

**PLANNING COMMISSION CASE REPORT****Case Number: 2016-134****PC Meeting Date: 09-12-16****Applicant Request****Rezone R-1 Single-Family Residential District to R-T/Z Residential Townhouse/Zero Lot Line District**

<b>Property Location:</b>	<b>2016 Ooltewah Ringgold Road</b>
<b>Property Owner:</b>	<b>East Haven Partners, LLC</b>
<b>Applicant:</b>	<b>Map Engineers, LLC</b>

**Project Description**

- Proposal: Develop 16-acre subdivision with 60 dwelling units. Applicant is looking to use R-T/Z Residential Townhouse Zero Lot Line District to allow 5 foot side yard setbacks on all buildable lots. Existing platted lot sizes are not proposed to change.
- Proposed Access: Entrance on Ooltewah-Ringgold Road.
- Proposed Development Form: Detached single-family units on individual lots.
- Proposed Density: Approximately 3.75 dwelling units per acre.

**Site Analysis****Site Description**

- Location: site is located at the northeast corner of the Leslie Sanders Drive and Ooltewah-Ringgold Road intersection.
- Current Access: Access is currently only available from Ooltewah-Ringgold Road by a condition from the current zoning.
- Current Development form: To the south and east are detached single-family dwellings on small-lots. To the north is a large lot with several sparsely scattered buildings. To the west is the East Hamilton Middle High School.
- Current Land Uses: To the north are agricultural uses. To the south and east are low-density residential uses. To the west is an institutional use.
- Current Density: The adjacent R-1 Residential District subdivision of East Colony has a density of 1.6 dwelling units per acre and an adjacent A-1 Agriculture District subdivision of Frost Creek Farms to the south has a density of 0.9 dwelling units per acre.
- Natural Resources: TBD

**Zoning History**

- The site is currently zoned R-1 Single-Family Residential District.
- The site was rezoned from A-1 Agricultural District and R-2 Rural Residential District to R-1 Single-Family Residential District in 2014 (Resolution #714-28) with the following conditions.
- A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built.
- Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive.
- No driveways to access Leslie Sandidge Drive.
- Attempt to enter off Ooltewah-Ringgold Road. Applicant will apply for a permit from TDOT and commit to make best efforts to bring the subdivision entrance in from Ooltewah-Ringgold Road.
- Applicant will limit the number of homes to a maximum of 60 dwelling lots. Applicant states if there should be more than 60 lots that they will be community lots.
- The 6 lots that have common property lines with East Colony Subdivision will be restricted to 1 & ½ stories in height in an effort to preserve the view from East Colony.
- Applicant will have sidewalks within the new Subdivision along the new streets. Applicant will install these as homes are built.
- Applicant will provide decorative lighting within new Subdivision.

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- The property to the north is zoned A-1 Agricultural District, R-2 Rural Residential District, and a small parcel zoned R-3MD Moderate Density District. The property to the east is zoned R-1 Single-Family Residential District. The property to the south is zoned A-1 Agricultural District and R-2 Rural Residential District. The property to the west is zoned A-1 Agricultural District and R-2 Rural Residential District.
- Less than a mile south on Ooltewah-Ringgold Road is the Edgewater Subdivision of R-T/Z Residential Townhouse/Zero-Lot Line District with a density of 4.3 dwelling units per acre.

### Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The Development Policy from the Comprehensive Plan 2030 update (Called the Renewing Our Vision and adopted by Planning Commission in 2016) identifies this site as being in intensity level 1, 2 and 3. Level 1 has the least potential for development, or future public services and facilities. However, they have high potential for protecting large natural areas through parks, greenways, working farms and conservation easements. Level 2 describes the development potential appropriate for low-intensity development based on the limited infrastructure. Level 3 describes the development potential appropriate for low-to-medium intensity development based on the limited infrastructure.
- The R-1 Single-Family Residential District only permits single-family homes with a minimum lot size of 7,500 square feet if on sewers. If septic tanks are to be used, the minimum lot size is determined by the Hamilton County Water Quality Program. Minimum lot frontage width is 60 feet if on sewers and 75 feet if on septic tanks. Based on building setback requirements, the typical density is approximately 3 to 4 dwelling units per acre.
- The R-T/Z Residential Townhouse Zero Lot Line District permits single-family homes, zero-lot line homes, and townhouses. A zero lot line house is one where one wall sits on a common property line. There is a maximum density of 8 dwelling units per acre for this zone.
- A Planned Unit Development (PUD) is a special exceptions permission intended to encourage creative master planning by not requiring adherence to rigid land use, setback, height, parking, and similar restrictions. It is further intended that PUDs be designed by collaboration between the applicant and the community, rather than the strict limits of zoning.
- A Residential PUD is limited to what is shown on the PUD Plan *as approved by* the County Commission.

### Key Findings

- The proposal can be supported by the Development Policy from the Comprehensive Plan 2030 update which recommends low-intensity development.
- The proposed single-family residential use is compatible with surrounding uses.
- The proposal to have 5-foot side yard building setbacks instead of 10 feet is not consistent with the development form of the area. However, this would not negatively impact the adjacent neighborhood to the east because the rear yard setbacks of the abutting lots would be consistent.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The R-T/Z Residential Townhouse Zero Lot Line District proposal would not be an extension of an existing zone.
- The R-T/Z Residential Townhouse Zero Lot Line District proposal would set a precedent for future requests.
- Using a Planned Unit Development (PUD) to allow 5-foot side yard setbacks within this development without changing the residential zoning pattern on this side of Ooltewah-Ringgold Road.

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The staff supports the proposed development form (5 foot side yard setbacks), but not the zone request for this location. Approving RTZ zone at this location would set a precedent for RTZ zoning at other locations along Ooltewah Ringgold Road. A PUD would allow for the same proposal to move forward without creating a change of zone that would have broader precedent implications for properties adjacent to this site.

### Staff Recommendation

Deny R-T/Z Residential Townhouse/Zero Lot Line District; Approve the submitted plan as a Planned Unit Development, subject to the following conditions:

1. A 25' landscape buffer along Leslie Sandidge Drive & property line bordering East Colony Subdivision to be installed as the subdivision is being built.
2. Applicant will plant street trees at every rear lot corner along Leslie Sandidge Drive.
3. No driveways to access Leslie Sandidge Drive.
4. Attempt to enter off Ooltewah-Ringgold Road. Applicant will apply for a permit from TDOT and commit to make best efforts to bring the subdivision entrance in from Ooltewah-Ringgold Road.
5. Applicant will limit the number of homes to a maximum of 60 dwelling lots. Applicant states if there should be more than 60 lots that they will be community lots.
6. The 6 lots that have common property lines with East Colony Subdivision will be restricted to 1 & ½ stories in height in an effort to preserve the view from East Colony.
7. Applicant will have sidewalks within the new Subdivision along the new streets. Applicant will install these as homes are built.
8. Applicant will provide decorative lighting within new Subdivision.

Note: Approval of a Planned Unit Development (PUD) is not an approval of curb cuts, road intersections, curve radii, right-of-way width or other similar items. The applicant is encouraged to consult with the Hamilton County Engineering Department for technical design requirements.