

10/9/12

2012-118
AD Engineering/Tiffany Farley
District No. 4

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED AT 7435 AND 7437 PINWOOD DRIVE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for a Residential Planned Unit Development on property located at 7435 and 7437 Pinewood Drive, subject to certain conditions, more particularly described in the attached maps and drawings attached hereto.

Lots 9 and 10 of Tract 2 and Lots 10 and 11 of Tract 3, Subdivision of Tracts 2, 3, 4, 6 and 7, of the Varnell Farms, Plat Book 14, Page 140, ROHC, Deed Book 8505, Page 660 and Deed Book 9432, Page 3, ROHC. Tax Map Nos. 149B-A-013 and 014.

BE IT FURTHER RESOLVED, That this Special Exceptions Permit shall be subject to the attached Planning Commission Requirements.

ADOPTED: _____, 2012.

/mms

2012-118 City of Chattanooga
September 10, 2012

RESOLUTION

WHEREAS, AD Engineering/Tiffany Farley petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the granting of a Special Exceptions Permit for a Residential Planned Unit Development on property located at 7435 and 7437 Pinewood Drive.

Lots 9 and 10 of Tract 2 and Lots 10 and 11 of Tract 3, Subdivision of Tracts 2, 3, 4, 6 and 7, of the Varnell Farms, Plat Book 14, Page 140, ROHC, Deed Book 8505, Page 660 and Deed Book 9432, Page 3, ROHC. Tax Map 149B-A-013 and 014 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 10, 2012,

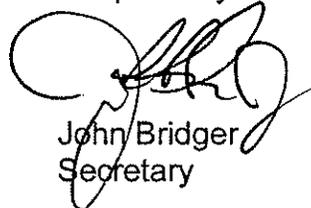
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 10, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved as a Preliminary and Final Residential Planned Unit Development simultaneously, subject to the attached Planning Commission Requirements.

Respectfully submitted,



John Bridger
Secretary

Case Number: 2012-118

Applicant Request: Special Exceptions Permit: Preliminary and Final Residential Planned Unit Development

Applicant: AD Engineering Attn: Tiffany Farley for B&L Builders
 Property Address: 7435 & 7437 Pinewood Drive
 Jurisdiction: Chattanooga District 4/Hamilton County District 7
 Neighborhood: Friends of East Brainerd/Brainerd & East Brainerd Chamber Council

Proposed Development
 Site Plan Submitted: Yes
 Proposed Use: 14 Single Family Lots & 1 Community Lot-Residential Planned Unit Development

Site Characteristics
 Current Zoning: R-1 Residential Zone
 Current Use: Single Family Residential
 Adjacent Uses: Single Family Residential
 Size of Tract: 3.92 Acres

**Planning Commission Recommendation:
 Approve with change (see resolution)**

STAFF RECOMMENDATION: APPROVE AS A PRELIMINARY Residential Planned Unit Development, subject to the requirements listed below.

Analysis
 Extension of Existing Zoning? Yes
 Community Land Use Plan: Hamilton Place Community Plan (2001)
 Proposed Use Supported by Community Land Use Plan? Yes
 Proposed Use Supported by Comprehensive Plan? Yes

Comments

Planning Staff: Applicant Request
 The applicant is proposing a 14-lot residential Planned Unit Development on 3.92 acres. The proposed residential units are single-family detached dwellings.

Site Description
 This block of Pinewood Drive (from Gunbarrel Road to Kelley Road) primarily consists of large-lot single-family residences. Also fronting on Pinewood Drive in the area is a church and, across the street from this proposed Planned Unit Development, a residential Planned Unit Development. The Remington Court subdivision has a development form similar to the proposed Planned Unit Development and consists of 18 lots on 3.72 acres within an overall (gross) density of 4.8 dwelling units an acre.

11 acres at the intersection of Pinewood Drive and Gunbarrel Road are zoned R-3 Residential Zone. There are two lots (one parcel) between the multi-family zoned property and this proposed Planned Unit Development site.

Applicable Plans/Policies

The Hamilton Place Community Plan recommends low to medium-density residential development for this area. The proposed development (14 units on 3.92 acres) has a density of 3.57 dwelling units an acre. The maximum density under the R-1 Residential Zone is five dwelling units an acre so the proposed gross density is less than that allowed under the existing zoning.

