



Hamilton County Board of Commissioners RESOLUTION

No. 1016-25C

(P.C. NO. 2016-134)

A RESOLUTION TO REZONE FROM R-1 RESIDENTIAL DISTRICT TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE DISTRICT, PROPERTY LOCATED AT 2016 OOLTEWAH RINGGOLD ROAD

WHEREAS, MAP Engineers, LLC & East Haven Partners, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to rezone from R-1 Residential District to R-T/Z Residential Townhouse/Zero Lot Line District, property located at 2016 Ooltewah Ringgold Road, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, MAP Engineers, LLC & East Haven Partners, LLC requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on October 19, 2016, concerning the passage of this Resolution as required by law, and such hearing having been held.

NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED: That the zoning regulations of Hamilton County be denied for R-T/Z Residential Townhouse/Zero Lot Line District and approved the submitted plan as a Planned Unit Development, subject to the following conditions: (1) A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built; (2) Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive; (3) No driveways to access Leslie Sandidge Drive; (4) Attempt to enter off Ooltewah-Ringgold Road. Applicant will apply for a permit from TDOT and commit to make best efforts to bring the subdivision entrance in from Ooltewah-Ringgold Road; (5) Development shall be limited to no more than 60 single-family "detached" homes. Applicant states if there should be more than 60 lots that they will be community lots; (6) The 6 lots that have common property lines with East Colony Subdivision will be restricted to 1 & 1/2 stories in height in an effort to preserve the view from East Colony; (7) Applicant will have sidewalks within the new Subdivision along the new streets. Applicant will install these as homes are built; (8) Applicant will provide decorative lighting within new Subdivision, property located at 2016 Ooltewah Ringgold Road, an unplatted tract of land located at 2016 Ooltewah Ringgold Road being the property described in Deed Book 10366, Page 449, ROHC. Tax Map 160-006.01 as shown on the attached map.

BE IT FURTHER RESOLVED, THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

October 19, 2016

Date

2016-134 Hamilton County
September 12, 2016

RESOLUTION

WHEREAS, MAP Engineers, LLC & East Haven Partners, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission rezoning from R-1 Residential District to R-T/Z Residential Townhouse/Zero Lot Line District, property located at 2016 Ooltewah Ringgold Road.

An unplatted tract of land located at 2016 Ooltewah Ringgold Road being the property described in Deed Book 10366, Page 449, ROHC. Tax Map160-006.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 12, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 12, 2016, recommended to the County Mayor and Members of the County Commission that this petition be **denied** for R-T/Z Residential Townhouse/Zero Lot Line District and **approved** the submitted plan as a Planned Unit Development, subject to the following conditions:

1. A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built.
2. Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive.

3. No driveways to access Leslie Sandidge Drive.
4. Attempt to enter off Ooltewah-Ringgold Road. Applicant will apply for a permit from TDOT and commit to make best efforts to bring the subdivision entrance in from Ooltewah-Ringgold Road.
5. Development shall be limited to no more than 60 single-family homes. Applicant states if there should be more than 60 lots that they will be community lots.
6. The 6 lots that have common property lines with East Colony Subdivision will be restricted to 1 & ½ stories in height in an effort to preserve the view from East Colony.
7. Applicant will have sidewalks within the new Subdivision along the new streets. Applicant will install these as homes are built.
8. Applicant will provide decorative lighting within new Subdivision.

Respectfully submitted,



John Bridger
Secretary



2016-134 Rezoning from R-1 to R-T/Z

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-134: Approve, subject to the list of conditions in the Planning Commission Resolution.



498 ft



PLANNING COMMISSION CASE REPORT

Case Number: 2016-134

PC Meeting Date: 09-12-16

Applicant Request**Rezone R-1 Single-Family Residential District to R-T/Z Residential Townhouse/Zero Lot Line District**

Property Location: 2016 Ooltewah Ringgold Road

Property Owner: East Haven Partners, LLC

Applicant: Map Engineers, LLC

Project Description

- Proposal: Develop 16-acre subdivision with 60 dwelling units. Applicant is looking to use R-T/Z Residential Townhouse Zero Lot Line District to allow 5 foot side yard setbacks on all buildable lots. Existing platted lot sizes are not proposed to change.
- Proposed Access: Entrance on Ooltewah-Ringgold Road.
- Proposed Development Form: Detached single-family units on individual lots.
- Proposed Density: Approximately 3.75 dwelling units per acre.

