

City of Red Bank
Municipal Planning Commission

WORK SESSION AGENDA
July 19, 2022
12:00 pm
Red Bank City Hall
3105 Dayton Boulevard

I. CALL TO ORDER

II. ROLL CALL – Secretary

- ☐ Commissioner Browder
- ☐ Commissioner Luther
- ☐ Commissioner Millard

- ☐ Commissioner Smith
- ☐ Commissioner Skonberg

III. Agenda items for the July 21, 2022 regular planning commission meeting:

A. CONSIDERATION OF THE MINUTES

- 1. June 16, 2022

B. NEW BUSINESS

- 1. Revised Final Plat for Downer Estates Lots 3, 4, 9-12
- 2. Request to Rezone 2626 Berkley Drive from R-1 Residential to R-T/Z Residential Townhome/Zero Lot-Line
- 3. Request to Rezone 1014 & 1018 Lullwater Road, & 2510 Leaning Tree Lane from R-1 Residential to R-2 Residential - Planned Unit Development
- 4. Community Center Park and Trail Discussion – 3620 Tom Weathers Drive
- 5. Any properly presented new business

C. UNFINISHED BUSINESS

- 1. Any properly presented unfinished business

D. OTHER BUSINESS

IV. ADJOURNMENT

City of Red Bank
Municipal Planning Commission

REGULAR MEETING AGENDA

July 21, 2022

6:00 pm

Red Bank Court Room

3117 Dayton Boulevard

I. CALL TO ORDER

II. ROLL CALL – Secretary

☐ Commissioner Browder

☐ Commissioner Smith

☐ Commissioner Luther

☐ Commissioner Skonberg

☐ Commissioner Millard

III. INVOCATION – Commissioner Millard

IV. PLEDGE OF ALLEGIANCE – Commissioner Browder

V. CONSIDERATION OF THE MINUTES

1. June 16, 2022

VI. NEW BUSINESS

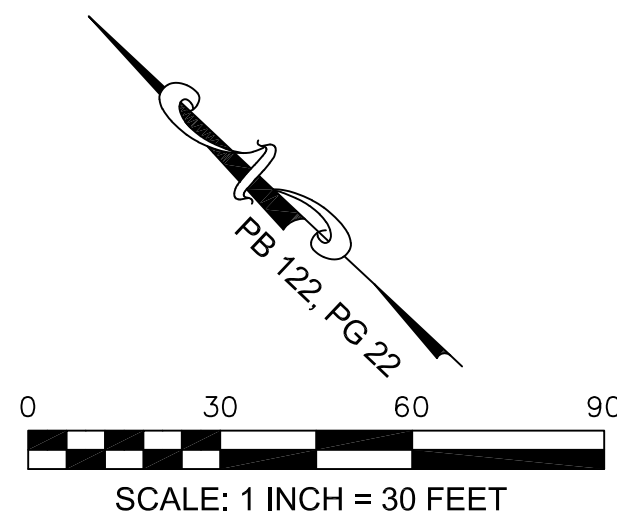
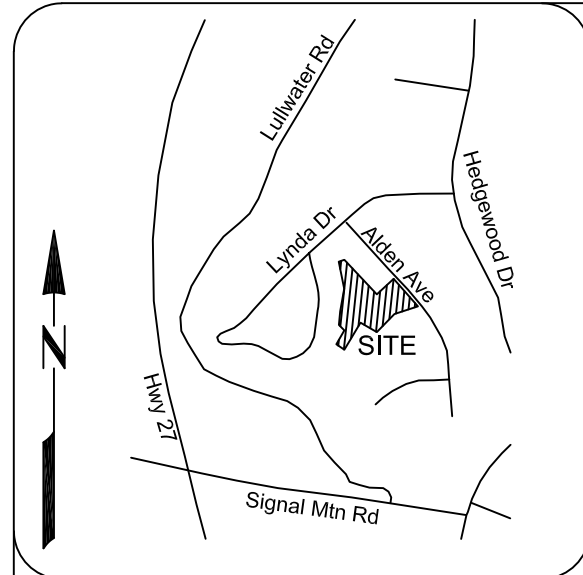
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5. Any properly presented new business

VII. UNFINISHED BUSINESS

1. Any properly presented unfinished business

VIII. OTHER BUSINESS

IX. ADJOURNMENT



OWNER'S CERTIFICATION
I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

MALLORY A MCCORMICK
115 ALDEN AVENUE
CHATTANOOGA, TN 37405

OWNER'S CERTIFICATION
I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

SAMUEL R MARTIN
113 ALDEN AVENUE
CHATTANOOGA, TN 37405

OWNER'S CERTIFICATION
I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

CHERYL R MOORE
177 LYNDA CIRCLE
CHATTANOOGA, TN 37405

APPROVED FOR RECORDING
HAMILTON COUNTY
GEOSPATIAL TECHNOLOGY
DATE _____
BY _____
HAMILTON COUNTY WMTA
DATE _____
BY _____
JURISDICTIONAL AUTHORITY
DATE _____
BY _____
RED BANK MUNICIPAL
PLANNING COMMISSION
DATE _____
BY _____

REVIEWED

By Ashley Gates at 11:11 am, Jun 24, 2022

Lots 3 and 4 should be shown in their entirety and should be solid lines as their boundaries are changing. Lots 3 & 4 also need to be included in the plat title.

Strawberry Lane should be shown and labeled.

Access to Lot 12 needs to be provided.

Is lot 9 served by septic? If so, HC Groundwater must sign.

Sanitary Sewer Easement shown on PB122 P22 not shown here. WMTA may have additional comments.

- GENERAL NOTES
- 1) PRESENT ZONING IS: R-1
 - 2) TOTAL AREA OF PROPERTY SHOWN: 0.69 ACRES
 - 3) SUBJECT PROPERTY: TAX PARCEL NO. 126F B 006 ✓
 - 4) THIS PLAT DIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 12688, PAGE 336.
 - 5) BASIS FOR ALL BEARINGS: PLAT BOOK 122, PAGE 22
 - 6) ALL CORNERS ARE A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP LABELED "NILES SURVEYING" SET UNLESS OTHERWISE NOTED. IRF = IRON ROD FOUND, IRS = IRON ROD SET, IRF = IRON ROD FOUND, AND OTP = OPEN TOP PIPE FOUND
 - 7) THIS PROPERTY IS NOT SUBJECT THE 1% CHANCE SPECIAL FLOOD HAZARD AREA ACCORDING TO F.I.R.M. #47065C0329G, DATED FEBRUARY 3, 2016
 - 8) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
 - 9) THIS PLAT HAS BEEN DEVELOPED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF RED BANK REGULATIONS.
 - 10) PUBLIC SANITARY SEWER IS AVAILABLE BY HCWMTA
 - 11) SETBACKS: FRONT 50', SIDE 10', AND REAR 25'
 - 12) WATER AVAILABLE WITH TENNESSEE AMERICAN WATER.