Staff Recommendation

Staff is recommending approval as a *Preliminary* PUD Plan, subject to certain requirements listed below.

Section 38-402(3) of the Chattanooga Zoning Ordinance requires that the recommendation specifically reference the following:

1. The property adjacent to the area included in the plan will not be adversely affected.
2. The plan is consistent with the intent and purpose of this ordinance to promote public health, safety, morals, and general welfare.
3. The building shall be used only for single-family dwellings, two-family dwellings, or multi-family dwellings and the usual accessory uses such as private or storage garages, storage space, and for community activities, including school and/or churches.
4. There is a need for such development in the proposed location.
5. There is reasonable assurance that development will proceed according to the spirit and letter of approved plans.

In reference to the above, the proposed residential form and density are in keeping with the surrounding development and meets the intent of the ordinance. The gross density is relatively low although it is of a greater density than many of the surrounding lots. The proposed development has lots ranging from 4,662 square feet to the large community lot at 30,112 square feet. However, Remington Court across the street from this proposed development has a similar density and design. Remington Court's has several lots in the 5,600-6,600 square foot range. The proposed buildings shall be used for detached single-family dwellings and accessory uses. No comment can be made with certainty that there exists a "need" for this development. *The following list of requirements will ensure that the development will proceed "according to the spirit and letter of approved plans":*

Planning Commission Requirements:

1. In the title block change "Preliminary Planned Unit Development" to "Final Planned Unit Development".
2. Topography is not required on final plat; therefore remove topography.

3. Show and label existing and installed sanitary sewer lines and manholes.
4. Delete the following note: "Topo was obtained from an actual field survey dated April 10, 2008 conducted by Niles Surveying Co., Inc. Elevations were determined from benchmark or monument located at the northwest corner of the project. Elevation=733.46".
5. In note 15 change "Present Zoning: R-1" to "Present Zoning: R-1 P.U.D."
6. The location of single-family detached structures is not required; therefore, suggest deleting the single-family structures.
7. Add the following note: "Type of Development Proposed: Single-Family Detached Residential".
8. Add the following note: "Density of Development: 3.8 dwelling units per acre".
9. In Lots 15, 7, 8, and 9 change "20' Public Drainage Easement" to "20' Private Drainage Easement and City of Chattanooga Inspection Access Easement".
10. Add the following note: "The City of Chattanooga reserves the right to access Community Lot 15 at anytime to inspect the 20' Private Drainage Easement and City of Chattanooga Inspection Access Easement and Facilities".
11. Add the following note: "The City of Chattanooga is not responsible for the construction or maintenance of any private drainage detention, or private drainage easement, building, or anything else on Community Lot 15".
12. Add the following note: "The owners of Lots 1-14 are responsible for the maintenance of the 20' Private Drainage Detention Easement and City of Chattanooga Inspection Access Easement".
13. Add the following note: "All adjoining properties are zoned R-1".
14. Add the following note: "Only detached single-family dwellings and accessory uses are permitted on Lots 1-14".
15. Add the following note: "Per the requirements of the Chattanooga Zoning Ordinance, a 5' wide concrete sidewalk shall be required on the internal street of this P.U.D. except for the frontage of Community Lot 15".
16. Add the following note: "The only minimum building setbacks required are a minimum 25' setback from Pinewood Drive and other outer boundaries of the P.U.D. A minimum 10' setback from the internal road and a minimum 10' setback between free-standing buildings. Other than above, no minimum building setbacks are required".
17. Add the following note: "No residential, commercial, or industrial building is permitted on Community Lot 15. Community Lot 15 is to be used for open space, plantings, community uses, or access".
18. Add the following note: Covenants are required which specify that the lot owners of lots 1-14 are responsible to maintain drainage detention areas and facilities on Community Lot 15 and that these

lot owners are responsible for any costs to maintain these facilities”.

19. Add the following note: “The plat cannot be recorded until Chattanooga Development Director has reviewed and approved these covenants”.
20. Change the following note: “A 5’ private drainage easement is reserved along the inside of all lot lines except road frontage lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or if no setback is required” to “A 10’ private drainage easement is reserved along the outer boundary of this P.U.D. except road frontage lines and a 5’ private drainage easement is reserved along the inside of all lot lines except road frontage lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or if no setback is required”.
21. Check with Hamilton County GIS for approval of street name.
22. Check with Hamilton County GIS for street addresses prior to creation of Mylar for recording purposes.

