



Hamilton County Board of Commissioners RESOLUTION

No. 317-27

(P.C. NO. 2017-013)

A RESOLUTION TO REZONE FROM A-1 AGRICULTURAL DISTRICT & R-2A RURAL RESIDENTIAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, PROPERTIES LOCATED AT 9646 AND 9648 EAST BRAINERD ROAD

WHEREAS, Mike Moon/East Haven Partners, LLC & Childress Family Limited Partnership petitioned the Chattanooga-Hamilton County Regional Planning Commission to rezone from A-1 Agricultural District & R-2A Rural Residential District to R-1 Single Family Residential District, properties located at 9646 and 9648 East Brainerd Road, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, Mike Moon/East Haven Partners, LLC & Childress Family Limited Partnership 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 March 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 to rezone from A-1 Agricultural District & R-2A Rural Residential District to R-1 Single Family Residential District, properties located at 9646 and 9648 East Brainerd Road. Two unplatted tracts of land located at 9646 and 9648 East Brainerd Road being the properties described in Deed Book 5447, Page 529, and Deed Book 9707, Page 738 ROHC. Tax Map 172-048 and 049 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

March 15, 2017

Date

2017-013 Hamilton County
January 9, 2017(Deferred)
February 13, 2017(Action Taken)

RESOLUTION

WHEREAS, Mike Moon/East Haven Partners, LLC & Childress Family Limited Partnership petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission the rezoning from A-1 Agricultural District & R-2A Rural Residential District to R-1 Single Family Residential District, properties located at 9646 and 9648 East Brainerd Road.

Two unplatted tracts of land located at 9646 and 9648 East Brainerd Road being the properties described in Deed Book 5447, Page 529, and Deed Book 9707, Page 738 ROHC. Tax Map 172-048 and 049 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 9, 2017, at which time action was deferred to February 13, 2017,

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

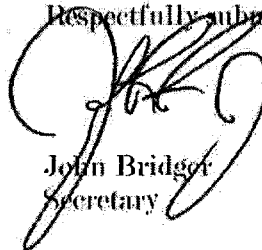
AND WHEREAS, no one was present in opposition to the petition,

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 compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 13, 2017, recommended to the County Mayor and Members of the County Commission that this petition be approved.

Respectfully submitted,



John Bridger
Secretary



2017-013 Rezoning from A-1 and R-2A to R-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2017-013: Approve



635 ft



Chattanooga Hamilton County Regional Planning Agency



PLANNING COMMISSION CASE REPORT

Case Number: 2017-013

PC Meeting Date: 01-09-16

Applicant Request**Rezone A-1 Agricultural District to R-1 Single-Family Residential District**

Property Location:	9646 & 9648 East Brainerd Road
Property Owner:	Childress Family Limited Partnership
Applicant:	Mike Moon/East Haven Partners, LLC

Project Description

- Proposal: Develop single-family detached residential subdivision.
- Proposed Access: A future public road connecting to East Brainerd Road.
- Proposed Density: Based on building setback requirements, the typical density is approximately 3 to 4 dwelling units per acre.

Site Analysis**Site Description**

- Location: The landlocked 7.9 acre site is located 370 feet off East Brainerd Road and 400 feet west of the East Brainerd Road and Ooltewah Ringgold Road intersection
- Potential Access: The site is currently accessed through a private easement to East Brainerd Road.
- Current Land Uses: The site currently has a single-family dwelling with a creek. To the west are several low density single-family dwellings. To the north are a cemetery, church and several low density single-family dwellings. To the east is a commercial strip center across the creek.
- Current Density: To the west is an 18 acre site with 2 single-family dwellings. To the south is a 17 acre site with one single-family dwelling on it. The density of the two lots abutting the site to the north is approximately 1.33 dwelling units per acre.
- Natural Resources: There is a creek on the eastern boundary of the site with approximately an acre of land within the 100-Year Flood Area as identified by the FEMA layer on the Hamilton County GIS online map.

Zoning History

- The site is currently zoned A-1 Agricultural District.
- The properties to the west and north are zoned R-2A Rural Residential District. The property to the south is zoned A-1 Agricultural District. The property to the east is zoned C-2 Local Business Commercial District.
- The nearest R-1 Single-Family Residential District (same as the request) is approximately 500 feet to the north across East Brainerd Road.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The East Brainerd Corridor Plan (adopted by City Council in 2003) recommends Medium Density Residential for this site.
- 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 4. Level 4 describes the development potential appropriate for medium-to-high intensity development based on access to infrastructure.
- The A-1 Agricultural District permits agricultural uses and single-family homes not to exceed 2 dwelling units per acre. The minimum lot size is 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 maximum density allowed is 2 dwelling units per acre.
- The R-1 Single-Family Residential District only permits single-family homes with a minimum lot size

PLANNING COMMISSION CASE REPORT

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.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use and zone are compatible with surrounding uses.
- The development form around the site is varied, including several large acre tracts to the west, and residential subdivisions to the north (behind Westview Elementary) and to the south of the site.
- The proposed residential density is significantly higher but not incompatible with the surrounding densities.
- The potential structures could raise concerns regarding location based on the environmental challenges on the site and the current lack of public road frontage which would be required in order to subdivide the property.
- The "Floodplain Management in Tennessee Quickguide" published in 2010 by the Tennessee Department of Economic and Community Development recommends keeping home sites out of the 100-Year Floodplain (page 10) as development may increase flood depths and alter flow patterns (page 34).
- The proposal would not be an extension of an existing zone.
- The proposal would set a precedent for future requests and likely spur the large lots abutting the site to eventually build out in a similarly dense manner.

Other Departmental Comments

- No other department has provided comments for this case.

Staff Recommendation

Approve