

\*\*\*\*\*JUNE 20, 2006\*\*\*\*\*

The Town Council and the Planning Commission of the Town of Signal Mountain held a joint work session at the Development Resource Center on June 20, 2006, at Those present were:

- Mayor William O. Leonard, III
- Councilmember Robert V. Linehart, Jr.
- Councilmember Lizetta Paturalski
- Councilmember Robert E. White, II

Also present were:

- Town Manager Diana Campbell
- Town Attorney Phil Noblett
- Planning Commission Chairman Dan Saieed
- Planning Commission Member Lamar Rankin
- Planning Commission Member Lou Oliphant
- Planning Commission Member Dick Dillender
- Planning Commission Member Wells Blake
- Planning Commission Member Don Moon
- Planning Commission Member Hale Hamilton

Mayor Leonard opened the meeting and led the Pledge of Allegiance to the Flag and offered the prayer. He also thanked Ms. Karen Rennich for hosting the meeting. The Mayor explained this was a workshop between the Town Council and Planning Commission. Mr. Dan Saieed, Chairman of the Planning Commission, said he hoped they could work through the document to find out what the issues were.

The Mayor recognized Mr. Mike Howard of the WWTA. He stated the WWTA had not placed any restrictions on the two bodies. He said the group needed to review their proposal. The Mayor then said a sewer line was being put in that was over 19,000 feet long from the high school running down Timberlinks and coming out below CVS. He said that the WWTA was putting a 4-inch line which the school system was going to pay for and they were looking at a bigger line that would accommodate future development beyond the school.

The Mayor said the two bodies should start looking at the components of the document, make comments, and proceed. He said the first was Section 614, which was the current ordinance under Residential Estate on Shackleford Ridge. Attorney Noblett said the initial agenda for the day was to talk about the overlay boundaries under Section 617. He further explained the current zoning ordinance goes through Section 616. Section 616 was the current open space design in the Town. He said Section 617 was defining a boundary of the Shackleford Ridge area where the sewer could be available. He said there was only one change to the existing Zoning Ordinance which was under Section 614. He then explained that Residential Estate was what most of that property in the

Shackleford Ridge area was currently zoned. There were new sections added. He said Section 618 created a section for Low Density Residential within the Shackleford Ridge overlay. An Open Space area for Shackleford Ridge area was created under Section 619, and a Planned Unit Development area under Section 620, and then an alternative residential design under Section 621. He said the total area was about 740 acres. The Mayor stated that Fox Run and Windtree would be addressed at a later day. Mr. Noblett said the area under consideration had been in the Town since about 1992.

Councilmember Linehart said during one of the presentations there was a slide that said the Town's current number of acres was approximately 7700 or 7600 acres. The approximate number was 4200 acres. Of that 4200, 744 were part of the overlay zone or the light yellow acres on the map included with the worksheets within the Overlay Zone. He said another 287 was in Shackleford Ridge Park.

Mr. Noblett explained a slide showing aspect of slopes. He said area with a 20 percent slope or more were marked on the yellow areas. Mr. Noblett said the reason the section numbers had been done the way they were was because Section 614 was currently in the ordinance. He explained the only one change was made to 614 which was the Residential Estate. He said lots developed under septic tank requirements would not change under that section. He said only if the lot was connected to sewers would there be any change in the lot size and under those circumstances there would be a minimum lot size of 14,520 square feet.

Councilmember Linehart asked if there were guidelines in building a private processing sewer plant. Mr. Noblett said anyone doing that would have to do it in an environmentally safe manner that would qualify with the Tennessee Department of Environment and Health. Councilmember Linehart asked Mike Howard if this was something similar to what may be being built on the back side of the mountain. He asked if there was some proposal for that type of system? Mr. Howard said any sewer system would have to be operated by the WWTA and no one could operate a private sewer system in the County in the WWTA's service area. Mr. Noblett explained there was a service area in Hamilton County for any city to provide sewer services if they were going to, and the WWTA had defined everything outside any city as their service area. Mr. Noblett stated that no one else could operate a for profit sewer service in that area.

Councilmember Linehart stated that at a meeting on January 26 was the time when the Council started zeroing in on the one-third of an acre (14,520 square feet) number. He said he thought the reason why they picked that number was because it was one-third of an acre. He said in 1979 the minimum square foot was 15,000 but 15,000 was much more arbitrary than 14,520 feet.

