



Hamilton County Board of Commissioners RESOLUTION

Nó. 916-32B

(P.C. NO. 2016-119)

A RESOLUTION TO REZONE FROM R-2A RURAL RESIDENTIAL DISTRICT TO C-3 GENERAL BUSINESS COMMERCIAL DISTRICT, PROPERTIES LOCATED AT 5007 AND 5011 ORCHARD DRIVE

WHEREAS, Wind River Tiny Homes c/o Jeremy Weaver and William & Linda Hullander petitioned the Chattanooga-Hamilton County Regional Planning Commission to rezone from R-2A Rural Residential District to C-3 General Business Commercial District, properties located at 5007 and 5011 Orchard Drive, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, Wind River Tiny Homes c/o Jeremy Weaver and William & Linda Hullander 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 to rezone, subject to the following conditions: (1) A type 'B' Landscape buffer shall be required along Orchard Drive. Only to be interrupted by an ingress/egress point. (2) Any outdoor storage of equipment or merchandise shall be limited to thirty percent (30%) of the lot square footage, excluding the area where buildings are located; such area shall be contained by fence, a minimum of six (6) feet high, and shall not encroach upon the required parking area. (3) Point of access to the site shall be located at the southeastern most point of Orchard Drive, parallel to railroad. Traffic to and from the site will not head west on Orchard Drive. (4) Limit the use for these parcels to Single-family dwellings or any light manufacturing which: (a) is not noxious or offensive by reason of emission of odor, fumes, dust, smoke, noise or vibration; (b) does not use mechanical power in excess of 5-horsepower; (c) does not habitually employ more than 5 mechanics or workers. (5) Hours of Operation shall be no earlier than 7:00am and no later than 7:00pm. from R-2A Rural Residential District to C-3 General Business Commercial District, properties located at 5007 and 5011 Orchard Drive. Two unplatted tracts of land located at 5011 Orchard Drive, being the properties described in Deed Book 10535, Page 671, ROHC. Tax Map 151-028 and Tax Map 161-068 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:



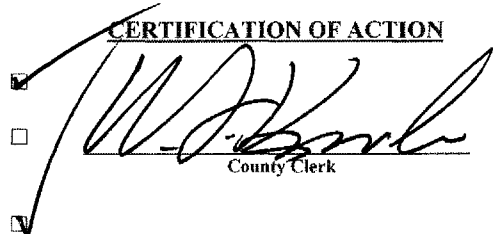
Rejected:

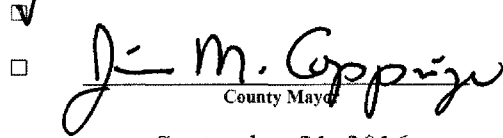
Approved:



Vetoed:




County Clerk


County Mayor

September 21, 2016

Date

2016-119 Hamilton County
August 8, 2016

RESOLUTION

WHEREAS, Wind River Tiny Homes c/o Jeremy Weaver and William & Linda Hullander petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission rezoning from R-2A Rural Residential District to C-3 General Business Commercial District, properties located at 5007 and 5011 Orchard Drive.

Two unplatted tracts of land located at 5011 Orchard Drive, being the properties described in Deed Book 10535, Page 671, ROHC. Tax Map 151-028 and Tax Map 161-068 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,

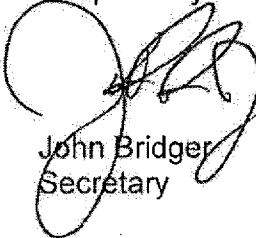
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is supported by the Development Policy from the Comprehensive Plan 2030 update which recommends low-to-medium intensity for the area.

