First Reading:_____
Second Reading:_____

2014-015
NAI Charter Real Estate Corporation/
David Graham
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 2125 AND 2129 WEST SHEPHERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING 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 2125 and 2129 West Shepherd Road, more particularly described herein:

> Lots 29 & 30 of Mrs. Lilah Pope Shepherd Estate, Plat Book 13, Page 6, ROHC, being the properties described in Deed Book 9640, Page 633, ROHC. Tax Map Nos. 148B-B-019 & 020.

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

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

(1) Use for vehicular access and truck check-in gate with related structures and canopies only;

(2) Rezoning of the proposed area be subject to the Coca-Cola expansion project; if this project does not materialize, then current zoning of the properties to remain "as is";

(3) Immediate planning and work be done to expand the bridge on Shepherd Road over Highway 153 to accommodate pedestrian walkways and bicycle traffic. (Bridge should comply with 2014 standards);

(4) Remediate flooding problems of residents who live on Arlena Circle; and

(5) No large truck traffic north on West Shepherd Road from the proposed truck entrance except in emergency situations.

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:_____

2014-015
NAI Charter Real Estate Corporation/
David Graham
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 2125 AND 2129 WEST SHEPHERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO M-1 MANUFACTURING 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 2125 and 2129 West Shepherd Road, more particularly described herein:

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

2014-015 City of Chattanooga
February 10, 2014

RESOLUTION

WHEREAS, NAI Charter Real Estate Corporation/David Graham 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 M-1 Manufacturing Zone, properties located at 2125 & 2129 West Shepherd Road.

Lots 29 & 30 of Mrs. Lilah Pope Shepherd Estate, Plat Book 13, Page 6, ROHC, being the properties described in Deed Book 9640, Page 633, ROHC. Tax Maps 148B-B-019 & 020 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 10, 2014,

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 February 10, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: (1) Use for vehicular access and truck check-in gate with related structures and canopies only; (2) Rezoning of the proposed area be subject to the Coca-Cola expansion project; if this project does not materialize, then current zoning of the properties to remain "as is"; (3) Immediate planning and work be done to expand the bridge on Shepherd Road over Highway 153 to accommodate pedestrian walkways and bicycle traffic. (Bridge should comply with 2014 standards); (4) Remediate flooding problems of residents who live on Arlena Circle; and (5) No large truck traffic north on West Shepherd Road from the proposed truck entrance except in emergency situations.

