

# Think Quality - Think Future

## Blount County Planning Department

Blount County Courthouse - 327 Court Street

Maryville, TN 37804-5906

Tel (865) 273-5750 - FAX (865) 273-5759

e-mail - [planning@blounttn.org](mailto:planning@blounttn.org)

### MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 273-5750)

DATE: April 1st – April 12th, 2010

SUBJECT: Staff reports on agenda items for the **Thursday, April 22nd, 2010** regular meeting. 5:30 Hearings and Site Plans

#### I. Hearings:

A. Concept Plans: None

B. Preliminary Plats – Major Subdivisions:

1. **William Nix Property off Trigonía Road By William Nix; 3 large lots off a 50' private road easement with a remainder greater than 5 acres**

#### Background:

The preliminary plat for the William Nix Property is a proposed 3 large-lot subdivision containing 98 acres with a 50' private road easement off of Trigonía Road; all three of the lots are to be served off the private road easement.

#### Analysis:

Design of plat, plat description: The parcel is in the R-1 zone. Since this three-lot plat contains a proposed private road it is considered a major plat for the purposes of having a preliminary plat, preconstruction meeting, construction of improvements and final plat process. The private road proposal is satisfactory with the information supplied. The parcel is rolling hills and open pasture land and is vacant of any other use.

This proposed private road division can be accommodated off of Trigonía Road provided the special instructions in this staff analysis are completed

prior to final plat for any of the tracts. All of the physical road construction and installation of utilities shall be the responsibility of the owner.

According to the plat all these tracts are to be served by public water and individual septic systems. This plat does not require electric to be installed underground. None of the parcel is located in a floodplain.

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

Existing County Roads: The road list for the county shows Trigonía Road as being 16 feet wide. The Highway Department has stated that adequate ditches and shoulders are present along Trigonía Road for this 3 tract division. The location of the proposed private road appears satisfactory.

Utilities: Public water and electric are proposed to serve all lots for the proposed William Nix Property. 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. 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.

Construction of Improvements: None of the improvements have been completed as of this time. Prior to construction of the private road the owner shall meet with planning staff for a pre-construction meeting. The private road must be fully installed with a cul-de-sac to be constructed within the easement shown. The private road shall be built on a compacted earth surface void of substandard soil conditions in the sub-grade. Prior to stone application the owner shall contact the subdivision inspector for inspection of the sub-grade, tiles, and ditches.

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 6 inches thick of rolled pug-mix the entire length of the private road and on the turn-around and be a minimum of 18 feet wide (five feet on either side of crown in sub-grade). The three foot shoulders on both sides of the 18 foot wide gravel surface shall also be compacted and seeded and covered in straw as soon as the stone surface is applied. Any tiles for the private road shall be sized by the project engineer hired by the owner. The entrance shall contain 50' turning radiuses. The entrance to the private road shall be paved in accordance with the subdivision regulations.

Drainage and Erosion Controls: Drainage information and calculations were not required for this three-lot plat.

*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 a SWPPP is required. A copy of the permit and plan shall be submitted to planning staff prior to or 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.

- 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 pre-construction 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 Trigonía 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.

Property Owner's Association: The owner shall supply a Property Owner's Association inclusive of maintenance responsibilities for the private road for staff review prior to final plat.

Administrative Considerations: The proposed William Nix Property was reviewed inclusive of subdivision regulations for large lots served by a private road 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, storm water coordinator and environmental health department are included in this staff analysis.

Outstanding items to be completed:

1. All instructions in this staff analysis, including pre-construction meeting, permits and construction of all improvements.
2. Copy of POA documentation to be supplied to staff for review prior to final plat submission.

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:

1. **Singing Brook Cottages off of Joe Pye Lane: 7 lots off the existing private road by Blackberry Farm LLC.**

Background:

The original Singing Brook at Blackberry Farms planned unit development off West Millers Cove was approved for final plat by the Planning Commission in June of 2005 with 15 lots on 44 acres in a cluster development with preserved open space and a private gravel loop road. All 15 lots are served by public water and individual septic systems.

