions in this staff analysis including pre-construction meeting, permits and construction of all improvements including road, drainage and utilities.

2. The new road sections shall be built to the new county curb and pavement requirements.
3. A Property Owner's Association shall be required for the storm drainage facilities and shared driveway for lots 18 and 19.

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. Sparks Mountain View Hideaway off Laurel Road in Laurel Valley by Tater Sparks: 17 small lots and a remainder greater than five acres off a 50' private road easement.

Background:

The preliminary plat for the Sparks Mountain View Hideaway is a proposed 17 lot subdivision containing 16.5 acres along 50' private road easements off of Laurel Road, with a remainder greater than 5 acres. The proposed development has been reviewed inclusive of subdivision and hillside development standards for small lots served by a private road easement with water, electric and public on-site sanitary sewer.

Analysis:

Design of plat, plat description:

The parcel is in the R-1 zone. This parcel is mountainous land that is densely vegetated and the entire parcel is currently vacant of any farming or other use. The proposed road is an old platted roadway for Laurel Valley that has never been completed. This plat re-arranges the lot configuration and includes a public sewer system to accommodate the small lot sizes. Once constructed the new private road is to become a part of the Laurel Valley Home Owner's Association for the long term maintenance. The drainage facilities and open space will become the responsibility of the owners in the proposed Sparks Mountain View Hideaway. Both maintenance regimes shall be clearly defined in the Property Owner's Documentation. The maintenance of the shared driveway shall become the responsibility of those lots served and addressed in the POA documents as well.

The proposed 17 lot subdivision can be accommodated off of the existing paved surface of Laurel Road at this location with the understanding that all improvements shall be the responsibility of the owner.

Septic, Sanitary Sewer:

All of the lots shown are to be served by an on-site sewer system. The developer has supplied a letter from Tennessee Wastewater Systems Incorporated (TWSI) stating their intent to operate the sewer system with all required approvals from the Tennessee Regulatory Authority; TWSI is a public utility. The developers have supplied a soil letter from a soil scientist indicating that the sanitary septic area has adequate soils for the new sewer system.

The sewer system shall to be constructed and the State of Tennessee shall approve the wastewater collection system. TWSI shall certify the installation, operation, maintenance and ownership of the sewer system to serve these lots on the Final Plat. The area identified on the plat for use by the public sewer utility shall identify the ownership of the area to contain the sand filtration sewer system and drip fields. A 25' access easement has been included on the plat to allow for construction and maintenance of the sewer facilities. This will become a public utility lot once approved on the final plat, inclusive of any variances to lot requirements for a public utility.

While all of these lots are to be served by public sewer, the R-1 zone requires minimum lot sizes to be 30,000 square feet. Lots 131 and 132 shall be made larger to meet this minimum lot size requirement.

Existing County Roads:

The road list for the county shows that Laurel Valley Road (that leads to Laurel Valley) is 18 to 19 feet wide. The internal roads inside Laurel Valley are the responsibility of the Home Owner's Association. According to the highway department the proposed Sparks Mountain View Hideaway Subdivision is appropriate for the existing county road serving the development.

Utilities:

Public water and electric are proposed to serve all lots. 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 17 lots shown shall all be served by underground electric.

Drainage and Erosion Controls: 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.

The owner shall apply for and secure 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. In it is the developer's responsibility to secure a Storm Water Pollution Prevention Plan (SWPPP) permit from the State of Tennessee for grading and clearing prior to commencing construction for the roads and drainage facilities for the proposed Sparks Mountain View Hideaway Subdivision. *All state and county erosion control permits shall be supplied to staff at the time of the pre-construction meeting.*

The project engineer supplied a drainage plan and calculations with the preliminary plat. All of the on-site drainage facilities shall be constructed for the entire development for any phased final plats. Staff notes steep mountain terrain and natural swales on this parcel. Special care should be given to drainage areas in such cases including sedimentation controls during construction.