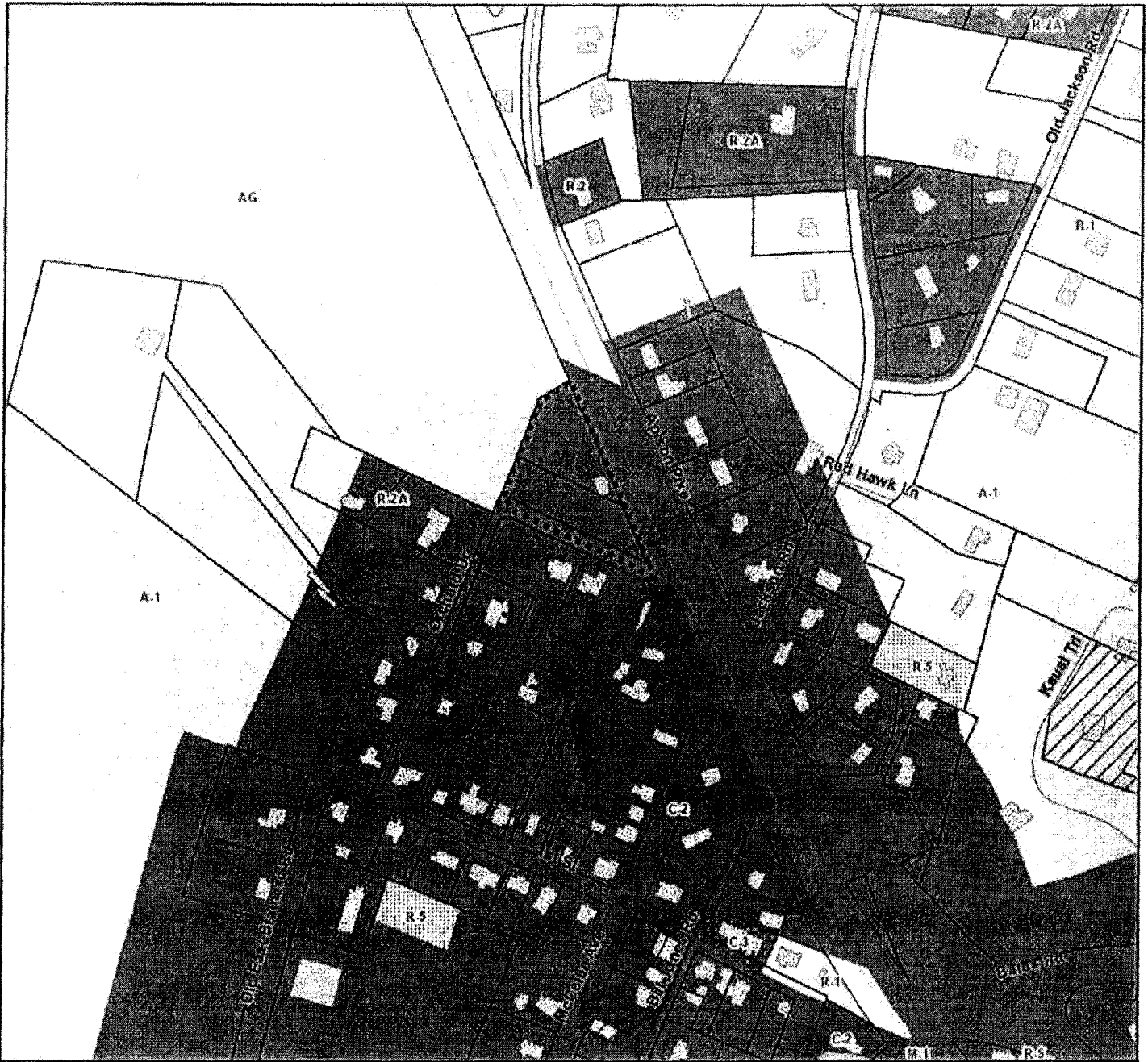
NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on August 8, 2016, recommended to the County Mayor and Members of the County Commission that this petition be approved, subject to the following conditions: (1) A type 'B' Landscape buffer shall be required along Orchard Drive. Only to be interrupted by an ingress/egress point. (2) Any outdoor storage of equipment or merchandise shall be limited to thirty percent (30%) of the lot square footage, excluding the area where buildings are located; such area shall be contained by fence, a minimum of six (6) feet high, and shall not encroach upon the required parking area. (3) Point of access to the

site shall be located at the southeastern most point of Orchard Drive, parallel to railroad. Traffic to and from the site will not head west on Orchard Drive. (4) Limit the use for these parcels to Single-family dwellings or any light manufacturing which: (a) is not noxious or offensive by reason of emission of odor, fumes, dust, smoke, noise or vibration; (b) does not use mechanical power in excess of 5-horsepower; (c) does not habitually employ more than 5 mechanics or workers. (5) Hours of Operation shall be no earlier than 7:00am and no later than 7:00pm.

