

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: February 1st - 20thth, 2008

SUBJECT: Staff reports on agenda items for the *Thursday February 28th, 2008* regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
 - 1. **Fairway Vista Subdivision preliminary plat by Susan King with extension of Hunter Run Road off of Laurel Road in Laurel Valley development.**

Background:

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.

This 19 lot design with the proposed lot sizes shown was a proposed concept plan that was approved as a preliminary plat by the planning commission in May of 2001. At that time staff noted that the required preliminary plat items were not submitted as required. The Planning Commission approved the submission, with determination that zoning issues were grandfathered. That preliminary plat lapsed.

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:

1. Lot and road layout in plat form
2. Topographic map
3. Road plan and profiles, including road core study.
4. Drainage plan including calculations and design of any required detention
5. Erosion control plan
6. Engineering plan for alternative sewer system.

The above items have been supplied as required for preliminary plat submission. The preliminary plat for the Fairway Vista is a proposed 19 lot subdivision containing 8.3 acres along 50' private road easement off of Hunter Run Road in Laurel Valley. The proposed development has been reviewed inclusive of subdivision 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 hilly with some steep slopes, is densely vegetated and the entire parcel is surrounded by golf course and previous sections of Laurel Valley subdivisions. The proposed road is an old stone roadway that has been improved without an active preliminary plat, preconstruction meeting or submission of road plan.

This preliminary plat contains 19 new lots to be served by a public sewer system to accommodate the small lot sizes. The sewer system is to be operated by a public utility as required by the Subdivision Regulations.

Once final plat is approved the new private road is to become a part of the Laurel Valley Home Owner's Association for long term maintenance. Arrangements are understood by both parties, however no formal agreement has been provided in writing. The drainage facilities will become the responsibility of the owners in the proposed Fairway Vista Subdivision. Both maintenance regimes shall be clearly defined in the Property Owner's Documentation (for the road and for drainage). The maintenance of the shared driveway shall become the responsibility of those lots served on the plat (lots 9 and 10) and addressed in the POA documents as well.

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 final plat shall identify an area for use by the public sewer utility for the ownership and/or easements that are to contain the recirculating sand filtration sewer system and drip fields. The sewer plant 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. A cluster development in the R-1 allows for the lot size to be reduced to 15,000 square feet outside of area of development hindrance with commensurate open space. The lot sizes indicated have been accepted for preliminary plat approval in May of 2001 and determined to be grandfathered under zoning as part of the larger Laurel Valley development.

Existing 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 Fairway Vista 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 19 lots shown shall all be served by underground electric. It appears that the bulk of the electric installation has been completed.

Drainage and Erosion Controls: *Any re-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 or reconstruction activities that may be required. This includes re-construction of the paved roadway, cul-de-sac, and on-site sewer system. In it is the developer's responsibility to determine if a Storm Water Pollution Prevention Plan (SWPPP) permit from the State of Tennessee for grading and clearing is required for this project, inclusive of 19 proposed home sites.

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 appear to be in place

The drainage plan indicates the construction of ditches, pipes and detention facilities to accommodate these 19 new lots and roadway as the bulk of the drainage will be directed to one new detention basin. The road drainage, detention plan and calculations appear satisfactory for preliminary approval. The actual control device in the detention facility appears to be incorrectly installed and a new control structure shall be installed at this location on lot 8. The design for the new structure and certification will be the responsibility of the project engineer. All drainage facilities shall become the maintenance responsibility of a property owner's association. 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. After a lapse in the preliminary plat, and without the notification to staff, the roadway was improved and electric was installed. A paved surfaced road and substandard cul-de-sac were built.

A Report of Pavement and Subgrade Investigation was supplied from S&ME. The findings conclude that "the average asphalt and base stone aggregate thicknesses obtained from the borings were 2.2 and 3.1 inches, respectively". Note that there was no county inspections of subgrade work. The county minimum requirements for asphalt and base stone are 3 and 6 inches, respectively. The existing road is thus deficient in respect to requirements in the Subdivision Regulations.

The cul-de sac installed is an oblong shaped oval that measures 67' wide at the broadest span. The subdivision regulations require a minimum of an 80' radius. In addition the previously installed guard rail may not meet any standard guardrail requirements for a county road. According to the road profile none of the road is greater than 13% slope

The regulations require that the entire private road shall be built on a compacted earth surface void of substandard soil conditions in the sub-grade and that 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 is to 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 stone to the height of the pavement. Planning staff then evaluates 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

The S&ME roadway investigation clearly identifies the limitations to the roadway that has been installed, however said report and staff field investigations do not suggest any reasonable guesstimate as to the durability of the roadway as constructed.

Property Owner's Association:

The developer shall supply documentation for a Property Owner's Association for Fairway Vista inclusive of 1) private road maintenance (with Laurel Valley HOA), 2) common drive maintenance, 3) drainage and detention maintenance for Fairway Vista home owner's.

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 steeper terrain and gullies. These drainage areas shall be identified with easements.

