

2013-017
Ragan-Smith Associates/
Brant Enderle
District No. 1

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A SINGLE FAMILY PRELIMINARY PLANNED UNIT DEVELOPMENT ON PROPERTIES LOCATED IN THE 3800 BLOCK OF CUMMINGS ROAD, SUBJECT TO CERTAIN REQUIREMENTS ATTACHED.

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 Single Family Preliminary Planned Unit Development on properties located in the 3800 block of Cummings Road, more particularly described in the attached maps and subject to certain requirements attached.

Beginning at the southwest corner of Tax Map Nos. 153-027.07 thence southeast some 2356 feet to the southeast corner of said parcel, thence following the east property line of said parcel northwestwardly and eastwardly a combined total of some 2704 feet to a point, thence northwestwardly some 1076 feet to a point, thence southwestwardly some 1005 feet to a point, thence south some 207 feet to a point, thence some 255 feet southwest to a point, thence westward some 347 feet to a point, thence southeastwardly and southwestwardly some 2106 feet to the southwest corner of Tax Map No. 153-027.07, the point of beginning being part of the property described in Deed Book 8158, Page 222, ROHC. Being parts of Tax Map Nos. 153M-C-002, 009 and 153-027.07

ADOPTED: _____, 2013

/mms

2013-017 City of Chattanooga
January 14, 2013

RESOLUTION

WHEREAS, Ragan-Smith Associates/Brant Enderle petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga granting a Special Exceptions Permit for a Single Family Planned Unit Development on properties located in the 3800 block of Cummings Road.

Beginning at the southwest corner of Tax Map 153-027.07 thence southeast some 2356 feet to the southeast corner of said parcel, thence following the east property line of said parcel northwestwardly and eastwardly a combined total of some 2704 feet to a point, thence northwestwardly some 1076 feet to a point, thence southwestwardly some 1005 feet to a point, thence south some 207 feet to a point, thence some 255 feet southwest to a point, thence westward some 347 feet to a point, thence southeastwardly and southwestwardly some 2106 feet to the southwest corner of Tax Map 153-027.07, the point of beginning being part of the property described in Deed Book 8158, Page 222, ROHC. Being parts of Tax Maps 153M-C-002, 009 and 153-027.07 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 14, 2013,

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

AND WHEREAS, there was opposition present in 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 January 14, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved as a Preliminary Planned Unit Development, subject to the requirements attached.

Respectfully submitted,



John Bridger
Secretary

Special Request Form



Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street
Suite 2000
Development Resource Center
Chattanooga, Tennessee
37402
Phone: 423-668-2287
Fax: 423-668-2289
www.chcrpa.org

Office Use Only

Case Number: 2013-017

Date Submitted: 12/10/2013

Planning District:

County District:

City District:

Jurisdiction: Chattanooga

Neighborhood: Lookout Valley Neighborhood

Staff Action:

PC Action Date:

Legis. Action Date:

Special Exceptions Permit for Planned Unit Development (P.U.D.)

Residential

Institutional

Acreage: _____ Density: _____

Preliminary

Final

Both

P.U.D. Name: The Ridges at Black Creek

Other Special Permits

Mandatory Referral

Conditions of a Previous Action

Special Exceptions

Acquisition Surplus

Lift Amend

Conditional

Other

Resolution/Ordinance No. _____

Use: _____

Previous Case No. _____

Address: 3886 Cummings Rd	Tax Map No. 153-027.07 pt, **	Current Zone: R-1
Current Use: Vacant	Adjacent Uses: MXU, R-1, R-4, M-1	
Proposed Development or Use: Single Family Homes, Town Homes, Assisted Living Facility		
**153M-C-002 & 009		

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

Property Owner Architect Engineer Optionee Purchaser of Property Trustee

Other: Landscape Architect

Name	Ragan-Smith Associates
Address:	1410 Cowart St, Suite 200
City	Chattanooga
State:	TN
Zip Code:	37408
Daytime Phone:	423-490-9400
Cell Phone:	423-799-0360
Other Phone:	
Email:	ajones@ragansmith.com
Fax:	423-490-7973