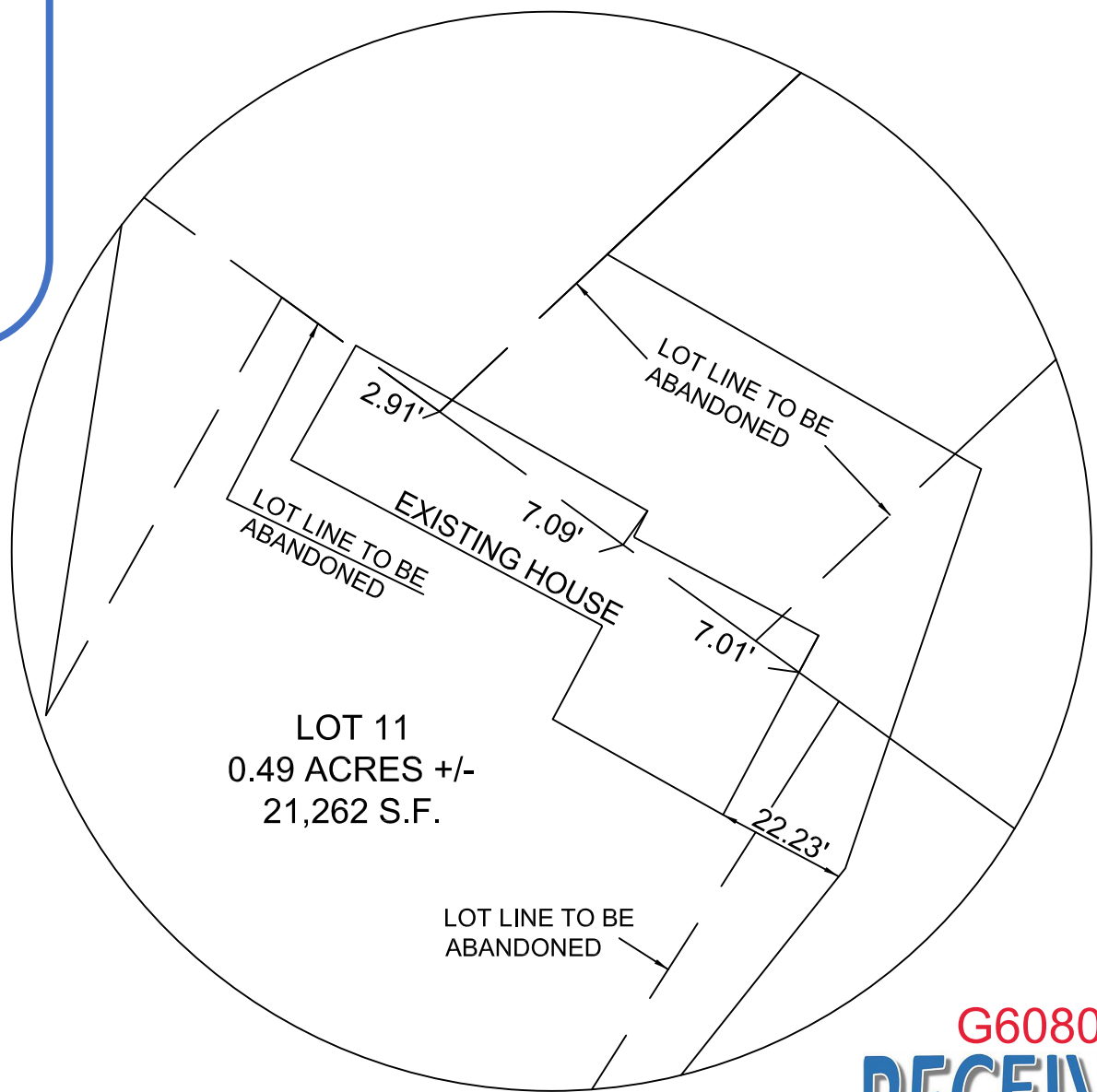
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OR MAP REPRESENTS A CATEGORY 1 SURVEY WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY BEING ONE FOOT IN 10,000 FEET OR GREATER AND THAT SAID SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE STATE OF TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYING AS OF MARCH 17, 2011.

JEFF C. DAWSON, LS 2339, CFM

DATE

RECEIVED
Hamilton County
Geospatial Technology
30' Power & Communication Easement
0 2022
15108



DETAIL "A"
(NOT TO SCALE)

G6080
RECEIVED
Jun 20 2022



REVISED PLAT

LOT 8 Lots 9, 10, 11, & 12

DOWNER ESTATES
PLAT BOOK 122, PAGE 22
LOCATED IN RED BANK
OF HAMILTON COUNTY, TENNESSEE
1" = 30' ---- JUNE 20, 2022

Lots 3, 4,
9, 10, 11 &
12

VF: 61-WATCHTOWER INVESTMENTS-2
FB:
FF: 47-280
JOB: 22-141
DRAFTED BY: TONY LEMONS
CHECKED BY: JEFF DAWSON

NILES SURVEYING CO., INC.
LAND SURVEYING--MAPPING--FLOOD CONSULTATION
CERTIFICATE OF AUTHORIZATION NUMBER LSF 0000090
3962 CHURCHILL ROAD
CHATTANOOGA, TENNESSEE 37406-1616
PHONE: (423) 624-5041 FAX: (423) 629-7813
EMAIL: admin@nilessurvey.com

OWNER'S CERTIFICATION
I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

WATCH TOWER INVESTMENTS LLC
3114 COLYAR DRIVE
CHATTANOOGA, TN 37404

OWNER'S CERTIFICATION
I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

KAMMER HOLDINGS LLC
406 FRAZIER AVENUE SUITE 102
CHATTANOOGA, TN 37405

Strawberry Lane (PVT)



MEMORANDUM

To: Members of the Red Bank Municipal Planning Commission
From: Ashley Gates, SETDD Regional Planner
Date: July 14, 2022
Subject: Rezoning Request for 2626 Berkley Drive – R-1 to R-T/Z

SUMMARY

Request: R-1 to R-T/Z Residential Townhouse / Zero Lot Line	
Tax Map #: Map 117L Group G Parcel 018	Address: 2626 Berkley Drive
Owner: James Higdon	Applicant: James Higdon
Area: 0.35 acres	Floodplain: No
Existing Use: vacant	Proposed Use: 2 residences with 50+ frontage
Adjacent Uses: single-family residential	Adjacent Zoning: R-1, R1-A

Background: An application has been submitted by the owner of 2626 Berkley Drive for a rezoning from R-1 to R-T/Z. The owner of the property intends to sell a portion of his lot to be combined with the adjacent properties to create three townhome lots. The adjacent property was zoned to R-T/Z in 2018, and the number of units was limited to two.