Mr. Noblett said that Section 617 was simply defining the Overlay Zone or simply the boundaries of the area. He said there had been some requests from people to be included in the Overlay Zone. He said all the parcels in the Shackleford Ridge area were included that were within the Town. Ms. Campbell said the request was from Dr. Spaulding who

had called and asked to be included. She explained that his land was the property adjacent to the Shackelford Ridge Park.

Mr. Noblett said under Section 618 the spreadsheet shows a reference for what was currently in the existing Low-Density Residential. He said all those provisions were under Section 603 of the Zoning Ordinance. The provisions of the section provide for single-family homes, schools, parks and playgrounds, golf courses, fire halls, public buildings, churches, accessory buildings, day care centers with certain exception permits, home occupations, garage sales and group residential homes. He said there were no changes as to the types of uses allowed in the Shackelford Ridge Overlay Zone Residential and what was currently in the Low-Density Residential. As far as changes in minimum lot size the only change was if a lot were on a sewer then the minimum lot size would be 14,520 square feet which would allow for a 75-foot by 193.6-foot lot. He said within the Town building on a septic tank, the size of the lot went up depending on how many bedrooms and bathrooms the home had. If there were a sewer system, there was no need to keep increasing lot size with each bathroom added to the house. He said the only difference regarding road frontage was within the existing Low-Density Residential 100 feet or 75 feet on a cul-de-sac had to be fronting on a street. He said within the Shackelford Ridge Low-Density Zone the frontage requirement was 75 feet or 60 feet on a cul-de-sac. The front yard setback was 10 less than it would be in the existing Low-Density Residential. The side yard and back yard setbacks were identical to what they would be in the existing Low-Density Zone. Regarding the provisions for Planned Unit Development in the existing Low-Density Residential five acres were required, and whatever underlying zone set the number of units that could be there. In the Shackelford Ridge Low-Density Residential proposal the minimum acres would be two acres.

The Mayor said we could accommodate smaller lot sizes because of the sewer. Councilmember Linehart asked if the groups were trying to better understand the Zoning Ordinance or was it a time to bring up suggestions for changes. He said the special exceptions for a PUD (Planned Unit Developments) by its very nature was a plan, something that was drawn out. What asked what kind of neighborhood would it be on two acres? He said it seemed that five acres were required for a purpose. He said Westfield was an example of a great PUD and served many needs of the mountain and served the needs of many people. He said that was more than two acres and probably more than 5 acres. He said it seemed if there were a two-acre PUD that might be where it would be ugly and sprawling. He thought the PUDs should be more comprehensive, planned and probably a little larger like the five acres the Town previously had.

Mr. Noblett said one concern was how much utilization of the PUD provisions had been used in the Town. He said actually the townhouse development in the Town to this point had not been built under the PUD provisions. Councilmember Linehart said if the Town was going to have two-acre PUDs, it would almost be the intent to use every scrap of land to build PUDs. He said the concept of a PUD was a planned unit development, something planned out, be nice for the community, fit in and be a little bit special. He said that was his concern about reducing the requirement down to two acres. He said he would like to hear the Planning Commissions' thoughts on that. Planning Commission

Member Lamar Rankin said he thought five acres was about as small as the requirement should be. Ms. Oliphant said she agreed. Mr. Moon said under the condominium form of ownership 2 acres could be one lot but more than one unit. Mr. Moon said a plan had to be submitted before a PUD could be approved. Mr. Noblett said there was a review of each stage of the process of building a PUD. Councilmember Linehart then said he stood by his thought. He said he saw a beautiful PUD on a seven-acre tract, and that in his mind it seemed like you could have these things going up on every little spot of land that was left over. He asked Mr. Moon what would be built on two acres, a duplex. Mr. Moon said the Cummings Cove PUD was an example of a two acre PUD. Mr. Moon said the builder could only put on the land what the overlay zone allowed. Councilmember Linehart said he thought the Town could be more restrictive on a PUD than perhaps a two-acre piece.

Mr. Noblett said if a PUD were allowed in the area, it would depend on the underlying zone. If it were zoned Low-Density Residential, the only thing that could be put there would either be single-family homes, schools, parks, playgrounds, golf courses, church, accessory buildings.

