

2013-109
James Pratt/John C. Whitmire
Colony Land & Investments
District No. 3

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS
PERMIT FOR A RESIDENTIAL PLANNED UNIT
DEVELOPMENT ON PROPERTY LOCATED AT 5650
CASSANDRA-SMITH ROAD.

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 5650 Cassandra-Smith Road, more particularly
described in the attached map and drawing:

Lot 14, Turner Smith Farms Subdivision, Plat Book 80, Page 48,
ROHC. Deed Book 8342, Page 725, ROHC. Tax Map No. 100-
063.04.

ADOPTED: _____, 2013

/mms

2013-109 City of Chattanooga
August 12, 2013(Deferred)
September 9, 2013(Action Taken)

RESOLUTION

WHEREAS, James Pratt/John C. Whitmire, Colony Land & Investments 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 Residential Planned Unit Development on property located at 5650 Cassandra-Smith Road.

Lot 14, Turner Smith Farms Subdivision, Plat Book 80, Page 48, ROHC.
Deed Book 8342, Page 725, ROHC. Tax Map 100-063.04 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 12, 2013, at which time action was deferred until September 9, 2013,

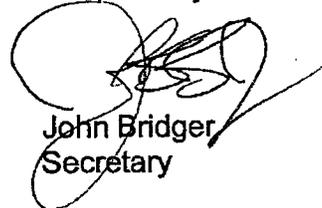
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, opposition was 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 September 9, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

