

First Reading: _____
Second Reading: _____

2013-080
Richard W. McCoy/Arlington Properties, Inc.
District No. 3
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 5300 BLOCK OF HIGHWAY 58, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-3 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 in the 5300 block of Highway 58, more particularly described herein:

Three unplatted tracts of land located in the 5300 block of Highway 58 and part of Lot 4, Part of Rex Richey Tract, Plat Book 14, Page 82, ROHC being the properties described as Parcels 5 thru 7 in Deed Book 8809, Page 932, and Deed Book 3161, Page 651, ROHC. Tax Map Nos. 120E-A-006.01, 007, 008 and 009.

and as shown on the maps attached hereto and made a part hereof by reference, from C-2 Convenience Commercial Zone to R-3 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

/mms

2013-080 City of Chattanooga
June 10, 2013

RESOLUTION

WHEREAS, Richard W. McCoy/Arlington Properties, Inc. petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from C-2 Convenience Commercial Zone to R-3 Residential Zone, properties located in the 5300 block of Highway 58.

Three unplatted tracts of land located in the 5300 block of Highway 58 and part of Lot 4, Part of Rex Richey Tract, Plat Book 14, Page 82, ROHC being the properties described as Parcels 5 thru 7 in Deed Book 8809, Page 932, and Deed Book 3161, Page 651, ROHC. Tax Map 120E-A-006.01, 007, 008 and 009 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 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 June 10, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION ACTION:
Approve

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number: 2013-080 **PC Meeting Date:** 06-10-2013

STAFF RECOMMENDATION: APPROVE

**Land Use & Transportation
Comments**

Planning Staff:

Applicant Request Overview

Arlington Properties Inc. c/o Richard Wayne McCoy is requesting to rezone four parcels totaling 3.7 +/- acres from C-2 Commercial Zone to R-3 Residential Zone. The properties addresses are 5300 Block of Highway 58 and 8600 Block of N. Hickory Valley Road; the tax map numbers for these parcels are 120E-A-006.01, 007, 008 and 009. The purpose of the rezoning is to consolidate properties for the construction of a 264 unit apartment complex, a density of 18.33 units per acre as illustrated on the accompanying site plan.

Site Description

The site topography is flat, there are no known floodplains or other environmentally sensitive areas associated with the site. The property is located at the intersection of N. Hickory Valley Road, and urban minor arterial, and Highway 58, an urban principal arterial according to the functional classification system. The property has several vacant structures on the site. Adjacent uses include commercial, manufacturing and residential.

Zoning History

The subject property was annexed into the City of Chattanooga effective 12/31/2012 and in February Planning Commission approved a zoning plan that established permanent zones for the annexed area identified as "Area 6-A". A condition was placed on parcels 120E-A-007 and 008 that made development subject to a natural sight-obscuring fence along abutting residential zones. However, the rezoning of the property to a residential zone would make this condition no longer applicable.

Plans/Policies

Although there are no specific references to this site, the Hamilton County Comprehensive Plan 2030 provides general guidance on appropriate future development types, land use patterns, and physical form by Development Sectors. The plan identifies this site as part of the Outer Suburban Growth Sector typically characterized by a very distinct separation of land uses, larger residential lots, and a lack of a grid street network and recommends higher-density residential adjacent to a commercial centers.

