

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 -16th, 2009

SUBJECT: Staff reports on plats for the **Tuesday November 24th, 2009** regular meeting at 5:30 PM.

I. Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions

1. Revised preliminary for Fairway Vista Subdivision preliminary plat by Fairway Vistas LLC with extension of Hunter Run Road off of Laurel Road in Laurel Valley development.

The latest preliminary was approved at the March 2008 regular meeting.

This 19 lot design with the proposed lot sizes shown was a proposed concept plan that was approved as a preliminary plat the first time 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.

Design of plat, plat description:

The parcel is in the R-1 zone. This parcel is part of a mountain development that is densely vegetated and the entire parcel is surrounded by a golf course and previous sections of Laurel Valley subdivisions. The proposed road is an old roadway for Laurel Valley that

has been constructed without an active preliminary plat, preconstruction meeting or submission of any road plan.

This preliminary plat contains 19 new lots to be served by a public sewer system to accommodate the small lot sizes. 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 only on the plat (lots 9 and 10, and possibly lot 8) and addressed in the POA documents as well.

The preliminary plat was approved in 2008 with the following outstanding items to be completed:

1. Determination of the proposed "Pavement Remediation Recommendations" from S&ME and the comments of the Director of Engineering.
2. POA documentation to be supplied to staff for review prior to final plat
3. All other instructions in (the) staff analysis, including pre-construction meeting, permits, construction and reconstruction of all improvements, revised drainage plan with revised drainage structure, revised plat with modified lot lines, original S&ME road reports with original engineering stamps, all recommendations in the *Pavement Remediation Recommendation*. An original letter from Laurel Valley Homeowner's Association regarding the additional pavement. Original legal agreement between the Laurel Valley Homeowner's Association and the developer with regard to the taking over and maintenance of the private road. All other POA documentation as specified in the staff analysis.

In March of 2008, S&ME submitted a report entitled *Pavement Remediation Recommendations* containing the following pavement recommendation:

"In order to bring Hunter Run Road up to county requirements, S&ME recommends placing an asphalt mix overlay on the existing asphalt pavement section of Hunter Run Road. We recommend the following flexible pavement section be applied as an overlay – 2.5 inches of compacted bituminous asphalt surface mix.

Staff had discussed the proposed “remediation recommendations” with Tony Abbott, Director of Engineering. Mr. Abbott reviewed the S&ME report and stated that the report *on Pavement Remediation Recommendations* used an engineering standard of applying numerical values to the structural integrity of the basestone and asphalt that was determined to be on the ground. Furthermore, a numerical value for the structural integrity of adding the 2.5 inches of asphalt was assigned to the proposed remediation paving. A formula was used to calculate and compare the existing roadway (3.3 inches of stone and 2.2 inches of asphalt) with the proposed addition of the 2.5 inches of new asphalt against the structural integrity of a roadway built to county road standards (6 inches of stone, 2 inches of binder and 1 inch of topping). Mr. Abbott reported that this is a legitimate engineering process of determining structural integrity.

S&ME’s *Remediation* report finds that the 2.5 inches of additional paving will exceed the county road paving standard and further stated that “we recommend 2.5 inches to account for any soil subgrade support deficiencies”. S&ME also recommended that Grade D asphalt that meets Section 411 of the Tennessee Department of Transportation’s (TDOT) specifications be used for the overlay and that all work procedures shall comply with Section 403 of TDOT’s Specifications and that they be present for the paving.

Staff notes that the addition of pavement height will require improvement of rolled pug mix shoulders to the top of pavement to slope back to the existing shoulders.

The revised preliminary plat is at the request of the developer to use a different grade of asphalt. The Paving Contractor (Westin Paving) had recommended the use of Grade E bituminous asphalt as an alternative to the Grade D proposed by S&ME. The stated purpose for the recommended change is that the Grade D is more typical of asphalt used on a highway project for high traffic roadways, while Grade E is the more typical subdivision grade asphalt.

Staff requested the developer to contact S&ME to validate the requested asphalt grade change. On November 3rd, 2009 S&ME supplied a letter to the developer that states the following:

“This letter is submitted to confirm that it is our opinion that a Grade E bituminous asphalt surface mix is acceptable for use in the remediation construction activities.”

