

REVISED STAFF RECOMMENDATION

(05/11/09)

APPLICATION NO: 2008-217

JURISDICTION: Hamilton County Dist. #9

APPLICANT: Don Walker

2008-217

DATE OF PLANNING COMMISSION MEETING: December 8, 2008 (Deferred)
February 9, 2009 (Deferred)
April 13, 2009 (Deferred)
May 11, 2009 (Action Taken)

LOCATION: 6467 Ooltewah-Georgetown Road

PRESENT ZONING: R-1 Single-Family Residential District
REQUEST FOR: RT-1 Residential Townhouse District (Originally)
Special Exceptions Permit (Now requesting)
PROPOSED DEVELOPMENT: Townhouses (Originally)
PUD (Now requesting) for Townhouses & Single-Family
SIZE OF TRACT: 7.91 Acres
ACCESS TO TRACT: Good
SITE CHARACTERISTICS: Vacant
SURROUNDING DEVELOPMENT: Vacant & Residential
EXTENSION OF EXISTING ZONE: No
NAME OF COMMUNITY LAND USE PLAN: Wolftever Creek Area Plan
CONSISTENT WITH COMMUNITY LAND USE PLAN: No
CONSISTENT WITH COMPREHENSIVE PLAN 2030: Partially

ADEQUATE SITE PLAN SUBMITTED: Yes **Planning Commission Recommendation:
Approve, subject to the following:**

STAFF RECOMMENDATION: Approve as a preliminary plat, subject to the attached PUD review.

REASONS FOR RECOMMENDATION:

- PUD requirements should be shown on plan:
- 1) Correct number of units;
 - 2) Open space lots; and
 - 3) Sidewalks

The property is accessed via Ooltewah-Georgetown Road which is classified as a minor arterial.

The rear of this property is in close proximity to Interstate 75.

The Comprehensive Plan 2030 and the Wolftever Creek Area Plan support townhouse development in locations such as this as long as the townhouse component is part of a cohesive PUD.

The preliminary site plan adheres to Comp Plan 2030 recommendations by locating the townhouse component to the interior of the site.

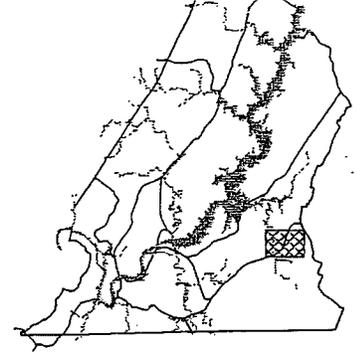
Although this request is for a gross density of 6.6 units per acre, the maximum density allowed by the underlying R-1 zone is 5.0 units per acre.

NOTES:

Rezoning and PUD requests are considered on a case-by-case basis. This site in particular possesses certain qualities such as a) A location proximal to I-75, b) A location generally outside and away from established residences. Not all properties along this section of Ooltewah-Georgetown Road have these qualities and thus may not be suitable for development of this type and/or density.

In addition, the improvement of Ooltewah-Georgetown Road is considered a Tier 3 project in the current Long Range Transportation Plan (LRTP). The applicant should consider the potential impacts on the lots closest to Ooltewah-Georgetown Road due to future acquisition of necessary rights-of-way.

The applicant will have to submit a final PUD plan to the RPA.



