

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: November 1st - 14th, 2007

SUBJECT: Staff reports on agenda items for the ***Tuesday November 20th, 2007*** regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
 - 1. **Dennis Weaver property off Jeffries Hollow Road by Dennis Weaver: 4 proposed lots served exclusively off a common driveway easement.**
 - 2. **Gertrude and Hobert Carnes Property off Keener Road by Dennis Weaver for Gertrude Carnes: 4 proposed lots served exclusively off a common driveway easement.**

Items B1 and B2 were submitted by Dennis Weaver on the 1st of November and these items were published on the planning commission agenda in the news paper. Since that time the developer has submitted a letter requesting both items to be withdrawn from the agenda. (See attached letter and affidavit).

Appropriate action would be to vote accept the letter from Dennis Weaver and vote both of the above items off of the agenda.

3. Fairway Vista Subdivision preliminary plat by Susan King with extension of Hunter Run Road off of Laurel Road in Laurel Valley development.

This item was deferred at the September 2007 regular meeting citing the lack of items necessary for preliminary plat consideration. The preliminary plat was removed from the October 2007 regular meeting by Sterling Engineering on behalf of the owner, with request that it be introduced again in November.

In September of 2007 planning staff prepared the following list of items to be submitted for a full staff analysis as required in the subdivision regulations:

- Lot and road layout in plat form
- Topographic map
- Road plan and profiles
- Drainage plan including calculations and design of any required detention
- Erosion control plan
- Engineering plan for alternative sewer system (if still planned)

The plans may also require state permits prior to construction. Ultimately, the plans for the alternative sewer will need approval by the state (record is not clear on currency of previous approval), and a Public Utility will need to certify construction and take over management of the system.

As of November 2007 the following is the status of items submitted for preliminary plat consideration:

1. Lot and road layout in plat form. Lot layout has been supplied however Lot 8 has no place for a driveway or access to the lot. This has been discussed with Sterling Engineering for re-design and none has been resubmitted.
2. Topographic map. A field topographic map has been supplied and is satisfactory.
3. Road plan and profiles. The Road Plan and profile has been supplied as required for plat submission. The road plan indicates a standard cul-de-sac will be installed rather than the current one. In addition, staff has requested that road cores be supplied since the road has been paved without any previous inspections or field review (at the risk of the owner). No core samples have been supplied as of this date.

4. Drainage plan including calculations and design of any required detention. A general drainage plan has been supplied for an existing drainage structure that has been constructed on lot 8. Staff has requested the limits of the detention easement to be placed on Lot 8, in addition to insuring the existing area labeled as detention actually functioning as a detention facility since the existing standpipe in the depression feature suggests this detention facility has the capacity to retain rather than detain storm water.

This has been discussed with Sterling Engineering with some preliminary comments and suggestions on how to make this pipe and drainage area function as a detention pond. As of this date, neither the revised drainage plan nor the calculations have been supplied.

5. Erosion control plan. The engineer has supplied an erosion control plan for the revised cul-de-sac road section. No permits have been supplied.
6. Engineering plan for alternative sewer system (if still planned). The sewer plan has not been engineered or submitted to the state and staff has no indication of where the sewer system is to be placed on the ground or what type of system is going to be constructed. In addition there are no state approvals of any system as confirmed by the proposed sewer utility representative (Michael Hines of TWSI). The design of the small lots on the plat would require a sewer system.

Proper action would be to deny the preliminary plat for Fairway Vista without prejudice to resubmission citing the preliminary plat deficiencies noted in the staff analysis above in order to remove the item from the agenda.

4. Lequire Property Subdivision off Bethel Church Road by Randy Jenkins: 11 proposed lots to be served off a new county road.

The Preliminary Plat for the Lequire Property was deferred at the October 2007 regular meeting citing the *outstanding items to be completed* in the staff analysis from October of 2007. Since that time no additional information has been presented. A meeting with the principals, the Highway Superintendent, Engineering Department and Planning Staff occurred on-site on Friday November 9th.

The project engineer has agreed to supply an updated drainage plan and calculations inclusive of a plan to move storm water down Bethel Church Road and a sight distance easement agreement with the adjacent neighbor and present these items to staff as soon as possible.