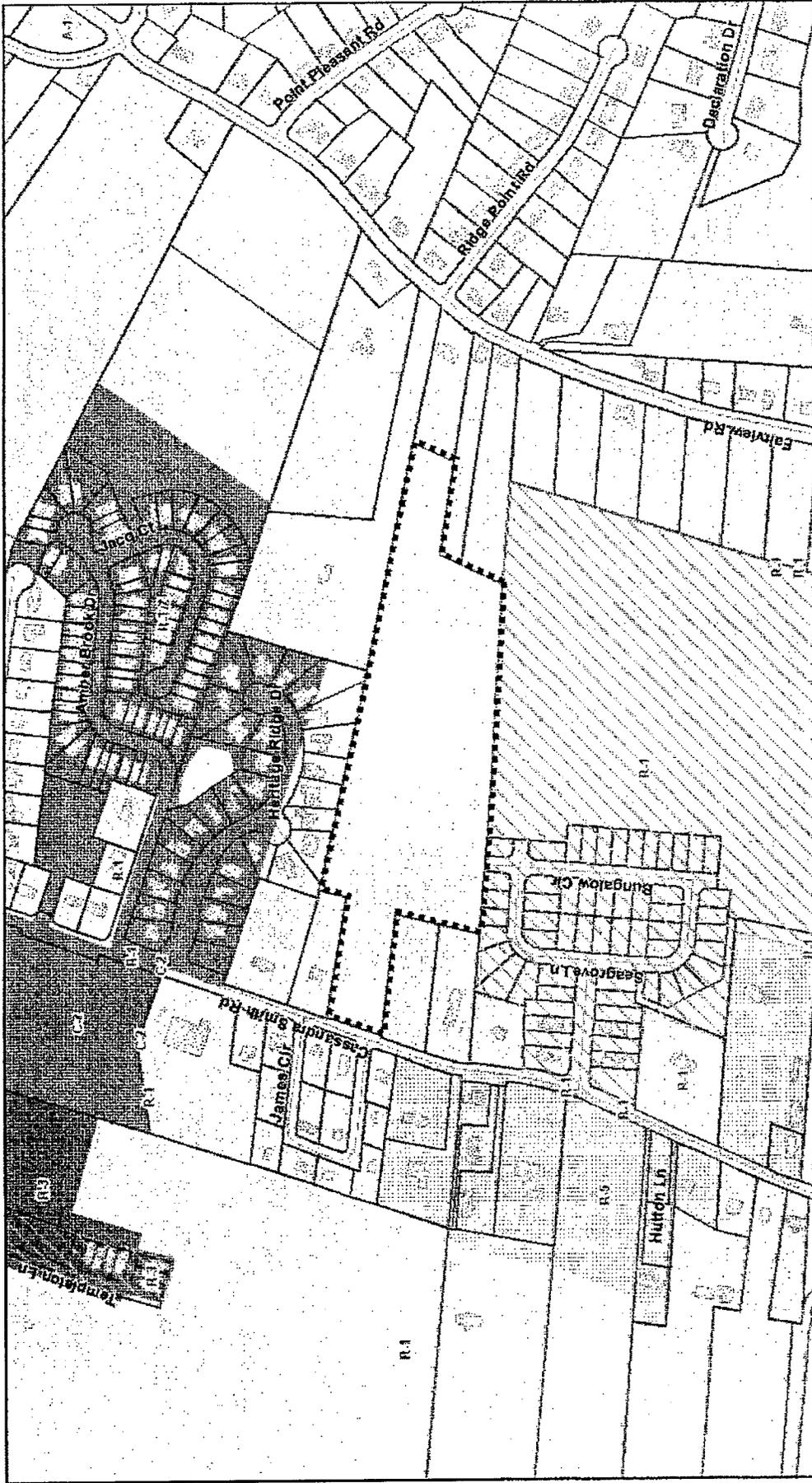
Respectfully submitted,



John Bridger
Secretary

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

CASE NUMBER: 2013-109		Date Submitted: 07-15-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
PUD	PUD Name: Amberbrook Gardens Phase 3		
	Acres: 15.25	Density: 3.41 u/a	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Institutional
	<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Final	<input type="checkbox"/> Preliminary/Final Together
2 Property Information			
Property Address:	5650 Cassandra-Smith Road		
Property Tax Map Number(s):	100-063.04		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Townhomes		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Vacant		
Adjacent Uses:	R-1 & R-1 PUD		
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: James Pratt		Address: 179 Hamm Road	
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: 37405	Email: jamespratt@prattliving.com
Phone 1: 423-757-7687	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: John C. Whitmire (Colony Land and Investments)		Phone: 1-706-891-7300	
Address: 1796 Mack Smith Road, Rossville, Ga. 30741			
Office Use Only:			
Planning District: 5		Neighborhood: Hixson Neighborhood	
Hamilton Co. Comm. District: 3		Chatt. Council District: 3	Other Municipality:
Staff Rec:	PC Action/Date:	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"/>	Deeds
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Plats, if applicable
	Total Acres to be considered: 15.25		
Deed Book(s): 8342-725			
Plat Book/Page: 80-48		<input checked="" type="checkbox"/>	Notice Signs
			Number of Notice Signs: 1
<input checked="" type="checkbox"/>	Filing Fee: \$400	<input type="checkbox"/>	Cash
		<input checked="" type="checkbox"/>	Check
			Check Number: 29910
Planning Commission meeting date: 9-9-2013		Application processed by: Trevor Slayton	



