



Hamilton County Board of Commissioners RESOLUTION

No. 217-19B

(P.C. NO. 2016-197)

A RESOLUTION GRANTING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT OF PROPERTIES LOCATED AT 9730, 9742 AND 9744 EAST BRAINERD ROAD

WHEREAS, Ooltewah Development, LLC Shane Howard & Robert & Darlene Center petitioned the Chattanooga-Hamilton County Regional Planning Commission to grant a Special Exceptions Permit for a Residential Planned Unit Development of properties located at 9730, 9742 and 9744 East Brainerd Road, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, Ooltewah Development, LLC Shane Howard & Robert & Darlene Center 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 February 15, 2017, 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, subject to the following conditions: 1) No more than 3.4 units per acre; 2) All homes within the development shall be detached single family; 3) Roadway improvements to East Brainerd Road shall include a left turn into the development from East Brainerd Road and a right turn into the development from East Brainerd Road. Entrance to development shall have a dedicated right turn and left turn out of the development. Said work per the requirements of the Hamilton County Engineering Department; 4) A 20' vegetative buffer shall be left in place along the eastern boundary of the development. Healthy existing trees to remain and new trees and shrubs may be planted to achieve a Type "B" vegetative buffer; 5) A 6' high vinyl coated chain link fence shall be located along the eastern boundary of the development where residential lots abut said boundary; 6) A 15' vegetative buffer shall be established along East Brainerd Road and shall be planted with evergreen and deciduous trees and shrubs as generally depicted on a plan as prepared by Craig Design Group entitled Landscape Plan for the Enclave Development. The number of shrubs and trees depicted shall not be less in quantity than those shown and all trees shall be planted at a minimum 2" caliper and all shrubs planted shall be minimum 3 gallon. In addition, there shall be arrow of class I trees planted adjacent to the 15' landscape buffer with trees planted at approximately 30' on center and trees shall be located from 5' to 25' of the buffer. All trees and shrubs shall be maintained with reasonable practices. Trees shall be replanted within 6 months if said trees are removed for any cause; 7) An 80' undisturbed buffer area will be provided at south property border and shall not be disturbed with exception of replanting, extension of utilities or use for a trail or greenway sponsored by government agency or qualified non-profit organization. Any greenway trail system shall be located as agreed upon by the subdivision

HOA; 8) Concrete sidewalks, minimum width of 5 feet, shall be placed inside the right of way of East Brainerd Road and as approved by the Hamilton County Engineering Department; and 9) Residential homes where the rear of the house faces East Brainerd Road shall be setback no closer than 40' from the right of way of East Brainerd Road. Any residential homes where the side of the home faces East Brainerd Road shall be setback no closer than 30' from the right of way of East Brainerd Road, for a Residential Planned Unit Development of properties located at 9730, 9742 and 9744 East Brainerd Road. Three unplatted tracts of land located at 9730, 9742 and 9744 East Brainerd Road being the properties described in Deed Book 5720, Page 205, ROHC, Deed Book 8522, Page 99, and Deed Book 10440, Page 73, RPHC. Tax Map 712-056, 068 and 069 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

February 15, 2017

Date

2016-197 Hamilton County
December 12, 2016(deferred)
January 9, 2017(action taken)

RESOLUTION

WHEREAS, Ooltewah Development, LLC Shane Howard & Robert & Darlene Center 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 of properties located at 9730, 9742 and 9744 East Brainerd Road.

Three unplatted tracts of land located at 9730, 9742 and 9744 East Brainerd Road being the properties described in Deed Book 5720, Page 205, ROHC, Deed Book 8522, Page 99, and Deed Book 10440, Page 73, RPHC. Tax Map 712-056, 068 and 069 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on December 12, 2016, at which time hearing was deferred to January 9, 2017,

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

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

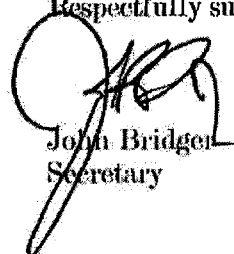
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

