

2/12/13

2013-013
Grace Episcopal Church/
Randy Durham
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4018, 4022, AND 4026 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 4018, 4022, and 4026 Brainerd Road, more particularly described herein:

Lots 1 thru 3, Block A, Belvoir Place Subdivision, Plat Book 11, Page 8, ROHC being the properties described in Deed Book 3504, Page 49 and Deed Book 4462, Page 11, ROHC. Tax Map Nos. 157G-B-006 thru 008.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to use as a landscape business, professional, medical or dental office and parking lot 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

_____, 2013.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

/mms

MAYOR

2013-013
Grace Episcopal Church/
Randy Durham
District No. 6
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4018, 4022, AND 4026 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 4018, 4022, and 4026 Brainerd Road, more particularly described herein:

Lots 1 thru 3, Block A, Belvoir Place Subdivision, Plat Book 11, Page 8, ROHC being the properties described in Deed Book 3504, Page 49 and Deed Book 4462, Page 11, ROHC. Tax Map Nos. 157G-B-006 thru 008.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to use as a landscape business and parking lot only and use of existing structure.

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

_____, 2013.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

/mms

MAYOR

2013-013
Grace Episcopal Church/
Randy Durham
District No. 6
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 4018, 4022, AND 4026 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 4018, 4022, and 4026 Brainerd Road, more particularly described herein:

Lots 1 thru 3, Block A, Belvoir Place Subdivision, Plat Book 11, Page 8, ROHC being the properties described in Deed Book 3504, Page 49 and Deed Book 4462, Page 11, ROHC. Tax Map Nos. 157G-B-006 thru 008.

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

_____, 2013.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

/mms

MAYOR

2013-013 City of Chattanooga
January 14, 2013

RESOLUTION

WHEREAS, Grace Episcopal Church/Randy Durham, Treasurer 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 C-2 Convenience Commercial Zone, properties located at 4018, 4022 and 4026 Brainerd Road.

Lots 1 thru 3, Block A, Belvoir Place Subdivision, Plat Book 11, Page 8, ROHC being the properties described in Deed Book 3504, Page 49 and Deed Book 4462, Page 11, ROHC. Tax Map 157G-B-006 thru 008 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 14, 2013,

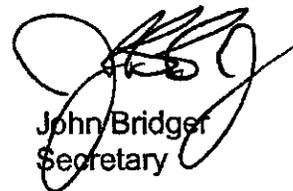
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition 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 January 14, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to use as a landscape business, professional, medical, or dental office and parking lot only.

Respectfully submitted,



John Bridger
Secretary

Zoning Request Form



Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street
Suite 2000

Development Resource Center
Chattanooga, Tennessee
37402

Phone: 423-668-2287

Fax: 423-668-2289

www.chcrpa.org

Office Use Only

Case Number: 2015-013

Date Submitted: 12-10-2015

Planning District: 01

City: Brainerd

City District: A

Jurisdiction: Chattanooga

Neighborhood: Belvoir Neighborhood/Brainerd Unit/Group

Staff Action:

Legis. Action/Date:

From: R-1 Residential Zone	To: C-2 Convenience Commercial Zone
Proposed Development or Use: New parking lot for landscaping business and overflow church parking. Existing house to be leased to landscaping business by church	

Address: (Street Number & Street Name) 4018 & 4022 Brainerd Road	Tax Map No: 157G-B-006 & 007
	Plat Book/Page No. 11-8
Current Use: Existing house & vacant lot	Adjacent Uses: Residential

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

- Property Owner
 Architect
 Engineer
 Optionee
 Purchaser of Property
 Trustee
 Other:

Name	Grace Episcopal Church/Randy Durham Treasurer	
Address:	20 Belvoir Avenue	
City	Chattanooga	State: TN
Zip Code:	37411	
Daytime Phone:		
Cell Phone:	423-593-2400	
Other Phone:	423-266-3501 (AD Engineering)	
Email:	donna@adengineering.us	
Fax:		

