

Monteagle Regional Planning Commission
Tuesday May 17th, 2022, 6:00pm CST

Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356

Agenda

- Iva Michelle Russell, Chairman
- Richard Black, Vice-Chairman
- Janet Miller-Schmidt, Secretary
- Ed Provost Dorraine Parmley
- Peter Beasley Marilyn Rodman, Mayor

I. Call to Order

II. Approval of Previous Meeting Minutes

A. April 5th, 2022

III. Staff and Community Reports

A. Planning Staff Report

a. Sandra Scott Minor Subdivision

b. Ladd-Central Avenue Minor Subdivision #2

B. Building Inspector's Report

IV. Old Business

A. New Website Information (Secretary Miller-Schmidt)

B. Joint IDA-IES Model Lighting Ordinance (Mayor Rodman & Nate Wilson)

V. New Business

A. Convenience and Retail Store (740 W Main Street)

B. Zoning Text Amendment – Adding apartments as residential land uses in C-2 (Dean Lay)

C. Request to Rezone R-1 to R-4 (Tom Kale)

D. Request to Rezone 355 Wells Street I-1 to R-4 (John Adams)

VI. Hearing of Persons Having Business Before the Commission

VII. Adjournment

Next Regularly Scheduled Meeting: June 7th, 2022

**MINUTES
MONTEAGLE REGIONAL PLANNING COMMISSION
APRIL 5, 2022
6:00 PM**

PRESENT: **CHAIRMAN, IVA MICHELLE RUSSELL
MARILYN RODMAN
DORRAINE PARMLEY
PETER BEASLEY
RICHARD BLACK
ED PROVOST**

ABSENT: **JANET MILLER-SCHMIDT**

The regular meeting of the Monteagle Regional Planning Commission was called to order by Chairman Russell. After roll call Mr. Beasley made a motion to approve the minutes of March 1, 2022 and the special meeting. Mr. Provost seconded the motion and it passed 6/0.

STAFF AND COMMUNITY REPORTS

Staff approved the final plat for Mr. Dean Lay

BUILDING INSPECTOR'S REPORT

Mr. Earl Geary discussed homes built by mobile home dealers. They have to have a red decal on these homes. He also discussed tiny homes and modular homes. He discussed a check list and that he gets a lot of calls. The Mental Health on second street are adding 10 rooms to the back of the building. Mr. Ed Provost made a motion that prior to the vote of the commission the citizens and the planning commission members can discuss what is being voted on. Mr. Richard Black seconded the motion and it passed unanimously 6/0.

**MINUTES
PC MEETING
APRIL 5, 2022
Page Two**

OLD BUSINESS

New Website information is ok

Joint IDA-IES Model Lighting Ordinance – This was tabled.

NEW BUSINESS

Agricultural Zoning Ordinance Discussion – There was discussion and they don't want to rush into anything. This will be discussed at the Town Hall meeting on April 19, 2022.

Site plan requirements – There was discussion on site plan requirements. Water and sewer and impact fees are recorded on the site plans.

There will be a 30 minute workshop before all meetings.

Persons Having Business

Mr. Nate Wilson asked about the lighting plan. Mr. Tim Trahan asked about new signs and if that has to go before the PC board. Mr. Earl Geary stated that only new development has to go before the PC and is reviewed by SETDD and he would review as well. Someone asked if a house could be built at the back of Cooley's in the C-2 zone by the Farm. This will be discussed at a later date.

There being no other business the meeting adjourned at 6:45 pm. Motion by Mr. Beasley and seconded by Mr. Provost 6/0.

Monteagle Regional Planning Commission Minutes

Tuesday, April 5, 2022, 6:00 PM CDT

*Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356*

Prior to the regular meeting of the Monteagle Regional Planning Commission a public workshop was held. At the workshop, Commissioner Provost made a motion, seconded by Commissioner Black. The motion was to have a public workshop at least 30 minutes before each regularly scheduled Monteagle Regional Planning Commission meeting. Chairman Russell queried the commissioners on the motion. The motion passed.

I. Call to Order

Iva Michelle Russell, Chairman, called the meeting to order at 6:00 pm CDT. Ms. Russell called roll: Richard Black, Vice Chairman, Dorraine Parmley, Ed Provost, Peter Beasley and Mary Marilyn Rodman responded as present. Annya Shalun, SETDD was present. Janet Miller-Schmid, Secretary was absent.

II. Approval of Previous Meeting Minutes

A motion by Mr. Beasley to approve the minutes of the March 1, 2022, meeting and the Special Called Meeting minutes of March 22, 2022, as distributed was seconded by Mr. Black. The motion passed.

III. Staff and Community Reports

- A. Ms. Shalun reported that Dean Lay's minor subdivision plat has been approved.
- B. Town Building Inspector, Earl Geary reported he had more information regarding Manufactured Homes including definitions.
 - 1. All Manufactured Homes must meet HUD and Federal requirements. Single and double wide must have a decal which includes the Serial Number of the home placed inside the home by the installer. The Decal is usually placed inside a kitchen cabinet door.
 - 2. Clayton Mobile Homes do not meet these requirements. The Clayton Homes are Tiny Homes which are regulated as strictly recreational vehicles.
 - 3. A. Modular Home is constructed from scratch and for a specific zone. Monteagle modular homes will be built for 4A zone with specific wind force and snow load requirements. (90pmh winds and 10# snow load).
 - 4. Mr. Geary has received 2 calls regarding the zoning and building on a large piece of property next to Cooley's Rift. The question was whether or not a pole barn could be built as a shop and then a house could be built later. Mr. Geary has indicated that on a single piece of property, "no two separate buildings may be built." Mr. Geary is concerned that perhaps the plan would be to build the pole barn and then live in it. The second caller asked if a pole barn could be built and divided into two sections, a section for equipment and a section to live in. Mr. Geary suggested the property might be subdivided to accommodate two structures, which would have to be determined by the Planning Commission.
 - 5. Mr. Geary said several things are not going to go away: interest in building tiny homes, agritourism and accessory buildings and the commissioners need to be aware of zoning.
 - 6. Mr. Geary received a call regarding the Mental Health facility near the Monteagle rest home. Ms. Shalun mentioned to the Commissioner's the property is protected by state law because it is a commercial enterprise.
- C. Mayor Rodman told the commissioners there have been more commercial land in the Monteagle area sold in the past few months than ever. Interest has been expressed in Tiny Home development in and R-1 Zone and one is outside the city limits. Mr. Geary said there is interest in an RV park which is outside the limits near Wells Road. Ms. Russell explained, we need to be concerned about water and sewage for any development.
- D. Mr. Provost made a procedural motion: The motion is that prior to any vote by the commissioners, there will be an open discussion. The motion was seconded by Mr. Black. The commissioners vote to approve the motion.

IV. Old Business

- A. **New Website Information (Secretary Miller-Schmidt)**

Mr. Geary said that as the document has been presented it may be posted and that any changes required would easily be made. It will be post on the Monteagle website.

Discussion regarding many possible changes in zoning and all of the requests for large parcels of land use. Both Mayor Rodman and Ms. Shalun suggested going slow to make sure we get it right.

B. Joint IDA-IES Model Lighting Ordinance (Mayor Rodman)

Mayor Rodman deferred to Councilman, Nate Wilson. Mr. Wilson mentioned there are two things to consider: commercial lighting and residential lighting. New development will be required to meet the guidelines once it is fully adopted. Residential lighting has two components: is the Light facing the residence or is it facing the street? If the light is facing the residence, the home owner must take care of the problem, if it is facing the street the town will handle the situation. However, everyone should consider being a “Good Neighbor”.

Lighted Signs were discussed as well. Mr. Geary said new commercial signs go to the Building Inspector but any brand-new development signage must go through the planning commission.

V. New Business

A. Agricultural Zoning Ordinance Discussion (SETDD Staff)

Ms. Shalun told the commissioners the survey had response from the commissioners regard the allowance of agriculture in the town limits. The majority of those responding felt the 50 acres or more should be considered for agriculture. Since there is only one property of that size in the town limits the zoning which is in the current ordinance is appropriate. However, should the Commissioners feel a change should be made, the commission would need to recommend the change to the Town Council for consideration. Ms. Russell noted there is a plan for animals to be placed on property next to the museum and that property is 36 acres. Mr. Provost said we need a consensus and we do not want to throw away anything that may be important and a lot of work must be done regarding Agriculture in town limits.

B. Site Plan Requirements (Commissioner Provost)

Mr. Provost said the site plan guidelines will be reviewed at the workshop before the next Monteagle Regional Planning Commission meeting. Ms. Shalun presented the commissioners with a document for them to review before he workshop, highlighted areas in the document are not already included in the Town Zoning Ordinances. The last page of the document is a checklist for signatures of the Water & Sewer Department, the Police, The Fire Department and others. Ms. Russell mentioned the Commission has to be concerned with Water and Sewage. Mr. Provost asked that site plans included capacity for water and sewage. Mr. Wilson asked who signed off on Water & Sewage. Mr. John Condra, Water & Sewage Department Head signs for water and sewage.

