

First Reading: 4/8/14
Second Reading: _____

2014-021
Claudio Costa
District No. 3
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4823 WINDING LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 MD MODERATE DENSITY ZONE.

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 4823 Winding Lane, more particularly described herein:

Lot 2 of the Winding Heights Subdivision, Plat Book 79, Page 161, ROHC, being part of the property described in Deed Book 8803, Page 603, ROHC. Tax Map No. 099L-F-008.02.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 MD Moderate Density Zone.

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

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2014-021 City of Chattanooga
March 10, 2014

RESOLUTION

WHEREAS, Claudio Costa 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-1 Residential Zone to R-3 MD Moderate Density Zone, property located at 4823 Winding Lane.

Lot 2 of the Winding Heights Subdivision, Plat Book 79, Page 161, ROHC, being part of the property described in Deed Book 8803, Page 603, ROHC. Tax Map 099L-F-008.02 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 10, 2014,

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

AND WHEREAS, there was opposition present to the petition,

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

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 10, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied.

Respectfully submitted,

John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-021	Date Submitted:	2-10-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-1	To: R-3 MD	
Total Acres in request area: 2.0 Acres			
2 Property Information			
Property Address:	4823 Winding Lane		
Property Tax Map Number(s):	099L-F-008.02		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Residential Development		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Vacant		
Adjacent Uses:	R-1 Residential		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Claudio Costa		Address: P.O. Box 22441	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37422	Email: wrondon.usa@hotmail.com
Phone 1: 423-320-2354	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District:	Neighborhood: Hixson Neighborhood		
Hamilton Co. Comm. District:	Chatt. Comm. District: 31	Other: Municipality	
Staff Ref:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist:			
<input checked="" type="checkbox"/> Application complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan (if required)	<input checked="" type="checkbox"/> Total Acres to be considered: 2.0	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plat (if applicable)
Deed Book(s): 8802-003		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs:
PC Book/Date: 7/9/10		<input checked="" type="checkbox"/> Check	Check Number: 3563
Filing Ref: 5295500	Case:	Application processed by: Marcia Parker	
Planning Commission meeting date: 03-10-2014			