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

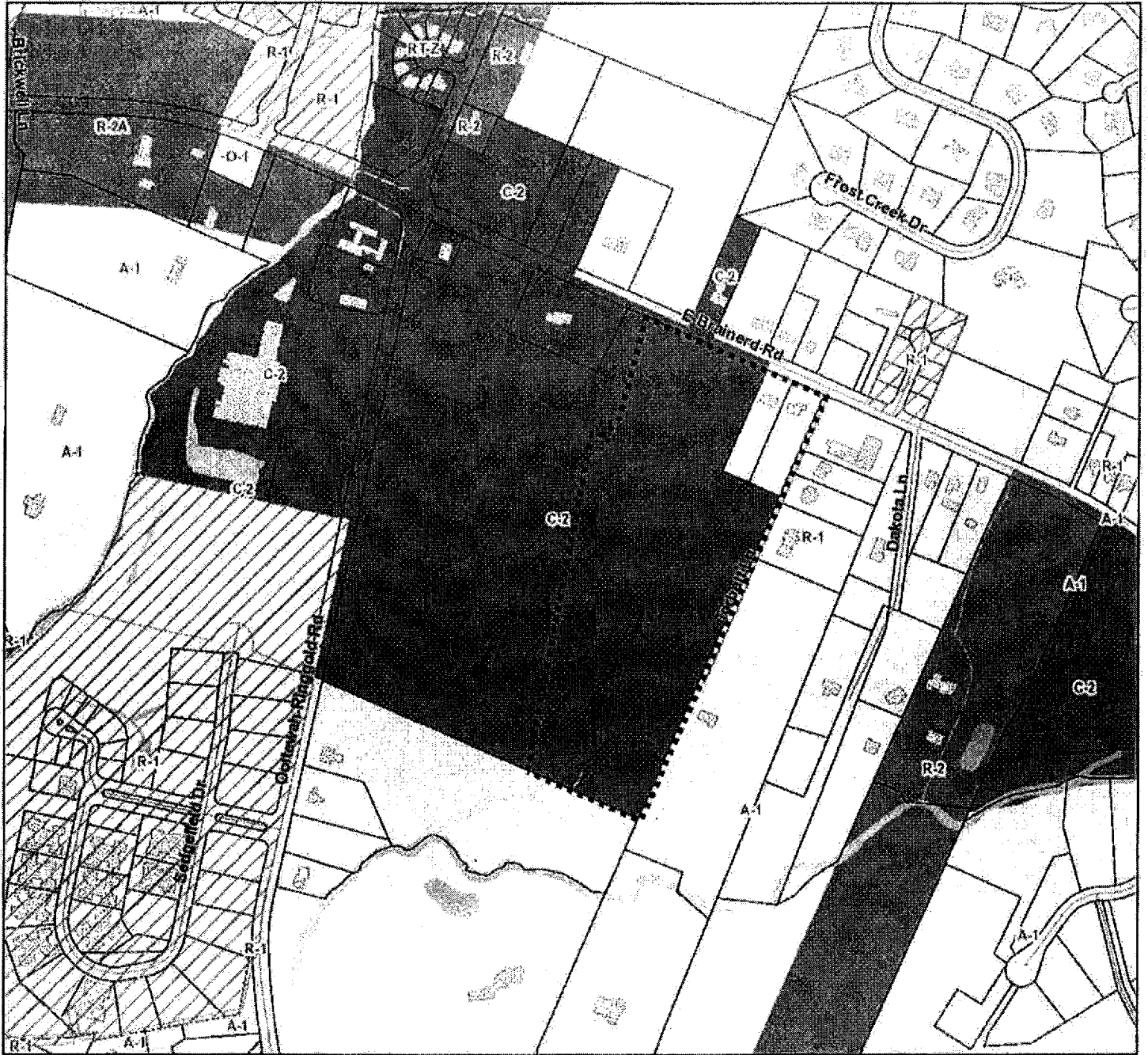
NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on January 9, 2017, recommended to the County Mayor and Members of the County Commission that this petition be approved, subject to the following conditions: 1) No more than 3.4 units per acre; 2) All homes within the development shall be detached single family; 3) Roadway improvements to East Brainerd Road shall include a left turn into the development from East Brainerd Road and a right turn into the development from East Brainerd Road. Entrance to development shall have a dedicated right turn and left turn out of the development. Said work per the requirements of the Hamilton County Engineering Department; 4) A 20' vegetative buffer shall be left in place along the eastern boundary of the development. Healthy existing trees to remain and new trees and shrubs may be planted to achieve a Type "B" vegetative buffer; 5) A 6' high vinyl coated chain link

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Respectfully submitted,



John Bridger
Secretary



2016-197 Special Exceptions for a Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-197: Approve, subject to the list of conditions in the Planning Commission Resolution.