The drainage plan indicates the construction of ditches, pipes and detention facilities to accommodate these 17 new lots and roadway as the bulk of the drainage will be directed to two new detention basins. The road drainage, detention plan and calculations appear satisfactory for preliminary approval.

Any changes in the field shall require as-built information be supplied. A final certification letter from the project engineer shall be required after project completion and prior to any future final plats. All of the lots shown shall be included in the maintenance of the detention facilities. All drainage facilities shall become the maintenance responsibility of a property owner's association for this proposed subdivision. Adequate building sites for each lot must avoid drainage areas. All drainage facilities must be shown in easements on future final plats.

Construction of Improvements: All erosion controls to be in place prior to any on-site work. No new on-site construction until after a preconstruction meeting is held.

A portion of the road improvements have been completed years ago. A gravel surfaced driveway serves a few existing homes along this road easement. In order to build a new paved private road to meet the standards of the subdivision regulations major road construction including widening, grading, cutting, filling and drainage improvements will be required.

The private road for these 17 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, any sections that go beyond 13% shall require a variance. The project engineer has indicated that road grades less than 13% should be feasible for the entire length of the project.

The entire private road shall be built on a compacted earth surface void of substandard soil conditions 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 and be a minimum of 24 feet wide between ditches on both sides of the road. The downhill slope shall not require a ditch in most cases provided the 3 foot or greater shoulder is maintained and sloped away from the roadway to drain properly. In areas where greater length of shoulder is constructed, a ditch may be required with frequent breaks to direct water off of the roadway and down the slope.

The gravel surface application shall be spread a minimum of 6 inches thick of pug-mix and rolled with a steel drum roller. A consistent depth of stone shall be achieved 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 binder course shall be 2" thick and the top course of asphalt shall be 1" thick. 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.

Planning staff will evaluate the proposed paved private roadway for necessary guardrails once the stone surface application is in place after all grading and earth moving has been completed. All of the drainage tiles have been sized by the project engineer and shall be completely installed prior to stone surface application. All utility conduit shall be in installed and inspected before the stone surface application as well.

The new intersection improvements at Laurel Road have been modified as requested by staff to achieve a more standard road design. The project engineer has verbally confirmed the new intersection design at Laurel Road does meet AASHTO standards for a mountain roadway and has included 50' paved turning radiuses to allow for improved turning movements. The final plat shall also include a sight distance easement and removal of vegetation at this corner to improve sight distance permanently.

Property Owner's Association:

The developer shall supply documentation for a Property Owner's Association for Sparks Mountain View Hideaway inclusive of 1) private road maintenance (with Laurel Valley HOA), 2) common drive maintenance, 3) drainage and detention maintenance, 4) open space considerations, and 5) maintenance of the sight distance easement.

Administrative Considerations:

As required the preliminary plat was supplied with topographic information, drainage plan, drainage calculations, road plan, profile and a letter from the public sewer company stating intent to own and operate the sewer system. The comments from the engineering department and the storm water coordinator are included in this staff analysis. Staff is also acknowledging that this plat contains steep terrain and gullies. These drainage areas shall be identified with easements.

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

No lot shall be advertised or offered for sale prior to recording of any final plat.

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 may 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 (if applicable).
- 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.

Outstanding items to be completed:

1. All instructions in this staff analysis, including pre-construction meeting, permits and construction of all improvements including road, drainage and utilities.
2. POA documentation to be supplied to staff for review prior to final plat
3. Sight distance along Laurel Road shall be achieved at the entrance by a combination of removing the vegetation and creating a platted sight distance easement, this shall occur when construction commences on-site.

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.

3. Homestead West Subdivision Phase 2A preliminary plat and variance request.

See attached Homestead memo

C. Final Plats – Major Subdivisions:

1. **Overlook at Montvale Phase 1 off Happy Valley Road by Harmony Property Group: 24 lots to be served by new paved private roads contained in 50' private road easements.**

Background:

The preliminary plat was approved by the Planning Commission at the May 2006 regular meeting. The preliminary plat for the Overlook at Montvale was approved as an 80 lot Planned Unit Development (PUD) with a cluster development.