2013-109 Residential Planned Unit Development

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-109: Approve



460 ft



Chattanooga Hamilton County Regional Planning Agency



RPA STAFF RECOMMENDATION

Case Number:	2013-109	PC Meeting Date: 09-09-2013
STAFF RECOMMENDATION:	APPROVE	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u></p> <p>The applicant is requesting a Special Exceptions Permit for a Planned Unit Development (PUD) for the future construction of townhomes and condominiums at 5650 Cassandra Smith Road.</p> <p>The property is presently zoned R-1 Residential. An R-1 Residential PUD permits a maximum density of five units per acre. However, the proposed density for this project is 3.15 units per acre. The applicant's PUD plan indicates the following type of development: 15 townhouse dwellings, 8 condominium dwellings, and 25 single-family detached dwellings for a total of 48 residential dwellings units.</p> <p><u>Site Description</u></p> <p>The site is approximately 15.25 acres in size, located less than one-half a mile from the intersection of Cassandra Smith Road and Hixson Pike. The site is relatively flat with the back portion of the property having steep slopes up along Big Ridge. The site is not located within the 100 year flood hazard area.</p> <p>The property is accessed from Cassandra Smith Road and from the adjacent the Amberbrook Gardens Planned Unit Development.</p> <p>Adjoining land uses to the west of the site include several large-lot single family detached dwellings located along Cassandra Smith Road. To the south of the site is an existing single-family detached residential Planned Unit Development (PUD). To the north of the site is a conventional single-family detached residential subdivision and to the east of the site are vacant lands along the steep slopes of Big Ridge. A little further north of the site there is an existing townhouse development, Amberbrook Townhouses.</p> <p><u>Zoning History</u></p> <p>The site is currently zoned R-1 Residential. There does not appear to be any previous zoning history associated with this site. In 2005, this site was to be included as part of the adjacent Amberbrook Gardens Planned Unit Development, but plans did not move forward to do so.</p> <p><u>Plans/Policies</u></p> <p>The Hixson-North River Community Plan, adopted in 2005 recommends Low Density Residential development for this site. Low Density Residential is defined to have single-family detached dwellings as the dominate use with some exceptions made for townhouses and patio homes as long as the density is compatible with adjacent uses.</p>	

RPA STAFF RECOMMENDATION

Staff Recommendation

The use of a PUD for residential development with the appropriate configuration of housing types and site design can be a good tool that accommodates new development while preserving important natural features and maintaining compatibility with existing residences.

The overall density of the project, 3.15 dwelling units per acre, is appropriate and in keeping with the Hixson-North River Community Plan. The PUD plan indicates a total of 48 residential dwelling units, and two lots set aside for open space of community lots. It should be noted that the applicant could develop the site as a typical R-1 Residential Zoned conventional subdivision and, excluding the area for steep slopes, the applicant could potentially develop the site with 44 single-family detached dwellings with no requirements that open space be provided.

The PUD plan would permit the applicant to develop this site with a diversity of housing types at a lower density while providing open-space within the development. It is important to note that the Hixson-North River Community Plan recommends a variety of housing types and opportunities be provided in the Hixson community. The proposed development would be supported by the plan.

This site is located between two existing single-family detached residential developments. Therefore, the placement of townhomes and other higher density development is important. A 2007 RPA Position Paper states: "Townhouses are also generally more acceptable and compatible with surrounding detached low-density single-family residential development if they are part of a Unified Development and sited to the interior of that development."