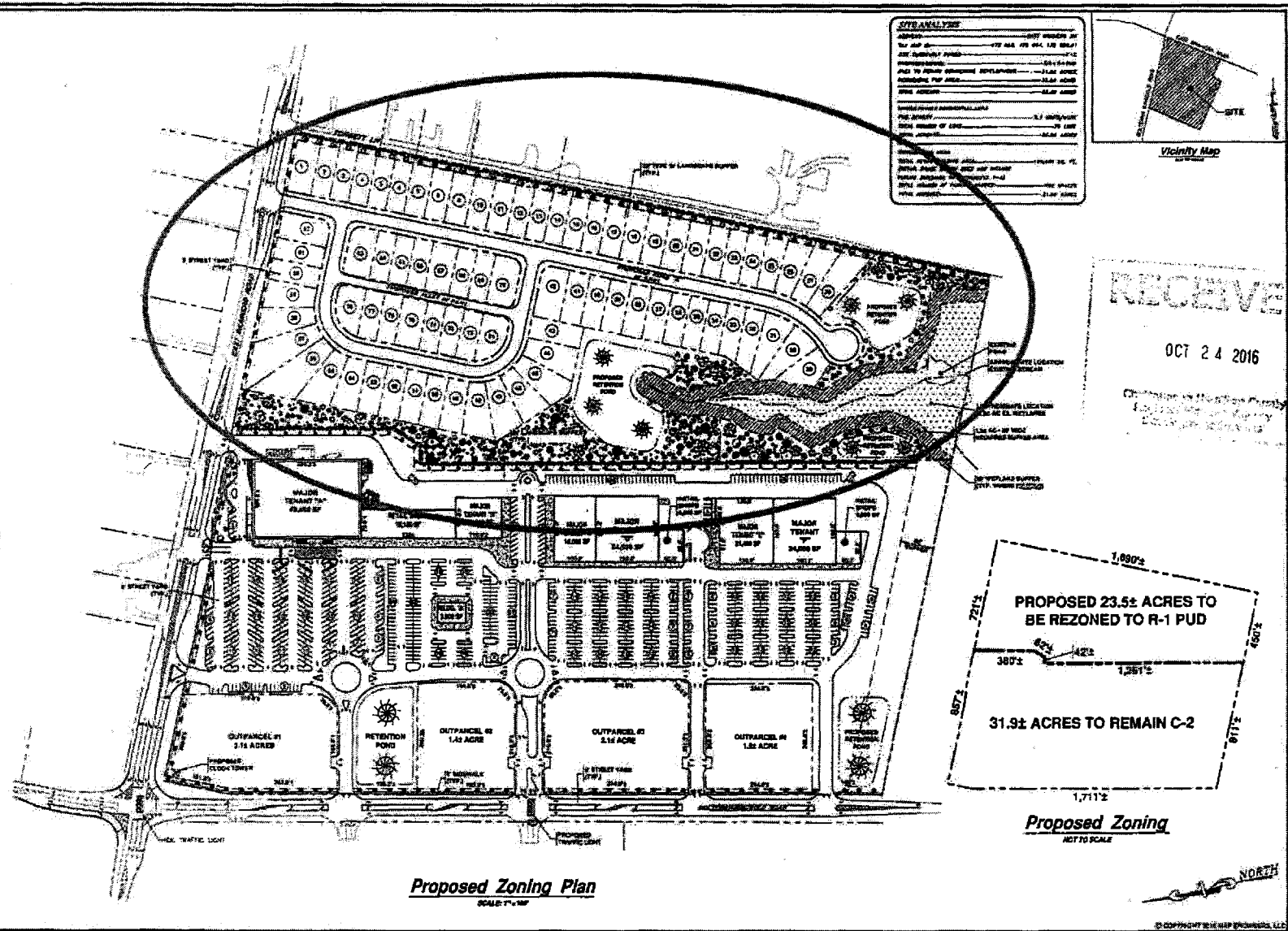
514 ft



Chattanooga Hamilton County Regional Planning Agency



2016-197



SITE ANALYSIS

ADDITIONAL LAND TO BE ACQUIRED	1.000 ACRES
TOTAL SITE AREA	1.000 ACRES
ADDITIONAL LAND TO BE ACQUIRED	1.000 ACRES
TOTAL SITE AREA	1.000 ACRES
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TOTAL SITE AREA	1.000 ACRES
ADDITIONAL LAND TO BE ACQUIRED	1.000 ACRES
TOTAL SITE AREA	1.000 ACRES



