

Blount County

Planning and Development Services

1221 McArthur Road

Maryville, TN 37804-5906

Phone: 865-681-9301 Fax: 865-273-5759



MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 681-9301)

DATE: January 1st – January 20th, 2021

SUBJECT: Staff reports on items to be considered for the Thursday, January 28th, 2021 Regular Meeting. 4:30 PM Electronic Meeting

Hearings:

- B. Preliminary Plats – Major Subdivisions:
2. **Griffitt's Mill at Mint Road Phase 3 by County Meadows Corporation off Chota Road: 41 lots to be served off new county road sections with cluster development.**

Background: The original concept plan was reviewed by the Planning Commission at the April 2005 regular meeting. The original preliminary plat for Griffitt's Mill was approved at the September 2005 regular meeting. The preliminary was extended at the September 2006 meeting for an additional year. The bulk of the infrastructure for the first two phases had been completed however no final plat was ever submitted at that time. Ownership changed from the original developer in subsequent years and the regulations for retirement communities had been eliminated from the regulations. The preliminary plat was renewed in November of 2012 for 24 months and had expired. Additional preliminary plat was approved in June of 2017 which has since elapsed as well. The attached preliminary plat for Phase 3 of Griffitt's Mill at Mint returns to the Blount County Planning Commission for consideration. The overall design remains largely intact to meet the overall original plat with the cluster development standards as currently required per the zoning regulations and meets the current requirements for density, lots sizes and commensurate open space per the Blount County Subdivision Regulations.

Analysis:

Design of plat, plat description: The preliminary plat for Griffitt's Mill at Mint Phase 3 illustrates 41 proposed lots to be served by new county roads off Chota Road and off internal roads previously approved and accepted as county roads. All the proposed lots are to be served by public water, on-site sanitary sewer and underground electric. The proposed Phase 3 preliminary indicates 41 new lots or home sites clustered on land of varying topography, including open areas. Clustering is allowed in the subdivision regulations and zoning regulations in the R-1 zone.

The density requirements in the zoning regulations for a Planned Unit Development (PUD) allow for lots on sewer in the R-1 zone to be as small as 23,000 square feet or 1.5 units per acre. Furthermore, a cluster development under the regulations allows for the minimum lot size on sanitary sewer to be reduced to one-half of the minimum lot size in that zone provided there is a commensurate amount of shared open space in the overall design for the entire subdivision. In other words, if the density requirement is met, the remaining land is the commensurate amount of open space as indicated on the plat. In this case, the minimum lot sizes for a PUD with shared open space can be as small as 11,500 square feet per lot in the R-1 zone (with commensurate open space). All the proposed lots shown for Phase 3 are greater than the minimum 11,500 square feet lot size.

Previously included in the original concept and preliminary design were plans for a club house, swimming pool, wetland, walking trails, lakes, mail service area, guest cottages and a sales office. All these items have been removed by the current owner for this new preliminary plat. The entire subdivision is planned for residential development only and there are no rezoning matters to be considered for other uses. Additionally, there was no requirement that these items were ever required for cluster development consideration. Open space is not defined in the subdivision regulations as per use, just that it needs to be indicated as such on the plat.

Cluster developments require proportionate reservation of open space. Previous phased approval considered all area outside of lot area in the total for open space acreage. As noted on the Phase 3 preliminary plat: Phase 1 contained 56 lots on 54.17 acres (53.91 acres not including the sewer facility area of .258 acres). Phase 2 contained 21 lots on 7.44 acres and Phase 3 is to contain 41 lots on 22.02 acres.

The total acreage for phases 1-3 is 83.37 acres with a total of 118 lots in all three phases. While some of the design elements have changed, the overall road layout is consistent with the original preliminary and first two final phases of development. Staff has previously been advised that plats that have been approved and where the developer has made some or all improvements, have a

vested right to continue through to final plat. In this case the project has progressed through the first two phases in compliance with the previously approved preliminary plats and the Phase 3 lot and road layout is the same as the original design. The combined three phases will have a total of 118 lots contained on 83.37 acres for an overall density of 1.41 units per acre. The zoning regulations for lots in the R-1 zone served by sanitary sewer allow for up to 1.5 units per acre. According to these numbers there is adequate commensurate open space.

The preliminary plat for Griffitt's Mill at Mint Phase 3 was submitted with lot design, topographic information, communication with the state with regards to an on-site sewer system, as well as an overall road and drainage plan and calculations.

