

First Reading: _____
Second Reading: _____

2013-113
Jesse O. Farr
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2712 WALKER ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-4 SPECIAL 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 property located at 2712 Walker Road, more particularly described herein:

An unplatted tract of land located at 2712 Walker Road being the property described as Tract 47 in Deed Book 1844, Page 372, ROHC. Tax Map No. 139J-H-001.

and as shown on the maps attached hereto and made a part hereof by reference, from R-2 Residential Zone to R-4 Special Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved for the area between Hamilton Park Drive and a line 150' back from Walker Road, parallel to the road.

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

/mms

First Reading: _____
Second Reading: _____

2013-113
Jesse O. Farr
District No. 6
Applicant Version

ORDINANCE NO. _____

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PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO
REZONE PROPERTY LOCATED AT 2712 WALKER ROAD,
MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2
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Residential Zone to R-4 Special 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

2013-113 City of Chattanooga
September 9, 2013

RESOLUTION

WHEREAS, Jesse O. Farr 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-2 Residential Zone to R-4 Special Zone, property located on 2712 Walker Road.

An unplatted tract of land located at 2712 Walker Road being the property described as Tract 47 in Deed Book 1844, Page 372, ROHC. Tax Map 139J-H-001 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 9, 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 September 9, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved for the area between Hamilton Park Drive and a line 150' back from Walker Road, parallel to the road.

Respectfully submitted,


John Bridger
Secretary

ZONING APPLICATION FORM**CASE NUMBER: 2013-113**

Date Submitted: 08-07-2013

(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)

1 Applicant Request

Zoning	From: R-2 Residential Zone	To: R-4 Special Zone
Total Acres in request area: 1.82		

2 Property Information

Property Address:	2712 Walker Road
Property Tax Map Number(s):	139J-H-001

3 Proposed Development

Reason for Request and/or Proposed Use:	Office
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4 Site Characteristics

Current Zoning:	R-2 Residential Zone
Current Use:	Residential
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: Jesse O Farr	Address: 2403 Point Place Road
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Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner
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City: Soddy Daisy	State: TN	Zip Code: 37379	Email: farllaw@comcast.net
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Phone 1: 423-266-6600	Phone 2: 423-843-0635	Phone 3:	Fax:
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6 Property Owner Information (if not applicant)

Name: Same	Phone:
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Address:

Office Use Only:

Planning District: 10	Neighborhood: Friends of E. Brainerd/Brainerd E. Brainerd Chamber
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Hamilton Co. Comm. District: 7	Chatt. Council District: 6	Other Municipality:
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Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:
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Checklist

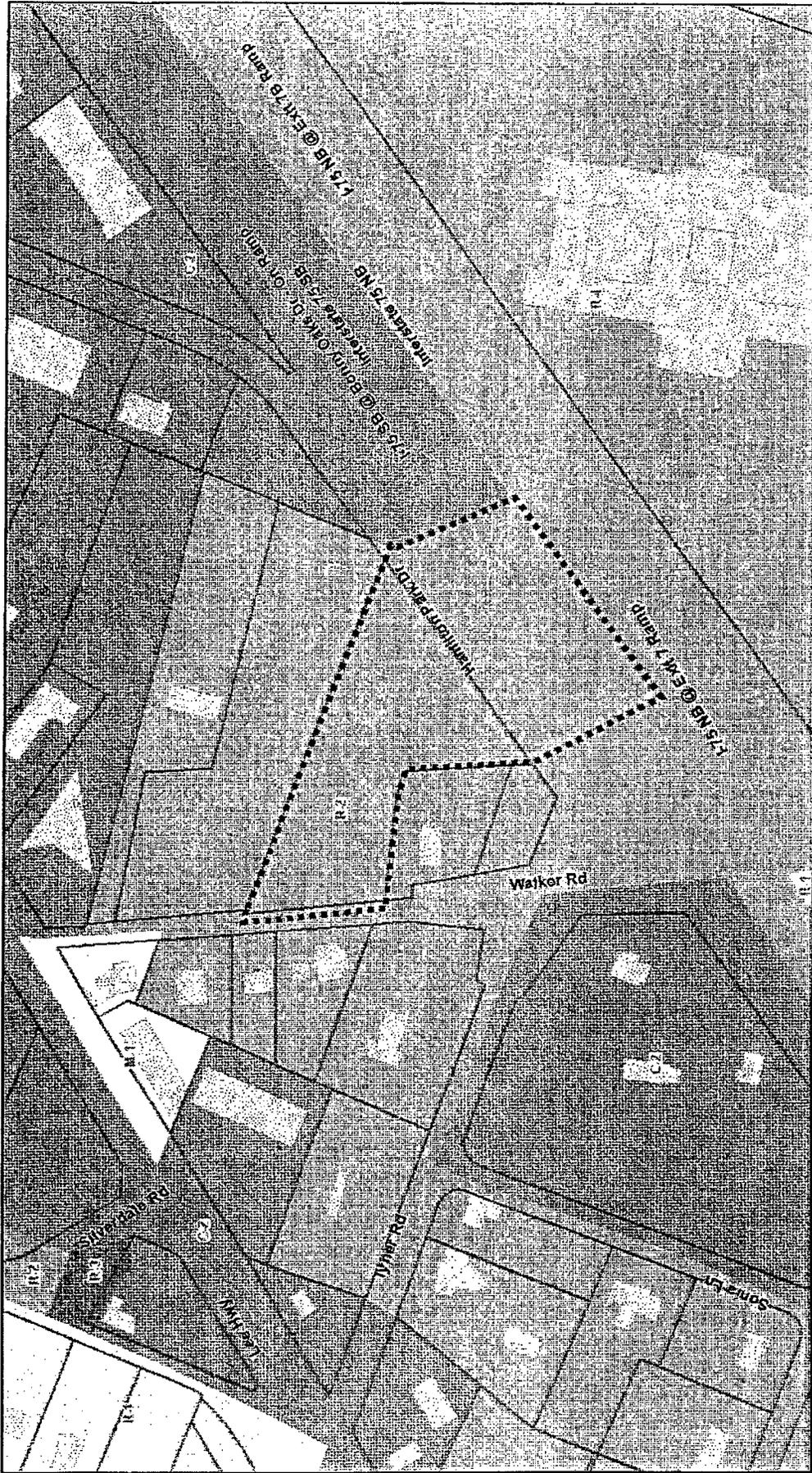
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 1.82	<input checked="" type="checkbox"/> Deeds
<input type="checkbox"/> Plats, if applicable		