HAMILTON COUNTY

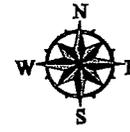
CASE NO: 2008-0217

PC MEETING DATE: 12/8/2008 02/09/2009 4/13/2009

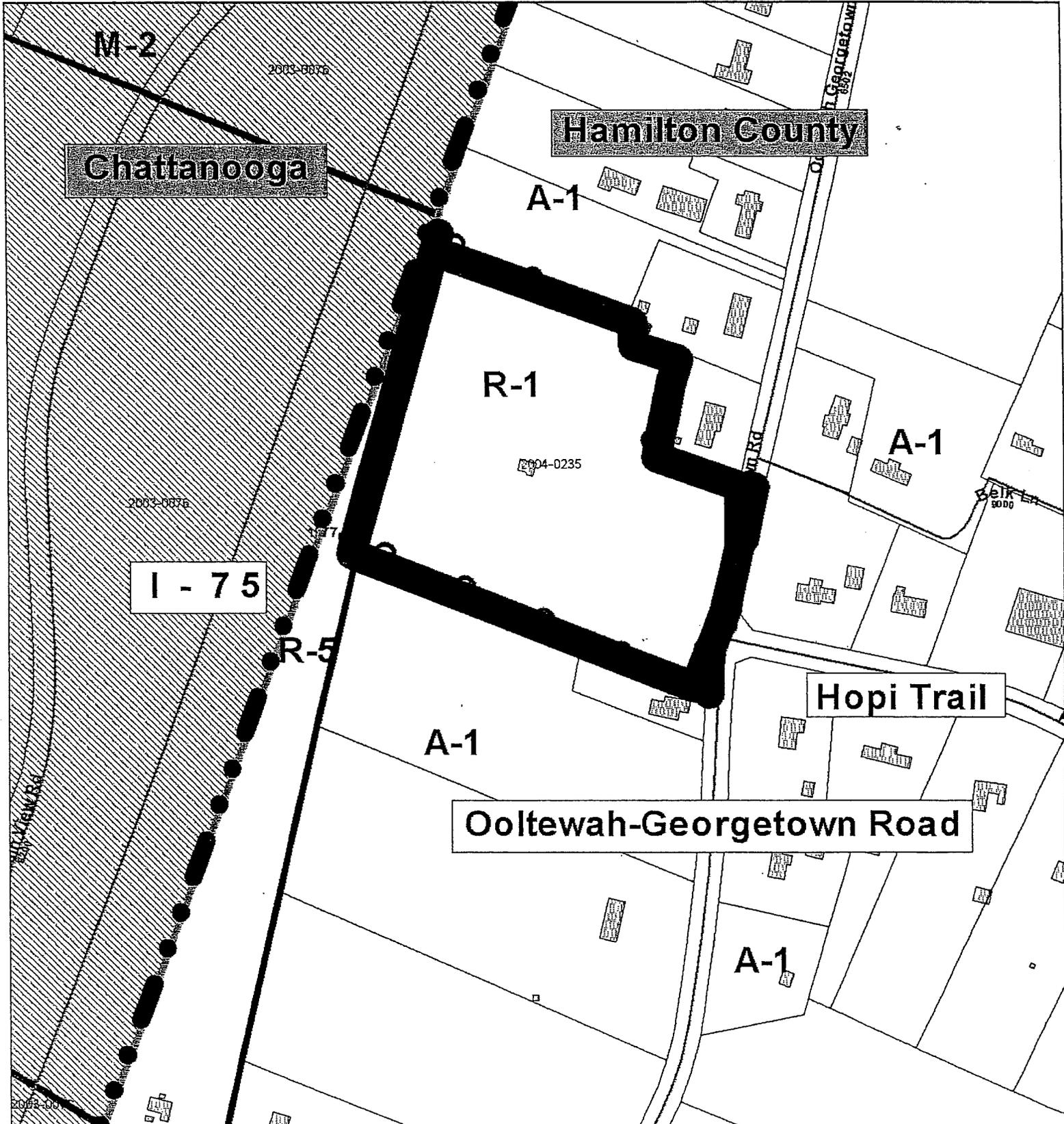
FROM: R-1

05/11/2009

TO: RT-1



1 in. = 250.0 feet



P.U.D: St. Albans Place
Planned Unit Development
52 dwelling units

CASE NO.: 2008-217

DENISTY: 6.6 units per acre

DEVELOPER: Don Walker

DATE OF SUBMITTAL: February 2, 2009

JURISDICTION: Hamilton County, unincorporated

STATUS: Preliminary Planned Unit Development Plan

STAFF COMMENT:

- 1) The property adjacent to the area included in the plan will not be adversely affected.
- 2) The plan is consistent with the intent and purpose of the Hamilton County Zoning Regulations to promote public health, safety morals and general welfare.
- 3) The buildings shall be used only for single-family dwellings, two-family dwellings, or multi-family dwellings, and the usual accessory uses such as private or storage garages, storage space, and for community activities.
- 4) There is a need for such development in the proposed location.
- 5) There is reasonable assurance that development will proceed according to the spirit and letter of the approved plans.

A. Planning Commission Requirements

1. The proposed density of 6.6 units per acre exceeds the maximum density of 5 units per acre permitted for a P.U.D. in R-1 Zone. Consequently, either reduce the number of units to a maximum of 39 which would be 5 units per acre for the 7.91 acres in this development or rezone at least 3.8 acres of the 7.91 acres in this development to any other zone than A-1 or R-3. All other zones than R-1, A-1 or R-3 permit a maximum of 8 units per acre.
2. Article 6, Section 204(A) of the Hamilton County Zoning Regulations requires that open space shall be provided on a separate lot set aside for open space or recreation purposes only. Consequently, show a lot set aside for open space or recreation only which meets the definition

of open space in Article 6, Section 204(C) of the Hamilton County Zoning Regulations.