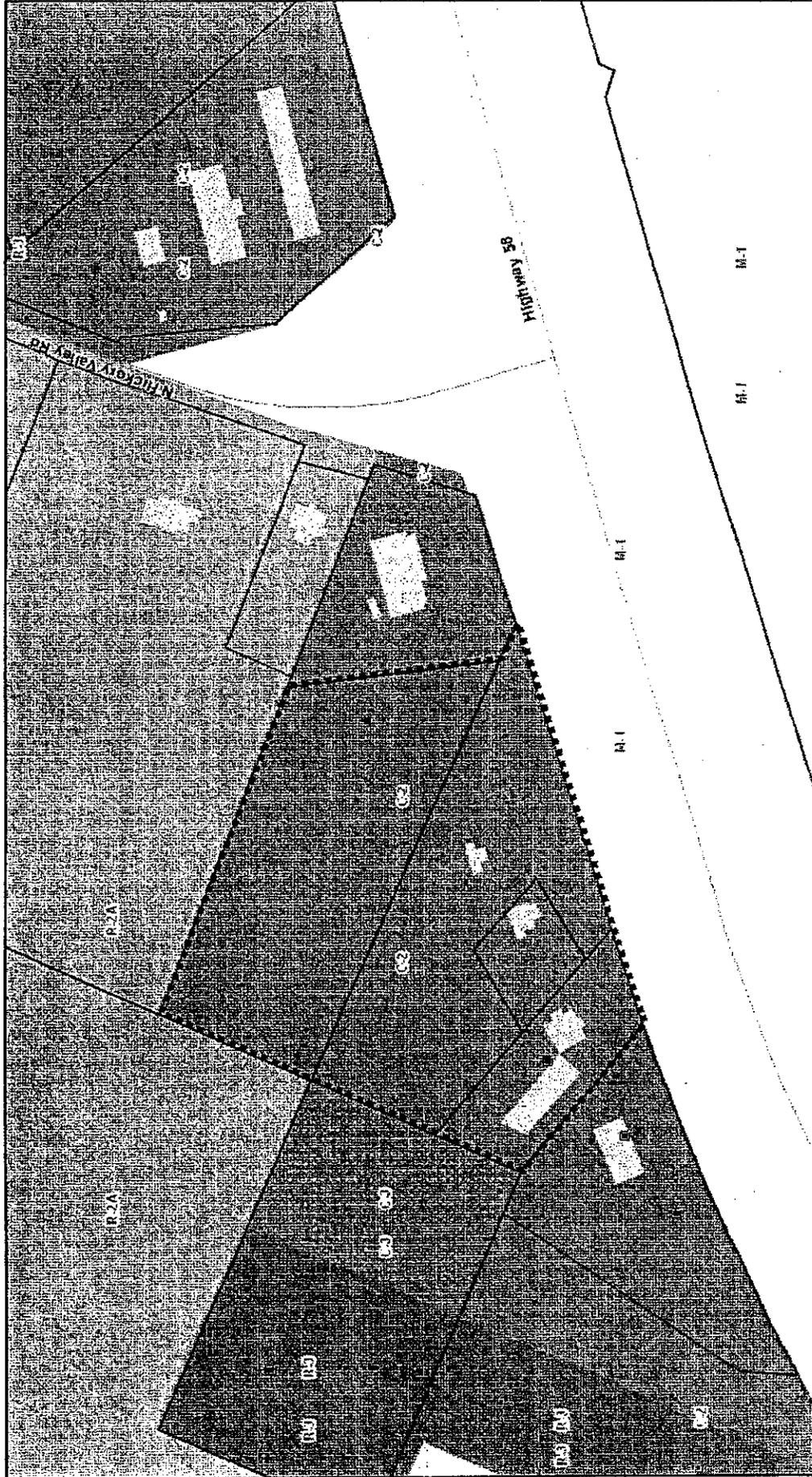
The plan recommends several development models appropriate for the area, but the model most closely representing this site based on the existing adjacent and surrounding uses is the Suburban Development. The Suburban Development Model is characterized as having the