Respectfully submitted,

John Bridger
Secretary

Chattanooga-Hamilton County Regional Planning Agency

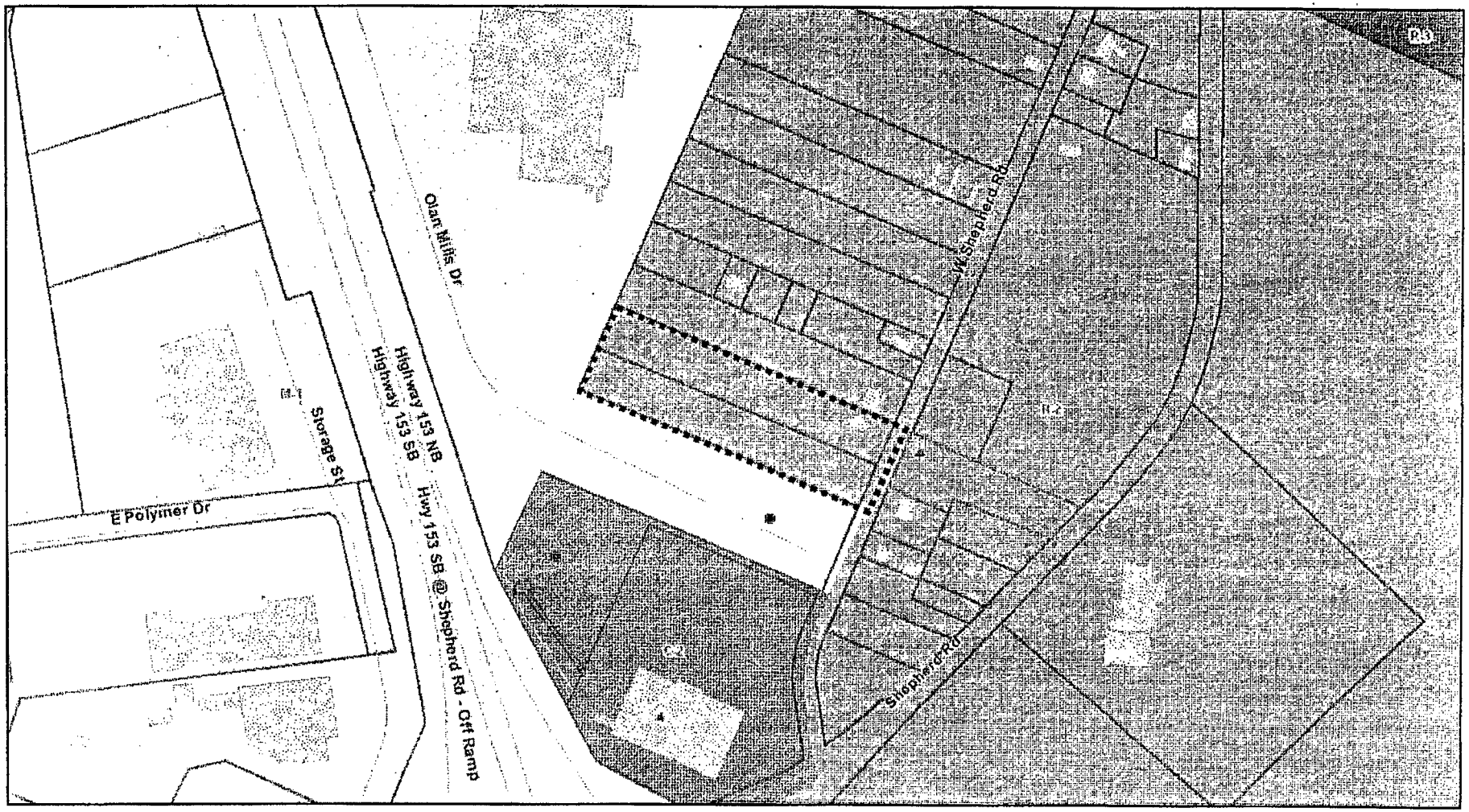
ZONING APPLICATION FORM

CASE NUMBER: 2014-015			Date Submitted: 01-09-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	**From: R-2**	**To: M-1**	
	Total Acres in request area: 3.04 acres		
2 Property Information			
Property Address:	2125 & 2129 West Shepherd Road		
Property Tax Map Number(s):	148B-B-019 & 020		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Truck access to distribution center		
4 Site Characteristics			
Current Zoning:	R-2 Residential Zone		
Current Use:	Vacant lot & Residential lot		
Adjacent Uses:	Residential & Manufacturing		
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: NAI Charter Real Estate Corporation		Address: 414 Vine Street	
Check one:		I am the property owner	x I am **not** the property owner
City: Chattanooga	State: TN	Zip Code: 37403	Email: dfd@charterre.com
Phone 1: 423-308-3762	Phone 2: 423-667-3819	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: David Graham		Phone: 423-599-4287	
Address: Chattanooga, TN 37421			
Office Use Only:			
Planning District: 6		Neighborhood: FOEB, BEBC, Shepherd Community Action Council	
Hamilton Co. Comm. District: 5	Chatt. Council District: 6	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: 3.04	x Deeds	x Plats, if applicable
Deed Book(s): 9640-633			
Plat Book/Page: 13-6		X Notice Signs	Number of Notice Signs: 1
X Filing Fee: 635.00	Cash	x Check	Check Number: 7786
Planning Commission meeting date: 2-10-2014		Application processed by: Marcia Parker	