The Phase 1 final plat contains 24 lots on 51 acres with 73 acres of open space and 8 acres of private road right-of way.

Analysis:

Design of plat, plat description:

The property is 280 acres located in the R-2 zone. The proposed preliminary plat indicated 80 lots on 140 acres with 120 acres of open space and 20 acres of private road right-of-way. While the minimum lot size in the R-2 zone is 5 acres, the cluster development with a commensurate amount of dedicated open space allows for lots to be a minimum of 1.5 acres each. All of the lots show area at or greater than the minimum for cluster development. All lots have at least 35,000 square feet outside any development hindrance.

All of the lots are to be served off of the internal private road system, the loop roads will be completed with future phases of development. A turnaround has been incorporated into the design before a planned gate to allow for vehicles to turn around before entering the subdivision.

The developers have indicated that the entrance area will also contain a mail kiosk and other common facilities and the entire community is to be gated. A lodge and cottage are also included in the entrance design. These features have not been constructed and are not germane to the final subdivision plat and may be completed at any time.

The parcel is gently rolling to steep terrain and has areas that are relatively flat as well. The parcel is heavily forested and the developers have included additional easements on each lot that contain tree covered buffers to keep the area as natural as possible and preserve the undisturbed mountain sides. The parcel contains several drainage areas

including some step grades that are all to have independent drainage controls and drainage easements.

Existing County Roads:

Off-site collateral damage over the haul route is being coordinated between the developer and the highway department at this time.

Individual Septic Systems:

The environmental health department has reviewed all the proposed lots for septic tanks, field lines, and duplication areas, natural swales and steeper terrain and has begun final field evaluation and is preparing to sign the final plats. Some minor lot line adjustments were required from preliminary plat design, but overall design was maintained. All of the lots are to accommodate area for wells as per the subdivision regulations.

Drainage Plan, Erosion Controls and Road Plan:

An erosion control plan, SWPPP and ARAP permits and county grading permits were supplied as required for Phase 1. Erosion controls were employed during construction and post construction. The Storm Water Coordinator has inspected all on-site erosion control measures and has confirmed they are satisfactory.

Some final construction including removing piled up rip-rap along the length of the ditches is still underway including additional soil stabilization, bank stabilization, erosion control measures, seeding and some laying back extended shoulders to gain positive shedding of water over the edge of the hillside.

A road plan with profiles, cross section and proposed road layout and road drainage facilities were previously submitted. As mentioned above the bulk of the road work has been completed.

The project engineer shall certify in writing that all of the road, drainage and detention facilities for Phase 1 have been built in accordance with the project engineering plans and specifications and that road grades do not exceed 15% as required prior to releasing the final plat. Field inspections will also be required prior to releasing the final plat for Phase 1.

Water and Electric Utilities:

Public water is not available at this location. All of the lots are to be served by well.

Underground electric conduit has been installed to serve all of the lots. All electric improvements shall be fully installed to each lot or a surety posted to the electric utility prior to final plat. Written verification that a surety has been posted or the extension of services has been accommodated shall be supplied by the individual utilities prior to final plats being released.

Construction of Improvements:

Staff instructions for the construction of the roads and utilities as listed in the preliminary staff analysis, in addition the approved road and drainage plans have been employed by the developer and the bulk of the on-site construction is nearing completion. All exposed earth must be planted in seed and covered in straw and all erosion control measures shall be in place until such time as the SWPPP is released from the state.

The paved road sections consist of 6 inches of base stone, 1.5 inches of binder course and a 1" top course. Completion of ditches, rip-rap removal and readjusting extended shoulders as mentioned above is underway.

The developer is working on finishing the project in short order; by the time of the meeting or shortly thereafter to wrap up construction, cleanup and administrative items with the signature plats.