Deed Book(s): Item-0400

Plat Book/Page: N/A	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
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<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 16590
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Planning Commission meeting date: September 9, 2013	Application processed by: Marcia Parker
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2013-113 Rezoning from R-2 to R-4

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-113: Approve R-4 Special Zone for the area between Hamilton Park Drive and a line 150' back from Walker Road, parallel to the road.



200 ft



Chattanooga-Hamilton County Regional Planning Agency

**Planning Commission Recommendation:
Approve Staff Recommendation**

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number:	2013-113	PC Meeting Date: 09-09-2013
STAFF RECOMMENDATION:	APPROVE R-4 Office Zone for the area between Hamilton Park Drive and a line 150' back from Walker Road, parallel to the road.	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u></p> <p>The applicant is requesting the rezoning of a 1.8 acre site from R-2 Residential Zone to R-4 Special Zone for a one-story 5,100 square foot office.</p> <p><u>Site Description</u></p> <p>The site has frontage on both Hamilton Park Drive and Walker Road in the Lee Highway area. The site is visible from I-75. It is currently undeveloped and the properties to the north, west and south are zoned R-2 Residential and developed with residences.</p> <p><u>Zoning History</u></p> <p>The property is zoned R-2 Residential and there have been no recent rezoning requests at this location.</p> <p><u>Plans/Policies</u></p> <p>The community plan for this area, the Shallowford Road-Lee Highway Area Plan (2005), recommends a Heavy Business Mix for this location. In fact, most of the eastern side of Lee Highway between that roadway and the interstate is recommended for a Heavy Business Mix from Bonny Oaks Drive to Shallowford Road. This area is in a plan Focus Area which states:</p> <p style="padding-left: 40px;">“This highlighted area is currently a mix of medium and high-density residential, commercial, and manufacturing zoning. The parcels in this area have been designated for Heavy Business Mix which supports high-intensity commercial uses, high-density residential and some suitable light industry. This recommendation is appropriate due to the proximity to both the major arterial Lee Hwy. and Interstate 75.</p> <p style="padding-left: 40px;">The existing single-unit residential, particularly near Sonia Lane and Walker Road, should not be developed piecemeal. Any rezoning requests in the area should seek to preserve the integrity of the existing residential and be considered for higher intensity zoning only if properties are compiled.”</p> <p><u>Staff Recommendation</u></p> <p>The requested site for rezoning has frontage on both Walker Road and Hamilton Park Drive. Hamilton Park Drive east of this site is zoned C-2 Convenience Commercial and is developed with retail/service/office uses. This site has a 360' frontage on that road but is one parcel separated from the existing commercially-zoned area. So, although it is</p>	

RPA STAFF RECOMMENDATION

not adjacent to the existing C-2 Convenience Commercial Zone, it is in close proximity (separated by a distance of approximately 40'). Therefore, it is reasonable that the portion of this property that has frontage on Hamilton Park Drive and is in such close proximity to the interstate develop as the plan recommends.