Name:	Brant Enderle
Address:	4700 Cummings Cove Dr
	Chattanooga, TN 37419
Phone:	888-821-5551
CHECKLIST (OFFICE USE ONLY)	
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Deeds to property to be rezoned
<input checked="" type="checkbox"/> Ownership Verification	Deed Book: 3158/22
<input checked="" type="checkbox"/> Tax Map Parcel Letter	<input checked="" type="checkbox"/> Copy of Plans (if applicable)
<input checked="" type="checkbox"/> Map showing property to be rezoned	Map Book/Parcel: 6173
<input checked="" type="checkbox"/> Site Plan (if applicable)	<input checked="" type="checkbox"/> Notice Sent (How Many)
<input checked="" type="checkbox"/> Final action to be considered	Check No. 1538
<input checked="" type="checkbox"/> Filing Fee	<input type="checkbox"/> Cash
Accepted by: Jennifer Ware	Date: 12/10/2013

2013-017 conditions
Planning Staff:

Staff Recommendation

Staff recommends approval because the proposed form and density are in keeping with the surrounding development. The proposed subdivision lot design contains a gradual increase in housing densities. The proposed single family lots are adjacent to existing single family lots. The proposed townhouses are adjacent to the proposed single family lots and a mixed use area. The assisted living facility is surrounded by open or wooded space, which buffers it from the proposed single family lots.

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

The property adjacent to the area included in the plan will not be adversely affected.

The plan is consistent with the intent and purpose of this ordinance to promote public health, safety, morals, and general welfare.

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 schools and/or churches.

There is a need for such development in the proposed location.

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. 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:**

Section 38-402 of the Chattanooga Zoning Ordinance requires the submittal of plans for public utilities such as public water and sewer lines. This information was not submitted with this review. Submit plans for proposed public utilities.

Section 38-402 of the Chattanooga Zoning Ordinance requires the submittal of street plans with the preliminary P.U.D. plan. This information was not submitted with this review. Submit four copies of

the proposed street plans and profiles for review. Indicate on the plans if these streets are to be public or private streets.

Section 38-402 of the Chattanooga Zoning Ordinance requires that the plans indicate the surrounding type of development and land use. The information submitted with this review indicates the adjacent zoning; however, the plans need to also indicate the adjacent type of land use.

Section 38-397 of the Chattanooga Zoning Ordinance requires that there shall be constructed a sidewalk, or an equivalent internal pedestrian circulation system. The minimum width of such sidewalk shall be five feet. Indicate on the revised plans the width of the proposed sidewalks.

Section 38-397 of the Chattanooga Zoning Ordinance requires that all dedicated streets serving lots to be sold shall be constructed in accordance with the Chattanooga Subdivision Regulations.

Since there are more than 25 lots in this P.U.D. locate two boundary monuments to a minimum 1:20,000 accuracy in State Plane Coordinates and show the location and coordinates of these two boundary control monuments.

Show the number of proposed parking spaces for the proposed assisted living facility.

The plans submitted for this review indicate the density is 1.8 units per acre. That density is for the proposed single-family dwellings, and townhouses; it does not incorporate the number of units in the assisted living facility. Revise density number to include number of units in the assisted living facility.

EPB Requirement:

Questions about EPB Requirements should be directed toward Mr. Billy McGhee at 648-3259.

**Chattanooga Development
Director Requirements:
Who is this? Correct title?**

There is not sufficient information for review of this submittal.

Submit documentation of acceptance of the residential units diverting stormwater to the existing pond north of and downhill of the development adjacent to River Gorge Drive as indicated on the Preliminary PUD plan.

Submit street plans and profiles, sewer plans and profiles, a drainage

plan including drainage detention plans, hydrology report, erosion and sedimentation control plan and details of any drainage detention facilities.