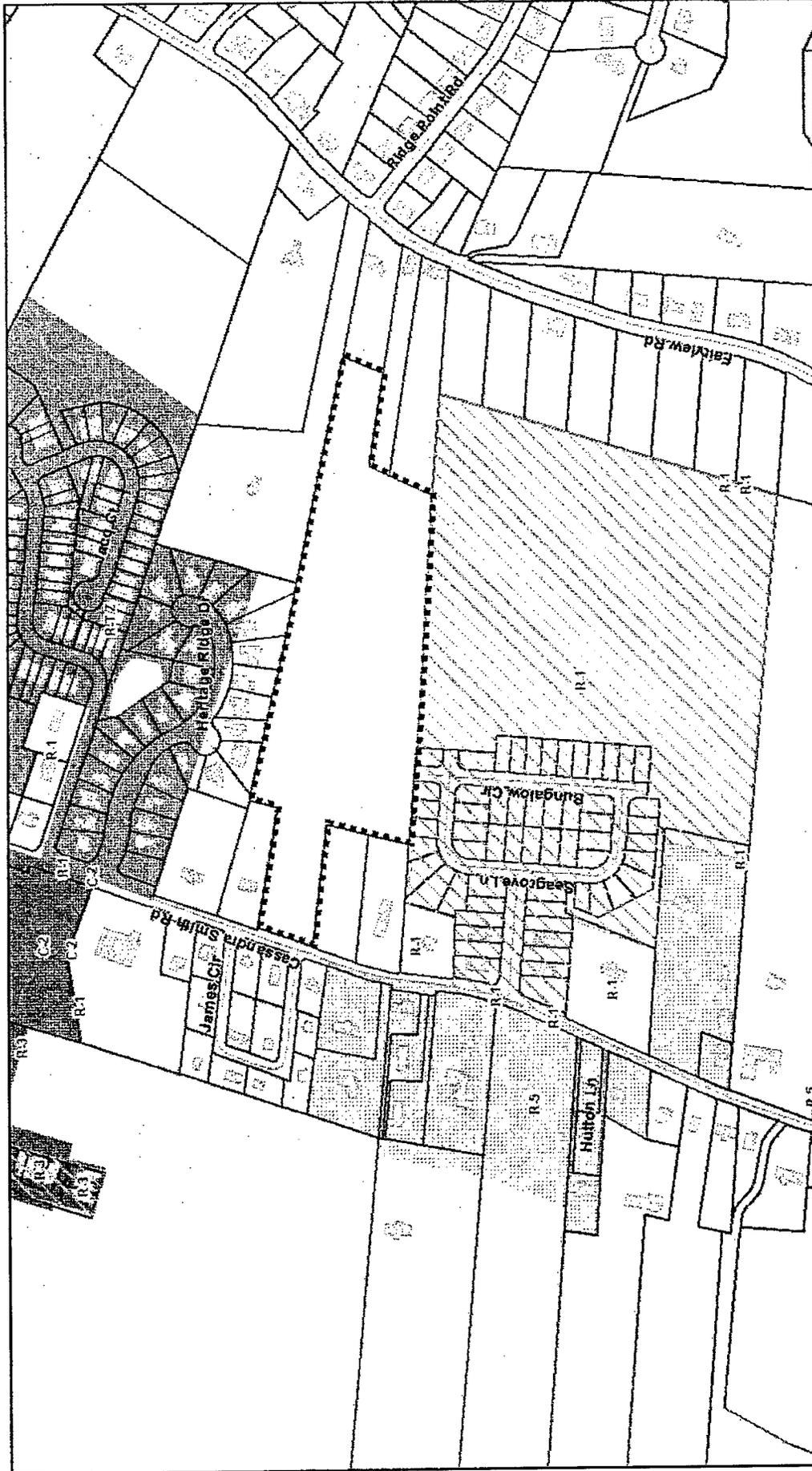
This development is considered to be a stand-alone residential development and as such it must be reviewed as a stand-alone development even though interconnectivity is provided to the adjoining Amberbrook Gardens PUD.

RPA staff met with the applicant and discussed design improvements to consider that may make the proposed development compatible with surrounding developments such as:

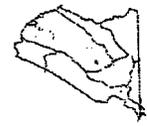
- Limit townhouse structures to one story where abutting single-family detached dwellings or relocate them to the interior of the development.
- Provide a substantial landscaped buffer and/or a privacy fence where the townhouses or condominiums abut single-family detached residential dwellings.
- Because of the visibility from Cassandra Smith Road and the adjoining large lot single-family detached dwellings, provide single-

RPA STAFF RECOMMENDATION

	<p>family detached residential dwellings along the entrance road.</p> <p>The applicant submitted a revised PUD plan that has incorporated design changes that will make the proposed development compatible with the adjacent development.</p> <p>Staff is recommending approval of the request for the following reasons:</p> <ul style="list-style-type: none"> • The proposed diversity of housing stock and density proposed by the development is supported by the Hixson-North River Community Plan. • Single-family detached dwellings are proposed to be located where the development abuts adjacent single-family detached dwellings and along the entrance to the development from Cassandra Smith Road. These design changes will make the proposed development compatible with adjacent single-family detached residential developments. • Proposed townhouse and condominium structures have been relocated to the interior of the development. The relocation of the townhouse and condominium developments to the interior would be supported by the 2007 RPA Position Paper discussed above. • Because of the visibility of this development from Cassandra Smith Road and the adjoining single-family detached dwellings, the PUD plan proposes to incorporate a landscape buffer along Cassandra Smith Road and a landscaped median along the entrance road to the development. • Interconnectivity is provided from this development to the adjoining Amberbrook Gardens development. • The PUD plan indicates that sidewalks and internal open-space will be provided
<p>Infrastructure & Operational Comments</p>	
<p>Public Works Staff:</p>	<p>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.</p>



