

# Blount County

## Planning and Development Services

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### MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 681-9301)

DATE: November 1<sup>st</sup> – November 20<sup>th</sup>, 2023

SUBJECT: Staff reports on items to be considered for the Monday, December 4<sup>th</sup>, 2023 Regular Meeting. 5:30 PM Room 430 Courthouse

#### Hearings:

C. Final Plats – Major Subdivisions:

4. **Whispering Springs Subdivision Phase 1, Lots 1-35 off Montvale Road (SR 336) by Murphy's Bobcat: 33 lots to be served off a new county road section with 1 common area/detention lot and future development.**

The preliminary plat for Whispering Springs was approved at the June 2022 regular meeting.

Background: The final plat for Whispering Springs Subdivision Phase 1 contains 33 proposed residential lots, a future development lot, a common area lot 35 for detention and road right of way totaling 23.83 acres. A new paved county road (loop road) is planned to serve 33 of the proposed lots and the detention lot off of Montvale Road (State Route 336). Four (4) additional lots are to be served off a proposed common driveway off of Willow Pond Drive in a future phase. All new lots for Phase 1 shall have driveway access off the new county road section only for safety purposes and to eliminate additional driveways along Montvale Road. A note shall be added to the final plat that lots 1 and 33 are to have driveway access off the new county road only. A sight distance easement shall be added to the final plat on lots 1 and 33 along Montvale Road to preserve sight distance and be maintained by the property owner's association. The proposed intersection of the new county road along Montvale Road has been approved by TDOT at this location. According to the preliminary plat none of the property is located within the floodplain. The proposed new development has been reviewed

inclusive of subdivision regulations for small lots along a new county road section with public water, electric and sanitary sewer.

Analysis:

Design of plat, plat description: The parcel is located in the S – Suburbanizing District and lot sizes and density are appropriate. The parcel is currently vacant other than infrastructure to support the proposed lots and most of the parcel is sloping land. The bulk of the drainage will be directed towards the detention pond to be constructed within the drainage basin lot 38 and natural drainage areas. Special attention and control measures during all onsite construction has been required. All new lots shall all become part of a property owner's association for Whispering Springs Subdivision Phase 1 and shall have maintenance responsibility of the drainage facilities and all new lots shall have a shared ownership of the common area/detention lot/cluster mailbox lot 35. Additionally, the property owner's association shall have overall maintenance responsibility for the sight distance easement located on lot 1 and 33 along Montvale Road.

Existing County Road(s)/State Road: Montvale Road (SR 336) is maintained by TDOT and adequate to serve this number of lots. The project engineer supplied information to TDOT for access to Montvale Road for the proposed subdivision and the location.

Design of plat, plat description: The parcel is located within the S-Suburbanizing zone and lot sizes and density is appropriate. The parcel is currently vacant other than roads and infrastructure has been installed. The bulk of the drainage will be directed towards the natural drainage areas and onsite storm water facilities including detention on lot 35. Special attention and control measures during all onsite construction has been required. All the new Phase 1 lots shall all become part of a property owner's association and have maintenance responsibility of the drainage facilities and all new lots shall have a shared ownership of the storm water facilities and cluster mailbox on common area lot 35.

The proposed new development has been reviewed inclusive of subdivision regulations for small lots along new county road sections with public water, underground electric and sanitary sewer.

Septic, Sanitary Sewer: All of the proposed lots are to be served by sanitary sewer as required. The City of Maryville Sewer and Water Department shall certify the final plat and is preparing to do so.

Public Water and Electric Utilities: Public water and underground electric are proposed to serve all the lots. All water and electric improvements shall be fully installed to each lot or a surety posted to the appropriate utility. Both utilities are preparing to certify the final plat.

