

2013-149
James Pratt
District No. 3

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR 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 for property located at 5650 Cassandra Smith Road, more particularly described in the attached maps:

Lot 14 of Turner Smith Farms Subdivision, Plat Book 80, Page 48, ROHC, being Tract Three of the properties described in Deed Book 10052, Page 388, ROHC. Tax Map No. 100-063.04.

ADOPTED: _____, 2014

/mem

2014-019 City of Chattanooga
March 10, 2014

RESOLUTION

WHEREAS, James Pratt 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 for property located at 5650 Cassandra Smith Road.

Lot 14 of Turner Smith Farms Subdivision, Plat Book 80, Page 48, ROHC, being Tract Three of the properties described in Deed Book 10052, Page 388, 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 March 10, 2014,

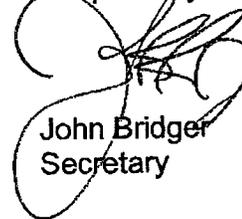
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 March 10, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the following conditions: 1) Street yard trees planted one (1) tree per 35 linear feet planted in Community Lot 42 along Cassandra Smith Road only; 2) A sidewalk shall be required to be constructed within Community Lot 42 along Cassandra Smith Road; 3) Along the north and east property line of the Turner Smith Farm, Tract 2, shall be planted with Leyland Cypress nine foot on center; and 4) No more than 48 single-family lots.

Respectfully submitted,



John Bridger
Secretary

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

CASE NUMBER:	2014-019			Date Submitted:	02/10/2014	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)						
1 Applicant Request						
PUD	PUD Name: Amberbrook Gardens					
Residential PUD	Acres: 15.25	Density: 3.5	<input checked="" type="checkbox"/>	Residential	<input type="checkbox"/>	Institutional
2 Property Information						
Property Address:	5650 Cassandra Smith Rd					
Property Tax Map Number(s):	100-063.04					
3 Proposed Development						
Reason for Request and/or Proposed Use:	Extend the boundary of the existing Residential PUD					
4 Site Characteristics						
Current Zoning:	R-1					
Current Use:	Vacant					
Adjacent Uses:	Residential					
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 Rd			
Check one:			<input checked="" type="checkbox"/>	I am the property owner		<input type="checkbox"/>
				I am not the property owner		
City: Chattanooga	State: TN	Zip Code: 37405	Email: jamespratt@prattliving.com			
Phone 1: 423-267-9917	Phone 2: 423-240-7068	Phone 3:	Fax:			
6 Property Owner Information (if not applicant)						
Name:			Phone:			
Address:						
Office Use Only:						
Planning District			Neighborhood, Urban Neighborhood			
Hamilton County Council District			Chatt. Council District			
Staff Rec. #			Legislative Action/Date/Ordinance			
Checks:						
<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	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Plat if applicable					
<input checked="" type="checkbox"/>	Deed Books: 10052-388			<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/>	Plat Book/Page: 30748			<input checked="" type="checkbox"/>	Check	Check Number: 43520
<input checked="" type="checkbox"/>	Final Plat: 200810					
Planning Commission meeting date: March 10, 2014			Application processed by: Jennifer Ward			

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-019	PC Meeting Date: 3-10-2014
PC RECOMMENDATION:	APPROVE , subject to certain conditions: <ol style="list-style-type: none"> 1. Street yard trees planted one (1) tree per 35 linear feet planted in Community Lot 42 along Cassandra Smith Road only. 2. A sidewalk shall be required to be constructed within Community Lot 42 along Cassandra Smith Road. 3. Along the north and east property line of the Turner Smith Farm, Tract 2, shall be planted with Leyland Cypress nine foot on center. 4. No more than 48 single-family residential lots. 	
Reason(s) for Recommendation	<ul style="list-style-type: none"> ❖ Proposed density of 2.7 du/a is supported by the HNR land use plan ❖ Proposed single-family residential use is compatible with existing adjacent single-family neighborhoods. ❖ Street interconnectivity is provided to adjoining Amberbrook Gardens. ❖ Sidewalks and internal open space will be provided. 	
Applicant Present at PC Meeting?	Yes	
Opposition Present at PC Meeting?	Yes- Robert Waller; 524 Hickory Hill Drive- questions and concerns regarding storm water runoff.	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-019	PC Meeting Date: 03-10-2014
STAFF RECOMMENDATION:	<p>APPROVE, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Street yard trees planted one (1) tree per 35 linear feet planted in Community Lot 42 along Cassandra Smith Road only. 2. A sidewalk shall be required to be constructed within Community Lot 42 along Cassandra Smith Road. 3. Along the north and east property line of the Turner Smith Farm, Tract 2, shall be planted with Leyland Cypress nine foot on center. 	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u></p> <p>The applicant has submitted a request to extend the boundary of the existing Amberbrook Gardens Planned Unit Development (PUD) located at the 5600 block of Cassandra Smith Road. The original Amberbrook Gardens PUD, as approved by the Chattanooga City Council is approximately 41 acres with 102 single-family detached dwellings with a density of 2.5 dwelling units per acre.</p> <p>The request will add an additional 15 acres and 52 new single-family detached residential dwellings with a density of 3.5 dwelling units per acre.</p> <p>If approved, the overall revised acreage of the new PUD will be a total of 56 acres with 154 single-family detached residential dwellings with an overall density of 2.8 dwelling units per acre.</p> <p><u>Site Description</u></p> <p>The overall acreage of the site is approximately 56.15 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 along Big Ridge. The site is not located within the 100 year flood hazard area. The property has frontage along Cassandra Smith Road.</p> <p>The property is currently zoned R-1 Residential. The R-1 Residential PUD permits a maximum density of five units per acre. The proposed overall density of this development is 2.8 dwelling units per acre. The density of the 15 acre portion being added to the existing PUD is 3.5 dwelling units per acre.</p> <p>Adjoining land uses to the west and south of the site include several large-lot single-family detached dwellings located along Cassandra Smith Road. 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. The site is located just south of the commercial</p>	