VI. Hearing of Persons Having Business Before the Commission

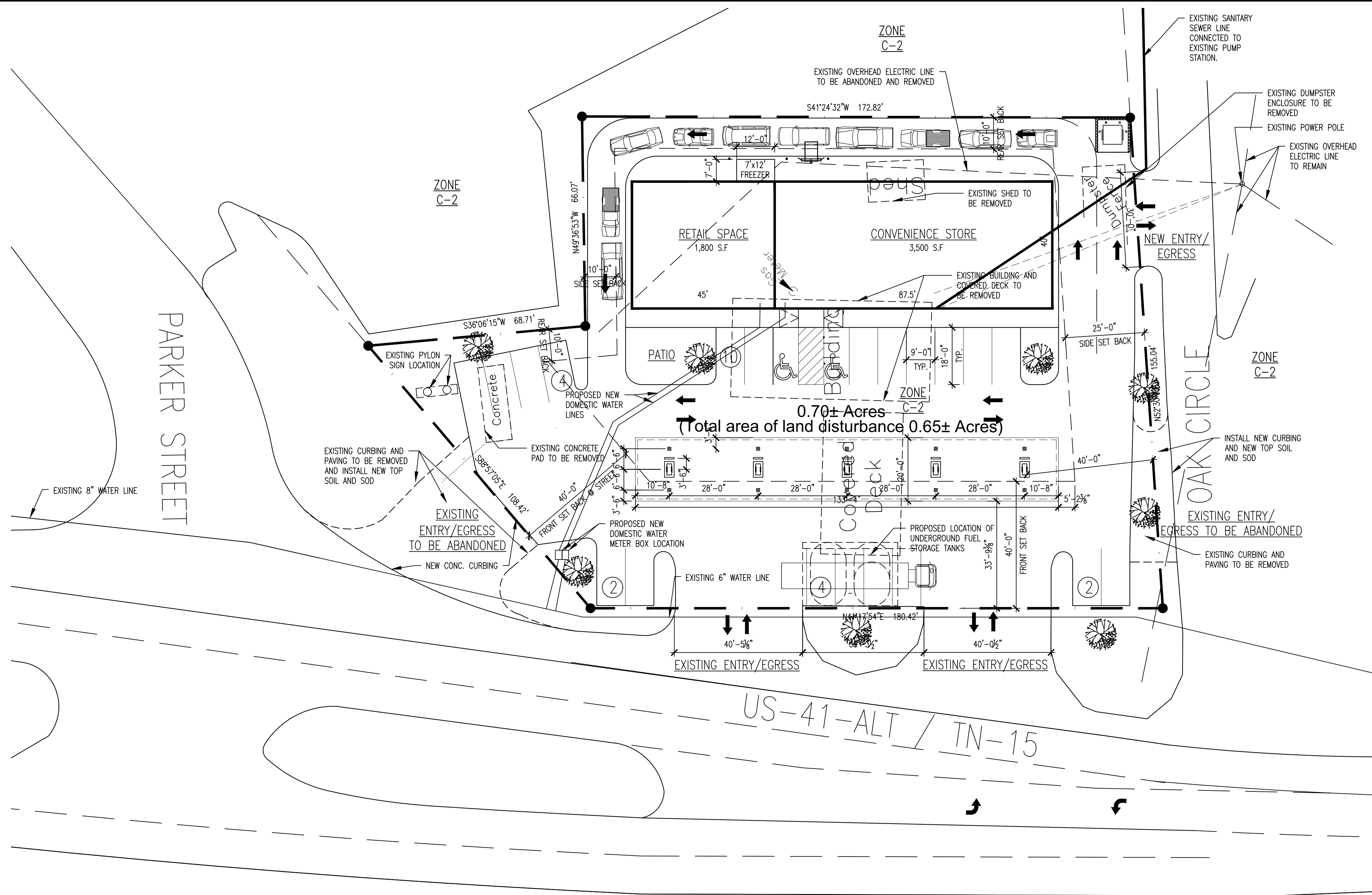
- A. **Tim Trahan (Country Mart) asked for a further clarification regarding signage. What about Neon sign?** Mr. Geary and Mayor Rodman explained the only neon signage the commission has dealt with recently has been with RBT.
- B. Mrs. Sparacio asked about building a house(home) on their property which is zoned C-2 not agriculture. Ms. Russell, explained there will need to be a permit to build a home on that property. Further information for Mrs. Sparacio will need to be determined with the aid for SETDD and the Commission.

VII. Adjournment

A motion by Mr. Beasley, seconded by Mr. Black was made to adjourn the meeting. The meeting was adjourned at 6:58 P.M. The next regular meeting will be May 3, 2022 at 6:00 P.M.

Iva Michelle Russell, Chairman

Janet Miller-Schmidt, Secretary



CONTACTS:

OWNER:
 Name: Jignesh Patel
 Address: P.O. Box 436
 Tracy City, TN. 37387
 Phone: (423) 322-9945 Cell
 Email: jignesh86@gmail.com

24 Hr CONTACT - ARCHITECT:
 Name: Pat Neuhoff
 Address: 699 Dallas Rd. Suite 1
 Chattanooga, TN. 37405
 Phone: 423-265-3272
 Cell: 423-605-6093
 Email: Pat@neuhofftaylor.com

Surveyor:
 Name: Michael A. Barry
 Address: 3001 Jump Off Mountain Rd,
 Sewanee, TN, 37375
 Phone: 931-592-0314
 Email: michaelabarry@bellsouth.net

PARKING SUMMARY

PARKING REQUIRED AT (1) SPACE PER 250 S.F. OF RETAIL SPACE = 14 SPACES PLUS (1) SPACE PER 100 S.F. OF RESTAURANT SPACE = 18 SPACES = 32 SPACES REQUIRED
 PARKING PROVIDED = 22 SPACES + (10) PUMP SPACES = 32 PROVIDED

Certificate of Zoning Compliance

This site plan and the development shown hereon has been found to be in compliance with all applicable standards of the Monteagle Zoning Ordinance and was approved by the Monteagle Regional Planning Commission on the date indicated.

Secretary, Monteagle Regional Planning Commission _____ Date _____

Landscaping Guarantee

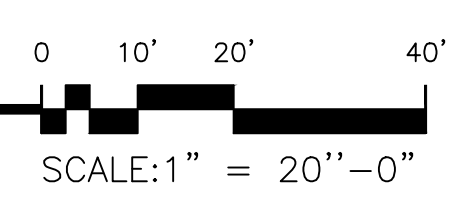
I (we) hereby guarantee to the Town of Monteagle that the plant materials shown on this site plan will be maintained after issuance of the final certificate of occupancy. Any plant material that dies or is damaged will be replaced in the next appropriate planting season with equivalent material. If this property is sold, this guarantee will become the responsibility of the new owner(s).

Owner _____ Date _____

Flood Plane:
 Site is located in Flood Zone "X" per FEMA map 47115C0080C Eff. Date 2-4-2009
 Min. Flood Hazard.

Located in the Fifth Civil District of Marion County, TN in the Town of Monteagle as shown on Tax Map 22H being Parcel 008.00. Prior and Last Deed Reference : Book 471 Page 1690.

SITE PLAN
 1"=20'-0"

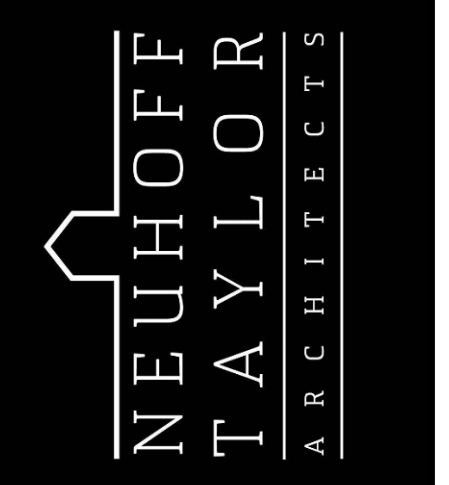


NOTE:
 ALL EXISTING AND PROPOSED SEWER SYSTEM, WATER SERVICE, DRAINAGE PLAN AND GRADING ARE EXISTING ON SITE AND WILL BE REVISED AS REQUIRED WHEN CIVIL WORK HAS BEEN FINALIZED.

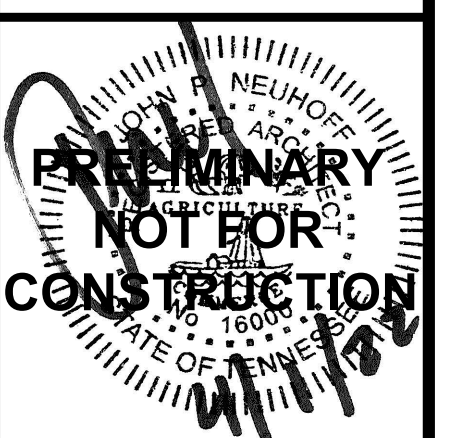
LANDSCAPE SCHEDULE		
	SUGAR MAPLE	MIN 2" CALIPER MEASURED AT 30" ABOVE BASE OF TREE AT GRADE LEVEL

REVISIONS	BY

699 DALLAS ROAD
 CHATTANOOGA, TN 37405
 (423) 265-3272
 FAX (423)266-5502



A NEW DEVELOPMENT FOR MONTEAGLE MARKET
 740 WEST MAIN STREET
 MONTEAGLE, TENNESSEE



PROJECT NO. 21-66	DISK FILE NO. 2166
DRAWN	CHECKED
ISSUED FOR CONSTRUCTION	
DATE	
DRAWING NAME	
SITE PLAN	
SHEET NO.	

SP1.1



Southeast Tennessee Development District
Community Development
P.O. Box 4757 | 1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781 Fax: (423) 267-7705
www.sedev.org

STAFF REVIEW

To: Town of Monteagle Regional Planning Commission
From: Annya Shalun, Regional Planner
Date: 5/4/2022
Subject: Site Plan for the Convenience and Retail Store (740 W. Main Street)

Summary

A site plan for a convenience, retail, and gas station on 740 W. Main Street, next to the Hardee's was sent to planning staff on April 1, 2022 by Neuhoff Taylor Architects. The property is currently owned by Jignesh Patel. The 0.70 acre parcel is located in the C-2 zone, surrounded by C-2 properties. The convenience and retail space will equal 5,300 square feet, as shown in the original site plan. Staff sent back their edits on April 5th. The initial site plan was missing a lot of information regarding access points, landscaping, parking, and overall site plan requirements (such as sewer, utilities, and drainage plans). A second site plan was submitted on April 20th and a second evaluation was sent back to the architects the same day. A third site was submitted on April 21st. A third evaluation was sent back on April 25th. A fourth site plan was submitted on May 2nd, and staff responded with their evaluation on May 4th. This is the final evaluation before the May 17th meeting.

- **OVERALL:**

- The incorrect Tax Map is shown on the site plan. The correct Tax Map is 022I A 008.00.
- Topography of existing ground and paved areas and elevations of streets, alleys, utilities, buildings, and structures are required. When required by the Planning Commission, 5-foot contours shall be shown.
 - It's best if the topography, existing buildings, sewer, water lines, etc. are shown on a separate sheet.
- Plans for collecting stormwater and methods of treatment are required.
- Grading and drainage plans including any existing and proposed slopes, terraces, and retaining walls are required to be shown. These elements should be reviewed by Monteagle's utility and building inspection staff.
- Staff recommends showing each of the following on separate sheets to retain clarity of the material for review:
 - Topography
 - Stormwater collection and methods of treatment
 - Grading and drainage plans

- **ACCESS POINTS:**

- A TDOT Highway Entrance Permit will still be required to address access to the State's right-of-way. Staff has asked for an email from TDOT confirming that the number of access points and their widths are within State of Tennessee requirements.

- **PARKING:**

- The "retail space" appears to have a drive through, which is typical of a restaurant, which requires different parking requirements. For office, commercial, and retail uses, one space per 250 square feet. Restaurants request one space per 100 square feet of dining room floor area, **plus one space for every two employees.** Please label the "retail space" as "restaurant" and show the number of expected employees in order for us to determine the amount of required parking spaces.
- Section 610 – Design of Parking Lots requires that any parking lot with 20 or more spaces shall provide landscaped islands or bioretention basins equal to 10% of the total paved surface area. Furthermore, one Class I or Class II shade tree shall be planted for every 250 square feet of landscaping required under this section.

