

First Reading: _____
Second Reading: _____

2015-130
Joseph Ingram/Sergey Lyashevskiy
District No. 4
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7712 AND 7716 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RT-1 RESIDENTIAL TOWNHOUSE 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 properties located at 7712 and 7716 Shallowford Road, more particularly described herein:

Lots 13 and 14, Block B, Drake Forest Subdivision, Plat Book 25, Page 119, ROHC, Deed Books 10510, Pages 743 and 745, ROHC. Tax Map No. 149J-B-018 and 019.

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

First Reading: _____
Second Reading: _____

2015-130
Joseph Ingram/Sergey Lyashevskiy
District No. 4
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7712 AND 7716 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO RT-1 RESIDENTIAL TOWNHOUSE 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 properties located at 7712 and 7716 Shallowford Road, more particularly described herein:

Lots 13 and 14, Block B, Drake Forest Subdivision, Plat Book 25, Page 119, ROHC, Deed Books 10510, Pages 743 and 745, ROHC. Tax Map No. 149J-B-018 and 019.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to the following conditions:

- 1) Parking shall be located behind development;
- 2) No more than seven (7) units total will be allowed across the rezoned property;
- 3) No more than four (4) townhouses may be in a single missed building; and
- 4) Applicant may use existing curb cuts or remove existing curb cuts and be allowed a single curb cut for the rezoned parcels.

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:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mem

2015-130 City of Chattanooga
December 14, 2015

RESOLUTION

WHEREAS, Joseph Ingram/Sergey Lyashevskiy 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 RT-1 Residential Townhouse Zone, properties located at 7712 & 7716 Shallowford Road.

Lots 13 and 14, Block B, Drake Forest Subdivision, Plat Book 25, Page 119, ROHC, Deed Books 10510, Pages 743 and 745, ROHC. Tax Map149J-B-018 and 019 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on December 14, 2015,

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

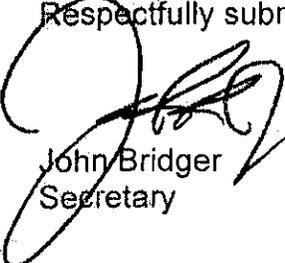
AND WHEREAS, there was opposition present to the petition,

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

AND WHEREAS, the Planning Commission has determined that the proposal is not consistent or compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on December 14, 2015, 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:	2015-130	Date Submitted: 8-24-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	From: R-1	To: RT-1
Total Acres in request area: 0.73 acres		
2 Property Information		
Property Address:	7712 & 7716 Shallowford Road	
Property Tax Map Number(s):	149J-B-018 & 019	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Build 8 Townhomes in 2 buildings	
4 Site Characteristics		
Current Zoning:	R-1	
Current Use:	Vacant	
Adjacent Uses:	R-1 & R-4	
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: Joseph Ingram	Address: 115 South Lovell 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: 37411
Email: joseph@ingramgore.com		
Phone 1: 423-774-7177	Phone 2:	Phone 3:
		Fax: 423-490-8472
6 Property Owner Information (if non-applicant)		
Name: Sergey Lyashevskiy	Phone: 423-364-2030	
Address: 620 Wisley Way Ringgold, GA 30736		
Office Use Only:		
<input type="checkbox"/> Planning District 10	<input type="checkbox"/> North Hamilton County	
<input type="checkbox"/> Planning District 3	<input type="checkbox"/> Other Municipality	
<input type="checkbox"/> Semi-Annual	<input type="checkbox"/> Legislative Action/Date/Ordinance	
<input checked="" type="checkbox"/> Application Complete	<input type="checkbox"/> Owner's In Verification	<input checked="" type="checkbox"/> I have proposed zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan Interlined	<input checked="" type="checkbox"/> Total Area to be considered: 0.73	<input checked="" type="checkbox"/> Deeds <input type="checkbox"/> Plats, if applicable
Deed Book(s): 10510-743 & 10510-745		
Plat Book/Page: 25-119	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input checked="" type="checkbox"/> Check	Check Number: 1381
Planning Commission meeting date: 10-12-2015	Application processed by: Marcia Rarker	

PLANNING COMMISSION CASE REPORT

Case Number: 2015-130

PC Meeting Date: 12-14-15

Applicant Request

Rezone from R-1 Residential Zone to RT-1 Residential Townhouse Zone

Property Location:	7712 & 7716 Shallowford Road
Property Owner:	Sergey Lyashevskiy
Applicant:	Joseph Ingram

This request was deferred at the November Planning Commission meeting to allow the applicant and the residents to meet regarding the request.