Recommendation: Approval of the rezoning from R-1 to R-T/Z.

ANALYSIS

Existing and Proposed Use

The 0.35-acre parcel at 2626 Berkley Drive has an existing home, which the developer intends to keep in place. The southeast portion of the lot is vacant and sits at a lower grade than the existing home. The developer intends to combine this portion of the lot two adjacent lots, creating three townhome lots.

The resulting subdivision would have three lots, ranging in size from 0.15 acres to 0.23 acres, with 22 to 47 feet of frontage. The lot abutting the existing R-1 zone includes a 25-foot setback along the side yard.

The existing home's lot would be reduced to approximately 0.2 acres with 65 feet of frontage on Berkley Drive, still meeting the dimensional requirements of the R-1 zone. The side yard setback of this home is about 13 feet, and rezoning this property would result in a non-conforming side yard setback between the home and abutting R-1 property. The Zoning Ordinance requires a 25-foot setback from R-1 zones.

Aerial of Subject Property



Approximate Proposed Dimensions

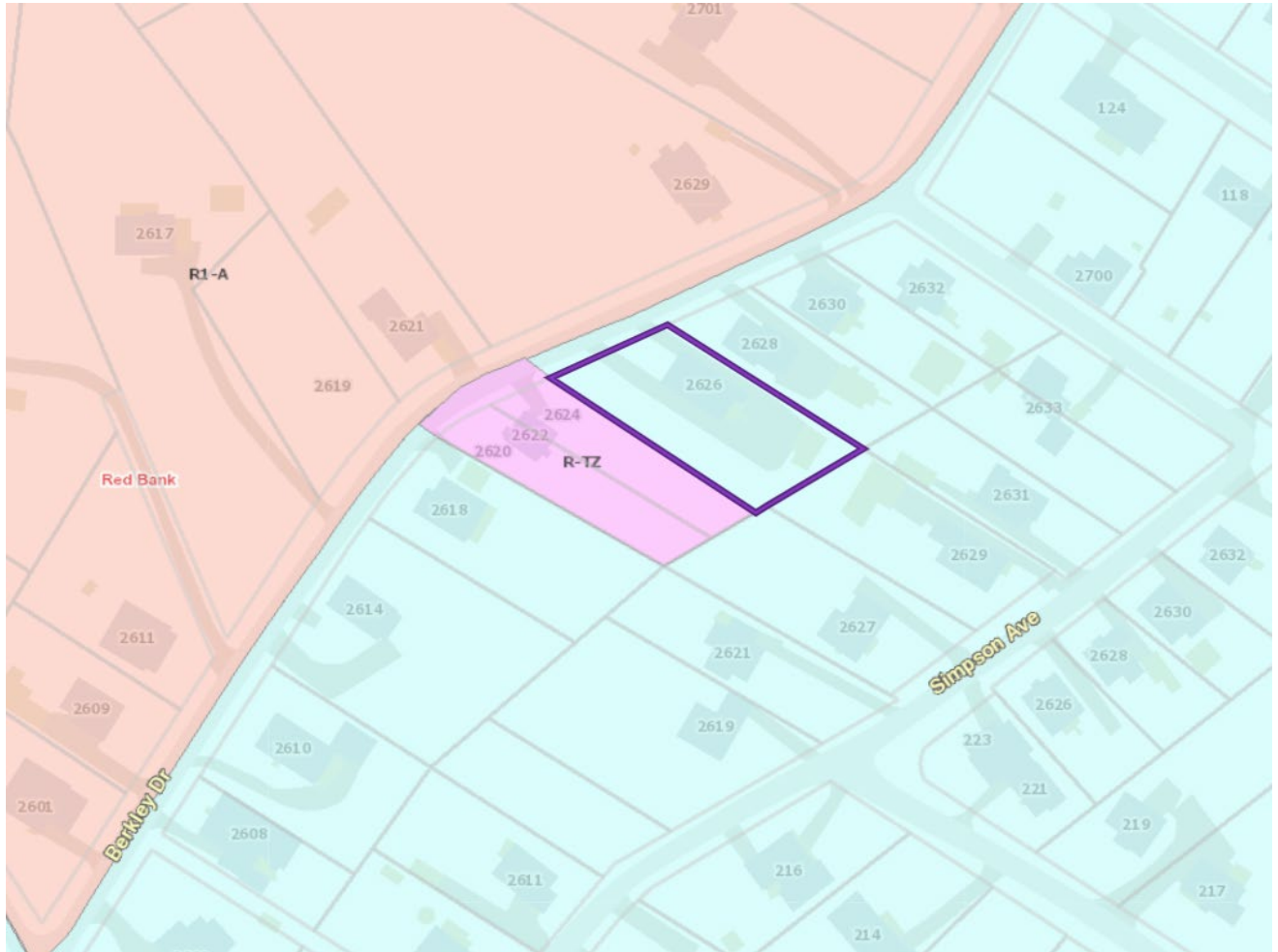
	Lot Area (Sq Ft)	Lot Acreage	Frontage (Feet)	Depth (Feet)
Existing Parcel	15,680	0.35	98	200
Proposed Lot 7 (with existing home)	8,700	0.20	54	200
Proposed Lot 11C	7,840	0.15	44	200
Proposed Lot 11B	4,790	0.11	28	200
Proposed Lot 11A	6,500	0.23	44	200

Zoning Ordinance

R-T/Z zoning would allow the owner to create lots with less than 60 feet of frontage and a lot size below 7,500 square feet, as well as allow for townhomes to be built. The R-T\Z zone has a minimum lot width of 24 feet for townhomes, and 35 feet for zero lot line homes. There is no minimum lot size in the R-T\Z zone, but a maximum density of 6 units per acre. The proposed density for this development is 5.7 units per acre.

Type C screening against the R-1 zoning district is required on the exterior side lot lines of each proposed lot. The existing vegetation on the rear lot line could be used to meet the screening requirement. Additional screening would need to be installed on the side yards of both Lot 11A and Lot 7.

Zoning Map



Compatibility with Surrounding Uses

Abutting properties include small lot single-family homes to the north and south. There are single family homes across the street in the R1-A district. All homes along Berkley Drive appear to single-family detached homes. However, there are higher density residential uses are scattered throughout the greater area, including duplexes, apartments and narrow lot single family residences.

The distance of the property from the commercial corridor is approximately a quarter mile. The proximity to the commercial corridor supports the case for greater density at this location.

Land Use Plan

The development of new townhomes at this location would increase the variety of the housing stock in Red Bank and address Goal C of the Red Bank Land Use Plan:

C-GOAL: Attract residential developers back to Red Bank for new development and redevelopment.