610 Design of Parking Lots

In general, parking lots should be designed to break up the expanse of asphalt, provide shade, and reduce glare and heat from vehicles. The following specific requirements shall apply:

- A. In all parking lots, no parking space shall be more than 60 feet from a tree.
- B. For parking lots with 20 or more spaces, landscaped islands or bioretention basins equal to 10% of the total paved surface area shall be provided. These landscaped areas shall be distributed throughout the parking area with the configuration presented to the planning commission on the site plan for approval.
- C. One Class I or Class II shade tree (see **Section 708**) shall be planted for every 250 square feet of landscaping required under this section. Such required trees shall be planted in the landscaped islands and/or around the perimeter of the parking lot in the fulfillment of **subsection (A) above.**

- **LANDSCAPING:**

- 10' street yard is required to be shown.
- Landscaping for all new development is required to be shown. If the existing landscaping is to be counted towards the required 20%, **please show the calculations confirming this.**
- It's possible that an alternative landscaping plan may be approved by the Planning Commission if it is deemed that the existing site conditions or the nature of the proposed development make it impractical or impossible to comply with the strict landscaping provisions of the zoning ordinance. The only requirement noted for an alternate landscaping plan is that the proposed arrangement of landscaping elements complement the building façade, enhance the public viewshed, and advance the goals of Section 701. See below for reference:

710 Alternate Landscaping Plan

The Town of Monteagle recognizes that existing site conditions or the nature of a proposed development may make it impractical or impossible to comply with the strict landscaping provisions of this ordinance. In such cases, the planning commission is authorized to approve an alternate landscaping plan, provided that the proposed arrangement complements the building façade, enhances the public viewshed, and advances the goals of **Section 701.** The planning commission may impose conditions it deems necessary when approving alternate landscaping plans to ensure the spirit and intent of this ordinance is fulfilled. Alternate plans shall be submitted in accordance with **Section 710.**

701 Landscaping Goals

The goals of the landscaping requirements of this chapter are: to promote the scenic quality of the community; to protect and improve the environment; to ensure the stock of native trees and vegetation is maintained and replenished; to improve the appearance of parking areas and property; to provide relief from vehicles, traffic, noise, heat, glare, and lighting; to reduce stormwater runoff, improve water quality, and reduce soil erosion; to protect and enhance property values; and to provide transition between incompatible land uses.

- If the applicant chooses to utilize section 710, a note needs to be included on the site plan that this is to be considered an alternate landscaping plan. The Planning Commission will then need to decide whether or not the landscaping elements complement the building façade, enhance the public viewshed, and advance the goals of Section 701.
 - Staff has asked for an email from TDOT confirming that landscaping elements can be placed in the TDOT Right-of-way.
 - See chapter 7 of the zoning ordinance for landscaping requirements.
- **NEXT STEPS:**
 - The applicant has indicated that the signage plan will come later with the final civil drawings. This is allowable under the Town of Monteagle's zoning ordinance.

906 Sign Permit Requirements

- A. Permit required. Unless specifically exempted by Subsection (E) below, no temporary or permanent sign shall be placed, replaced, constructed, erected, altered, or displayed within the Town of Monteagle, regardless of the type, quantity, location, material, or size, without first obtaining a sign permit. Application for a sign permit shall be made by completing the required form and paying the required fees.
- B. Review and approval by planning commission. New and replacement signs at projects for which a site plan or subdivision plat is required shall have the sign design presented at the time of site plan or plat approval, or prior to sign construction, for review and approval by the planning commission before a sign permit is issued. The sign design plans shall include dimensions, proposed text and logos, lighting and illumination details, materials, colors, and other information as may be required by the planning commission. The planning commission shall review the proposed sign design for compliance with the criteria of this chapter. As a general protocol, if the proposed sign designs are submitted with the site plan or subdivision plat, a vote to approve said site plan or subdivision plat shall also constitute approval of the sign. The planning commission may approve such site plan or subdivision plat without the final sign designs, provided that final sign approval is obtained prior to beginning sign construction.

Recommendation

Because of the intensity of missing site plan elements, Staff does not recommend approval for this site plan at this time. This review is based solely on analysis of information presented as well as the information staff has available. Staff reserves the right to alter this recommendation should new information be presented detrimental to adherence with county and state regulations.

Annya Shalun

From: Landon T. Castleberry <Landon.T.Castleberry@tn.gov>
Sent: Monday, April 25, 2022 11:31 AM
To: Lynn Holloway; Annya Shalun
Cc: Pat Neuhoff; Garris Bugg
Subject: RE: NT 2166 Convenience Store - 740 W. Main Street -

Mr. Holloway,

Thank you for sending a revised plan to me. It appears that the property owner has agreed to eliminate the driveway connection within the intersection of Parker Street as recommended by TDOT.

In looking at the revised plan, the existing egress is noted to be abandoned. How do you intend to abandon the existing egress?

Whenever a site gets redeveloped and old driveways or lowered curbs are no longer needed, TDOT requires them to be removed to eliminate any remnant of the driveway. This eliminates confusion about whether a driveway is still functional.

One option would be to scarify and excavate the asphalt driveway, grade it to drain, and then place topsoil and sod. Another option might be to install curbing within this area. For the sake of aesthetics, you might even connect this newer curb to the curbing already at the other two driveways. That could refresh the entire frontage.

Regardless of which option you select, be mindful of how water drains from the site. We cannot allow additional waters to be turned onto someone who never got them previously, nor can water leave your site at a quicker rate than it does now. A stormwater mitigation measure, such as a rain garden, might be a way to address this situation.

Please revise your plan to reflect these changes. A TDOT Highway Entrance Permit will be required to address everything within the State's right-of-way. I can be your point of contact through that process. Let me know if you have any questions, Sir.

Landon

From: Lynn Holloway <lynn@neuhofftaylor.com>
Sent: Thursday, April 21, 2022 3:11 PM
To: Annya Shalun (ashalun@sedev.org) <ashalun@sedev.org>; Landon T. Castleberry <Landon.T.Castleberry@tn.gov>
Cc: Pat Neuhoff <Pat.Neuhoff@neuhofftaylor.com>
Subject: [EXTERNAL] NT 2166 Convenience Store - 740 W. Main Street -

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Please find attached a little clearer plan!

Dean Lay
P.O. Box 9
Monteagle, Tennessee 37356

April 6, 2022

To: Town of Monteagle

Re: Zoning uses in C-2

I am requesting the Town of Monteagle to amend the zoning ordinance to allow apartments in the C-2 zone. I want to build apartments on the property I own on West Main Street near Clifftops entrance, I have enclosed a copy of the tax map showing the location. I do not want to change the zone classification.

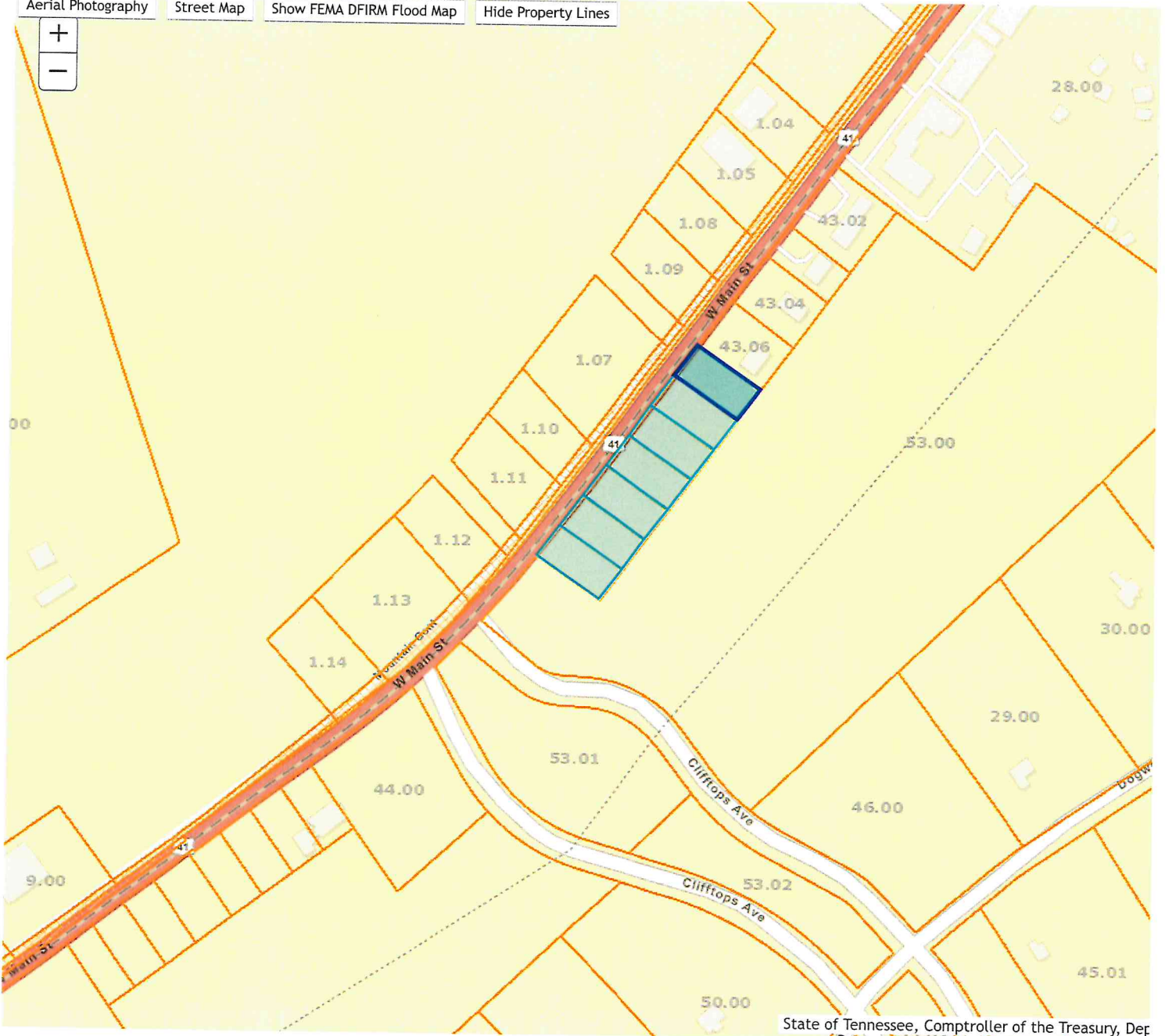
Thank you

A handwritten signature in cursive script that reads "Dean Lay".