RPA STAFF RECOMMENDATION

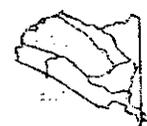
	<p>following typical features:</p> <ul style="list-style-type: none"> • Separation of single uses such as shopping centers, office parks, and subdivisions. • Uses are generally inaccessible from each other except by car. • Housing is segregated in large clusters containing units of similar type and costs. • Streets are wide and dedicated to automobile uses. • Low pedestrian activity. <p>The Suburban Development pattern will most likely continue to be the most common development form in this area; however, the Plan recommends revisions to certain components of the existing form.</p> <ul style="list-style-type: none"> • More public green space. • Parking lots that do not dominate the site. • Greater street connectivity to provide a variety of routes for daily trips. • Better pedestrian access. • More attention to architectural details and landscaping. <p><u>Staff Recommendation</u></p> <p>The Regional Planning Agency recommends approval of this rezoning request as the applicant's proposed use was found to be compatible with adjacent and surrounding land uses. The N. Hickory Valley Road and Highway 58 is a robust intersection, with a complete improvement design. This intersection provides access to a major employment center and I-75, which will increase the desirability of this area for additional residential development.</p>
<p>Infrastructure & Operational Comments</p>	<p>[REDACTED]</p>
<p>Public Works Staff:</p>	<p>All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.</p>

ZONING APPLICATION FORM

CASE NUMBER: 2013-080		Date Submitted: 05-10-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: C-2 Commercial Zone	To: R-3 Residential Zone	
Total Acres in request area: 3.7 Acres			
2 Property Information			
Property Address:	5321, 5323, 5327 & 5329 Hwy 58		
Property Tax Map Number(s):	120E-A-006.01, 007, 008 & 009		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Apartments (Multi Family)		
4 Site Characteristics			
Current Zoning:	C-2 Convenience Commercial		
Current Use:	Commercial		
Adjacent Uses:	C-3, R-2A & R-3		
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: Richard Wayne McCoy		Address: 915 Creekside Road	
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: 37406	Email: wmccoy@millermccoy.com
Phone 1: 423-698-2661	Phone 2: 423-240-4406	Phone 3:	Fax: 423-698-2664
6 Property Owner Information (if not applicant):			
Name: Arlington Properties, Inc.		Phone: 205-328-9600	
Address: 2117 2 nd Avenue North Birmingham, Alabama 35203			
Office Use Only:			
Planning District: 6		Neighborhood: None	
Hamilton Co. Comm. District: 9		Chatt. Council District: 3	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: 3.7	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 8809-932, 3161-651			
Plat Book/Page: 14-82		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: \$295.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 16928
Planning Commission meeting date: June 10 th , 2013		Application processed by: Marcia Parker	



2013-080 Rezoning from C-2 to R-3



148 ft

Hamilton County
RPCA
 Regional Planning Agency

Hamilton County Regional Planning Agency



080-4107

PRELIMINARY

MILLER McCOY, INC.
 CONSULTING ENGINEERS
 1000 1/2 AVENUE SOUTH
 BIRMINGHAM, AL 35203

ARLINGTON PROPERTIES, INC.
 217 2ND AVENUE
 BIRMINGHAM, AL 35203

ARLINGTON APARTMENTS
 8807 NORTH HICKORY VALLEY ROAD
 CHATTANOOGA, TN 37401

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PRELIMINARY SITE PLAN
 DATE: 6/8/13
 DRAWN BY: JPP
 CHECKED BY: AWK
 PROJECT NO.: 13-001
 SHEET NO.: PSP-2

SITE SUMMARY

TOTAL ACREAGE	14.4 ACRES
CITY ACREAGE	3.7 ACRES
COUNTY ACREAGE	10.7 ACRES
TOTAL UNITS	284 UNITS
DENSITY (ACTUAL)	18.33 UNITS/AC
DENSITY (ALLOWABLE)	21.55 UNITS/AC
MIN. REQD. ACRES	78004-28432000-12.28 Ac

BUILDING INFORMATION

TOTAL BUILDINGS	11 @ 3 STORIES
TOTAL UNITS (11X24)	284 UNITS
UNIT MIX PER BLDG	6-1 BR, 12-2 BR, 6-3 BR
GENERAL OVERALL UNIT MIX	
1 BEDROOM	86 UNITS 25%
2 BEDROOM	132 UNITS 50%
3 BEDROOM	66 UNITS 25%

