First Reading:_____
Second Reading:_____

2014-046
Wallace and Nancy Braud
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 1329 AND 1349 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 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 1329 and 1349 Gunbarrel Road, more particularly described herein:

> Lots 1 and 2, Braud Estates on Gunbarrel Road, Plat Book 97, Page 89, ROHC, being the properties described in Deed Book 9138, Page 539 and Deed Book 4250, Page 349, ROHC. Tax Map Nos. 158L-E-008 and 017.01.

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

SECTION 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That this rezoning shall be subject to the following:

1) Parcels are conditioned to only the uses of Bed and Breakfast and Short-Term Vacation Rental;

2) Signs incidental to the permitted Bed and Breakfast use, except that only one (1) sign shall be permitted, sign shall be set back ten (10) feet from any property line. The sign shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be directly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted; and

3) One (1) Bed and Breakfast only on Lot 2.

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

/mem

First Reading:_____
Second Reading:_____

2014-046
Wallace and Nancy Braud
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 1329 AND 1349 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 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 1329 and 1349 Gunbarrel Road, more particularly described herein:

> Lots 1 and 2, Braud Estates on Gunbarrel Road, Plat Book 97, Page 89, ROHC, being the properties described in Deed Book 9138, Page 539 and Deed Book 4250, Page 349, ROHC. Tax Map Nos. 158L-E-008 and 017.01.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 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

/mem

2014-046 City of Chattanooga
June 9, 2014

RESOLUTION

WHEREAS, Wallace & Nancy Braud 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 M-1 Manufacturing Zone, properties located at 1329 & 1349 Gunbarrel Road.

Lots 1 and 2, Braud Estates on Gunbarrel Road, Plat Book 97, Page 89, ROHC, being the properties described in Deed Book 9138, Page 539 and Deed Book 4250, Page 349, ROHC. Tax Maps 158L-E-008 and 017.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 9, 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 existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 9, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved subject to: 1) Parcels are conditioned to only the uses of Bed and Breakfast and Short-Term Vacation Rental. 2) Signs incidental to the permitted Bed and Breakfast use, except that only one (1) sign shall be permitted, sign shall be set back ten (10) feet from any property line. The sign shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be directly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted; and 3) One (1) Bed and Breakfast only on Lot 2.

Respectfully submitted,

John Bridger
Secretary

Chattanooga-Hamilton County Regional Planning Agency

ZONING APPLICATION FORM

CASE NUMBER:	2014-046	Date Submitted: 5/8/2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	**From: R-1**	**To: R-4 (B & B + Short-Term Rental)**
	Total Acres in request area: 5.42	
2 Property Information		
Property Address:	1329 & 1349 Gunbarrel Road, Chattanooga, TN. 37421	
Property Tax Map Number(s):	Lot 1, Parcel 158L-E-008, and Lot 2, Parcel 158L-E-017.01	
3 Proposed Development		
Reason for Request and/or Proposed Use:	R-4 Designated Only for Bed and Breakfast & Short-Term Rental	
4 Site Characteristics		
Current Zoning:	R-1	
Current Use:	Lot 1, Primary Residence, Lot 2, Undeveloped	
Adjacent Uses:	R-1	

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: Wallace & Nancy Braud		Address: 1329 Gunbarrel Road	
Check one:	X I am the property owner		I am not the property owner
City: Chattanooga	State: TN.	Zip Code: 37405	Email: wbraud@epbfi.com
Phone 1: 423-400-4177	Phone 2: 423-827-4711	Phone 3:	Fax:

6 Property Owner Information (if not applicant)

Name: Same As Above	Phone:
Address:	

Office Use Only:

Planning District: 10		Neighborhood: Audubon Neighborhood Association, Friends of East Brainerd, and Brainerd-East Brainerd Chamber
Hamilton Co. Comm. District: 8	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: 5.42	X	Deeds	X	Plats, if applicable

Deed Book(s): 4250-349 and 9138-539			
Plat Book/Page: 97-89	X	Notice Signs	Number of Notice Signs: 5236
X Filing Fee: $705.00	Cash	X Check	Check Number: 5236
Planning Commission meeting date: 6-9-2014		Application processed by: Trevor Slayton	

Chattanooga-Hamilton County Regional

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-046 PC Meeting Date: 6-9-2014
PC RECOMMENDATION:	**APPROVE, subject to conditions**
Reason(s) for Recommendation	❖ Proposed uses are appropriate for this site. ❖ Each lot is large enough to accommodate uses with less impact to neighboring properties. (Lot 1-3 acres; Lot 2- 3 acres)
Applicant Present at PC Meeting?	Yes
Opposition Present at PC Meeting?	No