Name:	
Address:	
Phone:	
CHECKLIST (OFFICE USE ONLY)	
<input checked="" type="checkbox"/> Application complete	<input checked="" type="checkbox"/> Deed to property to be recorded
<input checked="" type="checkbox"/> Ownership verification	Deed Book: 3594-49 & 4462-11
<input checked="" type="checkbox"/> Tax Map/Pinkair's Letter	<input checked="" type="checkbox"/> Copy of Plat (if applicable)
<input checked="" type="checkbox"/> Map showing property to be rezoned	Plat Book/Page: 11-8
<input checked="" type="checkbox"/> Site Plan (if applicable)	<input checked="" type="checkbox"/> Notice Signs (How Many: 1)
<input checked="" type="checkbox"/> Total fees to be considered: \$635.00	<input type="checkbox"/> Fee: _____
<input checked="" type="checkbox"/> Filing Fee: \$635.00	<input type="checkbox"/> Check No: 1295
Accepted by: Margo Parker	Date: 12-10-2015

Case Number:	2013-013
Applicant Request:	C-2 Convenience Commercial Zone
Applicant:	Grace Episcopal Church/Randy Durham
Property Address:	4018 & 4022 & 4026 Brainerd Road
Jurisdiction:	Chattanooga District 6/Hamilton County District 8
Neighborhood:	Belvoir Neighborhood/Brainerd Unity Group
Proposed Development	
Site Plan Submitted:	Yes
Proposed Use:	New parking lot for landscaping business and overflow church parking. Existing house to be leased to landscaping business by church.
Site Characteristics	
Current Zoning:	R-1 Residential Zone
Current Use:	House and vacant lot
Adjacent Uses:	Residential
Size of Tract:	1.18 acres
STAFF RECOMMENDATION:	APPROVE, subject to the following conditions:
	1. Use as a landscape business and parking lot only.
	2. Use of existing structure.

Analysis

Extension of Existing Zoning?	No
Community Land Use Plan:	No Community Land Use Plan
Proposed Use Supported by Community Land Use Plan?	No Community Land Use Plan
Proposed Use Supported by Comprehensive Plan?	Yes

Planning Commission Recommendation:
Approve with change (see resolution)

Comments

Planning Staff:

Applicant Request Overview

The applicant has requested the rezoning of three parcels owned by Grace Episcopal Church from R-1 Residential to C-2 Convenience Commercial Zone. The purpose of the request is to lease the existing structure for a landscape business and possible overflow parking for Grace Episcopal Church.

Site Description

The parcels front Brainerd Road with one parcel being presently vacant, the second containing an existing single-family dwelling, and the third parcel being used as a soccer field.

Single-family residential dwellings are located immediately behind the requested rezoning area. These properties are also owned by Grace Episcopal Church. This area is zoned R-1 Residential.

C-2 Convenience Commercial Zoning is located across the street from the requested rezoning area. These C-2 commercial zoned areas include the Bi-Lo Shopping Center and a Rent-to-Own establishment.

Along Brainerd Road from Belvoir Avenue to Moore Road, for those

parcels immediately abutting Brainerd Road, the primary zoning classification is O-1 Office Zone and R-4 Special Zone. These zones or parcels are presently being used as professional offices, utilizing the existing structure, which was formerly a single-family dwelling.

Zoning History

There have been no previous zoning requests at this location.

Applicable Plans

The property is not located in the study boundary of any Community Land Use Plan.

