

# 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: October 1st - 15th, 2008

SUBJECT: Staff reports on agenda items for the *Thursday October 23rd, 2008* regular meeting. 5:30 Hearings and Site Plans

#### Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions
- 1. **Rudd Acres by Don Headrick off Rudd Hollow Road: 4 lots to be served exclusively by a 25' common driveway easement.**

Background: The preliminary plat for Rudd Acres is a proposed 4 lot subdivision containing 4.3 acres. A 25' common driveway easement is planned to serve the proposed lots off of Rudd Hollow Road. While lots 1 and 4 have road frontage, all of the lots are served off the common driveway easement. All of the lots will access the common driveway easement for safety purposes to eliminate additional driveways along Rudd Hollow Road. Currently the parcel contains an existing home and the existing driveway is to be improved to common driveway standards. The first portion of the common driveway easement crosses the Primitive Baptist Church property. The proposed location of the common driveway easement and sight distance at this location is satisfactory.

#### Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and is wooded mountainous terrain. This proposed common driveway division

can be accommodated off of Rudd Hollow Road at this location provided the special instructions in the staff analysis are completed prior to final plat. All of the physical common driveway construction and installation of utilities shall be the responsibility of the owner and be completed prior to releasing the final plat. According to the plat all these lots are to be served by public water and individual septic systems. None of the parcel is located in a floodplain. The proposed subdivision has been reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, electric and individual septic systems.

Septic, Sanitary Sewer: A preliminary soil map was supplied along with the preliminary plat as required. The Environmental Health Department has reviewed the preliminary soil map and has indicated the plat is satisfactory.

Existing County Roads: The county road list shows Rudd Hollow Road as being an average 14.5 to 18 feet wide. The location of this proposed common driveway entrance is greater than 18 feet wide with adequate ditches and shoulders for this subdivision. The location of the proposed common driveway is satisfactory, as is sight distance in either direction. Staff instructions, per the subdivision regulations regarding the required improvements to the common driveway are listed below.

Utilities: Public water and electric are proposed to serve all lots for the 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. All water lines shall be installed to each lot prior to releasing the final plat. All of the lots shown shall be served by electric.

Construction of Improvements: Rudd Acres contains an existing home on lot 3 that is served by a driveway that requires some additional improvements.

Any of the common driveway improvements that are made prior to a pre-construction meeting with staff are at the risk of the owner. The location of the entrance appears satisfactory. Topographic information and a review of grade in the field indicates a short section of the common driveway is approximately 16%. The maximum road grade for a common driveway is 15%. The owner is requesting a variance to the regulations for this short section which is less than 100 feet in length. The Existing driveway is well established and drives well. There is no appreciable advantage to trying to reduce the grade at this location and to remove a large amount of earth that would have to be re-stabilized. The exiting drive appears to function well and staff has no reservations about the variance being granted.

The bulk of the common driveway is in place. The common driveway must be fully installed to each lot, to be constructed within a 25' easement. A T-turnaround shall be required on Lot 3, located before the house and contained within the easement. The existing surface shall be re-graded with a crowned surface that is a minimum of 16 feet wide between ditches on both sides of the driveway. The ditches shall be reestablished and the tile under the drive shall be replaced. The regulations require that the gravel surface application shall be spread a minimum of 4 inches thick of rolled pug-mix the entire length of the common driveway, and be a minimum of 10 feet wide (five feet on either side of crown in sub-grade). The existing stone depth is adequate provided the minimum width, shoulders and ditches are all maintained. Some additional gravel may be necessary to re-dress the roadway however four inches of additional gravel would only create pot holes and wheel spin.

The three foot shoulders on both sides of the 10 foot wide gravel surface shall also be compacted and seeded and covered in straw.

The regulations requires that the driveway entrance shall be paved as described in Section 6.02.5 (a)(1) of the Subdivision Regulations in order to improve turning movements in and out of the site, reduce wheel spin, keep gravel from migrating onto the county road, and to minimize damage to the existing paved edge of the county road. The existing drive to the church contains a paved surface entrance that is adequate to meet the intent of the regulations.

*Drainage and Erosion Controls:* Drainage information and calculations were not required for this four lot subdivision.

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

An erosion control plan and SWPPP permit shall be supplied if required by the State of Tennessee prior to any on-site construction. It is the owner's responsibility to determine if this permit is required for this project and supply staff with a copy of the SWPPP plan and permit as soon as possible.

The owner shall also apply for and secure a grading permit from the Blount County Storm Water Coordinator.