Site Analysis**Site Description**

- Location: site is located at the northeast corner of the Leslie Sanders Drive and Ooltewah-Ringgold Road intersection.
- Current Access: Access is currently only available from Ooltewah-Ringgold Road by a condition from the current zoning.
- Current Development form: To the south and east are detached single-family dwellings on small-lots. To the north is a large lot with several sparsely scattered buildings. To the west is the East Hamilton Middle High School.
- Current Land Uses: To the north are agricultural uses. To the south and east are low-density residential uses. To the west is an institutional use.
- Current Density: The adjacent R-1 Residential District subdivision of East Colony has a density of 1.6 dwelling units per acre and an adjacent A-1 Agriculture District subdivision of Frost Creek Farms to the south has a density of 0.9 dwelling units per acre.
- Natural Resources: TBD

Zoning History

- The site is currently zoned R-1 Single-Family Residential District.
- The site was rezoned from A-1 Agricultural District and R-2 Rural Residential District to R-1 Single-Family Residential District in 2014 (Resolution #714-28) with the following conditions.
- A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built.
- Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive.
- No driveways to access Leslie Sandidge Drive.
- Attempt to enter off Ooltewah-Ringgold Road. Applicant will apply for a permit from TDOT and commit to make best efforts to bring the subdivision entrance in from Ooltewah-Ringgold Road.
- Applicant will limit the number of homes to a maximum of 60 dwelling lots. Applicant states if there should be more than 60 lots that they will be community lots.
- The 6 lots that have common property lines with East Colony Subdivision will be restricted to 1 & ½ stories in height in an effort to preserve the view from East Colony.
- Applicant will have sidewalks within the new Subdivision along the new streets. Applicant will install these as homes are built.
- Applicant will provide decorative lighting within new Subdivision.

PLANNING COMMISSION CASE REPORT

- The property to the north is zoned A-1 Agricultural District, R-2 Rural Residential District, and a small parcel zoned R-3MD Moderate Density District. The property to the east is zoned R-1 Single-Family Residential District. The property to the south is zoned A-1 Agricultural District and R-2 Rural Residential District. The property to the west is zoned A-1 Agricultural District and R-2 Rural Residential District.
- Less than a mile south on Ooltewah-Ringgold Road is the Edgewater Subdivision of R-T/Z Residential Townhouse/Zero-Lot Line District with a density of 4.3 dwelling units per acre.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The Development Policy from the Comprehensive Plan 2030 update (Called the Renewing Our Vision and adopted by Planning Commission in 2016) identifies this site as being in intensity level 1, 2 and 3. Level 1 has the least potential for development, or future public services and facilities. However, they have high potential for protecting large natural areas through parks, greenways, working farms and conservation easements. Level 2 describes the development potential appropriate for low-intensity development based on the limited infrastructure. Level 3 describes the development potential appropriate for low-to-medium intensity development based on the limited infrastructure.
- The R-1 Single-Family Residential District only permits single-family homes with a minimum lot size of 7,500 square feet if on sewers. If septic tanks are to be used, the minimum lot size is determined by the Hamilton County Water Quality Program. Minimum lot frontage width is 60 feet if on sewers and 75 feet if on septic tanks. Based on building setback requirements, the typical density is approximately 3 to 4 dwelling units per acre.
- The R-T/Z Residential Townhouse Zero Lot Line District permits single-family homes, zero-lot line homes, and townhouses. A zero lot line house is one where one wall sits on a common property line. There is a maximum density of 8 dwelling units per acre for this zone.
- A Planned Unit Development (PUD) is a special exceptions permission intended to encourage creative master planning by not requiring adherence to rigid land use, setback, height, parking, and similar restrictions. It is further intended that PUDs be designed by collaboration between the applicant and the community, rather than the strict limits of zoning.
- A Residential PUD is limited to what is shown on the PUD Plan *as approved by the County Commission*.

Key Findings

- The proposal can be supported by the Development Policy from the Comprehensive Plan 2030 update which recommends low-intensity development.
- The proposed single-family residential use is compatible with surrounding uses.
- The proposal to have 5-foot side yard building setbacks instead of 10 feet is not consistent with the development form of the area. However, this would not negatively impact the adjacent neighborhood to the east because the rear yard setbacks of the abutting lots would be consistent.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The R-T/Z Residential Townhouse Zero Lot Line District proposal would not be an extension of an existing zone.
- The R-T/Z Residential Townhouse Zero Lot Line District proposal would set a precedent for future requests.
- Using a Planned Unit Development (PUD) to allow 5-foot side yard setbacks within this development without changing the residential zoning pattern on this side of Ooltewah-Ringgold Road.

PLANNING COMMISSION CASE REPORT

The staff supports the proposed development form (5 foot side yard setbacks), but not the zone request for this location. Approving RTZ zone at this location would set a precedent for RTZ zoning at other locations along Ooltewah Ringgold Road. A PUD would allow for the same proposal to move forward without creating a change of zone that would have broader precedent implications for properties adjacent to this site.