Chattanooga-Hamilton County Regional

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-015 PC Meeting Date: 2-10-2014
PC RECOMMENDATION:	**APPROVE, subject to certain conditions:** **1- Use for vehicular access and truck check-in gate with related structures and canopies only;** **2- Rezoning of the proposed area be subject to the Coca-Cola expansion project; if this project does not materialize, then current zoning of the properties to remain "as is";** **3- Immediate planning and work be done to expand the bridge on Shepherd Road over Highway 153 to accommodate pedestrian walkways and bicycle traffic. (Bridge should comply with 2014 standards);** **4- Remediate flooding problems of residents who live on Arlena Circle;** **5- No large truck traffic north on West Shepherd Road from the proposed truck entrance except in emergency situations.**
Note:	The above conditions were submitted by the applicant and neighborhood representatives at the February 10, 2014 Planning Commission meeting. The conditions were then submitted by the RPA to the City Attorney's office and the Land Development office for their review regarding enforcement and legality. Any changes will be reflected in the final version drafted by the City Attorney's office.
Reasons for Recommendation	• This would be an extension of existing M1 zoning. • The 1987 Shepherd Zoning Policy to maintain R2 zoning north of the Olan Mills entrance & west of West Shepherd Road was updated in 2004 with the Shallowford Road-Lee Highway Land Use Plan which recommends low-density residential for this area. • 2006 Comprehensive Plan: "promote economic development by ensuring that adequate zoning and infrastructure is in place for new industrial/manufacturing development and/or the expansion of existing industry/manufacturing." • Allow improvements to keep the existing manufacturing site viable without negatively impacting the residential areas.
Applicant Present at PC Meeting?	Yes
Opposition Present at PC Meeting?	No



2014-015 Rezoning from R-2 to M-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-015: Approve, subject to the conditions listed in the Planning Commission Resolution.

North

300 ft

Chattanooga-Hamilton County RPA Regional Planning Agency

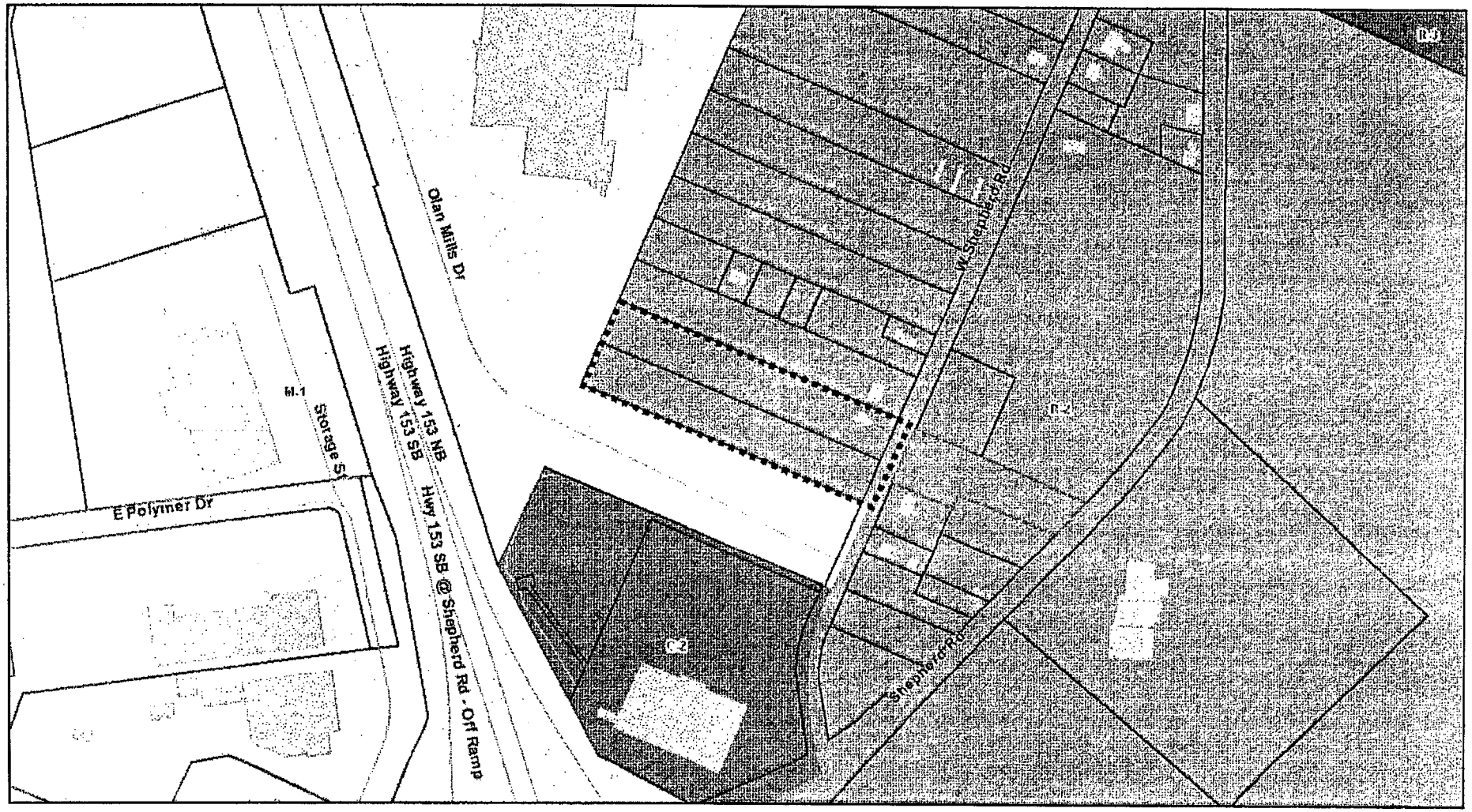
Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County Regional Planning Agency