2013-109 Residential PUD



469 ft



Chatham-Hamilton County Regional Planning Agency

SURVEYOR'S CERTIFICATION

I certify that I have surveyed the property shown hereon that the survey is correct to the best of my knowledge and belief, and that the ratio of precision of the measured survey exceeds 1:10,000. This is a Category 1 Survey.

David Mathews PLS9777



OWNER'S CERTIFICATION

I/We, the undersigned owner/s of the property shown hereon, do hereby adopt this plat and certify that I/we own/own the property to be shown.

C. Turner Smith
5508 Casanova Smith Road
Hixson, Tennessee 37343
Phone: 423-842-4080

Owner Lot 14

Melinda Weas
5401 Fairview Dr
Hixson, Tennessee 37343
423 842-1942

Owner Lot 4

GENERAL NOTES

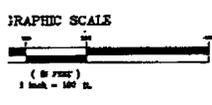
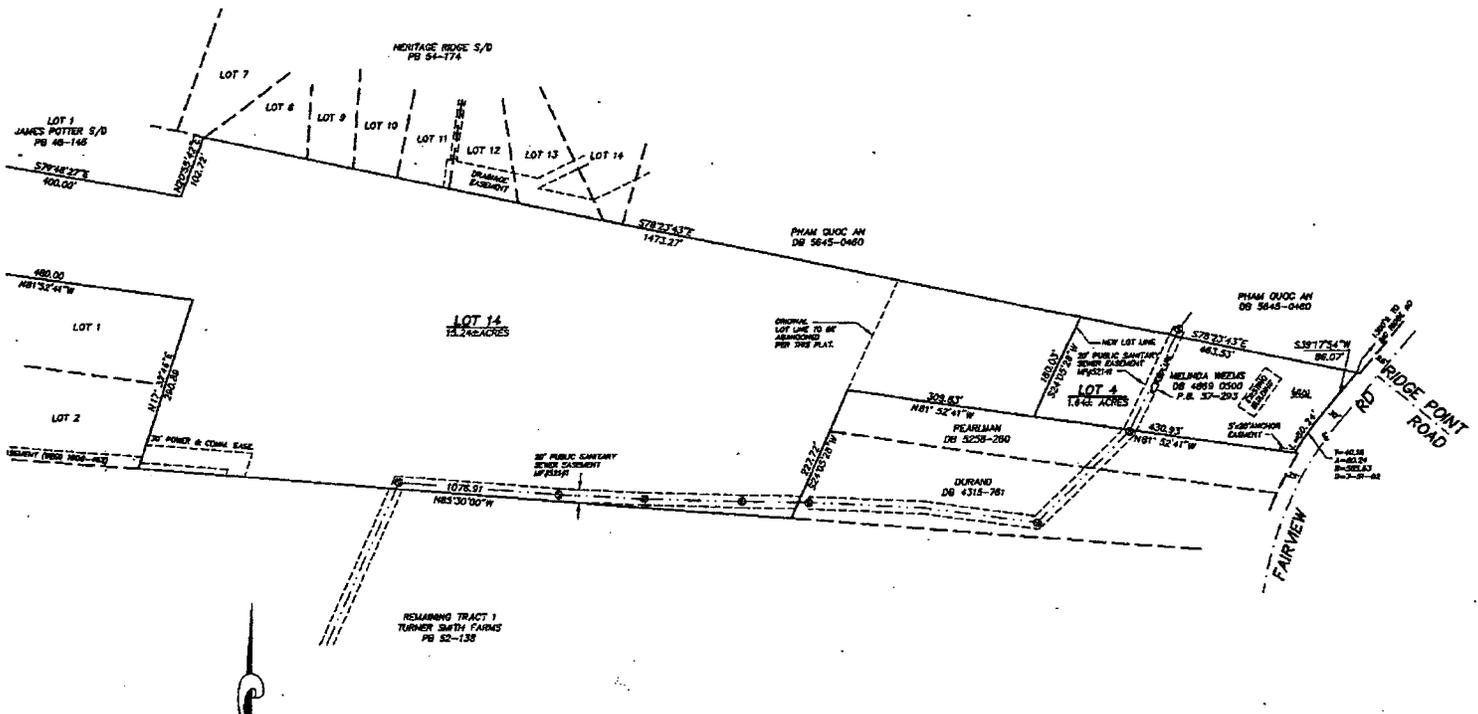
1. Zoned: R-1
2. Acres subdivided: 13.24 ACRES
3. This plat subdivides deed: 4400-122 & 4089-0500
4. Water supply: Hixson Utility District
5. This subdivision has been developed according to the design standards of the City of Chattanooga Subdivision Regulations.
6. All underground utility stubs and service lines to be a minimum depth of 24 inches when located within 10 feet of property corners.
7. See Map No. 100 Parcel: 082.04 & Parcel 101-086.01
8. A 5' private drainage easement is reserved along the inside of all side and rear lot lines. A 10' private drainage easement is reserved along all the lot lines that are interior lot lines of the subdivision except road lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or no setback is required.
9. The City of Chattanooga is not responsible for the construction or maintenance of drainage easements.
10. City Ordinance No. 3912 entitled "Storm Water Runoff and Erosion Control" shall apply to any discharge of water from this subdivision of property.
11. No 1/2" material can be placed in a constructed drainage facility in such a manner as to impede storm water run off flow unless approved by The City Engineer.
12. Public sanitary sewers are available by gravity flow.