ACTION: New residential zones that provide more options and diversity of development while still protecting single-family neighborhoods.

ACTION: Reduced minimum lot size standards and setback requirements to make Red Bank competitive with surrounding communities.

Goal D also addresses single-family residential development and recommends measures to increase the value and protect single-family residences. In the Zoning Ordinance, a townhouse is defined as a single-family dwelling unit.

D-GOAL: Increase value of and protect single-family residential development.

ACTION: New R-1A Zone that has a 2,000 square foot minimum house size requirement and rezone certain appropriate areas to R-1A as part of Zoning Study. Minimum 1,200 sqft house size for R-1.

ACTION: New screening and landscaping regulations that is required of all multi-family, commercial, office and industrial development under certain conditions.

ACTION: More stringent zoning regulations for apartment development.

ACTION: Special Exception Permit process for all potentially incompatible or controversial uses so there would always be a public hearing required.

Spot Zoning

This parcel is directly adjacent to existing R-T/Z zoned properties, and staff does not find any spot zoning concerns.

RECOMMENDATION

Staff recommends that the Planning Commission consider the following in determining their recommendation:

1. The existing home does not meet the setback requirement for the proposed R-T\Z zoning. Homes in the R-T/Z zone must be 25 feet from the R-1 zone, and this home appears to be 13 feet from the side lot line. The rezoning may be approved without issue, but this would create a nonconforming setback and may cause difficulties should the home need to be rebuilt in the future.
2. Berkley Drive has no existing townhomes, and this is a departure from the single-family detached development pattern along this street. However, the wider area has a mix of densities, and mixed housing types are not inherently incompatible. Due to the small number of units, some may consider this to be a complementary housing type for the area. The Planning Commission has expressed concerns about large concentrations of rental units, so having smaller pockets of higher density housing may be more in line with the Planning Commissions goals.
3. Due to the 25-foot required buffer between R-T/Z homes and R-1 homes, three detached single-family dwellings would not be a viable option for this property. The Planning Commission could consider reducing the 25-foot buffer requirement for detached single-family homes in the R-T\Z zone.

Staff recommends approval of the proposed rezoning. Because the development is limited to three units, staff does not find that conditions are necessary. If the Planning Commission wishes to limit the proposed development to detached single-family homes, staff recommends that the Planning Commission reconsider the 25-foot required buffer between R-T/Z detached homes and adjacent R-1 zones.

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 200 feet for the property under consideration for a change or amendment. The cost of the application and advertising is \$100.

1. Name of Applicant: Jim Higdon
2. Street Address: 2626 Berkley Dr.
3. City: Red Bank State: TN Zip: 37415
4. Telephone Number: 423-421-1114
5. Property Address: 2626 Berkley Dr.
6. Are you the owner of the property: Yes ☒ No ☐

Developer is
Be Big, Inc. -
Steve Pickett
423-994-4424

If you are not the owner, a letter signed by the owner agreeing to the rezoning must accompany this Application.

7. Please attach a drawing of the property boundaries. Show all easements, utility locations, and buildings. Describe any physical characteristics of the property such as wetlands, steep grades, ravines, Etc.
8. What is the present zoning classification for the subject property? R-1
9. What is the requested zone desired or proposed use of the property?
RTZ
10. Are you requesting 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:

James R. Higdon

Date: 6/14/22

Amount Paid: _____ Date Paid: _____

By signing this application I understand that the application fee is non-refundable.

Recommendation of the Planning Commission: _____

Date Reviewed by the Planning Commission: _____

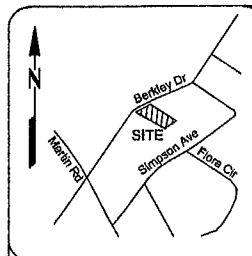
Action of the Zoning Board: _____

Date Reviewed by the Zoning Board: _____

List of any special conditions that may apply to the Zoning: _____

Approved by Ordinance Number: _____ Date: _____

Prop # 18623



LOCATION MAP
(NOT TO SCALE)

OWNER'S CERTIFICATION

I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

BE BIG INC
609 MORNING GROVE DR
CHATTANOOGA, TN 37415
423-994-4424

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OR MAP REPRESENTS A CATEGORY 1 SURVEY WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY BEING ONE FOOT IN 13,028 FEET AND THAT SAID SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE STATE OF TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYING AS OF MARCH 17, 2011.

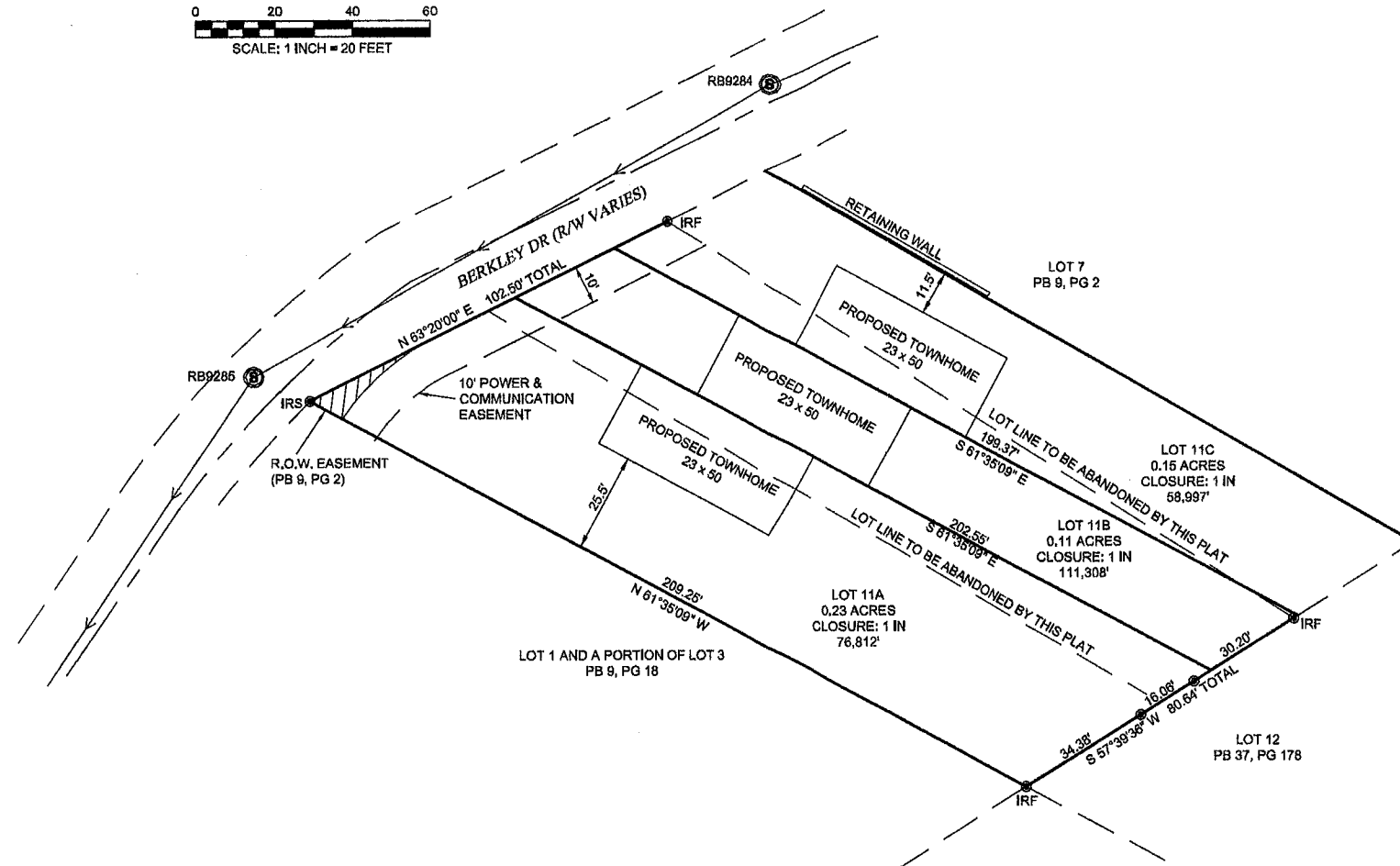
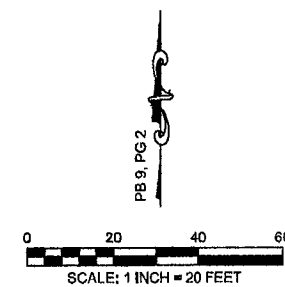
JEFF C. DAWSON, LS 2339, CFM

