

A MEETING OF THE SODDY-DAISY
MUNICIPAL PLANNING COMMISSION
WAS HELD ON WEDNESDAY,
MAY 14, 2008 AT 12:00 NOON.

MEETING CALLED TO ORDER BY:
CHAIRMAN ORR

MEMBERS PRESENT:
CHAIRMAN ORR
VICE-MAYOR MULKEY
COMMISSIONER PENNEY
COMMISSIONER RICHIE
COMMISSIONER SKILES
MAYOR PRIVETT
REC. SEC. DOLBERRY

MEMBER ABSENT:
SECRETARY MILLER

Chairman Orr stated that in the absence of the Secretary Miller he would appoint Commissioner Penney as secretary if the commission had no objection. There was none.

Chairman Orr also stated that the agenda needed to be amended to delete subsection C as there would be no election of officers.

The minutes of the meeting held April 9, 2008 were approved as presented.

OLD BUSINESS:

FINAL PLAT - 12209 POSEY HOLLOW ROAD, LOTS 2, 4, AND 5, HILL'S ADDITION TO
THE PLANTATION, TOM CULPEPPER.

David Copp, Copp Engineering, was present on behalf of the request. He stated that the plat requires sewer extension and that he has had several discussions with Hamilton County Water and Wastewater Treatment Authority concerning this. He said that the WWTA states that the sewers have to be installed in the center of the road and that they are proposing to place them in the right-of-way. He said that Posey Hollow Road was just recently paved, that the sewer extension will only service these three lots and therefore, they feel the line can be put in the right-of-way with little or no damage to Posey Hollow Road. Mayor Privett stated that he was under the impression that Copp Engineering had applied for a variance with WWTA. Mr. Copp stated that he had not. Mayor Privett stated that the City does not want the sewer in the road either. He said that the City Manager and Public Works Director also agreed that the sewer should not be in the road. He stated that he felt the plat could be rolled until such time as the plat is signed by the WWTA. Mr. Copp stated that he had numerous conversations with Amber, WWTA, concerning this job, but she is no longer employed by WWTA. Chairman Orr questioned why WWTA would have so much say in the installation of sewers in Soddy-Daisy. Mayor Privett stated that in 1992-93 the City turned the ownership, installation and maintenance of the sewers over to WWTA. He said there was a verbal agreement with Mike Howard, WWTA, prior to his death that the WWTA and the City would share 50/50 in the repair of the roads where sewer lines had been installed. He said that the WWTA reneged on this agreement. The City recently spent \$400,000 on repairs which are almost complete. He said that he feels the sewers should be installed out of the road where possible.

- 1st - Mayor Privett to roll this item indefinitely until an agreement can be reached
between WWTA, the City and the developer as to sewer location.
2nd - Commissioner Richie
Ayes - Unanimous

REVISED PLAT - 10715 SHERI PLACE LANE AND 10637 DAYTON PIKE, LOTS 6 AND 8,
SHERI PLACE SUBDIVISION, GEORGE LUTTRELL AND JEFFEREY
CHASTAIN.

Chairman Orr noted that the surveyor had requested that this item be rolled to the June meeting.

NEW BUSINESS:

FINAL PLAT - 11319 DAYTON PIKE, LOTS 1 & 2, NEWMAN PROPERTY, ANDRE'
NEWMAN.

David Copp, Copp Engineering, and Andre' Newman were present. Planner Shults stated that the purpose of the plat is to combine five lots into two.

- 1st - Mayor Privett to approve
- 2nd - Commissioner Skiles
- Ayes - Unanimous

ACCESS CONTROL - 11319 DAYTON PIKE, LAKEVIEW CONDOS, ANDRE' NEWMAN.

David Copp, Andre' Newman, Morris Hutson, developer, and Scott Wright, architect were present on behalf of the request. Chairman Orr read a variance request from David Copp, Copp Engineering, for two driveways off of Ducktown Street to Lakeview Condominiums.

- 1st - Mayor Privett to approve the variance request
- 2nd - Commissioner Penney
- Ayes - Unanimous