Planning staff and engineering staff agree with the findings of the revised S&ME letter and concur that the 2.5 inches of Grade E asphalt as

remediation appears satisfactory to meet the intent of the county paved road standard in this particular case. This item comes thus as a request for change from Grade D to Grade E asphalt remediation of the existing road as condition of preliminary plat. All other conditions of the previously approved preliminary plat will remain the same.

C. Final Plats – Major Subdivisions:

1. **Serenity Meadows Phase 2 by Lamon McDaniel Builders off Piney Level Road - 5 lots off existing county road.**

This is a request for renewal of preliminary plat and phase 2 final plat

Background: The Planning Commission approved the preliminary plat in May of 2007. The Phase 1 final plat was approved in September of 2008. The preliminary plat has been expired for six months, however the developer has completed all of the improvements for both phases. These five lots are the remainder of the project and there will be no further division. The delay between phase 1 final plat and phase 2 final plat was based on the fact the developer had to wait 12 months to add more lots along Piney Level Road as a condition of the original preliminary plat approval.

The renewal of the preliminary plat is only an administrative function at this time in order to bring the currency of the plat up to date as all of the improvements have been completed in good faith by the developer.

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 revised preliminary plat for Serenity Meadows illustrated 15 small lots with two common driveways. This plat is the remainder of the parcel, or the last five lots all to be off of Piney Level Road. All of the proposed lots are to be served by individual septic systems, public water and all electric is underground.

The parcel is slightly sloping terrain and all of the drainage will be directed towards the existing drainage ways and the internal drainage basin that has been constructed on site. All drainage features outside the right-of-way shall become the responsibility of a property owner's association to maintain. These five lots shall be added to the property owner's association. The proposed development has been reviewed inclusive of subdivision regulations for small lots along county roads with public water, underground electric and individual septic systems.

Existing County Road(s):

The county road list indicates that Piney Level Road is 12-14 feet wide and is adequate to serve four lots per year along this roadway. Since Piney Level is less than 18' wide, the remaining lots were required to wait 12 months before the planning commission could consider these lots in final plat form. A permanent sight distance easement including sign and vegetation restrictions shall be added to the final plat to preserve sight distance at this location.

Septic, Sanitary Sewer: The environmental health department is prepared to sign the phase 2 final plat.

Drainage and Erosion Controls: A few minor improvements are needed to the previously constructed detention basin prior to releasing the final plat. The inlet pipe needs to have additional outlet protection and soil stabilization and the drainage control structure requires an invert to be poured in the base. Both of these items are relatively simple and shouldn't require much time to complete. The Storm Water Coordinator shall inspect and confirm completion.

Public Water and Electric Utilities: Public water and underground electric are completed and both utilities are prepared to sign the final plat.

Property Owner's Association: These lots shall be added to the Property Owner's Association for Serenity Meadows for all drainage facilities outside of the public right-of-way and for the sight distance easement along Piney Level Road.

Construction of Improvements: *The bulk of the improvements have been completed as of this time except for the minor improvements to the drainage facilities.*

Staff notes precedent to allow lots 9, 10, 11, and 12 to utilize the common driveway for their exclusive vehicular access. This has been allowed before and is typical when additional lots adjoin either side of the common driveway and access restriction to a main road is desired for convenience and safety purposes.

The comments of the Highway Department, Storm Water Coordinator, and Environmental Health Department are included in this staff analysis.

Administrative Considerations:

The Serenity Meadows 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 and preliminary soil information. No lot shall be advertised or offered for sale prior to recording of any final plat.

NOTE:

During the phase 1 final plat approval, staff notified the planning commission that the regulations state that only four lots are to be allowed off of Piney Level Road because it does not meet the minimum road standard of 18 feet wide with 2 foot shoulders on either side. The developer got four lots and a remainder in the phase 1 final plat. The phase 2 final plat indicates five similar sized small lots which are essentially four lots and a remainder that is equal to the size of one of the other lots which cannot be re-divided. Therefore the developer is requesting a variance to accommodate this situation and close out the subdivision process rather than getting three lots and having to wait 12 more months to re-divide one tract into two.