EPB Requirements

1. Show and label as such a 15’ Power and Communication Easement along Pinewood Drive.
2. Show and label as such a 16’ Power and Communication Easement along the rear lot lines of Lots 1 thru 6.
3. Show and label as such a 16” Power and Communication Easement along the property line of Community Lot 15 that abuts Lot 6.
4. Show and label as such a 10’ Power and Communication Easement along the lot frontage of the lots Community Lot 15, Lot 7, and Lot 8.
5. Show and label as such a 16’ Power and Communication Easement along the rear lot lines of Lots 9 thru 14.
6. Questions about EPB Requirements should be directed toward Mr. Billy McGhee at 648-3259.

**Chattanooga Development
Ombudsman Requirements:**

1. Provide sidewalk connection and handicap ramp at Pinewood Drive and cul-de-sac.
2. Questions about Chattanooga Development Ombudsman requirements should be directed to Mr. Joel Booth at 643-5812.

**Chattanooga Traffic Engineer
Requirements:**

Questions about Chattanooga Traffic Engineering requirements should be directed to Mr. John Van Winkle at 643-5950.

**Chattanooga Fire
Department Requirements:**

1. One fire hydrant at the lot line of lot 4 or lot 5 or at the lot line of lot 10 and lot 11.
2. Provide a street name approved by Hamilton County GIS.
3. Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 643-5649.

- Chattanooga Stormwater Department Requirements:**
1. Submit a Drainage Plan.
 2. Recommend approval as Preliminary P.U.D. only until stormwater has approved.
 3. Questions regarding Chattanooga Stormwater Department requirements should contact Mr. Mike Haponski at 643-5833.
- Chattanooga Sewer Department Requirements:**
1. Approve as Preliminary PUD Plan.
 2. Questions regarding Chattanooga Sewer requirements should contact Mr. Eric Douglas at 643-5814.
- N.P.D.E.S. Permit:**
1. Since there is to be more than one acre of disturbed ground, including building sites, in this subdivision, an N.P.D.E.S. Permit to discharge storm water associated with construction activity is necessary.
 2. Although there is no local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about the N.P.D.E.S. Permit requirements:
Tennessee Department of Environment and Conservation
Division of Water Pollution Control
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402
(423) 634-5745
- S.W.P.P.P. Permit:**
- As part of Storm Water Pollution Prevention Plan, the State of Tennessee may require 60' riparian buffer zones during construction along or in drainage areas of streams designated by the State as high quality or impaired. The developer should contact the Tennessee Department of Environment and Conservation to determine if buffer zones are required.
- A.R.A.P. Permit:**
1. Since a stream may be involved in this subdivision, an A.R.A.P. may be required by the State of Tennessee.
 2. Although there is no local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about filling such a permit.
 3. The developer is urged to contact the Tennessee Department of Environment, Division of Water Pollution Control at the above address and phone number to determine if an A.R.A.P. permit is required or if the current A.R.A.P. on file for this site under a previous development is still current and valid.
- Special Notes:**
1. No revised or corrected plat is required. Please cover the specified conditions in the preparation of the Mylar drawing for

- review and recording.
2. Record with the Hamilton County Register of Deeds Office the final plat drawing within two (2) years of approval of by the Chattanooga-Hamilton County Regional Planning Commission.
 3. It is also current policy that the Mylar cannot be signed until an approval letter from the Tennessee Department of Environment and Conservation is submitted to RPA approving water line extensions.
 4. Please remember that these staff recommendations are tentative until officially approved by the Chattanooga-Hamilton County Regional Planning Commission.