Staff Recommendation

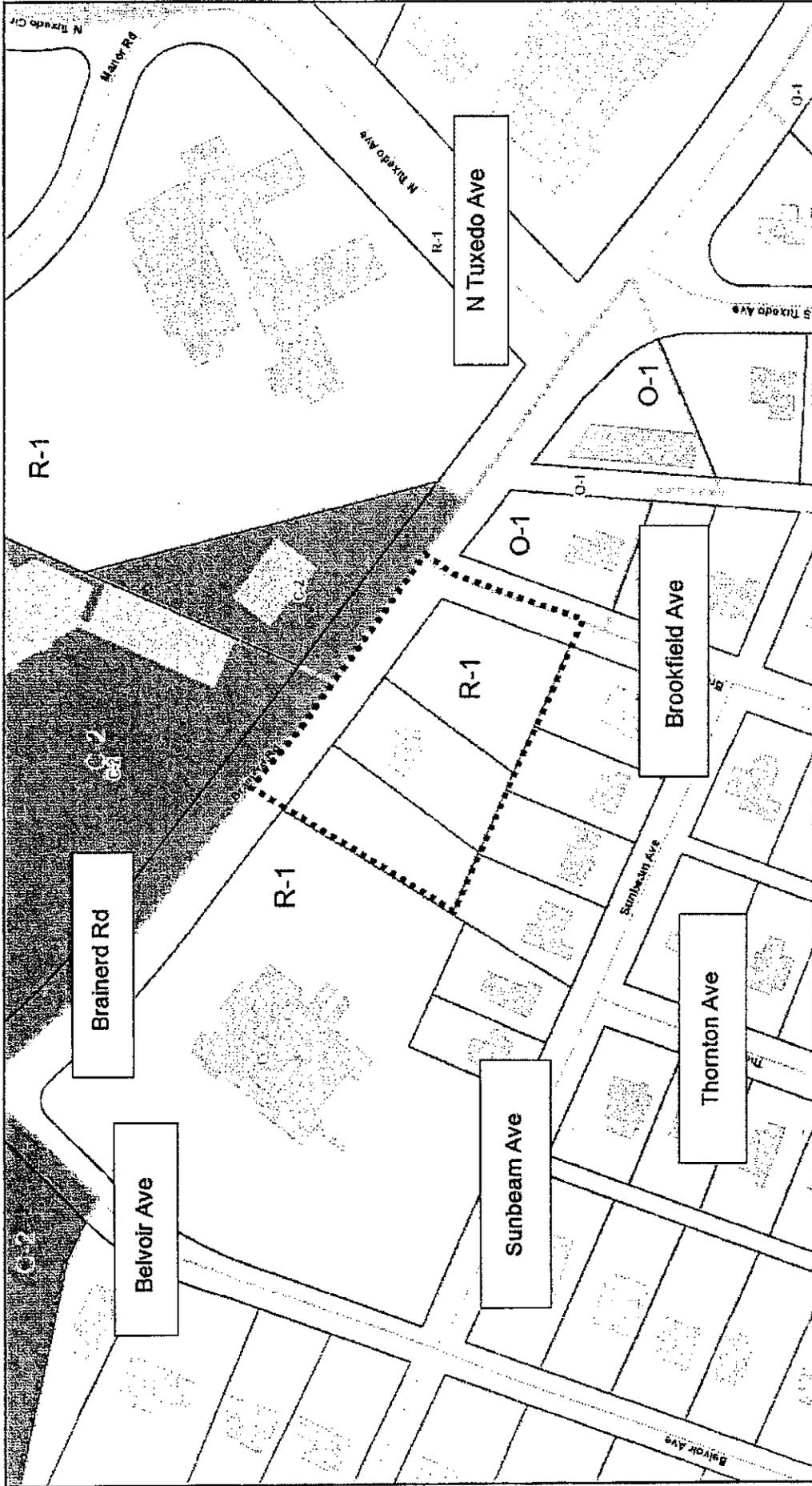
Absent a land use plan to provide guidance on this rezoning request, RPA staff reviewed the rezoning request for appropriateness based on a review of adjacent land use and zoning classifications. A C-2 General Commercial District and the uses permitted within the C-2 General Commercial District at this location would be an appropriate request and would not have a negative impact on adjacent land uses.

