



# Hamilton County Board of Commissioners RESOLUTION

No. 916-28

(P.C. NO. 2016-113)

### A RESOLUTION GRANTING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 10317, 10327 AND 10331 EAST BRAINERD ROAD

**WHEREAS**, Pratt Land and Development, LLC & Murphy Family Trust petitioned the Chattanooga-Hamilton County Regional Planning Commission to grant a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 10317, 10327 and 10331 East Brainerd Road, and said Planning Commission after hearing recommended that this petition be approved; and

**WHEREAS**, Pratt Land and Development, LLC & Murphy Family Trust 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 September 21, 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 amended granting a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 10317, 10327 and 10331 East Brainerd Road. Three unplatted tracts of land located at 10317, 10327 and 10331 East Brainerd Road as described in Deed Book 5035, Page 550, Deed Book 9004, Page 888 and Deed Book 10436, Page 929, ROHC. Tax Map 173-002, 002.02 and Tax Map 172-096 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:

Approved:

Vetoed:

County Clerk

County Mayor

September 21, 2016

Date

2016-113 Hamilton County  
August 8, 2016

RESOLUTION

WHEREAS, Pratt Land and Development, LLC & Murphy Family Trust petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission granting a Special Exceptions Permit for a Residential Planned Unit Development for properties located at 10317, 10327 and 10331 East Brainerd Road.

Three unplatted tracts of land located at 10317, 10327 and 10331 East Brainerd Road as described in Deed Book 5035, Page 550, Deed Book 9004, Page 888 and Deed Book 10436, Page 929, ROHC. Tax Map 173-002, 002.02 and Tax Map 172-096 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 8, 2016,

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

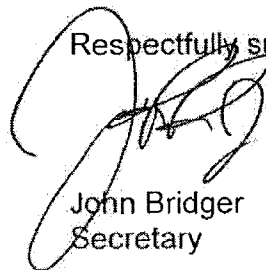
AND WHEREAS, there was opposition present to the petition,

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

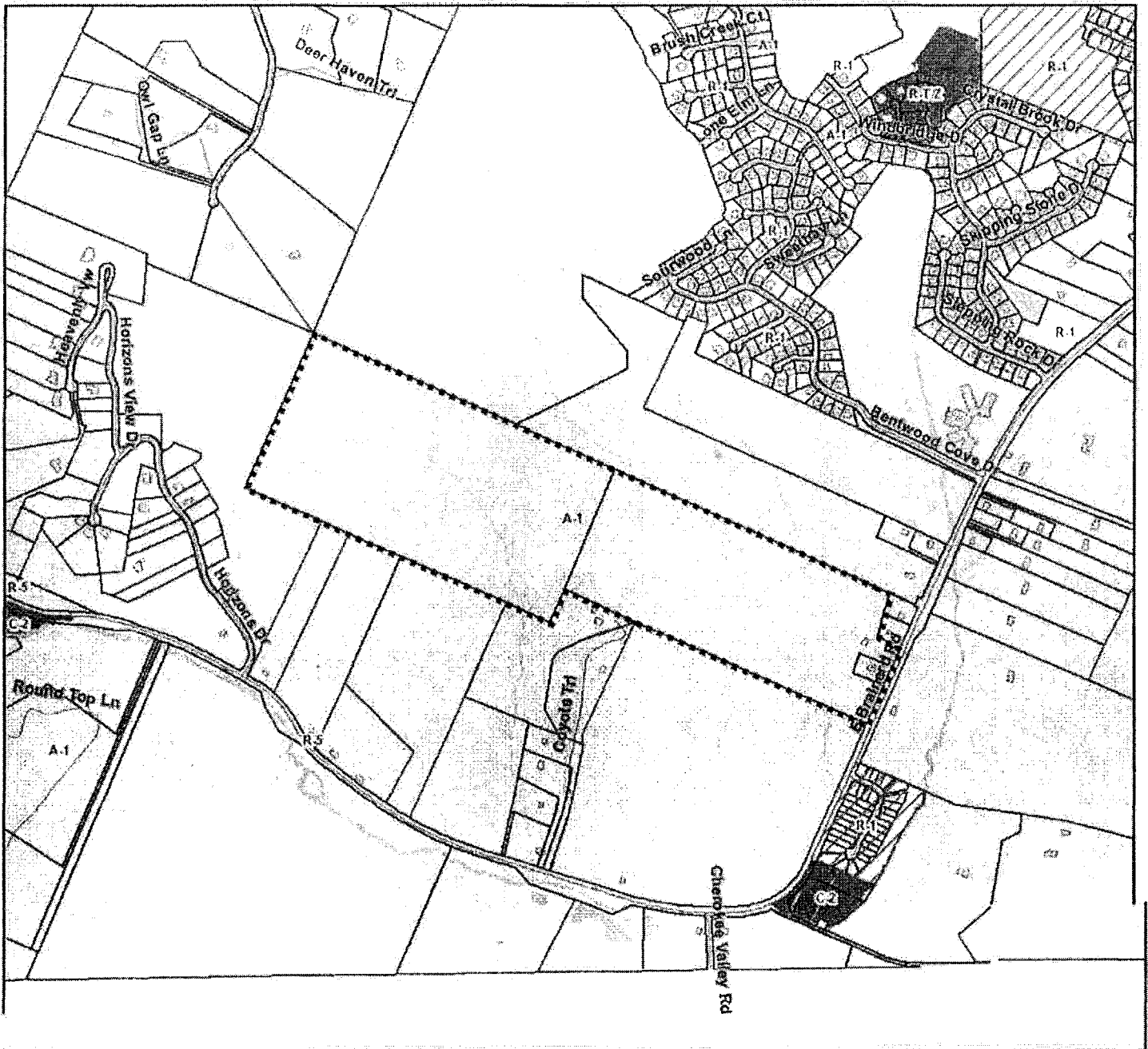
AND WHEREAS, the Planning Commission has determined that the proposal is consistent with other developments within a quarter mile of the site.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on August 8, 2016, recommended to the County Mayor and Members of the County Commission that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary



## 2016-113 Special Exceptions Pennit for a Residential PUD



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-113: Approve.

Chattanooga Hamilton County Regional Planning Agency

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RPA

**PLANNING COMMISSION CASE REPORT**

Case Number: 2016-113

PC Meeting Date: 08-08-16

**Applicant Request****Special Permit for a Planned Unit Development**

Property Location:	10317, 10327 and 10331 East Brainerd Road
Property Owner:	Murphy Family Trust
Applicant:	Pratt Land and Development, LLC

**Project Description**

- Proposal: Develop 136-acre site with 248 single-family dwelling units and 9 community lots within a Planned Unit Development overlay.
- Proposed Access: Entrance on East Brainerd Road.
- Proposed Development Form: A subdivision of 1-story dwellings with a mixture of large and small lot sizes.
- Proposed Density: Approximately 1.82 dwelling units per acre.
- Case 2016-112 and Case 2016-113 are a rezoning and matching Planned Unit Development for this site.

**Site Analysis****Site Description**

- Location: The site fronts along East Brainerd Road approximately 1,700' south of the East Brainerd Road and Bentwood Cove Drive intersection.
- Current Access: Entrance on East Brainerd Road.
- Current Development form: This area is characterized as mostly rural residential with a residential subdivision (Crystal Brook) and Apison Elementary School is located approximately 1,500 feet to the north.
- Current Land Uses: The site is surrounded by agricultural and low density residential uses.
- Current Density: Average residential density of parcels within 300' of site is approximately 0.04 dwelling units per acre (1 dwelling on every 23 acre). There are several small lot subdivisions within a quarter mile of the site (Maple Grove density of 3.48 dwelling units per acre; Brentwood Cove density of 2.8 dwelling units per acre).

**Zoning History**

- The site is currently zoned A-1 Agricultural District.
- The properties surrounding the site are all zoned A-1 Agricultural District
- The nearest R-1 Single-Family Residential District (same as the request) is approximately 300 feet to the south.
- There has been no recent zoning activity on this site.

**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 and 2. 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-density development based on the limited infrastructure.
- The A-1 Agricultural District permits agricultural uses and single-family homes not to exceed 2 dwelling units per acre.
- 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

## PLANNING COMMISSION CASE REPORT

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-1 Planned Unit Development (PUD) has a maximum density of 5 dwelling units per acre.
- A Planned Unit Development (PUD) allows private roads if the roads are built to Hamilton County road standards.
- 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.