3. Article 6, Section 202(B)(4) of the Hamilton County Zoning Regulations requires sidewalks or an equivalent, paved internal pedestrian circulation system when there are to be two-family or multi-family dwellings in a P.U.D. Consequently, show that there will be a sidewalk along the proposed road paved internal pedestrian equivalent, paved internal pedestrian circulation system.
4. Article 6, Section 201(C)(3) of the Hamilton County Zoning Regulations requires that no building shall be closer than 25' to the exterior property line. Parts of nine buildings are shown closer than 25' to the north and west property lines and the proposed building at the northwest intersection of the proposed road and Ooltewah-Georgetown Road is closer than 25' to the right-of-way of Ooltewah-Georgetown Road. Consequently, more these proposed buildings so that no building is closer than 25' to any exterior property line.
5. Submit road profiles, contour lines, drainage plans, drainage detention plans, sewer plans, and sewer profiles with the final P.U.D. Plans.
6. Correct the number of proposed dwelling units to 52 (40 townhouses plus 12 single-family houses).
7. Delete tree locations from the I-75 state right-of-way near the west property line. The developer cannot assure that trees on state right-of-way will remain and he has no authority to plant or replace trees on state right-of-way.
8. Giver lot numbers to all lots.
9. Show 25' radius rounded right-of-way at the intersection of the proposed road and Ooltewah-Georgetown Road.
10. One fire hydrant will be required per Article 6, Section 202(B)(3) of the Hamilton County Zoning Regulations.
11. Show that the road has a 50' right-of-way.
12. The radius of the cul-de-sac could be reduced to 50' with 40' paving radius if the developer desires.

B. Hamilton County Engineer's Office Requirements

1. The proposed P.U.D. is in the program area of the Hamilton County Water Quality Program. See the attached documents for permit and other requirements.

2. Questions about Hamilton County Water Quality Program requirements should be directed to Mr. Tim McDonald at 209-7851.

C. Tennessee Department of Health and Environment Requirements

1. Under current policies, the Mylar copy of the final plat cannot be recorded until the Tennessee Department of Health and Environment, Division of Water Supply, has approved the water line extensions.

D. Hamilton County Engineer's Office Requirements

1. A minimum 8" of crushed stone base is required on public road or roads built to County standards.
2. Rough grade the proposed road prior to submittal of the final P.U.D. plans.
3. In the absence of road profiles, drainage plans and contour lines, there is not sufficient information to review the submittal.
4. Questions about Hamilton County Engineer's Office requirements should be directed to Mr. Mike Hendrix at 209-7810.

E. N.P.D.E.S. Permit

1. Since there is to be more than one acre of disturbed ground, including building sites, in this subdivision, an N.P.D.E.S. (National Pollutant Discharge Elimination System) Permit to discharge storm water associated with construction activity is necessary.
2. Although there is not local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about filing such a permit:

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
540 McCallie Avenue
Suite 550
Chattanooga, TN 37402
(423) 634-5745

F. S.W.P.P.P. Permit

1. As a part of Storm Water Pollution Prevention Plan (S.W.P.P.P.), the State of Tennessee may require 60' riparian buffer zones during construction along or in drainage areas of streams designated by the State as high quality or impaired. The developer should contact the

Tennessee Department of Environment and Conservation to determine if buffer zones are required.

G. A.R.A.P. Permit

1. Since a stream may be involved in this subdivision, an A.R.A.P. (Aquatic Resource Alteration Permit) may be required by the State of Tennessee.
2. Although there is no local requirement or enforcement of this permit, the state can impose penalties and requirements if an A.R.A.P. permit is necessary but has not been obtained.
3. The developer is urged to contact the Tennessee Department of Environment, Division of Water Pollution Control at the above address and phone number to determine if an A.R.A.P. permit is required.



HAMILTON COUNTY WATER QUALITY PROGRAM

Collegedale ♦ East Ridge ♦ Hamilton County ♦ Lakesite
♦ Lookout Mountain ♦ Red Bank ♦ Ridgeside ♦ Soddy-Daisy

Permitting Requirements

Land Disturbing Permit

Required for all land disturbing activities greater than one acre.

Application

Application requirements parallel the *TDEC General Permit for discharge of the Discharge of Stormwater from Construction Activity* requirements. Application form is available online.