STAFF CASE REPORT TO PLANNING COMMISSION

development at the intersection of Cassandra Smith Road and Hixson Pike.

Zoning History

The original Amberbrook Gardens PUD was approved by the Chattanooga Council in 2005 through the adoption of Resolution 26062 (2005-007) with conditions. Only a portion (12.99 acres) of the original PUD boundary has actually been recorded with single-family detached dwellings being constructed on the site. The area that has been recorded is indicated by the hatched area on the PUD plan submitted with this application. The property to the rear of the hatched area has been approved as a final plat but has not been officially recorded.

The proposed site/acreage being added to the existing PUD boundary is approximately 15 acres with 52 single-family detached dwelling units with a density of 3.5 dwelling units per acre. Combining the acreage the new PUD will have an overall acreage of 56.15 acres with 154 single-family detached dwelling units with an overall density of 2.8 dwelling units per acre.

In 2005, there was a request to rezone this same site from R-1 Residential Zone to R-T/Z Residential Townhouse Zone to construct 57 single-family detached patio homes. The Chattanooga-Hamilton County Regional Planning Commission recommended approval of the request subject to use as single-family detached dwellings, a maximum of 57 lots, and a 20' landscaped buffer along the perimeter of the development where the proposed development abuts adjoining single-family detached dwellings. The Chattanooga City Council denied the request to rezone the property from R-1 Residential Zone to R-T/Z Residential Townhouse Zone.

In September 2013, the applicant submitted Case 2013-109 for this same 15.25 acre parcel. The request at that time did not amend the PUD boundary. It was a request as a separate stand-alone PUD even though they were the same interconnected it was a separate stand-alone PUD request. The request in Case 2013-109 was to develop the site with 25 single-family detached dwellings, 8 condominiums, and 15 townhouses with a density of 3.15 units per acre. RPA staff recommended approval of Case 2013-109. The Chattanooga-Hamilton County Regional Planning Commission recommended approval of the request for a separate, stand-alone PUD. Prior to the City Council action on the request, it was determined that there were private deed restrictions placed on the property prohibiting the construction of townhouses. The applicant at Chattanooga City Council requested to withdraw his request for Case 2013-109.

STAFF CASE REPORT TO PLANNING COMMISSION

	<p>Plans/Policies</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>
<p>Infrastructure & Operational Comments</p>	<p>[REDACTED]</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> <p>Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.</p>
<p>Transportation Department Staff:</p>	<p>Sidewalks are required along Cassandra Smith Road for the entire right-of-way frontage that directly abuts this project's property lines. The sidewalks should have a minimum 5' width and should connect to the PUD's required internal sidewalk system. Due to the project's close proximity to nearby commercial along Hixson Pike (specifically Publix), it is strongly encouraged for the developer to construct sidewalk between the two entrances abutting 5606, 5610, and 5626 Cassandra Smith. Such an amenity would complete the PUD's sidewalk loop and enhance resident walkability to other nearby attractions.</p> <p>The right-of-way ranges between 40' to 50' through that area, with an average of about 10' to 15' available for sidewalk construction on that side of the road. It seems doable based on the relatively flat topography, but it will require a closer look to determine a sidewalk alignment around any roadside obstacles.</p>
<p>Land Development Office Staff :</p>	<p>In order to provide shading and cooling of pavement (heat island effect), interception, and evapotranspiration, a street yard and trees should be incorporated into the development along Cassandra Smith Road.</p> <p>Land Development Office recommends the following condition: A street yard and trees consisting of one (1) tree per 35 linear feet planted along Cassandra Smith Road should be incorporated into the development.</p>
<p>Summary</p>	<p>Staff is recommending approval of the request for the following reasons:</p> <ul style="list-style-type: none"> • The proposed type of housing stock and density (2.74 du)

