

Hamilton County Board of County Commissioners

Recessed Meeting from June 17, 2015

AGENDA

June 24, 2015

ROLL CALL

INVOCATION - **Commissioner Bankston**

PLEDGE TO THE FLAG - **Commissioner Bankston**

- Res. No. 615-24C A Resolution to Rezone from A-1 Agricultural District to R-1 Residential District, properties located at 8217 and 8219 Ooltewah-Georgetown Road.
- Res. No. 615-26B A Resolution Granting a Special Permit for a Residential Planned Unit Development for properties located at 8217 and 8219 Ooltewah-Georgetown Road.
- Res. No. 615-35A A Resolution overriding the veto as issued by the County Mayor to this County Legislative Body's adoption of Resolution No. 615-35, as amended, establishing the 2015-2016 fiscal year budget for Hamilton County, Tennessee.
- Res. No. 615-44 A Resolution authorizing the creation of the position of "On-Call" Judicial Commissioners to assist the General Sessions Court of Hamilton County, Tennessee, to serve during the absence of the duly appointed Judicial Commissioners, and appointing individuals to serve in said position.

ANNOUNCEMENTS

DELEGATIONS ON MATTERS OTHER THAN ZONING

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission and do not necessarily represent the religious beliefs or views of the Commission in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Commission.



Hamilton County Board of Commissioners

RESOLUTION

No. 615-24C

(P.C. NO. 2015-068)
(Revised Applicant Request)

**A RESOLUTION TO REZONE FROM A-1
AGRICULTURAL DISTRICT TO R-1
RESIDENTIAL DISTRICT, PROPERTIES
LOCATED AT 8217 AND 8219
OOLTEWAH-GEORGETOWN ROAD**

WHEREAS, MAP Engineers, Spring Creek Investments & Kinsman & Cheryl Wright petitioned the Chattanooga-Hamilton County Regional Planning Commission to rezone from A-1 Agricultural District to R-1 Residential District, properties located at 8217 and 8219 Ooltewah-Georgetown Road, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, MAP Engineers, Spring Creek Investments & Kinsman & Cheryl Wright requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on June 17, 2015, at which time hearing was deferred to June 24, 2015 concerning the passage of this Resolution as required by law, and such having been held.

NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED: That the zoning regulations of Hamilton County be amended to rezone from A-1 Agricultural District to R-1 Residential District, Properties located at 8217 and 8219 Ooltewah-Georgetown Road, **subject to the overall density not to exceed 3 dwellings per acre.**

Two unplatted tracts of land located at 8217 and 8219 Ooltewah- Georgetown Road being the property described in Deed Book 4056, Page 906, ROHC.

Excepting thereof the following areas to remain A-1 Agricultural District. The first area located by beginning at the intersection of the south line of Tax Map 104-087 with the west line of the 8200 block of Ooltewah- Georgetown Road thence following the west line of said road right-of-way some 430 feet in a northwardly direction to a point in the east line Tax Map 104-087.01, thence northwest some 1575 feet to a point, the point of beginning of the A-1 District, thence continuing northwest some 250 feet, thence northeast some 140 feet, thence southeast some 250 feet, thence southwest some 140 feet to the point of beginning. The second area located by the point of beginning at the intersection of the south line of Tax Map 104-087 with the west line of the 8200 block of Ooltewah- Georgetown Road thence following the west line of said road right-of-way some 158 feet in a northwardly direction, thence westwardly some 395 feet, thence southwestwardly 158 feet, thence southeastwardly some 395 feet to the point of beginning.

Parts of Tax Map 104-087 and 087.01 as shown on the attached map.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

June 24, 2015

Date

2015-068 Hamilton County
May 11, 2015

RESOLUTION

WHEREAS, MAP Engineers, Spring Creek Investments & Kinsman & Cheryl Wright petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission the rezoning from A-1 Agricultural District to R-1 Residential District, properties located at 8217 and 8219 Ooltewah Georgetown Road.