The development of this site as an R-1 Residential Zoned property is not unlikely based on adjacent land uses, zoning, and existing use of the property.

Staff is recommending approval of the request subject to two conditions. Due to the unique situation along Brainerd Road, where commercial development abuts or is in close proximity to residential development, RPA recommends that the property and be used as requested by the applicant as a parking lot and landscape business only while using the existing structure.

Staff Notes

Since this property is proposed to be used as a landscaping business, the applicant is advised that, per Section 38-186 of the Chattanooga Zoning Ordinance, any outdoor storage of equipment or merchandise shall be limited to twenty percent (20%) of the lot square footage, excluding the area where buildings are located, such area shall be contained by fence, a minimum of six (6) feet in height, and shall not encroach upon the required parking area.



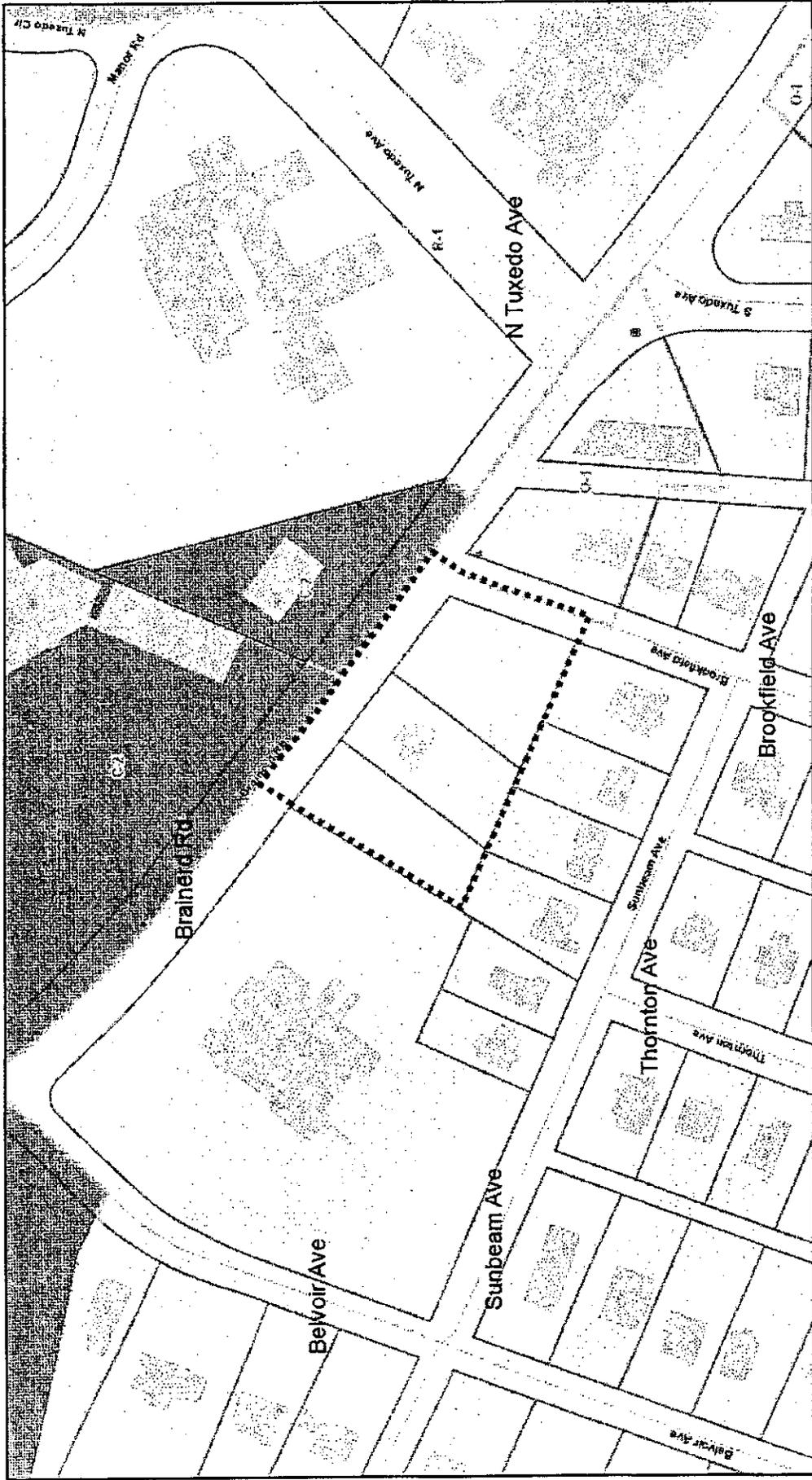
2013-013 Rezoning R-1 to C-2



150 ft



Chattahoochee Hamilton County Regional Planning Agency



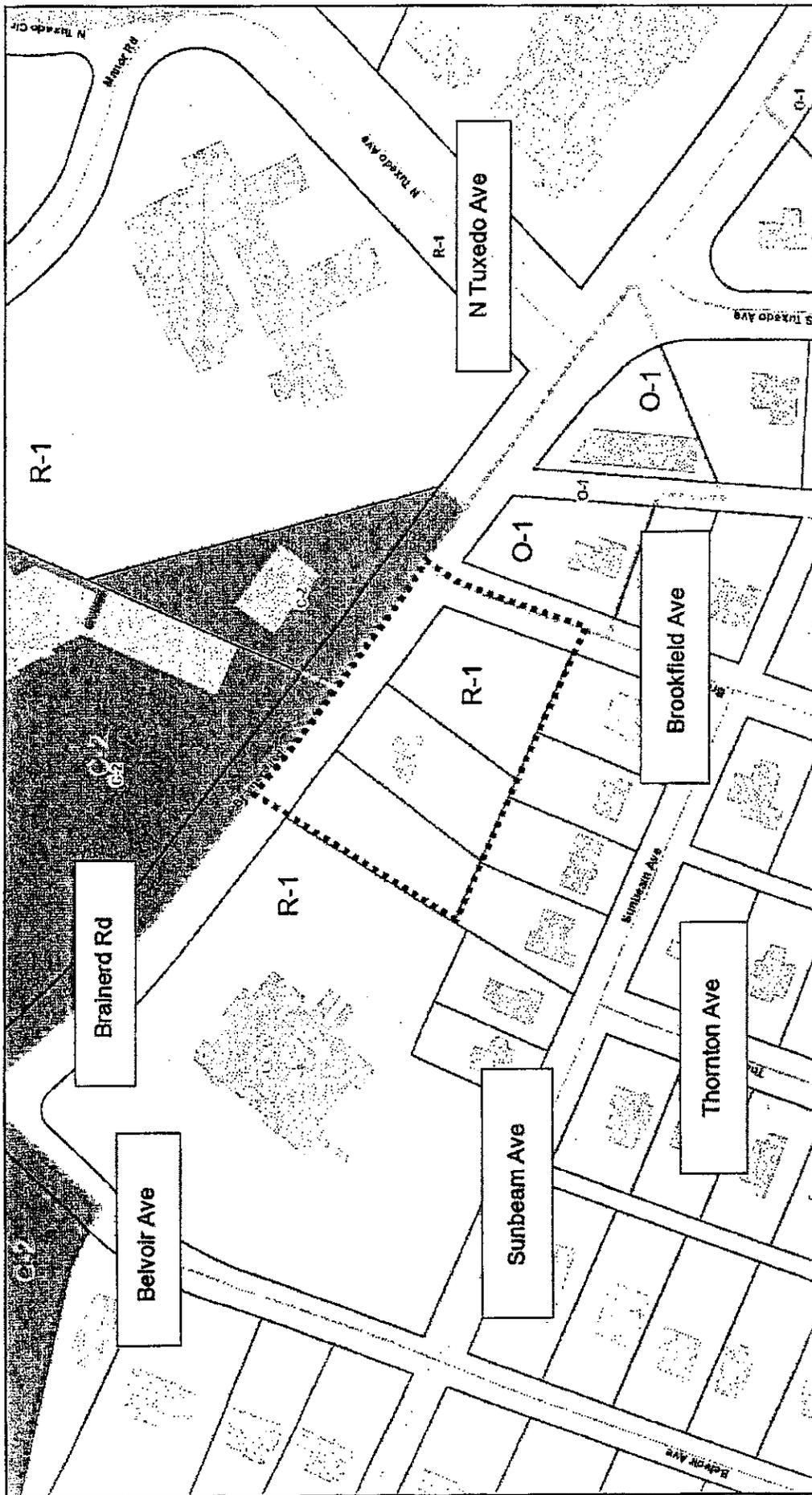
2013-013 Rezoning from R-1 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-013: Approve, subject to: 1) Use as a landscape business, professional medical or dental office and parking lot only.