Chattanooga-Hamilton County Regional Planning Agency

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-046	PC Meeting Date: 06-09-14
Applicant Request:	**Rezoning from R-1 Residential Zone to R-4 Special Zone**	
Property Location:	**1329 and 1349 Gunbarrel Road**	
Property Owner:	**Wallace and Nancy Braud**	
Applicant:	**Same**	
Staff Recommendation:	**APPROVE with Conditions**	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing construction of a Bed and Breakfast on the undeveloped parcel at 1349 Gunbarrel Road and a Short-Term Vacation Rental use for the existing residential house at 1329 Gunbarrel Road.

Site Description

The site currently has an existing residence on one parcel with the other parcel undeveloped. Adjacent surrounding properties are single-family residential uses. Properties across Gunbarrel Road are single-family residential, multi-family residential uses, and wooded areas.

Zoning History

The 5.42 acre site is currently zoned R-1 Residential Zone. There have been no recent zone changes at this site.

Plans/Policies

There is no current adopted land use plan for this area. A zoning study was done in 2002 entitled the Concord Zoning Study (Case 2002-117) which maintained its R-1 Residential zoning classification.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

RPA Summary

The applicant has applied for R-4 Special Zone but asked for the condition of it being limited to the uses of Bed and Breakfast and Short-Term Vacation Rental.

A Short-term Vacation Rental is defined as the following in the zoning regulations as a single family detached dwelling unit that is rented in part or its entirety on a daily or weekly basis for not more than thirty (30) days for overnight stay where a permanent residence is not established (mailing address, vehicle registration, etc.) and are generally advertised or otherwise held out to the public. Short-Term Vacation Rentals are also sometimes referred to as "tourist homes" or "short -term residential rentals" and advertised as such. Short-Term Vacation Rentals do not include hotels, motels, or bed and breakfast establishments. Short-Term Vacation Rentals are only permitted in zoning districts that specifically list them as a permitted use, provided that:

(1) There shall be no signage.
(2) The residence shall not be rented for events such as weddings, business meetings, or other such group events.
(3) There shall be no more than five (5) sleeping rooms

A Bed and Breakfast is defined as any house or other structure used, advertised or held out to the public to be a place where sleeping accommodations are supplied for pay to transients and shall contain no more than nine (9) bedrooms for that purpose. Meals, usually breakfast, may be provided for the tenant.

While the R-4 Special Zone itself may be an introduction of a dissimilar zone into this area, these two uses (Bed and Breakfast and Short-Term Vacation Rental) are acceptable for this area for the reasons noted below.