Two unplatted tracts of land located at 8217 and 8219 Ooltewah Georgetown Road, being the properties described in Deed Book 4056, Page 906, ROHC. Tax Maps 104-087 and 104-087.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 11, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

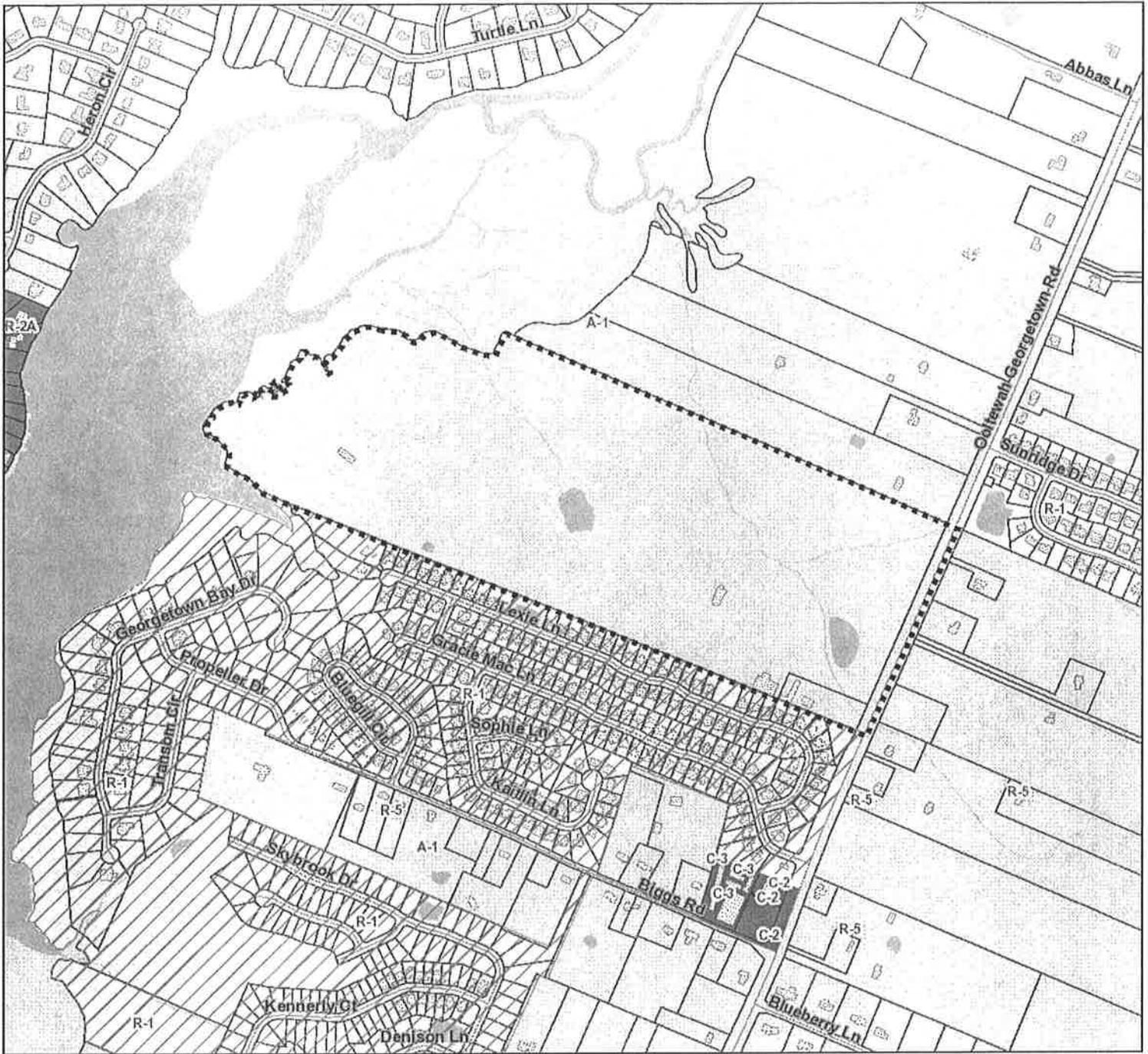
AND WHEREAS, there was opposition present to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 11, 2015, recommended to the County Mayor and Members of the County Commission that this petition be approved, subject to the overall density not to exceed 3 dwellings per acre.

Respectfully submitted,


John Bridger
Secretary



2015-068 Rezoning from A-1 to R-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-068:

Approve, subject to the overall density not to exceed 3 dwellings per acre.