150 ft





2013-013 Rezoning R-1 to C-2



150 ft



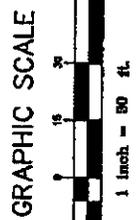
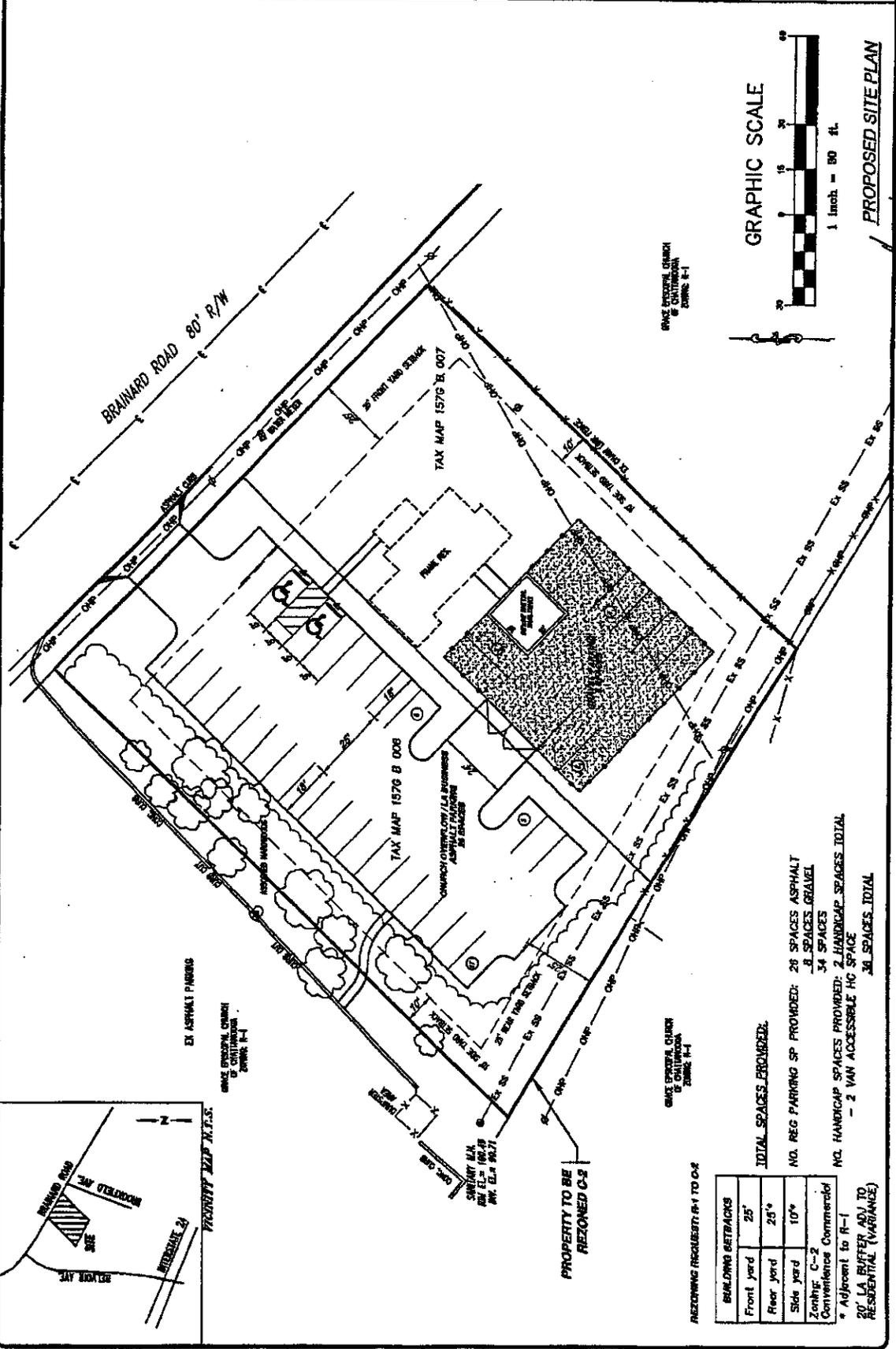
Chautauque-Flint Hills Council of Regional Planning Agencies

