

First Reading: _____
Second Reading: _____

2013-083
Joseph Ingram/
Glen Meadows/Brett Sexton
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8599, 8601, 8603, 8605, AND 8607 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 8599, 8601, 8603, 8605, and 8607 Petty Road, more particularly described herein:

Lots 1 thru 5, Final Plat of Lots 1 thru 5 of Property Owned by J. L. Kennedy, Plat Book 49, Page 359, ROHC, being Tract 1 of Deed Book 9370, Page 230, ROHC. Tax Map Nos. 159K-A-011.03 thru 011.07.

and as shown on the maps attached hereto and made a part hereof by reference, from R-5 Residential Zone to R-3MD Moderate Density Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mms

2013-083 City of Chattanooga
June 10, 2013 (Deferred)
August 12, 2013 (Action Taken)

RESOLUTION

WHEREAS, Joseph Ingram/Glen Meadows & Brett Sexton petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from R-5 Residential Zone to R-3MD Moderate Density Zone, properties located at 8599, 8601, 8603, 8605, and 8607 Petty Road.

Lots 1 thru 5, Final Plat of Lots 1 thru 5 of Property Owned by J. L. Kennedy, Plat Book 49, Page 359, ROHC, being Tract 1 of Deed Book 9370, Page 230, ROHC. Tax Map 159K-A-011.03 thru 011.07 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 2013, at which time hearing was deferred to August 12, 2013,

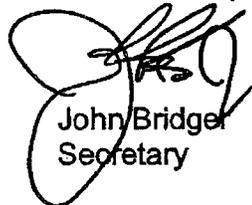
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on August 12, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,


John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER: 2013-083 **Date Submitted: 05-10-2013**

(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)

1 Applicant Request		
Zoning	From: R-5	To: R-3MD
Total Acres in request area: 1.01		

2 Property Information	
Property Address:	8599, 8601, 8603, 8605, and 8607 Petty Road
Property Tax Map Number(s):	159K-A-011.03 thru 011.07

3 Proposed Development	
Reason for Request and/or Proposed Use:	3 Quadraplexes

4 Site Characteristics	
Current Zoning:	R-5
Current Use:	Mobile Homes
Adjacent Uses:	Single Family

5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Joseph Ingram		Address: 115 South Lovell Ave	
Check one:		<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37411	Email: joseph@wqsinc.net
Phone 1: 423-774-7177	Phone 2:	Phone 3:	Fax:

6 Property Owner Information (if not applicant)	
Name: Glen Meadows/Brett Sexton	Phone: 423-595-3250/423-443-7711
Address: 1501 Morris Hill Rd Chattanooga, TN 37412/8620 Petty Rd Chattanooga, TN 37412	

Office Use Only:			
<input type="checkbox"/> Planning District 10	<input type="checkbox"/> Hamilton Co. Comm. District 7	<input checked="" type="checkbox"/> Neighborhood Friends of Brainerd/BERCC	<input type="checkbox"/> Other Municipality
<input type="checkbox"/> Staff Rec.	<input type="checkbox"/> City Council District 4	<input type="checkbox"/> Legislative Action/Date/Ordinance:	
Checklist			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan if required	<input checked="" type="checkbox"/> Total Acres to be considered: 1.01	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats if applicable
<input checked="" type="checkbox"/> Plat Book/Pages: 9370/230		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: \$295.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 1590
Planning Commission meeting date: June 10, 2013		Application processed by: Jennifer Ware	