800 ft



Chattanooga Hamilton County Regional Planning Agency



PLANNING COMMISSION CASE REPORT

Case Number: 2015-068

PC Meeting Date: 05-11-15

Applicant Request**A-1 Agricultural District to R-1 Residential District**

Property Location:	8217 & 8219 Ooltewah Georgetown Road
Property Owner:	Kinsman & Cheryl Wright
Applicant:	Map Engineers/ Spring Creek Investments

Project Description

- This rezoning R-1 request is in conjunction with a request for a Planned Unit Development (Case 2015-069) which proposes to develop a 94-acre site with 227 single-family homes and 53 townhomes.
- Development Form: Proposed single-family home lot sizes range from 4,400-8,400 square feet. Townhome lot sizes range from 2,400-3,000 square feet. The site plan indicates that the proposed lots on the south side (adjacent to existing single-family homes) are to be 7,200 square feet in size.
- Proposed Access: Ooltewah-Georgetown Road
- Proposed density is approximately 2.9 dwelling units per acre.

Site Analysis**Site Description**

- The 94-acre site is located on the west side of Ooltewah-Georgetown Road approximately 1.7 miles south of the Mahan Gap Road intersection.
- Current Access: Ooltewah-Georgetown Road
- Development form: Adjacent lot sizes to the south are approximately 9,000-10,000 square feet. Adjacent properties to the north are large acre tracts (12-16 acres each).
- Land Uses: Single-family homes to the north, south, east, and west.
- Density: Average residential density of the existing neighborhood to the south is approximately 3.1 dwelling units per acre.

Zoning History

- The site is currently zoned A-1 Agricultural District.
- Properties to the north and east are zoned A-1 Agricultural District. The adjacent neighborhood to the south is zoned R-1 Residential Planned Unit Development.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Wolftever Creek Area Plan (adopted by the Hamilton County Commission in 2007) recommends Low Intensity Residential for this area which supports single-family homes and townhomes (if in a PUD) with a density of 3 dwelling units per acre or less.
- The A-1 Agricultural District (with or without a PUD) has a maximum density of 2 dwelling units per acre.
- An R-1 Planned Unit Development has a maximum density of 5.8 dwelling units per acre.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area based on keeping a density around 3 dwelling units per acre and locating townhouses to the center of planned area.
- The proposed use is consistent with bordering southern uses.
- The proposal introduces a small percentage of townhouses which are a new development form for the area.
- The proposed residential density is compatible with the surrounding densities.
- The proposal would be an extension of an existing zone.