Chairman Orr stated that although Ducktown Street is a City street he did not feel that it is wide enough for this type of development and asked if the developer would be willing to widen the pavement on Ducktown Street an additional 5 feet from Dayton Pike to the upper driveway to the development. Mr. Copp stated that he felt that the additional 5 feet would push the development back five feet which would cause setback difficulties. Chairman Orr stated that he was not requesting that the right-of-way be widened, but that the pavement within the existing right-of-way be widened 5 feet as the road is narrow up to McGill Road. Mr. Hutson requested widening the road on the north side as they are so close now with leaving room for their proposed drainage. Chairman Orr stated that this would be expensive as this side of Ducktown drops off. Mr. Newman stated that he did not feel this would be possible on his side of the road. Chairman Orr again reiterated that he was suggesting widening the pavement only. Mr. Hutson requested a 5 minute recess to discuss the matter with his surveyor and architect. The recess was granted. Mr. Copp stated that Scott Wright, architect, was suggesting the widening on the north side of the property to create a 90 degree angle at Dayton Pike. Mr. Newman said that his property line currently is almost on the pavement now. He did not feel that he could give any additional property. Mayor Privett questioned the width of the existing pavement. Mr. Copp stated it is approximately 20 feet in width possibly 22 feet. Chairman Orr again stated that the right-of-way is 40 feet and requested that the pavement be widened an additional 5 feet on the south side of Ducktown at the developer's expense. Mr. Copp stated that the water and sewer are in the pavement and when extended the pavement will be torn up anyway. Mr. Hutson stated that when he first submitted his request it was based on 71 units and now he is proposing 54 units as his architect, Scott Wright, had incorrectly interpreted the Zoning Ordinance. Mr. Hutson stated that he is willing to make the adjustment of adding the additional pavement as time is of the essence. He said that Shelton Construction will be doing the excavating and demolition on the site. Mr. Hutson stated that he had been approved for 71 units when he requested zoning and once he begins the excavation and widening of the pavement, he may request another zoning change and site plan amendment. He asked the commission to approve this. Chairman Orr stated that no such approval had been given. He stated that the zoning request had been approved, but that was all. He said that someone in the audience had questioned the number of units proposed and Mr. Hutson had estimated approximately 71. Chairman Orr stated that the Commission cannot give approval for a later development, they can only vote on what is before them today. Planner Shults stated that Hamilton County and City of Chattanooga's interpretations of the ordinance are

that concrete patios can encroach into the setback, but that Inspector Grant states that even the patios must meet setbacks. He also stated that the buildings must be 20 feet apart. Hutson stated that these requirements cost him additional units and he failed to realize that the City also has an R-3MD zone. Chairman Orr reiterated that the number of units were never approved only the zoning change. Mayor Privett stated that zoning requests are based on the concept of the development and not the number of units. Once zoning is approved the site plan is subject to all the regulations of that zoning district. Planner Shults stated that even if the zoning is changed to R-3MD it does not mean that Mr. Hutson can develop 71 units, the development will still have to meet all the regulations. Scott Wright said that Inspector Grant interprets the ordinance different from Hamilton County and Chattanooga City and this affected the number of units. Planner Shults stated that the number of units was not affected just by the patios, but by the building setbacks and spacing between them, among other items. Chairman Orr and Mayor Privett stated that they cannot overrule Inspector Grant.

- 1st - Mayor Privett to approve the access control subject to the developer widening the pavement of Ducktown Street an additional 5 feet from Dayton Pike on the south side of Ducktown Street to the upper most western driveway of the development.
- 2nd - Commissioner Richie
- Ayes - Unanimous

SITE PLAN - 11319 DAYTON PIKE, LAKEVIEW CONDOS, ANDRE' NEWMAN.

Mayor Privett stated that the Fire Chief had requested a hydrant be installed at the south end of the development and this is not shown on the drawing. He stated that the Fire Chief requires hydrants based on type of development and distance between hydrants as these regulations must be met to comply with ISO requirements. Chairman Orr questioned the drainage of the north end of the parcel and how much is draining into the 24" pipe. Mr. Copp stated that there are 3 out falls picking up the rear drainage of the lots behind the development and that all the pipes are existing. There will be no new cuts. Recording Secretary Dolberry questioned if the stormwater department had reviewed the site plan. Mr. Copp stated that they had not, but that stormwater drawings would be submitted to them. It was noted that several items were still missing from the site plan. Recording Secretary Dolberry was asked to read a list of the items missing from the drawing and to provide Mr. Copp with this list after the meeting. Planner Shults stated that the missing items needed to be added to the drawing prior to the secretary's signature if approved. He stated that any other changes would require a new site plan submittal. Mayor Privett asked Mr. Hutson if the plan is approved today, when will construction begin? Mr. Hutson stated that he estimated starting in 45 days. Mr. Hutson stated that the bank requires approval of the site plan prior to approving the loan. Mayor Privett asked Mr. Copp when he could have the missing items added to the drawing. Mr. Copp stated this could be done today.

- 1st - Mayor Privett to approve subject to the amendments as read by Recording Secretary Dolberry being added to the drawing and the drawing returned to City Hall by the close of business today for the secretary's signature.
- 2nd - Commissioner Richie
- Ayes - Unanimous

ADJOURNED 1:05 P.M.

REC. SEC. DOLBERRY