RPA STAFF RECOMMENDATION

Case Number:	2013-83	PC Meeting Date: 08-12-2013
STAFF RECOMMENDATION:	DENY	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u></p> <p>The Applicant is requesting to rezone a 1.05 acre property from R-5 Residential to R-3 MD Moderate Density Zone for the purpose of constructing two quadruplex buildings. The proposed density is eight dwelling units per acre.</p> <p>This is a revised request from the original application and site plan submitted for the June 2013 Planning Commission meeting. At that time, the applicant was requesting rezoning for three quadruplex buildings with a proposed density of 12 units per acre.</p> <p><u>Site Description</u></p> <p>The site is located on Petty Road, near the intersection of Morris Hill Road and Igou Gap Road in East Brainerd. It is located approximately two miles east of Gunbarrel Road and one mile north of East Brainerd Road. Five single-wide manufactured homes are currently located on the property. The majority of the site is wooded with mature trees.</p> <p>The site is surrounded by 1 to 2.5-acre properties with single-family detached homes. To the south are one-acre properties where the applicant is proposing 38 two, three and four-unit townhomes under a separate application.</p> <p><u>Zoning History</u></p> <p>The site is zoned R-5 Residential. Permitted uses and densities of the R-5 Residential Zone are similar to the R-1 Residential Zone, except that single-wide manufactured homes are permitted only in the R-5 Residential Zone. The surrounding properties are all zoned R-5 Residential or R-1 Residential.</p> <p><u>Plans/Policies</u></p> <p>The East Brainerd Corridor Community Plan (2003) recommends low-density development for the applicant's site, and the area immediately surrounding. Low-density development is defined in the community plan as single-family detached dwellings and subdivisions of one (1) to five (5) dwelling units per acre. Townhomes and duplexes are viewed as appropriate if they meet the desired density.</p> <p>The applicant is proposing two four-family dwellings at a density of eight dwelling units per acre. Medium-density development is defined by the community plan as five to eight dwelling units per acre. The plan recommends that medium-density developments be located near Neighborhood Commercial areas and along major roadways. The</p>	

RPA STAFF RECOMMENDATION

closest Neighborhood Commercial area or major corridor to the applicant's site is East Brainerd Road, one mile to the south. The According to the plan, the Medium-density Residential classification is "typically intended for two-family dwellings (duplexes and townhomes) with a density of five to eight units per acre" although, four family dwellings may be acceptable "as as long as they meet the square footage and density requirements."

The Community Plan also states several Land Use Plan Objectives, including protecting the environmental and scenic assets of the area, preserving the single-family residential character of the community, and minimizing negative development impacts.

Staff Recommendation

The applicant is proposing to rezone five lots, each with a single-wide manufactured home on it. Four lots will be subdivided into two. Using the Hamilton County Geographic Information Systems (GIS) tool to calculate area, the remaining area for the two quadruplexes is a little less than 30,000 square feet. One lot will remain the same configuration and be used for stormwater. So, although the overall site is eight dwellings units an acre, the two quadruplexes are on approximately on 30,000 square feet for a density of approximately 11.6 dwelling units an acre. Although the stormwater lot provides some necessary green space, that site is to the rear of the property and does not provide a transition or screen for the Petty Road residents.

The proposed density (for the entire site and for the area with the proposed quadruplexes) is higher than what is recommended by the East Brainerd Corridor Community Plan, and the intensity of development is not consistent with the residential character of the surrounding neighborhood. Petty Road contains primarily larger-lot, single-family detached residences. The proposed quadruplexes with the larger mass of building and the "min. 2 car driveway parking proposed per unit" as shown on the site plan are not easily compatible with the nearby lower-density and lower-intensity residential properties even with the City of Chattanooga Type "A" landscape buffer as proposed.

Therefore, based on the density recommendations, the type of residences proposed, and the objectives of the community plan, staff recommends denying the rezoning application.

Infrastructure & Operational
Comments

RPA STAFF RECOMMENDATION

Public Works Staff:

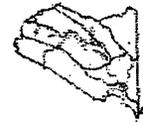
All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

Traffic Engineering

Petty Road would need to be improved and widened to 26 feet along the proposed development area to accommodate the proposed development. The existing road is only 14 feet in width.



