

First Reading: _____
Second Reading: _____

2014-083
Carl Buch/Les Lazarus
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 319 PINE RIDGE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL 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 319 Pine Ridge Road, more particularly described herein:

Lot 7 and part of Lot 6 of Chattanooga Investment Company's No. 1 Subdivision, Plat Book 12, Page 24, ROHC, being the property described in Deed Book 10230, Page 597, ROHC. Tax Map No. 135C-E-013.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-2 Residential 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

2014-083 City of Chattanooga
August 11, 2014

RESOLUTION

WHEREAS, Carl Buch/Les Lazarus 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-2 Residential Zone, property located at 319 Pine Ridge Road.

Lot 7 and part of Lot 6 of Chattanooga Investment Company's No. 1 Subdivision, Plat Book 12, Page 24, ROHC, being the property described in Deed Book 10230, Page 597, ROHC. Tax Map 135C-E-013 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 11, 2014,

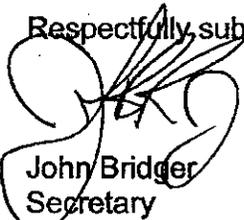
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 August 11, 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:	2014-083	Date Submitted:	07-10-2014
(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-2	
Total Acres in request area: 0.19			
2 Property Information			
Property Address:	319 Pine Ridge Road		
Property Tax Map Number(s):	135C-E-013		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Building built as duplex and owners want to maintain original footprint & character		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Duplex		
Adjacent Uses:	Single Family, Apartments, Duplex nearby		
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: Carl Buch		Address: 2112 Duncan Avenue	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37404	Email: carlbuch0600@gmail.com
Phone 1: 423-215-5198	Phone 2:	Phone 3:	Fax: 615-268-6001
6 Property Owner Information (if not applicant)			
Name: Les Lazarus		Phone: 615-268-6001	
Address: 915 Lewisburg Pike Franklin, TN 37064			
Office Use Only:			
Planning District: 8B		Neighborhood: Hill City & North Shore	
Hamilton Co. Comm. District: 6		Chatt. Council District: 1	
Other Municipality:			
Staff Rec:	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: 0.19	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10230-597			
Plat Book/Page: 12-24		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee:	Cash	<input checked="" type="checkbox"/> Check	Check Number: 1058
Planning Commission meeting date: 8-11-2014		Application processed by: Marcia Parker	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-083	PC Meeting Date: 08-11-14
Applicant Request:	Rezone from R-1 Residential Zone to R-2 Residential Zone	
Property Location:	319 Pine Ridge Road	
Property Owner:	Les Lazarus	
Applicant:	Carl Buch	
Staff Recommendation:	DENY	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is requesting an R-2 Residential Zone for an existing duplex that is currently zoned R-1 Residential Zone.

Site Description

The 0.19 acre site currently contains an existing unoccupied duplex. Surrounding properties are zoned R-1 Residential Zone with a new single-family residence under construction to the west of the site, a four-unit residence and vacant property to the rear, and a single-family house to the east.

Zoning History

This site was rezoned to R-1 Residential Zone in 1999 as part of the Hill City Zoning Study. The site had formerly been zoned R-2 Residential Zone.

Plans/Policies

This site is within the 2003 Hill City-Northside Neighborhood Plan. The Plan recommends Urban Single-Family Residential at this site. This land use is defined by the plan as a classification intended for detached single-family dwellings with lot sizes as small as 5,000 square feet.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

RPA Summary

RPA recommends denying the applicant's request to rezone this lot from R-1 Residential Zone to R-2 Residential Zone for a duplex. During the public meetings for the 2003 Hill City-Northside Neighborhood Plan, local stakeholders consistently voiced concern over the need to stabilize the single-family character of this vicinity of the neighborhood. The 1999 Hill City Zoning Study recommended R-1 Residential for this site. The adopted 2003 Hill City-Neighborhood Plan reinforced the actions of the 1999 Zoning Study's by recommending this lot remain single-family residential. The Neighborhood Plan's intent is to preserve the existing single-family housing while maintaining a balance of housing types through future duplex developments in only selected areas of the neighborhood. Although the plan does recommend duplexes, for certain portions of Hill City, this location is not one of those areas.