PLANNING COMMISSION CASE REPORT

Staff Recommendation

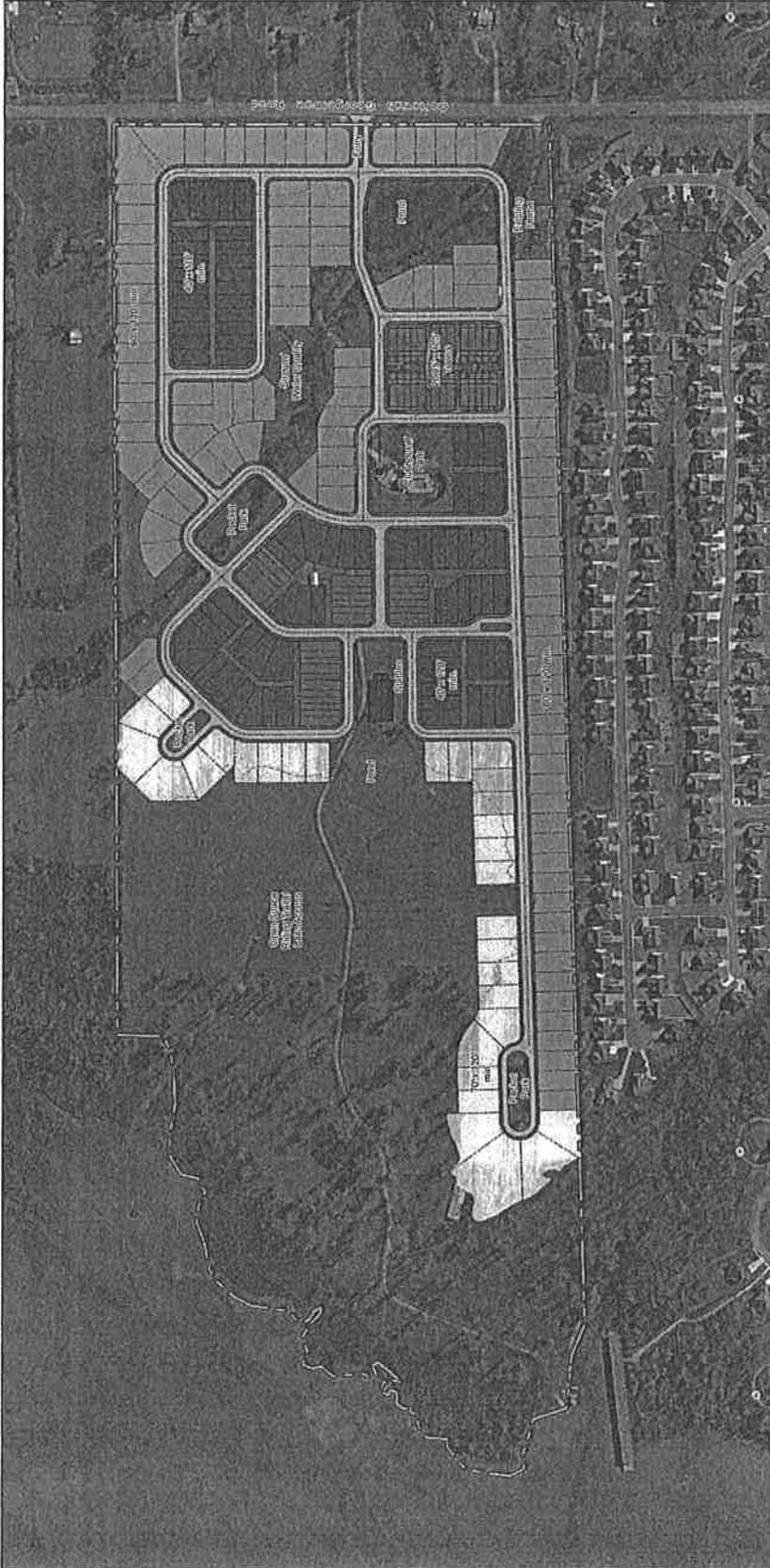
Approve, subject to the overall density not to exceed 3 dwellings per acre.



2015-068 Rezoning from A-1 to R-1

800 ft

Chattanooga Hamilton County Regional Planning Agency



Site Tabulations

Site Acreage:	44.84 ac
Proposed Units:	68
70' x 120' Lots:	81
40' x 55' x 110' or 120' Lots:	115
60' x 120' Lots:	30
70' x 120' Casework Lots:	0
Existing Paved (Total):	380 (3.0 acres)



--- yellow dotted line is area to be rezoned w/ property lines
Sidewalks included along each roadway