Mayor Leonard asked Mr. Noblett if the Town had control over day cares and group residential homes. Mr. Noblett explained the legislature had defined day care centers and group residential homes for a small number of people and the number was eight persons or less. He said they were allowed to go into any residential zone.

Councilmember Linehart asked Mr. Moon a question about two acres versus five acres. He asked if we were discouraging Westfield-type developments because we have five acres instead of two acres or did it matter. Mr. Moon said he could see where you could use two acres to do that. He said it would have to be up to the Council. Mayor Leonard asked what types of things could be done on a two-acre site. Mr. Moon said he had done multi-use projects—single-family, patio houses.

Mayor Leonard asked for comments from the builders/developers in the audience. A lady present objected to that. Mayor Leonard and Councilmember Linehart explained to everyone present that that was a workshop and at workshops the Council could ask direct questions to those present. Mr. Linehart said this was not inconsistent with what the Council was used to doing. The Mayor asked if there was any other issues.

Mr. Noblett said there would be a good bit of discussion on Section 619 which was the Shackleford Ridge Open Space proposals that was the open space design. Currently, the Town under Section 616 of the Town's Zoning Ordinance has an existing open space subdivision. Provisions were used from the Town and the City of Chattanooga as a resource. Mr. Noblett stated further this was initially added to provide alternative development for single-family residences. He said the existing provisions permitted uses as defined in the underlying zoning district which meant if it was allowed in a Low-Density zone, it could be allowed in the open space option with a five percent incentive over a ten-acre area for clustering of homes. He further stated that five percent over a ten-acre area could result in at least two and one-half units per acre if it was in a Low-

Density Residential zone. He stated it would be higher in a Medium-Density Residential zone and it higher in a High-Density Residential zone. The purpose of open space was to encourage newer types of design and was limited under the proposal to fully-sewered areas.

Mr. Noblett then talked about site design principles and evaluation criteria for Open Space design. There would be the submission of a subdivision plat to the Planning Commission and then developing one lot at a time as it went further. There had to be adequate services and preservation of woodlands, flood plains, and steep slopes. There were certain requirements for buffering, how much open space had to be left available in the areas. Specifically there were provisions where the open space could not be less than a quarter acre in size for the development. It was supposed to provide certain things that people might want in the development of a subdivision that could not be required one lot at a time—sidewalks, streets, public places, and cul-de-sacs. Permitted uses with the proposal were based on what was allowed under Section 618 for the Shackleford Ridge Low-Residential zone. He said the only things allowed in the Open Space zone were single-family homes, schools, parks, playgrounds, golf courses, fire halls, churches, accessory buildings, day care, group residential homes, and garage sales. The minimum development area had to be five acres. He further stated there was a requirement that there be at least 35 percent of the area left aside for open space. The requirement for this type development was that the property had to be a sewerred piece of property. He said the current Open Space provisions stated conventional septic tank and field lines shall not qualify. There was a 7500 square foot minimum lot size requirement. Maximum density was provided for and could be five units per acre. The frontage was reduced to 65 feet compared to 75 in the current requirements. He said the front yard setbacks were reduced, but the side and rear yard setbacks were the same as the current requirements.

Mr. Dillender said there were no requirements for buffer zones, but there were in the existing requirements. Mr. Noblett said he did not know why these requirements were left out. Mr. Dillender wondered if there should be some. Councilmember Linehart said he had that area highlighted as well. He said he had asked about areas of scenic views. He asked how they were defined. He said it seemed too subjective. Mr. Noblett commented on the provision regarding building within 100 feet of Shackleford Ridge Road. Councilmember Linehart said he would like to revisit the buffer requirement. Councilmember Linehart said he did not understand why those 100 feet could not be used as a component of the open space. Mr. Noblett said the question might be was that the wisest use of the open space.

