

2014-028
The Southern Land Company/
Obar Investments
District No. 1

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON PART OF PROPERTY LOCATED AT 3886 CUMMINGS ROAD, 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 part of property located at 3886 Cummings Road, more particularly described in the attached maps:

Beginning at a point approximately 180 feet southwest from the southwest most corner of Tax Map No. 153M-C-002, running along River Gorge Drive, thence proceeding east 426.5 feet, thence northeast 171.5 feet, thence north 207.3 feet, thence northeast 802 feet, thence south 98.5 feet, thence east 224.2 feet, thence southeast 1077.1 feet, thence southwest 1621.3 feet, thence south 412.3 feet, thence 1251.9 feet west thence northeast approximately 360 feet, thence north approximately 360 feet to the point of beginning as shown on submitted preliminary PUD Plan by Southern Land Co., Sheet L1.00, revision dated 3/28/14. Tax Map No. 123-027.07 (Part).

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That this Special Exceptions Permit be approved subject to the following:

- 1) Sidewalks, five feet (5') wide on both sides of new streets with minimum three feet (3') green verge between the curb and sidewalks; and
- 2) Pathway connections from the ends of both dead-end streets to connect to the existing public square in phase 1.

ADOPTED: _____, 2014

/mem

2014-028 City of Chattanooga
April 14, 2014

RESOLUTION

WHEREAS, The Southern Land Company/Obar 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 (PUD) on part of property located at 3886 Cummings Road.

Beginning at a point approximately 180 feet southwest from the southwest most corner of Tax Map 153M-C-002, running along River Gorge Drive, thence proceeding east 426.5 feet, thence northeast 171.5 feet, thence north 207.3 feet, thence northeast 802 feet, thence south 98.5 feet, thence east 224.2 feet, thence southeast 1077.1 feet, thence southwest 1621.3 feet, thence south 412.3 feet, thence 1251.9 feet west thence northeast approximately 360 feet, thence north approximately 360 feet to the point of beginning as shown on submitted preliminary PUD Plan by Southern Land Co., Sheet L1.00, revision dated 3/28/14. Tax Map 123-027.07 (Part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 14, 2014,

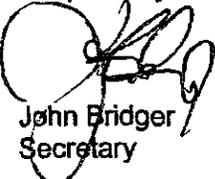
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 April 14, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved subject to: 1) Sidewalks, 5' wide on both sides of new streets with minimum 3' green verge between the curb and sidewalks; and 2) Pathway connections from the ends of both dead-end streets to connect to the existing public square in phase 1, as shown in drawing for estimated location.

Respectfully submitted,



John Bridger
Secretary

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

| | | | | | | | |
|---|--|---|--|---|---|-------------------------------------|----------------------|
| CASE NUMBER: | 2014-028 | Date Submitted: 03-07-2014 | | | | | |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | | | | | |
| 1 Applicant Request | | | | | | | |
| PUD | PUD Name: The Ridge at Black Creek | | | | | | |
| Residential | Acres: 62.47 | Density: 1.52 | <input checked="" type="checkbox"/> Residential | <input type="checkbox"/> Institutional | | | |
| 2 Property Information | | | | | | | |
| Property Address: | 3886 Cummings Road (part of) | | | | | | |
| Property Tax Map Number(s): | 153-027.07 (part) | | | | | | |
| 3 Proposed Development | | | | | | | |
| Reason for Request and/or Proposed Use: | Single Family Residential | | | | | | |
| 4 Site Characteristics | | | | | | | |
| Current Zoning: | R-3 | | | | | | |
| 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: The Southern Land Company | | Address: 1550 W. McEwen Drive, Suite 200 | | | | | |
| Check one: | <input type="checkbox"/> I am the property owner | <input checked="" type="checkbox"/> | I am not the property owner | | | | |
| City: Franklin | State: TN | Zip Code: 37067 | Email: bpemberton@blackcreekclub.com | | | | |
| Phone 1: 423-716-3970 | Phone 2: 615-778-3150 | Phone 3: | Fax: | | | | |
| 6 Property Owner Information (if not applicant) | | | | | | | |
| Name: Obar Investments | | Phone: 423-716-3970 | | | | | |
| Address: 4700 Cummings Cove Drive Chattanooga, TN 37419 | | | | | | | |
| Office Use Only: | | | | | | | |
| Planning District: 7 | | Neighborhood: Lookout Valley | | | | | |
| Hamilton Co. Comm. District: 6 | | Chatt. Council District: 1 | | 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"/> | Site Plan, if required | <input checked="" type="checkbox"/> | Total Acres to be considered: 62.47 | <input checked="" type="checkbox"/> | Deeds | <input checked="" type="checkbox"/> | Plats, if applicable |
| Deed Book(s): 8158-222 | | | | | | | |
| Plat Book/Page: 63-78 | | | Notice Signs | Number of Notice Signs: | | | |
| <input checked="" type="checkbox"/> | Filing Fee: 400.00 | <input type="checkbox"/> Cash | <input checked="" type="checkbox"/> | Check | Check Number: 1497 | | |
| Planning Commission meeting date: 4-14-2014 | | | Application processed by: Marcia Parker | | | | |