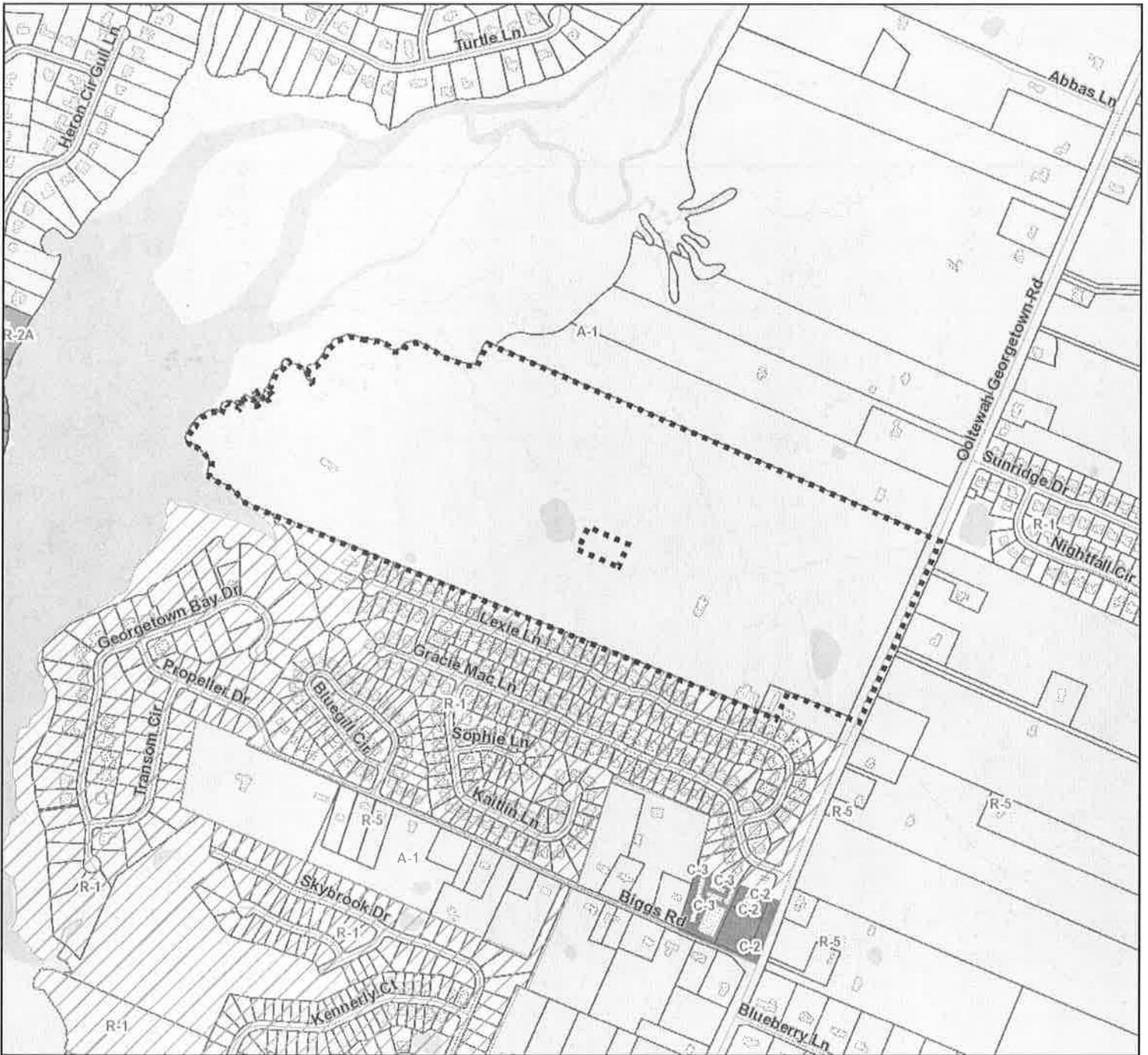
RECEIVED
 MAR 23 2015
 Chattanooga Hamilton County
 Regional Planning Agency
 Development Services

Concept Master Plan

Date: August 1, 2014
 Project: Bayview
 Prepared by: DesignStudio
 Project No.: 1000
 Scale: 1"=150'

L1.0

2015-068



2015-068 Rezoning from A-1 to R-1 Applicants Revised Request

800 ft

Chattanooga Hamilton County Regional Planning Agency



2015-068 Rezoning from A-1 to R-1 Applicants Revised Request



800 ft

Chattanooga Hamilton County Regional Planning Agency





Hamilton County Board of Commissioners

RESOLUTION

No. 615-26B

(P.C. NO. 2015-069)

A RESOLUTION GRANTING A SPECIAL PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR PROPERTIES LOCATED AT 8217 AND 8219 OOLTEWAH-GEORGETOWN ROAD

WHEREAS, MAP Engineers, Spring Creek Investments & Kinsman & Cheryl Wright petitioned the Chattanooga-Hamilton County Regional Planning Commission to rezone from granting a Special Permit for a Residential Planned Unit Development for properties located at 8217 and 8219 Ooltewah-Georgetown Road , and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, MAP Engineers, Spring Creek Investments & Kinsman & Cheryl Wright requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on June 17, 2015, at which time hearing was deferred to June 24, 2015, concerning the passage of this Resolution as required by law, and such having been held.

NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED: That the zoning regulations of Hamilton County be amended granting a Special Permit for a Residential Planned Unit Development for properties located at 8217 and 8219 Ooltewah-Georgetown Road, **subject to: The developer will be required to install a north bound, left turn lane on Ooltewah Georgetown Road into the new development. Plans for the turn lane shall be prepared by a licensed engineer and submitted to the Hamilton County Engineering Department for approval.** Two unplatted tracts of land located at 8217 and 8219 Ooltewah-Georgetown Road, being the properties described in Deed Book

4056, Page 906, ROHC. Tax Maps 104-087 and 104-087.01 as shown on the attached map.

BE IT FURTHER RESOLVED, THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

June 24, 2015

Date

2015-069 Hamilton County
May 11, 2015

RESOLUTION

WHEREAS, MAP Engineers & Spring Creek Investments & Kinsman & Cheryl Wright petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission granting a Special Permit for a Residential Planned Unit Development for properties located at 8217 and 8219 Ooltewah-Georgetown Road.

Two unplatted tracts of land located at 8217 and 8219 Ooltewah-Georgetown Road, being the properties described in Deed Book 4056, Page 906, ROHC. Tax Maps 104-087 and 104-087.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 11, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, there was opposition present to the petition,

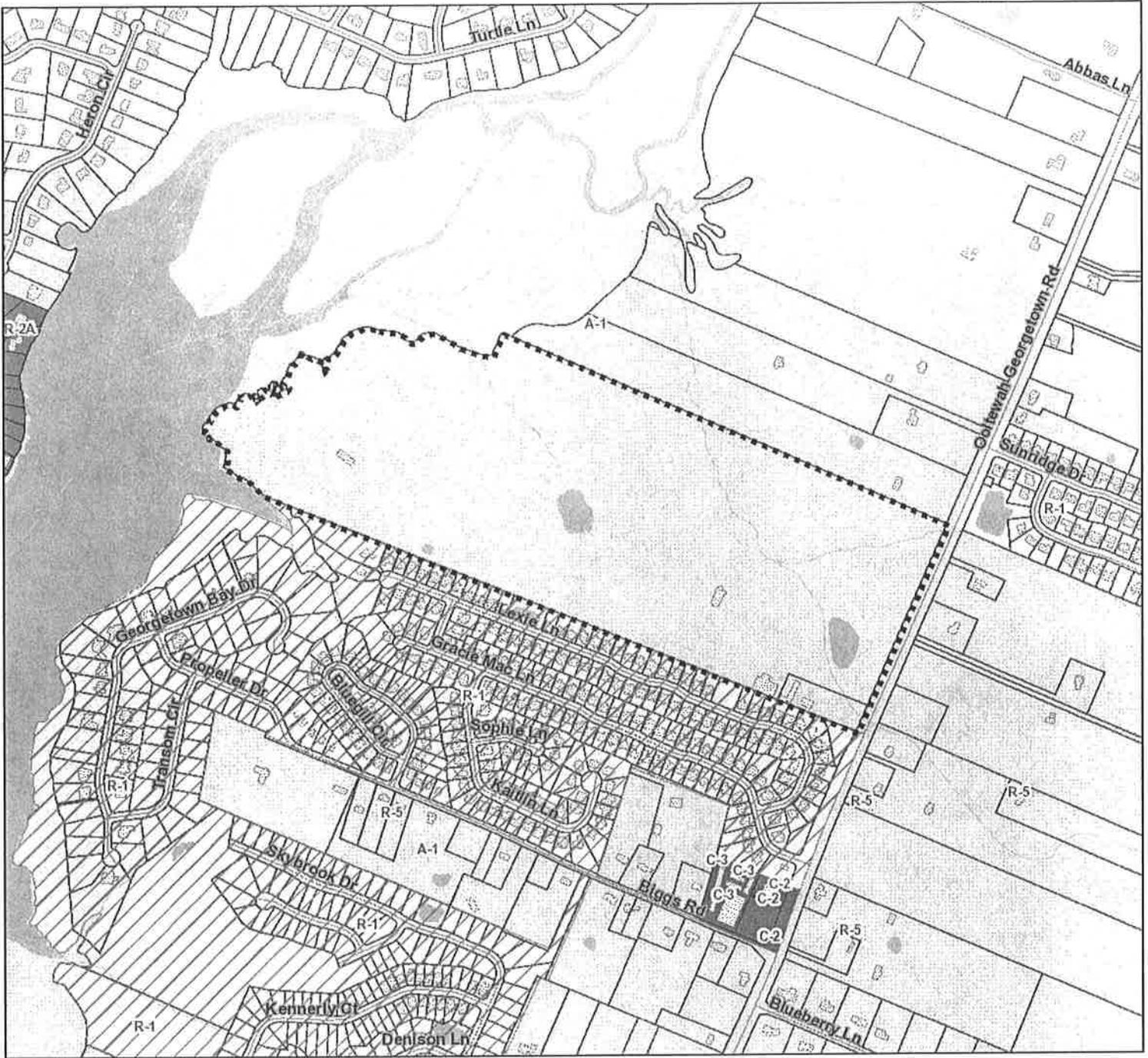
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 11, 2015, recommended to the County Mayor and Members of the County Commission that this petition be approved.

