

First Reading: _____
Second Reading: _____

2013-129
Jack Killian
District No. 3
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITION NOS. 1 AND 2 OF ORDINANCE NO. 11533 OF PREVIOUS CASE NO. 2004-031, ON PROPERTY LOCATED AT 2857 NORTHPOINT BOULEVARD, BEING MORE PARTICULARLY DESCRIBED HEREIN.

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, so as to lift Condition Nos. 1 and 2 of Ordinance No. 11533 of previous Case No. 2004-031, on property located at 2857 Northpoint Boulevard, being more particularly described herein.

An unplatted tract of land located at 2857 Northpoint Boulevard, being the property described in Deed Book 8033, Page 255, ROHC. Tax Map No. 110J-A-004.

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

2013-129 City of Chattanooga
October 14, 2013

RESOLUTION

WHEREAS, Jack Killian petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga, Lifting Conditions #1 and #2 of Ordinance No. 11533 of Previous Case No. 2004-031 from property located at 2857 Northpoint Boulevard.

An unplatted tract of land located at 2857 Northpoint Boulevard, being the property described in Deed Book 8033, Page 255, ROHC. Tax Map 110J-A-004 as shown on the attached map.

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

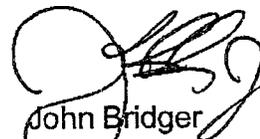
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 October 14, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,


John Bridger
Secretary

ORDINANCE NO. 11533

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 2014 GODSEY DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 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 Ordinance No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to rezone:

A tract of land located at 2014 Godsey Drive. An unplatted tract of land located at 2014 Godsey Drive being as described in Deed Book 1848, Page 77, ROHC. Tax Map 110J-A-004.

from R-1 Residential Zone to R-4 Special Zone.

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

1. The attached site plan; and
2. All existing easements are retained.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

March 16, 2004.

