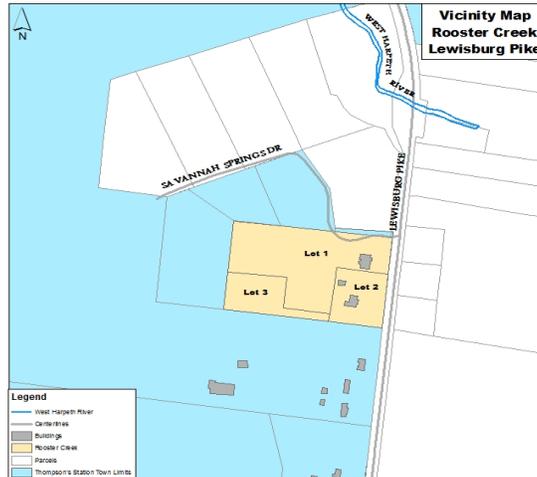


**Thompson's Station Planning Commission
Staff Report - Item 2 (FP 2018-017)
May 28, 2019**

Final Plat Request for Rooster Creek for the creation of 3 lots.

PROJECT DESCRIPTION

A request for a final plat was submitted by Huntly Gordon for the re-subdivision of four properties totaling 10.07 acres located at 1940 and 1944 Lewisburg Pike into three (3) single-family lots to be known as Rooster Creek.



BACKGROUND

On September 18, 2018 the applicant originally submitted a request for final plat for administrative approval to subdivide the property at 1940 and 1944 Lewisburg Pike, however, Staff informed the applicant that revisions to plat were required in order to comply with the LDO. The applicant submitted revisions in October, November and March, however, the comments were not adequately addressed therefore, Staff was unable to render a determination or decision on the plat. The applicant requested additional time to address the plat comments. Upon resubmittal of the plat in April 2019, Staff also noted that the plat includes three lots and therefore cannot be approved administratively thereby requiring Planning Commission review.

Upon further review of the proposed plat, it was determined that the property (Lot 3) was sold to another individual without proper plat approval, therefore, the Town sent a letter to the applicant requesting the issue be addressed. Should the plat be approved, the Town Attorney is recommending a contingency to require a new deed be recorded prior to the issuance of a building permit for Lot 3.

ANALYSIS

Final Plat

The purpose of the final plat is to provide a legal instrument where the transfer of ownership of lots is allowed and shall constitute a way where streets and other infrastructure can be accepted (LDO Section 5.2.7).

Rooster Creek consists of the re-subdivision of four lots into three single family lots adjacent to the Savannah Springs neighborhood. The setbacks for the D1 zoning district are 25 feet for the front yard, 20 feet aggregate with a minimum of five (5) feet for the side yard, and 30 feet for the rear yard. The lots are shown with building envelopes that comply with the minimum setback requirements.

The proposed plat is adjacent to a neighborhood located within Williamson County – Savannah Springs. Savannah Springs takes access from Lewisburg by a private easement partially located on Lot 1 of the Rooster Creek plat. The easement contains a 20-foot-wide paved private driveway which provides direct access to each lot within Savannah Springs and to the proposed Lot 3 of the Rooster Creek plat.

The Town’s LDO states if a permanent easement is utilized for access to a lot, it must be 50 feet in width. The LDO further states that if the easement “is proposed to provide access to more than five lot or tracts of land, an access way shall be constructed within the easement which will meet or exceed the standards for design and construction of public ways. . .” (Section 3.7.2). The typical cross section for a 50-foot local roadway consists of a five-foot sidewalk and a five-foot landscape strip with the remaining width paved roadway and curb and gutter. The existing access easement is 50 feet; however, Savannah Springs Drive has a paved width of 20 feet. The applicant is proposing another 50-foot access easement which will provide access to Lot 3 through lot 1 connecting to Savannah Springs Drive. This access easement has an existing gravel driveway recently installed. The applicant is requesting a deviation from the requirement to the roadway requirement because “Savannah Springs Drive has existed with the stated horizontal width for approximately twenty years and either equals or exceeds the travel lane width(s) of the transect zoning travel lane widths for the design speed in Table 3.7 of the Sub Regs” (refer to attached letter dated May 8, 2019).

Upon consideration of the request, Staff noted the road is a private driveway that is owned and maintained by an HOA in an area without curb, gutter and sidewalks. Requiring the inclusion of curbs, gutter and sidewalks would be inconsistent with the surrounding community at this time. A 20-foot-wide paved roadway provides enough width for two 10-foot travel lanes which has been the access for the residents since the development of the neighborhood. It may be a practical difficulty to require the applicant to install a standard roadway section for the portion of the property located within the Town while the majority of the private driveway is located within Williamson County. In addition, the responsibility for maintenance resides with the HOA for Savannah Springs, therefore, this road will not become the responsibility of the Town. Therefore, Staff supports the deviation from the public road standards for the private access easement

At this time, there is a dispute between the developer and the Savannah Springs HOA/property owners as to the developer's right to use the property for this subdivision. Since this involves a private easement/road, Staff cannot confirm that the developer has a legal right to use the easement and therefore recommends a deferral to June in order to provide time for the applicant to secure access.

Open Space

Per Table 2.3 minor subdivisions may be exempt from the requirement for designated open space upon approval of the Planning Commission. The density within the D1 zone is one unit per acre and each lot of the proposed Rooster Creek subdivision will be a minimum of one acre and the standards requirements are satisfied, therefore, Staff supports exemption from the open space requirement for the minor subdivision.

RECOMMENDATION

Based upon the lack of agreement regarding the use of Savannah Springs Drive, Staff recommends that the Planning Commission defer the request to the June Planning Commission meeting to give the applicant time to secure approval for the use of the private easement.

ATTACHMENTS

Final Plat for Rooster Creek
Applicant letter dated May 8, 2019