Respectfully submitted,



John Bridger
Secretary



2015-069 Special Exceptions Permit for a Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-069:

Approve



800 ft



Chattanooga Hamilton County Regional Planning Agency



PLANNING COMMISSION CASE REPORT

Case Number: 2015-069

PC Meeting Date: 05-11-15

Applicant Request**Planned Unit Development**

Property Location:	8217 & 8219 Ooltewah Georgetown Road
Property Owner:	Kinsman & Cheryl Wright
Applicant:	Map Engineers/ Spring Creek Investments

Project Description

- This request for a Planned Unit Development is in conjunction with a request to rezone the same properties to R-1 Residential District (Case 2015-068).
- The PUD Plan proposes to develop the 94-acre site with 227 single-family homes and 53 townhomes.
- Development Form: Proposed single-family home lot sizes range from 4,400-8,400 square feet. Townhome lot sizes range from 2,400-3,000 square feet. The site plan indicates that the proposed lots on the south side (adjacent to existing single-family homes) are to be 7,200 square feet in size.
- Proposed Access: Ooltewah-Georgetown Road
- Proposed density is approximately 2.9 dwelling units per acre.

Site Analysis**Site Description**

- The 94-acre site is located on the west side of Ooltewah-Georgetown Road approximately 1.7 miles south of the Mahan Gap Road intersection.
- Current Access: Ooltewah-Georgetown Road
- Development form: Adjacent lot sizes to the south are approximately 9,000-10,000 square feet. Adjacent properties to the north are large acre tracts (12-16 acres each).
- Land Uses: Single-family homes to the north, south, east, and west.
- Density: Average residential density of the existing neighborhood to the south is approximately 3.1 dwelling units per acre.

Zoning History

- The site is currently zoned A-1 Agricultural District.
- Properties to the north and east are zoned A-1 Agricultural District. The adjacent neighborhood to the south is zoned R-1 Residential Planned Unit Development.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Wolftever Creek Area Plan (adopted by the Hamilton County Commission in 2007) recommends Low Intensity Residential for this area which supports single-family homes and townhomes (if in a PUD) with a density of 3 dwelling units per acre or less.
- The A-1 Agricultural District (with or without a PUD) has a maximum density of 2 dwelling units per acre.
- An R-1 Planned Unit Development has a maximum density of 5.8 dwelling units per acre.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area based on keeping a density around 3 dwelling units per acre and locating townhouses to the center of planned area.
- The proposed use is consistent with bordering southern uses.
- The proposal introduces a small percentage of townhouses which are a new development form for the area.
- The proposed residential density is compatible with the surrounding densities.

PLANNING COMMISSION CASE REPORT

Staff Recommendation

Approve



2015-069 Special Exceptions Permit for a Residential PUD





Chattanooga Hamilton County Regional Planning Agency





Hamilton County Board of Commissioners RESOLUTION

No. 615-35A

A RESOLUTION OVERRIDING THE VETO AS ISSUED BY THE COUNTY MAYOR TO THIS COUNTY LEGISLATIVE BODY'S ADOPTION OF RESOLUTION NO. 615-35, AS AMENDED, ESTABLISHING THE 2015-2016 FISCAL YEAR BUDGET FOR HAMILTON COUNTY, TENNESSEE.