As noted, the plan suggests, "Any rezoning requests in the area should seek to preserve the integrity of the existing residential and be considered for higher intensity zoning only if properties are compiled."

The applicant is requesting the R-4 Special Zone for an office use. The office is one story and 5,100 square feet. The scale and nature of this type of use would not necessarily trigger the need to compile properties as it should not have as much of an impact as some of the recommended uses found in the Heavy Business Mix category.

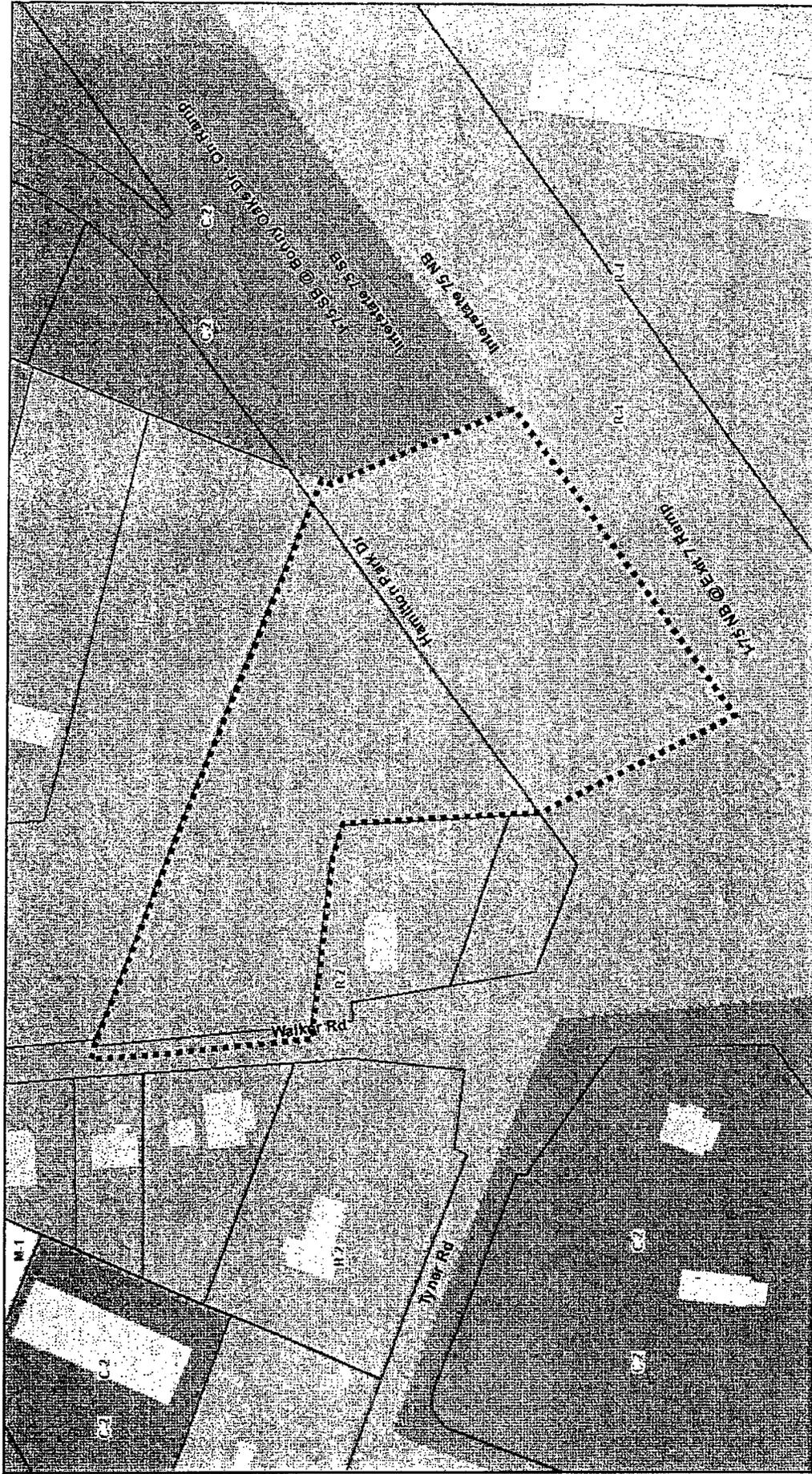
However, in order to ensure the integrity of the existing residential properties on Walker Road, staff is recommending conditions to the rezoning for the office use:

- 1) Staff is recommending rezoning only the portion of the property shown on the site plan as containing the office development. This will ensure that the area of the property fronting on Walker Road remains residentially-zoned and could only be developed with higher-intensity residential or retail uses upon rezoning.
- 2) Staff is recommending that 150' back from Walker Road, parallel to the road, remain R-2 Residential.