PARKING INFORMATION

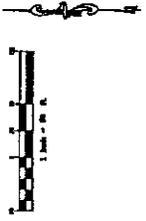
PARKING REQD BY CODE:

1 BEDROOM	1.25 SPACES/UNIT
2 OR MORE BEDROOMS	1.75 SPACES/UNIT

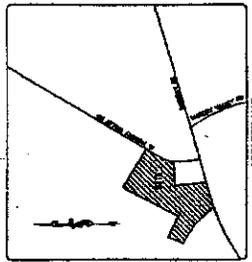
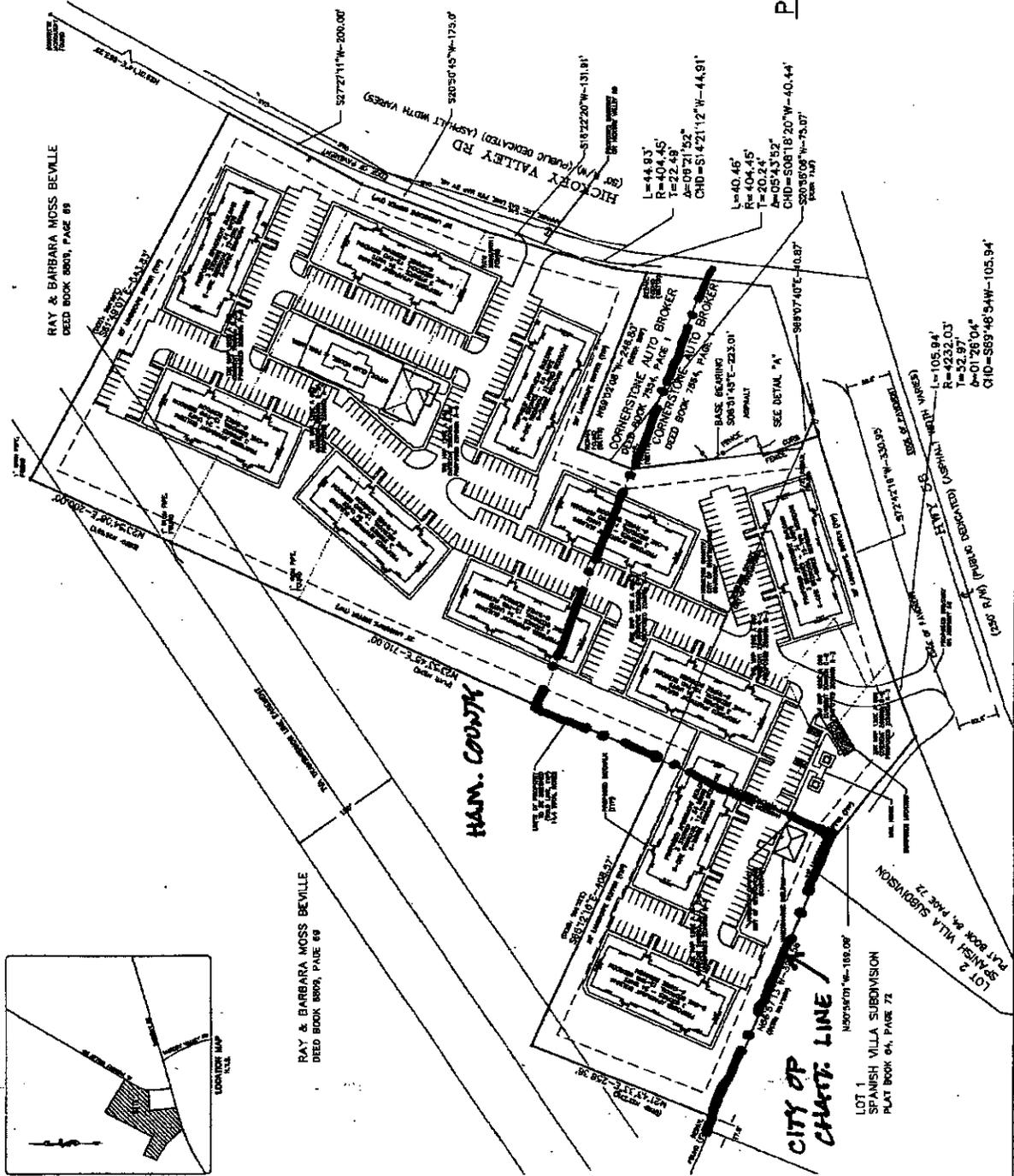
TOTAL PARKING REQD:

66-1 BR X 1.25 SPACES/UNIT	= 83 SPCS
132-2 BR X 1.75 SPACES/UNIT	= 231 SPCS
66-3 BR X 1.75 SPACES/UNIT	= 116 SPCS
TOTAL PARKING REQD FOR APARTMENT SPACES	
NOTE: 11 OF THE 430 SPACES ARE ADA ACCESS:	
MAIL KIOSK/JUMPFESTER	= 8 SPACES
LAUNDRY/CARWASH	= 3 SPACES
CLUB HOUSE/OFFICE	= 17 SPACES
NOTE: 1 OF THE 17 SPACES IS ADA ACCESS.	
TOTAL PARKING SHOWN	= 458 SPACES

PRELIMINARY SITE PLAN



2013-080



RAY & BARBARA MOSS BEVILLE
 DEED BOOK 8809, PAGE 89

HAM. COUNTY

CITY OF CHATT. LINE

LOT 1
 SPANISH VILLA SUBDIVISION
 PLAT BOOK 64, PAGE 72

LOT 2
 SPANISH VILLA SUBDIVISION
 PLAT BOOK 64, PAGE 72

L=105.94'
 R=4232.03'
 T=52.97'
 B=01'26"04"
 CID=589'46"94W-105.94'

CORNERSTONE AUTO BROKER
 DEED BOOK 784, PAGE 1
 BROKER

BASE BEARING
 S08°14'57"-223.01'

SEE DETAIL "A"

L=40.45'
 R=404.45'
 T=20.24'
 A=05°45'52"
 CID=508'18"20"W-40.44'