The seven cottages shown on the plat are built on a 5.5 acre tract that was not part of the Singing Brook subdivision. The BZA approved a special exception multi-family site plan for the seven cabins in October of 2006 conditional upon approval of the sewer system.

The Singing Brook Cottages subdivision is a proposed preliminary and final plat of 7 small lots to utilize the internal loop road (Joe Pye Lane).

There are several issues when subdividing a previously built situation under different rules (zoning regulations) and meeting all of the required specifications and standards for division under the subdivision regulations. In this case, superimposing a proposed subdivision over the existing 7 cabins on an undivided parcel provides for some technical difficulties as opposed to approving undeveloped lots for re-sale.

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 has gently rolling to steep terrain. The existing roadway was approved and constructed for the Singing Brook Subdivision as a gravel roadway which has since been paved.

The Singing Brook Cottages subdivision is a proposed 7 lot subdivision containing 5.5 acres along 40' private road easement off of West Millers Cove Road. All of the lots are to be served by utility sewer and water service.

Once final plat is approved the new lots are to become part of the Singing Brook Cottages covenants which will share in the long term maintenance responsibility for the private road (Joe Pye Lane) as well as the drainage facilities for Singing Brook. The private covenants also establish separate maintenance responsibility for these lots particular to golf cart paths.

The proposed development has been reviewed inclusive of subdivision and cluster development standards for small lots served by a private road easement with public water, electric and on-site public sanitary sewer.

Analysis:

Septic, Sanitary Sewer: All of the lots shown are proposed to be served by an existing on-site sewer system that is to be owned and operated by South Blount Utility District. The on-site sewer system has been constructed and serves all 7 of the cottages. South Blount Utility District has provided a letter to staff dated April 5<sup>th</sup>, 2010 regarding plans to take over the ownership of the on-site system for the Cottages at Blackberry. Once arrangements have been formalized between South Blount and The Blackberry; South Blount Utility District is prepared to certify the final plats.

The Planning Commission has approved similar on-site systems when a public utility such as South Blount Utility District or Tennessee Wastewater Systems Inc. (TWSI) have maintained and operated an on-site system.

Existing County and Private Road: The road list for the county indicates that West Millers Cove Road is 18-20' wide with adequate ditches and shoulders. According to the Highway Department the proposed Singing Brook Cottages is appropriate for the existing county road serving the development.

Joy Pye Lane is the internal existing 18' private road within the Singing Brook development. This gated road was approved as a private gravel road on a 40' easement. Upon final plat consideration the road was inspected and reported by staff to meet the subdivision regulations for

gravel surfaced private roadways. Since that time the road has been paved by Blackberry Farms LLC and the road is currently being maintained by the Homeowner's Association. Planning staff was not present during the paving of the road and no staff inspections occurred as this was done after the final plat was approved by the Planning Commission.

In the past the Planning Commission has requested the owner to supply adequate information that is certified by an engineer that the private road that was paved after final plat approval has been built to the standards of the subdivision regulations for additional subdivision. That certification can come in the way of contracts, invoices, calculations of asphalt and stone base tonnage and/or by core drilling samples and independent evaluation. The next step typically is either to accept the findings of the engineer's certification of the road, or in the case of a substandard stone and paving application - to request remediation efforts by the owner, to bring the paved surface road up to subdivision standards.

The paving company has supplied invoices to the project engineer for the paving of Joe Pye Lane. This information shows that grading of the road, 6" of base stone, 2" of binder, and a 1.5" topping was applied. This is an adequate amount of each layer. The project engineer has also requested the amounts of asphalt and stone ordered from the supplier. By calculating the tonnage delivered it is possible to determine the cross section of the roadway that was constructed over the distance of the road.

The project engineer has certified that the road built by the paving company with the amounts of tonnage purchased (over the length and width of the road) meets the requirements of a paved private road in the subdivision regulations and requires no remediation effort.

