

2015-139
Peter C. Cory and Miles D. Raborn
District No. 4

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1813 MORRIS HILL ROAD AND 8407 AND 8575 PETTY 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 for property located at 1813 Morris Hill Road and 8407 and 8575 Petty Road, more particularly described in the attached maps:

Lots 1 and 2, Kincaid Subdivision, Plat Book 31, Page 226, ROHC, Deed Book 10519, Page 69 together with Parts of Lot 13, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, being the properties described in Deed Book 10519, Pages 69, 75 and 78, ROHC. Tax Map Nos. 159K-A-001, 002 and 009.

This Special Exceptions Permit shall be approved subject to the following conditions:

- 1) Lots 23 and 28 as shown on plan are to remain community lots.
- 2) Condition to Type "C" Landscaping along PUD boundaries with R-1 to mitigate nuisance issues of smaller lots from larger lots.

ADOPTED: _____, 2015

/mem

2015-139 City of Chattanooga
November 9, 2015

RESOLUTION

WHEREAS, Peter C. Cory & Miles D. Raborn 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 at 1813 Morris Hill Road and 8407 & 8575 Petty Road.

Lots 1 and 2, Kincaid Subdivision, Plat Book 31, Page 226, ROHC, Deed Book 10519, Page 69 together with Parts of Lot 13, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, being the properties described in Deed Book 10519, Pages 69, 75 and 78, ROHC. Tax Map 159K-A-001, 002 and 009 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 9, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements regarding 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,

AND WHEREAS, the Planning Commission has determined that the proposal is consistent with the development form of the area.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on November 9, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved with conditions:

1. Lots 23 and 28 as shown on plan are to remain community lots.
2. Condition to Type "C" Landscaping along PUD boundaries with R-1 to mitigate nuisance issues of smaller lots from larger lots.

Respectfully submitted,



John Bridger
Secretary

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

CASE NUMBER:	2015-139		Date Submitted: 9-22-2015				
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)							
1 Applicant Request							
PUD	PUD Name: Morris Hill Residential P.U.D.						
	Acre(s): 6.0 +/-	Density: 4.5 U/A	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Institutional			
2 Property Information							
Property Address:	1813 Morris Hill Road, 8407 & 8575 Petty Road						
Property Tax Map Number(s):	159K-A-001, 002 & 009						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Single Family Home Development						
4 Site Characteristics							
Current Zoning:	R-1 & R-5						
Current Use:	Residential & Undeveloped						
Adjacent Uses:	Residential & Apartments						
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: Peter C. Cory & Miles D. Raborn		Address: P.O. Box 28193					
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: 37424	Email: coryconstruction@gmail.com				
Phone 1: 423-304-4407	Phone 2: 423-280-7004	Phone 3:	Fax:				
6 Property Owner Information (if not applicant)							
Name: Same		Phone:					
Address:							
Office Use Only:							
Planning District: 10		Neighborhood: CNAC, BEBC, FOEB					
Hamilton Co. Comm. District: 7		Chatt. Council District: 4	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: 6	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 10519-69, 10519-75, 10519-78							
Plat Book/Page: 12-27, 31-226		<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 2			
<input checked="" type="checkbox"/>	Filing Fee: 400.00	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 3819	
Planning Commission meeting date: 11-9-2015			Application processed by: Marcia Parker				

PLANNING COMMISSION CASE REPORT

Case Number: 2015-139

PC Meeting Date: 11-09-15

Applicant Request**Special Permit for a Residential Planned Unit Development**

Property Location:	1813 Morris Hill Road, 8407 & 8575 Petty Rod
Property Owner:	Peter C. Cory & Miles D. Raborn
Applicant:	Peter C. Cory & Miles D. Raborn

Project Description

- Proposal: Develop a 6-acre site with 27 single-family homes.
- Proposed Access: Morris Hill Road.
- Proposed Development Form: 29 lots (4,200 square feet and larger) are proposed for 27 single-family homes for the overall 6-acre site. Two of the lots shown on the site plan are proposed for detention ponds. It is assumed that these two lots are also for the required open space. A new 40-foot wide public street with a cul-de-sac is also proposed.
- Proposed Density: 4.5 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 6-acre site is located on the west side of Morris Hill Road approximately 575 feet south of the Igou Gap intersection.
- Current Access: Morris Hill Road and Petty Road.
- Tennessee Department of Transportation Functional Classification: (if relevant)
- Current Development form: There is a mixture of residential lots surrounding this suburban site ranging from 7,500 square feet to 4.7 acres in size.
- Current Land Uses: Single-family homes and single-wide manufactured homes are located to the west and south of the site. Single-family homes are located to the north. Single-family homes and Morris Hill Baptist Church are located to the east.
- Current Density: The residential density of the Planned Unit Development under construction on Petty Road is 5.6 dwelling units per acre. The density of the newly constructed apartments adjacent to the south side of the site is 8 dwelling units per acre. The average residential density of the homes on the west side of Petty Road (with Petty Road addresses) across the street from the site is approximately 1.8 dwelling units per acre.

