

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: August 1st - 15th, 2007

SUBJECT: Staff reports on agenda items for the *Thursday August 23rd, 2007* regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
1. **Homestead West Subdivision, Phase 2 off East Miller's Cove by Naterra Land, Inc. (formerly Taylor Investments - Four Seasons Properties), 40 lots on 120 acres along road previously approved in Phase 1.**

See attached Homestead memo

- C. Final Plats – Major Subdivisions:
1. **Grand Pines on the Creek off Tomotley Road by Matt Caldwell/SEC Properties. 18 large tracts served by a 50' private road easement.**

Background:

The preliminary plat for Phase 1 was approved for four lots by the Planning Commission at the February 2006 regular meeting. The Phase 2 preliminary plat for the remaining lots was approved at the February 2007 regular meeting. This final plat for Grand Pines includes all 18 lots from

Phase 1 and Phase 2. Under the new regulations preliminary plats are active for 24 months.

Analysis:

Design of plat, plat description:

The preliminary plat for Grand Pines on the Creek Phase 1 included 4 lots containing 24.5 acres with future development along a 50' private road. The preliminary plat for Grand Pines on the Creek Phase 2 included the future development area showing 15 lot containing 117 acres along the extension of the 50' private road easements off of Tomotley Road. All of the lots are to be served off of the internal private road system.

The parcel is in the R-1 zone. This parcel is relatively rolling land that is densely vegetated. Several sink holes defined by permanent easements are located on the parcel. In addition there is a large drainage easement at the new road location. An additional sight distance easement shall be required on lot 18 to be specified to the surveyor by staff.

A portion of the property is located within the Zone "A" flood boundary according to the project engineer. 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 proposed road crosses a section of the floodplain and a wet weather conveyance.

All the lots are to be served by public water and individual septic systems. The owners have opted to not submit two separate final plats, but rather to complete the entire road and utility improvements and submit 1 combined final plat.

Existing County Roads:

The proposed subdivision with a private road can be accommodated off of the existing paved surface of Tomotley Road.

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

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 completed final field evaluation and is preparing to sign the final plats.

Drainage Plan, Erosion Controls and Road Plan:

An erosion control plan and SWPPP permits and county grading permits were supplied as required for Grand Pines on the Creek. Erosion controls were employed during construction and post construction. Some additional erosion control measures, as specified by the Storm Water Coordinator shall be completed prior to releasing the final plat. These items include:

- Fill in and stabilize around head wall and apron of pipe outlets located in fill section at entrance.
- Remove collected sediment at pipe inlets located in fill section at entrance.
- Replace silt fence below pipe outlet located at lot #15.
- Place rip-rap outlet protection at pipe located at lot #6. Stabilize drainage area below pipe outlet.
- Disturbed areas need to be re-seeded during a time that will allow for seed germination.

A road plan with profiles, cross section and proposed road layout and road drainage facilities were previously submitted. The road work has been completed.

The project engineer shall certify in writing that all of the road, drainage and detention facilities for Grand Pines on the Creek have been built in accordance with the project engineering plans and specifications as required prior to releasing the final plat. Field inspections will also be required prior to releasing the final plat for all outstanding items.

Water and Electric Utilities:

Public water has been installed and the utility is prepared to sign the final plats.

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 was 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 private road sections consist of 6 inches of rolled pug mix and the entrance has been partially paved. Some improvements to the paved surface entrance shall be completed to the satisfaction of staff prior to releasing the final plats. The right hand turning radius needs to be reconstructed completely and repaved. The top coat of asphalt shall also be applied to the paved surface entrance prior to releasing the final plat.

Guard rails shall be installed, as per plan prior to releasing any final plat. All road signs shall also be installed prior to releasing final plat.

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 as all of the items should be completed within days or weeks with good weather. 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.

Property Owner's Association:

The developer shall supply a final copy of a Property Owner's Association for Grand Pines on the Creek inclusive of maintenance responsibility for the drainage facilities, sink holes, private roads, and sight distance easement and other common elements 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 comments from the Highway Engineering Department, Storm Water Coordinator 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 project.

