First Reading:_____
Second Reading:_____

2016-048
Sunnyside Properties, LLC
District No. 7
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 4820 OAKLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-1 RESIDENTIAL 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 part of property located at 4820 Oakland Avenue, more particularly described herein:

> Part of an unplatted tract of land beginning on its west property line at the northeast corner of 167G-P-040 thence 257.15 feet northeast along said west line to a point, thence southeast 180 feet to a point, thence southwest 222 feet to a point, thence northwest 183.40 feet to a point in the west line of said property being the point of beginning and being part of the property described as Tract 2 in Deed Book 10332, Page 502, ROHC. Tax Map No. 167F-A-011 (part).

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to one single-family residential dwelling 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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mem

First Reading:_____
Second Reading:_____

2016-048
Sunnyside Properties, LLC
District No. 7
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 4820 OAKLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE 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 part of property located at 4820 Oakland Avenue, more particularly described herein:

> Part of an unplatted tract of land beginning on its west property line at the northeast corner of 167G-P-040 thence 257.15 feet northeast along said west line to a point, thence southeast 180 feet to a point, thence southwest 222 feet to a point, thence northwest 183.40 feet to a point in the west line of said property being the point of beginning and being part of the property described as Tract 2 in Deed Book 10332, Page 502, ROHC. Tax Map No. 167F-A-011 (part).

and as shown on the maps attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line 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

2016-048 City of Chattanooga
April 11, 2016

RESOLUTION

WHEREAS, Sunnyside Properties, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning of part of a property located at 4820 Oakland Avenue from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

Part of an unplatted tract of land beginning on its west property line at the northeast corner of 167G-P-040 thence 257.15 feet northeast along said west line to a point, thence southeast 180 feet to a point, thence southwest 222 feet to a point, thence northwest 183.40 feet to a point in the west line of said property being the point of beginning and being part of the property described as Tract 2 in Deed Book 10332, Page 502, ROHC. Tax Map 167F-A-011 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 11, 2016,

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 consistent with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on April 11, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for the R-T/Z Residential Townhouse Zero Lot Line and approved for R-1 Residential Zone, subject to one single-family residential dwelling only.

Respectfully submitted,

John Bridger
Secretary

Chattanooga-Hamilton County Regional Planning Agency

ZONING APPLICATION FORM

CASE NUMBER:	2016-048	**Date Submitted: 2-16-2016**
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	**From: M-1**	**To: R-T/Z**
	Total Acres in request area: 0.99	
2 Property Information		
Property Address:	4820 Oakland Ave	
Property Tax Map Number(s):	167F-A-011 (portion of)	
3 Proposed Development		
Reason for Request and/or Proposed Use:	To develop a 0.99 + or – acre portion of the property for residential use	
4 Site Characteristics		
Current Zoning:	M-1	
Current Use:	Vacant	
Adjacent Uses:	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: Sunnyside Properties LLC		Address: 25 East Main Street	
Check one:	x I **am** the property owner		I am **not** the property owner
City: Chattanooga	State: TN	Zip Code: 37408	Email: paul@greentechbuild.com
Phone 1: 423-883-0410	Phone 2:	Phone 3:	Fax:

6 Property Owner Information (if not applicant)

Name: Same	Phone:
Address:	

Office Use Only:

Planning District: 4	Neighborhood: CNAC, South Chattanooga, St Elmo	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:

Checklist

x	Application Complete	x	Ownership Verification	x	Map of Proposed Zoning Area with dimensions		
x	Site Plan, if required	x	Total Acres to be considered: 0.99	x	Deeds	x	Plats, if applicable
Deed Book(s): 10332-502							
Plat Book/Page: 7-26				x	Notice Signs		Number of Notice Signs: 1
x	Filing Fee: 150.00		Cash	x	Check		Check Number: 11034
Planning Commission meeting date: 4-11-2016				Application processed by: Marcia Parker			

Chattanooga-Hamilton County Regional

PLANNING COMMISSION CASE REPORT

Case Number: 2016-048 **PC Meeting Date:** 04-11-16

Applicant Request

Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone

Property Location:	4820 Oakland Ave
Property Owner:	Sunnyside Properties LLC
Applicant:	Sunnyside Properties LLC

Project Description

- Proposal: Develop 1-acre site with 1 single-family residential dwelling.
- Proposed Access: Entrance on West 46th Street.
- Proposed Development Form: A single-family dwelling.
- Proposed Density: Approximately 1 dwelling units per acre.

Site Analysis

Site Description

- Location: The 1 acre site is located at the east end of West 46th Street.
- Current Access: Entrance on West 46th Street.
- Current Development form: There is a mixture of one and two-story single family dwellings within a 300 foot radius of this site. The site sits on topography with slopes greater than 25%.
- Current Land Uses: The property to the east and south is vacant undeveloped vegetation. The properties to the north and west are single-family residential dwellings.
- Current Density: The surrounding lots differ in size and many are vacant making a current density calculation difficult. Based on 14 lots along West 46th Street the average density for the area is 5 dwelling units per acre.

Zoning History

- The site is currently zoned M-1 Manufacturing Zone.
- The property to the east and south is M-1 Manufacturing Zone. The properties to the north and west are R-1 Residential Zone.
- The nearest R-T/Z Residential Townhouse/Zero Lot Line Zone (same as the request) is located outside of the neighborhood.
- There was a St. Elmo Zoning Study in 2005 which was adopted (Ordinance #11675) and rezoned property in the area. This site is abutting but not within in the boundary for that zoning study.

Plans/Policies/Regulations

- The St. Elmo Plan (adopted by City Council in 2001) recommends to keep this land in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff.
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The R-1 Single-Family Residential District only permits single-family homes with a minimum lot size of 7,500 square feet if on sewers. If septic tanks are to be used, the minimum lot size is determined by the Hamilton County Water Quality Program. Minimum lot frontage width is 60 feet if on sewers and 75 feet if on septic tanks. Based on building setback requirements, the typical density is approximately 3 to 4 dwelling units per acre.
- The R-T/Z Residential Townhouse Zero Lot Line Zone permits single-family homes and townhouses but with no minimum frontage width requirement. In the Urban Overlay Zone, the R-T/Z Zone can have up to 12 units per acre. For individual homes, lots can be no less than 25 feet wide.