Mr. Noblett went to page 9, Section 619. He explained that area-wise the minimum development was five acres, the maximum density of four units per acre. He said the in the current regulations the underlying zone for Open Space subdivisions would allow about two and one-half units per acre in a Low-Density Residential, higher in Medium-Density and High-Density Residential. Councilmember Linehart said the minimum lot size went from 10,900 down to 7,500. He asked if the maximum remained the same, four units per acre. Mr. Noblett said four units per acre was maximum amount regardless. Mr. Noblett said the way the existing Open Space was currently written it could be a

10,900 square foot building lot and a density increase of whatever the underlying zone would allow plus five percent. Councilmember Linehart said under the old way it would have been ten acres. He asked what was the rationale for going from 10,900 to 7,500. Mr. Noblett said the provision in the current ordinance were not being used. Councilmember Linehart said that he wanted to see some of these type developments because it would be nice to see that type of diversity of development. He also said maybe the reasons why the Town hadn't seen open space here was because there had not been a demand for people to move here. He said with the high school coming, it was going to be the emphasis for the demand. The concern was going overboard and losing control. Mr. Saieed said according to Ms. Rennich's growth study, the Town's single households were increasing. Councilmember Linehart said the reason was from the friends at Alexian Village, and the Town was happy to have those folks here. He said the Town also should recognize that there were more children in the schools which created the issue regarding traffic, overcrowding, and things like that. He said the question was how the Town could balance that. He said Mr. Moon had made an excellent point, but he was not sure the Town wanted that 744 acres—he said his intent was for that area to develop like the Town had historically developed over the years.

Councilmember Linehart said the equation the Town had not had over the years was the high school issue. Councilmember Paturalski said in reading the land-use plan that was put together, the Town had really wanted to go towards an open space zone. She said at first she didn't know about clustering homes, but then when she started looking at it, it really was preferable to put homes in a way so there would be lots of open space. She questioned how the Town could make this an encouragement for developers to use the open space, and yet be comfortable with the number of homes in relation to the historic growth of the Town. Councilmember Linehart said this was the difficult part of being linear in the process. He said this made him wonder why there was Section 621 or 619 until Lizetta's point. He said why both and why not one or the other? Mr. Noblett said the provisions of Section 619 had things the developers would have to give in order to get the reduced sized lots. They would have to go through site design for the whole project, locate open space, house sizes, etc. The Planning Commission would have to review these. There was an increase requirement for open spaces. The easements were a big issue in that section.

Councilmember White said if land was going to develop, the PUD and Open Space was the way to do it. He said it gave the most control as a Town and Planning Commission. He said on the Open Space if a landowner was giving up 35 percent and the requirement was taken to three per acre, why not do one-third acre lots. What was the incentive to give up 35 per cent? He said if someone were going to give up that much land, they could just do one-third acre. Mr. Noblett explained that was one reason the Town might want to give some incentive so people might do this type development. Otherwise, there might not be any incentive money-wise to actually add these items. Councilmember Linehart said that was a good point but he was not seeing what the difference was in developing with open space over one-third acre since historically that was what the Town was developed under.

Mr. Noblett talked about what developers were required to do if they used that particular type of tool in development. He said they had to present a conceptual layout plan and site conditions map to the Town Manager and RPA staff on the front end. He said they would have all that drawn out. He further explained they had to have, based on approval, the submission of a preliminary plat to the Planning Commission after that. Following approval by the Planning Commission, they had to submit a final subdivision plat and a final site plan for review by the Town Manager and RPA staff and then approval of the Planning Commission. Finally, the subdivision plat and a final site plan saying where every house in this subdivision was going to be would be filed with the register's office. There had to be a final engineering plat filed and recorded with the property. It would be a legal document. All requirements were basically the same as those in Section 616 of Open Space current requirements. Councilmember Linehart asked if the Planning Commission had the authority to designate who would maintain open spaces. That had to be indicated on the site plan up front. Mr. Noblett then said the purpose was could the Town could give some kind of incentive for people to leave some land fallow and open that would not be used at all in the development.

Mr. Noblett explained when the Shackleford Ridge area was annexed, the Planning Commission decided how it would be zoned. To become anything else, it would have to go through the process of requesting new zoning for that area. To be something different the land owner would have to go before the Planning Commission and then go in front of the Town Council for approval on two readings before it becomes that new zone. In order to be able to use the development under Section 619 as a design option, the ordinance said that it had to be the underlying zone of Low-Density Residential. Councilmember Linehart asked if 614, 619, 620, and 621 all four major components had to go to the Town Planning Commission and Town Council and change from Residential Estate to Low-Density Residential before any of those four uses were applicable. Mr. Noblett said yes except Section 614 does not require the Town Council's approval.