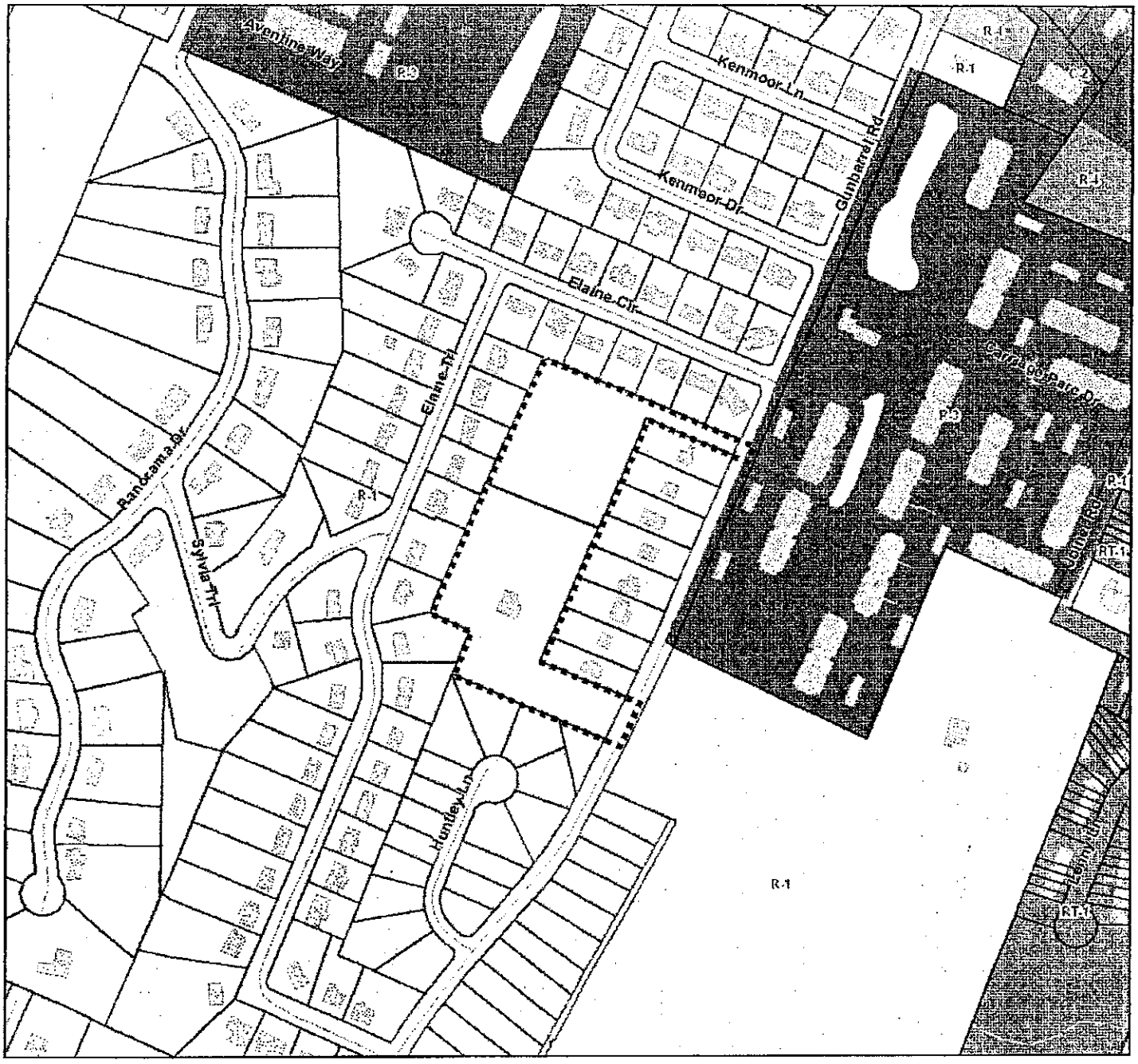
The uses are appropriate as the property proposed for rezoning is not part of a traditional subdivision. The property does not share access with its neighboring residences on a traditional neighborhood street but rather has access directly onto Gunbarrel Road. The lot sizes for the proposed uses- 3.15 acres for the Short-term Vacation Rental and 2.27 acres for the proposed Bed and Breakfast- are large enough to accommodate the proposed uses with less impact on the neighboring properties. The site plan depicts that the proposed Bed and Breakfast and associated parking is located to the interior of the site which provides distance from the use to its abutting neighbors.

The proposed uses directly access Gunbarrel Road across from the existing apartment complex from the northern entrance and are approximately 170' from the R-3 Residential Zone from the southern entrance of the Short-term Vacation Rental.

Note: The applicant requested the self-imposed conditions of Bed and Breakfast and Short-Term Vacation Rental only; however, if there is a desire to continue a single-family residential use at some point, the applicant may consider requesting this as an allowable use as part of the rezoning process.

Therefore the RPA recommends approval with the following conditions:

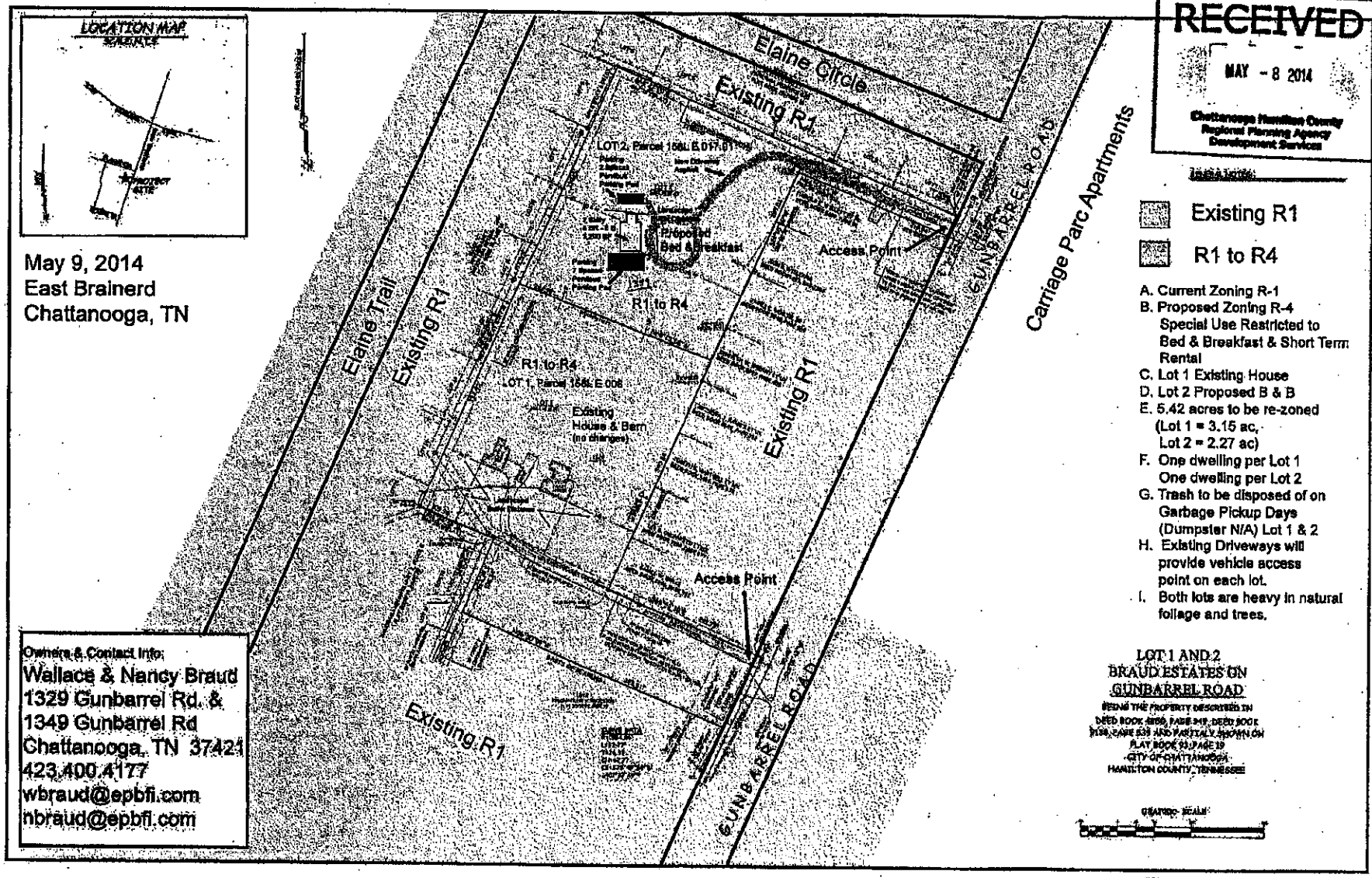
1) Parcels are conditioned to only the uses of Bed and Breakfast and Short-Term Vacation Rental.
2) Signs incidental to the permitted Bed and Breakfast use, except that only one (1) sign shall be permitted, sign shall be set back ten (10) feet from any property line. The sign shall not exceed forty-eight (48) square feet in area. If illuminated, the sign shall be indirectly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted.



2014-046 Rezoning from R-1 to R-4

325 ft

Chattanooga Hamilton County Regional Planning Agency



RECEIVED
MAY - 8 2014
Chattanooga Hamilton County Regional Planning Agency Development Services

RE: 2014-046

RE: 2014-046
Petition For

St. Francis' Cottage

A Five Bedroom Bed & Breakfast

"Country Cottage Charm, Urban Convenience"

1349 Gunbarrel Rd., Chattanooga, Tennessee 37421 / stfranciscottage.com

We the undersigned have had the Re-Zoning request for Braud Estates and the subsequent use of the property explained to us by the current owners and petitioners. We have no objections to the re-zoning change from R-1 to R-4 (Special Use).

NAME (printed)	Address	Signature
Eileen Fitzgerald Elder	1102 Elaine TR 37421	Eileen M. Fitzgerald Elder
Wayne Elder	1102 ELAINE TR 37421	Wayne Elder
Mary Fitzgerald	1102 Elaine TR 37421	Mary Fitzgerald
Kelly Roach	1024 Elaine Tr. 37421	Kelly A Roach
Marc Helton	1024 Elaine Tr. 37421	Marc Helton
Brian Goelbracht	1020 Elaine Tr. 37421	[illegible]
Peggy Deemer	1345 Gunbarrel 37421	Peggy Deemer
Madalyn Thornburg	1104 Elaine Trail 37421	Madalyn Thornburg
Heather Cooper	1108 Elaine Trail 37421	Heather Cooper
Laura Posey	7306 Elaine Cir 37421	Laura D. Posey
Jeff Loy	7314 Elaine Circle	[illegible]