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

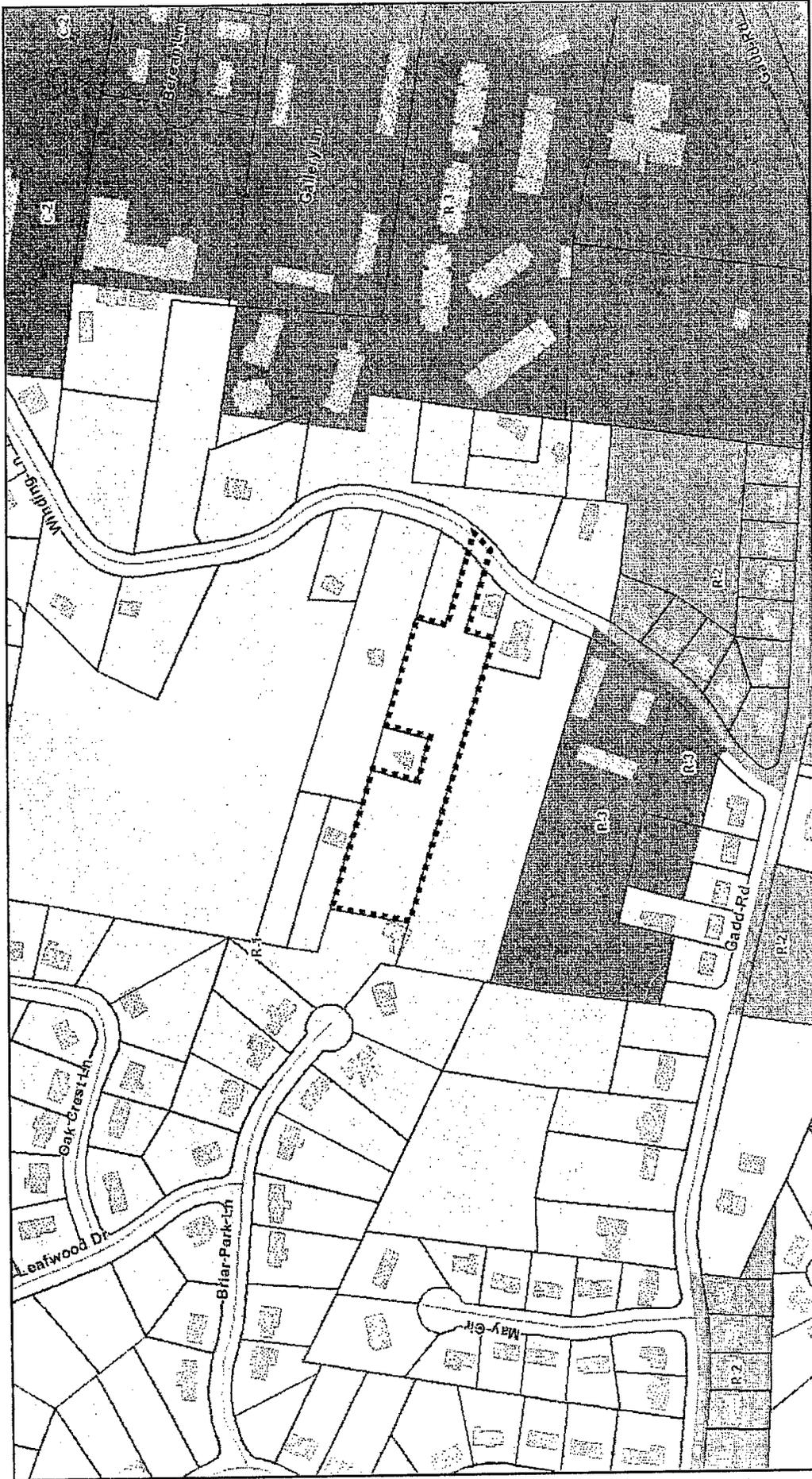
Case Number:	2014-021	PC Meeting Date: 3-10-2014
PC RECOMMENDATION:	DENY	
Reason(s) for Recommendation	<ul style="list-style-type: none">❖ Proposed use is not supported by the Hixson-North River land use plan.❖ Proposed rezoning is not an extension of an existing R3 Zone or R3MD Zone.❖ Proposed multi-unit development would not be compatible with adjacent large-lot single-family detached dwellings.	
Applicant Present at PC Meeting?	Yes	
Opposition Present at PC Meeting?	Yes	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-021	PC Meeting Date: 03-10-2014
STAFF RECOMMENDATION:	DENY	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u></p> <p>The applicant is requesting to rezone approximately 2.0 acres from R-1 Residential Zone to R-3MD Moderate Density Zone for the proposed construction of two-family dwellings with a total of four structures with eight units in total. The density of the development is four dwelling units per acre.</p> <p><u>Site Description</u></p> <p>The site is approximately 2.0 acres size with lot frontage along Winding Lane. The property is located along a ridge; therefore, there does appear to some steep topography located to the rear of the property where the proposed structures are to be located.</p> <p>Adjacent land uses include large lot single-family detached dwellings located to the north and south of the proposed site. Single-family detached dwellings are also located to the west of the site. Vacant property and a church are located to the south of the site. Further south of the site and along Winding Lane is an existing multi-family development. To the east of the site is an existing multi-family development; however, a small ridge separates the proposed site from the existing apartment complex.</p> <p>Adjacent zoning includes R-1 Residential Zone to the north, south, east, and west of the site. Further south of the site and closer to the intersection of Winding Lane and Gadd Road is an R-3 Residential Zone and R-2 Residential Zone.</p> <p><u>Zoning History</u></p> <p>In 2008 (case number 2008-032), the applicant applied to rezone the same piece of property from R-1 Residential Zone to R-3 Residential for the proposed construction of two-family dwellings. RPA staff recommended to deny the application in 2008 based on the recommendation of the Hixson-North River Community Plan and that the proposed use would not be compatible with adjacent single-family residential development.</p> <p>Based on the minutes from the February 11, 2008 the Chattanooga-Hamilton County Regional Planning Commission there was no opposition present; however the petition was denied.</p> <p>The Chattanooga City Council minutes from their meeting of March 11, 2008 also indicate no opposition present. The Chattanooga City Council denied the request.</p>	

STAFF CASE REPORT TO PLANNING COMMISSION

	<p>Plans/Policies</p> <p>The property is located within the study boundary of the Hixson-North River Community Plan (2005). The Hixson-North River Community Plan recommends as a future land use category for this piece of property "Low Density Residential". The land use classification of Low Density Residential is defined as primarily detached single-family dwellings with some exceptions made for townhomes, patio homes, and two-family dwellings, if the density is compatible.</p>
Infrastructure & Operational Comments	<p>All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.</p>
Summary	<p>Staff is recommending to deny the request. The proposed development is not supported by the Hixson-North River Community Plan. Since the plan's adoption, the development patterns in this area have remained consistent with the plan recommendation for low density residential.</p> <p>The rezoning request is not an extension of an adjacent R-3 Residential Zone or R-3MD Moderate Density Zone.</p> <p>The proposed development of the site with multiple two-family dwellings would not be compatible with the adjacent large lot single-family detached dwellings.</p>



2014-021 Rezoning from R-1 to R-3MD



300 ft



Chattanooga Hamilton County Regional Planning Agency



2014-021 Rezoning from R-1 to R-3MD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-021: Deny