Project Description

- Proposal: Develop 0.73-acre site with two 4-unit townhomes.
- Proposed Access: Shallowford Road.
- Proposed Development Form: Two 2-story buildings are proposed to be located at rear of lot with parking in the front.
- Proposed Density: 10 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 0.73-acre vacant site is located on the south side of Shallowford Road approximately 00 feet west of Jenkins Road.
- Current Access: Shallowford Road.
- Tennessee Department of Transportation Functional Classification: Urban Minor Arterial
- Current Development form: No clear development form established.
- Current Land Uses: Condominiums, an assisted living facility, and a church are located to the north across the street from the site. A single-family home is located adjacent to the site on the east side. Two vacant lots are adjacent to the site on the south and west sides.
- Current Density: The average residential density in the area is approximately 5 dwelling units per acre in the Village of Ashwood Condominiums across the street from the site. The density of Drake Forest (of which the site is a part of) is approximately 1.8 dwelling units per acre (196 lots on 109 acres).

Zoning History

- The site is currently zoned R-1 Residential.
- The Village of Ashwood Planned Unit Development (PUD) across the street from the site to the north was approved in 2002 (Resolution #23660).
- The site across the street to the north was rezoned from R-1 Residential Zone to R-4 Special Zone with conditions in 2013. (Ordinance #12741).
- Adjacent properties to the east, south, and west are zoned R-1 Residential.
- The nearest RT-1 Residential Townhouse Zone (same as the request) is approximately 2,000 feet (straight line distance) to the northwest on Min Tom Drive.
- A request was made to rezone this site from R-1 Residential to RT-1 Residential Townhouse Zone in 2013 but was denied by City Council on February 11, 2014.

Plans/Policies/Regulations

- The Hamilton Place Community Plan (adopted by City Council in 2001) recommends Low to Medium Density Residential.
- The R-1 Residential Zone permits single family homes on minimum lot sizes of 7,500 square feet.

PLANNING COMMISSION CASE REPORT

- The RT-1 Residential Townhouse Zone permits townhouse units on minimum lot sizes of 1,350 square feet or single-family homes on 2,625 square foot minimum lot sizes.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area as there is need to step down the intensity of uses on Shallowford Road heading east.
- The proposed use is compatible with surrounding uses as it is placing a more intense residential use as a buffer between low-density residential development and an arterial road.
- The proposed residential density is not compatible with the surrounding densities. The plan recommends Low or Medium Density Residential which is capped at 8 dwelling units per acre.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would not be an extension of an existing zone.
- The transportation infrastructure is adequate to absorb additional capacity. Limiting the site to a single curb cut reduces the number of conflict points between the users of the new development and the pedestrians and vehicles utilizing the street.

Staff Recommendation

Approval with conditions:

1. Parking shall be located behind development.
2. No more than 7 units total will be allowed across the rezoned property.
3. No more than 4 townhouses may be in a single massed building.
4. Applicant may use existing curb cuts or remove existing curb cuts and be allowed a single curb-cut for the rezoned parcels.



2015-130 Rezoning from R-1 to RT-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-130: Deny