**Infrastructure & Operational
Comments**

Public Works Staff:

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.



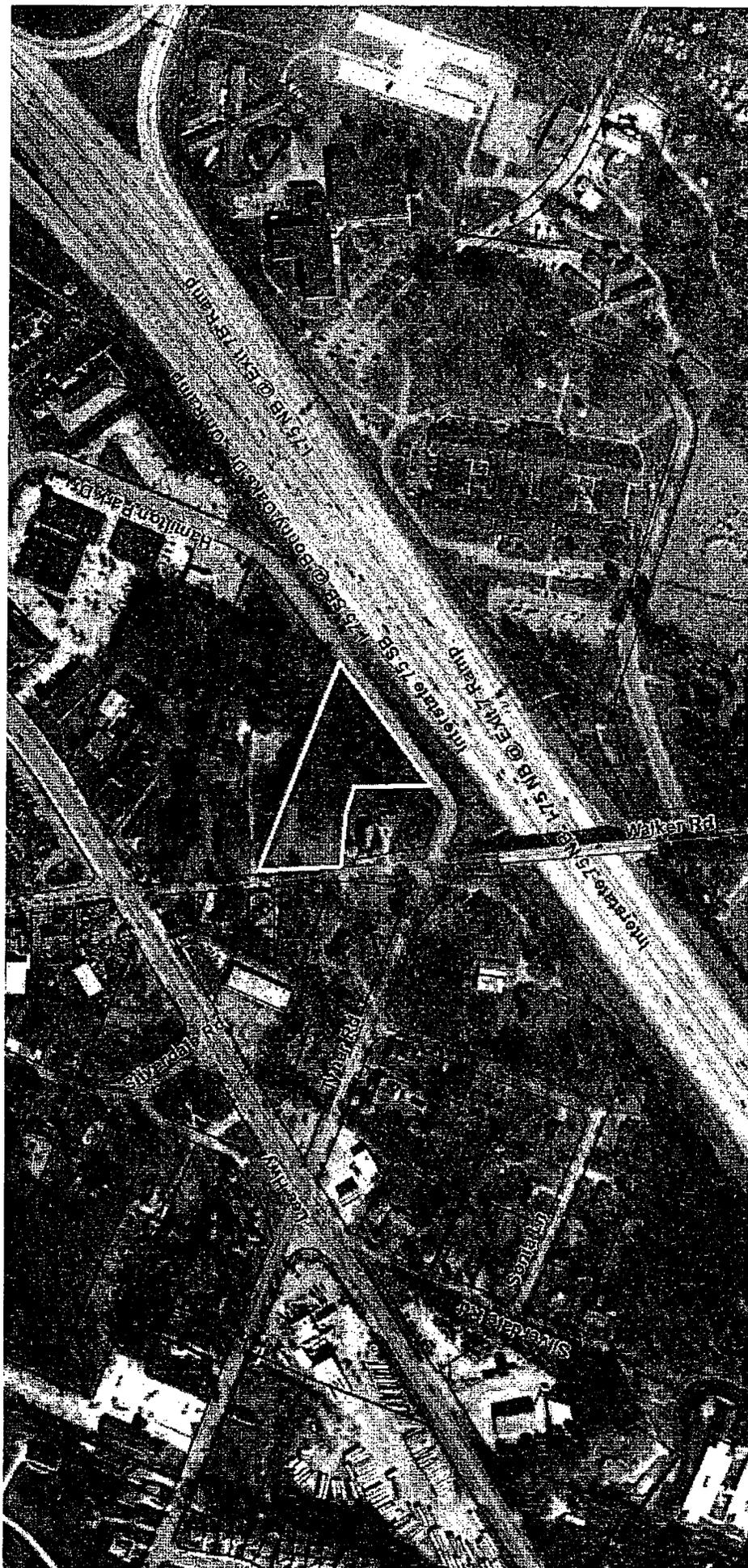
2013-113 Rezoning from R-2 to R-4



130 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 petition to rezone be approved:

2013-113 Jesse O. Farr. 2712 Walker Road, from R-2 Residential Zone to R-4 Special Zone.

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

2013-109 James Pratt/John C. Whitmire, Colony Land and Investments. 5650 Cassandra-Smith Road for a Residential Planned Unit Development.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that conditions be amended and replaced:

2013-104 Troy Cox. 706, 710, and 716 Ashland Terrace, amending and replacing conditions of Ordinance No. 12472.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following condition be lifted and approved:

2013-084 Burt Schaerer/Bts Development. 2245 Hickory Valley Road, lifting condition Section 2 of Ordinance No. 12018 from previous Case No. 2007-142, subject to certain conditions.

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

- (a) Amending Division 13, by adding Section 38-190, Maximum Building Footprint.

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,

October 8, 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