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-015 PC Meeting Date: 02-10-2014
STAFF RECOMMENDATION:	**APPROVE, subject to vehicular access use only.**
Land Use & Transportation Comments	
Planning Staff:	**Applicant Request Overview** The applicant submitted a request to rezone approximately 3.04 +/- acres of land, addressed 2125 and 2129 West Shepherd Road, currently zoned R-3 Residential Zone to M-1 Manufacturing Zone to allow for expanded truck access to a distribution center. This rezoning is a part of a larger effort to revitalize the old Olan Mills building for the location of a new major employer to the City. **Site Description** The subject property consists of two parcels, one is vacant and the second has a single-family residence on site. There are industrial uses to the west and south, residential to the north and east. The topography is flat and access to the site is good. West Shepherd Road is an urban collector road that connects onto Highway 153, which is the most logical route for truck traffic. **Plans/Policies** Development in the subject area is guided by the Shallowford Road-Lee Highway Area Plan (2004) and the Hamilton County Comprehensive Plan 2030. The adopted land use plan for this area, the Shallowford Road-Lee Highway Area Plan, recommends low-density residential development at this site. However, these recommendations are used only as part of the decision criteria for a zoning case. It is important to note that that this proposed development abuts an established neighborhood and requires special attention be given to the potential negative impacts to the surrounding residences. The Hamilton County Comprehensive Plan 2030 identifies this area as part of the Outer Suburban Development Sector, which is defined by the distinct separation of residential and non-residential uses. Contained within the Comprehensive Plan's general policies is a call to support infill redevelopment. The action required to support this policy is to target key locations appropriate for infill redevelopment and identify flexible zoning techniques to ease the infill process in terms of permitting, zoning and impact on existing neighborhoods. *Policy: Promote economic development by ensuring that adequate zoning and infrastructure is in place for new industrial/manufacturing development, and/or the expansion of*

	existing industry/manufacturing. *Action: Recommend continued investment in infrastructure improvements and expansions where deemed necessary and appropriate for economic development.* The older manufacturing/warehousing facilities in Chattanooga were established prior to the construction of interstates, relying heavily upon rail lines. Environmental issues, lack of easy truck accessibility, and difficulties in complying with modern fire codes may hamper older industrial buildings and/or sites. The challenge is to find ways to rehabilitate these buildings and/or sites into uses that are compatible with adjacent neighborhoods. Revitalization of these developments is important because it capitalizes on existing infrastructure while attracting jobs to adjoining neighborhoods that have possibly experienced a decline due to the abandonment or underutilization of warehouse/manufacturing structures.
Infrastructure & Operational Comments	
	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.
Summary	
	Staff Recommendation The Regional Planning Agency recommends approval of this rezoning request. The M-1 Manufacturing Zone would be an extension of an existing zone. The proposed development is an appropriate use of infill redevelopment which is encouraged by the countywide Comprehensive Plan and addresses an identified need within the community. Staff suggests the developer consider pedestrian improvements to the bridge crossing over Highway 153. In order to avoid opening the parcels to a wide range of uses allowed in M-1 zoning, the condition of vehicular access only has been added to the recommendation.