- WHEREAS,** on June 3, 2015, the mayor of Hamilton County submitted to the members of this county legislative body Resolution No. 615-35 as his proposed budget for the 2015-2016 fiscal year; and
- WHEREAS,** on June 17, 2015, after having had notice of said proposed annual budget publicized in the local newspaper of general circulation, this county legislative body moved to adopt said proposed budget; and
- WHEREAS,** in its consideration of said proposed budget for adoption, this county legislative body in lawful session assembled did properly adopt an amendment to said proposed budget resolution by adding Nine Hundred Thousand Dollars (\$900,000.00) in discretionary funding to the budget as presented by the county mayor, and then adopted said initially-submitted budget as so amended; and
- WHEREAS,** as authorized by Tennessee Code Annotated Section 5-6-107(c), on June 22, 2015, the mayor notified this county legislative body of his decision to veto said adopted Resolution No. 615-35, as amended, (a copy of said notice as was received from the mayor is attached hereto); and
- WHEREAS,** it remains the desire of this county legislative body to adopt for the Hamilton County 2015-2016 fiscal year the budget as initially presented by the mayor and properly amended by the

above-described actions of this body; and

WHEREAS,

Tennessee Code Annotated Section 5-6-107(b)(3) and (4) enables this county legislative body to override the county mayor's veto by a positive vote of a majority of the members of said body.

NOW, THEREFORE BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:

That the veto as issued by the county mayor on June 22, 2015 to Resolution No. 615-35, as amended, adopting a budget for fiscal year 2015-2016, is hereby overridden in accordance with the provisions of Tennessee Code Annotated Section 5-6-107(b)(3) and (4).

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

June 24, 2015

Date



Hamilton County Board of Commissioners RESOLUTION

No. 615-44

A RESOLUTION AUTHORIZING THE CREATION OF THE POSITION OF “ON-CALL” JUDICIAL COMMISSIONERS TO ASSIST THE GENERAL SESSIONS COURT OF HAMILTON COUNTY, TENNESSEE, TO SERVE DURING THE ABSENCE OF THE DULY-APPOINTED JUDICIAL COMMISSIONERS, AND APPOINTING INDIVIDUALS TO SERVE IN SAID POSITION.

WHEREAS, this county legislative body has previously appointed individuals to the position(s) of full-time judicial commissioners (as authorized by Chapter No. 192 of the Private Acts of 1996 of the Tennessee General Assembly and subsequently by amendment of Tennessee Code Annotated Section 40-1-111) and has determined that there now exists a need and justification to add other licensed attorneys to a pool of “on-call” judicial commissioners to assist during the absence of the full-time judicial commissioners; and

WHEREAS, said “on-call” judicial commissioners shall be paid the same hourly rate as is paid to the full-time judicial commissioners, but no other benefits of employment as are given to said full-time judicial commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:

That the position of “on-call” judicial commissioner is hereby created for the purpose of establishing a pool of qualified individuals to assist the general sessions court of Hamilton County, Tennessee, during the absence of the full-time judicial commissioners; and that said “on-call” judicial commissioners shall be paid the same hourly rate as full-time judicial commissioners, but shall receive none of the other benefits of employment, *i.e.*, overtime, accumulated leave, *etc.* as said full-time judicial commissioners.

BE IT FURTHER RESOLVED, that **ROBERT “BOB” MEEKS, ROBERT “BOB” DAVIS, JEFF DAVIS, and PETE JOHNSON,** (all formerly appointed full-time judicial commissioners), be, and hereby are appointed to serve as said “on-call” judicial commissioners for a term commencing upon the adoption of this resolution, and ending at such point in time as this county legislative body makes a decision which in fact either terminates said individuals serving as “on-call” judicial commissioners or otherwise may alter the judicial commission program.

BE IT FURTHER RESOLVED,

That the County Mayor and the Chairman of the County legislative body are hereby authorized to execute on behalf of Hamilton County an Agreement for Professional Services with said "On-Call" Judicial Commissioner appointees prior to their assumption of duties.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

June 24, 2015

Date