Key Findings

- The proposed zoning change is not supported by the recommendations of the adopted Land Use Plan for the area based on the proposed introduction of development into the conservation district.

- The proposed use is consistent with surrounding residential uses.
- The proposal is not consistent with the development form of the area based on the public road frontage being less than all other frontages on the block. This stems from the hardship of being located at the end of a public road right-of-way.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests by allowing development into the conservation district.
- The slope of West 46th street would likely not allow for the expansion of public roads.
- The current zone (M-1 Manufacturing Zone) allow for more intense uses than R-1 Residential Zone.
- R-1 Residential Zone could be appropriate through a variance to subdivide the lot would be required to alleviate hardship on the required 60' frontage.

Staff Recommendation

Deny R-T/Z Residential Townhouse Zero Lot Line Zone and approve R-1 Residential Zone, subject to one single-family residential dwelling only.

2016-048 Rezoning from M-1 to R-T/Z

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-048: Deny R-T/Z Residential Townhouse Zero Lot Line Zone and Approve R-1, Residential Zone, subject to one single-family residential dwelling only.

North

291 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

2016-048 Rezoning from M-1 to R-T/Z

North

291 ft

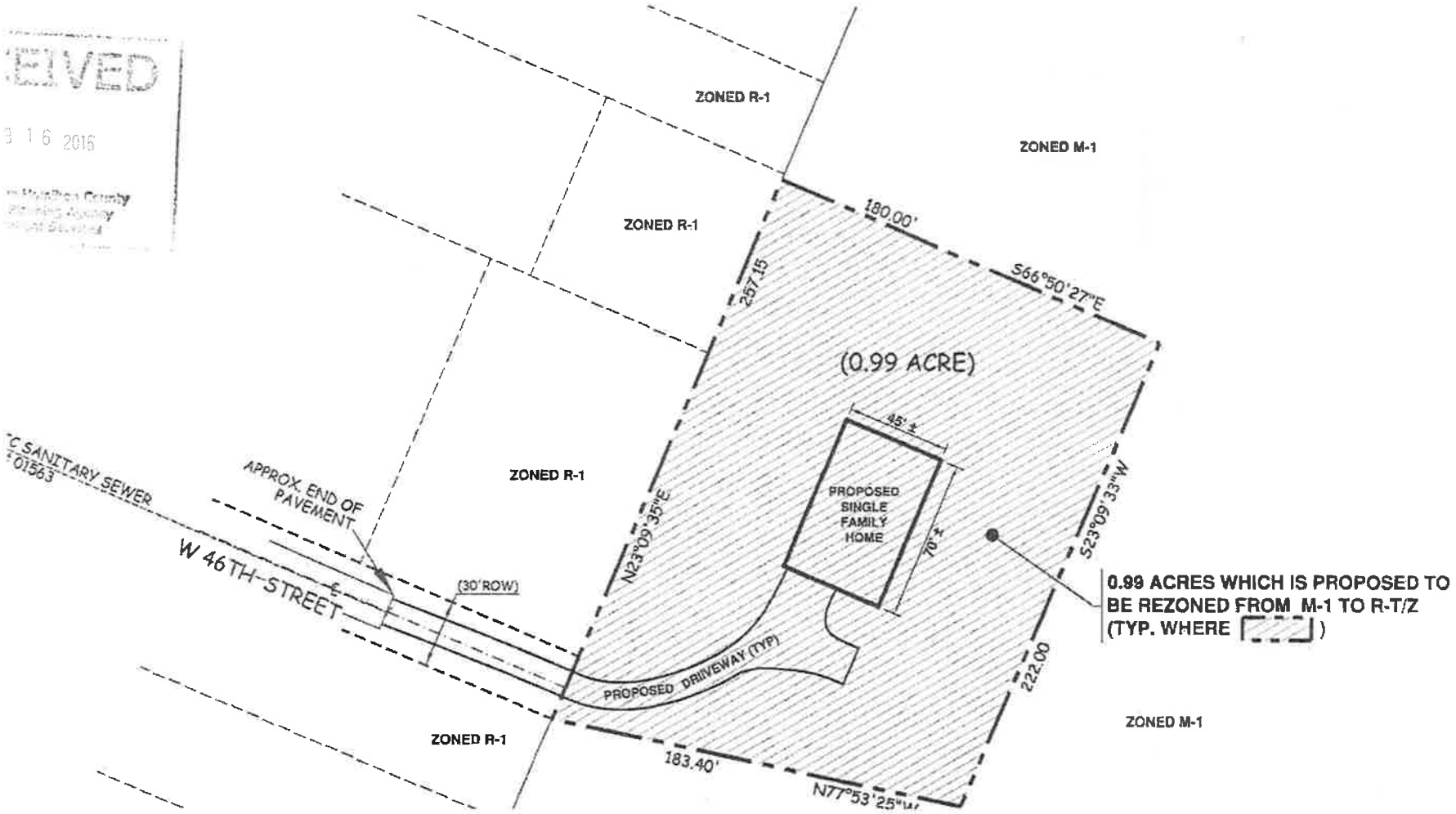
Chattanooga Hamilton County Regional Planning Agency

RPA

048

EXHIBIT 'A'