Outstanding Items to be Completed:

1. Completion of all on-site construction items noted in the staff analysis and all erosion control items from the storm water coordinator.
2. Reconstruction of entrance turning radius and top coat of paving on the paved entrance. Bush-hog site distance easement and remove small tree on power pole.
3. Final signature plats with all certifications, including the environmental health department, water and electric or a surety posted to the electric provider and water. Adding a sight distance easement to the final plats.
4. Final POA documentation for staff review.
5. Installation of all guard rails and road signs.
6. 40.00 per lot platting fee.
7. Final drainage and road certification letter and as-builts from the project engineer.

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. **Meadow View Estates off Centenary Road by Ronnie Davis: 4 proposed lots; 3 with county road frontage with all 4 of the lots to be served exclusively off a 25' common driveway easement and a remainder greater than five acres.**

Background:

The preliminary plat was approved at the June 2007 regular meeting.

Analysis:

Design of plat, plat description:

The preliminary plat for Meadow View Estates is a proposed 4 lot subdivision containing 2.8 acres with a 25' common driveway easement off of Centenary Road. All four lots indicated are to be served off the common driveway easement for safety purposes; Lots 1, 2 and 4 shall not have any additional driveways along the county road. Lots 1 and 4 have been enlarged to accommodate the minimum lot size of 30,000 square

feet outside of area of development hindrance for the common driveway easement.

The parcel is in the R-1 zone. Since this four-lot plat contains a proposed common driveway it is considered a major plat. The proposed common driveway proposal is satisfactory with the information supplied and subject to staff analysis. The parcel is gently rolling on a mild grade and is currently vacant of any other use. All of the proposed lots are to be served by public water, electric and individual septic systems. None of the parcel is located in a floodplain.

Existing County Roads:

This proposed common driveway division can be accommodated off of Centenary Road

Individual Septic Systems:

The environmental health department has reviewed all the proposed lots for septic tanks, field lines, and duplication areas and has completed final field evaluation and has signed the final plats.

Drainage Plan, Erosion Controls and Road Plan:

A SWPPP permit was not required according to the project engineer. A county grading permit was supplied as required. Erosion controls were employed during construction and post construction and appear to be in good shape. No additional erosion control measures have been specified by the Storm Water Coordinator.

A common driveway has been installed according to the subdivision regulation requirements and preliminary staff analysis. No drainage plan or certification of drainage facilities was required for this project.

Water and Electric Utilities:

Both the public water and electric utilities have signed the final plats.

Construction of Improvements:

Staff instructions for the construction of the common driveway and utilities as listed in the preliminary staff analysis have been employed by the developer and the bulk of the on-site construction is nearing completion. The common driveway consists of 4 inches of rolled pug mix and appears satisfactory. 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 vegetation is reestablished on-site.

Maintenance Agreement:

The developer shall supply a Maintenance Agreement or Property Owner's Association inclusive of maintenance responsibilities for the common driveway for staff review prior to final plat. This item has not been supplied.

Administrative Considerations:

The comments from the Highway Engineering Department, Storm Water Coordinator 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 project.

Outstanding Items to be Completed:

1. A note shall be added to the final plat that lots, 1, 2, and 4 shall not have any other driveway access along Centenary Road or Indian Warpath Road.
2. Copy of POA/Maintenance Agreement documentation to be supplied to staff for review prior to final plat being released.
3. \$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

3. Window Ridge Subdivision Phase 2 by LB Lee Development off Gregory Road: 19 proposed small lots off a proposed new county road section.

Background:

The preliminary plat for Window Ridge Phase 2 was approved by the Planning Commission in May of 2006. Under the new regulations preliminary plats are active for 24 months.

Analysis:

Design of plat, plat description:

The parcel is in the R-1 zone. All of the proposed lots indicate the minimum lot size requirement of 30,000 square feet outside of any area of development hindrances. The final plat for Window Ridge Phase 2 is a proposed 19 lot subdivision containing approximately 18 acres of development off of Gregory Road. This parcel is gently rolling pasture land. The proposed plat illustrates all new lots to be served by a proposed new paved county road.

A natural gas pipeline and easement dissects the property and certification for driveway access from the utility company was secured by the developer. According to the project surveyor, none of the parcel is located in a floodplain. The proposed development has been reviewed inclusive of subdivision regulations for small lots with a new county road section with a cul-de-sac, public water, under ground electric and individual septic systems.