Zoning History

- The site is currently zoned R-1 and R-5 Residential.
- The property to the north is zoned R-1 Residential. The property to the east is part of the total development project and is zoned R-1 Residential. The adjacent property to the south is zoned R3MD Moderate Density. Other properties to the south west are zoned R-5 Residential.
- There most recent zoning activity near this site was for the adjacent R3MD property, approved by City Council in 2013 (Ordinance #12770) and the PUD across Petty Road to the south, also approved by City Council in 2013 (Resolution #27662).

Plans/Policies/Regulations

- The East Brainerd Corridor Community Land Use Plan (adopted by City Council in 2003) recommends Low Density Residential for this area.
- The R-1 Residential Zone permits single-family residential lots with a minimum lot size of 7,500 square feet (on sewers) and a minimum frontage width of 60 feet (on sewers).
- A Planned Unit Development special permit has no minimum lot size or frontage requirements.

LDO Staff Comments

- The stormwater detention areas noted on the plan may change during the permit review process.

PLANNING COMMISSION CASE REPORT

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area based upon the Planned Unit Development not exceeding the defined residential density.
- The proposed Planned Unit Development introduces smaller single family lots to the area, but place larger lots along Morris Hill Road and fronting Petty Road.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structures do raise concerns regarding location, lighting, or height.
- There are several additional Planned Unit Developments along Petty Road.
- The proposal fails to connect through to Petty Road while showing an ease in doing so.

Staff Recommendation

Approve with conditions:

1. Lots 23 and 28 as shown on plan are to remain community lots.
2. Condition to Type "C" Landscaping along PUD boundaries with R-1 to mitigate nuisance issues of smaller lots from larger lots.
3. Condition to be stated by CDOT for connection through to Petty Road.



2015-139 Special Exceptions Permit for a Residential PUD

Chattanooga Hamilton County Regional Planning Agency

250 ft

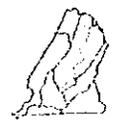


2015-139 Special Exceptions Permit for a Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-139:
 Approve, subject to the conditions in the Planning Commission Resolution.



250 ft



Chattanooga Hamilton County Regional Planning Agency





MAP ENGINEERS LLC
 1400 N. W. 10th St.
 Ft. Lauderdale, FL 33304
 Phone: 954-561-1111
 Fax: 954-561-1112

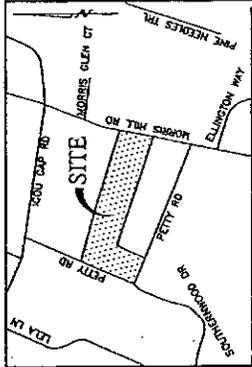
MORRIS HILL ROAD
 RESIDENTIAL DEVELOPMENT
 FOR
 COHY CONSTRUCTION
 P.O. BOX 28193
 CHATTANOOGA, TN 37424

REVISIONS

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REZONING PLAN

DATE: 08/17/13
 DRAWN BY: JMM
 CHECKED BY: JMM
 PROJ. NUMBER: 15-139
 SHEET NUMBER: C-1



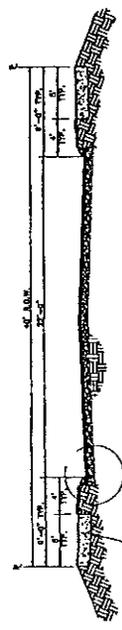
SITE ANALYSIS

PROPERTY ADDRESSES: 6407, 8275 PETTY RD & 1813 MORRIS HILL RD
 PL MAP ID: 158K-4-001, 158K-4-002, 158K-4-009

CURRENT ZONING: R-1 & R-5
 PROPOSED ZONING: R-1
 TOTAL SITE ACRES: 6.0 ± ACRES
 TOTAL COMMUNITY LOT ACREAGE: 6.0 ± ACRES
 COMMUNITY LOT AREA: 1.5 EX (OF TOTAL SITE)