ENGINEERING, INC.
 651 E. 4th Street, Suite 407
 Chattanooga, TN 37403
 PH: (423) 266-3501 FAX: (423) 266-3285

REZONING APPLICATION
 GRACE EPISCOPAL
 4022 Brainard Road
 Chattanooga, TN 37411

SCALE: 1" = 30'
 DATE: 12/10/12
 DRAWN BY: DYA
 CHECKED BY: ASD
 JOB NO: 12187

2012-013



PROPOSED SITE PLAN

NO. REG. PAVING SP. PROVIDED: 28 SPACES ASPHALT
 3 SPACES GRAVEL
 34 SPACES
NO. HANDICAP SPACES PROVIDED: 2 HANDICAP SPACES TOTAL
 - 2 VAN ACCESSIBLE HC SPACE
 30 SPACES TOTAL

BUILDING SETBACKS

Front yard	25'
Rear yard	25'
Side yard	10'
Zoning:	C-2
Use:	Convenience Commercial

* Adjacent to R-1
 20' LA BUFFER ADV. TO RESIDENTIAL (VARIANCE)



EXISTING ASPHALT PARKING
 EXISTING GRASSY AREA
 EXISTING DRIVEWAY

GRACE EPISCOPAL CHURCH
 OF CHATTANOOGA
 ZONING: R-1

PROPERTY TO BE REZONED C-2

SUBJECT AREA
 2012-013
 12/10/12

NOTICE

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

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

2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC. 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone, subject to certain conditions.

2013-009 Taqi Ali Mirza and Ron Morrer/Susan Higley. 1951 and 2017 Dodson Avenue, from C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone, subject to certain conditions.

2013-013 Grace Episcopal Church/Randy Durham, Treasurer. 4018, 4022, and 4026 Brainerd Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2013-015 Hole Foods, LLC c/o Rob Renner/Dr. Gene Rudnick. 7737 East Brainerd Road, from O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone.

2013-016 Regan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be amended:

2013-008 Napier Associates/Defoor Brothers. 2300 and 2400 blocks of Gunbarrel Road, to change MXU Boundary and Plan, subject to certain conditions.

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

2013-014 B & L Builders. 7435 and 7437 Pinewood Drive, for a Residential Planned Unit Development, subject to certain requirements.

2013-017 Ragan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, for a Single Family Planned Unit Development, subject to certain requirements.

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,

February 12, 2013

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 _____, 2013.

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