Existing County Roads:

The proposed subdivision can be accommodated off of the existing paved surface of Gregory Road. The internal road system for Window Ridge provides two access roads to Gregory Road.

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 completed final field evaluation and has signed the final plats.

Drainage Plan, Erosion Controls and Road Plan:

An erosion control plan and SWPPP permits and county grading permits were supplied as required for Grand Pines on the Creek. Erosion controls were employed during construction and post construction. Some additional erosion control measures, as specified by the Storm Water Coordinator shall be completed prior to releasing the final plat. These items include:

- Stabilize area along the southwestern property boundary used for spoil area.
- Pour concrete along inverts within catch basin structures to guarantee positive flow and to prevent ponding within structures.
- Stabilize drainage ditch from detention pond outlet and guarantee positive flow away from roadway with no ponding affect within drainage easement.
- Engineer's certification letter for detention pond.

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

The project engineer shall certify in writing that all of the road, drainage and detention facilities for Window Ridge Phase 2 have been built in accordance with the project engineering plans and specifications as required prior to releasing the final plat. Field inspections will also be required prior to releasing the final plat for all outstanding items.

Water and Electric Utilities:

Both public water and electric utilities have signed the final plats.

Construction of Improvements:

Staff instructions for the construction of the roads and utilities was listed in the preliminary staff analysis, in addition to the approved road and drainage plans, and have been employed by the developer. 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 road sections have been built to county road standards. Staff is comfortable with the submission of the final plat at this stage as all of the items should be completed within days of this staff memo with good weather.

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.

Property Owner's Association:

The developer supplied a copy of a Property Owner's Association inclusive of maintenance responsibility for required facilities and common elements for staff review (in progress).

Administrative Considerations:

The comments from the Highway Engineering Department, Storm Water Coordinator 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 project.

Outstanding Items to be Completed:

1. Renewal of Preliminary Phase for Phase 2 of Window Ridge.
2. Installation of a stop sign at the Phase 1 intersection (uphill section of roadway) to be provided by the developer.
3. Completion of all on-site construction items noted in the staff analysis and all erosion control items from the storm water coordinator.
4. Final signature plats with all certifications.
5. A note shall be added to lots 39 and 40 noting possibility that water may pond temporarily in rain events at low points adjacent to the drainage swale.
6. Final POA documentation for staff review.
7. 40.00 per lot platting fee.
8. Final drainage and road certification letter from the project engineer.

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: None

E. Preliminary and Final Plats - Minor Subdivisions: None

II. Misc. Items:

1. Extension of Preliminary Plat for Agape Woods Subdivision on Laurel Road in Laurel Valley by Roland Hayes.

The Agape Woods preliminary plat was approved at the regular meeting of the Planning Commission in 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. Minimal on-site work has begun including road grading and bush hogging. The developer intends to commence construction before the preliminary plat expires in September of 2007. The request for the extension is simply to allow more time to get the project completed.

The developers request is attached in writing regarding the situation making this request necessary.

The current regulations allow for 24 months currency of preliminary plat with a 12 month extension. Thus 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.

A six month extension would be appropriate however staff feels that a 12 month extension would fall in line with the 36 month plat currency and allow for more flexibility should any other unexpected delays occur.

Copy of Hayes letter attached:

2. Re-plat of lot 2R Kinzel Springs off of Old Walland Highway by Mark Payne.

A variance for minimum lot size is requested.

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.

The entire tract is below the 988 foot flood elevation of the Little River. This is the existing situation of the two lots being combined. The Subdivision Regulations require all lots to have a buildable area outside of the Floodplain. The Planning Commission has not granted a variance to the requirement for a buildable area outside of a floodplain for any lots. However the Planning Commission has accepted re-combinations in similar situations only when they involve lots of record.

The Surveyor has noted the 100 year flood elevation and has shown the flood elevations at each boundary corner. Any construction on this lot will require the owner to comply with the Floodplain Zoning Resolution and the owner shall be required to secure a building permit from the Building Commissioner to meet the requirements of construction at this location.

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.

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