Chattanooga-Hamilton County Regional Planning Agency

STAFF CASE REPORT TO PLANNING COMMISSION

This recommendation is intended to maintain the integrity of the residential neighborhood.



2014-083 Rezoning from R-1 to R-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-083: Deny



106 ft



Chattanooga Hamilton County Regional Planning Agency





2014-083 Rezoning from R-1 to R-2

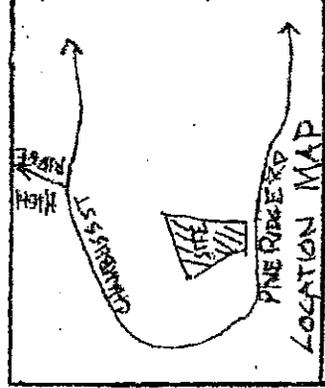
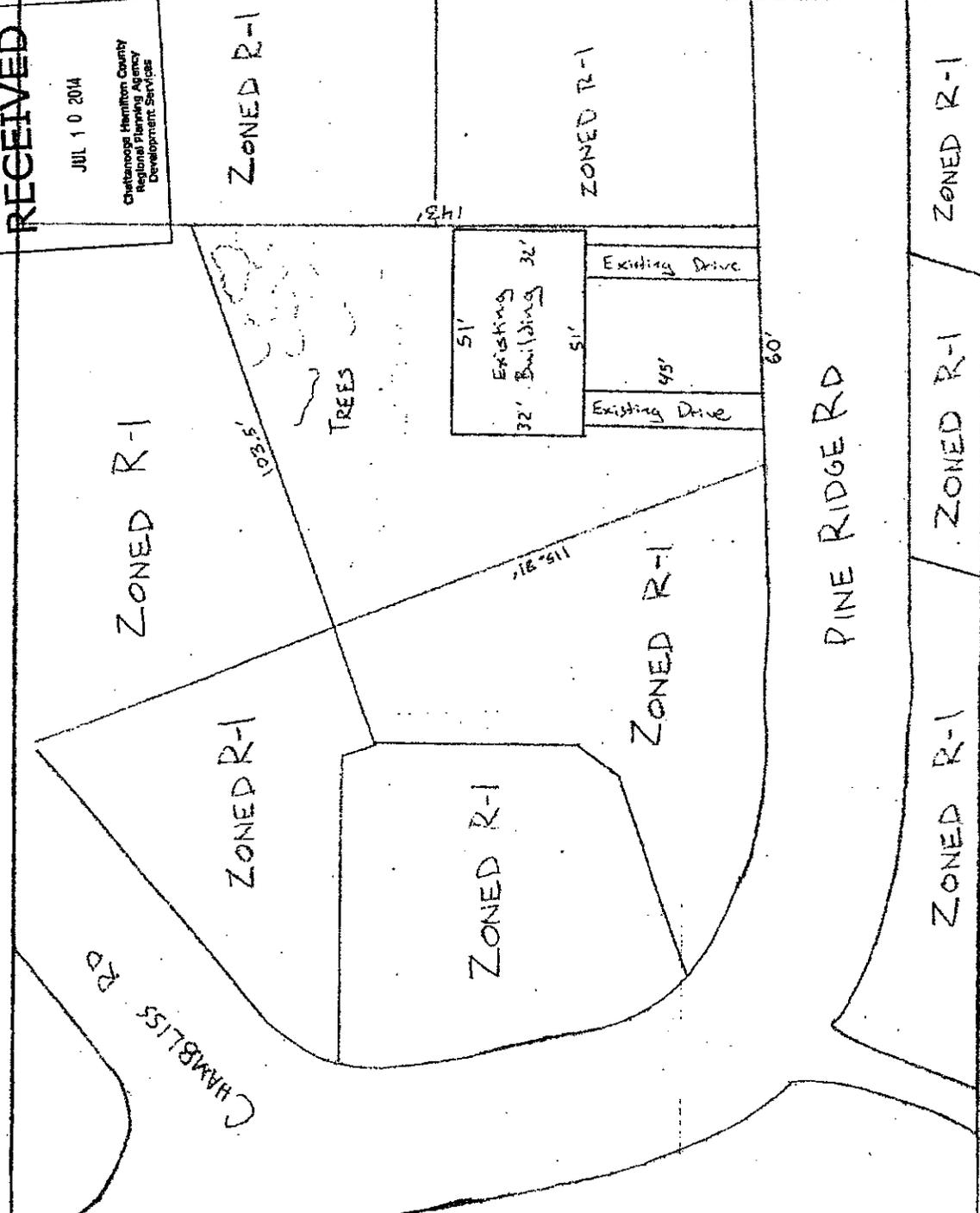
106 ft