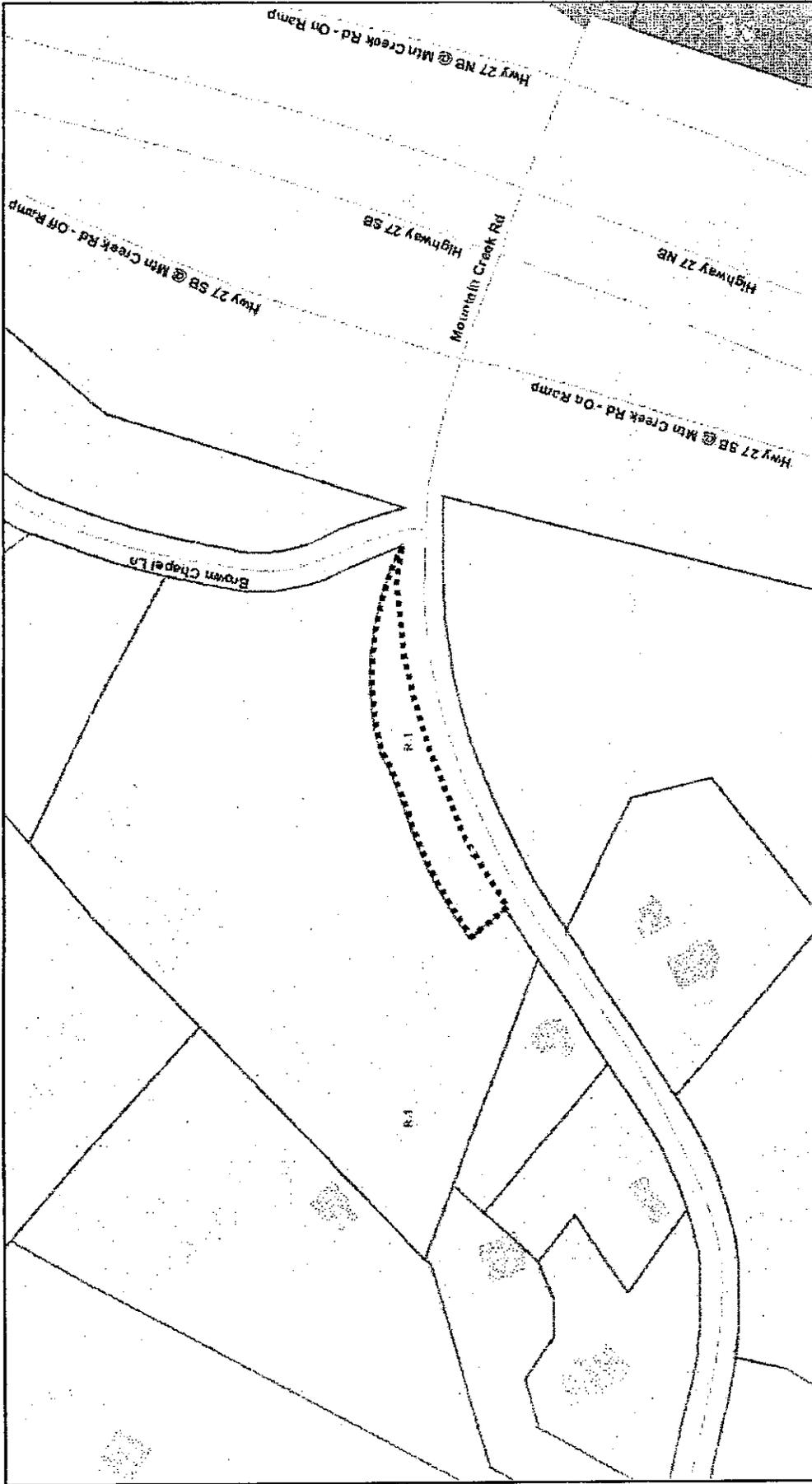
L=44.93'
 R=404.45'
 T=22.49'
 A=09°21'52"
 CID=514'21"12"W-44.91'

S27°27'11"W-200.00'

S20°50'15"W-175.0'

S10°22'20"W-131.91'

RAY & BARBARA MOSS BEVILLE
 DEED BOOK 8809, PAGE 89



MIR 2013-080 Abandonment of a Northern Portion of the 5300 blk of the Mountain Creek Rd Right-of-Way