EIVED
3 1 6 2016
Hamilton County
Planning Agency
Development Services



CASE NUMBER	NAME	ADDRESS	PHONE NUMBER	PRO	CON	COMMENTS	STAFF INITIAL
2016-057	DOUG JAQUITH	6515 ORANGE PLANK DRIVE, HIXSON	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-059	DOUG JAQUITH	6515 ORANGE PLANK DRIVE, HIXSON	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-054	LOURETA HAYWORTH (Brainerd Kiwanis Club)	P.O BOX 25134- CHATT, TN 37422	423-544-9039	X		SEE LETTER IN CASE FILE	GH
2016-048	TRISH MORGAN	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	PHILIP COX	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE (3 SEPARATE E-MAILS)	PD
2016-048	BENJAMIN & MARIE TUGGY	5604 ORCHID LANE	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-054	MARY POWELL- PRESIDENT MENLO PARK NEIGH. ASSOC	5001 MARYLIN LANE- CHATT, TN 37411	NOT GIVEN	X		SUPPORT REQUEST- SEE LETTER IN CASE FILE	GH
2016-054	CRYSTAL SMITH- PRESIDENT BILTMORE NEIGH. ASSOC.	NONE GIVEN	423-413-6259	X		SUPPORT REQUEST- SEE LETTER IN CASE FILE	GH
2016-048	BEN ELLIOTT	NONE GIVEN	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	CARA COTE	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	ARLINE CADWELL	5023 SUNNYSIDE AVE.	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	SARAH DEWATERS	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	HAPPY YATES BAKER	103 OCHS HIGHWAY	664-3525		X	SEE EMAIL IN CASE FILE	PD
2016-048	KAREN BRANDON & KEVIN KALAKOSKY	5468 & 5474 GLEN FALLS	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	TARA	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	NOEL WEICHBRODT	4209 TENNESSEE AVE	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	AUDREY VORDENBAUM	ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	CAL BOROUGHS	4411 TENNESSEE AVE	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	TIM MCDONALD	ST. ELMO RESIDENT	423-290-0172		X	SEE EMAIL IN CASE FILE	PD
2016-048	DANIEL MOORE, JR	4022 ST. ELMO RESIDENT	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	JEREMIAH MOORE	4018 ST. ELMO AVE.	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD
2016-048	ANDY & JESSICA HANSEN	5512 ST. ELMO AVE	423-822-0214		X	SEE EMAIL IN CASE FILE	PD
2016-048	LESLIE O'HARE	ST. ELMO RESIDENT	423-883-7184		X	SEE EMAIL IN CASE FILE	PD
2016-048	PAIGE WICHMAN	1610 W. 51ST STREET	NONE GIVEN		X	SEE EMAIL IN CASE FILE	PD

048

Pattie Dodd <pdodd@chattanooga.gov>

Case # 2015-048

2 messages

Paige Wichman <paige.wichman@gmail.com> Mon, Apr 11, 2016 at 9:53 AM
To: regionalpc@chattanooga.gov, Anderson Chris <anderson_c@chattanooga.gov>, Joe Graham <jgraham@accentprintinginc.net>

Hello,

I am the President of the Community Association of Historic St. Elmo. I will not be able to attend today's meeting, but wanted to re-send the following comments regarding Case #2015-048 and say that I fully agree with Mr. Boroughs. I hope that the request for re-zoning will be declined.

Thank you,

Paige Wichman
1610 W. 51st Street 37409

From: sepccal@comcast.net
To: regionalpc@chattanooga.gov
Cc: "Chris Anderson" <chrisandersontn@gmail.com>, "Joe Graham" <jgrahamaccent@comcast.net>
Sent: Monday, April 11, 2016 8:19:14 AM
Subject: Case # 2015-048

I hope to attend the meeting today and speak regarding Case # 2015-048. I have lived in St. Elmo for 25 years and have participated in the neighborhood association, the planning and securing of historic zoning status for the neighborhood and the various planning sessions including the 2001 St. Elmo Plan. In case I do not have the opportunity to speak I am submitting the following comments.

1. I support the staff recommendation to deny R-T/Z zoning but recommend that R-1 zoning also be denied due to its encroachment on Hawkins Ridge.

2. I support the concern raised in the Key Findings bullet point 6: "The proposal would set a precedent for future requests by allowing development into the conservation district." This is a critical concern. Any such development would be inconsistent with the St. Elmo Plan as noted in the case report.

3. It would be helpful to St. Elmo residents and developers/builders if the Planning Commission would go on record as supporting the 2001 St. Elmo Plan, in particular the preservation of Hawkins Ridge for conservation. Such a statement would help alleviate neighborhood concerns about future development of the ridge and would demonstrate agreement with the neighborhood plan as adopted by the City Council and the overwhelming support of preservation of Hawkins Ridge by the Community Association of Historic St. Elmo. If the Planning Commission is unwilling to state its support of the RPA plan adopted by the City Council decision and the neighborhood commitment to

048.

Pattie Dodd <pdodd@chattanooga.gov>

4/11 meeting for case #2015-048

2 messages

daniel moore jr. <danielmoore123@hotmail.com> Sat, Apr 9, 2016 at 10:19 PM
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>, "anderson_c@chattanooga.gov" <anderson_c@chattanooga.gov>, "jgrahamaccent@comcast.net" <jgrahamaccent@comcast.net>

To Whom it May Concern:

As a property owner, taxpayer, and resident of St. Elmo for 12 years, I am asking that you vote to not rezone the acre of property owned by Sunnyside properties on Hawkins ridge. This community has worked for years to keep this area undeveloped, and rezoning would undermine the work done to create a place we want to live in.

Rezoning this area does not conform the characteristics of the surrounding neighborhood, nor is it supported by the agreed upon and adopted land use plan for the area. This new zoning and the buildings it could allow are very inconsistent with the surrounding area, and run counter to the guidelines set forth by planning committees and the adjacent historic zone previously. Planning efforts going back to 2001 reaffirm our desire to see this property remain under it's current zoning, and the community has worked with conservation groups in attempts to purchase this property outright. Please do not let the work and vision of hundreds of people be wiped out by the desire of a few.

We work within St. Elmo and with outside organizations to make this a community that is attractive and supports it's users and property owners. I'm asking respectfully that you consider the most appropriate, agreed upon use of this area and make a recommendation of not changing the current zoning.

Thanks,

Daniel Moore, Jr.