Staff has viewed the paved road in the field and reports no significant damage to the road and what appears to be a well built paved surface roadway. The Engineer for the Highway Department has reviewed the certification methodology of the project engineer and has stated this road section is satisfactory.

The following options are presented for Planning Commission consideration.

1. Accept the Road Certification from the project engineer that Joe Pye Lane meets the minimum requirements for a paved road.
2. Require the owner to supply core samples from an engineering firm familiar with road core sampling and testing, re-evaluate the findings, and require remediation if required.

Electric Utilities: Utility electric has been installed to all structures on the proposed lots; the electric utility provider is prepared to sign the final plats.

Water Utilities: All of the lots shown are to be served by a water distribution system that is to be turned over to Tuckaleechee Utility District (TUD). The water system has been constructed and serves all 7 of the cottages as well as other structures within the Blackberry development. Unlike the sewer system, the "Declaration of Easements" does not identify the location of the water system, pumps, and storage tanks, nor identifies any easements for access to those facilities. For the purpose of subdivision the location and access easements from Joe Pye Lane would have to be established and recorded on the final plat.

The developer has supplied a letter from the Manager of TUD stating the district is prepared to operate the water system serving these seven cabins. According to the Manager these lots will be served by TUD and he is prepared to sign the final plat.

Drainage and Erosion Controls: All erosion control permits had been supplied as required for Singing Brook. The project engineer supplied a drainage plan and calculations with the original preliminary plat. All of the on-site drainage facilities appear to be in place and functioning. The project engineer has supplied a letter certifying the drainage facilities inclusive of these 7 proposed lots.

Construction of Improvements: All of the road, water, electric, sewer and drainage improvements have been completed or are in place.

Property Owner's Association: The developer shall supply updated documentation for a Property Owner's Association for Singing Brook Cottages for all private elements.

Administrative Considerations: The comments from the engineering department and the storm water coordinator are included in this staff analysis. *No lot shall be advertised or offered for sale prior to recording of any final plat.*

Outstanding items to be completed:

1. The developer shall supply updated documentation for a Property Owner's Association for Singing Brook Cottages for all private elements.
2. The location and access easements for all sewer and water utilities to be established and recorded on the final plat.

3. Determination of acceptance of road construction certification.
4. 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 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.

E. Preliminary and Final Plats – Minor Subdivisions:

1. **Re-plat of the Ragain Property off of Morganton Road: 2 lots served off of a common driveway easement and a remainder greater than five acres.**

This is a 2 lot subdivision with a remainder greater than five acres. The proposed subdivision contains 5.0 acres off of Morganton Road.

The common drive is already extended to Lot 1R1. Lot 1R2 is being added to the common driveway for access. The regulations state that a one-lot subdivision with an easement doesn't require the easement to be improved. The condition of the existing driveway is satisfactory as is sight distance in this location.

Analysis:

Design of plat, plat description: The proposed subdivision is satisfactory with the information supplied and subject to this staff analysis. The parcel is gently rolling and there are is one home on lot 1R1 with and existing septic system. The parcel is in the R-1 zone and the density and lots sizes for the lots are appropriate.

Septic, Sanitary Sewer: The environmental health department has reviewed the soil information. The Director of environmental health has stated that both lots are adequate and is prepared to sign the final plats.

Existing County Roads: Morganton Road has adequate shoulders and ditches and is acceptable for this preliminary and final plat request.

Utilities: Both the water and electric shall sign the final plats.

Construction of Improvements: The condition of the common driveway is satisfactory.

- 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 home 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.

Administrative Considerations: The proposed preliminary and final plat was reviewed inclusive of subdivision regulations for small lots along an existing common driveway with public water, existing electric and individual septic systems.

A maintenance agreement for the common driveway shall be supplied to staff for review and recorded along with the final plat.

Outstanding items to be completed:

1. Maintenance agreement.
2. All certifications on the final plats.
3. \$20.00 per lot platting fee

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny 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: None**