Questions about Chattanooga Development Ombudsman requirements should be directed to Mr. Joel Booth at 643-5812.

Chattanooga Traffic Engineering Department Requirements:

There is not sufficient information for review of this submittal. Submit plans for street layouts including street profiles.

The City of Chattanooga Traffic Engineering Department does not permit the use of four way intersections as indicated on the Preliminary PUD plan. Please revise the PUD plan to remove the use of the four way intersection in the single-family area.

Questions about Chattanooga Traffic Engineering requirements should be directed to Mr. Ben Taylor at 643-5957.

Chattanooga Fire Department Requirements:

There are no comments from the Fire Department.

Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 643-5649.

Chattanooga Sewer Requirements:

There is not sufficient information for review of this submittal. Submit details of sewer plans and profiles for review.

Questions regarding Chattanooga Sewer requirements should contact Mr. Eric Douglas at 643-5814.

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

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.

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. 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. Requirements:

Since a stream may be involved in this subdivision, an A.R.A.P. may be required by the State of Tennessee.

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.

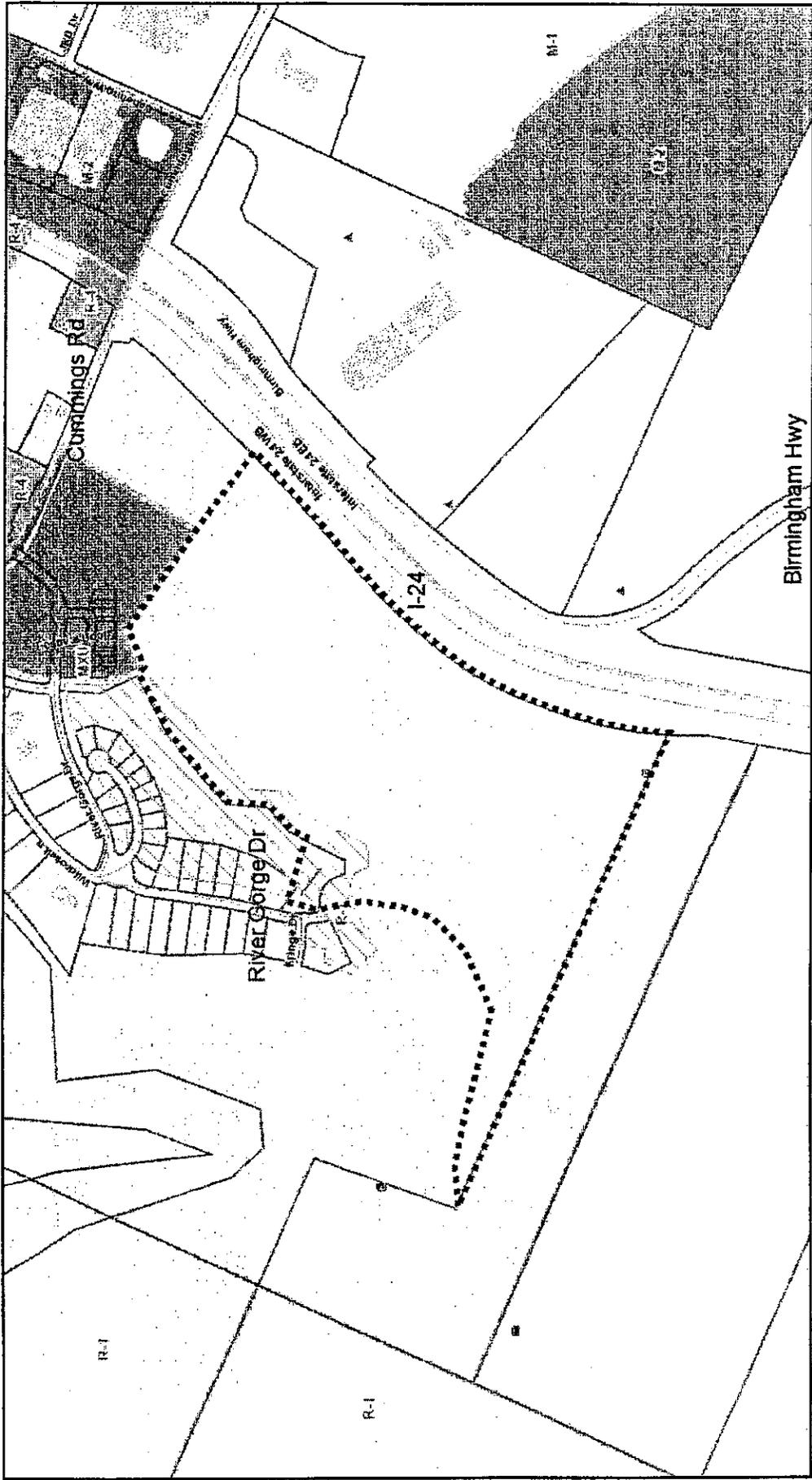
The developer is urged to contact the Tennessee Department of Environment, Division of Water Pollution Control at the above address and phone number to determine if an A.R.A.P. permit is required or if the current A.R.A.P. on file for this site under a previous development is still current and valid.