4022 St. Elmo Ave.

Pattie Dodd <pdodd@chattanooga.gov> Mon, Apr 11, 2016 at 8:50 AM
To: "daniel moore jr." <danielmoore123@hotmail.com>

Thank you for your comments on zoning case 2016-048. Your email is acknowledged and has been placed in the case file.

Pattie Dodd <pdodd [illegible] gov>

048

Hawkins Ridge

2 messages

Audrey Vordenbaum <avordenbaum@gmail.com> Sat, Apr 9, 2016 at 11:48 AM
To: regionalpc@chattanooga.gov

Good morning,

I am writing in regard to:

Case Number: 2015-048
PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

I am writing to ask you to please deny the zoning request change for this property. The entire area, known as Hawkins Ridge, has been set aside, since 2001, by the St Elmo Plan (adopted by City Council in 2001) "to be kept in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."

The request to build on and develop this land is in opposition to the wishes of the St. Elmo community. Sunnyside Properties has ignored the St. Elmo Plan and the community members objections in purchasing and now attempting to develop the land. Please also note that Sunnyside Properties has been previously fined for environmental violations in another development. This company does not attempt to be environmentally friendly and shows no regard to conservation efforts. If the zoning request is approved, it would set a precedent for future requests and allow them to develop the entire ridge. Our community is still working to conserve the land, and you can help us by denying the zoning request change. Please listen to the voices of the St. Elmo Community.

Thank you for your time!

Pattie Dodd <pdodd@chattanooga.gov> Mon, Apr 11, 2016 at 8:43 AM
To: Audrey Vordenbaum <avordenbaum@gmail.com>

Thank you for your comments on zoning case 2016-048. Your email is acknowledged and has been placed in the case file.
[Quoted text hidden]

—

Pattie Dodd, Planner
Regional Planning Agency
Development Services
423-643-5916

048.

Pattie Dodd <pdodd@chattanooga.gov>

4820 Oakland Avenue Rezoning

2 messages

Tim McDonald <scot4533@gmail.com> Fri, Apr 8, 2016 at 4:44 PM
To: regionalpc@chattanooga.gov

As a property owner in St. Elmo, I am opposed to the proposed zoning change in the St. Elmo community for a parcel at 4820 Oakland Avenue. The re-zoning from M-1 to R-T/Z will allow a developer to violate the provisions of the RPA 2001 St. Elmo Land Use Plan for keeping this area of Hawkins Ridge in conservation. This developer has already caused issues on Old Mountain Road in the community and it is NOT in the best interests of the community for a zoning change to be approved, even for one parcel.

Please regard the wishes of the community and do not approve the request.

Thank you,

Tim McDonald
423-290-0172

Pattie Dodd <pdodd@chattanooga.gov> Mon, Apr 11, 2016 at 8:46 AM
To: Tim McDonald <scot4533@gmail.com>

Thank you for your comments on zoning case 2016-048. Your email is acknowledged and has been placed in the case file.
[Quoted text hidden]

—

Pattie Dodd, Planner
Regional Planning Agency
Development Services
423-643-5916

Pattie Dodd <pdodd@chattanooga.gov>

Case # 2015-048

048

2 messages

sepccal@comcast.net <sepccal@comcast.net> Mon, Apr 11, 2016 at 8:19 AM
To: regionalpc@chattanooga.gov
Cc: Chris Anderson <chrisandersontn@gmail.com>, Joe Graham <jgrahamaccent@comcast.net>

I hope to attend the meeting today and speak regarding Case # 2015-048. I have lived in St. Elmo for 25 years and have participated in the neighborhood association, the planning and securing of historic zoning status for the neighborhood and the various planning sessions including the 2001 St. Elmo Plan. In case I do not have the opportunity to speak I am submitting the following comments.

1. I support the staff recommendation to deny R-T/Z zoning but recommend that R-1 zoning also be denied due to its encroachment on Hawkins Ridge.

2. I support the concern raised in the Key Findings bullet point 6: "The proposal would set a precedent for future requests by allowing development into the conservation district." This is a critical concern. Any such development would be inconsistent with the St. Elmo Plan as noted in the case report.

3. It would be helpful to St. Elmo residents and developers/builders if the Planning Commission would go on record as supporting the 2001 St. Elmo Plan, in particular the preservation of Hawkins Ridge for conservation. Such a statement would help alleviate neighborhood concerns about future development of the ridge and would demonstrate agreement with the neighborhood plan as adopted by the City Council and the overwhelming support of preservation of Hawkins Ridge by the Community Association of Historic St. Elmo. If the Planning Commission is unwilling to state its support of the RPA plan adopted by the City Council decision and the neighborhood commitment to preservation of Hawkins Ridge, the City Council and St. Elmo deserve to know the reasons it will not support the will of the people and the preservation of Hawkins Ridge.

Thank you for your consideration of these comments.

Cal Boroughs
4411 Tennessee Ave.
Chattanooga, TN

Pattie Dodd <pdodd@chattanooga.gov> Mon, Apr 11, 2016 at 8:44 AM
To: sepccal@comcast.net

Thank you for your comments on zoning case 2016-048. Your email is acknowledged and has been placed in the case file.
[Quoted text hidden]

--
Pattie Dodd, Planner

048

Pattie Dodd <pdodd@chattanooga.gov>

4820 Oakland Drive rezoning

1 message

'steve & trish' via regionalpc <regionalpc@chattanooga.gov> Wed, Apr 6, 2016 at 4:38 PM
Reply-To: steve & trish <stvtrs@aol.com>
To: regionalpc@chattanooga.gov

To whom it may concern,

I am a third generation St Elmo resident. My husband and I live in the house his grandparents owned. I have great concerns about the rezoning of this lot. The RPA in 2001 designated Hawkins Ridge as a conservation area as per the link. Your own analysis for rezoning quote **"The St. Elmo Plan (adopted by City Council in 2001) recommends to keep this land in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."**

http://www.chcrpa.org/Projects/Land_Use_Plans/St%20Elmo%20(2001)/St_Elmo_Plan.pdf

Are we now expected to accept the danger developing this ridge would pose to the historical homes below it?