Level I Certified Erosion Control Inspector

Contact information on Permit and Signature on EPSC Inspection Forms

Plans Review

2-3 week turnaround (30 days is allowed by Program Rules & Regulations)

Application Fees

\$100 for the first acre or portion thereof, plus \$5 for every additional acre

Non-compliance Re-Inspection Fee of \$50

Runoff Management Permit

Required for all land disturbing activities greater than 1 acre. A waiver of this requirement may be requested if the applicant can demonstrate that downstream damage will not result (see *Rules and Regulations, Section 5 G*).

Application

Detention

Stormwater detention structures must attenuate the postdevelopment peak flow rates from the 1-year, 2-year, 5-year, 10-year, and 25-year design storms to discharge at or below the predevelopment peak flow rate.

Treatment

Stormwater treatment must be provided for the first flush (first $\frac{3}{4}$ " of runoff) to remove TSS. Please refer to the *BMP Manual* (add link to *BMP Manual Section 3.3*).

Application Fees

\$100 for the first acre or portion thereof, plus \$5 for every additional acre

Residential Development

Lifetime \$2500 per acre foot of pond volume for Dry Detention

Lifetime \$3500 per acre foot of pond volume for Wet Detention

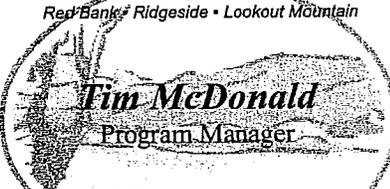
Plans Review

2-3 week turnaround (30 days is allowed by Program Rules & Regulations)

Lifetime Operation and Maintenance Agreement

Must be signed and recorded by property owner prior to approval of the Runoff Management Permit.

Hamilton County Water Quality Program
Collegedale • Lakesite • East Ridge • Hamilton County • Soddy Daisy
Red Bank • Ridgeside • Lookout Mountain



Tim McDonald
Program Manager

1250 Market Street, Suite 3050 Tel: 423-209-7851
Chattanooga, Tennessee 37402-2713 Fax: 423-209-7852
www.hamiltontn.gov/waterquality Water Pollution Hotline
423-209-7888

Our Program issues two kinds of permits for land disturbing activity;

- (1) A Land Disturbing Permit and
- (2) A Runoff Management Permit.

These permits are issued for the same land disturbing activity that the state of Tennessee issues its construction permits for. Both the state and our Program fall under the NPDES system of permitting.

The Land Disturbing Permit covers the activity on the site during construction from the time the first shovel of dirt is moved until the site is stabilized at the end of the project. The Runoff Management Permit covers the management and control of runoff generated and/or changed by the development.

These permits are required on all sites that disturb more than one acre of ground OR Less than one acre if the site is part of a larger common development.

We have applications that must be completed for each. The application is online but lately has not been usable due to problems with GIS updates.

Basically, we require an application for both permits plus a fee of \$100 for the first acre or portion of it + \$5.00 for each additional acre. Therefore, the minimum fee for one acre would be \$100 for the land disturbing permit and \$100 for the Runoff Management permit, or \$200 total.

Supporting documents for Land Disturbing permit are:

1. Stormwater Pollution Prevention Plan (SWPPP)
2. 3 copies of site plans
3. Hydrology Study
4. A note on the plans or separate sheet requiring the name and contact number for the applicant's TDEC Level I certified inspector who will be inspecting erosion and sediment controls. This inspector must provide contact info for 24-hr/7 day week contacts.
5. A copy of the state permit's Notice Of Coverage.

Supporting documents for Runoff Management Permits are:

1. 3 copies of Site plans -- same 3 as above are acceptable as long as they address:
 - Detention structure or other runoff management structure (swale, biofiltration area, etc.)
 - Figures that address postdevelopment peak flow rates from 1-year, 2-year, 5-year, 10-year, and 25-year design storms to discharge at or below predevelopment peak flow rate. These are usually in the Hydrology study (#3 above).
 - Choice of treatment for first 3/4 inches of runoff to treat total suspended solids.
 - Choice of treatment for any site-particular pollutants; for example, a parking lot plan would have to address oil & grease.
2. -A Lifetime Operation and Maintenance Agreement for these treatment methods. This agreement must be signed by the property owner & is recordable as a legal document. If the treatment method is a detention pond, a deposit of \$2500 per acre foot of pond volume is required for detention ponds that are designed to be "Dry" and not permanently hold water; a deposit of \$3500 per acre foot of pond volume is required for ponds that are designed to be "wet" ponds and permanently hold water.
3. If the owner is installing a "Proprietary" water quality treatment unit (a pre-manufactured device like a "Suntree" brand unit) a copy of the technical specs for the unit must be provided to us as well as their Lifetime Operation and Maintenance Agreement.