S/_____

CHAIRPERSON

APPROVED: X DISAPPROVED: _____

DATE: March 25, 2004

S/_____

MAYOR

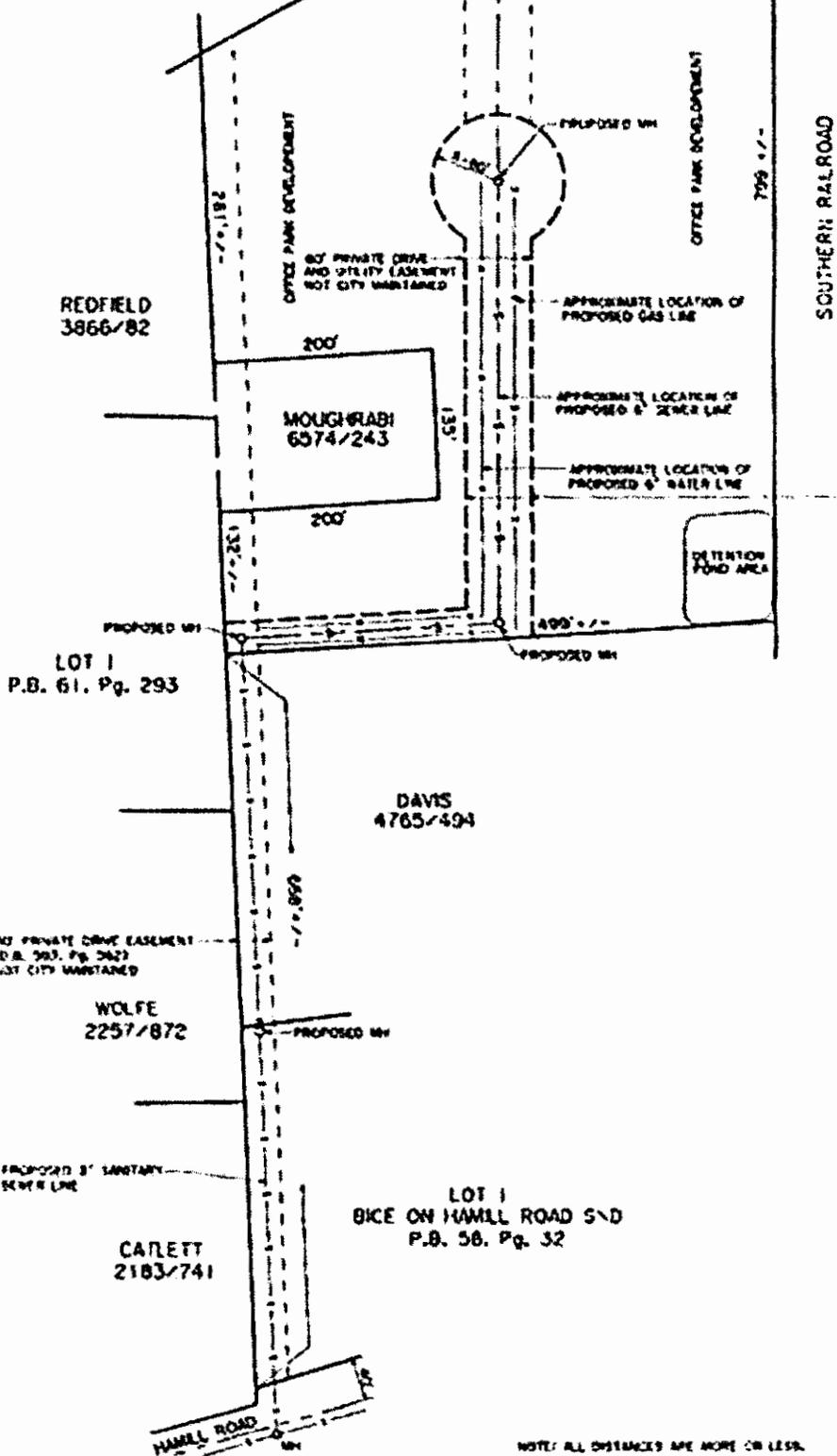
Reviewed By: s/_____

David Eichenthal

AKS/pm

DEFOOR DEVELOPMENT

TOTAL AREA
7.3 Acres +/-

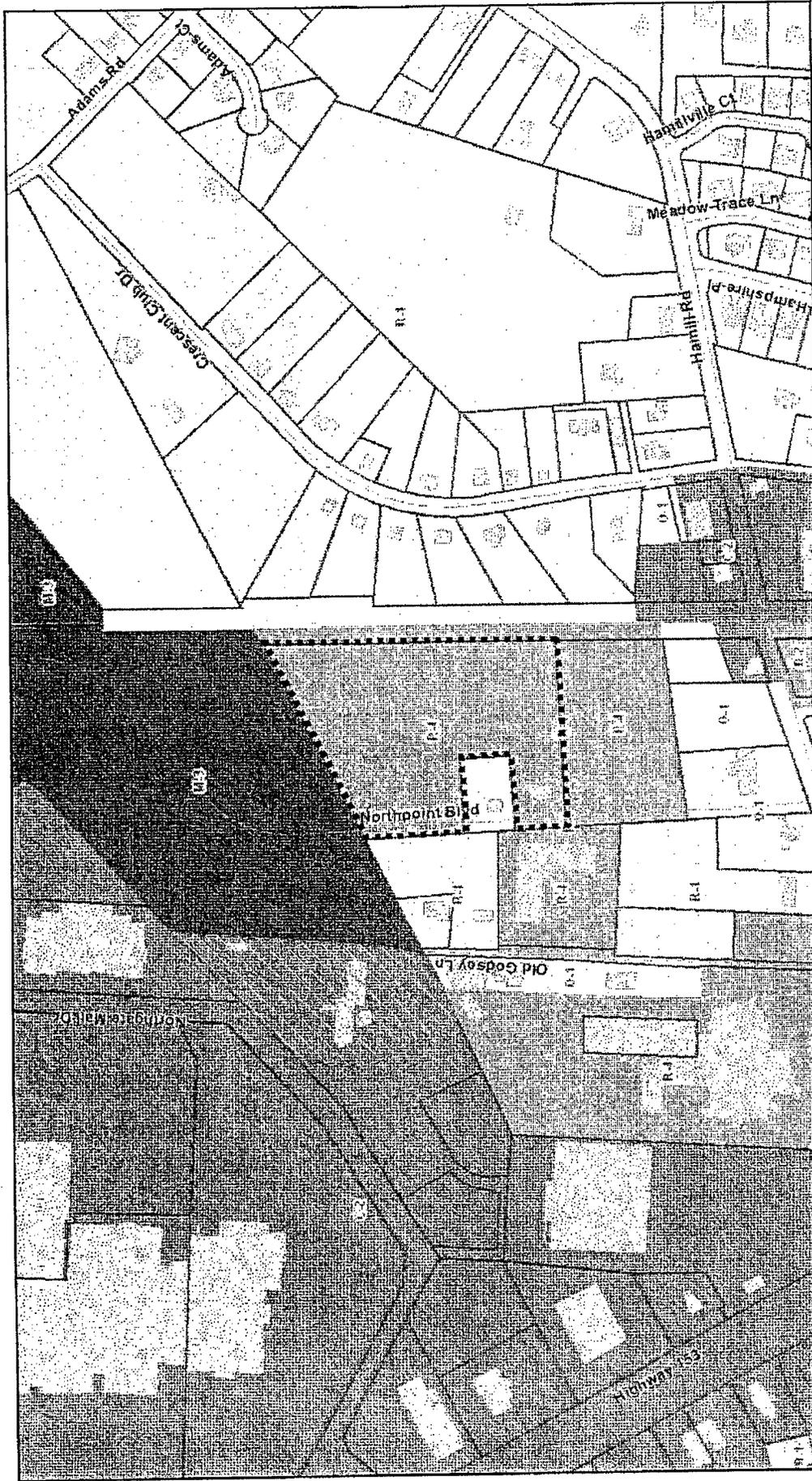


SOUTHERN RAILROAD

1. RESTRICT 30' OF 1
2. UPPER 10' ROAD IS THROUGH NORTH-SIDE FROM DEVELOPMENT OF THE COA CONSTRUCTION

2004-031

NOTE: ALL DISTANCES ARE MORE OR LESS.