Mr. Dunlap has agreed to confirm to the Planning Commission that the “proposed” storm water solution present by Vision Engineering at the intersection sounds acceptable with proper documentation prior to the meeting.

The following is previous staff analysis for reference.

Design of plat, plat description: The parcel is located within the R-1 zone and the proposed density is appropriate as all of the lots are greater than 30,000 square feet. The preliminary plat for the Lequire Property illustrates 11 small lots. A new paved county road section with cul-de-sac is planned to serve all of the lots shown. All of the proposed lots are to be served by individual septic systems and public water. All electric shall be underground.

The parcel is heavily wooded sloping terrain and the bulk of the drainage will be directed towards a drainage facility near the front of the parcel and into a tile to be placed under Bethel Church Road. A second drainage facility is planned to serve the rear of the parcel. All drainage features including underground pipes outside of the right-of-way shall become the responsibility of a property owner’s association to maintain. The parcel is currently vacant of any farming activity.

The proposed development has been reviewed inclusive of subdivision regulations for small lots along county roads with public water and individual septic systems.

Existing County Road(s): The county road list indicates that Bethel Church Road is 17 feet wide. Upon recommendation by the Highway Department the project engineer has supplied data regarding the road and shoulders along Bethel Church Road. The engineering report states that the road width is 18’ wide with adequate shoulders to the proposed location of this project. According to the highway department the proposed Lequire Property Subdivision is appropriate for the existing road serving the development.

Septic, Sanitary Sewer: The developer has supplied a preliminary soil analysis with the preliminary plat. The soil scientist has indicated natural drainage swales and marginal soil conditions. The environmental health department has reviewed the proposed subdivision and has stated that the plat appears satisfactory for preliminary approval. Lot line modifications on the final plat may be required particularly with the small lots sizes and the two drainage basins to be constructed in the lower sections of the parcel.

Drainage and Erosion Controls: The drainage plan indicates one of the drainage basins is to be constructed on lot 1. The plan indicates that a pipe is to be installed under Bethel Church Road with the intent to direct and drain a portion of the storm water runoff from this development across Bethel Church and onto an adjacent parcel. There is currently no tile under the county road at this location and no formal ditch or drainage easement that crosses the neighboring parcel. The drainage plan does not indicate any type of energy dissipaters on the outlet end of the tile to be located across the road on the neighbor.

Staff is of the opinion that some type of agreement shall be required between the developer and the neighbor in order to insure that the storm water runoff does not negatively impact the neighboring parcel. Without a formal agreement and easement in place for review with the drainage plan the preliminary plat is premature

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 any future pre-construction meeting.

The developer 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 Amburn Estates. A copy of all applicable state and county grading permits shall be supplied prior to the pre-construction meeting with planning and engineering staff.

All of the on-site drainage facilities shall be constructed for the entire development for any phased final plats. 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 drainage facilities contained outside of the proposed right-of-way(s) shall be the maintenance responsibility of a property owner's association for the subdivision. 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 shall be 13% or less. As-built profile shall be required for this roadway prior to final plat.

The road cross section supplied illustrates a 20' wide roadway with 3 foot shoulders with no ditches indicated. The Subdivision Regulations require either an 18' wide road with shoulders and ditches, or a curbed roadway 22 foot wide between the curbs.

A copy of the road details is available in the subdivision regulations and on-line. All conduit must be in place prior to binder surface application in order to reduce the short and long term damages to the county roads. All road work is to be coordinated between the developer and the highway department and only after a preconstruction meeting with staff.

Additionally, the sight distance at the proposed location does not meet the minimum requirements for safe stopping distance. Sight distance is restricted around the curve by vegetation across the street. Staff does not have adequate information at this time to determine if adequate sight distance can be achieved.

Public Water and Electric Utilities: Public water and underground electric are proposed to serve all of the 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. 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 owner shall supply Property Owner's Association documentation inclusive of maintenance responsibilities for the drainage facilities for staff review prior to final plat.

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

The proposed new road shall be built according to the project engineering plans and according to county road standards. 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, 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. The comments of the Highway Department and Storm Water Coordinator are included in this

staff analysis. 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 and at the time of the preconstruction meeting.