**Planning Commission
Requirements:**

1. In the title block change "Preliminary Planned Unit Development" to "Final Planned Unit Development".
2. Topography is not required on final plat; therefore remove topography.
3. Show and label existing and installed sanitary sewer lines and manholes.
4. Delete the following note: "Topo was obtained from an actual field survey dated April 10, 2008 conducted by Niles Surveying Co., Inc. Elevations were determined from benchmark or monument located at the northwest corner of the project. Elevation=733.46".
5. In note 15 change "Present Zoning: R-1" to "Present Zoning: R-1 P.U.D.".
6. The location of single-family detached structures is not required; therefore, suggest deleting the single-family structures.
7. Add the following note: "Type of Development Proposed: Single-Family Detached Residential".
8. Add the following note: "Density of Development: 3.8 dwelling units per acre".
9. In Lots 15, 7, 8, and 9 change "20' Public Drainage Easement" to "20' Private Drainage Easement and City of Chattanooga Inspection Access Easement".
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14. Add the following note: "Only detached single-family dwellings and accessory uses are permitted on Lots 1-14".
15. Add the following note: "Per the requirements of the Chattanooga Zoning Ordinance, a 5' wide concrete sidewalk shall be required on the internal street of this P.U.D. except for the frontage of Community Lot 15".
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 19. Add the following note: “The plat cannot be recorded until Chattanooga Development Director has reviewed and approved these covenants”.
 20. Change the following note: “A 5’ private drainage easement is reserved along the inside of all lot lines except road frontage lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or if no setback is required” to “A 10’ private drainage easement is reserved along the outer boundary of this P.U.D. except road frontage lines and a 5’ private drainage easement is reserved along the inside of all lot lines except road frontage lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or if no setback is required”.
 21. Check with Hamilton County GIS for approval of street name.
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1. Questions about Chattanooga Traffic Engineering requirements should be directed to Mr. John Van Winkle at 643-5950.

Chattanooga Fire Department Requirements:

1. One fire hydrant at the lot line of lot 4 or lot 5 or at the lot line of lot 10 and lot 11.

- 2 Provide a street name approved by Hamilton County GIS.
- 3 Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 643-5649.

**Chattanooga Stormwater
Department Requirements:**

1. Recommend approval as Preliminary P.U.D. only until Stormwater has approved plans.
2. Justify Drainage Plan at back of property.
3. Questions regarding Chattanooga Stormwater Department requirements should contact Mr. Mike Haponski at 643-5833.

**Chattanooga Sewer
Department Requirements:**

1. Approve as Preliminary PUD Plan.
2. Questions regarding Chattanooga Sewer requirements should contact Mr. Eric Douglas at 643-5814.

N.P.D.E.S. Permit:

1. Since there is to be more than one acre of disturbed ground, including building sites, in this subdivision, an N.P.D.E.S. Permit to discharge storm water associated with construction activity is necessary.
2. Although there is no local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about the N.P.D.E.S. Permit requirements:
Tennessee Department of Environment and Conservation
Division of Water Pollution Control
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402
(423) 634-5745

S.W.P.P.P. Permit:

As part of Storm Water Pollution Prevention Plan, the State of Tennessee may require 60' riparian buffer zones during construction along or in drainage areas of streams designated by the State as high quality or impaired. The developer should contact the Tennessee Department of Environment and Conservation to determine if buffer zones are required.