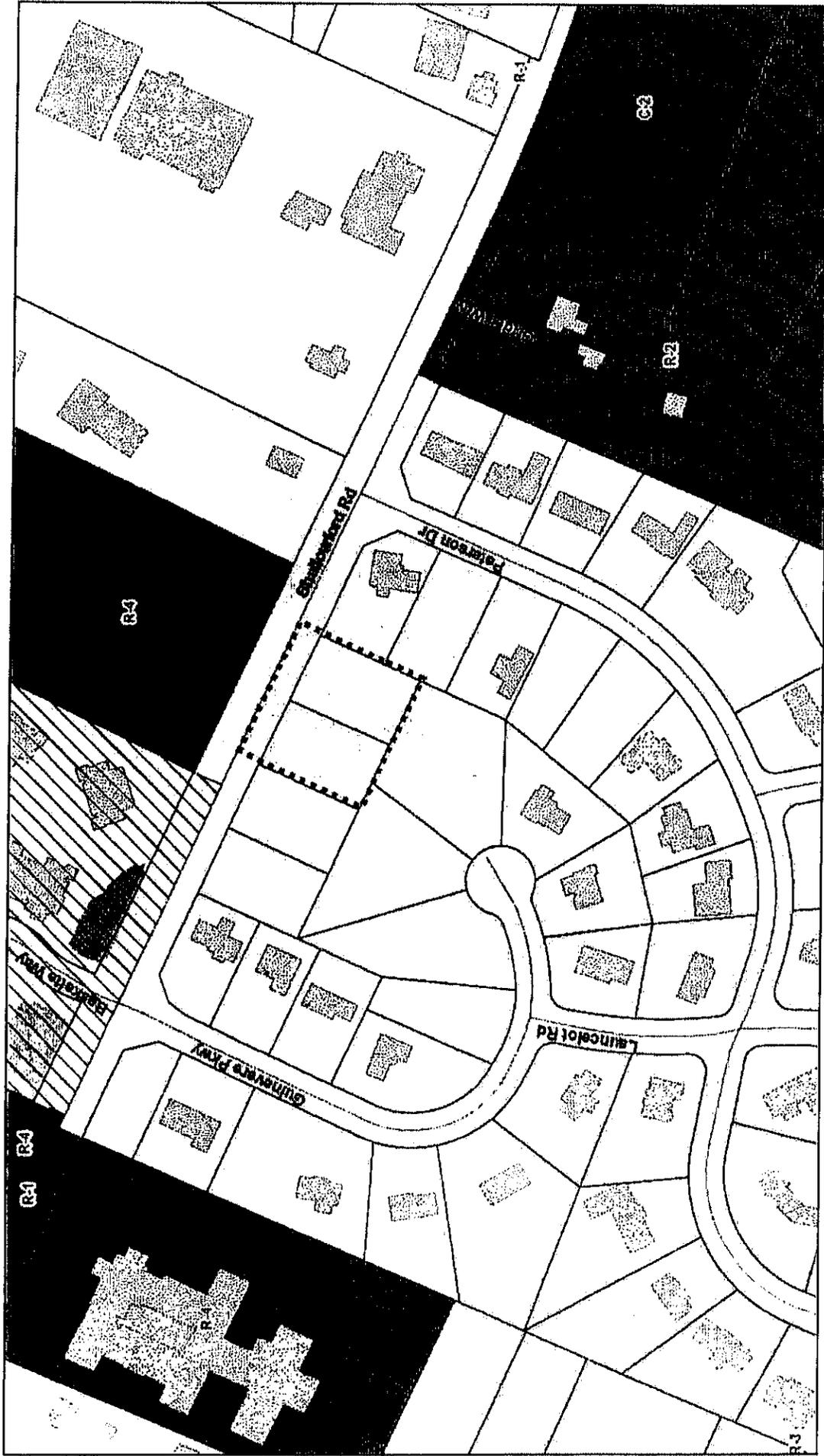


200 ft



Chattanooga Hamilton County Regional Planning Agency





2015-130 Rezoning from R-1 to RT-1



200 ft



Chattanooga Hamilton County Regional Planning Agency

PROPOSED RT1 SITE

7212 AND 7216 SHALLOWFORD ROAD
 TAX ID 148J B 019 & 148J B 019
 EXISTING ZONING = R 1

SITE AREA = 31,775 SF = 0.73 AC

8 PROPOSED TOWNHOUSES = 10 UNITS/ACRE

RT 1 ZONING TO CREATE 8 NEW LOTS ON SHALLOWFORD ROAD

ALL LOTS TO BE SERVED BY UTILITIES IN SHALLOWFORD ROAD

LOTS ACCESS FROM TWO EXISTING DRIVES IN SHALLOWFORD

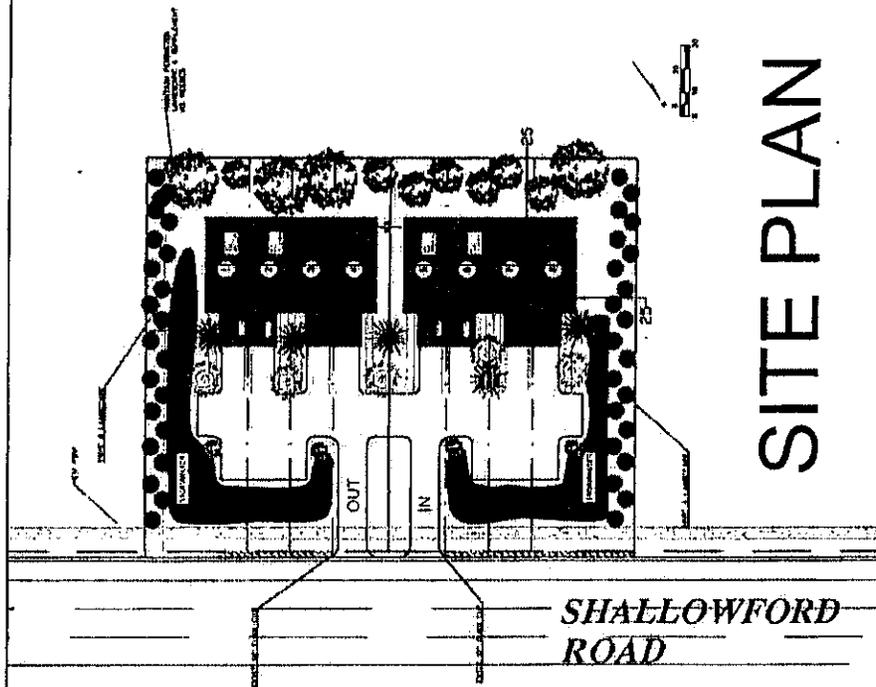
25' FRONT, SIDE AND REAR SETBACK AGAINST EXIST R 1

TYPE B SCREENING ON ALL BOUNDARIES W/R1

STORMWATER TO MANAGE IN TWO SHALLOW BIO PONDS

BIO PONDS TO INCLUDE LANDSCAPING PER DESIGN

REQUIREMENTS



SITE PLAN

PROPOSED TOWNHOMES

PROPOSED UNITS TO BE 1,400 TO 1,600 SF

BUILDING FOOT PRINT 54 X 18 INCLUDING ONE-CAR GARAGE

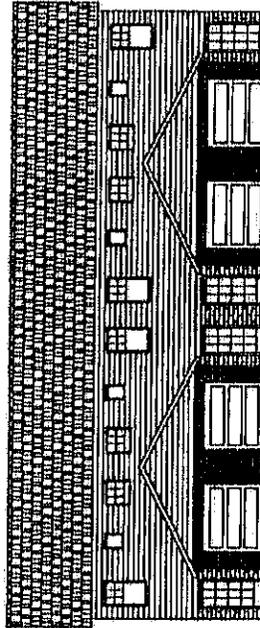
GARAGE AT FRONT TO BE ONE-STORY

TOWNHOUSES TO BE TWO STORY

FRONT OF UNITS TO BE COMBINATION OF BRICK, STONE AND

HARDY SIDING

MINIMUM ROOF PITCH TO 8:12



**BUILDING
 ELEVATION**

SHALLOWFORD COMMONS TOWNHOMES
 7712 & 7716 SHALLOWFORD ROAD
 CHATTANOOGA, TENNESSEE

ADD GARAGE	78/24/12

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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 petitions to rezone be approved:

2015-143 Steven Ryan/Community Funeral and Brainerd Church of Christ. 4203 Brainerd Road, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.

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

2015-109 Tennessee Riverplace and James P. Little, MD. 1335 O'Grady Drive, from R-1 Residential Zone to R-3 Residential Zone.

2015-130 Joseph Ingram/Sergey Lyashevskiy. 7712 and 7716 Shallowford Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone.

2015-147 Lorrie Cantrell. Parts of 2012 and 2018 Jenkins Road, from R-1 Residential Zone to R-2 Residential Zone.

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,

January 12, 2016

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 _____, 2015.

Nicole Gwyn
Clerk to the City Council