2013-129 Lift All Conditions of Ord 11533 Including Existing Site Plan Only and All Easements Retained



375 ft

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-129: Approve lifting Conditions 1 and 2 of Ordinance Number 11533



Chattanooga Hamilton County Regional Planning Agency

LIFT/AMEND CONDITIONS APPLICATION FORM

CASE NUMBER: 2013-129		Date Submitted: 09-10-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Conditions	Description: Lift All Conditions		
#1 The Attached Site Plan	Resolution/Ordinance Number: 11533		
#2 All existing easements are retained	Previous Case Number: 2004-031		
2 Property Information			
Property Address:	2857 Northpoint Blvd		
Property Tax Map Number(s):	110J-A-004		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Office Complex Development with new site plan		
4 Site Characteristics			
Current Zoning:	R-4		
Current Use:	Vacant		
Adjacent Uses:	Residential and Commercial		
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: Jack Killian		Address: 5634 Battlefield Pkwy	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Ringgold	State: GA	Zip Code: 30736	Email: jack.killian@catt.com
Phone 1: 706-937-2900	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: C D Properties, LLC Attn: Dan Bechtol		Phone: 800-726-7251	
Address: 2146 Chapman Rd, Chattanooga, TN 37421			
Office Use Only:			
Planning District: 5		Neighborhood: Hixson Neighborhood	
Hamilton Co. Comm. District: 3		Chatt. Council District: 4	
Staff Rec.:		Other Municipality:	
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: 7.32	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 8033/255			
Plat Book/Page:		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 9483
Planning Commission meeting date: 10/14/2013		Application processed by: Jennifer Ware	

**Planning Commission Recommendation:
Approve Staff Recommendation**

Chattanooga-Hamilton County Regional Planning Agency

STAFF RECOMMENDATION (Rezoning, Special Permits & Mandatory Referrals)

Case Number:	2013-129	PC Meeting Date: 10-14-2013
STAFF RECOMMENDATION:	APPROVE, to Lift Conditions 1 and 2 of Ordinance Number 11533	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting to lift all conditions adopted by Ordinance Number 11533. In 2004, the property was rezoned from R-1 Residential Zone to R-4 Special Zone with conditions. Conditions adopted by Ordinance 11533 in 2004: (1) The attached site plan (2) All existing easements are retained</p> <p><u>Site Description</u> The property is currently a vacant piece of property with access to and fronting the Northpoint Boulevard extension. There appear to be no development restraints on the property such as steep slopes or floodplain/floodway identified.</p> <p>Northgate Mall and office are located to the north of the property, hospital and professional offices located to the west, railroad right-of-way to the east, and vacant land to the south of the property.</p> <p>Adjacent zones include R-1 Residential Zone, R-4 Special Zone, M-3 Manufacturing Zone, and C-2 Convenience Commercial.</p> <p><u>Zoning History</u> In 2004, the property was rezoned from R-1 Residential Zone to R-4 Special Zone with conditions. There appear to be no other previous rezoning requests at this location.</p> <p><u>Plans/Policies</u> The Hixson-North River Community Plan (2005) recommends Office as a land use category for this location. The Hixson-North River Community Plan did recommend and support the Northpoint Boulevard extension.</p> <p>As with any neighborhood or community land use, the Hixson-North River Community Plan does not offer any guidance on amending or lifting of conditions placed on property.</p> <p><u>Staff Recommendation</u> Staff is recommending approval of lifting conditions 1 and 2 adopted by Ordinance Number 11533.</p> <p>At the time of the rezoning request in 2004, the Northpoint Boulevard extension did not exist; therefore, the rezoning of the site was approved subject to an attached site plan. The site plan submitted with the rezoning request is not a typical site plan. The site plan does not</p>	

STAFF RECOMMENDATION (Rezoning, Special Permits & Mandatory Referrals)

	<p>show any items typically indicated on site plans such as proposed building locations, dumpster location, number of parking spaces, proposed landscaping, etc. The site plan attached with the rezoning request only indicated a cul-de-sac to be developed on the property.</p> <p>The applicant intends to develop the site as an office complex. As of today, the Northpoint Boulevard extension has been completed. The site has adequate access and frontage along Northpoint Boulevard; therefore, there appears to be no need for a cul-de-sac on the site.</p>
Infrastructure & Operational Comments	<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> <p>Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.</p>