Existing County Road(s): According to the county road list Chota Road from Mint Road to the entrance is 18 feet on average. The previous developer had made improvements to Chota Road and the Bridge located on Chota Road. All the off-site improvements have been completed previously. Sight distance along Chota at the proposed road entrance is at the best location to serve this parcel. The proposed Phase 3 development has been reviewed inclusive of subdivision regulations for small lots along proposed new public roads.

Utilities: All the proposed lots are to be served by public water, public sanitary sewer and underground electric. According to the project surveyor, none of the lots in Phase 3 are located within a floodplain. Utility plans shall be supplied with the preliminary plat prior to a preconstruction meeting as required. All water, sewer and electric improvements shall be fully installed to each lot or a surety posted to the appropriate utility prior to any final plat with the requirement that all conduit be in place under all new road sections.

All Phase 3 lots are planned to be served by an on-site sanitary sewer system. Staff will require a copy of the engineering design of any new proposed sewer system and confirmation of permits from the State of Tennessee prior to construction of any additions to the existing sewer facility of confirmation in writing that the existing sanitary sewer can accommodate all of the Phase 3 lots. The processing and drip field area for the sewer is within the northern portion of the parcel, on the slope behind the northern row of lots. Given the lay of the land, service to all lots will require a combination of pump and gravity flow.

The system is to be owned and operated by a public utility. System approval falls under State jurisdiction, and approval should be a condition of any approval of *preliminary* plat. Confirmation of the public utility that will operate and maintain the proposed sewer system and the ownership of the sewer facilities needs to be clarified prior to releasing the final plat. The new owner shall supply legal documentation showing the ownership and maintenance of the on-site sewer system for Phase 3 as required.

Drainage Plan/Erosion Controls: The previous developer supplied a Storm Water Pollution Prevention Plan (SWPPP) permit from the State of Tennessee as required. The developments first two phases have been completed and there is no on-going construction. The developer will be required to get another SWPPP prior to Phase 3 construction according to the Storm Water Manager. Additionally, the developer is required to maintain erosion controls on a per lot basis during home construction as part of the residual requirements of the previous SWPPP.

All drainage facilities contained outside of the proposed right-of-way(s) shall be the maintenance responsibility of a property owner's association for Griffith's Mill at Mint. All road drainage and drainage facilities shall be certified as being built according to plans by the project engineer prior to releasing the Phase 3 final plat. All drainage pipes and basins shall be inspected and approved for final plat since this project has set for a few years unattended. Any deficiencies shall be corrected by the owner prior to releasing the final plat.

According to the project engineer, two new storm water detention facilities are indicated for some of the lots in Phase 3. The Phase 3 plat shall show the proposed detention facilities in new number lots with adequate access for maintenance. The new detention facilities (lots) shall be maintained by the property owner's association and an undivided shared ownership of the detention lots by the new lots that drain to the new facilities needs to be determined and established. This is required under section 5.03.4 of the Subdivision Regulations. Furthermore, the lots in Phase 3 that drain to the previously approved drainage basin will require variance approval by the Planning Commission to accept those lots as part of the previously approved drainage maintenance including an addendum to the Property Owners Association designating the particular lots that meet said requirement by the project engineer.

Proposed Road Plan and Open Space: The Phase 3 preliminary plat is located on land of varying topography including small hills, open pasture, and creek bottom. There are some natural low areas which are to be incorporated into drainage basins as designed by the project engineer. All these features are incorporated into the common area and become the responsibility of the future property owner's association to maintain.

A boulevard road named Griffith's Boulevard and internal road sections of Griffith's Circle and Millstone Drive have been previously accepted by the County for county road maintenance as public road sections. The project engineer has supplied road plans for Phase 3 for the completion of Griffith's Circle and Millstone Drive.

Property Owner's Association: The developer shall supply a copy of a Property Owner's Association to include all the lots in Phase 3 for the maintenance of all common elements including drainage facilities and open space. Since this

subdivision was approved before the amendment to the subdivision regulations requiring each lot owner to have an undivided share in ownership of all common elements that are not contained within individual lots, a variance is indicated to allow for the existing Property Owner's Association to include the Phase 3 lots that drain to the existing drainage basin as it was established and recorded.