Chattanooga Hamilton County Regional Planning Agency

RECEIVED

JUL 10 2014

Chattanooga, Hamilton County
Regional Planning Agency
Development Services



NOTES:
 A. CURRENT ZONING R-1
 NA 8,8580', .19AC
 * C.U. USE EXISTING BUILDING
 D. NO LANDSCAPE ORDINANCE
 E. N/A DUMPSTER

GRAPHIC SCALE
 0 15 30 45 60

PROPERTY PLAN
 SCALE: 1"=24' JULY 10, 2014

FOR:
 LES LAYARDUS
 319 PINE RIDGE RD
 CHATTANOOGA, TN 37405
 615.268.6001

CONTACT:
 BROADVIEW PROPERTY SOLUTIONS
 CARL BUEH
 2112 DUNCAN AVE
 CHATTANOOGA TN 37404
 423.215.5198
 CARLBUEH@BROADVIEWMAIL.COM
 TAX MAP #: 1356 E 013

2014-083

"Letter of opposition"

Haynes Greg

From: Jim Johnson (BikeToursDirect) [jim@biketoursdirect.com]
Sent: Wednesday, July 30, 2014 9:10 AM
To: Haynes Greg
Subject: Application for Rezoning: 2014-083

Dear Mr. Haynes:

I would like to take the time to tell the Regional Planning Commission that I oppose the rezoning attempt taking place at 319 Pine Ridge Road (Application for Rezoning: 2014-083). I do not believe there is any valid reason to re-zone the property and I believe it should stay R-1.

Hill City is a delightful neighborhood, steps away from the gorgeous Stringer's Ridge (I'm chairman of Friends of Stringer's Ridge) and just a mile from the Tennessee River. The neighborhood is currently zoned R-1 and I believe it should stay that way. Many of the houses lining Pine Ridge are old, historic houses with large lots and mature trees. This is a family neighborhood and we should keep it that way. We do not want more modern townhouses built by people who live out of town and are not truly invested in our community. Re-zoning 319 Pine Ridge and building townhomes is not in keeping with the family-friendly and character of Hill City. It also sets a bad precedent for multi-unit housing, which could congest already narrow streets and even endanger increasing visitors (often by bike or foot) to Stringer's Ridge Park.

Hill City should be focused on single family houses, as is it currently zoned. Townhouses simply do not fit in the neighborhood nor is there any reason to build them. Please accept this email as my formal opposition to rezoning. Please keep 319 Pine Ridge Road as a R1!

Thank you for your time and attention to this very important matter.

Best regards,

Jim Johnson
1638 Berkley Circle
Chattanooga, TN 37405

LAW OFFICES

SPEARS, MOORE, REBMAN & WILLIAMS
PROFESSIONAL CORPORATION
801 BROAD STREET, 6TH FLOOR
CHATTANOOGA, TENNESSEE 37402

TELEPHONE - 423/756-7000
FACSIMILE - 423/756-4801
WWW.SPEARSMOORE.COM

MAILING ADDRESS:
P. O. BOX 1749
CHATTANOOGA, TN 37401-1749

CARA E. WEINER
DIRECT DIAL: 423/757-0402

July 23, 2014

Via E-mail haynes_greg@chattanooga.gov and U.S. Mail

Greg Haynes
Director of Development Services
Regional Planning Commission
Development Resource Center
1250 Market Street
Suite 2000,
Chattanooga, Tennessee 37402-2713

Re: Application for Rezoning: 2014-083

Dear Mr. Haynes:

I wanted to express my extreme concern about the rezoning attempt taking place at 319 Pine Ridge Road. I live across the street and I can see this house from mine.