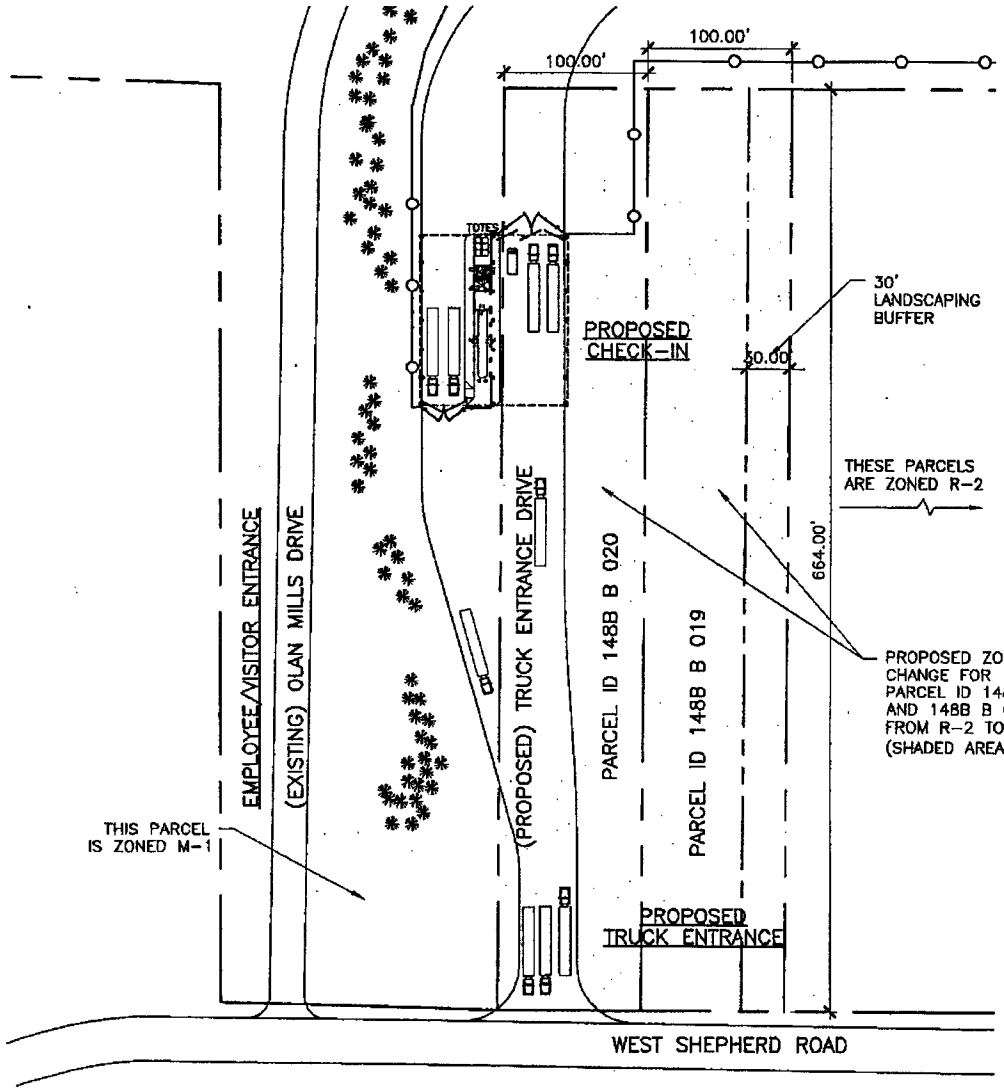
2014-015 Rezoning from R-2 to M-1

North

300 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County RPA Regional Planning Agency