Dean Lay



Aerial Photography Street Map Show FEMA DFIRM Flood Map Hide Property Lines



State of Tennessee, Comptroller of the Treasury, Dep



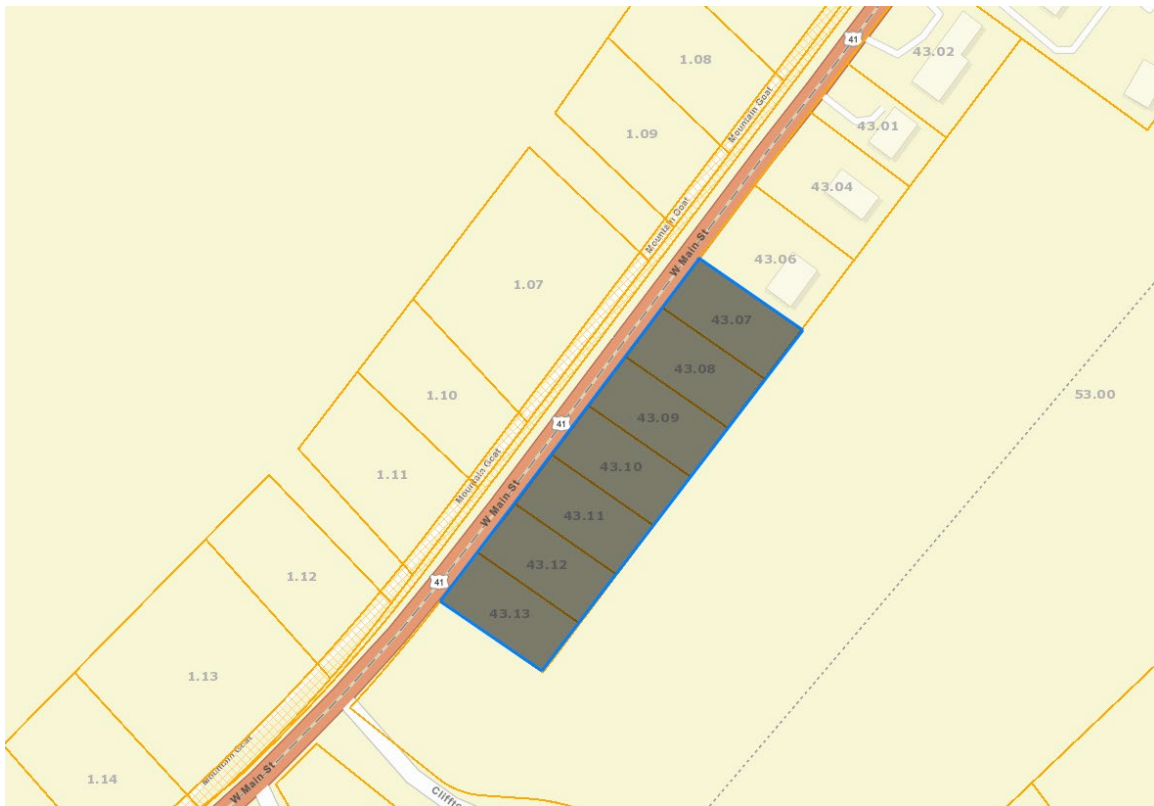
Southeast Tennessee Development District
Community Development
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Chattanooga, TN 37405
Phone: (423) 266-5781 Fax: (423) 267-7705
www.sedev.org

STAFF REVIEW

To: Town of Monteagle Regional Planning Commission
From: Annya Shalun, Regional Planner
Date: 4/20/2022
Subject: Zoning Text Amendment Request – Adding Apartments to C-2

Summary

An application for a zoning text amendment has been submitted by Mr. Dean Lay to add apartments as a residential use in C-2. The C-2 zone currently does not have any residential uses permitted. Mr. Lay's intent is to build apartments on the property he owns on West Main Street near the Clifftops Entrance. See map below.



Please note the residential zoning districts in the table below from section 501 regarding what uses are currently permitted in C-2 and other commercial zoning.

RESIDENTIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Apartments and condominiums							•	•	•	
Customary home occupations					•	•	•	•	•	Section 518
Duplexes						•		•	•	
Group quarters, dormitories									•	
Mixed-use residential	•									Section 524
Mobile homes, double-wide					•	•		•	•	Section 525
Mobile homes, single-wide								•		Section 525
Mobile home parks								•		Section 526
Patio homes							•	•	•	Section 527
Single-family dwellings					•	•		•	•	
Temporary dwelling units					•	•		•		Section 536
Tiny houses								•		Section 538
Townhouses							•	•	•	Section 539

The Planning Commission and Town Council will need to determine if higher density residential land uses should be permitted in the C-2 Highway Commercial Zoning District. If the Planning Commission sees a benefit in including residential uses in the C-2 Highway Commercial zoning district, staff recommends adding “mixed-use residential”, rather than the requested “Apartments and condominiums”. This recommendation is based on discussions held at previous planning commission meetings and workshops where it was agreed that this portion of W Main Street was to be the “commercial corridor” and thoughtful consideration should be given to any changes along this corridor.

Mixed-use residential developments are intended to locate high-density housing developments in commercial zones with the goals of increasing pedestrian connectivity, making urban facilities and amenities accessible to residents, and establishing an integrated residential component that contributes to commercial activity and economic development .

Housing styles eligible for mixed-use residential developments shall be limited to townhouses, patios homes, and **apartments**. All new developments shall include a minimum of 4 dwellings and a minimum of 25% of the gross building square footage in mixed-use residential developed shall be reserved for commercial uses open to the general public.

Section 524.D requires that the first floor is to be reserved for commercial uses and shall only apply to buildings that immediately front any of the following streets: College Street, Fairmont Avenue, Main Street, State Highway 56, Tracy Road, U.S. Highway 41, U.S. Highway 41A, **West Main Street**.

- In all such buildings, the entire front of the first floor visible from the public right-of-way shall be reserved for commercial use.
- In all such buildings, residential areas shall occupy no more than 50% of the gross square footage of the first floor.

Permitting mixed-use residential will still prioritize and protect commercial zones as economic corridors that generate revenue in Monteagle, while also enhancing traditional village centers. Adding mixed-use residential has the potential to promote Monteagle’s unique identity of a small-town village center and promote pedestrian and bicycle travel because of the district’s close proximity to bike and pedestrian trails. Allowing apartments, townhomes, and patio homes may also increase affordable housing opportunities. Other benefits of including mixed-use residential in C-2 are more social interaction, less sprawl, conserved land and environmental resources.

However, it is important to note some cons of mixed-use developments. Poorly planned mixed-use residential developments can create conflict between commercial and residential tenants with opposing interests and goals. Traffic will also increase in those zones, especially when the town is mostly auto-dependent. Parking space, or lack thereof, is a common issue that arises from mixed-use developments.

A solution to some of the common cons of mixed-use development can be addressed via the site plan approval process. Monteagle's Zoning Ordinance also states that when approving mixed-use developments, the planning commission shall be authorized to place conditions it deems necessary to ensure adequate provisions for access, circulation, parking, safety, landscaping, and building aesthetics. Additionally, because these properties are along a State Route, TDOT will need to permit access.

Recommendation

This review is based solely on analysis of information presented as well as the information staff has available. Staff reserves the right to alter this recommendation should new information be presented detrimental to adherence with county and state regulations.

APPLICATION FOR ZONING AMENDMENT

TOWN OF MONTEAGLE, TENNESSEE

16 DIXIE LEE AVENUE, MONTEAGLE, TN 37356 (PHYSICAL) | PO BOX 127, MONTEAGLE, TN 37356 (MAILING)

PHONE: (931) 924-2265 / FAX: (931) 924-2264

COMPLETE ALL APPLICABLE SECTIONS AND SUBMIT REQUIRED MATERIALS.

APPLICANT INFORMATION	
Name: <i>Horton Family Partners I, L.P.</i>	Phone: <i>931 455-1700</i>
Mailing Address: <i>201 S. Jackson St, Tullahoma, TN 37388</i>	Email: <i>nmarty@realtracs.com</i>

REQUEST FOR ZONING TEXT AMENDMENT
Section of Zoning Ordinance to be amended:
Text of proposed amendment:
<i>Attach additional pages if necessary.</i>
Explanation/justification for proposed amendment:
<i>Attach additional pages if necessary.</i>

REQUEST FOR ZONING MAP AMENDMENT (REZONING)	
Is the applicant (identified above) the OWNER of the property to be rezoned? <input checked="" type="radio"/> YES or NO	
<i>If "NO" to previous question, provide the following property owner information:</i>	
Owner Name:	
Owner Phone:	
Owner Mailing Address:	
Applicant relationship to owner:	
Physical Address of Property to be Rezoned: <i>Approximately 48 acres bordering Wrens Nest Ave & US Highway 41</i>	
Tax Map and Parcel Number of Property to be Rezoned: <i>Portion of 107 003.00 (only portion currently zoned R1)</i>	
Current Zoning: (Circle) <input checked="" type="radio"/> R-1 <input type="radio"/> R-2 <input type="radio"/> R-3 <input type="radio"/> R-4 <input type="radio"/> I-D <input type="radio"/> C-1 <input type="radio"/> C-2 <input type="radio"/> C-3 <input type="radio"/> I-1	Proposed Zoning: (Circle) R-1 R-2 R-3 <input checked="" type="radio"/> R-4 <input type="radio"/> I-D <input type="radio"/> C-1 <input type="radio"/> C-2 <input type="radio"/> C-3 <input type="radio"/> I-1
Describe <u>current use</u> and condition of property: <i>vacant land</i>	Describe <u>future plans</u> for property after rezoning: <i>Low Density Neighborhood Site built small square footage homes.</i>
<i>Attach additional pages if necessary and provide documentation (e.g. maps, petitions, plats or plans for development, justification for proposed amendment) to assist with application review.</i>	

I hereby certify that the information provided on this application is true and correct. I understand that this application and any supplemental materials will be presented in public meetings and that public hearing notices will be mailed to nearby property owners. I also understand that this application does not provide any guarantee that the proposed amendment or rezoning will be adopted by the Town of Monteagle.

Applicant: Date: *4/21/2022*

CITY USE ONLY						
Office Review	Application fee:	Staff Initial For Payment:	Payment Date:			
Planning Review	Date Referred to Planning Staff:	Date Presented to Planning Comm.:	Planning Comm. Recommendation:			
City Action	Date Public Hearing Advertised in Newspaper:	Date Notices Mailed to Surrounding Property Owners:	Date of Public Hearing:			
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; padding: 5px;">Reading Dates</td> </tr> <tr> <td style="width: 50%; padding: 5px;">1st</td> <td style="width: 50%; padding: 5px;">2nd</td> </tr> </table>	Reading Dates		1 st	2 nd	
Reading Dates						
1 st	2 nd					

ZONING CHANGE REQUEST SUMMARY

WRENS NEST HIDEAWAY SUBDIVISION

The request is to re-zone approximately 48 acres of land owned by Harton Family Partners I, LP from R-1 (Low Density Residential District) to R-4 (General Residential District) to facilitate the creation of a gated community residential subdivision.