DATE

APPROVED FOR RECORDING
HAMILTON COUNTY GEOSPATIAL TECHNOLOGY
DATE _____
BY _____
HAMILTON COUNTY WMTA
DATE _____
BY _____
JURISDICTIONAL AUTHORITY
DATE _____
BY _____
CHATTANOGA COUNTY REGIONAL
PLANNING COMMISSION
DATE _____
BY _____

GENERAL NOTES

- 1) PRESENT ZONING IS: R-TZ
- 2) TOTAL AREA OF PROPERTY SHOWN: 0.36 ACRES
- 3) SUBJECT PROPERTY: TAX PARCEL NO. 117L G 017, AND 117L G 017.01
- 4) THIS PLAT DIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 12884, PAGE 376.
- 5) BASIS FOR ALL BEARINGS: PLAT BOOK 9, PAGE 2.
- 6) ALL CORNERS ARE A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP LABELED "NILES SURVEYING" SET UNLESS OTHERWISE NOTED.
- 7) THIS PROPERTY IS NOT SUBJECT TO THE 1% CHANCE SPECIAL FLOOD HAZARD AREA ACCORDING TO F.I.R.M. # 47085C0331C, DATED 2-3-2016
- 8) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
- 9) THIS PLAT HAS BEEN DEVELOPED IN ACCORDANCE WITH THE PROVISIONS OF THE HAMILTON COUNTY SUBDIVISION REGULATIONS.
- 10) HAMILTON COUNTY IS NOT RESPONSIBLE FOR PROVIDING ANY SERVICES BEYOND THE LIMITS OF THE PUBLIC ROAD.
- 11) PUBLIC SEWER IS AVAILABLE BY GRAVITY FLOW.



LEGEND

- CORNER FOUND (AS NOTED)
- 1/2" IRON ROD SET W/ "NILES" CAP

VF: 61-BE BIG INC-8
FB: FOLDER
FF: 47-263
JOB: 22-096
DRAFTED BY: TONY LEMONS
CHECKED BY: JEFF DAWSON

NILES SURVEYING CO., INC.
LAND SURVEYING--MAPPING--FLOOD CONSULTATION

CERTIFICATE OF AUTHORIZATION NUMBER LSF 0000090
3962 CHURCHILL ROAD
CHATTANOOGA, TENNESSEE 37406-1616
PHONE: (423) 624-5041 FAX: (423) 629-7813
EMAIL: admin@nilessurvey.com

REVISED PLAT
HARBINS SUBDIVISION
LOTS 11A AND 11B
DEED BOOK 12884, PAGE 376
LOCATED IN RED BANK
OF HAMILTON COUNTY, TENNESSEE
1" = 20' --- MAY 18, 2022

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Greg Tate, Public Works Director

From: Ashley Gates, Regional Planner

Date: July 14, 2022

Subject: Request to Rezone 1014 & 1018 Lullwater Road, & 2510 Leaning Tree Lane from R-1 Residential to R-2 Planned Unit Development

SUMMARY

Property Address:	1014 & 1018 Lullwater Road, and 2510 Leaning Tree Lane	Property Owner:	Wellington Investment Properties LLC
Tax ID:	117K D 001, 014, and 016.01	Applicant:	Ingram, Gore and Associates
Deed Reference:	2766-0612 12779 0625 11951-0660	Current Zoning:	R-1
Flood Zone:	No	Requested Zoning:	R-2 PUD
Current Land Use:	Undisturbed	Surrounding Zoning:	R-1, R-1A and R-T/Z
Surrounding Land Use:	Single Family Residential		
Proposed Use:	Subdivision with 30 single-family homes		
Staff Recommendation:	Approve with Conditions		

ANALYSIS

Current and Proposed Use

The property at 1014 & 1018 Lullwater Road, and 2510 Leaning Tree Lane is vacant, undisturbed land. Ingram, Gore & Associates have requested that the property be rezoned to R-T/Z in order to build a subdivision with 30 single-family homes. The developer proposes a 750-foot-long cul-de-sac that would provide access to 30 lots. The lots are about 35-feet wide, and range in depth from about 95 feet to 285 feet.

Zoning Ordinance

The proposed development does not meet the lot width requirements of the R-1 zone, which would require a rezoning to a higher density zone. R-2 PUD also allows townhomes, which is not permitted in the R-1 zone. The applicant has not indicated that they plan to build any townhomes. While a PUD does not have setback or lot size requirements, it does require a special exceptions permit, which allows for greater oversight by the Planning Commission.