The CNE spent an untold amount of money hiring Mike Watkins, a nationally acclaimed town planner and architect, to lead a design team who also recommended Hawkins Ridge to be preserved. As per the RPA's own website **"The proposed zoning change is not supported by the recommendations of the adopted Land Use Plan."**

There is another major point of contention here,**" The proposal would set a precedent for future requests by allowing development into the conservation district"** The city of Chattanooga has spent millions of dollars to bring the Riverwalk into St. Elmo and turn Virginia Ave into a walking and biking path. Our greatest asset is the natural beauty and unique historical architecture. No one could come in, buy an old house, destroy it and build a new one. This is essentially what Sunnyside Properties wants you to consider. Destroying a vital part of St. Elmo's landscape.

I am at a total loss as to why years of thought, money and assessments are now being disregarded so casually. I sincerely hope that you will reconsider your recommendation for approval of the zoning change.

Trish Morgan

048

Pattie Dodd <pdodd@chattanooga.gov>

Oakland Driver Rezoning

2 messages

Tuggy <tuggy37409@epbfi.com> Wed, Apr 6, 2016 at 4:25 PM
To: regionalpc@chattanooga.gov

We regretfully cannot attend the upcoming meeting however we would like to make it known that we do not support the rezoning, especially to the company in question.
This particular company has caused much dismay (and damage to neighboring properties) within St. Elmo already and we have no confidence that if allowed this inch,
they will not attempt and persist until it is a mile.

--
Regards
~The Tuggy's (Benjamin & Marie) 5604 Orchid Lane
It's choice – not chance – that determines your destiny.
Every accomplishment starts off as an impossible dream.

Greg Haynes <glhaynes@chattanooga.gov> Wed, Apr 6, 2016 at 4:30 PM
To: Tuggy <tuggy37409@epbfi.com>
Cc: Pattie Dodd <pdodd@chattanooga.gov>

Thank you for your comments. Please identify which case/request you are commenting on so we can assign it to the correct case file.

Greg Haynes, AICP
Director, Development Services
(Zoning & Subdivision Application Office)

Regional Planning Agency
1250 Market Street, Suite 2000
Chattanooga, TN 37402
423-643-5902

048

Pattie Dodd <pdodd@chattanooga.gov>

Case Number: 2015-048 PC Meeting Date: 04-11-16

2 messages

Philip Cox <flipco16@icloud.com> Wed, Apr 6, 2016 at 4:29 PM
To: regionalpc@chattanooga.gov

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16

Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone

Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC

Applicant: Sunnyside Properties LLC

The St Elmo Plan (adopted by City Council in 2001) recommends the following:

"Keep this land [Hawkins Ridge] in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."

"The proposed zoning change is not supported by the recommendations of the adopted Land Use Plan for the area [Hawkins Ridge] based on the proposed introduction of development into the conservation district."

"The proposal [made by Sunnyside Properties LLC] is not consistent with the development form of the area."

"The proposal [made by Sunnyside Properties LLC] would set a precedent for future requests by allowing development into the conservation district."

All of the above seem to be negative indicators for the project, And yet:

"Staff Recommendation: *Deny R-T/Z Residential Townhouse Zero Lot Line Zone and approve R-1 Residential Zone, subject to one single-family residential dwelling only."*

It would seem, from the recommendation, that this particular staff has its head some other place than on its shoulders. Please do NOT respond to them in the same manner!

As a resident of St Elmo I want to express my disgust with Sunnyside Properties LLC for even bothering to waste your time with this. Vote NO to their proposal!

Respectfully,

048.

Pattie Dodd <pdodd@chattanooga.gov>

Case Number: 2015-048 PC Meeting Date: 04-11-16

1 message

Philip Cox <flipco@bellsouth.net> Thu, Apr 7, 2016 at 12:12 PM
Reply-To: Philip Cox <flipco@bellsouth.net>
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>

To the Planning Commission regarding:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

Approval of the plat proposed by Sunnyside Properties LLC would definitely not be in the best interest of St Elmo, which, with its St Elmo Plan, has consistently insisted that the land involved on Hawkins Ridge be kept in conservation ad infinitum. Sunnyside Properties LLC is arguing that they are asking for only one plat to be changed from commercial M-1. They also know that passage of the proposal would set a precedent for future requests by allowing development into the conservation district on Hawkins Ridge.

The plat proposed by Sunnyside Properties LLC at the end of 46th Street fails to conform to the standards of the St. Elmo Plan (adopted by City Council in 2001), which recommends that this land, generally known as Hawkins Ridge, be kept in conservation based on the slope, soil type, and the potential of causing additional flooding down the slopes through runoff if existing forestry is removed.

In far too many communities, zoning is used to benefit specific property owners or special interests at the expense of overall quality of life. Such is the plat proposed by Sunnyside Properties LLC at the end of 46th Street, owned by Paul Teruya, who boasted, after he won the bid for it, that he would have it covered with housing to begin in less than six months. That was over a year ago. What is presently pleasant woods protecting wildlife and providing a sense of quietness for the neighborhood is to be removed and replaced with an overwhelming number of houses and cars and people and noise.

An appeal can easily be made that the approval of the above mentioned plat would be detrimental to the public safety, health, and general welfare of St Elmo citizenry and threatens quality of life in St Elmo. The St Elmo Plan, which has been constantly enhanced since 2001, was established to preserve, among other things, Hawkins Ridge; not only because its removal would endanger the houses below it with runoff, but its removal would take away quality of life for the community of St Elmo. Many enjoy the wildlife able to exist because of the natural woods on Hawkins Ridge. Hawks fly lazily above. A pair of pileated woodpeckers, rare and as big as chickens, can often be seen. Deer are often seen coming into the open in the evenings to graze. There are raccoons, skunks, opossums and multitudes of other animals able to live naturally because of Hawkins Ridge.