I realize this is a long list; probably the most efficient way to handle the information is to tell the applicant who is submitting documents for your review that if he/she is planning to develop more than 1 acre, he/she must have 2 stormwater permits and then have them contact us for the specifics.

I hope this is useful.

Tim McDonald
Program Manager
Hamilton County Water Quality Program
209-7851

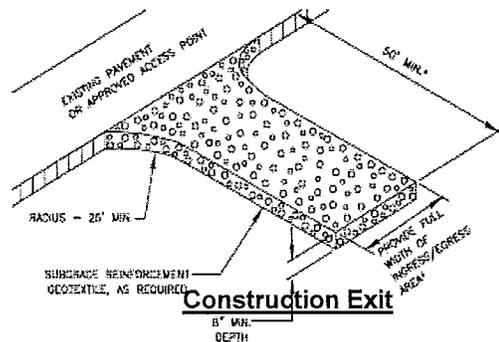
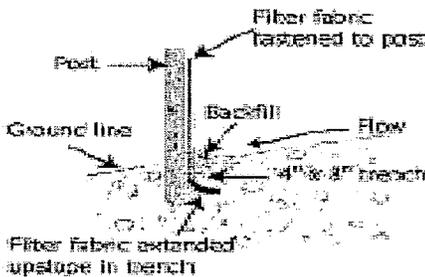
Stormwater Requirements for Single and/or Two-Family Residence Construction

Generally, unless one acre or more of land disturbance occurs during the process of building a single and/or two-family residence, a Land Disturbing Permit is not required. Water Quality Rules and Regulations Section 4. C. 1) states "All land disturbing activities undertaken within the Program Service Area shall be conducted in a manner that controls the release of sediments and other pollutants to the storm water collection and transportation system in accordance with the requirements of the Program's BMP Manual." The following provisions should be satisfied at each single and/or two-family residence construction site to assure compliance with the abovementioned Rules:

1. Install sediment and erosion controls on site before land disturbing activities occur;
2. Maintain sediment and erosion controls during the course of the construction activity until the site is fully stabilized;
3. Provide a gravel entrance to the site to prevent sediment tracking onto roadways;
4. Use appropriate erosion and sediment control Best Management Practices (BMPs) to protect stormwater structures and nearby waterbodies from sediment discharge; and,
5. Ensure that the site is stabilized with mulch, stone, vegetation, etc. at the completion of the land disturbing activity.

The following website provides a link to the Hamilton County Water Quality Program's BMP Manual that can be used as a guide for proper installation and maintenance of erosion and sediment control practices: <http://www.hamiltontn.gov/waterquality/BMP.aspx>. See Section 3.7.9 for measures specific to home construction.

Cross-Section of Silt Fence



Examples of erosion/sediment controls (Silt Fence and Construction Exit) are available in the BMP manual. Refer to the BMP manual for specifications.

If you have questions regarding this or other erosion and sediment control requirements, contact the Hamilton County Water Quality Program at 423-209-7851.

With my signature below, I certify that I have read and understand this information and the requirements and the requirements for land disturbing activities pertaining to single and/or two-family residence construction as specified in the Water Quality Rules and Regulations Section 4.C.1.

Property Owner and/or Builder Name		Phone Number		Fax Number	
Property Owner and/or Builder Signature		Today's Date		Type of Construction (Single or Two Family)	
Site Address		Site City & Zip Code		Tax Map #	
Start Date		Completion Date		Jurisdiction	

***If more than one acre of land is disturbed the following permits are required:**

Hamilton County Water Quality Program Land Disturbing Permit. For information, call 209-7851.

State of Tennessee NPDES Construction General Permit. For information, call 1-888-891-TDEC.