Staff is comfortable with the submission of the final plat at this stage since the surety procedure allows a final plat for consideration at this stage (for non private road developments). The developer intends to complete the project in a timely fashion and staff has administratively held, inspected, completed administrative items, and had the secretary of the commission delay signing of the final plat pending completion of outstanding items for final plats at this stage of completion.

Guard rails shall be installed, as per plan prior to releasing any final plat. All road signs, and line painting or reflectors (if applicable) shall be installed prior to releasing final plat.

Property Owner's Association:

The developer shall supply a copy of a Property Owner's Association for the Overlook at Montvale for the maintenance responsibility for the drainage facilities, private roads and other common elements including open space for staff review prior to final plat being released. POA documents were delivered at time of this memo and are being evaluated.

Administrative Considerations:

The proposed Overlook at Montvale was reviewed inclusive of subdivision regulations for cluster development lots along paved private roads without public water, with underground electric, and individual septic systems.

The comments from the Highway Engineering Department and Environmental Health Department are included in this staff analysis.

Staff field inspections during these final phases of work and planning administrative functions should allow for the timely completion of the Phase 1 project.

Outstanding Items to be Completed:

1. Completion of all on-site construction items and erosion controls, as noted in this staff analysis for Phase 1.
2. Final signature plats with all certifications, including the environmental health department and electric (or a surety posted to the electric provider).
3. POA documentation for staff review.
4. Installation of all guard rails, painting, reflectors and road signs.
5. 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 final plat due to identified deficiencies, 2) defer final plat approval until deficiencies are addressed, or 3) grant final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies

2. Re-subdivision of the Sheets Property by Roger best off Clendenen Road: 4 proposed lots; 1 with county road frontage and 3 to be served exclusively off a 25' common driveway easement.

Background:

The preliminary plat was approved at the April 2007 regular meeting. The Re-subdivision of the Sheets Property is a proposed 4 lot subdivision containing 3.1 acres with a 25' common driveway easement off of Clendenen Road. All four lots indicated are to be served off the common

driveway easement for safety purposes; Lot 2R-1 shall not have any additional driveways along the county road.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone. Final on-site construction is underway. The proposed common driveway proposal is satisfactory with the information supplied and subject to staff analysis. The parcel is gently rolling pasture and woodland on a relatively mild grade. The parcel contains one existing home and the remainder is currently vacant of any other use.

All of the proposed lots are to be served by public water, electric and individual septic systems. This plat does not require electric to be installed underground. None of the parcel is located in a floodplain.

Septic, Sanitary Sewer: The Environmental Health Department has reviewed the preliminary and final soils and has indicated the final plat is satisfactory and is prepared to sign the final plat.

Existing County Roads: Adequacy of roads was evaluated at preliminary plat stage. The location of the proposed common driveway is satisfactory.

Utilities: All water and electric improvements have been paid for or bonded with the respective utilities. Both water and electric are prepared to sign the final plat in the affirmative.

Construction of Improvements: The bulk of the on-site improvements have been completed. A "T"-turnaround, additional gravel and reseeding and straw application are in progress. Staff supplied detail instructions in the preliminary plat analysis on the installation of the common driveway and supplied a copy to the owner. A note shall be added to the final plat that lot 2R-1 shall not have any other driveway access along Clendenen Road

Drainage and Erosion Controls: Drainage information and calculations were not required for this plat. Erosion control measures were employed and a grading permit secured as required for construction. On-site erosion controls were monitored by the storm water coordinator.

Property Owner's Association: The owner shall supply a Maintenance Agreement or Property Owner's Association inclusive of maintenance responsibilities for the common driveway for staff review prior to releasing the final plat.

Administrative Considerations: The proposed Re-subdivision of the Sheets Property was reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, electric and individual septic systems. The comments from the engineering department, storm water coordinator and environmental health department are included in this staff analysis.