RECEIVED

MAY 28 2014

Chattanooga Hamilton County
Regional Planning Agency
Development Services

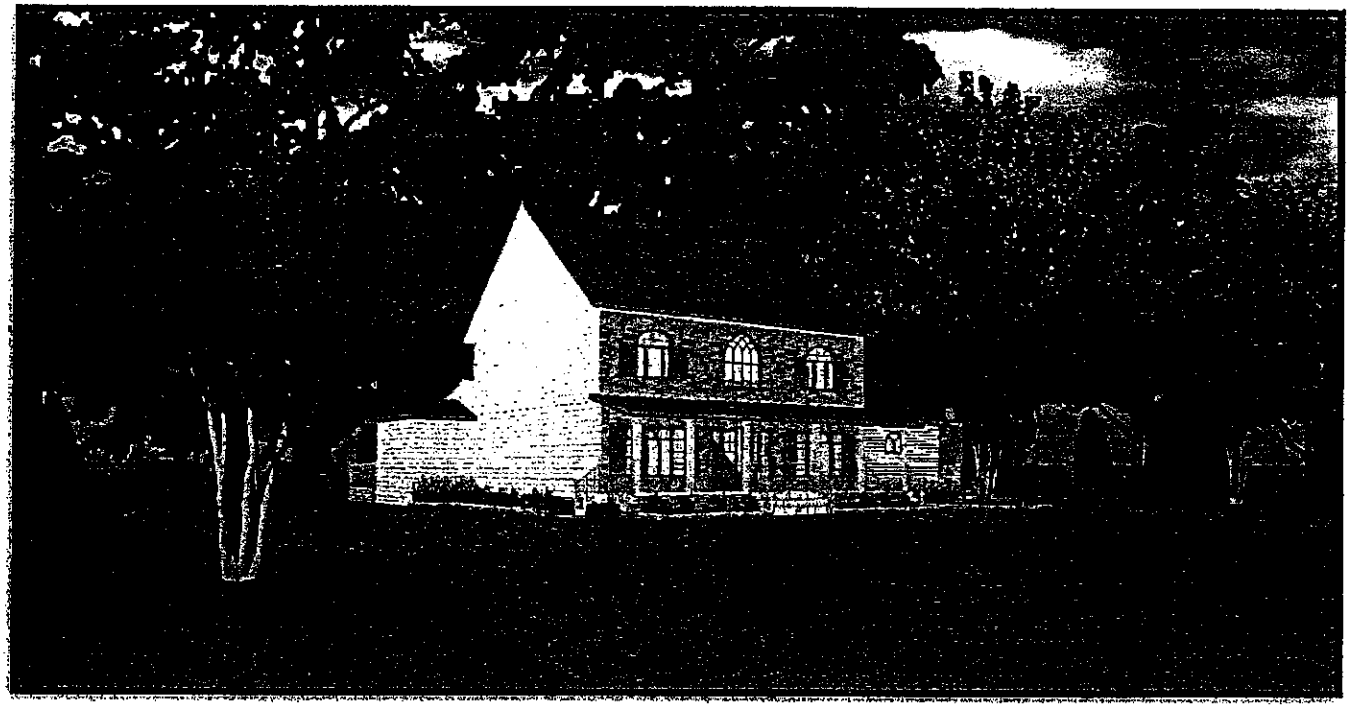
RE: 2014-046

St. Francis' Cottage

A Five Bedroom Bed & Breakfast

"Country Cottage Charm, Urban Convenience"

1349 Gunbarrel Rd., Chattanooga, Tennessee 37421 / stfranciscottage.com



Dear Neighbors –

We are asking the Regional Planning Agency and Chattanooga City Council to re-zone our two lots on Gunbarrel Road from R-1 to R-4 (Special Use) for use of the property as a B&B and a short-term vacation rental. The Regional Planning Agency suggested that we contact our immediate neighbors to explain the re-zoning and get their responses.

The R-4 (Special Use) zoning would limit use to the B&B and short-term vacation rental and allows only one single family home on each lot. The B&B at 1349 Gunbarrel would involve construction of a 3200 sq. ft., two-story, six-bedroom house. Five bedrooms would be used for the B&B, with the sixth used as our residence. The existing house at 1329 Gunbarrel would remain as-is, but could be used for short-term rental. The entrances to the two properties would remain unchanged via the driveways on Gunbarrel Road.