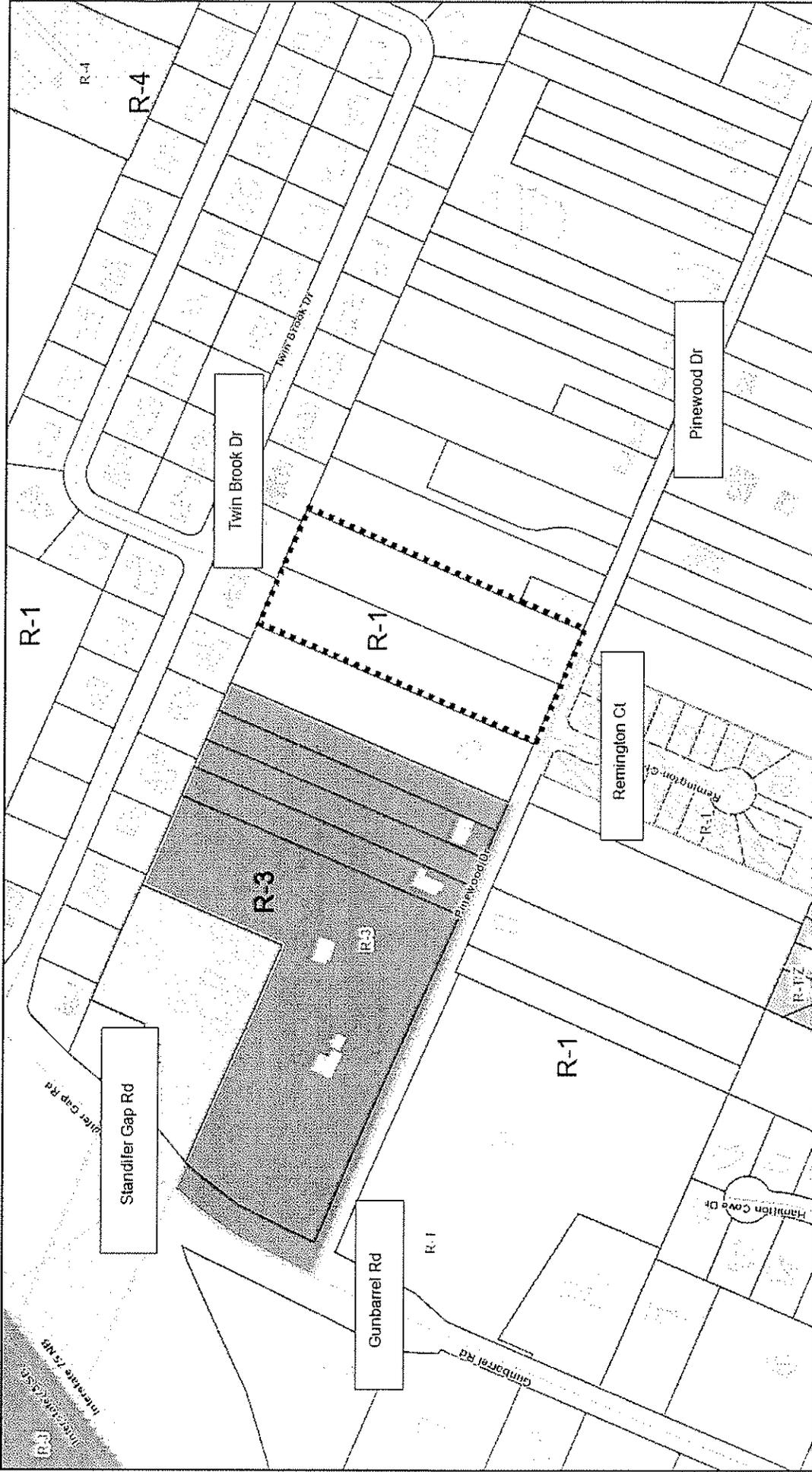
A.R.A.P. Permit:

1. Since a stream may be involved in this subdivision, an A.R.A.P. may be required by the State of Tennessee.
2. Although there is no local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about filling such a permit.
3. The developer is urged to contact the Tennessee Department of Environment, Division of Water Pollution Control at the above address and phone number to determine if an A.R.A.P. permit is required or if the current A.R.A.P. on file for this site under a

previous development is still current and valid.

Special Notes:

1. No revised or corrected plat is required. Please cover the specified conditions in the preparation of the final PUD plan drawings for review.
2. Submit the final PUD plan drawings within two (2) years of approval of by the Chattanooga City Council.
3. Please remember that these staff recommendations are tentative until officially approved by the Chattanooga-Hamilton County Regional Planning Commission.