300 ft



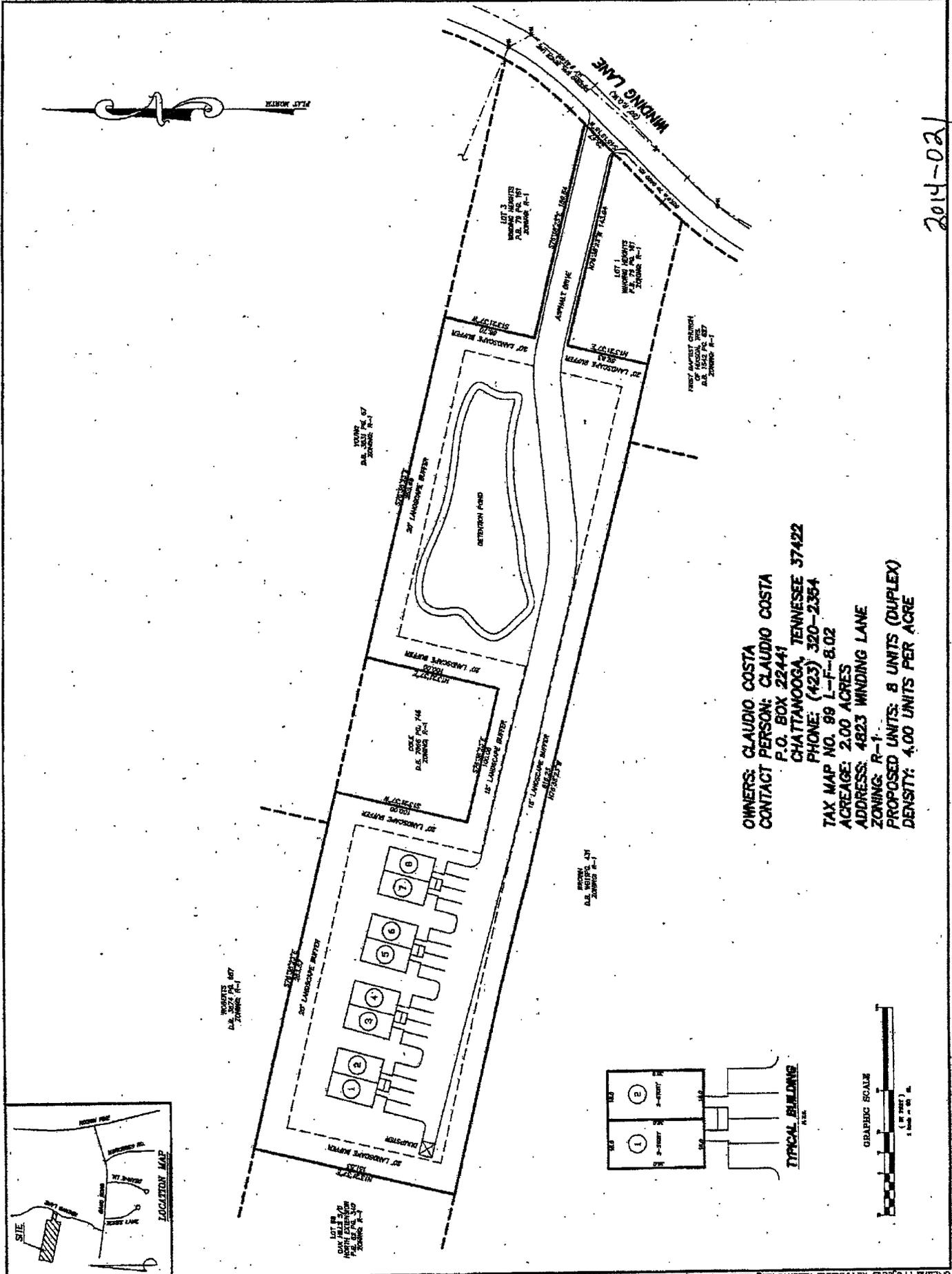
Chattanooga Hamilton County Regional Planning Agency



COSTA CONDOS

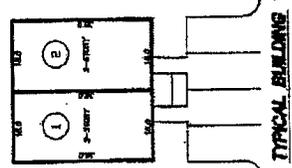
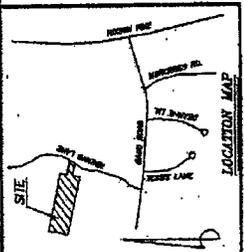
DMS MAPPING
 WITH HEIGHTS REVISIONS, ZONING MAPS & PERMITS

DATE: 02/10/2014
 TIME: 1:47:02 PM EST



OWNERS: CLAUDIO COSTA
CONTACT PERSON: CLAUDIO COSTA
F.O. BOX 22441
CHATTANOOGA, TENNESSEE 37422
PHONE: (423) 320-2364
TAX MAP NO. 89 L-F-8.02
ACREAGE: 2.00 ACRES
ADDRESS: 4823 WINDING LANE
ZONING: R-1
PROPOSED UNITS: 8 UNITS (DUPLEX)
DENSITY: 4.00 UNITS PER ACRE

2014-02



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 petition to rezone be denied:

2014-021 Claudio Costa, 4823 Winding Lane, from R-1 Residential Zone to R-3 MD Moderate Density Zone.

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

2014-019 James Pratt, 5650 Cassandra Smith Road, for a Residential Planned Unit Development, subject to certain conditions.

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,

April 8, 2014

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 _____, 2014.

Sandra Freeman
Clerk to the City Council