Outstanding items to be completed for renewal of preliminary plat and phase 2 final plat:

1. Addendum to Property Owner's Association for these lots for the storm drainage facilities and the sight distance easement. A permanent sight distance easement shall be placed on the plat for the common driveway easement along Piney Level Road.
2. Completion of minor drainage improvements to the satisfaction of the Storm Water Coordinator.
3. Variance to allow all five lots to be platted for phase 2 final.
4. Signature plats and a \$40 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny renewal of preliminary plat and deny final plat due to identified deficiencies, 2) defer renewal of preliminary plat and defer final plat approval until deficiencies are addressed, or 3) grant renewal of preliminary plat and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

D. Preliminary and Final Plats - Major Subdivisions

1. **Amburn Estates Phase 2, re-subdivision of lot 26 off of Amburn Meadows Lane by Amburn Builders: 4 lots; 1 flag lot and 3 lots served exclusively by a 25' common driveway easement.**

Background: The preliminary plat for Amburn Estates was approved at the June 28th 2007 regular meeting: Phase 1 final plat was approved at the July 28th 2008 regular meeting. The preliminary plat has expired. This is a request for renewal of the preliminary plat and phase 2 final plat approval.

The renewal of the preliminary plat is only an administrative function at this time in order to bring the currency of the plat up to date as this project has been ongoing by the developer.

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 Amburn Estates illustrated 29 small lots. A new paved county road section with cul-de-sac has been built to serve the bulk of the lots. The four lots shown on the Phase 2 plat are to all utilize the common driveway easement for access to the newly constructed county road section. As of this time the common driveway construction and utility installation to these lots is ongoing

All of the proposed lots are to be served by individual septic systems and public water. All electric is underground. The parcel is sloping terrain and all of the drainage will be directed towards the existing drainage basin that has been previously constructed. All drainage features including underground pipes outside the right-of-way are the responsibility of a property owner's association to maintain. These four lots shall become a part of the property owners association.

The proposed development has been reviewed inclusive of subdivision regulations for small lots along county roads with public water and individual septic systems. A full preliminary plat has been previously submitted including topographic information. In addition, a road plan with profiles, cross section and proposed road layouts, a drainage plan with calculations, and permits were submitted as required.

Existing County Roads: The newly constructed county road Amburn Meadows Lane is a 22 foot wide road and is satisfactory to accommodate these new lots. Since this is a four lot subdivision, the width of off-site county road width is not an issue.

Septic, Sanitary Sewer: A preliminary soil map was supplied along with the preliminary plat as required. The Environmental Health Department has reviewed the final soil information and is preparing to sign the final plat for Phase 2.

Utilities: Public water and underground electric are proposed to serve all lots. All water and electric improvements shall be fully installed to each lot prior to final plat being released.

Construction of Improvements: Staff has had a pre-construction meeting with the developer for the construction of the common driveway, utility installation and improvements to the drainage pond. The driveway entrance is to be paved as per Section 6.02.5 (a)(1) of the Subdivision Regulations. Staff will inspect all construction and site stabilization improvements for compliance with the requirements prior to releasing the final plat.

Staff instructions for the construction of the driveway and utilities as listed in the preliminary staff analysis were supplied to the developer. The approved road and drainage plans have been employed by the developer and the on-site construction is drawing close to completion for this phase of Amburn Estates.

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.

Staff is comfortable with the submission of the final plat at this stage. 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.

Drainage Plan, Erosion Controls and Road Plan: An erosion control plan, drainage plan, calculations, SWPPP and county grading permits were supplied as required. The drainage basin and structures were previously installed and constructed.

A few minor improvements are needed to the previously constructed detention basin prior to releasing the final plat. The drainage control structure and berm need to be cleaned up and the stone neatly distributed around the base of the dam. This area and the banks need to be seeded and strawed or matted to stabilize the soil and promote vegetation. Both of these items are relatively simple and shouldn't require much time to complete. The Storm Water Coordinator shall inspect and confirm completion.

All drainage facilities contained outside of the proposed right-of-way are to the maintenance responsibility of the property owner's association. These lots shall become part of the property owner's association.

Property Owner's Association: The developer shall supply Property Owner's Association documentation for review for the maintenance responsibility for the drainage facilities and for the common driveway for phase 2 of Amburn Estates. The signed and notarized originals must be recorded with the final plat.

Administrative Considerations: The proposed Amburn Estates Phase 2 was reviewed inclusive of subdivision regulations for small lots along new county roads with public water, underground electric and individual septic systems. 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 this phase of Amburn Estates.