PRELIMINARY
NOFFER
CONSTRUCTION

MAP ENGINEERS LLC

THE ENCLAVE DEVELOPMENT

FOR:
COLEMAN DEVELOPMENT, LLC
7025 SHALLOWFORD ROAD
CHATTANOOGA, TN 37421

PROPOSED ZONING PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1	10/21/2016	1. PRELIMINARY
2	10/21/2016	2. PRELIMINARY
3	10/21/2016	3. PRELIMINARY
4	10/21/2016	4. PRELIMINARY
5	10/21/2016	5. PRELIMINARY
6	10/21/2016	6. PRELIMINARY
7	10/21/2016	7. PRELIMINARY
8	10/21/2016	8. PRELIMINARY
9	10/21/2016	9. PRELIMINARY
10	10/21/2016	10. PRELIMINARY
11	10/21/2016	11. PRELIMINARY
12	10/21/2016	12. PRELIMINARY
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94	10/21/2016	94. PRELIMINARY
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96	10/21/2016	96. PRELIMINARY
97	10/21/2016	97. PRELIMINARY
98	10/21/2016	98. PRELIMINARY
99	10/21/2016	99. PRELIMINARY
100	10/21/2016	100. PRELIMINARY

ALL RIGHTS RESERVED

DATE: 10/21/2016
DRAWN BY: [Name]
CHECKED BY: [Name]
PROJECT NUMBER: [Number]
SHEET NUMBER: **PS-1**

PLANNING COMMISSION CASE REPORT

Case Number: 2016-197

PC Meeting Date: 12-12-16

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

Property Location:	9742 & 9744 East Brainerd Road
Property Owner:	Shane Howard/ Robert & Darlene Center
Applicant:	Ooltewah Development, LLC

Project Description

- **Proposal:** Amend an existing Planned Unit Development (PUD) to include an additional 2.1 acres and add an additional 6 lots. The new proposed PUD would be 23.5 acres and developed as a single-family detached subdivision with 78 lots.
- **Proposed Access:** The PUD Plan shows access from East Brainerd Road.
- **Proposed Development Form:** A single-family detached subdivision with one point of ingress and egress.
- **Proposed Density:** The density for the proposed PUD is 3.3 dwelling units per acre

Site Analysis**Site Description**

- **Location:** The proposed PUD site is located on the eastern portion of the commercially-zoned area at the southeast corner of the East Brainerd Road and Ooltewah-Ringgold Road intersection. It is adjacent to a planned commercial development fronting Ooltewah-Ringgold Road and a portion East Brainerd Road.
- **Potential Access:** Access from East Brainerd Road and through internal unnamed road at commercial center to the west.
- **Current Land Uses:** East along East Brainerd Road are rural development patterns including large-lot residential, churches and large agricultural lots. To the west is a commercial shopping center. To the north along Ooltewah-Ringgold Road is a mixture of suburban small-lot subdivisions and rural large-lot residential. To the south is a single large agricultural lot.
- **Current Density:** Average residential density (based on those residential lots within 300' of the site) in the area is 0.6 dwelling units per acre. The Oxford Park Planned Unit Development approximately 430 feet east of the site (approved in 2011) has the highest residential density at 4.88 dwelling units per acre.

Zoning History

- As of the publication date of this report, the site is currently zoned C-2 Local Business Commercial District and R-1 Single-Family Residential District. An October Planning Commission case (2016-151) is pending at the Hamilton County Commission to rezone the larger portion of this site to R-1 Single-Family Residential District. A residential PUD case (2016-152) is also pending so as to finalize language for conditions.
- The properties to the north and east are zoned a mixture of A-1 Agricultural District and R-1 Single-Family Residential District. The property to the west is zoned C-2 Local Business Commercial District. The property to the south is A-1 Agricultural District.

Plans/Policies/Regulations

- The East Brainerd Corridor Community Plan addresses the properties located on the western edge of the Ooltewah-Ringgold Road and East Brainerd Road intersection. The plan recommends medium to high intensity mixed-uses to be planned and constructed as a unit. It also recommends improvements be made to both roads.
- 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 and 1.