St Elmo citizens are urgently requesting the Planning Commission to vote "no" concerning the proposal of Sunnyside Properties LLC to zone just one plat at the end of 46th Street, not "R-1" but the much more insidious "R-T/Z Residential Townhouse/Zero Lot Line Zone," which allows for squashing rentals and townhouses even more closely together.

Please vote NO to this request.

Pattie Dodd <pdodd@chattanooga.gov>

048

Case Number: 2015-048 / Sunnyside Properties 46th Ave Rezoning

2 messages

Noel Weichbrodt <noel@weichbrodt.org> Fri, Apr 8, 2016 at 11:47 PM
To: regionalpc@chattanooga.gov
Cc: anderson_c@chattanooga.gov, jgrahamaccent@comcast.net

I am writing to record my opposition to the requested rezoning in Case Number: 2015-048 of Sunnyside Properties on 46th Ave. It does not follow the neighborhood form, plans, or character.

I am a resident of St. Elmo whose house faces Walden's Ridge. I am not opposed to development in St. Elmo, and have expressed support for other GreenTech/Sunnyside projects in St. Elmo that add density and infill the neighborhood—but in a way that conforms to our adopted plans, and does not damage the character of the neighborhood. I believe that this project fails to do either.

As the Community Association of Historic St Elmo reaffirmed unanimously last year in a vote, and the 2001 St. Elmo Plan, which represents the adopted view of the city states, the desired use of this site and surrounding area is a conservation, not residential development. The St Elmo Downtown plan adopted by CNE also recommends the preservation of Walden's Ridge, including this property, as a conservation area.

The erosion, stormwater, tree canopy, and watershed of Walden's Ridge would be damaged by development versus conservation on this property. In addition, Sunnyside/Greentech has shown no interest in developing housing at anything other than the top of the current market rates, which skews St. Elmo's unique mixed-income housing stock and is not consistent with the development form of the area. Furthermore, a zoning change for this property would set a precedent for the rest of the conservation district, in violation of the plan repeatedly adopted and affirmed by the neighborhood, city, and RPA itself.

—Noel Weichbrodt
4209 Tennessee Avenue

Pattie Dodd <pdodd@chattanooga.gov> Mon, Apr 11, 2016 at 8:41 AM
To: Noel Weichbrodt <noel@weichbrodt.org>

Thank you for your comments on zoning case 2016-048. Your email is acknowledged and has been placed in the case file.
[Quoted text hidden]

—

Pattie Dodd, Planner
Regional Planning Agency
Development Services
423-643-5916

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

RE: Case # 2015-048 for Monday, April 11

2 messages

048

DLCadwell via regionalpc <regionalpc@chattanooga.gov> Fri, Apr 8, 2016 at 4:35 PM
Reply-To: DLCadwell@aol.com
To: regionalpc@chattanooga.gov

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

The Planning Commission may only deny a subdivision plat if sufficient evidence is given to demonstrate the following:

The plat fails to conform to the standards of the Subdivision Regulations.

The plat in question, a .99 acre plat at the end of 46th Street, is part of a larger section of 53.36 acres now owned by Sunnyside Properties LLC since October 30, 2014. This entire area, known as Hawkins Ridge, has been set aside, since 2001, by the St Elmo Plan (adopted by City Council in 2001) "to be kept in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."

The 53.36 acres went for auction in October of 2014. Bidding took place with the assumption that Lookout Mountain Conservancy would take over the property and maintain it as it is. Near the close of the auction, with the bid at $300,000 in favor of LMC, Paul Teruya came in and outbid LMC by less than $1,000, announcing that in less than six months bulldozing would begin the process of covering Hawkins Ridge with housing.

The St Elmo community is extremely upset with this bullying and has been successful in keeping Sunnyside Properties from destroying the peacefulness of Hawkins Ridge to this point. However, now an attempt is being made by Sunnyside Properties LLC to get just one plat of .99 acre to be approved by the planning commission.

The entire 53.36 acres has, to this point, been zoned M-1 (commercial). The plat they have chosen is such that the R-1 requirement of at least a 60-foot frontage cannot fit for this particular piece, so they are pushing R-T/Z Residential Townhouse/Zero Lot Line Zoning because of its requirement of only a 25-foot frontage, applicable to the .99 acre plat in question. If they are successful in getting this zoning, a precedent would be set for future requests by allowing development into the entire conservation district, allowing them to squash houses, rentals and townhouses, using only a 25-foot frontage for each.

Their email statement to the St Elmo community is that only one house will go on this lot, but the R-T/Z zoning would allow them to put townhouses and rentals on the rest of the 53 acres; a totally unacceptable solution as far as the St Elmo community is concerned.

Please vote NO to this request for rezoning. Allow Hawkins Ridge to be kept in natural forest for perpetuity as

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Case# 2015-048

2 messages

048

Cara Cote <ccote25@gmail.com> Fri, Apr 8, 2016 at 4:29 PM
To: regionalpc@chattanooga.gov

Below is the stock email with many, many reasons why this request for rezoning should be denied, but I have also witnessed on my own street, Paul Teruya (Sunnyside Properties, ALC Holdings, GreenTech) split up single properties to fit as many homes on it as possible and I have no doubt that this will be tried. Please deny this request.
In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

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The 53.36 acres went for auction in October of 2014. Bidding took place with the assumption that Lookout Mountain Conservancy would take over the property and maintain it as it is. Near the close of the auction, with the bid at $300,000 in favor of LMC, Paul Teruya came in and outbid LMC by less than $1,000, announcing that in less than six months bulldozing would begin the process of covering Hawkins Ridge with housing.

The St Elmo community is extremely upset with this bullying and has been successful in keeping Sunnyside Properties from destroying the peacefulness of Hawkins Ridge to this point. However, now an attempt is being made by Sunnyside Properties LLC to get just one plat of .99 acre to be approved by the planning commission.