STAFF CASE REPORT TO PLANNING COMMISSION

| | | |
|--|--|----------------------------|
| Case Number: | 2014-028 | PC Meeting Date: 4-14-2014 |
| STAFF RECOMMENDATION: | APPROVE with conditions noted below | |
| Land Use & Transportation Comments | | |
| Planning Staff: | <p><u>Applicant Request Overview</u> The applicant is requesting a Planned Unit Development (PUD) for the future construction of single-family homes.</p> <p>The property is presently zoned R-3 Residential. The applicant would like to revise the boundaries, density, circulation and lot layout of the property's expired Residential PUD plan. The new PUD reduces the boundary and lowers the density. The proposed PUD plan covers 62.47 acres with 95 single-family dwelling units, yielding a density of 1.52 units per acre. The proposed PUD includes sidewalks, alleys, landscaping, and street trees. Seventy percent of the site (44 acres) is proposed to be community open space.</p> <p><u>Site Description</u> The site is accessed from a residential road, River Gorge Drive, with one curb cut to act as an entrance and exit. Located in the Black Creek Development in Lookout Valley, the surrounding properties are zoned MXU Mixed Use Zone, R-2 Residential, R-3 Residential and R-1 Residential. Properties directly around the proposed development include single-family homes, forested land and Interstate 24.</p> <p><u>Zoning History</u> The property's rezoning history is as follows:</p> <ul style="list-style-type: none"> • 2013: Rezoned from R-1 Residential to R-3 Residential subject to approval of the PUD Plan <p>This request was for single-family homes, townhomes, and an assisted living facility. The density of the proposed development was 3.52 units per acre.</p> <ul style="list-style-type: none"> • 2013: PUD plan approved • 2014: PUD plan expired <p><u>Plans/Policies</u> The adopted plan for this area, the 2003 Lookout Valley Area Plan, recommends that residential development in this area remain low density, which the plan defines as "one to four units per acre".</p> | |
| Infrastructure & Operational Comments | | |
| | <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</p> | |

STAFF CASE REPORT TO PLANNING COMMISSION

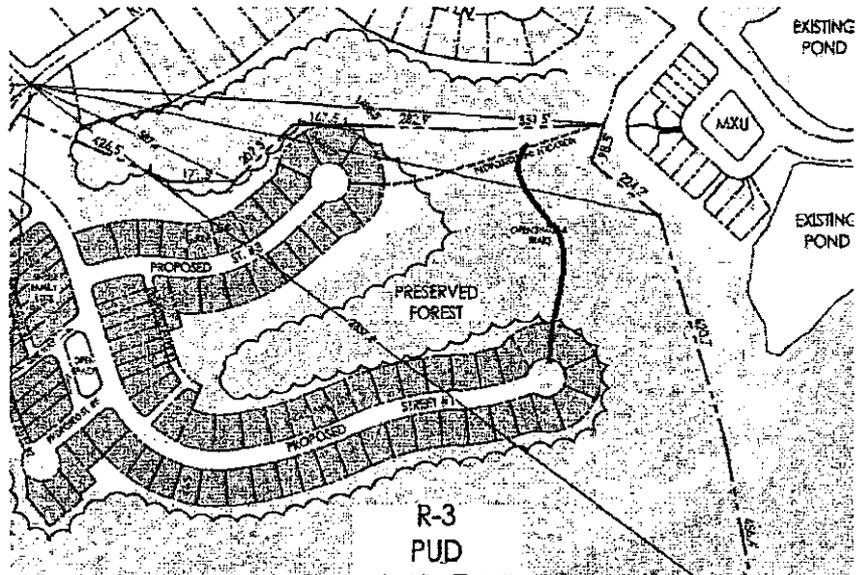
Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.