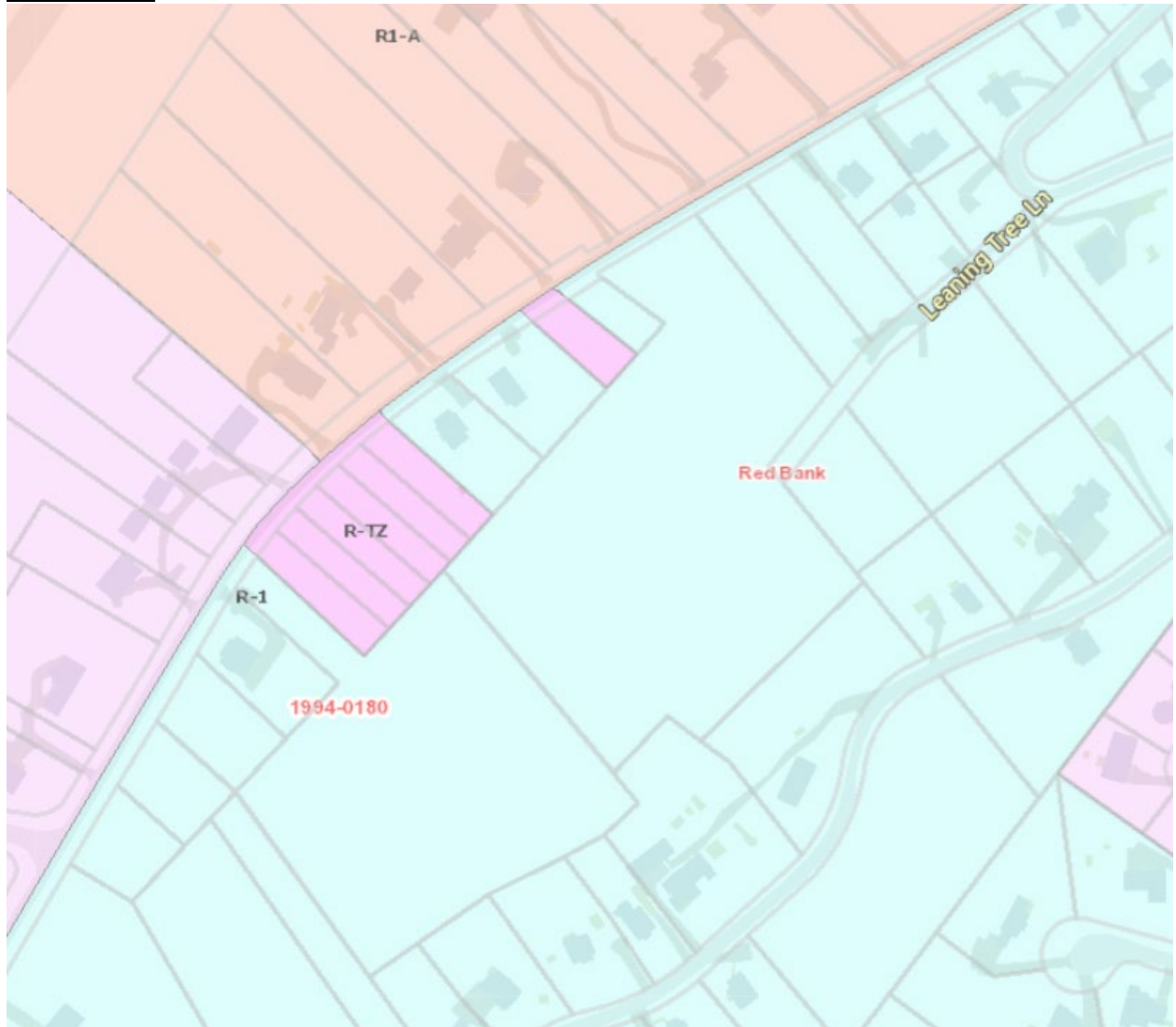
Site Plan

The site plan submitted by the applicant meets all requirements in section 310.05

310.05 (E) Site plan requirement: A site sketch plan shall be submitted with the rezoning application and shall show the following:

- 1) Site access and preliminary street layout*
- 2) Type of off street parking*
- 3) Preliminary lot design*
- 4) Range of lot sizes*
- 5) Number of lots*
- 6) Acreage*
- 7) Open space/recreation areas if provided*
- 8) All buffer, landscape and screen areas including site specific landscape design*

