

John Roberts
Mayor

City of Red Bank
Municipal Planning Commission

Randall G. Smith
City Manager

AGENDA
October 15, 2015
6:30 pm
Red Bank City Hall

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon
☐ Commissioner Hafley
☐ Commissioner Banas

☐ Commissioner Baker
☐ Commissioner Smith

III. INVOCATION – Commissioner Baker

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

VI. UNFINISHED BUSINESS

(a) Preliminary Plat – Pine Breeze Townhomes (deferred)

VII. NEW BUSINESS

- (a) Rezoning Request - 2409 Briggs Avenue – R1 to R2
- (b) Rezoning Request – 1918 & 1924 Ashmore Avenue – R1 to R3 for the purposes of a Planned Unit Development (PUD)
- (c) Design Review Standards

VIII. OTHER BUSINESS

IX. ADJOURNMENT



John Roberts
Mayor

MUNICIPAL PLANNING COMMISSION

Randall G. Smith
City Manager

MINUTES September 17, 2015 6:30 p.m. Red Bank City Hall

- I. CALL TO ORDER – Chairman Hafley called the meeting to order at 6:39 pm
- II. ROLL CALL – Commissioner Hafley called the roll. Board members Hafley, Smith and Baker were present. Commissioners Cannon and Banas were absent. Also present was the commission's planning advisor Jordan Clark with the Southeast Tennessee Development District. Others in attendance are included on the attached sign-in sheet.
- III. INVOCATION – Commissioner Baker gave the invocation.
- IV. PLEDGE OF ALLEGIANCE – David Hafley
- V. CONSIDERATION OF MINUTES –
 - a. August 20, 2015 minutes – A motion to approve the minutes was made by Commissioner Smith. The motion was seconded by Commissioner Baker. All voted in favor of the motion. Motion passes.
- VI. UNFINISHED BUSINESS –
 - (a) Preliminary Plat – Pine Breeze Townhouses: Prior to the meeting, the applicant had requested a deferral of the plat. No action was taken.
- VII. NEW BUSINESS –
 - (a) 2409 Briggs Avenue – Special Exceptions Request: Prior to the meeting, the applicant had withdrawn the application with the intent to submit a rezoning request for the October meeting.
- VIII. OTHER BUSINESS

Commissioner Hafley requested the Planning Commission hold a work session the Monday prior to the October meeting on the 12th.
- IX. ADJOURNMENT – Upon motion duly made by Mr. Baker, the meeting was adjourned at 6:56 pm.

Chairman

Sign-in Sheet
Red Bank Planning Commission
Red Bank City Hall
Thursday, September 17, 2015

	Name	Address
1	Luzanne Rushworth	501 W. Oxford Rd 37415
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8-17-15
Rec# 11298

Zoning Board
Application For Zoning Amendments or Changes of Zone Use
City of Red Bank, Tennessee

General

The proposed change or amendment must first be referred to the Red Bank Planning Commission for a recommendation. The Board shall give at least fifteen (15) days notice of the time and place for a public hearing, which shall be held in regard to the proposed changes or amendments. The notice shall be published in a newspaper of general circulation in the City. Certified notices shall be mailed to all property owners within 175 feet of the property under consideration for a change or amendment. The cost of the application and advertising is \$100.

1. Name of applicant MAC Helms
2. Street Address 5825 Northshore Drive
3. City Chattanooga State TN Zip 37343
4. Telephone Number 423-635-1678
5. Are you the owner of the property ☒ yes ☐ no
6. Please attach a drawing of the property boundaries and all property within 175 feet of the property under consideration. Show all easements, utility locations, and buildings. Use a 1/8 minimum scale. Describe any unusual physical characteristics of the property such as wetlands, steep grades, ravine, etc.
7. Please provide the names and addresses of all property owners within 175 feet of the property requesting a change or amendment.
8. What is the present zoning classification for the subject property? R-1A
9. What is the requested zone desired or proposed use of the property? R-2
10. Are you requesting a special conditional use of the property? NO
11. Is the proposed use compatible with that of surrounding properties? yes

I certify that the above information is true and accurate to the best of my knowledge and belief Mac Helms Date 8/17/15

Amount Paid 100.00 Date Paid 8/17/15 By signing this application I understand that the application fee is non refundable.