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

Developer Notice:

- Any re-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.
- 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. Determination of acceptable roadway improvements or any alternatives for reconstruction in relation to Subdivision Regulation requirements.
2. POA documentation to be supplied to staff for review prior to final plat
3. All instructions in this staff analysis, including pre-construction meeting, permits and construction of all improvements.

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:

2. Revised Plat for Grand Pines on the Creek off Tomotley Road by Matt Caldwell/SEC Properties 18 large tracts served by a 50' private road easement.

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. The final plat for Grand Pines includes all 18 lots from Phase 1 and Phase 2 and was approved by the planning commission at the August 23rd 2007 regular meeting subject to 7 items listed in the staff memo including the completion of all on-site construction items described in the staff analysis. As of this date, the final plat with “subject to” items has not been completed.

Since submission and approval of the final plat the owner has paved the entire private road that was approved as a gravel roadway. The paving of the gravel roadway constitutes a major design change to the proposed subdivision and planning staff cannot sign off on the final plat with the paved roadways without planning commission approval. This constitutes a revised preliminary plat and revised final plat submission.

The preliminary plats for phase 1 and 2 were approved with a proposed private gravel road to be constructed in accordance with the standards for gravel private roadways in the subdivision regulations. The staff memo covered the details of construction of the private road as follows:

“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.

Furthermore staff notified the owner and project engineer in writing in February of 2007 of the following:

“The gravel surface private road shall not be paved prior to final plat approval. A redesigned road with new road cross section for paving would be required should the developer opt to build a private road to county road standards. A redesigned road plat would have to be resubmitted to the Planning Commission.

Section 8 of the subdivision regulations is Procedure and Standards for Road Construction which details the standards for a paved private roadway to meet county road standards.

The owner was required to pave the entrance of the private road which was inspected by Planning Staff. Changes to the paved front section were required by staff and noted in the final plat list of outstanding items to be completed in August of 2007. Upon repaving of the entrance as required as a condition of final plat approval the entire private roadway was paved.

Planning staff was not involved in any inspection of the paving of these roadways. The subdivision inspector will make a report at the time of the meeting regarding his observations on the status of the paved roadways.

Planning staff has confirmed with the project engineer that the original drainage plan and calculations was adequate to accommodate paved roadways versus gravel roadways.

No determination has been made as to what amount or consistency of stone or asphalt has been installed. There has been no information supplied by the developer as to what type of treatment was used, tonnage or thickness reports.

Staff notes that this is a similar situation to the previous plat in Laurel Valley where base and pavement were not known and the developer was required to provide bore information.

Three options present themselves for consideration by the planning commission at this time.

1. Accepting the current roadway with either no additional treatment; “as is” based on the comments provided by the subdivision inspector and project engineer.
2. Determination of the actual stone, binder and top coat with core samples and contract information from the developer, re-construction of any areas not meeting the minimum requirement with inspections and a final plat to be submitted upon completion of any modifications.
3. Denial of final plat with the paved roadway as installed.

Should the first or second option listed above be considered by the planning commission to accept these paved roads as meeting the requirements for paved private roads the following shall be required for administrative purposes and on-site project completion:

- a. This major design change constitutes a revised preliminary plat to be approved; inclusive of revised road plans indicating the actual road that has been constructed and certified by the project engineer.
- b. The entire roadway shall have the proper width rolled stone shoulders to the height of the pavement installed though out the development as required.
- c. All previous outstanding Items to be completed from August 2007.

Staff notes that this is a similar situation to the previous plat in Laurel Valley where unknown base and pavement were not know and the developer was required to provide bore information.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny revised preliminary plat and revised final plat due to identified deficiencies, 2) defer revised preliminary and revised final plat approval until deficiencies are addressed, or 3) grant revised preliminary plat and revised 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. Variance request regarding common driveway easement width for Drew Miles off Carpenters Campground Road

Mr. Miles is requesting a Variance to the flag-stem width for a common driveway in order to divide his tract into two. He currently wishes to place two homes on the parcel and to separate the parcel into two lots. Both of the lots will access through an existing 20' flag-stem from Carpenter's Campground Road Drive. The extension of the easement to create the second lot will be the required 25' easement width for regulatory consistency. The existing 20' corridor is all that is available and has served this lot for years Staff has no reservations with the variance being granted and allowing Mr. Miles to bring a two-lot plat in for staff approval. The division of one-lot into two lots will not require any improvement to the drive as this is considered a minor plat. Should any additional lots be added to the common driveway easement, improvements shall be required including paving of the entrance.

2. Variance Request regarding encroachment of structure and well in access easement for the Caylor Brothers Property off Tom Henry Road.

The Caylor Brothers are requesting a variance for the encroachment of the shed and well located within the 50' easement shown. The shed is a small cantilever barn and has been in this location for a hundred plus years according to the owner. There is adequate room to maneuver vehicles between the structures. This would still be an encumbrance on the full use of the easement. In the past, the Planning Commission has required that encumbrances be removed or the easement be relocated. Relocation of the easement is not practical in this situation. The request is for variance being granted for encroachment with an encroachment note placed on the final plat stating the structure may remain but not to be replaced or rebuilt in this location.

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