Next Section 620, Planned Unit Developments was discussed. Mr. Noblett said Section 613 of the current zoning ordinance dealt with PUDs. He said the Shackleford Ridge exceptions for a PUD are similar to the Town's current zoning ordinance. He said there are some differences between the areas. In the current PUD language Section 613.02 would allow single-family, town homes and apartments. The use on Shackleford Ridge was limited to simply single-family, town homes, and two-family dwellings. Mayor Leonard explained they wanted to leave the apartments out. He said a two-family dwelling could be an attached structure or a duplex structure sometimes. Councilmember White asked how duplexes happened in the old town. Mr. Noblett did not know how they got started.

Ms. Rennich explained that a two-family dwelling was what was called a duplex where one family lived on one side and rented out the other. She said it could be one structure with two residential units on one lot. A two-family dwelling could also be a town home which would be one-family dwellings with two connected together.

The next area discussed was Section 620. Mr. Noblett said the area required in that section was reduced from our five acres to two acres. The Mayor said he would like to revisit that section. Councilmember Linehart said he had the same opinion of that section as he did Section 619. Mr. Saieed said the two acres were for more of an incentive to encourage what was not currently being used. He said no one had used it with the five acre requirement. Mr. Noblett continued and stated that setback requirements were slightly less—30 feet instead of 40 feet setback from the street. There was no frontage requirement. He said there could be 50-foot rights-of-way. There were also requirements for sidewalks for PUDs that were not required in a normal subdivision. He then said the curb and drainage requirements and the density requirements within a PUD would depend on the underlying zone for the area. He explained the requirements for density in the Shackleford Ridge area PUD were the same numbers as currently in zoning ordinance. Councilmember Paturalski said there was only Low-Density Residential in Shackleford Ridge area. Mr. Noblett said provisions were left in because the Town might want to rezone in the future. He said those paragraphs would not apply the way things were zoned now. She asked why the 150 frontage was taken out. Mr. Noblett did not know. He said it could depend on the roads that go in. Mayor Leonard said they might want to review that section.

Mayor Leonard talked about sidewalks. He said the Town had talked about the need for sidewalks since the community was growing. He said the Town wanted to concentrate on a walkable, bikeable community. He said the ordinance required five-foot sidewalks on one side or three-foot on both sides. Mr. Noblett said they were trying to have minimal development on both sides if possible.

Mr. Noblett said the next item for discussion was Section 620 and the process for Planned Unit Developments. Mr. Noblett said that section was similar to what had been looked at as open space initially. There would be actually a preliminary plan submitted to the RPA and the Town Manager initially. He said then there would be a public hearing at the Planning Commission on a preliminary plan and the plan would be submitted to the Town Council for a public hearing and action. There would be no building permits issued on any PUD until there was final approval by the Town Council. He said the ordinance said no preliminary plan shall be approved unless first submitted to the Planning Commission. There had to be a resolution by the Town. If something was to be approved procedure-wise, no major changes could occur without going back through the same process. He said that if it was on the plat, the developer had to do it.

Mr. Noblett moved to Section 621. Mr. Noblett said what the Town currently had under current Section 603 did not have a stated density per acre, but it allowed something a little less than two units per gross acre within that zone. The new proposal that was being considered would be something less than three units per gross acre when roads were added in with the 14,520 square foot lot that is under Section 618. He said the alternate Low-Density Residential design option would allow a maximum of three units per gross acre. He stated this was the medium ground between the most intense densities under the Shackleford Ridge Overlay zone. He said the gross acre density was significant because it included any roads. He explained the list of uses in that section was a little different

from what was in the existing and new Low-Density Residential because it would allow a limited number of uses; the most important were single-family homes and town homes in addition to parks, playgrounds, golf courses, fire halls and churches. It included a lesser number of permitted uses than in other areas of the zoning ordinance. The minimum lot size within the section was 9,600 square feet if the house was on a sewer. He said if the house was not on a sewer, it would have to meet whatever the requirement were for the zone it was in. He said the lot size could be 75 by 128 with the 9,600 square feet lot size. Minimum frontage was 75. He said the front yard setback 25 instead of 30 as in the new sewer proposal and 40 in the existing Low-Density Residential. Side yard set backs were unanimously 15 feet everywhere. The other requirement included in that section that would not be included in a normal residential zone was a site plan requirement which was the same type site plan and over view that the Planning Commission would have over a PUD. The Town would know on the front end if somebody was developing an area under the alternate Low-Density Residential design option. He stated again the minimum development in that section was for a two-acre size.