PLANNING COMMISSION CASE REPORT

Level 3 describes the development potential appropriate for low-to-medium intensity development based on the limited infrastructure. 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

- 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 PUD is limited to what is shown on the PUD Plan as approved by the Hamilton County Commission.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use is consistent and compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structures do not raise concerns regarding location, lighting, or height.
- The proposal would not set precedence for future requests.

Other Departmental Comments

- Due to the timing of this case to a previous companion case the County Commission may have added additional conditions which were not able to be reflected, but would likely be desirable to carry over from case 2016-152.

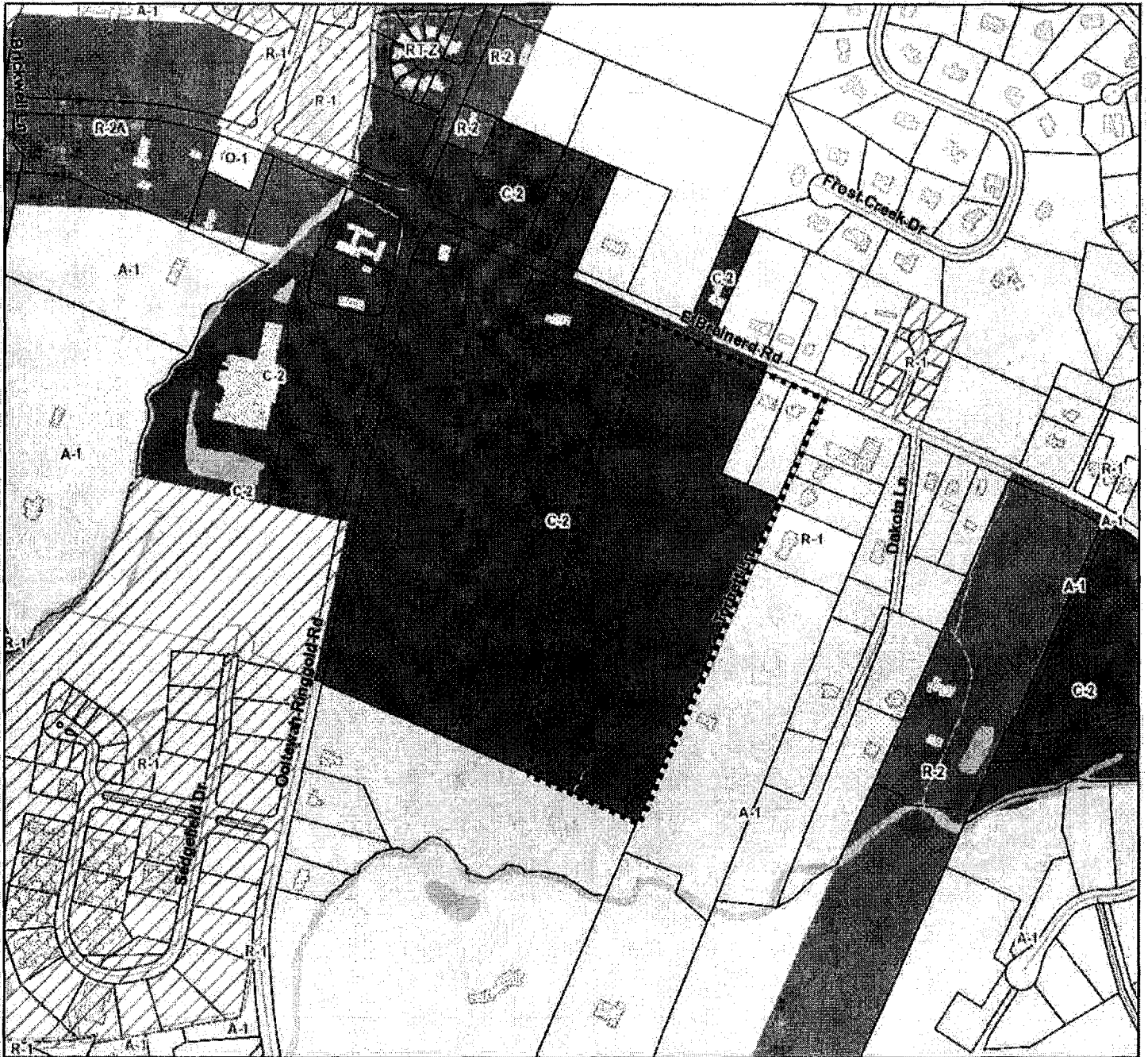
Staff Recommendation

Approve, subject to the following conditions;

1. Black coated chain link fence along eastern property line;
2. Twenty foot (20') Type B landscape buffer along eastern and western property lines;
3. Single-family dwellings only;
4. Road improvements to be approved by Hamilton County Engineering Department prior to going to County Commission meeting.
5. A pedestrian connection shall be required from this Planned Unit Development to the western commercial center which the proposal abuts.