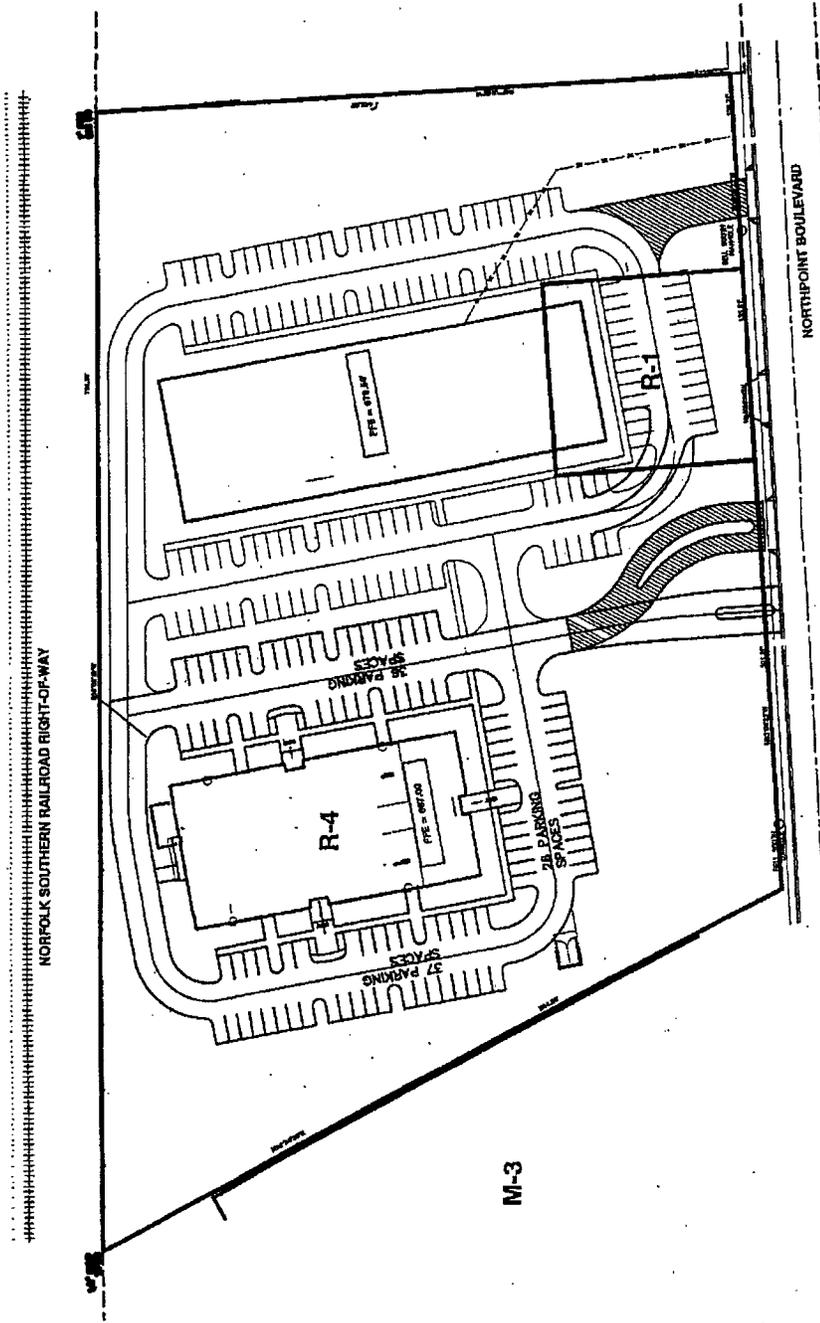
2013-129 Lift All Conditions of Ordinance 1533 Including Existing Site Plan Only and All Easements Retained

376 ft

Chattanooga-Hamilton County
RPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency

2013-129



PRELIMINARY SITE PLAN

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:

2013-119 Jack Edwards. 7630 Bonnie Drive, from R-1 Residential Zone to R-2 Residential Zone, subject to certain conditions.

2013-128 Aaron White/Vulcan Lands, Inc. 556 Molly Lane, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2013-130 Green Real Estate Group, LLC/David Devaney. 324 Vine Street, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions.

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

2013-127 Clara Edwards/Tommye Montgomery. 1503 Taylor Street for a Residential Home for Handicapped and/or Aged Persons Operated on a Commercial Basis.

2013-137 Richard Burbano. 4038 Smith Lane for a Single-Wide Manufactured Home.

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

2013-129 Jack Killian. 2857 Northpoint Boulevard, to lift Conditions 1 and 2 of Ordinance No. 11533 of previous Case No. 2004-031.

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,

November 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.

Sandra Freeman
Clerk to the City Council