The entire 53.36 acres has, to this point, been zoned M-1 (commercial). The plat they have chosen is such that the R-1 requirement of at least a 60-foot frontage cannot fit for this particular piece, so they are pushing R-T/Z Residential Townhouse/Zero Lot Line Zoning because of its requirement of only a 25-foot frontage, applicable to the .99 acre plat in question. If they are successful in getting this zoning, a precedent would be set for future requests by allowing development into the entire conservation district, allowing them to squash houses, rentals and townhouses, using only a 25-foot frontage for each.

Their email statement to the St Elmo community is that only one house will go on this lot, but the R-T/Z zoning would allow them to put townhouses and rentals on the rest of the 53 acres; a totally unacceptable solution as far as the St Elmo community is concerned.

Please vote NO to this request for rezoning. Allow Hawkins Ridge to be kept in natural forest for perpetuity as suggested by the St Elmo Plan. Do not allow this zoning request to be used to benefit a specific property owner at the expense of overall quality of life for this community.

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

048

Case Number: 2015-048- PC Meeting Date: 04-11-16

2 messages

Happy Baker <happybaker@msn.com> Fri, Apr 8, 2016 at 10:46 PM
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>
Cc: "neighbors@lists.st-elmo.org" <neighbors@lists.st-elmo.org>, garnet`1 <urbanist@epbfi.com>, "flipco@bellsouth.net" <flipco@bellsouth.net>, "alc7871@gmail.com" <alc7871@gmail.com>, STEVE <srw@winlawyer.com>, JOE <joemartin@epbfi.com>, Happy Baker <happybaker@msn.com>

Greetings and thank you in advance for your kind consideration in this matter.

In Regard To:

Case Number: **2015-048** **PC Meeting Date: 04-11-16**

Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone

Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC

Applicant: Sunnyside Properties LLC

The Planning Commission may only deny a subdivision plat if sufficient evidence is given to demonstrate the following: ***The plat fails to conform to the standards of the Subdivision Regulations.***

The plat in question, a .99 acre plat at the end of 46th Street, is part of a larger section of 53.36 acres now owned by Sunnyside Properties LLC since October 30, 2014. This entire area, known as Hawkins Ridge, has been set aside, since 2001, by the St Elmo Plan (adopted by City Council in 2001) "to be kept in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."

The 53.36 acres went for auction in October of 2014. Bidding took place with the assumption that Lookout Mountain Conservancy would take over the property and maintain it as it is. Near the close of the auction, with the bid at $300,000 in favor of LMC, Paul Teruya outbid LMC by less than $1,000, and announced that in less than six months bulldozing would begin the process of covering Hawkins Ridge with housing.

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Fwd: [neighbors] Please please go to

-048

2 messages

'Sarah DeWaters' via regionalpc <regionalpc@chattanooga.gov> Fri, Apr 8, 2016 at 5:06 PM
Reply-To: Sarah DeWaters <sjdgardengal@yahoo.com>
To: regionalpc@chattanooga.gov

Sarah DeWaters

Begin forwarded message:

From: Philip Cox <flipco@bellsouth.net>
Date: April 8, 2016 at 2:54:27 PM EDT
To: Amy Christian <alc7871@gmail.com>, "neighbors@lists.st-elmo.org" <neighbors@lists.st-elmo.org>
Subject: Re: [neighbors] Please please go to the zoning mtg on Monday April 11th at 1:00pm!!!!
Reply-To: Philip Cox <flipco@bellsouth.net>

Use the following verbatim if needed to try to persuade the commission to go in our favor. Email to **regionalpc@chattanooga.gov** Case Number: 2015-048 PC Meeting Date: 04-11-16

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

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The 53.36 acres went for auction in October of 2014. Bidding took place with the assumption that Lookout Mountain Conservancy would take over the property and maintain it as it is. Near the close of the auction, with the bid at $300,000 in favor of LMC, Paul Teruya came in and outbid LMC by less than $1,000, announcing that in less than six months bulldozing would begin the process of covering Hawkins Ridge with housing.

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Please vote NO on Case 2015-048 for 4/11/16

2 messages

048

'Yahoo' via regionalpc <regionalpc@chattanooga.gov> Sun, Apr 10, 2016 at 9:15 AM
Reply-To: Yahoo <jeremiahmoore2004@yahoo.com>
To: regionalpc@chattanooga.gov

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
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The St Elmo community is extremely upset with this bullying and has been successful in keeping Sunnyside Properties from destroying the peacefulness of Hawkins Ridge to this point. However, now an attempt is being made by Sunnyside Properties LLC to get just one plat of .99 acre to be approved by the planning commission.

The entire 53.36 acres has, to this point, been zoned M-1 (commercial). The plat they have chosen is such that the R-1 requirement of at least a 60-foot frontage cannot fit for this particular piece, so they are pushing R-T/Z Residential Townhouse/Zero Lot Line Zoning because of its requirement of only a 25-foot frontage, applicable to the .99 acre plat in question. If they are successful in getting this zoning, a precedent would be set for future requests by allowing development into the entire conservation district, allowing them to squash houses, rentals and townhouses, using only a 25-foot frontage for each.

Their email statement to the St Elmo community is that only one house will go on this lot, but the R-T/Z zoning would allow them to put townhouses and rentals on the rest of the 53 acres; a totally unacceptable solution as far as the St Elmo community is concerned.

Please vote NO to this request for rezoning. Allow Hawkins Ridge to be kept in natural forest for

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Case 2015-048 meeting date 4/11/16

2 messages

048

'Tara' via regionalpc <regionalpc@chattanooga.gov> Sat, Apr 9, 2016 at 8:07 AM
Reply-To: Tara <mommietobailey@yahoo.com>
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16

Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone

Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC

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The entire 53.36 acres has, to this point, been zoned M-1 (commercial). The plat they have

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

048

Case 2015-048

2 messages

'Karen Brandon' via regionalpc <regionalpc@chattanooga.gov> Sat, Apr 9, 2016 at 12:42 AM
Reply-To: Karen Brandon <karenwb@aol.com>
To: regionalpc@chattanooga.gov

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
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Please vote NO to this request for rezoning. Allow Hawkins Ridge to be kept in natural forest for

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Case Number: 2015-048 PC Meeting Date: 04-11-16

2 messages

048.