Outstanding items to be completed:

1. A note shall be added to the final plat lot 2R-1 shall have driveway access only off of the common driveway.
2. Completion of common driveway stone surface, t-turnaround, seed and straw; to be field inspected.
3. Signature plats with electric and water certifications.
4. Copy of POA/Maintenance Agreement documentation to be supplied to staff for review prior to final plat submission.
5. \$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 final plat due to identified deficiencies, 2) defer final plat approval until deficiencies are addressed, or 3) grant final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

D. Preliminary and Final Plats - Major Subdivisions:

1. **Re-plat of Lot 24 Ghormley Estates off Hitson Road by Joseph Gerard & Sylinda Sanchez: 4 lots served off a 25' common driveway easement and 1 lot of record.**

Background: The preliminary and final plat for the Re-plat of Lot 24 of Ghormley Estates is a proposed 4 lot subdivision containing 10 acres located along Hitson Road. The Ghormley Estates plat dates back to 1990; this section was never constructed. This plat intends to remove all the old lot lines and the easement shown. This is a net four-lot subdivision since Lot 24 is an existing lot of record.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and the proposed density is appropriate. The re-plat contains four proposed lots;

all of which are to be served by a common driveway easement that contains an established driveway. Lot 24R is a lot of record being revised slightly and shall access the common driveway easement as well. This situation is allowable and has been approved before. The parcel contains one structure and the parcel drains mainly away from the county road. All 4 of the proposed new lots will access Hitson Road by the common driveway easement only. All of the lots are to be served by public water, electric, and individual septic systems.

Existing County Roads: According to the county road list Hitson Road 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.

Septic, Sanitary Sewer: The Environmental Health Department has reviewed the preliminary and final soils. 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. The environmental health department is prepared to sign the final plat once the final field evaluation has been completed pending any lot line modifications.

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. A road grader shall re-dress the gravel surface driveway and smooth the surface and pot-holes and a "T"-turnaround shall be installed. Minor improvements at the entrance have been discussed with the project surveyor. Seed and straw shall be applied along the exposed earth at the entrance. All of these items shall be completed prior to releasing the final plat.

Drainage and Erosion Controls: A drainage plan was not required. The structure indicated on the plat and the driveway are existing and no soil disturbance has occurred in preparation for this subdivision. 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 and electric shall be installed or a surety posted to serve the lots. 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.

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.

Outstanding items to be completed:

1. Final POA or Maintenance Agreement documentation to be recorded with final plat.
2. Signature Plats with all certifications 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 and final plat due to identified deficiencies, 2) defer preliminary and final plat approval until deficiencies are addressed, or 3) grant preliminary and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

E. Preliminary and Final Plats - Minor Subdivisions: None

II. Misc. Items:

1. Extension of Preliminary Plat for River Ford Subdivision on River Ford Road by Larry McClanahan.

The River Ford preliminary plat was approved at the regular meeting of the Planning Commission on September of 2005. The Preliminary plat was extended at the September 2006 regular meeting until September of 2007.

This is the 2nd request for extension of the preliminary plat. This request is for the same approval of the plat including the staff analysis and standards of the planning commission as applied to the plat in September of 2005 with the original approval. No on-site work has begun. The developer has decided to sell this project to another party who intends to commence construction before the preliminary plat expires. The request for the extension is simply to allow more time to get the project completed. See letter from developer attached giving reasons for request.

The current regulations allow for 24 months currency of preliminary plat with a 12 month extension, or a 36 month preliminary plat window. This request falls in line with that time frame and with the new rules for preliminary plat currency.

Extension of preliminary plat approval is at the discretion of the Planning Commission. There is no indication in the Subdivision Regulations that there is a vested right to an extension. There is no indication of specific time limit of extension, other than that set by the Planning Commission at its discretion. Past practice has allowed preliminary plats to be approved beyond two or more years when construction was underway, when phased development occurred over several years, and when unforeseen circumstances have slowed the progress towards project initiation or completion.

Copy of McClanahan letter attached:

pcmemos\2007-07-26 PC memo