The Mayor asked why no site plan was required in the existing zoning. Mr. Noblett said in a Low-Density Residential zone or Residential Estate zone where there would be development one lot at a time there was simply a requirement of going to the Planning Commission and getting a subdivision plat approved for development for that area. Councilmember Linehart asked under Section 614 if Mr. Noblett was saying that currently there was a five-acre minimum tract and under Section 614 the Town could go down to a two acres minimum. Mr. Noblett said that reference was under the PUD. Councilmember Linehart said he did not understand the two-acre reference. Mr. Noblett said there could be a PUD on a two-acre site by special exception permit. Councilmember Linehart said he did not understand why we needed Section 621 and 619. He said the Town doesn't have a section similar to Section 621 currently. Mr. Saieed said it provided a wider range of options. Mr. Noblett said it was an interim ground between the four-units per acre development and the three-units per acre development. Councilmember Linehart said Section 619 Open Space had so many requirements in it, that it seemed much more like a PUD type development even though the size of the lot was different. He said Section 621 seems pretty loose. He said he had a vision of what the Palisades area looked like in 1949. He then said if Section 621 had been in place, that area would look so much different. The Green Gorge would have been their open space area. He said that part of the area was diverse. He said he did not think the Town should make these huge changes. Mr. Noblett said Section 621 was currently set up as a design option that would have to go to Low-Density Residential first, and then from there it could be utilized as a design option provided there was a special exception permit granted. Councilmember Paturalski asked what the difference was if the Town had a maximum of three per acre to the one-third of an acre. Councilmember Linehart said because in Section 614 by the time roads were put in and with easements and with the topography taken into account, there would be less than two units per acre so you were less dense than three units per acre gross.

He said that there was diversity in the Town already under the laws that the Town has had for 50 some odd years. He stated the point was none of them were any more dense

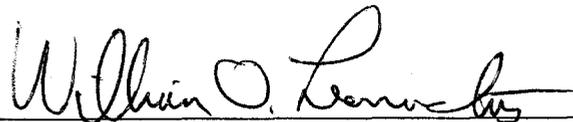
than 2.7. He thought the Cherokee neighborhood was the densest at 2.7 units. He said that his concern about this was having a gross guaranteed of three units per acre over 100 acres. He said he believed in fairness in property rights. He said looking at 621 and 619 knowing that the Town had incredible demand that was going to be in the fall of 2008, it concerned him about what could happen on the Overlay zone. He said that was why he didn't understand the need for 621 and 619. He said it seemed aggressive. He said he would like to hear the Planning Commission's and landowners/developers opinions on Section 621 and 619. Mr. Dillender said he didn't know why we needed 621 at all. Mr. Blake said it gave other options to develop the land. Mr. Blake said Section 621 came about from the fact that there was a lot of information that was not known. Mr. Jack Kruesi expressed his feelings about these changes in the zoning ordinance. He said he would like for the Town to leave enough flexibility for the landowners. Councilmember Linehart said he appreciated the comments of the landowners. He said he had no analysis of what the impact of the high school would have. He said he thought it was dangerous to wait until 2008 to see what happens. He said there was growth further on out the mountain with fewer restrictions than the Town has. Councilmember Linehart said the Town just doesn't have any neighborhoods on the mountain with three units per gross acre. He said he was concerned about what it would look like. He said he believed the high school would create a demand. Councilmember White asked if 2.7 was a better number.

Mayor Leonard said he knew initially Councilmember Linehart had some questions about Section 621. He said he wanted to make sure all questions were answered. He said he thought the plans for Section 619 and 621 a developer only had to go to the Planning Commission but in order to use Section 619 or 621, the property had to be rezoned first. They have to go to the Council to be rezoned.