'Leslie O'Hare' via regionalpc <regionalpc@chattanooga.gov> Mon, Apr 11, 2016 at 8:34 AM
Reply-To: Leslie O'Hare <lfohare@yahoo.com>
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
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Thank you for your consideration.

Leslie O'Hare
423-883-7184

Duplicate

Pattie Dodd <pdodd@chattanooga.gov>

Hawkins Ridge

2 messages

048.

'Andrew Hansen' via regionalpc <regionalpc@chattanooga.gov> Sun, Apr 10, 2016 at 8:17 PM
Reply-To: Andrew Hansen <stelmoleafguy@yahoo.com>
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
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Thank you for your consideration.

048.

Pattie Dodd <pdodd@chattanooga.gov>

Case Number: 2015-048

2 messages

Duplicate of Phil Cox

Ben Elliott <gtg089x@gmail.com> Fri, Apr 8, 2016 at 3:21 PM
To: regionalpc@chattanooga.gov

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
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The 53.36 acres went for auction in October of 2014. Bidding took place with the assumption that Lookout Mountain Conservancy would take over the property and maintain it as it is. Near the close of the auction, with the bid at $300,000 in favor of LMC, Paul Teruya came in and outbid LMC by less than $1,000, announcing that in less than six months bulldozing would begin the process of covering Hawkins Ridge with housing.

The St Elmo community is extremely upset with this bullying and has been successful in keeping Sunnyside Properties from destroying the peacefulness of Hawkins Ridge to this point. However, now an attempt is being made by Sunnyside Properties LLC to get just one plat of .99 acre to be approved by the planning commission.

The entire 53.36 acres has, to this point, been zoned M-1 (commercial). The plat they have chosen is such that the R-1 requirement of at least a 60-foot frontage cannot fit for this particular piece, so they are pushing R-T/Z Residential Townhouse/Zero Lot Line Zoning because of its requirement of only a 25-foot frontage, applicable to the .99 acre plat in question. If they are successful in getting this zoning, a precedent would be set for future requests by allowing development into the entire conservation district, allowing them to squash houses, rentals and townhouses, using only a 25-foot frontage for each.

Their email statement to the St Elmo community is that only one house will go on this lot, but the R-T/Z zoning would allow them to put townhouses and rentals on the rest of the 53 acres; a totally unacceptable solution as far as the St Elmo community is concerned.

Please vote NO to this request for rezoning. Allow Hawkins Ridge to be kept in natural forest for perpetuity as suggested by the St Elmo Plan. Do not allow this zoning request to be used to benefit a specific property owner at the expense of overall quality of life for this community.

Thank you for your consideration.

from

Ben Elliott

Duplicate 048

Pattie Dodd <pdodd@chattanooga.gov>

Hawkins Ridge Case Number: 2015-048 PC Meeting Date: 04-11-16

1 message

Philip Cox <flipco@bellsouth.net> Fri, Apr 8, 2016 at 2:42 PM
Reply-To: Philip Cox <flipco@bellsouth.net>
To: "regionalpc@chattanooga.gov" <regionalpc@chattanooga.gov>

In Regard To:

Case Number: 2015-048 PC Meeting Date: 04-11-16
Applicant Request: Rezone from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone
Property Location: 4820 Oakland Ave Property Owner: Sunnyside Properties LLC
Applicant: Sunnyside Properties LLC

The Planning Commission may only deny a subdivision plat if sufficient evidence is given to demonstrate the following:

The plat fails to conform to the standards of the Subdivision Regulations;

The plat in question, a .99 acre plat at the end of 46th Street, is part of a larger section of 53.36 acres now owned by Sunnyside Properties LLC since October 30, 2014. This entire area, known as Hawkins Ridge, has been set aside, since 2001, by the St Elmo Plan (adopted by City Council in 2001) "to be kept in conservation based on the slope, soil type, and potential to cause additional flooding down slope through runoff."

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Thank you for your consideration.

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:

> 2016-049 Sonja Y. Benning. 109 Workman Road, from M-1 Manufacturing Zone to R-1 Residential Zone.
>
> 2016-051 Duane Carleo and Mark Neal. 24 East 14th Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.
>
> 2016-052 David J. Kluttz. 5277 Wilbanks Road, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
>
> 2016-053 Adamson Developers. 8062 and 8074 Old Lee Highway, from R-2 Residential Zone to R-3 Residential Zone.
>
> 2016-054 Chambliss Center for Children. 402 and 406 Gillespie Road, from R-1 Residential Zone to R-2 Residential Zone.

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

> 2016-048 Sunnyside Properties, LLC. 4820 Oakland Avenue, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, recommending denial for the R-T/Z Residential Townhouse Zero Lot Line and approved for R-1 Residential Zone, subject to one single-family residential dwelling only.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 4 be lifted from Ordinance No. 12867 of Previous Case No. 2014-094 on property located at 7408 Bonny Oaks Drive.

4. 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) **Amending Section 38-2, Definitions,** by adding definitions for Animal day care facility; Animal, domestic; Animal, small; Animal grooming service; Animal run; and Kennel.

(b) **Amending Section 38-184, Uses permitted as special exceptions by the board of appeals,** by deleting subsection (7) in its entirety and substituting in lieu thereof.

(c) **Amending Section 38-204, Uses permitted as special exceptions by the board of appeals,** by deleting subsection (7) in its entirety and substituting in lieu thereof.

(d) **Amending Section 38-302, Uses permitted as special exceptions by the board of appeals,** by deleting subsection (6) in its entirety and substituting in lieu thereof.

(e) **Amending Section 38-568, Powers, etc., of board; hearings,** by deleting subsection (12) in its entirety and substituting in lieu thereof.

(f) **Amending Section 38-361(3), Areas included,** by deleting 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,

May 10, 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 _____, 2016.

_____
Nicole Gwyn
Clerk to the City Council