- It is the responsibility of the lot owners 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 lot owners shall contact the storm water coordinator and building inspector for the necessary permits for any future construction of homes or other structures at 681-9301.

Outstanding items to be completed:

1. Copy of Addendum to Property Owner's Association documentation to be supplied to staff for review prior to final plat submission, inclusive of common driveway maintenance.
2. Completion of minor drainage improvements to the satisfaction of the Storm Water Coordinator.
1. Completion of all driveway and utility improvements to the satisfaction of staff.
2. 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 renewal of preliminary plat and deny final plat due to identified deficiencies, 2) defer

renewal of preliminary plat and defer final plat approval until deficiencies are addressed, or 3) grant renewal of preliminary plat and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

E. Preliminary and Final Plats – Minor Subdivisions

1. **Hubbard Property off Grey Ridge Road by Harold Hubbard: 4 lots; 2 lots served by separate 25 easements and 2 lots with county road frontage.**

Background: The preliminary plat for the Hubbard Property is a proposed 4 lot subdivision containing 9.7 acres along Grey Ridge Road. A 25' common driveway easement is planned to serve lot 1R and another easement to serve lot 4. Lots 2 and 3 have existing homes and road frontage. The proposed location of both of the easement is satisfactory for sight distance.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and is open pasture on gently rolling terrain. This proposed division can be accommodated off of Grey Ridge Road at this location. Both driveway easements serve only one lot each, therefore no improvements are required for this proposed subdivision.

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 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 preliminary plat is satisfactory. The Health Department is preparing to sign the final plat upon final inspection

Existing County Roads: The county road list shows Grey Ridge Road as being 19 feet wide with adequate ditches and shoulders for this subdivision. The location of the proposed two driveway easements is satisfactory as is sight distance in either direction.

Utilities: Public water and electric are proposed to serve all lots for the subdivision. All water and electric improvements shall be installed to each

lot prior to final plat or a surety posted to the appropriate utility prior to final plat.

Construction of Improvements: The Hubbard Property contains an existing home on lot 2 and one on lot 3. A note shall be placed on the plat that the home on lot 2 is encroaching into the front setback and shall not be replaced in the same location.

Drainage and Erosion Controls: Drainage information and calculations were not requested by the Engineering Department and Storm Water Coordinator for this subdivision since only 4 home sites are being proposed and no on-site detention facilities are indicated.

Developer Notice:

- 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 Hubbard Property was reviewed inclusive of subdivision regulations for small lots 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 environmental health department, engineering department and storm water department are included in this staff analysis.

Outstanding items to be completed:

1. Signature plats, including water and electric, 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.

II. Misc. Items:

1, Haggard's Holdings off Prospect Road by Barton and Wilma Haggard: 1 lot with county road frontage.

Background:

This item in two lot form was subject of a variance for requirements for buildable area outside flood plain at the last regular meeting. The plat now comes as a one lot plat after negotiations with adjoining Reznar property owner did not result in agreement to place that lot on the plat.

The owner is requesting a one-lot subdivision plat for Haggard's Holdings off Prospect Road. The Reznar parcel (to the south) was a portion of the Haggard property that was previously deeded without plat, and would be required to make the present plat complete.

The Reznar tract was transferred by deed in 1988 without a plat. The Haggard parcel shown on this plat is the remainder of what was left over from the transfer. Neither parcel was properly subdivided by plat.

Approval of the plat submitted would omit the Reznar tract from the plat and from being properly subdivided . The present plat only recognizes the Haggard parcel.

In addition most of the parcel shown is located within the Zone A flood zone. The subdivision regulations require that all lots have a buildable site located out of the flood zone. In cases where an existing home has been previously built on a lot of record, the Planning Commission has acknowledged the situation and accepted the plat as long as the plat clearly indicates the extent of the floodplain.

The plat uses the old flood plain map as reference. The plat needs to update the flood plain information and show the boundary of the floodplain on the plat.

If the Planning Commission decides to approve the plat with variance to ignore the previous deeded division and transfer by deed of Reznar property, the following should be conditions of the approval.

- All certifications on the final plat including health department review and approval.
- Location of 30' front setback to be placed on plat along with encroachment note.
- Location of floodplain consistent with new FEMA maps
- Appropriate identification and pins for lot corners.