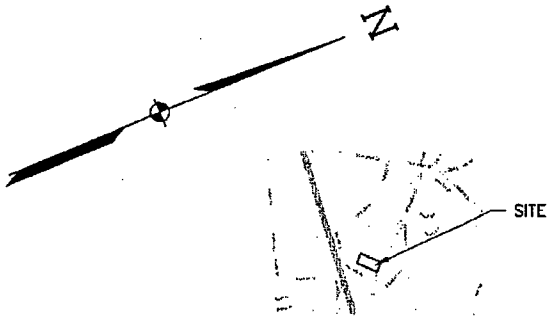
LEGEND

PROPOSED REZONING OF PARCELS 148B B 019 AND 148B B 020

OWNERSHIP: DAVID GRAHAM, 2129 W SHEPHERD ROAD, CHATTANOOGA, TN 37421

CONTACT PERSON: DAVID F. DEVANEY, SIOR, CCIM, PRESIDENT
NAI CHARTER REAL ESTATE CORP.
414 VINE STREET
CHATTANOOGA, TN 37403
PHONE: (423) 308-3762
E-MAIL: DFD@CHARTERRE.COM

TOTAL AREA TO BE REZONED: 3.048668 ACRES (1.524334 ACRES PER PARCEL)



LOCATION MAP

REZONING SITE PLAN

1"=80'

0 40 80 120 160

CLIENT CHATTANOOGA, TN
PROJECT PROJECT HEARTLAND
TITLE SITE REZONING FROM R-2 TO M-1
SKETCH NO. SK-1 PROJECT NO. 13016 DATE 01/09/14
DRAWN BY GAR CHECKED BY MD
© 2014 DESIGN GROUP FACILITY SOLUTIONS, INC.

DESIGN GROUP
FACILITY SOLUTIONS
5 CHENELL DRIVE, BOX 3, CONCORD, NEW HAMPSHIRE 03301
PHONE: (603) 225-0010 FAX: (603) 225-0761

DATE PLOTTED: 1/9/2014 4:24:44 PM PLOTTED BY: Davies, Mark (DG-CNC)

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:

> 2014-005 Arbour Valley Development/Michael & Edward Manz, IV. 2848 Anderson Terrace, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.
>
> 2014-014 Ethan Wood/Matt Wood. 5906 Hancock Road, from R-1 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.
>
> 2014-015 NAI Charter Real Estate Corporation/David Graham. 2125 and 2129 West Shepherd Road, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.
>
> 2014-017 Thomas Palmer. 329 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

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

> 2013-158 Justin Cox/BA Duong. 2537 and 2541 Tunnel Boulevard, from R-1 Residential Zone to RT-1 Residential Townhouse Zone.

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

> 2014-013 Andre Shved. 306 and 308 Oliver Street, to lift conditions 1, 2, 3, and 4 from Ordinance No. 11657 of previous Case Number 2004-243 to allow Single Family Homes Only.

4. 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) Adding distilleries as an allowable use under Special Exceptions Permit requirements in the C-2 Convenience Commercial Zone, UGC Urban General Commercial Zone, C-3 Central Business Zone, and M-1 Manufacturing Zone;

(b) Amending Definitions for Section 38-2 for Alcohol Distillery;

(c) Amending Section 38-185 by adding a new subsection (1)(c) Alcohol Distillery, Small to the C-2 Convenience Commercial Zone;

(d) Amending Section 38-205 by adding a new subsection (3) Alcohol Distillery, Small to the UGC Urban General Commercial Zone;

(e) Amending Section 38-224 by adding a new subsection (1)(c) Alcohol Distillery, Small to the C-3 Central Business Zone; and

(f) Amending Section 38-303 by adding a new subsection (2) Alcohol Distillery, Small and Alcohol Distillery, Large to the M-1 Manufacturing Zone and renumber the remaining uses.

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,

March 11, 2014

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 _____, 2014.

_____
Sandra Freeman
Clerk to the City Council