Ms. Rennich said someone could come in with ten acres and ask for rezoning for Low-Density Residential development. Councilmember Linehart said a person could request the rezoning to LDR on 25 acres and then sell off all 25 acres to a developer who might come back in with Section 619 or 621 and would have to go to Planning Commission. Mr. Noblett said if that was a concern, they could make them come before the Council. There would be a recommendation to the Council by the Planning Commission and the Council would pass the zoning. Councilmember Linehart said if they voted no, there would be no overruling. Mr. Noblett said the Council would have the ultimate authority. Mayor Leonard said it had a control measure. He asked if a developer presented a site plan to the Commission and they turn him down, would he have recourse to go to Council and say they turned him down and he would like appeal to the Council as the ultimate authority. Mr. Noblett said only if it were a legislative act that was required. Otherwise they could go to court and sue the Planning Commission. Mr. Saieed said the court would look at the Town's rules and regulations. The Mayor asked Councilmember Linehart if he had any other questions. He said he would like to recap some of the questions. Councilmember White said Mr. Moon had made him comfortable about all the tools being utilized and not honing in on one thing.

Mayor Leonard asked if there were a big enough change in the document, would the Council go back to a first reading. If not, does the Council pick up and go to a second reading. Mr. Saieed said the Planning Commission could not do anything unless there was a completed document. Councilmember Linehart said he would quickly summarize. He said on page 7 of the worksheet, Section 618, on the PUD he said he would like to see it changed from two acres back to five acres. He said on page 8, Section 619, he thought the no buffer requirement stated seemed like it would make sense to have a buffer. There should be some type number, maybe 50 feet or something, on page 8 also. Under 619, minimum lot size, page 9, someone mentioned the idea of increasing the minimum square footage for lot size or decreasing the number of units per acre. There was a discussion of the percentage of open space—25 percent versus 35 percent, gross or net. This was discussed on page 10. Councilmember Linehart said on Section 621, page 15, either increase the lot size from 9600 square feet to something greater and/or reduce the lots from 3 gross units per acres to something less than that, or perhaps use net acre instead of gross acre. Mr. Noblett said Section 620, page 13, 5 acres in size should be looked at also.

Mr. Saieed discussed the next meeting for the Planning Commission. Wednesday, June 28, 2006, was suggested for the next meeting at 7 p.m. in the Town Hall. Mr. Saieed thanked the Town Council for meeting with the Planning Commission.



William O. Leonard, III, Mayor



Recorder

Acting Recorder

## RESOLUTION NO. PC 2006-2

A RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO AMEND THE SIGNAL MOUNTAIN ZONING ORDINANCE REGARDING THE SHACKLEFORD RIDGE OVERLAY ZONE AND RECOMMENDING THAT THESE CHANGES BE APPROVED BY THE SIGNAL MOUNTAIN TOWN COUNCIL.

---

WHEREAS, pursuant to Article XVIII of the Signal Mountain Zoning Ordinance, standards, restrictions, and boundaries set forth in these regulations may from time to time be amended, supplemented, changed or repealed; and

WHEREAS, the Signal Mountain Planning Commission has participated in work sessions over the past seven (7) months in reviewing current language and to provide recommendations and changes to the Signal Mountain Zoning Ordinance due to proposed sewer line development in connection with the Signal Mountain High School which is scheduled to begin during the summer of 2006 and which will result in sewer line connections which may be available for future development adjacent to Shackleford Ridge Road; and

WHEREAS, the Planning Commission has determined that an overlay zone for a specific area adjacent to Shackleford Ridge Road is the only projected area for sewer line extension in the foreseeable future and that zoning restrictions should be revised within the overlay zone boundary but not throughout the Town due to the available infrastructure improvements; and

WHEREAS, the Planning Commission has determined that lot size reductions and additional design options for development are in the interest of the Town of Signal Mountain due to the

availability of sewer connections and that certain additional design option regulations should be included which are set forth in this resolution proposing certain amendments to the Town Zoning Ordinance pursuant to T.C.A. §§ 13-4-104 and 13-7-204.

NOW, THEREFORE, BE IT RESOLVED that the Town Attorney is hereby authorized to amend the Signal Mountain Zoning Ordinance regarding the Shackleford Ridge Overlay Zone and the following changes are recommended to be made to the Signal Mountain Zoning ordinance by the Town Council as follows:

**618.04. Shackleford Ridge Low Density Residential.**

Should the Shackleford Ridge Low Density Residential zone have a minimum development site requirement of 5 acres for any planned unit development as required within Section 603.04 of the Signal Mountain Zoning Ordinance?

