

11/13/12

2012-140
Barry Evans/James Pratt
District No. 2
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 402 FOREST AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-TZ RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located at 402 Forest Avenue, more particularly described herein:

Lot 20, Final Plat of Frazier and Colville's Addition to Hill City, Block 1, Plat Book 94, Page 5, ROHC, Deed Book 9285, Page 848, ROHC. Tax Map No. 135D-S-015.01.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to single-family detached homes only.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/mms

MAYOR

11/13/12

2012-140
Barry Evans/James Pratt
District No. 2
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 402 FOREST AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-TZ RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

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and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to access only along the rear of the property and single-family detached homes only.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/mms

MAYOR

11/13/12

2012-140
Barry Evans/James Pratt
District No. 2
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 402 FOREST AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-TZ RESIDENTIAL TOWNHOUSE ZERO LOT LINE ZONE.

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PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/mms

MAYOR

2012-140 City of Chattanooga
October 8, 2012

RESOLUTION

WHEREAS, Barry Evans/James Pratt petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, property located at 402 Forest Avenue.

Lot 20, Final Plat of Frazier and Colville's Addition to Hill City, Block 1, Plat Book 94, Page 5, ROHC, Deed Book 9285, Page 848, ROHC. Tax Map 135D-S-015.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 8, 2012,

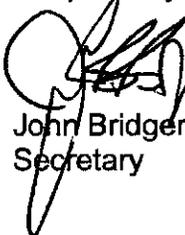
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, there was no opposition present to the petition,

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

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on October 8, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to single-family detached homes only.

Respectfully submitted,



John Bridger
Secretary

Case Number:	2012-140
Applicant Request:	R-T/Z Residential Townhouse Zero Lot Line Zone
Applicant:	Barry Evans/James Pratt
Property Address:	402 Forest Avenue
Jurisdiction:	Chattanooga District 2 / Hamilton County District 4
Neighborhood:	North Shore / North Shore Merchant Collective
Proposed Development	
Site Plan Submitted:	Yes
Proposed Use:	5 Single Family Lots
Site Characteristics	
Current Zoning:	R-4 Special Zone
Current Use:	Vacant
Adjacent Uses:	Residential
Size of Tract :	0.52 acres +/-
STAFF RECOMMENDATION:	APPROVE, subject to the following conditions: 1. Access only along the rear of the property. 2. Single family detached homes only

**Planning Commission Recommendation:
Approve with change (see resolution)**

Analysis

Extension of Existing Zoning?	No
Community Land Use Plan:	North Shore Plan (2007)
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

Comments

Planning Staff:

Applicant Request Overview

Barry Evans and James Pratt have submitted a request to rezone 0.52 acres of land, currently zoned R-4 Special Zone, to R-T/Z Residential Townhome Zero Lot Line Zone for the purpose of developing five single-family lots, as indicated on the submitted site plan.

Site Description

Forest Avenue in this area consists primarily of single-family residential development. However, there is a pump station located directly across Manning Street to the south and the adjacent property to the north has been used as an office in the recent past.

Zoning History

In 2007, the North Shore Zoning Study added conditions to the area's existing R-3 Residential Zones and R-4 Special Zones which permitted higher-density uses by right. The recommended conditions are as follows:

- Single-family, two-, three-, and four-family residential buildings and multi-family residential buildings of eight units or less are permitted in this zone. All other residential uses are prohibited. Office uses are permitted only in existing structures in the R-4 zone.

- Maximum building height is 35 feet.
- Building setback shall be equal to the average of the building setbacks of adjacent residential structures on the same street, \pm 5 feet. If adjacent lots are vacant, the nearest residential structures on the same side of the street shall be used. Exceptions for hardships due to topography, lots of record or other factors must be approved by RPA.
- Use of durable building materials, such as brick, stucco, stone, wood and Hardiplank is required and subject to approval by RPA.
- A pre-submittal meeting with City Land Development Office and RPA is required.
- The following conditions apply to all building types except single-family detached houses and two-family dwellings:
 - Parking shall be placed to the rear or side of buildings and screened from the street. Exceptions may be granted by the City Traffic Engineer.
 - Screening between the use and adjacent single-family detached or two-family uses shall be provided with a minimum of a Class C buffer as defined by the Chattanooga Landscape Ordinance.

Plans/Policies

Development in the subject area is guided by the 2007 North Shore Land Use Plan, the Hamilton County Comprehensive Plan 2030 and the Urban Overlay Zone.