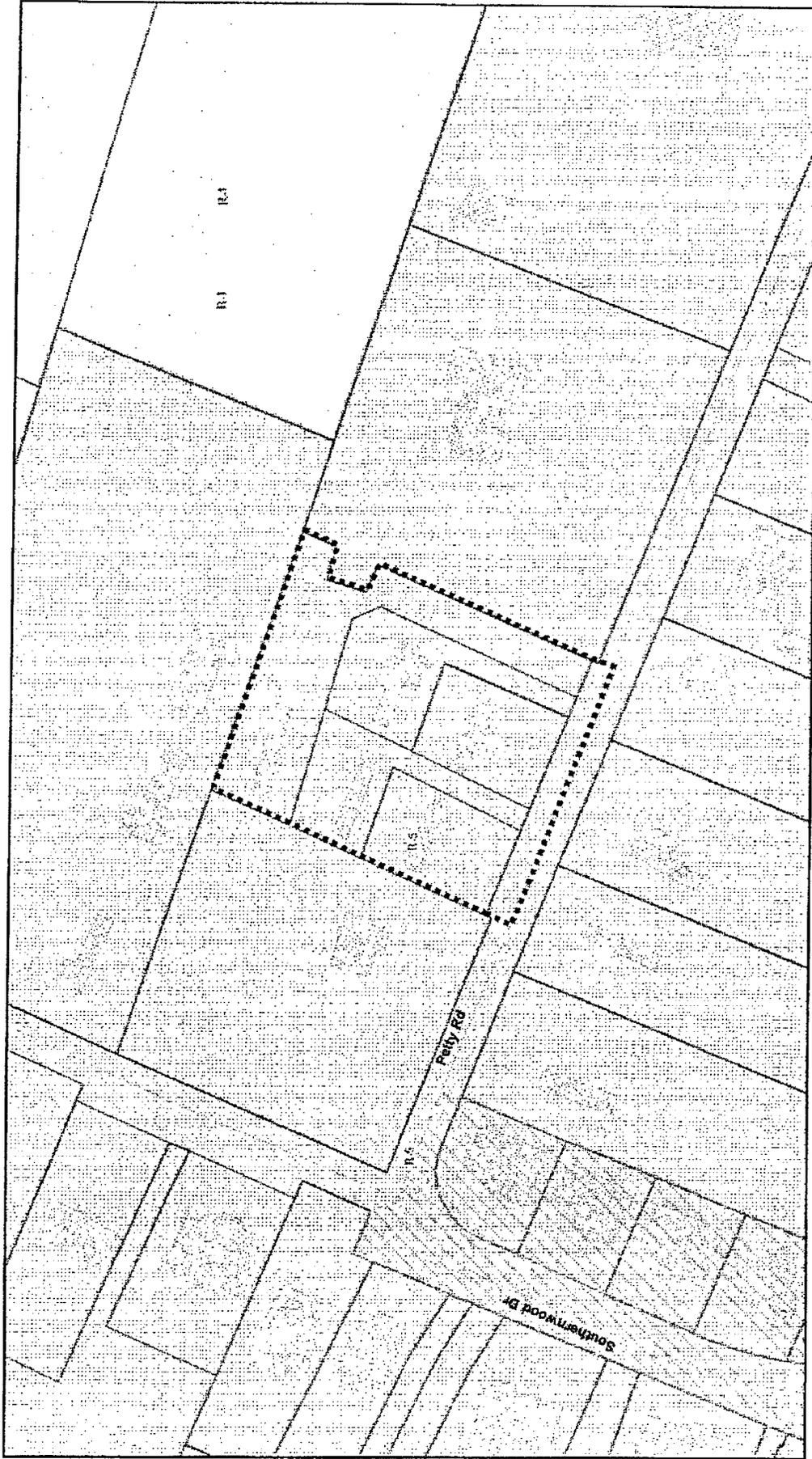
2013-083 Rezoning from R-5 to R-3MD



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Chattanooga Hamilton County Regional Planning Agency



2013-083 Rezoning from R-5 to R-3MD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-083: Approve.