Recommendation of the Planning
Commission _____

Date Reviewed by the Planning Commission _____

Action of the Zoning
Board _____

Date Reviewed by the Zoning Board _____

List of any special conditions that may apply to the zoning _____

Approved by Ordinance Number _____ Date _____



Southeast Tennessee Development District
Community Development
P.O. Box 4757 - 1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781 Fax: (423) 267-7705
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Municipal Planning Commission

From: Jordan Clark, Planning Program Director

Date: 10/05/2015

Subject: Rezoning Request for 2409 Briggs Avenue- R1 to R2

Background:

An application has been submitted to rezone property located at 2409 Briggs Avenue (parcel 117L B 019) from R1 to R2. The applicant is the owner of the property Mac Helms.

Analysis:

The applicant is requesting rezoning of a parcel on Briggs Avenue from R1 to R2. The property is a 0.57 acre lot and fronts Briggs Avenue for approximately 80'. All adjacent properties are zoned R1. However, there are four R2 zoned lots which begin approximately 32' southwest of the subject property on the opposite side of Briggs Avenue. There is an existing house and separate building on the lot. Historically, the separate building had been used as a two family dwelling. The building appears to have been originally constructed as a single family house. At some point, the garage was converted for a separate residence; the owner wants to remodel the building back into a two unit duplex.

Recommendation:

In order to utilize the rear structure as a duplex, the rezoning to R-2 is necessary. The surrounding land uses and zoning are mixed. The nearby R-2 zoning demonstrates that a historical land use pattern for duplexes has existed in the area. Likewise, historically, the rear structure operated as a two family dwelling albeit the circumstances under which it did so are questionable.

The Red Bank Land Use Plan addresses these types of scenarios:

A. Land Use

A-GOAL: Stabilize residential community and increase property values by stopping the continued proliferation and reverse the negative impact of spot zones for inappropriately located duplexes and multi-family dwellings.

ACTION: Adopt new zoning regulations that enhance control over such uses and assure a public hearing process for all such development proposals.

ACTION: Adopt new zoning for entire City of Red Bank that downzones all inappropriate spot R-2 and R-3 zones to R-1 or R-1A.

By the provisions in the land use plan, the rezoning request poses the question of whether the conversion to an R-2 zoning would constitute a “spot zoning” for an *inappropriately* located duplex. The nearby area zoned R-2 has been determined as appropriate for duplexes based on the lack of a down zoning in the most recent zoning map.

Disruptions to the land use in the area should be minimal given the existence of several R-2 zoned duplexes in close proximity as well as the historic use of the rear structure as a two family dwelling.