Respectfully submitted,



John Bridger
Secretary



2016-119 Rezoning from R-2A to C-3



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-119: Approve, subject to the conditions in the Planning Commission Resolution.

Chattanooga Hamilton County Regional Planning Agency

326ft

Jilin,
RPA

PLANNING COMMISSION CASE REPORT

Case Number: 2016-119

PC Meeting Date: 08-08-16

Applicant Request

Rezone R-2A Rural Residential District to C-3 General Business Commercial District

Property Location:	5007 and 5011 Orchard Drive
Property Owner:	William & Linda Hullander
Applicant:	Wind River Tiny Homes Attn: Jeremy Weaver

Project Description

- Proposal: Develop 1.45-acre site with light manufacturing and office development for a custom tiny house build shop.
- Proposed Access: Entrance on Orchard Road.
- Proposed Development Form: A 5,200 square foot building with circular drive and parking located in the rear.

Site Analysis**Site Description**

- Location: The site is located on the north side of Orchard Drive approximately 350' north of the Orchard Drive and McCallie Avenue intersection along the western edge of a railroad right-of-way.
- Current Access: Current Access to the site is from Orchard Drive. There is a railroad between the site and Apison Pike.
- Current Development form: The area is a mixture of large undeveloped lots, small lots with single-family dwellings and small commercial buildings.
- Current Land Uses: To the west of the site is a railroad and then Apison Pike. To the south are single family residential uses and a small scale commercial use. To the west is a large agricultural use.

Zoning History

- The site is currently zoned R-2A Rural Residential District.
- The property to the north is zoned AG Agricultural within the City of Collegedale, Tennessee. The property to the east is zoned R-2A Rural Residential District. The properties to the south are zoned R-2A Rural Residential District and C-2 Local Business Commercial District. The properties to the west are zoned R-2A Rural Residential District and AG Agricultural.
- The nearest C-3 General Business Commercial District (same as the request) is approximately 800' 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 3. Level 3 describes the development potential appropriate for low-to-medium density development based on the limited infrastructure.
- The R-2A Rural Residential District permits farming, stables for personal use, single-family dwellings, and two-family dwellings (duplexes) with a special permit from the Board of Zoning Appeals (BZA).
- The C-3 General Business Commercial District permits most large businesses, hospitals, and wholesale facilities. It prohibits most commercial uses which produce noise, odor, or chemical nuisances such as auto wrecking yards and mattress factories.

Key Findings

- The proposal is supported by the Development Policy from the Comprehensive Plan 2030 update which recommends low-to-medium intensity for the area.