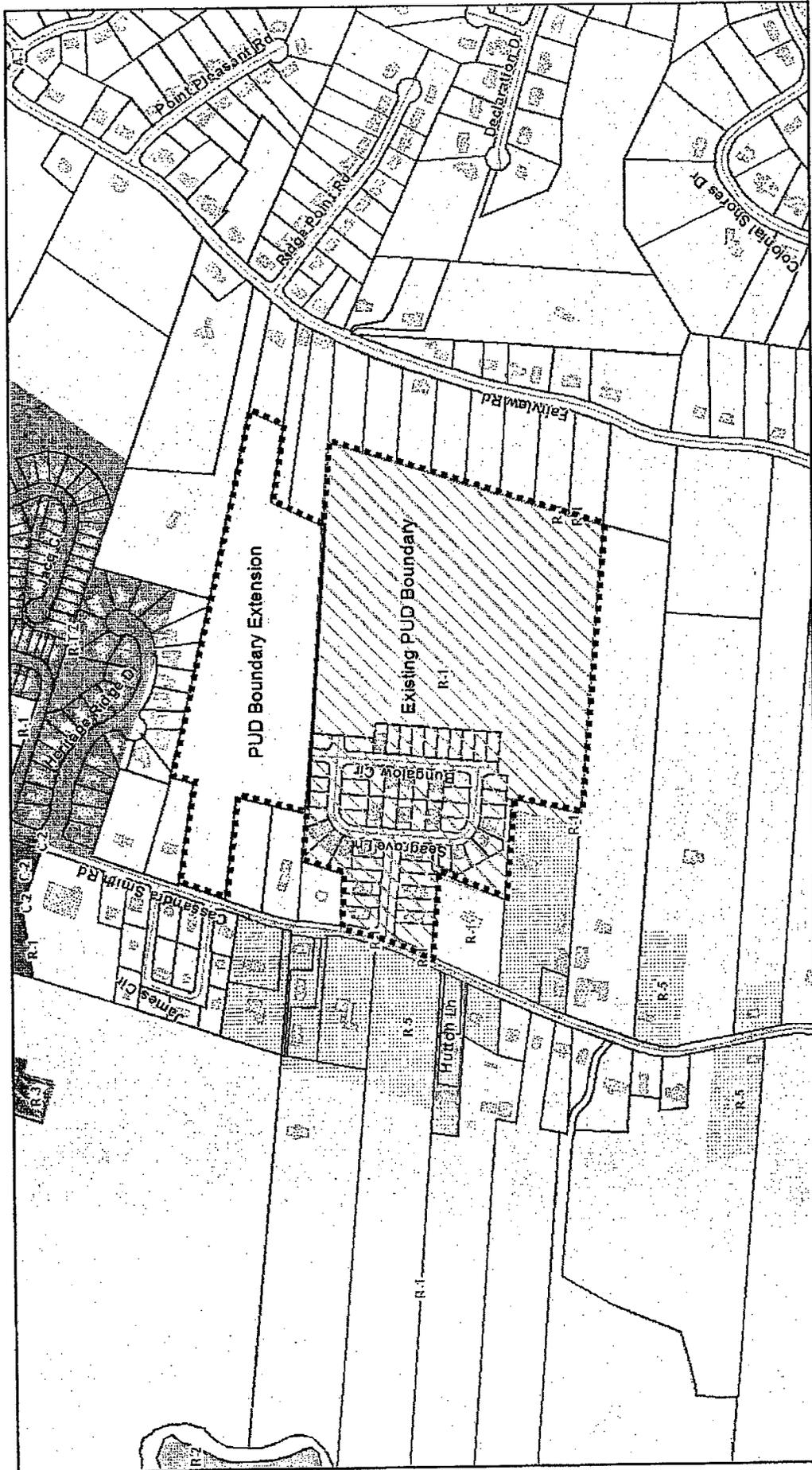
STAFF CASE REPORT TO PLANNING COMMISSION

proposed by the development is supported by the Hixson-North River Community Plan.

- The PUD plan would permit the applicant to develop this site with flexibility in lot size, setbacks and lot frontage at a lower density while providing open space within the development.
- The proposed development of single-family detached dwellings is compatible with the adjacent single-family detached dwellings on either side of the development and other residential developments found along Cassandra Smith Road.
- Internal pedestrian connectivity (sidewalks) and open space will be provided within the PUD and as required by the Planned Unit Development requirements contained in the Chattanooga Zoning Regulations.