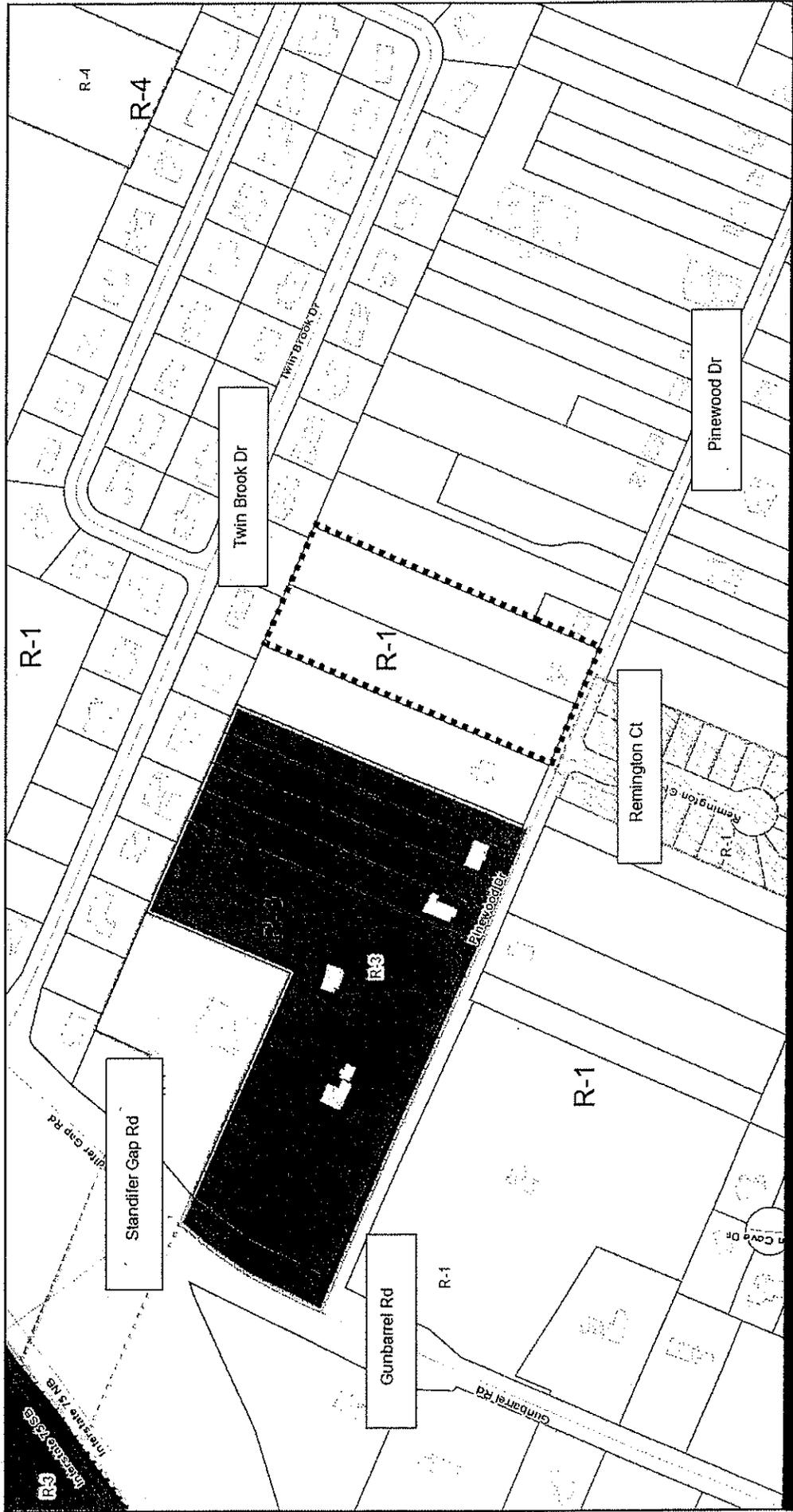


2012-0118 Special Exceptions Permit for a Residential PUD

300 ft

Chattanooga-Hamilton County
RPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency

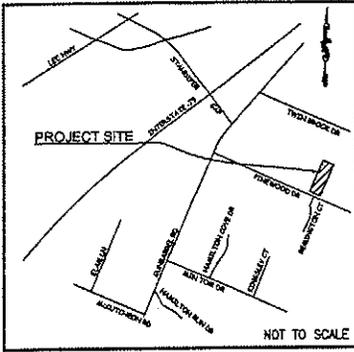


PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-118: Approve as a Preliminary and Final Residential Planned Unit Development simultaneously, subject to Requirements in the Planning Commission Resolution.