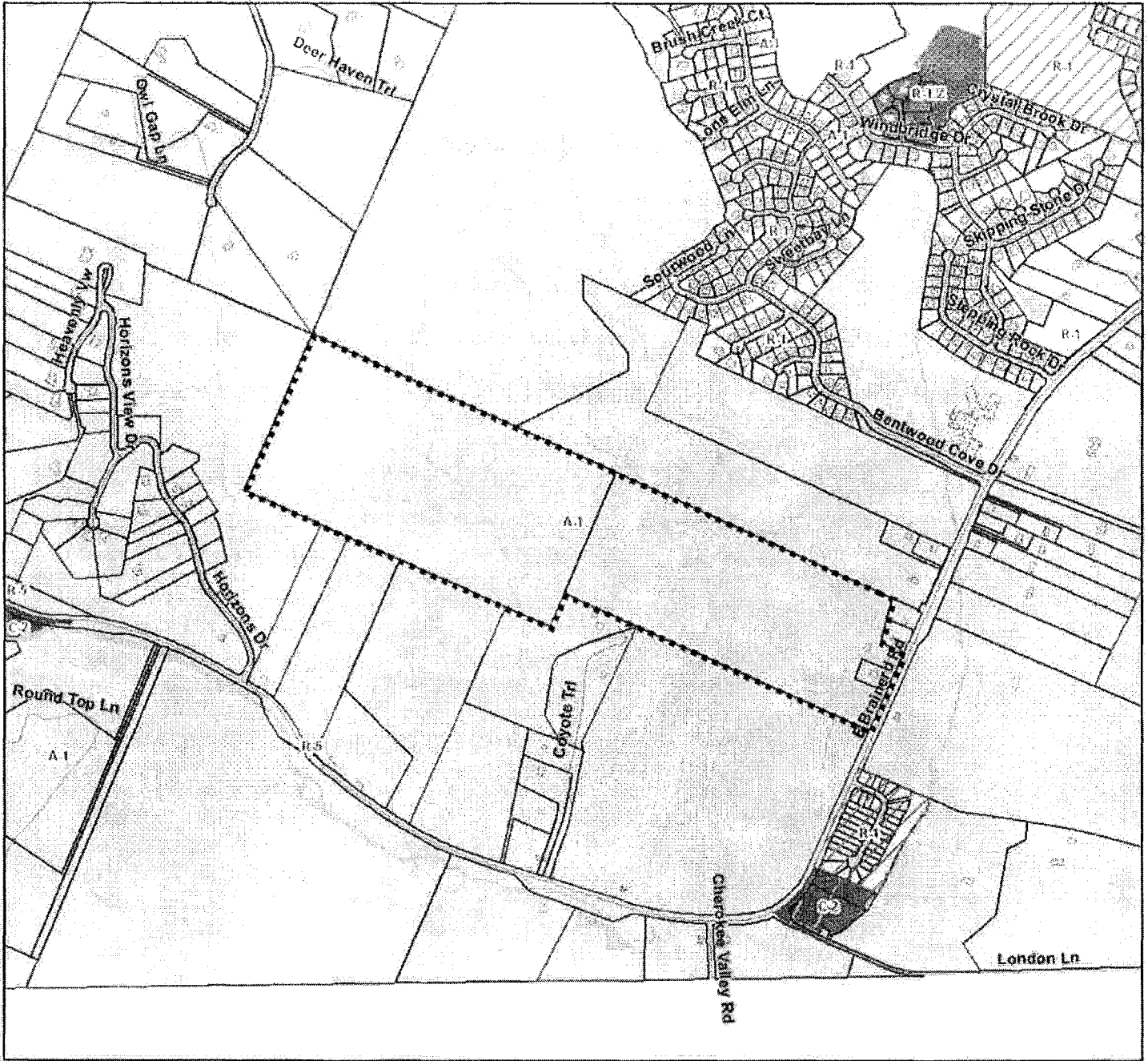
### Key Findings

- This case (2016-113) is one of two cases for the site including a Rezoning request for R-1 Single-Family Residential District (2016-112).
- The proposal is supported by the Comprehensive Plan's Development Policy of low-intensity development in the level 2 areas.
- The proposed use is compatible with surrounding low-density residential uses.
- The proposal is not consistent with the development form of the immediate parcels abutting the site. The proposal is consistent with other developments within a quarter mile of the site.
- The proposed density is not consistent with the immediate parcels abutting the site. The proposed density is consistent with other developments within a quarter mile of the site.
- The proposed site plan does raise concerns regarding location, stream buffering, and connectivity.
- The site plan currently places the highest density of dwellings along a creek buffer. This places significantly more impervious development closest to an area of highest preservation potential.
- The site plan shows smaller lots abutting a less intense zone.
- The development of this site will likely spur similar developments in the area. The site plan does not provide an opportunity for future development to create an auxiliary through-street and forcing all East Brainerd to be the only access for all future developments.
- The proposal would not be an extension of an existing zone.
- The proposed rezoning would continue a precedent found along East Brainerd Road.
- The applicant is encouraged to contact Hamilton County Water and Wastewater Treatment Authority for additional sewer comments.
- The County has requested a Traffic Study to be done for this site and provided before final approval at the County Commission.