Included in the packet is a copy of the most current survey of the subject property, a proposed plat of the subdivision, and a copy of the proposed Declaration of Covenants, Conditions, & Restrictions of the subdivision (DCCR).

- ✓ The desire is to restrict the subdivision to site-build homes having a ground floor heated square footage of between 500 and 1200 square feet. (Page 8, Article VI, Section 1:b of DCCR)
- ✓ Subdivision will be accessed solely from Wrens Nest Road via a private gate.
- ✓ Subdivision will be made up of private roads built to city specifications.
- ✓ There will be a 50' minimum "hiking trail easement" around the entire property that will serve as a buffer from other residential uses. This will be considered common area and provide recreational opportunities for homeowners and their guests.
- ✓ All lots will be larger than ¼ acre and will be served by public sewer services.
- ✓ Most utilities will be underground. All services to individual home will be underground.
- ✓ All homes will be built on site (no towable homes allowed), to code, and subject to building inspector approval. All homes will be required to have a building permit before work can proceed. (Page 11, Article VI, Section 2:e)

LAND SURVEYING & FORESTRY

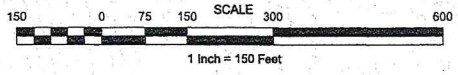
3001 JUMPOFF MOUNTAIN ROAD / SEWANEE, TN 37375
(931) 598-0314

PLAT OF SURVEY

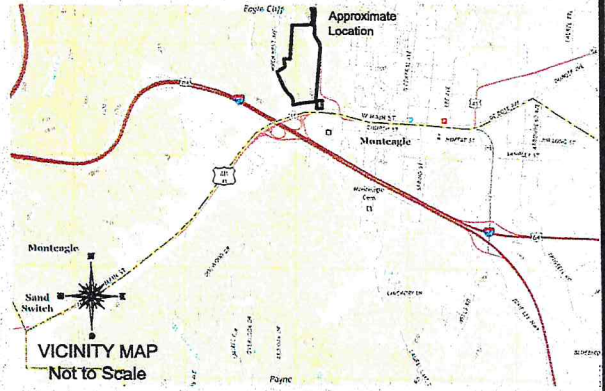
DATE: February 25, 2022	SURVEYED BY: MAB & JMB	DRAWN BY: JMB
SCALE: 1" = 150'	FILERS: 2-23-2022 HARTON	Topcon Hyper HR All Signals
SURVEY FOR: TOM KALE JR.	PAGE 1 OF 1	

George R. Douglas
Deed Book 139 Page 271
Plat Book 1 Page 126
100-035.03

PROPERTY LOCATION:
Fourth Civil District of Grundy County, Tennessee
Located on the USGS Monticello, TN Quadrangle
Being a PORTION of Tax Map 107 Parcel 003.00

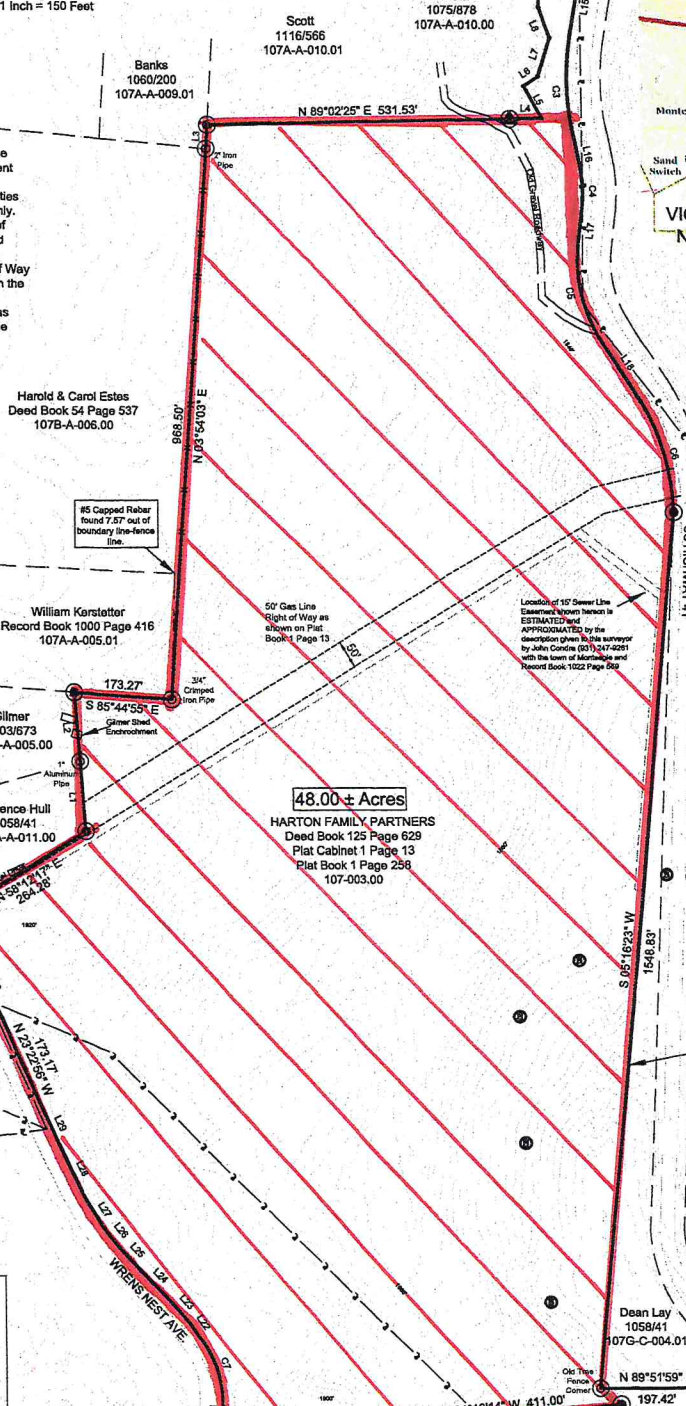


- Note:**
- The property shown hereon is subject to the provisions and conditions set forth in the parent instruments.
 - 811 was not contacted for this survey. Utilities shown hereon were by observed evidence only.
 - US HIGHWAY 41 has an assumed Right of Way of 30' from the centerline as determined from the Existing Monuments found.
 - Wrens Nest Ave. has an assumed Right of Way of 25' from the centerline as determined from the Existing Monuments found.
 - Topographic information shown hereon was generated from the USGS Lidar Data from the winter of 2015.
 - Evidence of Gas, Water and Fiber/Phone Utilities were found along Wrens Nest Ave.

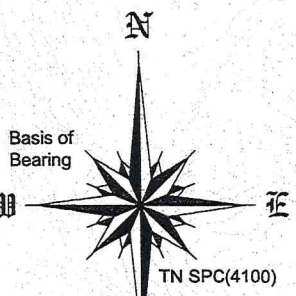


LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 03°59'21" W	122.97'	L17	S 08°38'55" W	57.27'
L2	N 04°17'33" W	121.02'	L18	S 33°34'55" E	145.82'
L3	N 03°48'08" E	42.75'	L19	N 01°39'47" E	58.91'
L4	N 89°02'25" E	56.00'	L20	N 01°39'18" W	41.76'
L5	N 28°18'27" W	65.03'	L21	N 34°05'02" W	29.41'
L6	N 95°23'59" E	29.90'	L22	N 41°32'14" W	89.84'
L7	N 17°58'51" E	70.66'	L23	N 42°22'24" W	58.49'
L8	N 20°14'48" E	65.51'	L24	N 42°07'17" W	55.13'
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L11	N 25°19'35" W	49.37'	L27	N 25°48'16" W	100.40'
L12	N 17°28'46" W	80.21'	L28	N 24°38'32" W	67.50'
L13	S 07°33'42" E	91.08'	L29	N 24°38'15" W	121.42'
L14	S 08°44'52" E	44.01'	L30	N 11°44'10" E	35°12'04"
L15	S 09°55'59" E	115.08'	L31	N 22°14'43" W	40.51'
L16	S 10°55'51" E	48.02'	L32	N 13°35'35" W	44.82'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	448.10'	157.80'	156.99'	S 00°48'05" W	20°10'37"
C3	484.72'	184.64'	183.43'	S 02°17'32" E	22°45'53"
C4	283.49'	76.44'	76.17'	S 00°44'05" E	16°37'18"
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C6	403.82'	201.02'	198.95'	S 18°05'54" E	28°31'19"
C7	197.04'	122.15'	120.20'	N 19°29'21" W	35°31'06"



48.00 ± Acres
HARTON FAMILY PARTNERS
Deed Book 125 Page 629
Plat Cabinet 1 Page 258
Plat Book 1 Page 258
107-003.00



STATIC CONTROL POINT:
N:327697.15' E:2011472.13' Z:1936.02'
Positional accuracy: OVERALL RMS: RMS: 0.016(m)
Type of GPS field procedure: Static & Real Time Kinematic
Dates of survey: 2-18-2022 to 2-24-2022
Datum/Epoch: TN SP(4100) Nad 83 No Trans
Published/Fixed-control use: OPLUS
Geoid Model: g2018u7
Combined grid factor(s): 0.99991484

THIS SURVEY IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS AND OWNERS AND IS INVALID WITHOUT AN ORIGINAL SEAL AND SIGNATURE.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT THIS IS A TRUE AND ACCURATE SURVEY WHICH MEETS OR EXCEEDS THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE FOR A CATEGORY IV SURVEY. GPS EQUIPMENT WAS USED FOR ALL MEASUREMENTS WITHIN THIS SURVEY.



Note: If and when new information is obtained and/or provided to this surveyor this plat is subject to change.

- LEGEND**
- ⊕ #5 Capped Rebar RLS# 2986 "new"
 - ⊕ Capped Rebar "found"
 - ⊕ Monument as Labeled "found"
 - x — Fence
 - ⊕ Man Hole
 - e — Overhead Utilities
 - ⊕ Water Cap
 - ⊕ Hydrant

THIS IS A BOUNDARY LINE SURVEY. There is absolutely no confirmation made as to the existence or nonexistence of the following: pipelines, easements or right of way; uncharted or noted persons; wells, rivers, utilities or otherwise above ground utilities other than those which are clearly shown and labeled on such features; old ditches, ditches, ponds, tanks or streams other than those which are clearly shown and labeled; or such features, lines, trees or pipelines, flood zones, unless otherwise noted; or any other line features that could be deemed topographic.