100 ft



Chattanooga Hamilton County Regional Planning Agency

SMITH MEADOWS PUD & R3-MD
 SUBDIVISION
 PETTY ROAD
 CHATTANOOGA, TENNESSEE

REVISED
 LAYOUT
 JUNE 10,
 2018

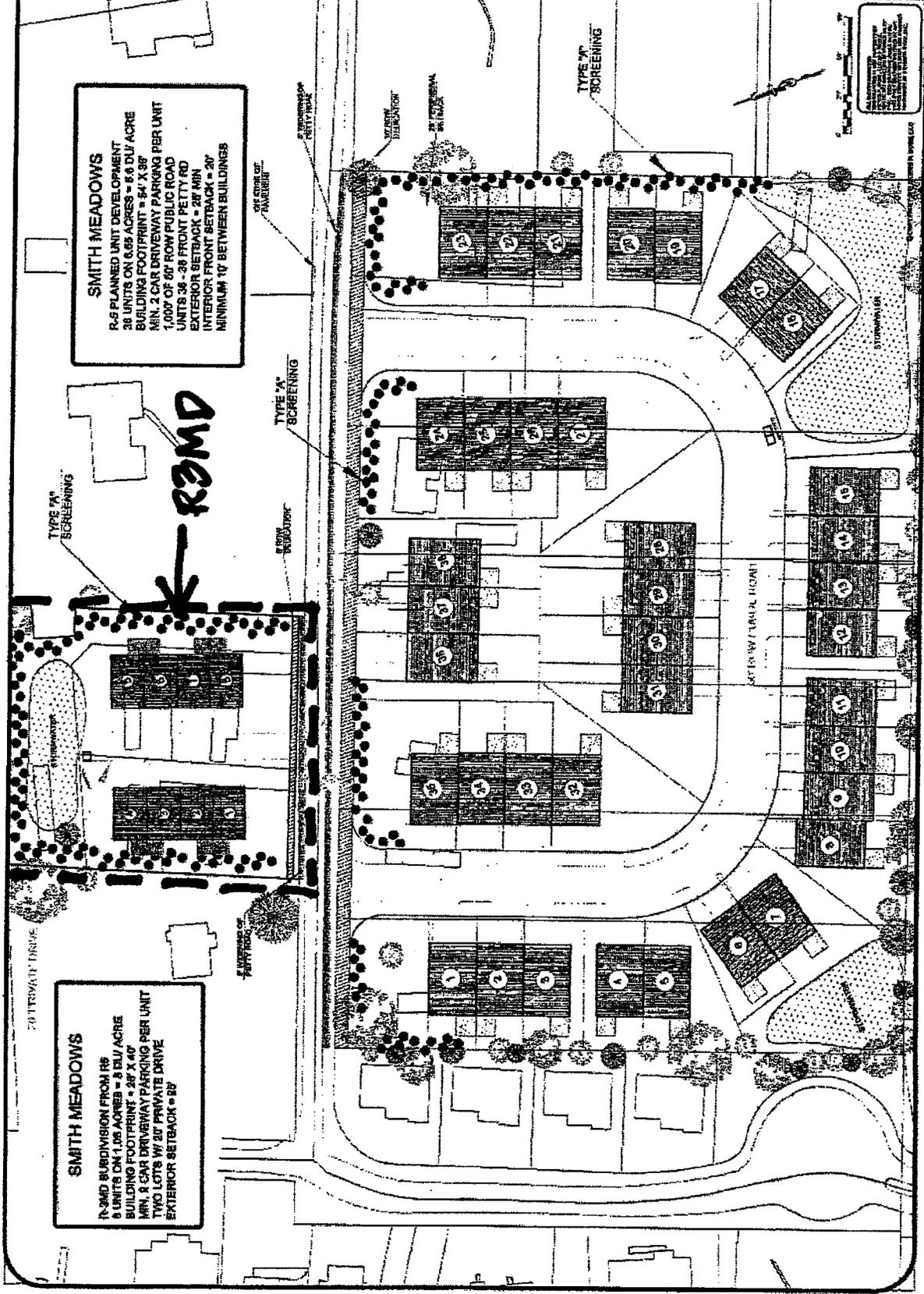
SCALE
 1" = 20'
 NORTH

1
 SHEET

SMITH MEADOWS
 P-3 PLANNED UNIT DEVELOPMENT
 38 UNITS ON 0.65 ACRES = 6.6 DU/ACRE
 BUILDING FOOTPRINT = 54' X 38'
 MIN. 2 CAR DRIVEWAY PARKING PER UNIT
 1,000' OF 60' FROM PUBLIC ROAD
 UNITS 36 - 38 FRONT PETTY RD
 EXTERIOR SETBACK = 20' MIN
 INTERIOR FRONT SETBACK = 20'
 MINIMUM 10' BETWEEN BUILDINGS