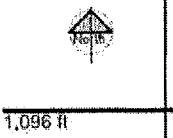

### Staff Recommendation

Approve


- 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 Transportation or Engineering Department for technical design requirements.

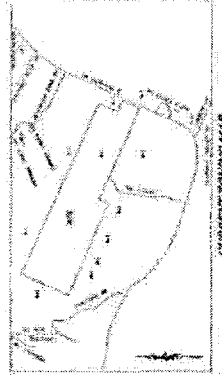


**2016-113 Special Exceptions Permit for a Residential PUD**

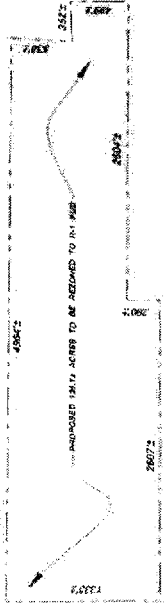
**Chattanooga Hamilton County Regional Planning Agency**





**SITE ANALYSIS**

PROPERTY ADDRESS: 0227, 0317, 1021, EAST BRAINER ROAD  
 74.3 MAP NUMBER: 175-002, 175-003, 175-095  
 PROPOSED ZONING: R-1 PUD  
 TOTAL SITE AREA: 152.74 ACRES  
 PROPOSED R-1 PUD AREA: 138.73 ACRES  
 TOTAL # OF PROPOSED BUCKLE LOTS: 240  
 COMMUNITY LOTS: 240  
 COMMUNITY LOT % OF TOTAL SITE: 100%  
 PROPOSED R-1 PUD DENSITY: 1.76 S/A/P

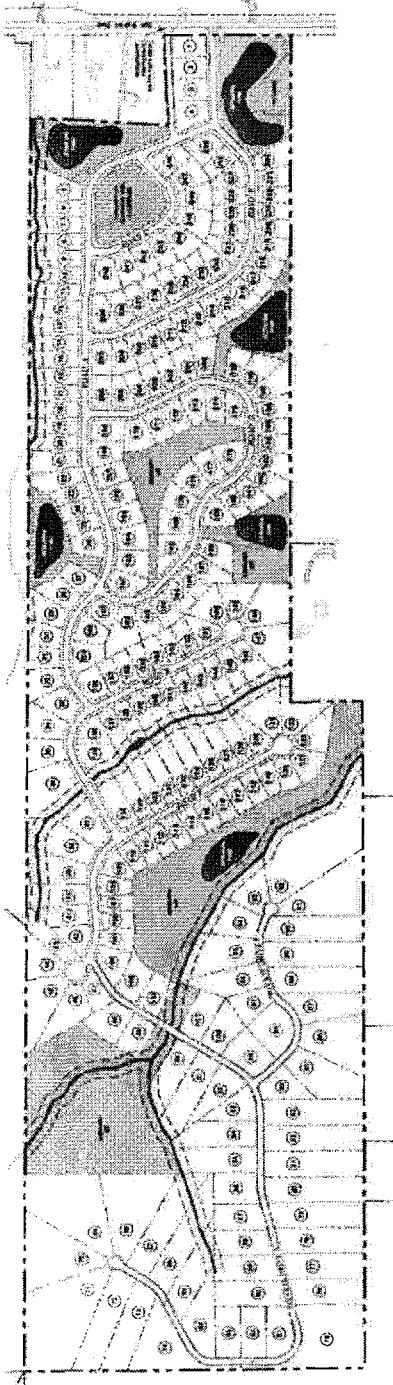


PROPOSED ZONING

**RECEIVED**

JUN 22 2016

City of Hamilton County  
 Regional Planning Agency  
 Development Services



**PRELIMINARY SITE PLAN**

MAP ENGINEERS L.L.C. ENGINEERS ARCHITECTS PLANNERS

10000 W. 10th Street, Suite 100, Denver, CO 80202  
 Phone: (303) 751-1111  
 Fax: (303) 751-1112  
 Website: www.mapengineers.com

Member: Triad Staff/Architect  
 PAUL AND JENNIFER, LLC  
 2001 W. 10th Street, Suite 100  
 DENVER, CO 80202

SCALE: 1" = 40'

NO. 175-002, 175-003, 175-095  
 152.74 ACRES  
 R-1 PUD  
 240 LOTS  
 1.76 S/A/P

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2016-113