Developer Notice:

- Any construction prior to a pre-construction meeting with staff or required permits is at the risk of the owner.
- 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 Nine Mile 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.
- The developer shall contact TDEC for a Stream Determination and possible ARAP permit.

Administrative Considerations: The proposed Lequire Property 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. No lot shall be advertised or offered for sale prior to recording of any final plat.

The Highway Department does not support shedding water across the road at the proposed road entrance location onto the neighbor across the

street. The neighbor is not agreeable to any pipes being installed under the county road to put the detained water onto his parcel. Planning staff has not been supplied any assurances that the neighbor will allow tree removal or proof the site distance can be achieved in either direction.

All of the above shall be addressed at the time of the meeting pending the status of the project engineer to supply the following.

1. Updated drainage plan and calculations inclusive of a plan to move storm water down Bethel Church Road.
2. A sight distance easement agreement with the adjacent neighbor

The following is the previous list of outstanding items to be completed for reference.

1. A formal agreement shall be required between the developer and the neighbor across the street in order to insure that the storm water runoff does not negatively impact the neighboring parcel. Without a formal agreement and easement in place for review with the drainage plan the preliminary plat is premature.
2. Staff does not have sufficient information from the developer as to whether or not adequate sight distance can be achieved for the proposed new road intersection.

Mr. Dunlap and planning staff shall report the status of the progress of the revised drainage plan and calculations, the re-directing of storm water down Bethel Church Road, and the Sight Distance easement agreement at the time of the meeting.

Should the developer produce adequate information staff will report such and move towards preliminary plat approval. Should the Planning Commission agree that the outstanding items not meet the requirements for preliminary plat approval, since this plat was deferred, proper action would be to deny the plat without prejudice to resubmission noting the deficiencies of the plat submission as listed in the staff analysis in order to remove the item from the agenda.

C. Final Plats – Major Subdivisions: None

1. **Silver Brook Subdivision off Pineview Road: 22 new lots off a proposed new county road and 2 of the lots served by a common driveway easement.**

Background:

This plat was approved as a preliminary plat as Montclair Subdivision at the July 2007 regular meeting.

Analysis:

Design of plat, plat description:

The parcel is located within the R-1 zone and the proposed density is appropriate. The final plat for the Silver Brook Subdivision illustrates 22 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, 19 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 Roads:

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.

Individual Septic Systems:

The environmental health department has reviewed all the proposed lots for septic tanks, field lines, and duplication areas and natural swales and is completing the 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. Erosion controls were employed during construction and post construction. The site has recently been seeded and

covered in straw and on-site silt fencing and other erosion control measures will remain in place until permanent vegetation has been established.

As specified by the storm water coordinator and planning staff the project engineer shall certify in writing that all of the road, drainage and detention facilities 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 any outstanding items.

The road plan with profiles, cross section, topographic information, drainage plan and calculations had been submitted as required with the preliminary plat.

Water and Electric Utilities:

Both public water and electric utilities have been installed and both utilities are preparing to sign the final plats.

Construction of Improvements:

The staff instructions for the construction of the roads and utilities that were listed in the preliminary staff analysis, as well as the approved road and drainage plans 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. All drainage facilities appear to be satisfactory (pending engineering certification). The common drive has been installed correctly. Staff finds acceptable 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 for Silver Brook inclusive of maintenance responsibility for the drainage facilities and common elements for staff review (including the common driveway for lots 18 and 19).

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. Final signature plats with all certifications.
3. A note shall be added to lots 18 and 19 shall have no driveway access off of Pineview Road.
4. Final road and drainage certification letter from the project engineer.
5. Final POA documentation inclusive of maintenance responsibilities for the common driveway.
6. 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

D. Preliminary and Final Plats - Major Subdivisions: None

E. Preliminary and Final Plats - Minor Subdivisions:

1. **Mockingbird Hill off Freels Road: 4 proposed lots; 2 to be served by driveway easements.**

Background: The preliminary and final plat for Mockingbird Hill Subdivision is a proposed 4 lot subdivision containing 4.9 acres located along Freels Road.