EVERY DOCUMENT of record reviewed and considered as part of this survey is hereby being placed on file, no site commission or results of file searches were furnished to me. There may exist other documents which would affect this patent. The word "certify" or "shown" and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

TN-15 US-41-ALT
WEST MAIN STREET

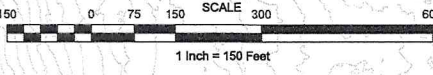
LAND SURVEYING & FORESTRY

3001 JUMPOFF MOUNTAIN ROAD / SEWANEE, TN 37375
(931) 598-0314

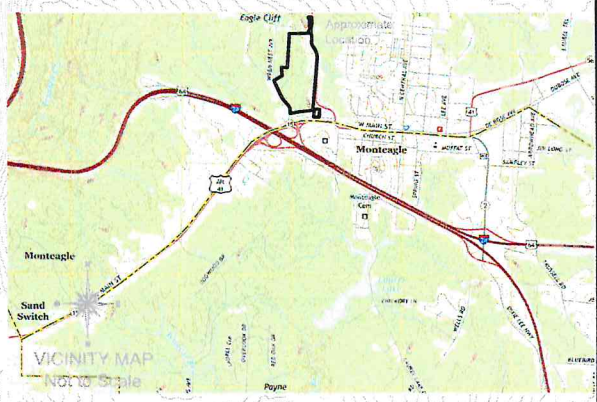
WORKSHEET FOR PLANNING

DATE: April 13, 2022	SURVEYED BY: MAB & JMB	DRAWN BY: JMB
SCALE: 1" = 150'		Topcon Hyper HR All Signals
SURVEY WORKSHEET FOR: TOM KALE JR.	FILERS: 2-23-2022 HARTON LOTS	PAGE: 1 OF 1

PROPERTY LOCATION:
Fourth Civil District of Grundy County, Tennessee
Located on the USGS Montseagle, TN Quadrangle
Being a PORTION of Tax Map 107 Parcel 003.00



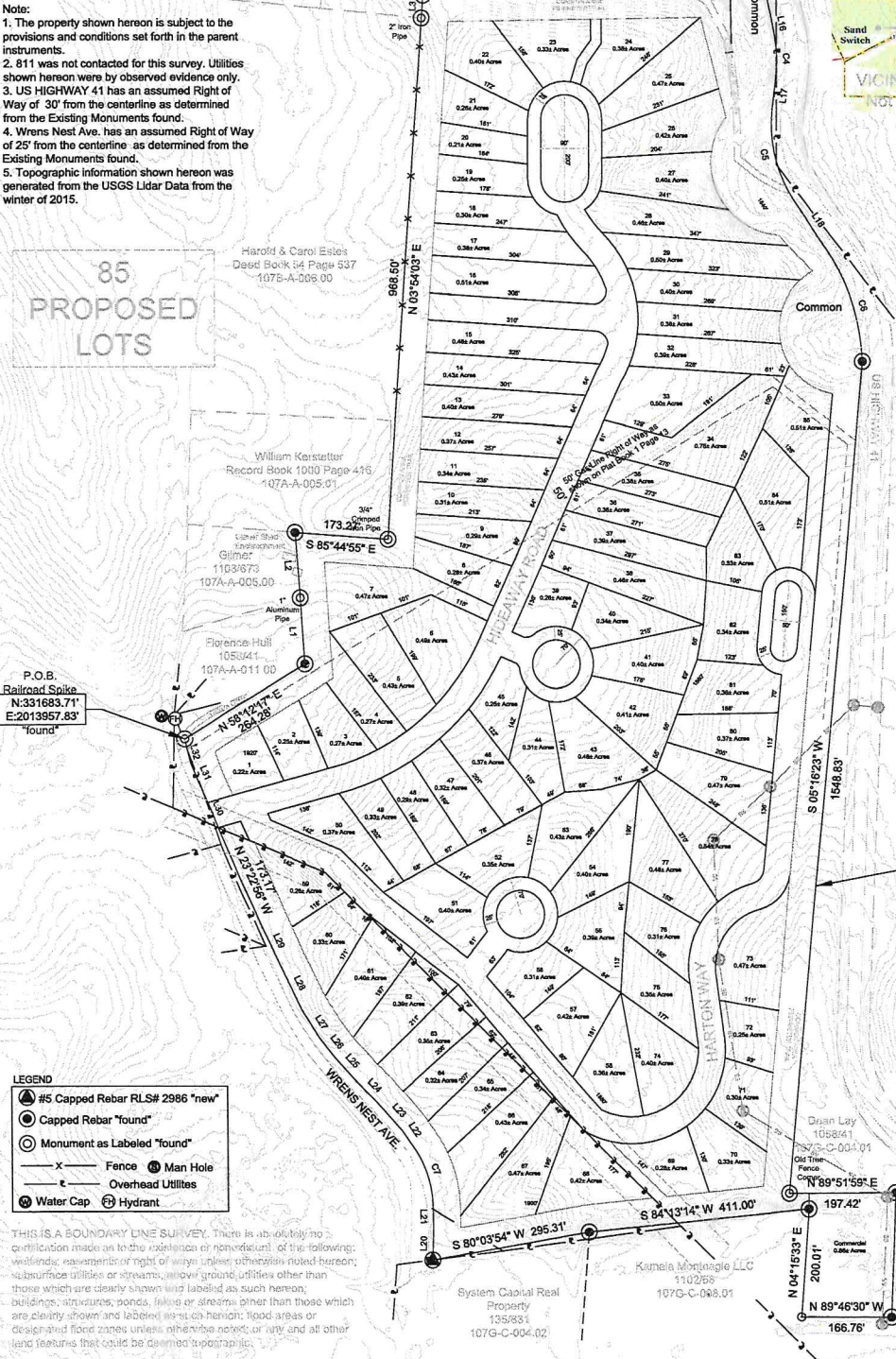
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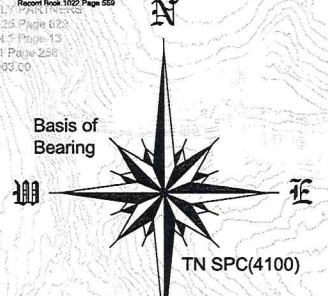
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C7	197.04'	122.15'	120.20'	N 19°29'21" W	35°31'06"

85
PROPOSED
LOTS



Location of 19 Survey Line Examined shown hereon is ESTIMATED and APPROXIMATED by the description given to the surveyor by John Carter (R11297681) with the town of Montseagle and Report Book 1022 Page 550

HARTON FAMILY
Deed Book 125 Page 623
Plat Cabinet 2 Page 13
Plat Book 1 Page 258
107-003.00



Boundary Line shown as the approx. center of a 50' Right of Way in Plat Cabinet 1 Page 13

STATIC CONTROL POINT:
N:327697.15' E:2011472.13' Z:1936.02'
Positional accuracy: OVERALL RMS: RMS: 0.016(m)
Type of GPS field procedure: Static & Real Time Kinematic
Dates of survey: 2-18-2022 to 2-24-2022
Datum/Epoch: TN SPC(4100) Nad 83 No Trans
Published/Fixed-control use: OPUS
Geoid Model: g2018u7
Combined grid factor(s): 0.99991484

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- LEGEND**
- #5 Capped Rebar RLS# 2986 "new"
 - Capped Rebar "found"
 - Monument as Labeled "found"
 - Fence
 - Man Hole
 - Overhead Utilities
 - Water Cap
 - Hydrant

THIS IS A BOUNDARY LINE SURVEY. There is absolutely no certification made as to the existence or nonexistence of the following: wetlands; easements or right of ways; unrecorded or noted hereon; subsurface utilities or streams; known ground utilities other than those which are clearly shown and labeled as such hereon; buildings; structures; ponds; tanks or streams other than those which are clearly shown and labeled as such hereon; flood areas or designated flood zones unless otherwise noted; and all other land features that could be deemed topographic.

EVERY DOCUMENT of record reviewed and considered as a part of the survey is noted hereon. No abstract of title, nor title commitment, or results of the searches were furnished to me. There may exist other documents which would affect this parcel. The word "survey" as shown and used hereon means an expression of professional opinion regarding the facts of the survey, and does not constitute a warranty or guarantee, expressed or implied.

Note: If and when new information is obtained and/or provided to this surveyor this plat is subject to change.



Southeast Tennessee Development District
Community Development
P.O. Box 4757 | 1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781 Fax: (423) 267-7705
www.sedev.org

STAFF REVIEW

To: Town of Monteagle Regional Planning Commission
From: Annya Shalun, Regional Planner
Date: 4/25/2022
Subject: Rezoning Request – R-1 Low Density Residential District to R-4 High Density Residential District

Property Owner:
Harton Family Partners ILP
201 S Jackson St.
Tullahoma, TN 37388

Current Use: Vacant Land

Proposed Use:
Low-density neighborhood, Site built
small square footage homes

Property Location:
48 Acres Bordering Wrens Nest Ave
& US Hwy 41
Monteagle, TN 37356
Grundy County