The North Shore Plan recommends an Urban Medium/ High Density Residential land use for the subject property. This development form is intended to promote urban residential development at urban densities of 12 dwelling units per acre and greater.

The Urban Infill Development Sector, as identified in the Comprehensive Plan, typically offers dense development of a variety of uses. The Comprehensive Plan recommends that new development within the Urban Infill sector should follow certain patterns.

The Plan's general housing policies support increases in residential density in such areas by encouraging the identification of flexible zoning techniques to ease the infill process in terms of permitting, zoning, and impact on existing neighborhoods.

The subject property also lies within the bounds of the Urban Overlay Zone. This zone was created to maintain the physical layout of this older urban area, recognizing that downtown Chattanooga and its surrounding neighborhoods have a different development pattern than the rest of the city. The overlay zone is a tool to deal with special requirements and is placed over the existing zoning to alter some of the

regulations.

Staff Recommendation

The Regional Planning Agency recommends approval of this rezoning request, subject to listed conditions, as the applicant's proposed use was found to meet the intent of adopted area plans and policies. The proposed development is an appropriate use of infill residential development which is encouraged by both the North Shore Plan and the Hamilton County Comprehensive Plan. Another factor in staff's recommendation is the adjoining land use of the R-4 zoned property to the north, previously used as an office, and the pump station across Manning Street which the proposed homes would be facing.

The R-T/Z Residential Townhouse Zero Lot Line Zone will allow the owners to develop on a smaller lot and should create a development pattern of single-family detached residences consistent with the surrounding area. Conditions have been recommended by staff to help ensure the development is compatible with adjacent and surrounding land uses. The R-T/Z zone allows for attached Townhome development, but the predominant land use pattern in this area is single-family detached, therefore the condition to build only single-family is to ensure this consistent pattern. Accessing the property along the rear line is to encourage rear loading garages and to avoid multiple curb cuts in front of the development.



2012-0140 R-4 to R-T/Z



100 ft



Chattanooga Hamilton County Regional Planning Agency





PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-140: Approve, subject to detached family homes only.

2012-0140 R-4 to R-T/Z



100 ft



Chattanooga Hamilton County Regional Planning Agency



2012-140

LOT 19
FRAZIER & COLVILLES ADD
P.B. 94 PG. 5

ZONED R-4

S 90°00'00" E 214.61'

40.00'

LOT 1
5733.0 SQ. FT.
0.13 ACRES

LOT 2
4200.0 SQ. FT.
0.10 ACRES

LOT 3
4200.0 SQ. FT.
0.10 ACRES

LOT 4
4200.0 SQ. FT.
0.10 ACRES

LOT 5
4200.0 SQ. FT.
0.10 ACRES

402 Forest Ave

N 00°30'22" E 105.00'

105.00'

105.00'

105.00'

105.00'

N 00°30'22" E 105.00'

214.61' N 90°00'00" W

EAST-MANNING-ST. (30'R/W)

F-FOREST-AVE. (50'R/W)

ZONED R-3

ZONED R-3

ZONED R-3

ZONED R-3

ZONED R-3

DELMONT ST



CORNERSTONE
SURVEYING, LLC
7029 SNOW HILL ROAD
COOLTEWAH, TN 37363
(423) 238-4692

Job# 66-12
Date: 08/10/12
Plat Reference:
Plat Book 94
Page 5 R.O.H.C.

*Address 402 Forest Avenue
Tax Map 1350 S 015.01

Proposed Lots 1-5 of
Lot 20 Frazier & Colvilles
Addition Hill City
Chatt., Hamilton County, TN.

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-121 The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ. 151 Browns Ferry Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-129 John Wise. 1810 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2012-131 Don Skiles. 6811 McCutcheon Road, from R-1 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions.

2012-137 Homebuilders Association/Teresa Groves. 3215, 3219, and 3221 Harrison Pike, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-140 Barry Evans/James Pratt. 402 Forest Avenue, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-143 James D. Lee. 8203 East Brainerd Road, from R-1 Residential Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2012-117 Ericka Stearns. 906 East 10th Street, from R-1 Residential Zone to R-3 Residential Zone.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-144 Chattanooga Construction Company, LLC. 100 thru 200 blocks of Templeton Lane, for a Residential Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Section 38-672, Method of procedure, to include special permit petition acceptance.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

November 13, 2012

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council