*Developer Notice:*

- Any on-site 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 must confirm to staff that a Storm Water Pollution Prevention Plan permit (SWPPP) from TDEC is or is not required for this project and supply a copy 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 Rudd Hollow Road.
- It is the responsibility of the developer and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Maintenance agreement for common drive: The owner shall supply a Maintenance Agreement or property owner's association inclusive of maintenance responsibilities for the common driveway.

Administrative Considerations:

The owner shall secure a notice from the Primitive Baptist Church acknowledging that these four lots constitute all of the lots that can be accommodated off of the common driveway easement,

The proposed Subdivision of Rudd Acres was reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, electric and individual septic systems. As required, the preliminary plat was supplied with topographic information and preliminary soil information. The comments from the engineering department and storm water department are included in this staff analysis.

Outstanding items to be completed:

1. Copy of a Maintenance Agreement or Property Owner's Association documentation to be supplied to staff for review prior to final plat submission.
2. A preconstruction meeting is required prior to any on-site work. All required permits to staff. All instructions in this staff analysis for the construction of the common driveway, paving of entrance, and construction of all utility 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:

1. **Farmington View Subdivision Phase 2 by Chris McCall requesting consideration of Final Plat: 15 lots to be served by new county roads.**

Background:

The preliminary plat for Farmington View Subdivision Phase 1 and 2 was extended in April of 2008; the preliminary plat is current until April of 2009. The lots shown on the Phase 2 final plat consist of the remainder of the lots for the Phase 1 preliminary plat. Any future phase(s) will require an entirely new preliminary plat submission including new road plans and drainage plans.

The Phase 1 preliminary plat was originally approved in April of 2004 as a 54 lot subdivision. The Phase 1 final plat contained 41 lots on 40 acres and was recorded in June of 2008. The Phase 2 final plat is to contain 15 lots on 11 acres. The original 54 lot preliminary plat required a minimum of 23,000 square foot lots and the proposed subdivision was to all be served by individual septic systems. After preliminary soil investigation several of the lots were to be substantially larger than the 23,000 square foot lot requirement. Mr. McCall and South Blount Utility District proposed an on-site sewer system to accommodate all of the lots. The R-1 zoning required that the minimum lot size remain 23,000 square feet, however none of the lots had to be drastically enlarged to accommodate drain fields.

With the approval of the Phase 2 Final Plat, all of the lots that were approved with the 23,000 square foot minimum lot size will have been platted. As mentioned, any future preliminary plats shall require new road

and drainage plans, permits, and utility information to be provided. Furthermore, the current regulations require that the minimum lot size be 30,000 square feet or greater to meet the density requirements in the R-1 zone.

This plat raises issues of appropriate density for subdivisions served by sewer. A few years back both the Subdivision Regulations and the Zoning Regulations were amended to insure long term septic viability in the R-1 zone, with minimum lot size increased from 23,000 to 30,000 square feet, and related density decreased from 1.5 units per acre to 1.2 units per acre. With public sewer, the increased minimum lot size is not critical since no increased area is needed to account for long term septic field viability. The Planning Commission may wish to revisit density and minimum lot size issues in the R-1 zone for situations on public sewer. A decrease in minimum lot size from 30,000 to the original 23,000 square feet, consistent with an increase in density from present 1.2 units per acre to former 1.5 units per acre, may be appropriate. Cluster subdivision could be allowed, requiring a set amount of open space while allowing the lot size to vary down to 11,500 square feet at the set maximum density of 1.5 units per acre. The net increase in density would be 25 % over present septic field subdivision standards, but would still be consistent with 1101 Growth Plan and Conceptual Land Use Plan density criteria for Rural Areas.

Analysis:

Design of plat, plat description:

The lots illustrated on this plat are located in the R-1 zone and the density is appropriate under the terms of the preliminary plat as approved in 2004.

The original design illustrated a boulevard entrance with internal looping. The Phase 1 and Phase 2 roadways have been built to accommodate all future phases. The Boulevard contains two one-way directional road sections, each two lanes with a median and a deceleration lane off of Miser Station Road. All of the lots in Phase 2 are served off of the internal road system that has been completed and repaired. The roads have been accepted by the highway department for Phase 1. A guarantee is still in place for the surface of the roadway.

The parcel is gently sloping to relatively steep and contains mainly open pastures and some wooded areas. Staff has made the developer aware that special considerations for drainage and all on-site construction and erosion controls will be necessary thought all phases of construction until permanent vegetation is established on all disturbed areas in the Phase 2 final plat. The proposed Phase 2 Final Plat has been reviewed inclusive of

subdivision regulations for small lots along proposed new public roads with public water and public sewer.