TOTAL # OF SINGLE FAMILY LOTS: 27
 TOTAL # OF COMMUNITY LOTS: 2
 TOTAL # OF BUILDABLE RESIDENTIAL LOTS: 4.50 UNITS/ACRE

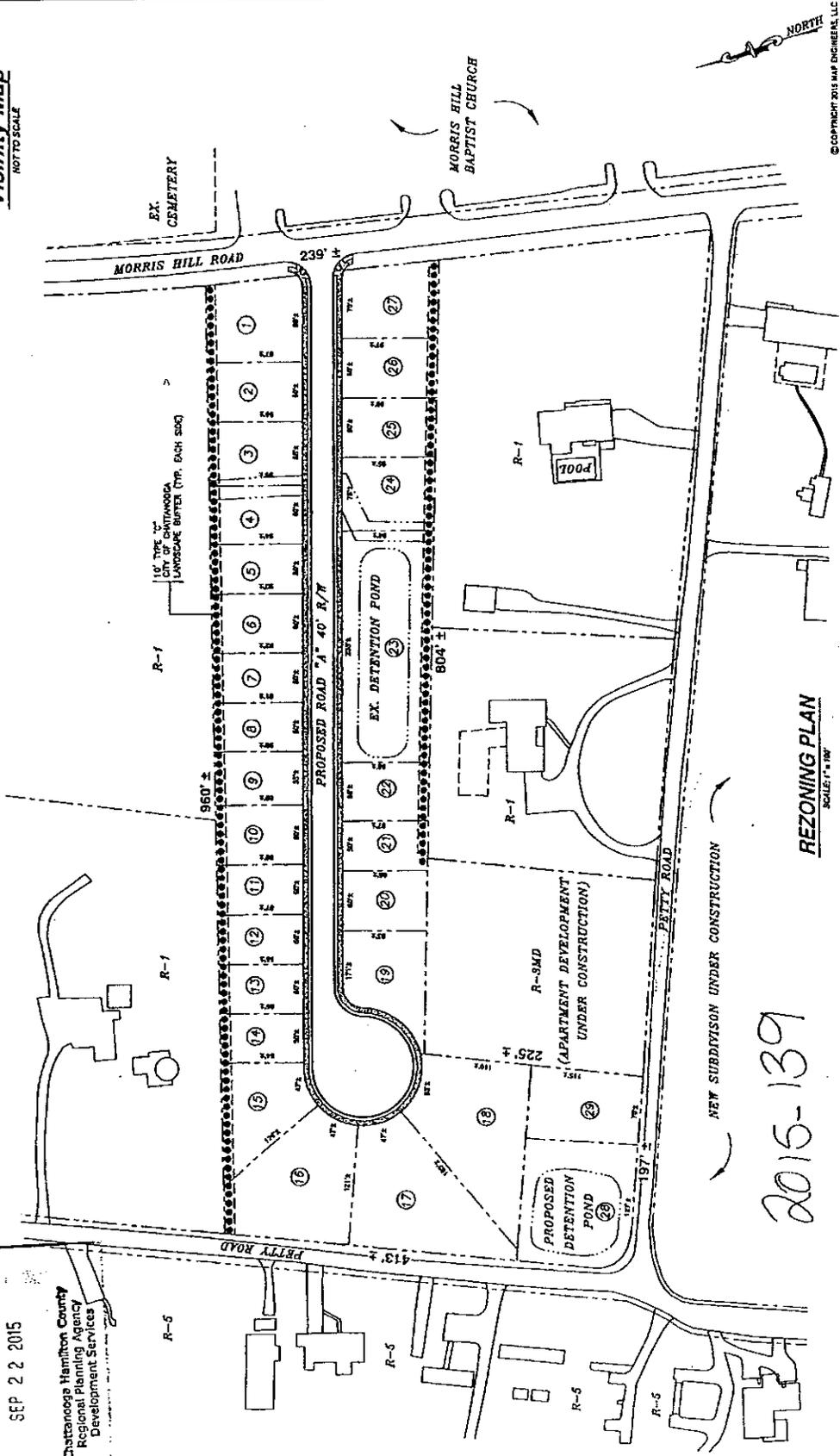
PROPOSED DENSITY: 4.50 UNITS/ACRE



RECEIVED

SEP 2 2 2015

Chattanooga Hamilton County
 Regional Planning Agency
 Development Services



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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:

2015-119 Matthew W. Thacker and Jean M. Thacker. 1402 Cemetery Avenue, from R-3 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2015-136 James Hixson. 2700 and 2708 Walker Road, from R-2 Residential Zone to R-4 Special Zone.

2015-138 Peter C. Cory and Miles D. Raborn. 8407 and 8575 Petty Road, from R-5 Residential Zone to R-1 Residential Zone.

2015-140 Owen Trepanier and Richard Puente. 3120 Dodson Avenue, from M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions.

2015-141 Wise Properties, LLC. 1920 Chestnut Street, 1817 Broad Street, and 423 West 20th Street, from M-1 Manufacturing Zone to C-2 Central Business Zone, subject to certain conditions.

2015-144 Nick Adams and Christy Clark/Adams Masonry. Part of 2833 Calhoun Avenue and all of 2902 Morgan Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone.

2015-145 Bristol Development Group and Scott Black. 401, 403, 407, 409, 411, and 413 Somerville Avenue, from M-1 Manufacturing Zone and C-2 Convenience Commercial Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2015-149 City of Chattanooga/RPA. 3000 Broad Street, from M-1 Manufacturing Zone to M-2 Light Industrial Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2015-135 Jason McGlohon/SBI Engineers. 6501 Shallowford Road, from R-1 Residential Zone to R-4 Special Zone.

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

2015-123 Dreamtech Homes, LLC/Sherman Smith and First Bank/Jim McKenzie. 1091 Mackey Avenue, for a Residential Planned Unit Development, subject to certain conditions.

2015-139 Peter C. Cory and Miles D. Raborn. 1813 Morris Hill Road and 8407 and 8575 Petty Road, for a Residential Planned Unit Development, subject to certain conditions.

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

- (a) Amending Section 38-563, Jurisdiction of the Board, by adding subsection (6).
- (b) Amending Section 38-2, Definitions, by deleting the definition "Alternative Financial Services" and adding in lieu thereof a new definition in alphabetical order.

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,

December 8, 2015

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 _____, 2015.

Nicole Gwyn
Clerk to the City Council