Adjacent Zoning Districts:
North: R-1
South: C-2
East: R-1/C-2
West: C-2

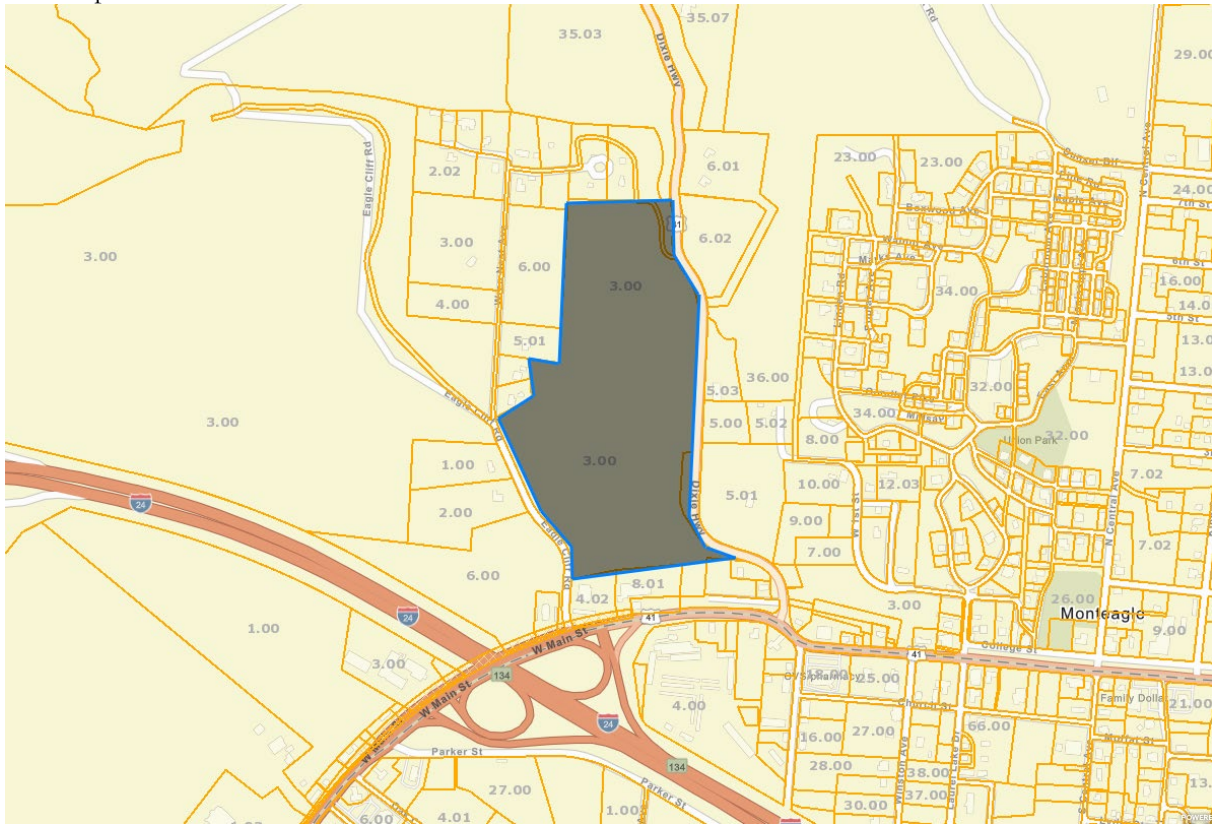
Tax Map: 107 Parcels:
003.00
Flood Zone: NO
Current Zoning: R-1
Proposed Zone: R-4

Setbacks for R-4:
Front: 30 feet
Rear: 25 feet
Side: 15 feet
Side (Abutting a local street):
25 feet
Max Lot Coverage: 60%

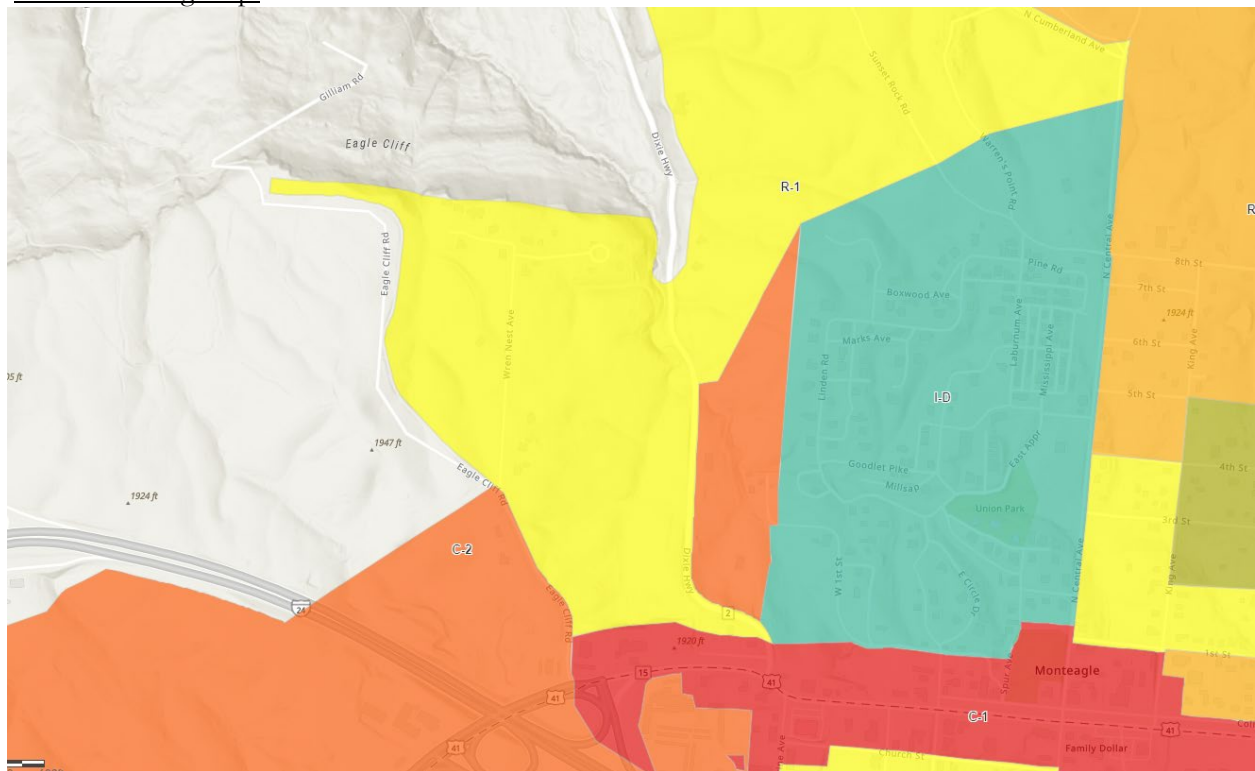
Background

An application for a zoning map amendment (rezoning) has been submitted for a 48-acre property located along Eagle Cliff Road in Monteagle, TN. The property owner is looking to be able to build a Tiny Home Subdivision on the property, which is prohibited in R-1 zoning and permitted in R-4. There are currently no R-4 zoned parcels in Monteagle.

Street Map:



Current Zoning Map:



Analysis

Please note the residential zoning districts in the table below from section 501 regarding what uses are currently permitted in R-4 zoning. R-4 is intended to be the highest intensity residential zoning district and allow more than just residential uses. Almost all of the Civic and Institutional uses are permitted, all “other land uses” are permitted, and a handful of business and commercial uses are also permitted. The Monteagle Zoning Ordinance also states “the intensity of land use should not be so great as to cause congestion of buildings and traffic or to overload existing sanitary facilities.”

RESIDENTIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Apartments and condominiums							•	•	•	
Customary home occupations					•	•	•	•	•	Section 518
Duplexes						•		•	•	
Group quarters, dormitories									•	
Mixed-use residential	•									Section 524
Mobile homes, double-wide					•	•		•	•	Section 525
Mobile homes, single-wide								•		Section 525
Mobile home parks								•		Section 526
Patio homes							•	•	•	Section 527
Single-family dwellings					•	•		•	•	
Temporary dwelling units					•	•		•		Section 536
Tiny houses								•		Section 538
Townhouses							•	•	•	Section 539

Spot-Zoning

Spot zoning is not a legal practice in Tennessee, but it is not always easy to determine if a particular rezoning can be considered spot zoning. Tennessee courts have viewed spot zoning as, “the process of singling out a small parcel of land for use classification totally different from that of the surrounding area, for the benefit of the owner of such property, and to the detriment of other owners.”

Abutting the proposed development are several single-family residences as well as businesses zoned C-2, such as a McDonalds and a Quality Inn. Creating an R-4 zone anywhere in the Town would require it to be in a location that is not currently zoned that way, since no other R-4 districts exist.

Current & Proposed Use

With their rezoning application, a “worksheet for planning,” similar to a preliminary subdivision plat, was presented. The plan includes 85 home lots, all larger than ¼ of an acre, with a 50’ minimum “hiking trail easement” around the entire property. A zoning change request summary and a declaration of covenants, conditions, and restrictions of the Wren Nest’s Hideaway Subdivision was also included. The summary specifies their intention all homes will be built on-site, be between 500-1200 square feet, and be within a gated community residential subdivision. The roads within the subdivision will be private and built up to city specifications.

As stated in the current Monteagle Zoning Ordinance, “because tiny houses in subdivisions are intended for permanent residency, separate lots for each home site are required.” Therefore, a subdivision plat showing all home sites is required for approval in accordance with the Town of Monteagle subdivision regulations. The

plat shall include limitations including maximum square footage to ensure development is limited to tiny houses. The purpose of a subdivision plat is to make each “home site” a lot of record.

The site is currently heavily forest vacant land, and there is a powerline easement running diagonally in the southwest quadrant of the property.

Possible Concerns

- There is concern of whether existing infrastructure (water, electricity, sewer capacity, road conditions, etc.) and police/fire department provisions can support a large development such as the one proposed. Further study should be done on whether the Town’s infrastructure, especially water, can support a subdivision of this size.
- There is concern of traffic in the area. TDOIT will require a Traffic Impact Study to assess the sufficiency of the existing roadway infrastructure and whether it can accept the additional traffic that 85 residential lots will generate. By performing a Traffic Impact Study, the developer can help mitigate the effects of the development by constructing turn lanes, adding traffic signals, widening Wrens Nest Road, etc. The developer could be required by the Town to update the road or pay for a traffic signal before site plan approval. The Town is not obligated to update the road to accommodate the development but can turn down the development if they determine the current infrastructure was not adequate to serve it.
- There is concern regarding the looped cul-de-sacs and whether they could support fire truck access and turn-around.
- If the Town rezones the property to R-4, and the property owner back up from the plan, then that R-4 zone could potentially be developed into other residential or commercial land uses, such as mobile home parks, apartments and condominiums, bed and breakfasts, county clubs, greenhouses and nurseries, campgrounds, RV’s, cluster developments, etc.
- Has this developer done a development such as this one before, and are there examples the Planning Commission could review?