*Drainage and Erosion Controls:* Drainage information and calculations were supplied by the project engineer as required and on-site detention facilities are indicated for the new roads and lots for Phase 1 of Whispering Springs. The drainage plan indicates the proposed lots are planned for and to be accommodated by new storm water facilities for water quality and natural drainage areas. Control measures during all onsite construction has been required. The storm water facilities and cluster mailbox contained on the common area lot 35 shall become part of the property owner's association and have maintenance responsibility of the drainage facilities and cluster mailbox. All lot owners will be required to have an equal share in ownership of the storm water detention facilities/common area lot 35. See the Blount County Subdivision Regulations Section 5.03.4 Private Open Space or other Common Element not included within a lot.

Erosion controls shall remain in place until the site is revegetated.

*Proposed Road Plan:* A road plan with profiles, cross section and proposed road layout had been submitted with the preliminary plat. As-built plans and a certification letter from the project engineer for the construction of the new road and all drainage facilities shall be supplied.

Instructions for Property Owner's Association and shared ownership of common area lot for Phase 1:

Modifications to the final plat are ongoing. The revised Phase 1 final plat shall be updated by the surveyor and reviewed by staff.

Upon completion of the updated final plat, the owner shall supply documentation for a Property Owner's Association for Phase 1 of Whispering Springs Subdivision for staff review prior to releasing the final plat inclusive of drainage facility maintenance and cluster mailbox lot 35, and undivided shared ownership of the lot 35 as required. Again, see the Blount County Subdivision Regulations Section 5.03.4 Private Open Space or other Common Element not included within a lot. The following note shall be added to the final plat:

The owners of each lot within Whispering Springs Subdivision, Phase 1 including lots 1-33 shall have an undivided shared ownership of common area lot 35 identified on the Phase 1 final plat, and such requirement and stipulation shall be noted on this final plat, shall be noted in any restrictions and covenants, and shall be noted on each deed for lots within the subdivision development.

Additionally, the property owner's documents and all deeds shall contain the above with respect to the maintenance and shared ownership of all common area lots.

All drainage easements shall contain the following note and be made specific to the exact lot numbers that contain the easements:

There shall be no excavation or construction of any type including fences, outbuildings, sheds or structures of any type in the areas identified as drainage easements as located on lots 17-33.

All Sanitary Sewer Easements shall contain the following note and be made specific to the exact lot numbers that contain the easements:

Areas Identified as Sanitary Sewer Easements shall be maintained in accordance with the City of Maryville Water and Sewer Department requirements including lots 6, 7, 14-17 and common area lot 35.

The sight distance easements shall include the entirety of the road frontage along Montvale Road and contain the following note on the plat, in the property owner's documentation and in the individual deeds and be specific to lot numbers 1 and 33:

The area identified as sight distance easement along the entire road frontage of Montvale Road for Lots 1 and 33 shall be free from any permanent vegetation other than grass or sod (to be mowed regularly). No other planted materials or any permanent or temporary structures or signs above ground of any kind are permitted in the sight distance easement. The primary responsibility for maintenance is the homeowners for lots 1 and 33 with the Home Owner's Association having the overall responsibility for maintenance in the event the sight distance easement is not being maintained.

Construction of Improvements: As of this time the bulk of the on-site construction for Phase 1 of Whispering Springs has been completed. A few items require attention prior to releasing the final plat.

Administrative Considerations: The proposed Whispering Springs Subdivision Phase 1 final plat was reviewed inclusive of subdivision regulations for small lots along new county road sections with public water, underground electric and sanitary sewer. As required, the preliminary plat was supplied with topographic information, road plan, erosion control plan, drainage plan with drainage calculations and utility information.

Outstanding Items to be completed:

1. All on-site erosion controls shall be managed and remain in place until the site is revegetated.

2. The developer shall supply documentation for a Property Owner's Association for Whispering Springs Phase 1 inclusive of the Instructions for Property Owner's Association and shared ownership of common area lots: contained above in the staff analysis.
3. Completion of all on-site punch list items and a certification letter and as-builts from the project engineer.
4. Signature plats including electric, water and Sanitary Sewer.
5. Final plat 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.