The Hill City Neighborhood is zoned R-1 for a reason. There is absolutely no reason to allow Mr. Buch to rezone this area into R-2. I spoke to Mr. Buch on the phone regarding his plans for the rezoning. According to Mr. Buch, the house is owned by out-of-town investors who fully intend to rent the house(s) out when they are built. It's clear that these investors are concerned about making money out of the property; they have no intention to live in this house(s) and therefore their first priority is not making Hill City a better place to live. Instead, they want to squeeze as many houses onto a small lot as they can, thus maximizing their profits. That is not what Hill City is about. We are a lovely community, with hard-working local folks who want a peaceful neighborhood. We are a family community. We do not want a lot of houses squeezed in to a small piece of property so that out-of-towners can make their buck off of us. Moreover, the house was purchased out of foreclosure for \$58,000.00 and the buyer knew full well that it would be rezoned to R1. The purchase price and the prices of homes in the neighborhood leave the out-of-town investors with plenty of room to avoid losing money on the purchase.

Greg Haynes

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July 23, 2014

When I spoke to Mr. Buch's on the phone he essentially said there were two choices for his out of town investors. Either they are allowed to build townhouses, in which case they use "nicer" material or, if the rezoning is not permitted, they will build one house out of much cheaper material. It is absolutely unfair to the neighborhood to threaten us with an ugly, cheap-looking house in order to try to get us to go along with the zoning change. The neighborhood wants something that fits in with its charm and character and town houses do not.

My house, just across the street, is almost 90 years old. It's a beautiful, old house on almost half of an acre with large, old trees. My next door neighbor also lives in a beautiful, old home and she has three lots and a spacious, well-manicured yard. We do not want the character of our neighborhood destroyed with modern townhouses squeezed in to a small lot. Such houses simply would not fit with our neighborhood. While there are some duplexes left in our neighborhood, those are grandfathered in. When the ownership changes hands, the properties are supposed to R-1 again.

Siding with Mr. Buch and allowing the property to be rezoned to R-2 is telling the community that out-of-state investors are more important than the neighbors. Please don't allow that to be the message that is sent. We are zone R-1 for a reason. Let's keep it that way and **DENY** Mr. Buch's request to re-zone the property.

All the best,



Cara E. Weiner
322 Pine Ridge Road
Chattanooga, TN 3705

382067
999713-0000

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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 approved:

2014-077 Allen Jones/Watkins Street Project, LLC. 1700 & 1800 Watkins Street & 2461 East 18th Street, from R-2 Residential Zone, M-1 Manufacturing Zone, and M-2 Light Industrial Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2013-145 Gunbarrel Partners. 2515, 2519, and 2527 Gunbarrel Road, from R-1 Residential Zone to C-4 Planned Commerce Center Zone.

2013-144 Napier Associates & Gunbarrel Partners. 2418, 2424, 2428, and 2440 Elam Lane and 2501, 2511, 2515, 2519, and 2527 Gunbarrel Road, from R-1 Residential Zone and C-4 Planned Commerce Center Zone to MXU Zone, subject to certain conditions.

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

2014-083 Carl Buch/Les Lazarus. 319 Pine Ridge Road, from R-1 Residential Zone to R-2 Residential Zone.

2014-086 MAP Engineers, LLC/Heatec, Inc. 5200 Wilson Road, from M-1 Manufacturing Zone to O-1 Office Zone, and recommends lifting Condition #1 from Ordinance No. 11820 and replacing same.

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

- (a) Adding to and Renumbering Section 38-201. Intent;
- (b) Deleting Sections 38-207 through 38-213 in its entirety and substituting in lieu thereof; and

- (c) Deleting Section 38-473(12) in its entirety and substituting in lieu thereof.

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,

September 9, 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