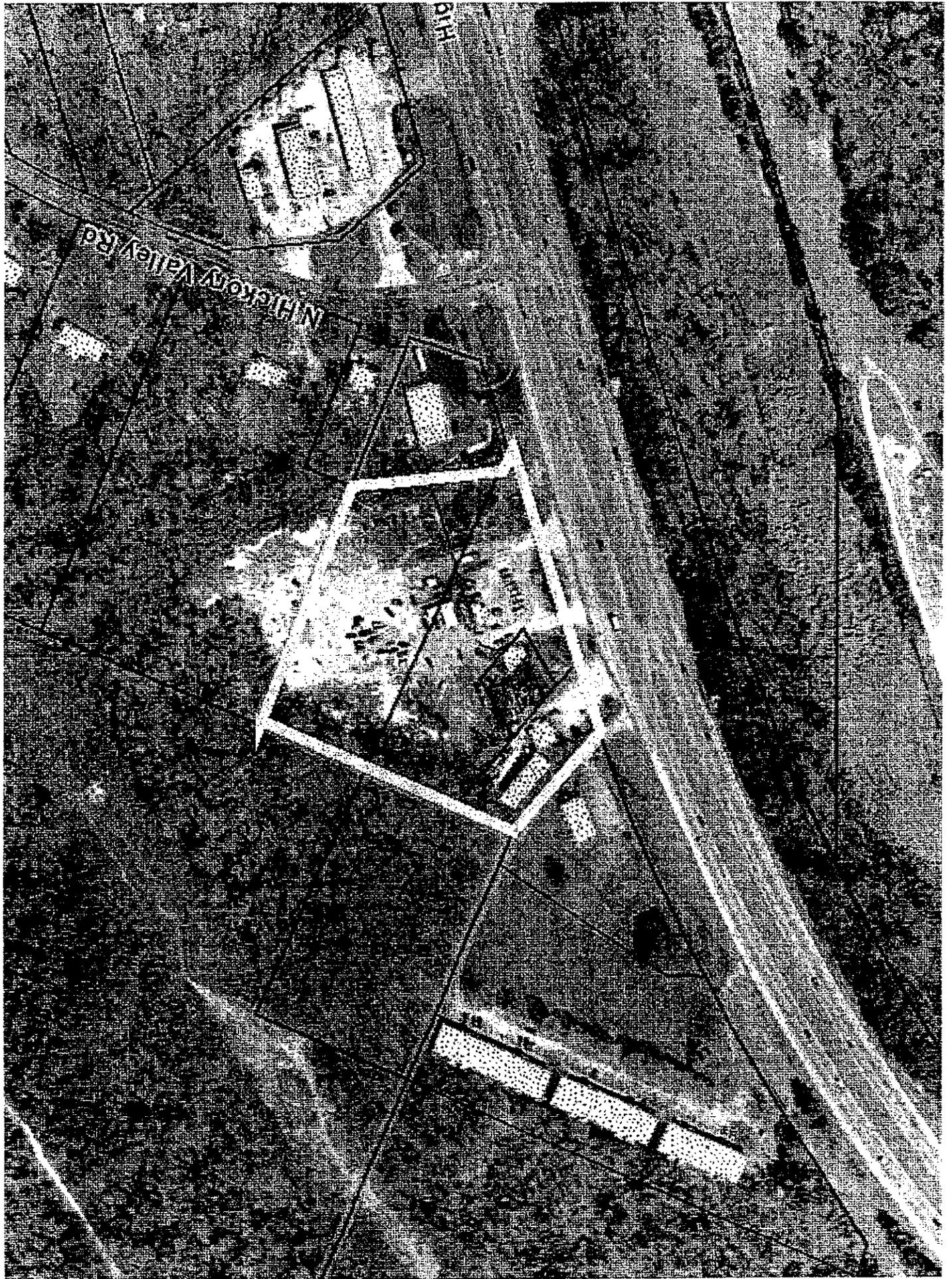
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-080: Approve



180 ft



Chattanooga Hamilton County Regional Planning Agency



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:

2013-072 Walk2Campus Properties c/o Roe Elam/UTC Three, LLC. 863 McCallie Avenue, from C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions.

2013-074 Roy Williams/Nathaniel and Linda Long. 1113 East 11th Street, from R-1 Residential Zone to R-4 Special Zone.

2013-080 Richard W. McCoy/Arlington Properties, Inc. 5300 block of Highway 58, from C-2 Convenience Commercial Zone to R-3 Residential Zone.

2013-086 Independent Healthcare Properties/National Bank of Tennessee. 7715, 7719, and 7721 Shallowford Road, from R-1 Residential Zone to R-4 Special Zone, subject to approval of the Institutional Planned Unit Development of Case No. 2013-085.

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

2013-085 Independent Health Properties/National Bank of Tennessee. 7715, 7719, and 7721 Shallowford Road, for an Institutional Planned Unit Development, subject to certain conditions.

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

2013-066 Marie and Jeff Fisher. 4301 Forest Plaza Drive, for a Residential Home for the Aged.

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,

July 9, 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.

Sandra Freeman
Clerk to the City Council