Special Notes:

No revised or corrected plat is required. Please include the specified conditions in the preparation of the Final PUD plan drawings for review.

Submit the Final PUD plan drawings within two (2) years of approval of the Preliminary PUD by the Chattanooga City Council.

These staff recommendations are tentative until officially approved by the Chattanooga-Hamilton County Regional Planning Commission.



2013-017 Special Exceptions Permit for a Residential Planned Unit Development

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-017: Approve as Preliminary and Final Residential Planned Unit Development, subject to the requirements listed in the Planning Commission Resolution.

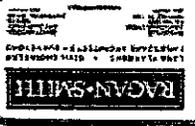


700 ft



Chattanooga Hamilton County Regional Planning Agency

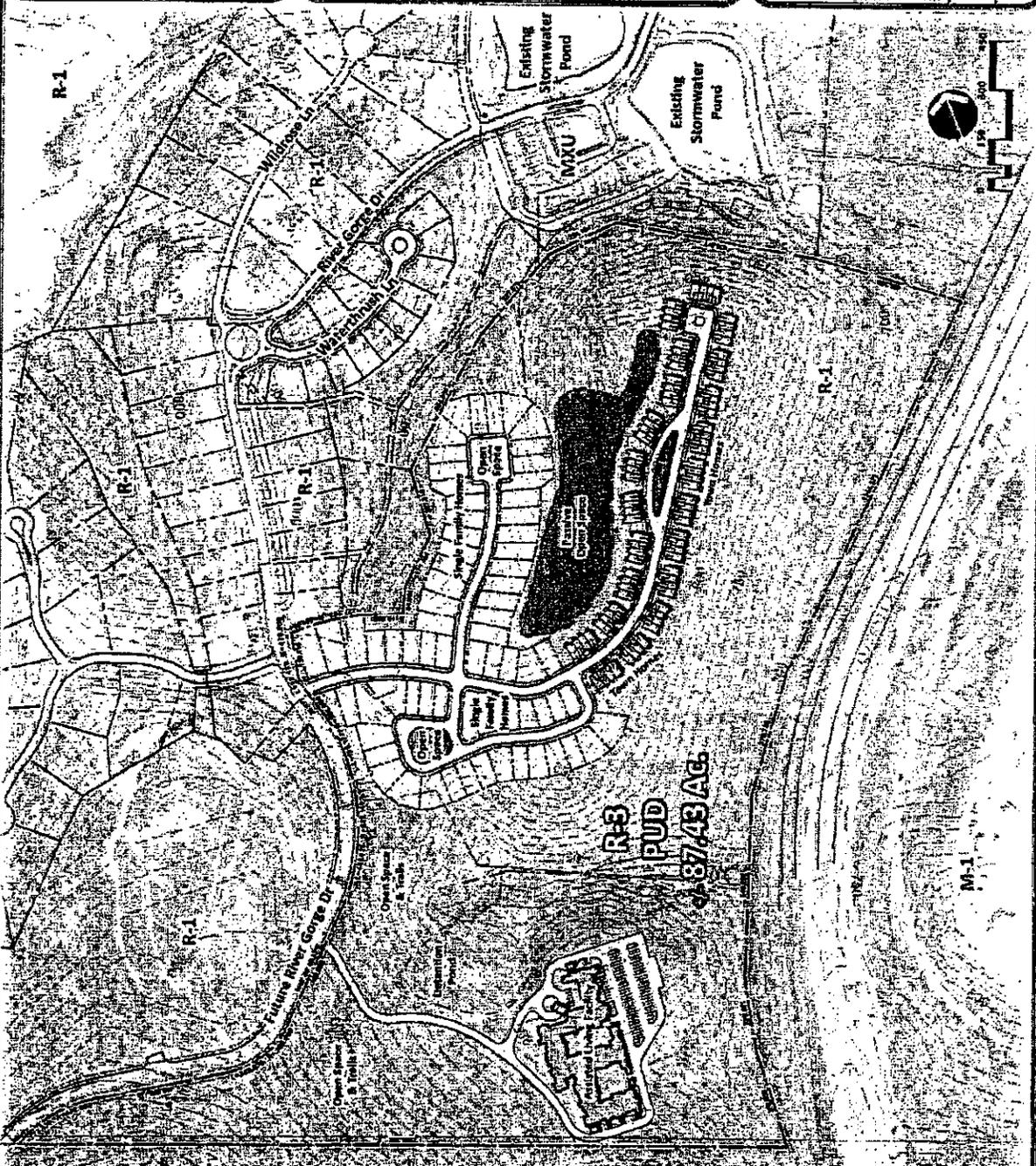




**THE RIDGES
at
BLACK CREEK**

DATE	12/15/11
BY	W. J. ...
PROJECT	...
NO.	00007
REV.	B2/A
DATE	12/15/11
BY	...
PROJECT	...
NO.	00007
REV.	B2/A
DATE	12/15/11
BY	...
PROJECT	...
NO.	00007
REV.	B2/A

P1



Site Data:
 Map/Parcel Number of Map 663 Revised 03/07
 Area 87.43 AC
 Units: 86 Town Homes, 76 Single Family Detached, 126 Total Units
 Assisted Living Facilities: 0-136 Residents
 Density: 1.41 DU/AC
 Open Space: 44.56 AC
 The site contains multiple systems trails that will also serve as open space for the residences of The Ridges at Black Creek.
 Stormwater Mains: Hardened walls with 18" invert diameter in existing pond south of and from hill of development adjacent to River Forge Dr.
 Contact:
 Black Creek Club
 4788 Constitution Circle Dr
 Chattanooga, TN 37419

Interstate 24

AD14-016

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 petitions to rezone be approved:

2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC. 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone, subject to certain conditions.

2013-009 Taqi Ali Mirza and Ron Morrer/Susan Higley. 1951 and 2017 Dodson Avenue, from C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone, subject to certain conditions.

2013-013 Grace Episcopal Church/Randy Durham, Treasurer. 4018, 4022, and 4026 Brainerd Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2013-015 Hole Foods, LLC c/o Rob Renner/Dr. Gene Rudnick. 7737 East Brainerd Road, from O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone.

2013-016 Regan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be amended:

2013-008 Napier Associates/Defoor Brothers. 2300 and 2400 blocks of Gunbarrel Road, to change MXU Boundary and Plan, subject to certain conditions.

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

2013-014 B & L Builders. 7435 and 7437 Pinewood Drive, for a Residential Planned Unit Development, subject to certain requirements.

2013-017 Ragan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, for a Single Family Planned Unit Development, subject to certain requirements.

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,

February 12, 2013

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 _____, 2013.

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