County Roads:

The width of Miser Station road is 20 feet wider and the surface is in good repair. As of this time, there are no additional improvements necessary along Miser Station for this proposed development.

Sanitary Sewer:

All lots are to be served by an on-site sewer system. This system is maintained and operated by South Blount County Utility District (a public utility) and will operate the sewer system. Letters have been supplied by the utility confirming the owner/operation of the sewer system. In addition a certification that all of the lots indicated on the Phase 1 preliminary plat can be accommodated for has been supplied for the previous phase by South Blount County Utility District. The utility district manager has stated that all of these lots are to be served by sanitary sewer service at this time and is prepared to sign the final plat. Construction of the sewer system is nearing completion although South Blount Utility District does not have an operation date set as of yet. The utility is guaranteeing the system will be completed.

Construction of Improvements:

All of the roads have been constructed to the satisfaction of the highway department. A variance to road design grade was granted for the previous phase. The project engineer has certified the road and road drainage improvements as required.

Drainage and Erosion Controls:

All of the road drainage culverts, tiles, ditches and detention facilities have been constructed for Phase 2 of Farmington View

The project engineer has certified that the detention facilities for Phase 2 have been built in accordance with the project engineering plans and specifications as required. S&ME has supplied compaction rates of 95% or greater for the drainage basin dam serving these lots. A plastic pipe had been removed and replaced with a corrugated metal pipe and the dam had to be reconstructed. Staff is satisfied with all repairs and the certification letter and compaction report.

A copy of the ARAP and SWPPP permit from the State of Tennessee were supplied to staff prior to construction. Seeding has occurred on-site

during construction as well as the application of check dams and other erosion control devices. The Storm Water Coordinator has confirmed that erosion control measures were employed and that the ground cover is being re-established on disturbed areas and steeper banks.

Utilities:

As of this time, public water and electric have stated that both utilities are completely installed for Phase 2. Both utilities have stated that each is prepared to sign the final plat for Phase 2. As previously mentioned, South Blount Utility District (Sewer System Manager) is prepared to sign the final plat.

Property Owner's Association:

The developer shall supply the final addendum to the Property Owners Association for Phase 2 for the maintenance of the drainage facilities. *The POA addendum shall be recorded along with the final plat.*

Administrative Considerations:

The proposed Farmington View Subdivision Phase 2 was reviewed inclusive of subdivision regulations for small lots along paved county roads with public water, underground electric and on-site public sanitary sewer. The preliminary plat had been supplied with all required information including; topographic information, road plan and profiles, drainage plan and calculations, sewer plan and confirmation of the status of the sewer system. The comments from the engineering department are included in this staff analysis.

Recommendation: Subject to the comments in this staff analysis and the notes below planning, engineering, and environmental health department staff recommend for final plat approval.

1. Final inspection of drainage facilities, ground cover and erosion controls.
2. Final POA documentation to be recorded with final plat.
3. Water and Electric certifications on the final plat that all tracts are served by water and electric (or a surety posted for completion)
4. South Blount Utility District (Sewer System Manager) shall certify the final plat for sanitary sewer service to all lots shown on Phase 2.
5. Final signature plats and a \$40.00 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny 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. Resubdivision of lots 88 – 92 Panorama Estates Unit 5 off Burlingame Drive by Jeff Gregory Builders: 5 lots re-platted to create 3 new lots.**

Lots 88-92 were approved by the Planning Commission for Unit 5 of Panorama Estates in October of 1998. Minimum lot size at that time was 23,000 square feet. Mr. Gregory is requesting to re-plat the five lots into 3 new lots, all of which are greater than the current 30,000 square foot minimum lot size.

The previous Phase 5 plat was approved by the health department. The combination of lots requires no special consideration, other than the fact that this 3 lot plat has to be brought to the full commission for action. Staff has reviewed the plat and has no reservations about the re-plat. The proposed lot combinations make for a more buildable situation allowing more room for the homes, yards and septic systems than was previously approved. The proposed plat is satisfactory.

Outstanding Items to be completed:

1. Signature plats (\$20.00 platting fee per lot not required for combination of lots).

**Misc. Items:**

**1. Skyview Home Owners Association request to address the Planning Commission regarding a private airpark and related issues.**

Subject matter will include a proposed airpark, zoning and building concerns. Skyview subdivision is located off of Boling Road.