RMD

SMITH MEADOWS
 R3-MD SUBDIVISION FROM RP
 8 UNITS ON 1.05 ACRES = 8 DU/ACRE
 BUILDING FOOTPRINT = 28' X 40'
 MIN. 8 CAR DRIVEWAY PARKING PER UNIT
 TWO LOTS W/ 30' PRIVATE DRIVE
 EXTERIOR SETBACK = 80'



2013-082
2013-083

THE BELOW SIGNED INDIVIDUALS ARE AGAINST THE
REZONING OF THE PETTY ROAD, CHATTANOOG, TN
AREA. REFRENCING CASE NUMBERS:

1. 2013-082 -SPECIAL EXEMPTION PERMIT FOR A
RESIDENTIAL PLANNED UNIT DEVELOPMENT
2. 2013-083-REZONE FROM R-5 RESIDENTIAL ZONE TO R-
3MD MODERATE DENSITY ZONE.

<u>NAME</u>	<u>ADDRESS</u>	<u>CONTACT INFO</u>
1. <u>Tom Bellam</u>	<u>1800 FENCHROFT CHATTANOOGA TN</u>	<u>894-4677</u>
2. <u>Devin Truhler</u>	<u>1974 Amberley Tr CHATT</u>	<u>645-2018</u>
3. <u>Roy Nathan</u>	<u>891 Ellington Way</u>	<u>432 1303</u>
4. <u>J. Whit</u>	<u>8753 Ellington Way</u>	<u>553-9310</u>
5. <u>Elisiane Campos</u>	<u>8996 Ellington Way</u>	<u>822-2422</u>
6. <u>Mark V. Allen</u>	<u>8710 Ellington Way</u>	<u>490-0814</u>
7. <u>Jim Beard</u>	<u>8819 Ellington Way</u>	<u>400-2011</u>
8. <u>Janet Eaton</u>	<u>1801 Fenchcroft Ln</u>	<u>619-1695</u>
9. <u>Dick Ryland</u>	<u>1973 AMBERLEY TRL</u>	<u>341-5959</u>
10. <u>RLH</u>	<u>1879 FENCHROFT LANE</u>	<u>488-2781</u>
11. <u>G. Anderson</u>	<u>1841 Fenchcroft Lane</u>	<u>384-2255</u>
12. <u>James Dutton</u>	<u>8700 ELLINGTON WAY</u>	<u>612 6345</u>
13. <u>Richard A. Swanson</u>	<u>8729 Ellington Way</u>	<u>485-9012</u>
14. <u>Danay Doney</u>	<u>8717 Ellington Way</u>	<u>573-9910</u>
15. <u>J. B. H.</u>	<u>8721 Ellington Way</u>	<u>304-8250</u>
16. <u>Stephanie Bousley</u>	<u>8711 Ellington Way</u>	<u>423-321-8089</u>
17. <u>David M. Kelly</u>	<u>8707 ELLINGTON WAY</u>	<u>904-704-2719</u>
18. <u>Bob Kelly</u>	<u>8712 Ellington Way</u>	<u>423-227-5712</u>

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:

2013-083 Joseph Ingram/Glen Meadows and Brett Sexton. 8599, 8601, 8603, 8605, and 8607 Petty Road, from R-5 Residential Zone to R-3MD Moderate Density Zone.

2013-101 Towson and Dede Engsberg. 501 East 16th Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2013-105 Henrietta Morris/Johnella Morris. 515 Spruce Street, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2013-107 Alan Haniszewski. 630 East 19th Street, from R-3 Residential 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 denied:

2013-102 Tim McClure/J.R. Barker. 4815 Hixson Pike, from R-1 Residential Zone to R-3 Residential Zone.

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

2013-082 Joseph Ingram/Glen Meadows and Brett Sexton. 8600 block of Petty Road for a Residential Planned Unit Development.

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,

September 10, 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.

Sandra Freeman
Clerk to the City Council