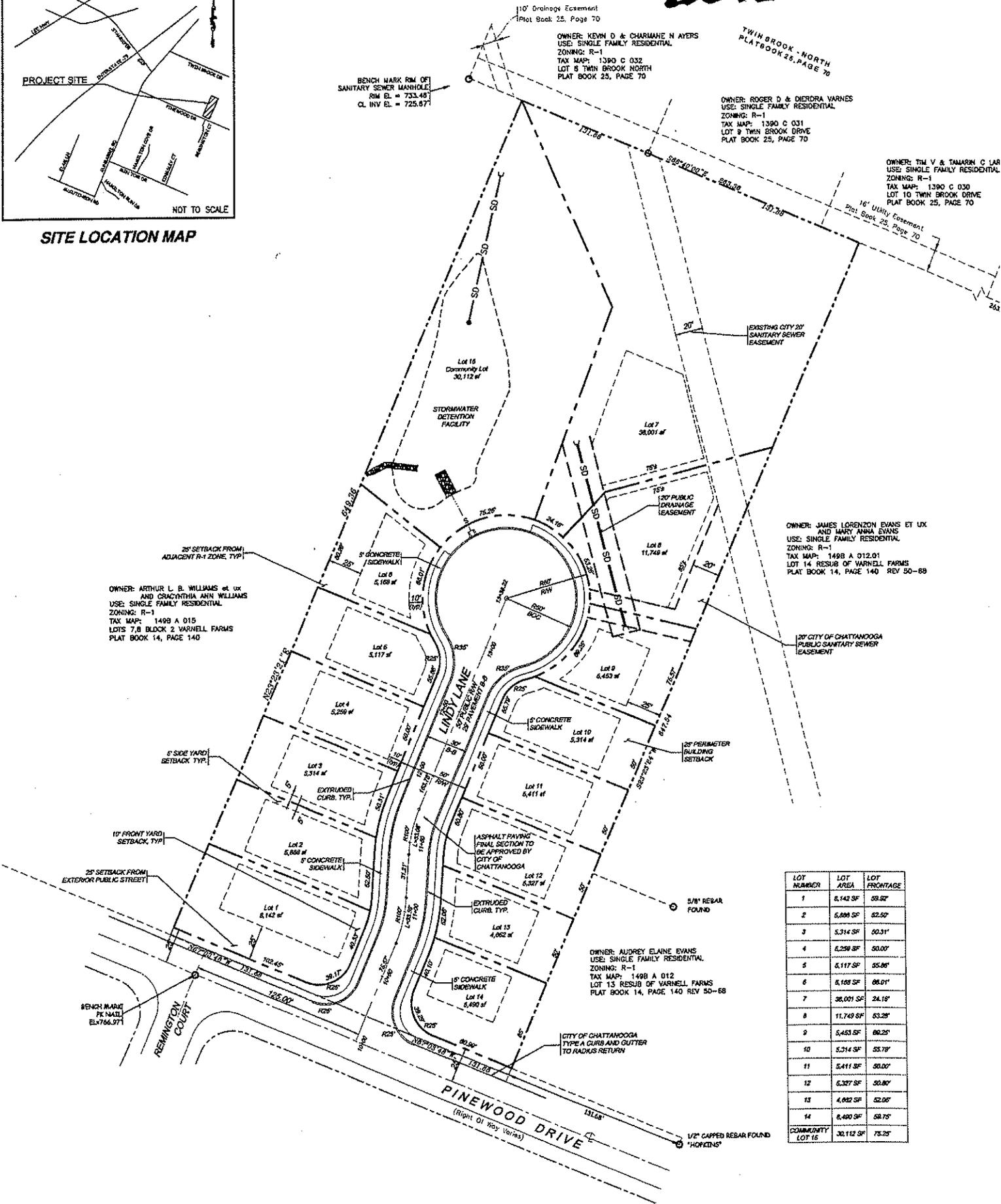
2012-0118 SP Exceptions Permit for a Residential PUD



300 ft



SITE LOCATION MAP



LOT NUMBER	LOT AREA	LOT FRONTAGE
1	8,142 SF	89.82'
2	5,888 SF	82.50'
3	5,314 SF	60.31'
4	5,299 SF	60.00'
5	5,117 SF	65.86'
6	5,168 SF	66.01'
7	38,001 SF	24.16'
8	11,748 SF	63.28'
9	6,453 SF	80.25'
10	5,314 SF	55.73'
11	5,411 SF	60.00'
12	6,527 SF	60.80'
13	4,882 SF	62.06'
14	6,490 SF	68.75'
15	30,112 SF	75.25'

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved:

2012-119 Alan Haniszewski/RTB Holdings. 1944 Rossville Avenue and 1910 Jefferson Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-082 Dr. W. C. Helton. 4200 block of Cherryton Drive, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-118 AD Engineering/Tiffany Farley. 7435 and 7437 Pinewood Drive, as a Preliminary and Final Residential Planned Unit Development, subject to certain conditions.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be denied:

2012-110 Muhamed Mahalbasic. 862 Wheeler Avenue, to allow a duplex in an R-1 Residential Zone.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

October 9, 2012

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council