Instrument: 2005482616
Book and Page: 15 60
Data Processing:
Plat Name:
Total Area:
Date: 8/18/05
Surveyor: David Mathews
Checked: Fredrick W. W.

RECORDED BY:
TRANSFER DOCUMENT:
DATE: 8/18/05
BY: Fredrick W. W.

APPROVED FOR RECORDING:
HAMILTON COUNTY GIS DEPT
DATE: 8/18/05
BY: [Signature]

JURISDICTIONAL AUTHORITY:
DATE: 8/18/05
BY: [Signature]
CHATTANOOGA CITY REGIONAL
PLANNING COMMISSION
DATE: 8/18/05
BY: [Signature]



FINAL PLAT

TURNER SMITH FARMS S/D

LOTS 4 & 14

CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

Date: 7-18-05	Drawn: A. Yalpe
Scale: 1"=100'	Checked: DLM
Job#: 05-368	

DAVID MATHIEWS SURVEYING

2005 HIXSON ROAD PO BOX 8700
CHATTANOOGA, TN 37414 TN 37414-8700

06-53358

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:

2013-113 Jesse O. Farr. 2712 Walker Road, from R-2 Residential Zone to R-4 Special Zone.

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

2013-109 James Pratt/John C. Whitmire, Colony Land and Investments. 5650 Cassandra-Smith Road for a Residential Planned Unit Development.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that conditions be amended and replaced:

2013-104 Troy Cox. 706, 710, and 716 Ashland Terrace, amending and replacing conditions of Ordinance No. 12472.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following condition be lifted and approved:

2013-084 Burt Schaerer/Bts Development. 2245 Hickory Valley Road, lifting condition Section 2 of Ordinance No. 12018 from previous Case No. 2007-142, subject to certain conditions.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Division 13, by adding Section 38-190, Maximum Building Footprint.

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 8, 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