Lot 1R-1 has a flagstem to the county road but is to be served by a 25' driveway easement across lot 1R-2 for safety purposes to locate the shared driveway entrance at the top of the vertical curve in Freels Road.

Lot 1R-3 has road frontage and lot 1R-4 is to be served off a 25' easement across 1R-2 and this easement shall act as a shared driveway entrance for these two lots for safety purposes.

Analysis: The parcel is in the R-1 zone and the proposed density is appropriate. The parcel is rolling terrain and slopes mainly away from the county road. According to the plat these lots are to be served by public water, electric and individual septic systems. None of the parcel is located in a floodplain according to the surveyor.

The road list for the county shows Freels Road as being 16.5 feet average in pavement width. Minor Subdivisions of four lots or less are acceptable as per the Subdivision Regulations with respect to road criteria.

The environmental health department has reviewed the preliminary and final soil information as supplied and is preparing to sign the final plat.

Construction of Improvements: No road or utility construction was required for this subdivision. The subdivision regulations do not require a driveway easement be improved when serving just one lot.

While neither driveway needs to be constructed for final plat. Both easements shown shall be utilized for dual driveway access (each shall serve as driveway access for two lots). A note shall be added to the final plat that Lot 1R-1 and 1R-2 shall have driveway access only off the 25' easement location shown on the plat, and that lots 1R-3 and 1R-4 shall only have driveway access off the 25' driveway easement shown. No other driveways shall be allowed on Freels Road. The existing driveway shall be removed and a driveway entrance shall be improved for lots 1R-1 and 1R- 2 at the time a new home is added to lot 1R-2.

Drainage and Erosion Controls: A drainage plan was not required for this 4-lot plat. In addition all of the structures indicated on the plat and the driveway are all in place and no soil disturbance has occurred in preparation for this 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. Individual lot owners shall contact the storm water coordinator at 681-9301 for grading permits prior to new driveway construction.

Utilities: Public water and electric are preparing to sign the final plats.

Administrative Considerations: The proposed Mockingbird Hill Property was reviewed inclusive of subdivision regulations for small lots along an existing county road with public water, electric and individual septic systems. A maintenance agreement shall be supplied prior to releasing the final plat for the shared access maintenance responsibility for all four lots.

The preliminary and final plat had been supplied with all required information for subdivision. The comments from the highway department and storm water coordinator are included in this staff analysis. No additional information was required.

Outstanding items to be completed:

1. Signature plats and a \$20.00 per lot platting fee.
2. A maintenance agreement shall be supplied prior to releasing the final plat for the shared access maintenance responsibility for all four lots.
3. A note shall be added to the final plat that Lot 1R-1 and 1R-2 shall have driveway access only off the 25' easement location shown on the plat, and that lots 1R-3 and 1R-4 shall only have driveway access off the 25' driveway easement shown. No other driveways shall be allowed on Freels Road. The existing driveway shall be removed and a driveway entrance shall be improved for lots 1R-1 and 1R-2 at the time a new home is added to lot 1R-2.

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.

II. Misc. Items:

1. **Correction for Nellie Ballew Property off Old Cades Cove Road by Major Hubbard: 3 lots; 2 with road frontage and 1 to be served off a 25' easement.**

The Nellie Ballew Plat received a zoning change from R-2 to R-1 by the County Commission on October 18th 2007. The Planning Commission approved the three lot plat at the October 25th, 1007 regular meeting.

A note was added inadvertently to the staff analysis which read:

“Lot 1 shall have a driveway restriction noted on the plat for sight distance safety and lot 2 shall utilize the 25’ driveway easement for safety purposes but is not to be counted as a lot served by the common driveway easement since this lot has road frontage”.

Lot 1 does not require a driveway restriction, nor does lot 2 utilize the 25’ easement whatsoever. Therefore this note was in error and should have been removed from the Staff memo and staff Analysis for the Nellie Bellew Property and has no bearing on the plat approval.

A proper action would be for the planning commission to confirm that the paragraph quoted above from the Staff Memo for the October 25^h, 2007 regular meeting was in error and not a condition of plat approval.

pcmemos\2007-11-20 PC memo