Transportation Department Staff:

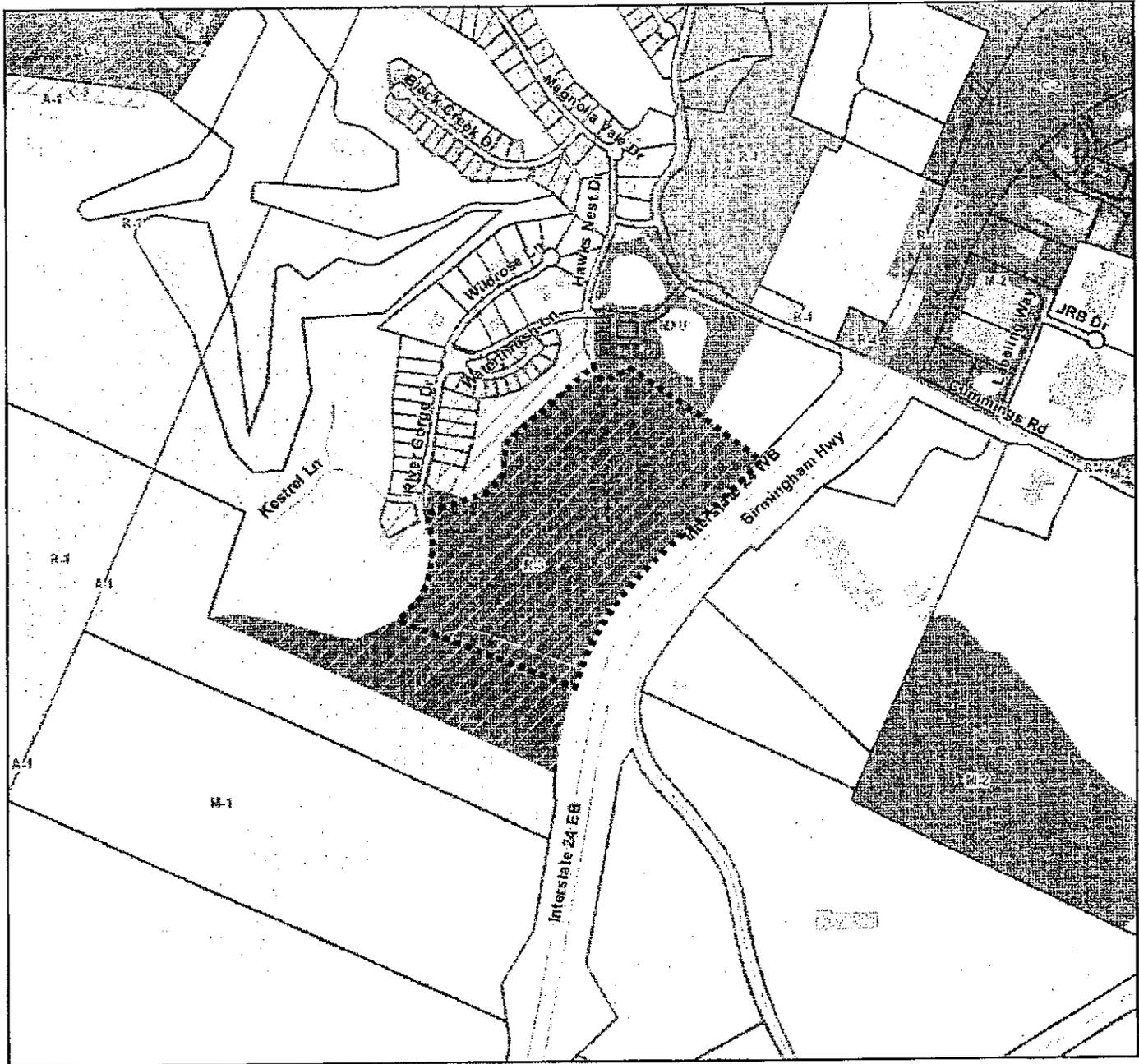
The Transportation Department requires pedestrian connectivity in and between the existing and proposed phases of the development. Even though road connectivity is not entirely feasible because of topographic challenges, pedestrian connections are feasible and required in the form Conditions noted below:

- Sidewalks, 5' wide, on both sides of new streets with minimum 3' green verge between the curb and sidewalks and
- Pathway connections from the ends of both dead-end streets to connect to the existing public square in phase 1, see drawing below for estimated location.



Summary

Staff recommends approval because the proposed form and density are in keeping with the surrounding development and the Lookout Valley Plan. The proposed single-family lots are adjacent to existing single-family lots. The proposed single-family lots are surrounded by open or wooded space, which buffers them from the adjacent Interstate.



2014-028 Residential PUD

PLANNING COMMISSION RECOMMENDATION OF CASE NO. 2014-028: Approve, subject to: 1) Sidewalks 5' wide on both sides of new streets with minimum 3' green verge between the curb and sidewalks; and 2) Pathway connections from the ends of both dead-end streets to connect to the existing public square in phase 1 as shown in submitted drawing for estimated location.

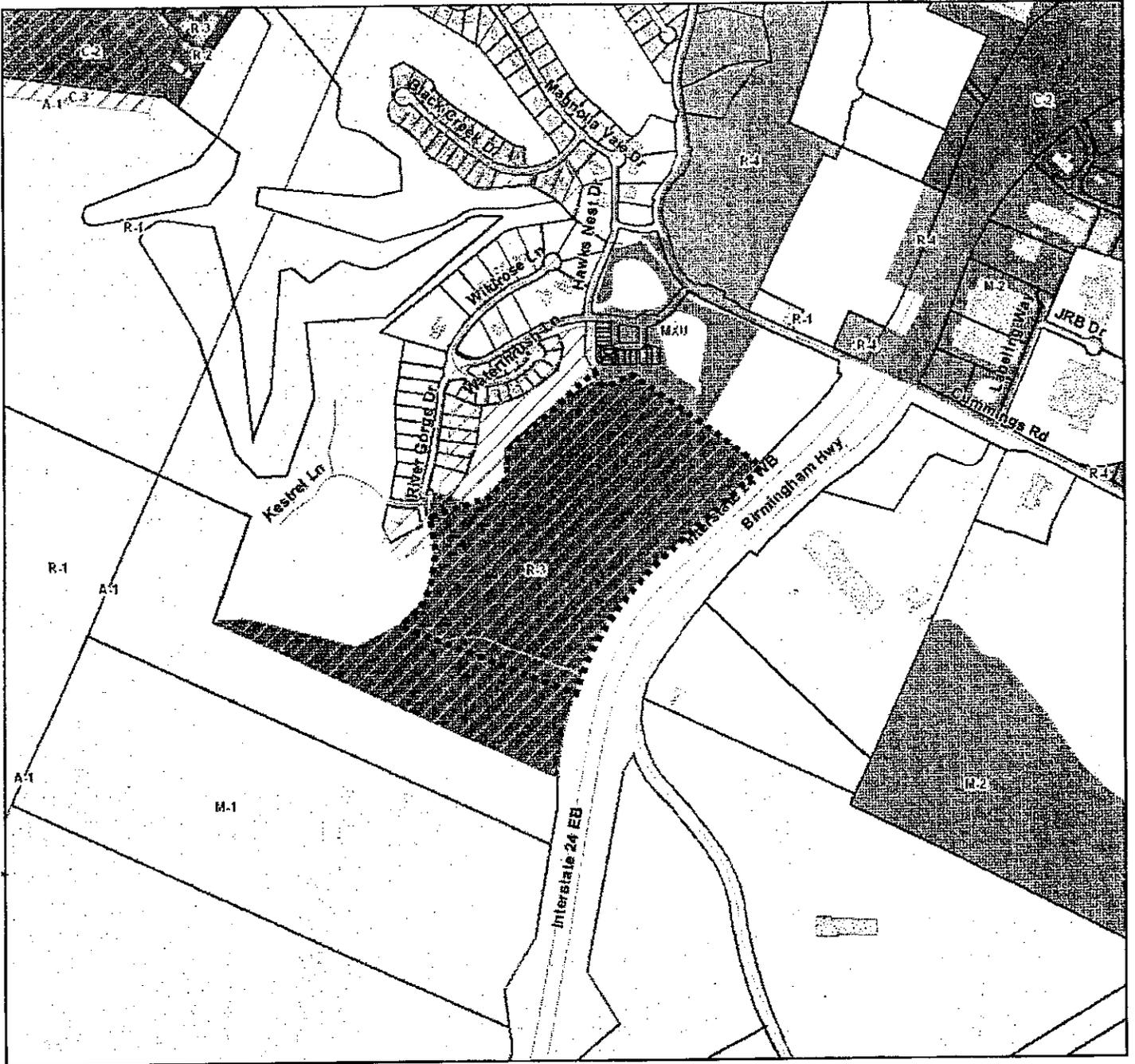


950 ft



Chattanooga Hamilton County Regional Planning Agency





2014-028 Residential PUD



Chattanooga Hamilton County Regional Planning Agency



950 ft



SITE DATA:

MAP/PARCEL: PORTION OF MAP
153 PARCEL 027.07

AREA: +/- 62.47 AC

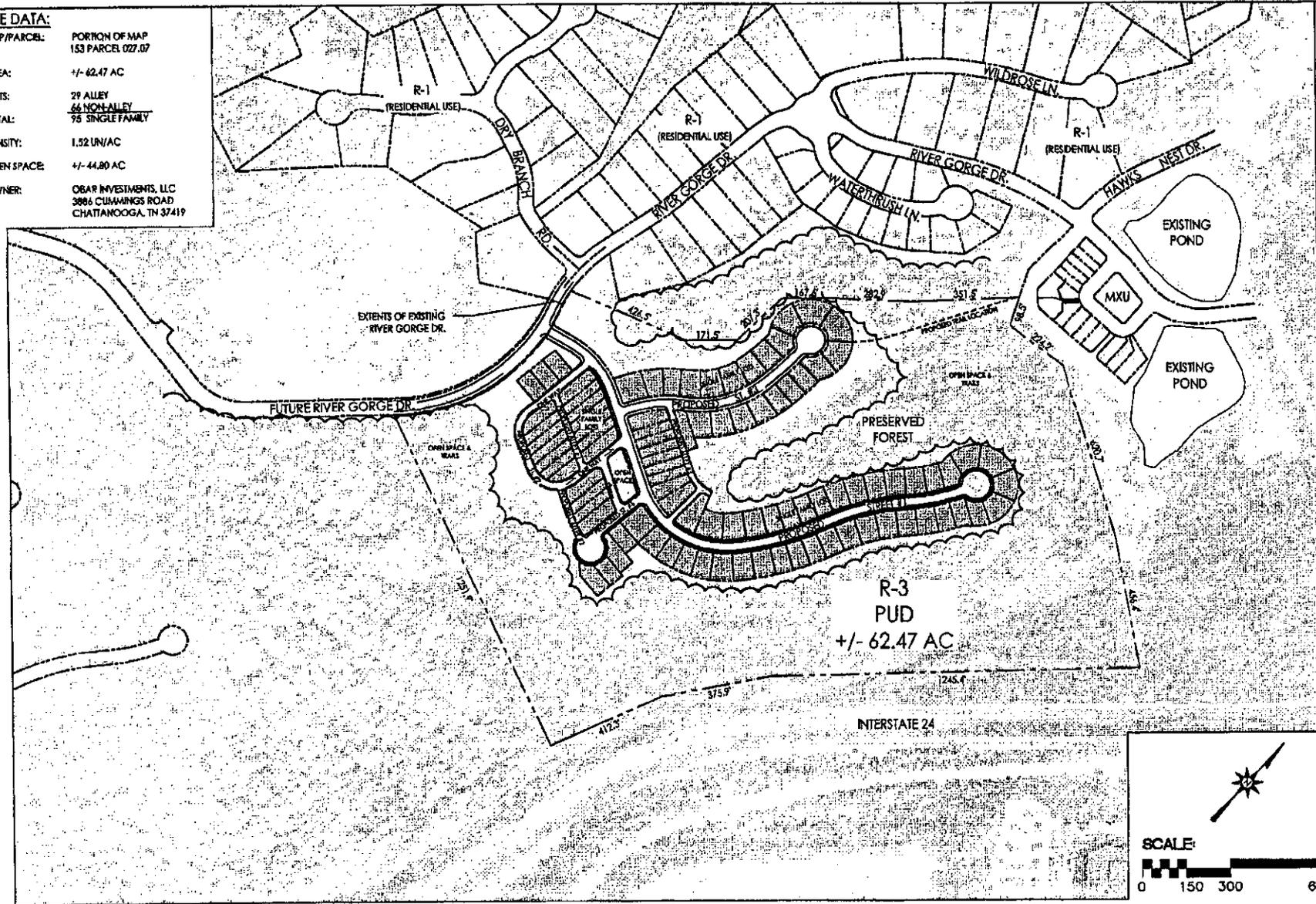
UNITS: 29 ALLEY
66 NON-ALLEY
75 SINGLE FAMILY