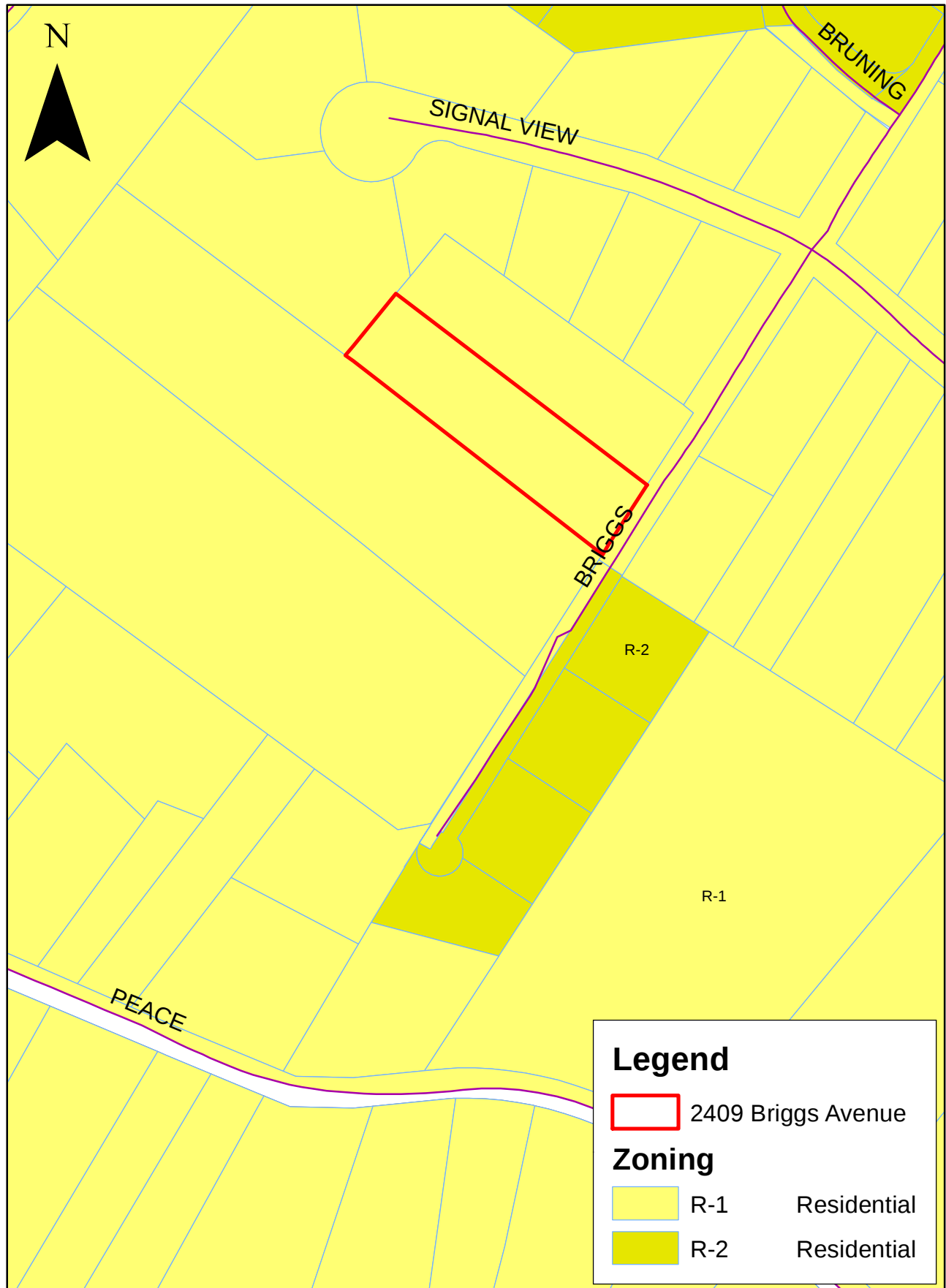
As presented, the request is for the entire property to be rezoned. A condition of the rezoning could specify that only the rear structure can be used as duplex and the structure on the front of the property can only be utilized for a single family residence. Subdividing the rear parcel into a separate lot could be feasible if a flag lot were utilized and adequate width for a flag stem is available.

The rezoning request presents several challenges in large part due to the existing nearby R-2 zoning. Absent this historic land use pattern and its affirmation in the recent zoning map, denial of the rezoning based on the surrounding zoning and land uses would be justified. However, given the nearby R-2 zonings a conditional rezoning to allow the duplex for the existing rear structure only would accommodate the property owner and the historic use of the structure while protecting encroachment from further duplexes in the area.

2409 Briggs Avenue - Rezoning Request R1 to R2



2409 Briggs Avenue - Rezoning Request - R1 to R2





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P.O. Box 4757 - 1000 Riverfront Parkway
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MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Public Works Director; Rocky Chambers, Chattanooga Engineering Group

From: Jordan Clark, Planning Program Director

Date: 10/7/2015

Subject: Rezoning Request for 1918 & 1924 Ashmore Avenue

Background: A rezoning request has been submitted for two lots on Ashmore Avenue from R-1 to R-3. The purpose of the rezoning is for a Planned Unit Development (PUD) which would also include a larger adjacent tract (Parcel 126F F 013).

Analysis:

As stated in the Zoning Ordinance:

The purpose of the Planned Unit Development (sometimes hereinafter referred to as PUD) is to provide the opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Unit Development is intended to be used to encourage the application of new techniques and technology to community development that will result in superior living or development arrangements with lasting values. It is further intended to achieve economies in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable and attractive open spaces, safe circulation, and the general well-being of the inhabitants.

In considering a PUD, the Zoning Ordinance states that the following considerations should be taken into account:

- 1) The property adjacent to the area included in the plan will not be adversely effected;

- 2) The plan is consistent with the intent and purpose of this ordinance to promote public health, safety, morals, and general welfare.
- 3) That the buildings shall be used only for single-family dwellings, two-family dwellings, or multiple-family dwellings, and the usual accessory uses such as private or storage garages, storage space, and for community activities, including school and/or churches.
- 4) There is a need for such development in the proposed location.
- 5) There is a reasonable assurance that development will proceed according to the spirit and letter of the approved plans.