- Yes     - No

**618 Shackleford Ridge Low Density Residential Zone.**

Do you recommend the amendments to the Shackleford Ridge Low Density Residential zone for lots connected to sewers as amended by the changes to this resolution?

- Yes     - No

**619.02 Shackleford Ridge Open Space Design Option.**

- (a) Should the Shackleford Ridge Overlay Zone Open Space Design have a similar buffer requirement from wetlands, surface waters, creeks, streams, springs, lakes and ponds and from steep slopes exceeding 15% as required in 616.F (c) of the Signal Mountain Zoning Ordinance?

- Yes     - No

- (b) Should the Shackleford Ridge Overlay Zone Open Space Design have a buffer requirement of 100' or 50' from the public street right of way as required in 616.F (d) of the Signal Mountain Zoning Ordinance?

*30' from public street right of way*  
 - Yes     - No

619.05(4) Shackleford Ridge Open Space Design Option.

- (a) Should the minimum lot size in Section 619.05(4) of the Shackleford Ridge Open Space Design Option be increased from 7,500 square feet to 10,900 square feet?

- Yes     - No

- (b) Should the maximum density of the Shackleford Ridge Open Space Design Option in Section 619.05(5) be reduced from four (4) dwelling units per acre of gross development area to three (3) dwelling units per acre of gross development area?

- Yes     - No

619.05(14). Shackleford Ridge Open Space Design Option

Should the ~~twenty-five (25%)~~ <sup>thirty-five (35%)</sup> area set aside as open space ~~exclude road right of ways?~~ <sup>25%</sup>

- Yes     - No

619 Shackleford Ridge Open Space Design Option.

Do you recommend the amendments to the Shackleford Ridge Open Space Design Option as amended by the changes to this resolution?

- Yes     - No

620.03.02. Shackleford Ridge Planned Unit Development.

- (a) Should the Shackleford Ridge Planned Unit Development minimum development site requirement of 2 acres be increased to 5 acres as required in Section 613.03.02 of the Signal Mountain Zoning Ordinance?

- Yes     - No

- (b) Should the Shackleford Ridge Planned Unit Development be required to have ~~50 feet of road frontage as required by Section 613.03.04 of the Signal Mountain Zoning Ordinance or some reduced road frontage to be recommended by the Planning Commission?~~

- Yes     - No

620 Shackleford Ridge Planned Unit Development.

Do you recommend the amendments to the Shackleford Ridge Planned Unit Development section as amended by this resolution?

- Yes     - No



Date: June 20, 2006

NAME	ADDRESS
1. Tom TURNER	507 BOULDER Pl. S.W.
2. Patti Marsden	88 Carriage Hill
3. Jay Bell	1838 Cotter Rd
4. Jerry Robertson	115 River Pt Rd,
5. SUSAN ROBERTSON	115 RIVER Pt Rd.
6. Sis Moygan	106 Florida Ave.
7. Larry <del>Robson</del>	5 Charles Ct.
8. Mary Seay	119 River Pt. Rd. Signal Mtn
9. Ann Evans	1179 James Blvd Signal mtn
10. Charles Smith	105 Druid Dr. S.M.
11. Melanie Lindgren	3809 Windten Dr. Signal mtn
12. David R Hester	310 James Blvd.
13. Dave Evans	1179 James Blvd
14. Claire Grisinger	40 Carriage Hill
15. Ed Seay	" "
16. Corinne Giagnorio	57 Carriage Hill
17. Debbie Fassino	125 Arrow Dr
18.	
19.	
20.	
21.	

Date: June 20, 2006

NAME	ADDRESS
1. Olga Satterfield	#3 Primrose Circle, Signal MO 10.
2. Tom BAIRD	2020 CORRAL Rd, SM 37377
3. Greg Goodgame	1112 Glaris Circle
4. J. Kelly	115 Palisade Dr.
5. Tim HERN	8 ST. IVES WAY
6. Mary Decosimo Aho	109 Strathford Way
7. Mary Hooten	1150 James St. & Sycamore Mt.
8. Fran Decosimo	5500 Lumber Field Lane
9. Helen E. Chappell	203 Raven St.
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	
21.	