TOTAL: 1.52 UN/AC

DENSITY: +/- 44.80 AC

OWNER: OBAR INVESTMENTS, LLC
3886 CUMMINGS ROAD
CHATTAHOOGA, TN 37419

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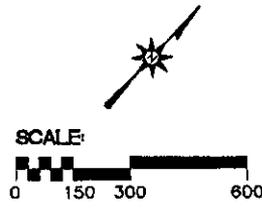
**THE RIDGES
AT
BLACK CREEK**
CITY OF CHATTAHOOGA, HAMILTON COUNTY, TENNESSEE

| REVISIONS: | |
|------------|----------|
| 1 | 03/16/14 |
| 2 | 03/26/14 |
| 3 | |
| 4 | |
| 5 | |
| 6 | |

DATE: 03/07/14
JOB #:
PROJECT #:

**PRELIMINARY
PUD
PLAN**

SHEET NO.
L1.00



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2014-023 Elemi Architecture, LLC/Matt Winget/Paul Teruya/ALC Holdings, LLC. 1690 Silvels Lane, 109 Old Mountain Road, and 1605 W. 39th Street, from R-1 Residential Zone, R-2 Residential Zone, and C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, as amended per site plan.

2014-025 City of Chattanooga/RPA. 8607, 8613, and 8619 North Hickory Valley Road and 5210 Highway 58, from Temporary R-3 Residential Zone to Permanent R-3 Residential Zone per City Code Article X-11, Section 38-653, Planning Commission Zoning Plan to establish permanent zone for area annexed by Ordinance No. 12803.

2014-026 Dan Dykstra. 332 Sylvan Street, from R-2 Residential Zone to R-3 Residential Zone, as a single family, short term vacation rental only.

2014-029 Passpointe Engineering/Jan Pass/Woodland Park Baptist Church. 6700 block of Standifer Gap Road, from R-1 Residential Zone and R-2 Residential Zone to R-4 Special Zone, subject to certain conditions.

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

2014-028 The Southern Land Company/Obar Investments. 3886 Cummings Road, for a Residential Planned Unit Development, subject to certain conditions.

2014-030 Passpointe Engineering/Jan Pass/Woodland Park Baptist Church. 6700 block of Standifer Gap Road, for an Institutional Planned Unit Development.

2014-031 Lee Hodges/Housing Trust Group/ERB, LLC. 1351 Reserve Way and 7650 East Brainerd Road, for a Residential Planned Unit Development, subject to certain conditions.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38-2, known as the Chattanooga Zoning Ordinance by:

- (a) Deleting the definition of "Building, Height of" in its entirety and substitute in lieu thereof;
- (b) Adding the definition "Grade Plane".

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,

May 13, 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