The Red Bank Zoning Ordinance requires that PUDs be located in an R-2 or R-3 zone. The two parcels included in the rezoning are currently zoned R-1. The larger tract is currently R-3. In order to include the two properties along Ashmore Avenue in the PUD, they need to be rezoned to R-2 or R-3.

The applicant has submitted a preliminary proposal for the Planned Unit Development for the purposes of the rezoning request. The two properties along Ashmore Avenue would be used for a road that leads to the larger development. The PUD proposes between 66 and 69 single family homes with lot sizes ranging from 3,908 square feet (.09 acres) to 23,366 square feet (0.54 acres). The majority of the lots have approximately 42' of road frontage with some variations particularly along the two cul-de-sacs.

Section 307.07 (B) of the Zoning Ordinance requires that PUDs located in an R-3 residential zone be located along or within 500 feet of a major street of at least collector status. The section of Ashmore adjacent to the property is labeled as an urban collector on the TPO Urban Functional Classification System.

Section 307.09 (A) of the Zoning Ordinance requires that roads have a minimum 50' feet of right-of-way. Furthermore, the Red Bank Subdivision Regulations require that local streets have a minimum pavement width of 26'. The proposal shows a 40' ROW with a 20' of pavement width for 10' wide travel lanes. Sidewalks of 4' in width are also included.

Density

For a PUD located in an R-3 zone, the maximum number of dwelling units is the gross acreage multiplied by 24. The gross acreage of the properties is 18.07 resulting in a maximum number of dwelling units of 443. With 69 proposed units, the gross density amounts to 3.8 units per acre (du/acre). The net density (du/acre of residential land) amounts to 7.3 units per acre (69 units/9.5 acres).

For comparison, were the property zoned R-1 for single family residential and utilized the same road design, the number of units would amount to 55 lots if each were 7,500 square feet in area for a net density of 5.8 units per acre.

Utilities

Public water and sewer are proposed for the development.

Open Space Requirements

A 3.8 acre southern portion of the tract is proposed for donation to the Land Trust for preservation. A trail is proposed is proposed for a part of the property.

Traffic

The nature of the development would require all of the traffic to filter onto Ashmore Avenue. The two closest connections to Dayton Boulevard are Merriman Avenue and E. Midvale Avenue. The intersections of these roads and Dayton Boulevard do not contain traffic lights.

Conformance with the Land Use Plan

The Land Use Plan addresses traffic concerns on page 22 in the Transportation section:

Prevent high-intensity, high traffic producing developments from locating in areas where significant traffic increases would negatively impact low density neighborhoods and potentially hazardous intersections.

Recommendation:

The rezoning request is necessary prior to the approval of the PUD. Absent the rezoning request, the applicant would not be able to utilize the two properties along Ashmore Avenue for the proposed development.

The rezoning for a PUD would offer the developer the ability for a reduced lot size and greater flexibility in site design and building placement. Generally, a PUD for single family homes presents a suitable form of development for the property in consideration of the topography and the developer's dedication of a portion of property to the land trust. Likewise, the use of single family homes, even with the reduced lot sizes, is a decrease in density from what a property zoned R-3 could produce.

The greater concern is the traffic generation from the proposed development in regards to the existing transportation system. As previously mentioned, the traffic from the development will utilize Ashmore Avenue for access to the development. The closest access points to Dayton Boulevard are Merriman Avenue and E. Midvale Avenue. Neither of these intersections have traffic lights which would require left turns on Dayton Boulevard for traffic heading to Chattanooga.

Conditions for the rezoning should include at a minimum:

- The subject properties can only be utilized for a Planned Unit Development containing single family detached homes limited to a specific number. Likewise, no duplexes or multi-family dwellings can be utilized on the property.

- Specify that if approval of the final PUD plan is not obtained within 1 year, the properties revert to an R-1 zoning.
- Specify the pavement and ROW requirements as well as the maximum slope. The road should also be reviewed by the Red Bank Fire Department to ensure adequate provision of public services. A 50' ROW is required by the Zoning Ordinance and more than 20' pavement width should be included.
- Specify the building separation. A 10' building separation is allowed in the Zoning Ordinance when the site design is approved by the Planning Commission.
- Landscaping requirements based on the Screening Requirements in the Zoning Ordinance. Retention of existing vegetation at the site particularly along the perimeter is ideal. Landscaping along the edges of the road as it comes off of Ashmore should be required as a buffer from the adjoining properties.

Rezoning Request - 1918 & 1924 Ashmore - R1 to R3 (PUD)