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



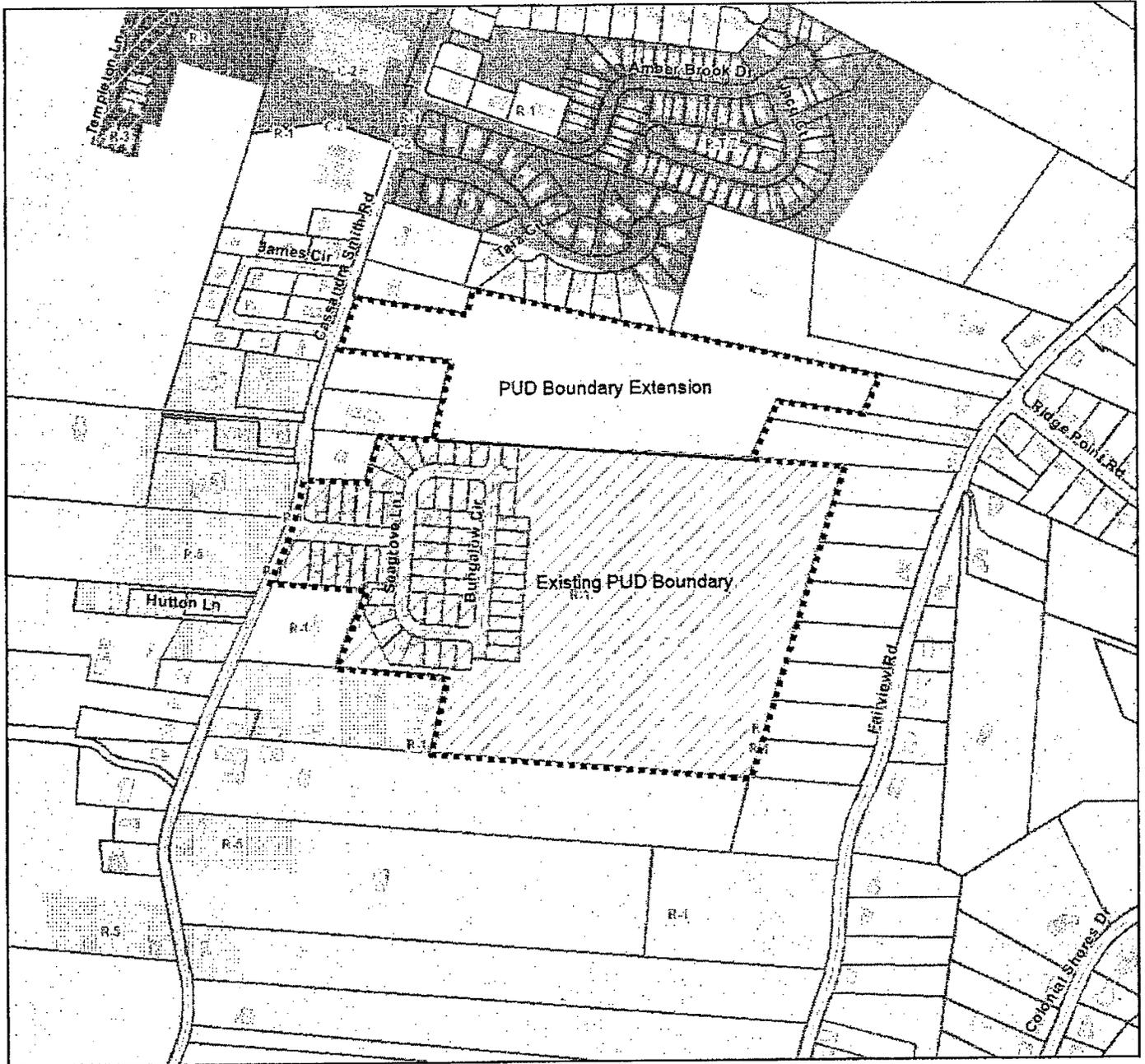
2014-019 Residential PUD



555 ft



Chattanooga Hamilton County Regional Planning Agency



2014-019 Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-019:
 Approve, subject to the conditions listed in the Planning Commission Resolution.



500 ft



Chattanooga Hamilton County Regional Planning Agency



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 denied:

2014-021 Claudio Costa, 4823 Winding Lane, from R-1 Residential Zone to R-3 MD Moderate Density Zone.

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

2014-019 James Pratt, 5650 Cassandra Smith Road, for a Residential Planned Unit Development, subject to certain conditions.

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,

April 8, 2014

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 _____, 2014.

Sandra Freeman
Clerk to the City Council