PLANNING COMMISSION CASE REPORT

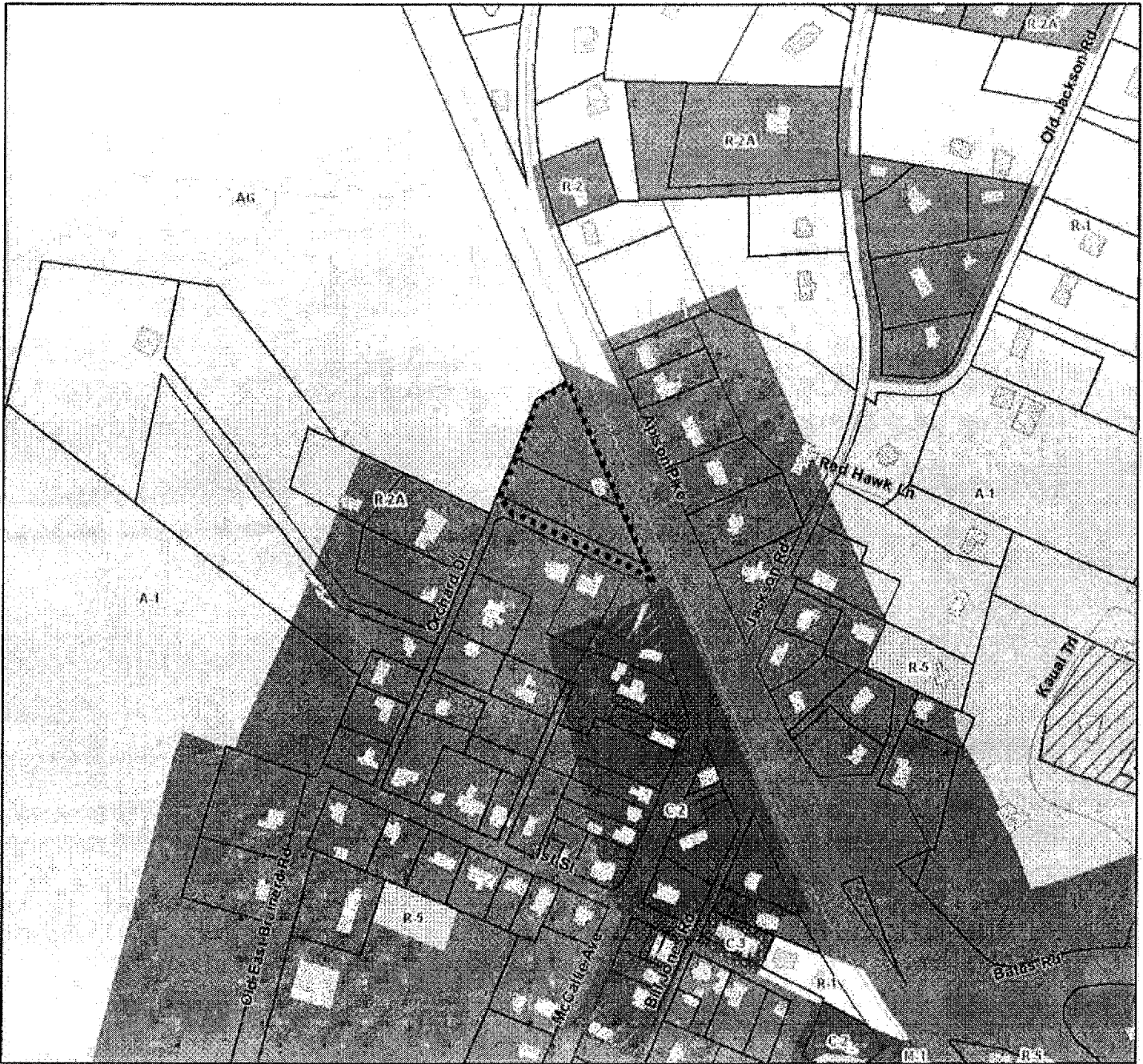
- The proposed use, without appropriate screening/buffering, is not compatible with surrounding residential uses.
- The proposal is not consistent with the development form of the area.
- The proposed structure does raise concerns regarding location, lighting, and access of vehicles to the site.
- The proposal would not be an extension of an existing zone. However, the site does sit at the end of a commercially zoned corridor (C-2 Local Business Commercial District).
- The proposal would set a precedent for future requests by allowing a new use into the area.

The site is not ideally suited for residential development given its proximity to an active railroad line. The ideal use would be an office or other non-residential use with limited traffic activity. However, the community does have a mix of commercial and residential uses on the same street within this vicinity (McCallie Ave to the south). The challenge with the immediate location is there are several existing residential homes on Orchard Drive, which is a small residential street.

Staff Recommendation

Approve, subject to the following conditions:

1. A type 'B' Landscape buffer shall be required along Orchard Drive. Only to be interrupted by an ingress/egress point.
2. Any outdoor storage of equipment or merchandise shall be limited to thirty percent (30%) of the lot square footage, excluding the area where buildings are located; such area shall be contained by fence, a minimum of six (6) feet high, and shall not encroach upon the required parking area.
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5. Hours of Operation shall be no earlier than 7:00am and no later than 7:00pm.



2016-119 Rezoning from R-2A to C-3



Chattanooga Hamilton County Regional Planning Agency



326 ft

RPA

Site Plan

Case # _____

Total acres being requested for rezoning: Approx. 2 acres.

Applicant Initial: TP

Date Received: 6/27/16