Zoning Map



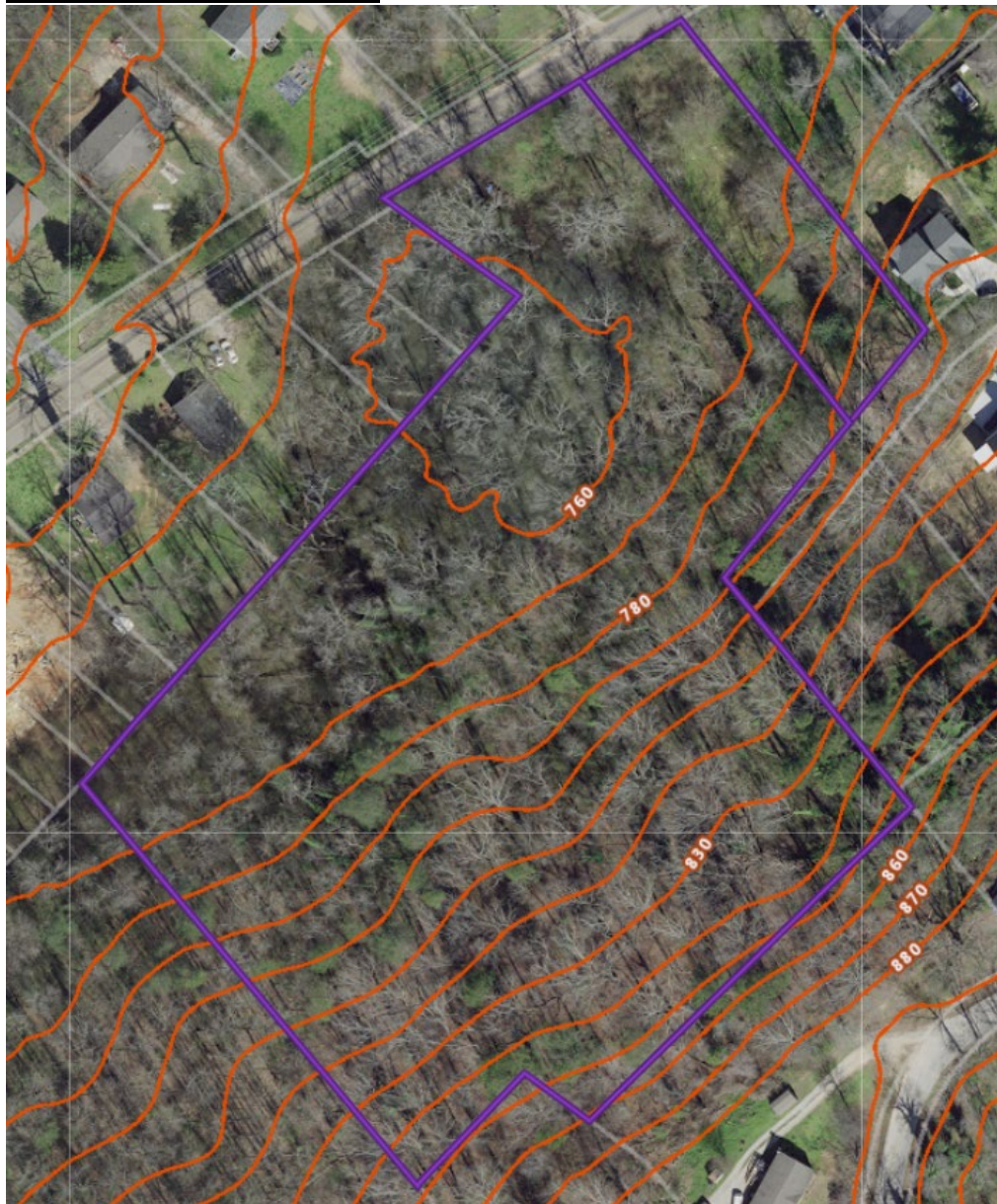
Site Conditions and Topography

This site slopes gently down from Lullwater Road, where there is a low-lying area where the developer proposes a detention pond. Within this area is a small depression in the land. The entire property is wooded with no evidence of any prior development.

The USGS National Map indicates that there may be a stream near Lullwater Road, but a recent Hydrological Determination on the abutting property at 1010 Lullwater Road does not indicate that there is a stream. A Hydrological Determination for this site may be needed as well.

Beyond the more gently sloping area, the land slopes upwards towards the rear of the property. The slope of this portion is around 25% to 30%, though the slope varies.

Aerial with 10-foot Contours



Compatibility with Surrounding Land Use

The property is situated on Lullwater Road, which is a low-traffic road situated at the bottom of the slope that leads up to Highway 27. Lullwater Road, a 20-foot-wide road, had an average daily traffic count of 479 in 2021.

The subject property abuts several vacant lots and single-family homes. These lots include both R-1 and R-T/Z zoned properties. Directly across from the are R1-A zoned properties. To the northeast, Leaning Tree Lane dead-ends near the property. The right-of-way for Leaning Tree Lane extends beyond the end of the dead end, bordering the subject property for approximately 125 feet.

The proposed density is similar to that of the existing R-T/Z-zoned properties along Lullwater, including those that abut the site. The required landscaped buffers are shown along the R-1 zoned properties.

Land Use Plan

The development of zero lot line single-family homes at this location would increase the variety of the housing stock in Red Bank and address Goal C of the Red Bank Land Use Plan:

C-GOAL: Attract residential developers back to Red Bank for new development and redevelopment.

ACTION: New residential zones that provide more options and diversity of development while still protecting single-family neighborhoods.

ACTION: Reduced minimum lot size standards and setback requirements to make Red Bank competitive with surrounding communities.

The proposed development is of a similar density to the other R-T/Z developments along Lullwater Road. However, the steep topography of the site raises concerns about storm water and erosion problems that could arise from higher density development. Without proper mitigation of these impacts, this development may be in conflict with planning principles outlined in the Red Bank 2035 plan. Staff feels that these concerns may be mitigated through

careful review during the PUD approval process.

The City of Red Bank adheres to a set of extensive and necessary planning principles. The planning process should:

- Be proactive and visionary
- Reflect the integration of comprehensive economic, social and environmental factors
- Promote the wise use of existing resources without compromising options for the future
- Recognize the importance of diversity in the community, including its people, cultures, values, places and natural resources
- Be inclusionary, reflecting citizen involvement
- Seek to find a balance between what is good for the community as a whole and the individual rights of its citizens
- Incorporate realistic and flexible implementation components that define specific areas of responsibilities and actions
- Facilitate new growth while protecting neighborhoods, infrastructure and the environment
- Be an ongoing process in which previously developed plans are revised periodically and updated or modified as needed

Spot Zoning

While this property does not abut any R-2 properties, the proposed density is similar to that of the neighboring R-T/Z properties. Due to the proposed conditions limiting the density of this development, staff does feel that this proposed rezoning would present spot zoning concerns.

Development Challenges

Potential challenges to development include the steep slopes of the property and sewer capacity. The developer has proposed a stormwater detention pond that is shown on the site plan.

Staff has provided a map indicating the steep slope areas of the site. An elevation profile from Lullwater to the rear of the site shows slopes of around 25% - 30%. The site plan shows a preserved open space along the steepest portion of the hillside. This will mitigate the impact of developing on a slope to some extent, as a significant portion of the property will be left undisturbed.

Should the proposed Steep Slope Ordinance be adopted, the site plan may need to be altered to comply and stamped, and engineered plans would need to be reviewed by the Planning Commission.

WWTA has indicated that while the area is under moratorium, capacity for 30 single-family homes has been reserved for this development.

RECOMMENDATION

The proposed residential units on the front portion of the property appear to be compatible with the adjacent development and overall development pattern of the area. These units will also increase the amount and variety of housing available, which meets the goals of the Red Bank 2035 Plan.

The proposed units on the rear of the development have been moved towards the front with a less steep slope since the earlier proposal. While the lots proposed on the rear of the property are less dense than the portion closest to Lullwater Road, the Planning Commission should be award that a rezoning would still increase the allowed density on a steep slope.

Due to the amount of engineering and design oversight provided during the PUD process, staff recommends approval of the proposed rezoning with the following conditions:

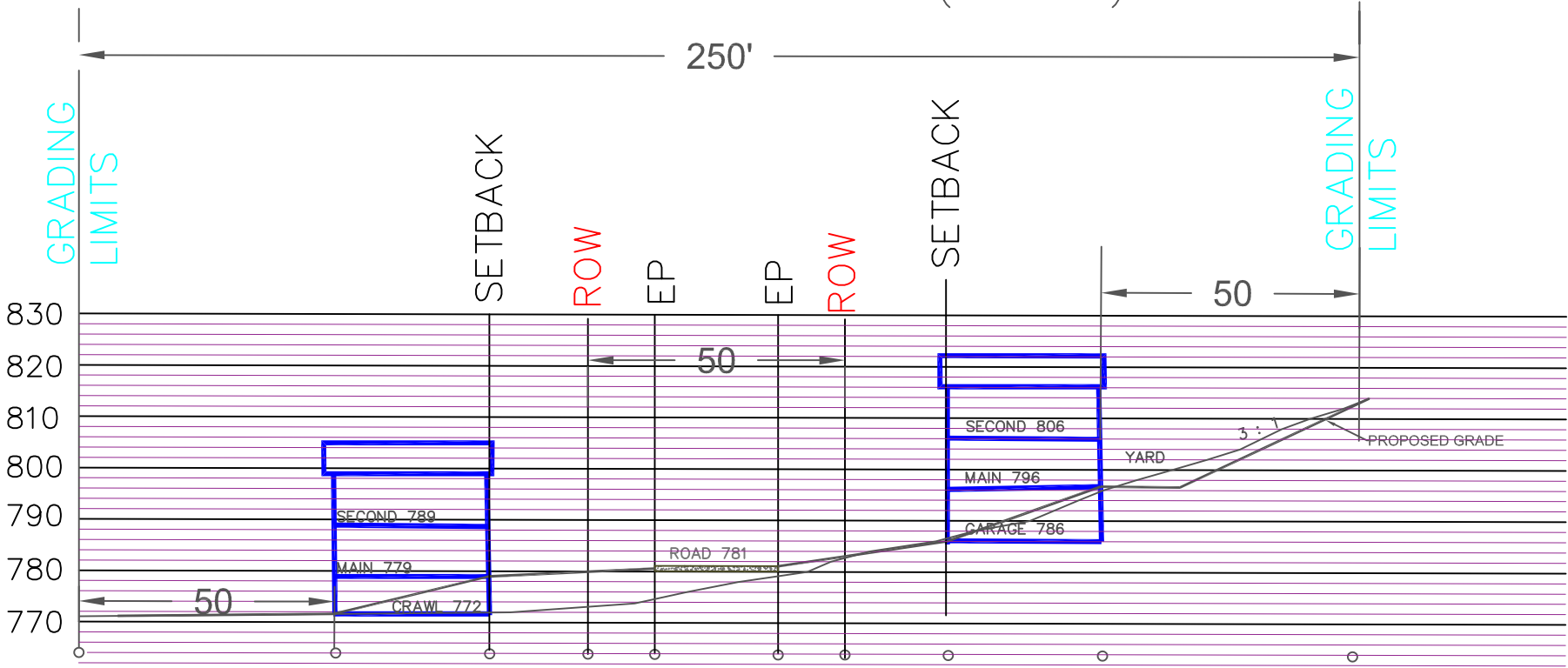
1. The permitted use shall be limited to only a Planned Unit Development
2. The maximum density permitted shall be 4.6 units per acre (totaling 30 units in 6.53 acres)

In order to ensure that the steep slope areas are protected, the Planning Commission may consider the following conditions:

3. Submission of the following information as part of the PUD Plan:
 - a. The exact size, shape, and location of the lot, and the existing drainage pattern
 - b. Contours at vertical intervals of no more than two feet taken from aerial photography or field survey
 - c. The extent of natural tree cover and vegetation
 - d. A tree survey identifying the size, species and location of all trees having a diameter at breast height (DBH) of six inches or greater, within the area of land disturbance.
 - e. The exact area where any natural vegetation is proposed to be removed
 - f. The location and extent of colluvial and slippage soil areas as determined by a qualified soil engineer
 - g. The location, slope, cut, fill, and finish elevation of the surfaces to be graded
 - h. Vertical profiles of all proposed roads, driveways, and utilities
 - i. Engineered plans for all retaining walls over 48 inches
 - j. A jurisdictional waters report from a licensed Qualified Hydrological Professional and Hydrologic Determination from the Tennessee Department of Environment and Conservation
4. Submission of the following with the building permit applications:
 - a. Certification as to the stability of the proposed structures and slope and compliance with sound construction methods for areas with steep slopes and landslide problems by a registered geotechnical engineer

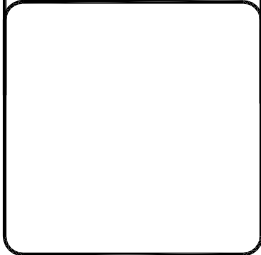
NOTES

- 1. MAX CLEARED LENGTH = 250'
- 2. CLEARED HEIGHT = 804 - 771 = 33'
- 3. AVERAGE BASE SLOPE = 13% (7.5:1)
- 4. 30' DEP BUILDING
- 5. 15' FLAT YARD (PATIO)
- 6. 3 TO 1 SLOPE TO TIE OUT (GRASS)



TYPICAL CROSS SECTION

PROPOSED R-2/PUD REZONE
LULL WATER HEIGHTS SUBDIVISION
RED BANK, TENNESSEE
HAMILTON COUNTY, TENNESSEE



MAY 2022

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MAY 25, 2022
AS SHOWN



LOCATION MAP

ZONING NOTES

- 1. PARCEL INCLUDES 1014 LULLWATER TAX # 117K D 014, 1018 LULLWATER TAX # 117K D 015 2510 LEANING TREE TAX # 117K D 001
- 2. ALL PARCELS OWNED OR OPTIONED BY WELLINGTON INVESTMENT PROPERTIES, LLC PO BOX 685 LAKE FOREST, IL 60045
- 3. APPROXIMATELY 6.23 ACRES
- 4. EXISTING ZONING R-1
- 5. PROPOSED ZONING R-2 WITH PUD OVERLAY
- 6. MAX ALLOWED DENSITY IN R-2/ PUD - 6.23 X 7.5 -46 UNITS
- 7. TOTAL LOTS SHOWN - 30
- 8. PROPOSED APPROX. 660' OF 50' ROW TO CITY STANDARDS
- 9. PROPOSED DENSITY - 4.8 UNITS PER ACRE
- 10. PROPOSED AREA IN COMMON/ OPEN SPACE - 2.94 ACRES
- 11. PROPOSED AREA IN ROW - 0.76 ACRES
- 12. PROPOSED AREA IN LOTS - 2.53 ACRES
- 13. 10' ROW DEDICATION AT LULLWATER ROAD
- 14. FRONT SETBACK FROM NEW ROW PER PUD STANDARDS
- 15. REAR SETBACK PER PUD STANDARDS MIN 25' PERIMETER SETBACK
- 16. SIDE SETBACK PER PUD STANDARDS (10' BETWEEN BUILDINGS)
- 17. ALL LOTS SERVED BY PUBLIC UTILITIES

DEVELOPMENT NOTES

- 1. APPROVED BY WWTa FOR 30 LOTS
- 2. SINGLE FAMILY HOMES W TWO OFF STREET PARKING SPOTS PROVIDED.
- 3. TYPICAL UNIT 30' DEEP X 24' WIDE TWO-STORY
- 4. MINIMUM LOT WIDTH - 35'
- 5. EXISTING LOW AREA TO BE USED FOR RETENTION/ DETENTION POND
- 6. NO LOTS TO BE ACCESSED FROM LULLWATER
- 7. SCREENING TO BE PROVIDED AGAINST ALL EXISTING R-1
- 8. 4' SIDEWALK TO BE PROVIDED ON BOTH SIDES OF ROADWAY



PROPOSED R-2/PUD REZONE
LULLWATER HEIGHTS SUBDIVISION
RED BANK, TENNESSEE
HAMILTON COUNTY, TENNESSEE

JUNE 2022

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