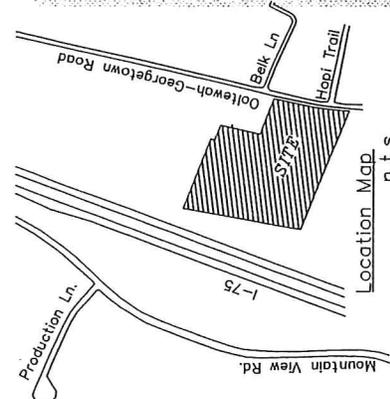
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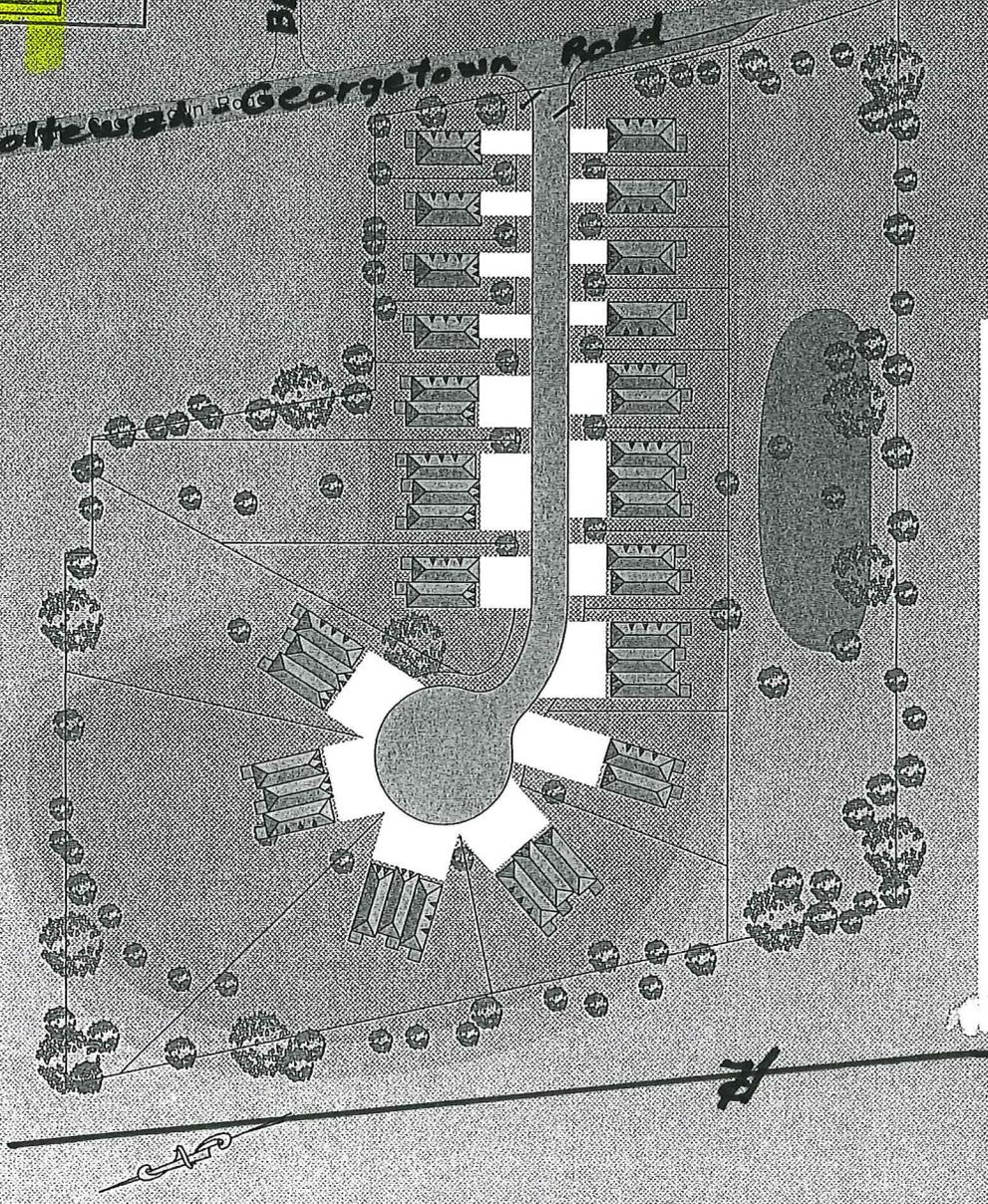
Doltawah-Georgetown Road



Location Map
n.t.s.

Owner/Contact
Don Walker
4414 Brainerd Rd
Chattanooga, TN 37411
(423) 624-6746

Area of Rezoning: 7.91 Acres
Number of Units: 39
Unit Density: 4.9 units/acre
Current Zoning: R-1
Zoning of adjacent Properties: A-1
31 Proposed Townhouses: 18' x 50'
8 Proposed House: 24' x 50'



1-75

ST. ALBANS PLACE