Potential Next Steps

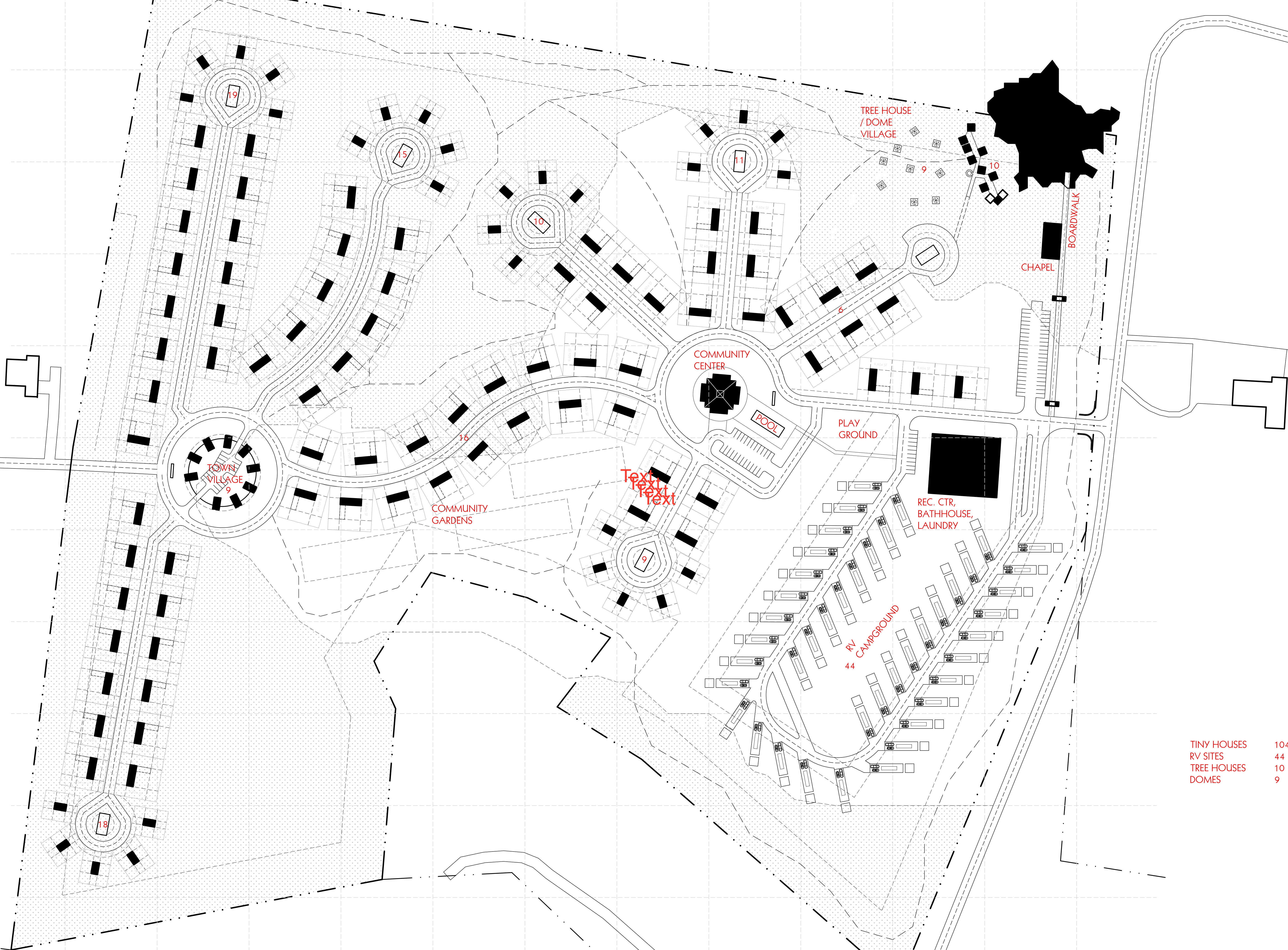
The Planning Commission needs to hear the concerns and opinions of the surrounding property and business owners before they should make their decision on what is the best option for the community. Because of the intensity of the development, the Planning Commission can request additional renderings of the development and any further information they deem necessary to evaluate before making their final decision.

The Planning Commission will hold a May 17th workshop and Planning Commission meeting, two Town Council meetings and a public hearing, which is the minimum requirement of the Tennessee Code Annotated. The Town and/or developer may hold more public meetings if they choose.

This review is based solely on analysis of information presented as well as the information staff has available. Staff reserves the right to alter this recommendation should new information be presented detrimental to adherence with county and state regulations.

355 Wells Street

Proposed future use; Vacation homes, RV Camping, Vacation Resort with amenities, Vacation rental property. All aspects of this development will generate significant occupancy tax for the City of Monteagle, plus the city's portion of the sales tax. Plus, the residential construction project will create 150 jobs during construction, and 20 permanent jobs to manage and maintain the property. Also, you might give a projected annual occupancy tax to be collected for 5 years. Monteagle occupancy tax is 5%.



PICKLESIMER
ROBERTS INC
ARCHITECTURE

TINY HOUSES	104
RV SITES	44
TREE HOUSES	10
DOMES	9



Southeast Tennessee Development District
Community Development
P.O. Box 4757 | 1000 Riverfront Parkway
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www.sedev.org

STAFF REVIEW

To: Town of Monteagle Regional Planning Commission
From: Annya Shalun, Regional Planner
Date: 4/20/2022
Subject: Rezoning Request – I-1 Industrial District to R-4 High Density Residential District

Property Owner:
American Shotcrete Company, Inc.
James David Oliver
PO Box 579
Monteagle, TN 37356

Property Location:
355 Wells St
Monteagle, TN 37356
Marion County

Tax Map: 49 **Parcels:** 003.00
Flood Zone: NO
Current Zoning: I-1
Proposed Zone: R-4

Applicant:
John Adams
922 Marengo Lane
Nashville, TN 37204

Adjacent Zoning Districts:
North: C-3
South: R-1
West: R-1

Setbacks for R-4:
Front: 30 feet
Rear: 25 feet
Side: 15 feet
Side (Abutting a local street):
25 feet
Max Lot Coverage: 60%

Background

An application for a zoning map amendment (rezoning) has been submitted for a 61.4 acre property located along Wells St in Monteagle, TN. The property owner is looking to be able to build a Tiny Home Subdivision on the property, which is prohibited in I-1 zoning and permitted in R-4. There are currently no R-4 zoned parcels in Monteagle.

Please note the residential zoning districts in the table below from section 501 regarding what uses are currently permitted in R-4 zoning. R-4 is intended to be the highest intensity residential zoning district and allow more than just residential uses. Almost all of the Civic and Institutional uses are permitted, all “other land uses” are permitted, and a handful of business and commercial uses are also permitted. The Monteagle Zoning Ordinance also states “the intensity of land use should not be so great as to cause congestion of buildings and traffic or to overload existing sanitary facilities.”

RESIDENTIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Apartments and condominiums							•	•	•	
Customary home occupations					•	•	•	•	•	Section 518
Duplexes						•		•	•	
Group quarters, dormitories									•	
Mixed-use residential	•									Section 524
Mobile homes, double-wide					•	•		•	•	Section 525
Mobile homes, single-wide								•		Section 525
Mobile home parks								•		Section 526
Patio homes							•	•	•	Section 527
Single-family dwellings					•	•		•	•	
Temporary dwelling units					•	•		•		Section 536
Tiny houses								•		Section 538
Townhouses							•	•	•	Section 539

Spot-Zoning

Spot zoning is not a legal practice in Tennessee, but it is not always easy to determine if a particular rezoning can be considered spot zoning. Tennessee courts have viewed spot zoning as, “the process of singling out a small parcel of land for use classification totally different from that of the surrounding area, for the benefit of the owner of such property, and to the detriment of other owners.”

Abutting the proposed development are several single-family residences. Creating an R-4 zone anywhere in the Town would require it to be in a location that is not currently zoned that way, since no other R-4 districts exist.

Current & Proposed Use

With their rezoning application, a conceptual rendering was presented. The plan includes 104 tiny homes, 44 RV sites, 10 tree houses, and 9 domes. The plan also includes a community center, playground, bathhouse and laundry, recreation center, and community gardens. There is also a tree house/town village on the site plan.

As stated in the current Monteagle Zoning Ordinance, “because tiny houses in subdivisions are intended for permanent residency, separate lots for each home site are required.” Therefore, a subdivision plat showing all home sites is required for approval in accordance with the Town of Monteagle subdivision regulations. The plat shall include limitations including maximum square footage to ensure development is limited to tiny houses. The purpose of a subdivision plat is to make each “home site” a lot of record. The zoning ordinance could be interpreted to mean that tiny homes would only be permitted if they are on their own individual subdivided lots. However, the ordinance isn’t clear if permanent residency is a requirement for the development. Mr. Kale’s intent appears to be renting or leasing these as vacation homes. Monteagle could amend the zoning ordinance to remove or alter this requirement before/after/during the request to allow designated spaces rather than individual lots. It could be modified to be similar to the standards for mobile home parks.

The site was formerly permitted as a sand quarry, but has never been used as one. The property is currently used as a storage facility for a construction business. There is currently a 12,000 sq ft building as a mechanic shop and storage for supplies and equipment. The risk to the surrounding residential area is that if the area was to be developed within its current zone, there would be heavy machinery and labor traffic, sand blasting every couple weeks, and heavy equipment use in the area.

Potential Pros

- Short term vacation rentals would bring a revenue benefit to the Town of Monteagle through occupancy tax. A benefit cost analysis could be done to show the full study of benefits to the Town of Monteagle.
- The development can bring in more tourism, which would bring more economic benefit to local businesses in Monteagle, particularly in the village downtown area.
- There are benefits to changing the zoning to Residential from Industrial in order to protect the surrounding area from the impact and nuisances of a potential sand quarry operation.
- A tiny home resort would be a unique amenity in the area, if the development is of high-quality build, similar to The Retreat at Sunset Bluff / Deerlick Falls in Grundy County. The development has the potential to put Monteagle “on the map” for regional tourism and attractions, as a place of destination rather than a place to stop through.

Potential Cons

- There is concern of whether existing infrastructure (water, electricity, sewer capacity, road conditions, etc.) and police/fire department provisions can support a large development such as the one proposed. Further study should be done on whether the Town’s infrastructure, especially water, can support a Tiny Home resort.
- Monteagle would need to adopt Appendix Q of the International Residential Building Code to ensure that health and safety requirements of a building under 400 sq ft are upheld.
- There is concern that Tiny Homes are simply a trendy fad.

 - How will this development and the homes themselves be maintained through weather damage and regular wear-and-tear?
 - What will the initial quality of the build be? And what will the development look like 10 years down the line?
 - Will there be a property manager company or on-site staff?
 - Who will handle complaints and maintenance?
- There is concern of traffic in the area. Should a traffic study be done to research how local roads (Chickory Rd, Laurel Lake Rd, and Wells Rd) surrounding the development will stand up to increased construction and future tourist traffic? The developer could be required by the Town to update since it would significantly increase traffic on an already narrow road. The Town is not obligated to update the road to accommodate the development but can turn down the development if they determine the current infrastructure was not adequate to serve it.

Potential Next Steps

The Planning Commission needs to hear the concerns and opinions of the surrounding property and business owners before they should make their decision on what is the best option for the community. Because of the intensity of the development, the Planning Commission can request additional renderings of the development and any further information they deem necessary to evaluate before making their final decision.

The Planning Commission will hold a May 17th workshop and Planning Commission meeting, two Town Council meetings and a public hearing, which is the minimum requirement of the Tennessee Code Annotated. The Town and/or developer may hold more public meetings if they choose.

This review is based solely on analysis of information presented as well as the information staff has available. Staff reserves the right to alter this recommendation should new information be presented detrimental to adherence with county and state regulations.