Staff Recommendation


Deny R-T/Z Residential Townhouse/Zero Lot Line District; Approve the submitted plan as a Planned Unit Development, subject to the following conditions:


1. A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built.
2. Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive.
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8. Applicant will provide decorative lighting within new Subdivision.

Note: Approval of a Planned Unit Development (PUD) is not an approval of curb cuts, road intersections, curve radii, right-of-way width or other similar items. The applicant is encouraged to consult with the Hamilton County Engineering Department for technical design requirements.




2016-134 Rezoning from R-1 to R-T/Z





498 ft

Chattanooga Hamilton County Regional Planning Agency



2016-134

RECEIVED

JUL 26 2016

Hamilton County Health Department
Public Health Department

APPROVED FOR RECORDING
HAMILTON COUNTY HEALTH DEPARTMENT
HAMILTON COUNTY HEALTH DEPARTMENT
HAMILTON COUNTY HEALTH DEPARTMENT
HAMILTON COUNTY HEALTH DEPARTMENT
HAMILTON COUNTY HEALTH DEPARTMENT

GENERAL NOTES

1. All lots shown on this plat are subject to the provisions of the applicable zoning ordinance.
2. The plat is subject to the provisions of the applicable zoning ordinance.
3. The plat is subject to the provisions of the applicable zoning ordinance.
4. The plat is subject to the provisions of the applicable zoning ordinance.
5. The plat is subject to the provisions of the applicable zoning ordinance.
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18. The plat is subject to the provisions of the applicable zoning ordinance.
19. The plat is subject to the provisions of the applicable zoning ordinance.
20. The plat is subject to the provisions of the applicable zoning ordinance.

ENGINEER'S CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer in the State of Tennessee, do hereby certify that the plat is correct and that the lots are correctly described.

Charles E. Matthews, P.E.
200 East Main Street, Suite 200
Memphis, Tennessee 38103
Phone (901) 525-4000

Owner's Certification

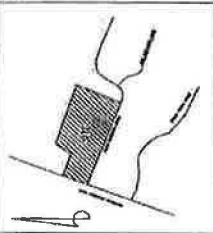
I, the undersigned, being the owner of the property shown on this plat, do hereby certify that the plat is correct and that the lots are correctly described.

Paul Steven Pittman, LLC
1000 East Main Street, Suite 200
Memphis, Tennessee 38103
Phone (901) 525-4000

Surveyor's Certification

I, the undersigned, being a duly licensed Professional Surveyor in the State of Tennessee, do hereby certify that the plat is correct and that the lots are correctly described.

David Matthews, PLS
200 East Main Street, Suite 200
Memphis, Tennessee 38103
Phone (901) 525-4000



LOCATION MAP



GENERAL NOTES (continued)

21. The plat is subject to the provisions of the applicable zoning ordinance.
22. The plat is subject to the provisions of the applicable zoning ordinance.
23. The plat is subject to the provisions of the applicable zoning ordinance.
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30. The plat is subject to the provisions of the applicable zoning ordinance.

GRAPHIC SCALE



LINE TABLE	DATE	BY	REVISION
1	07/26/16	CM	ISSUED FOR RECORD
2	07/26/16	CM	REVISED PER COMMENTS
3	07/26/16	CM	REVISED PER COMMENTS
4	07/26/16	CM	REVISED PER COMMENTS
5	07/26/16	CM	REVISED PER COMMENTS
6	07/26/16	CM	REVISED PER COMMENTS
7	07/26/16	CM	REVISED PER COMMENTS
8	07/26/16	CM	REVISED PER COMMENTS
9	07/26/16	CM	REVISED PER COMMENTS
10	07/26/16	CM	REVISED PER COMMENTS
11	07/26/16	CM	REVISED PER COMMENTS
12	07/26/16	CM	REVISED PER COMMENTS
13	07/26/16	CM	REVISED PER COMMENTS
14	07/26/16	CM	REVISED PER COMMENTS
15	07/26/16	CM	REVISED PER COMMENTS
16	07/26/16	CM	REVISED PER COMMENTS
17	07/26/16	CM	REVISED PER COMMENTS
18	07/26/16	CM	REVISED PER COMMENTS
19	07/26/16	CM	REVISED PER COMMENTS
20	07/26/16	CM	REVISED PER COMMENTS

EASTHAVEN SD
LOTS 1 THRU 65
HAMILTON COUNTY, TENNESSEE
DAVID MATTHEWS SURVEYING
14-34865