Note: If previous cases 2016-151 and 2016-152 are not acted upon by the Hamilton County Commission at the December 7, 2016 meeting, this case cannot be acted upon by the Planning Commission.

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.



2016-197 Special Exceptions for a Residential PUD



514 ft

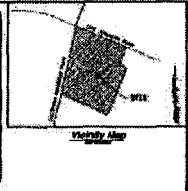
Chattanooga Hamilton County Regional Planning Agency



2016-197

SYNOPSIS

Project Name	2016-197
Project Location	2016-197
Project Description	2016-197
Project Status	2016-197
Project Owner	2016-197
Project Engineer	2016-197
Project Date	2016-197

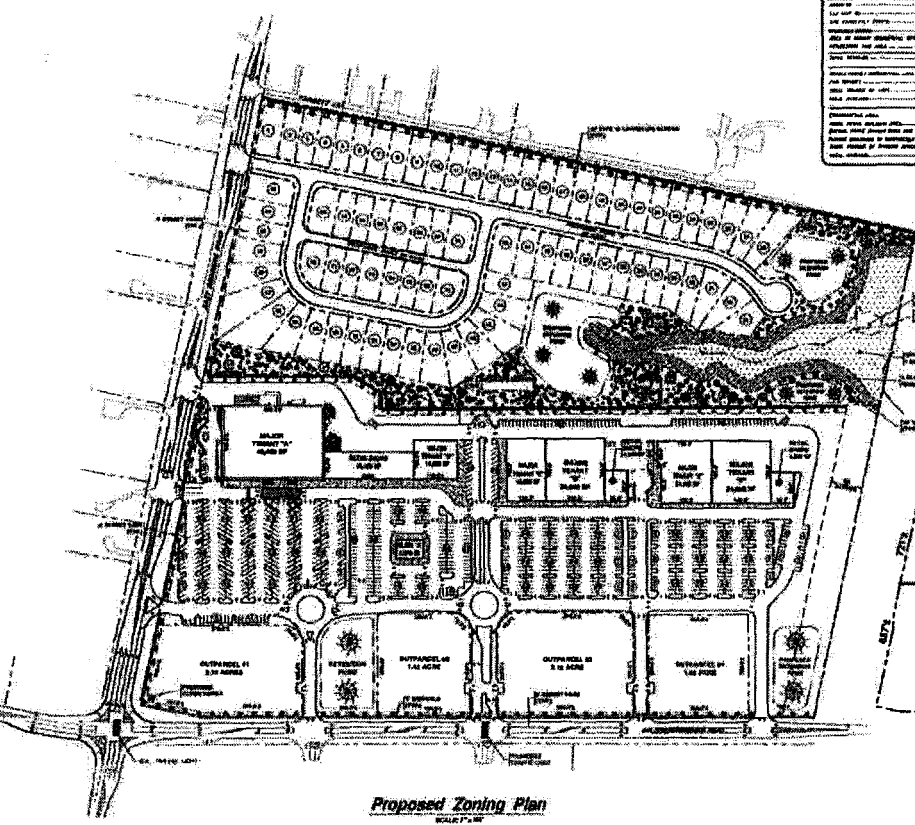


THE ENCLAVE DEVELOPMENT
FOR
COULTERMAN DEVELOPMENT, LLC
1000 SHALLOWFORD ROAD
CHATTANOOGA, TN 37421

PROPOSED
ZONING
PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		



Proposed Zoning Plan
SCALE: 1" = 100'

Proposed Zoning
NOT TO SCALE



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2016-151 Lift and Amend Conditions

County Commission: Rezone a Portion to R-1 & Amend Conditions on the Remaining C2 Area



618 ft



Chattanooga Hamilton County Regional Planning Agency