Furthermore, for those proposed Phase 3 lots that drain to proposed new detention lots as designed by the project engineer; said detention lots shall be specified on a revised preliminary plat to staff prior to a preconstruction meeting and those proposed new lots in Phase 3 shall have shared ownership of the new detention basin lots.

Construction of Improvements: All on-site construction for Phase 1 and 2 has been completed as of this time. None of the proposed Phase 3 construction has occurred. All construction prior to a preconstruction meeting for Phase 3 preliminary plat approval is at the risk of the owner.

The proposed new road sections shall be built according to the project engineering plans and according to previously approved road standards. Sewer, water and electric shall be completely installed to serve these lots prior to final plat for any lots and to avoid unnecessary disturbance to the roadway after completed. Should a surety be posted for the electric, sewer or water utility prior to final plat, certification of said surety shall be required in addition to ensuring that conduit has been installed for all road crossings.

The developer shall contact the Planning Department to schedule a pre-construction meeting prior to any construction. The comments of the Highway Department and Storm Water Manager are included in this staff analysis. Any modifications to roads, drainage and lot design shall be supplied to staff with an updated preliminary plat submission. In addition, the developer shall supply all required permits and/or road plan changes in writing and at the time of any future pre-construction meeting.

Developer Notice:

- It is the owner's responsibility to contact the Post Office to make arrangements for postal service. Any revised design to accommodate cluster mailboxes shall be included in the construction plans prior to the preconstruction meeting.
- Any construction for Phase 3 prior to a preconstruction meeting with staff or required permits is at the risk of the owner.
- The developer shall supply a full set of revised construction plans to staff for review to include all the following:

- All modifications to preliminary plat design from surveyor including cluster mailbox area and detention area lots (numbered).
 - All drainage and erosion control plans updated and certified by project engineer
 - All utility plans to staff, including sanitary sewer, electric, water, natural gas, cable and telephone (as applicable to this development) and certified by the appropriate service provider.
- A full set of construction plans with modifications must be approved by staff prior to preconstruction meeting.
- The owner shall supply a copy of the Storm Water Pollution Prevention Plan permit (SWPPP) from TDEC prior to the preconstruction meeting (as applicable to Phase 3).
- The owner shall contact the Planning Department at 681-9301 to schedule a preconstruction meeting.
- The owner, developer, surveyor, project engineer, grading and utility contractor and a representative of all utilities shall attend a preconstruction meeting.
- The owner shall apply for a county grading permit from the Blount County Storm Water Manager at 681-9301 (if applicable). All erosion controls must be fully installed and inspected by the Storm Water Manager prior to any on-site construction activities as per the subdivision regulations.
- 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 Griffitt's Mill Circle and Millstone Drive.
- The developer shall coordinate with the Subdivision Inspector/Storm Water Manager at 681-9301 to schedule inspections during construction.
- 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 Phase 3 of Griffitt's Mill at Mint preliminary plat was reviewed inclusive of subdivision regulations for small lots along county roads with public sewer, public water, and underground electric. As required, the preliminary plat was supplied with topographic information, road plan, and drainage plan.

A storm water management plan for the drainage facilities throughout the development has been supplied by the project engineer. As of this time the proposed drainage plan is acceptable. The engineering department and storm water manager has made a favorable preliminary recommendation and their comments are included within this staff analysis. Adequate building sites for each lot must avoid drainage areas as much as possible.

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

Outstanding Items to be completed:

1. Consideration of variance by the Planning Commission regarding the new regulations for common area ownership and maintenance. The developer shall supply a copy of a Property Owner's Association to include all the lots in Phase 3 that drain to the existing drainage facilities for the maintenance of all common elements including drainage facilities and open space
2. A revised preliminary plat prior to scheduling a preconstruction meeting to staff indicating the proposed drainage basins in new numbered lots on the Phase 3 preliminary plat as per the project engineering plan. The Phase 3 lots draining to these new detention lots shall have maintenance and ownership of lots as required by Section 5.03.4 of the subdivision regulations.
3. Electric and water utility plans to be supplied prior to scheduling a preconstruction meeting (see Developer Notice above).
4. Developer to supply legal documentation regarding the management and operation of the on-site sanitary sewer system inclusive of which utility provider is going to operate the system and ownership of the sewer facilities.
5. All instructions in this staff analysis including the Developer Notice, utility information, SWPPP permit (as applicable), revised construction plans, preconstruction meeting and construction of all improvements including roads, drainage facilities and all utilities.
6. Preliminary plat fee.

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.