We hope to attract a clientele that is looking for a relaxing, restful stay whether they are traveling from one place to another or making Chattanooga a destination for a special civic, family, or sporting event. We have lived on this property for 20+ years and would like to see it used in a responsible way in our retirement and as our ongoing livelihood.

Please contact us if you have any comments, suggestions, or questions.

Wallace & Nancy Braud / 423.400.4177

RECEIVED

MAY 28 2014

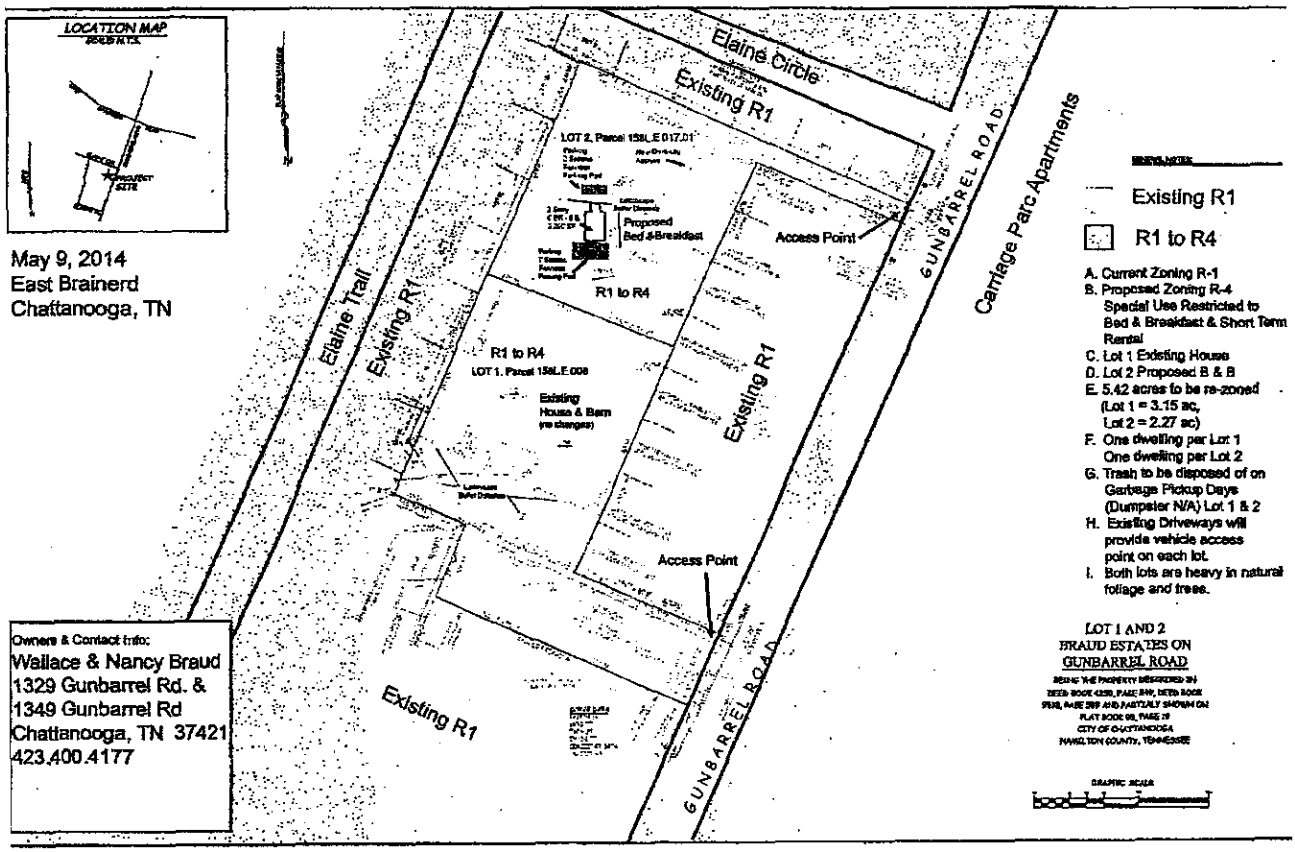
Chattanooga Hamilton County
Regional Planning Agency
Development Services

St. Francis' Cottage

A Five Bedroom Bed & Breakfast

"Country Cottage Charm, Urban Convenience"

1349 Gunbarrel Rd., Chattanooga, Tennessee 37421 / stfranciscottage.com



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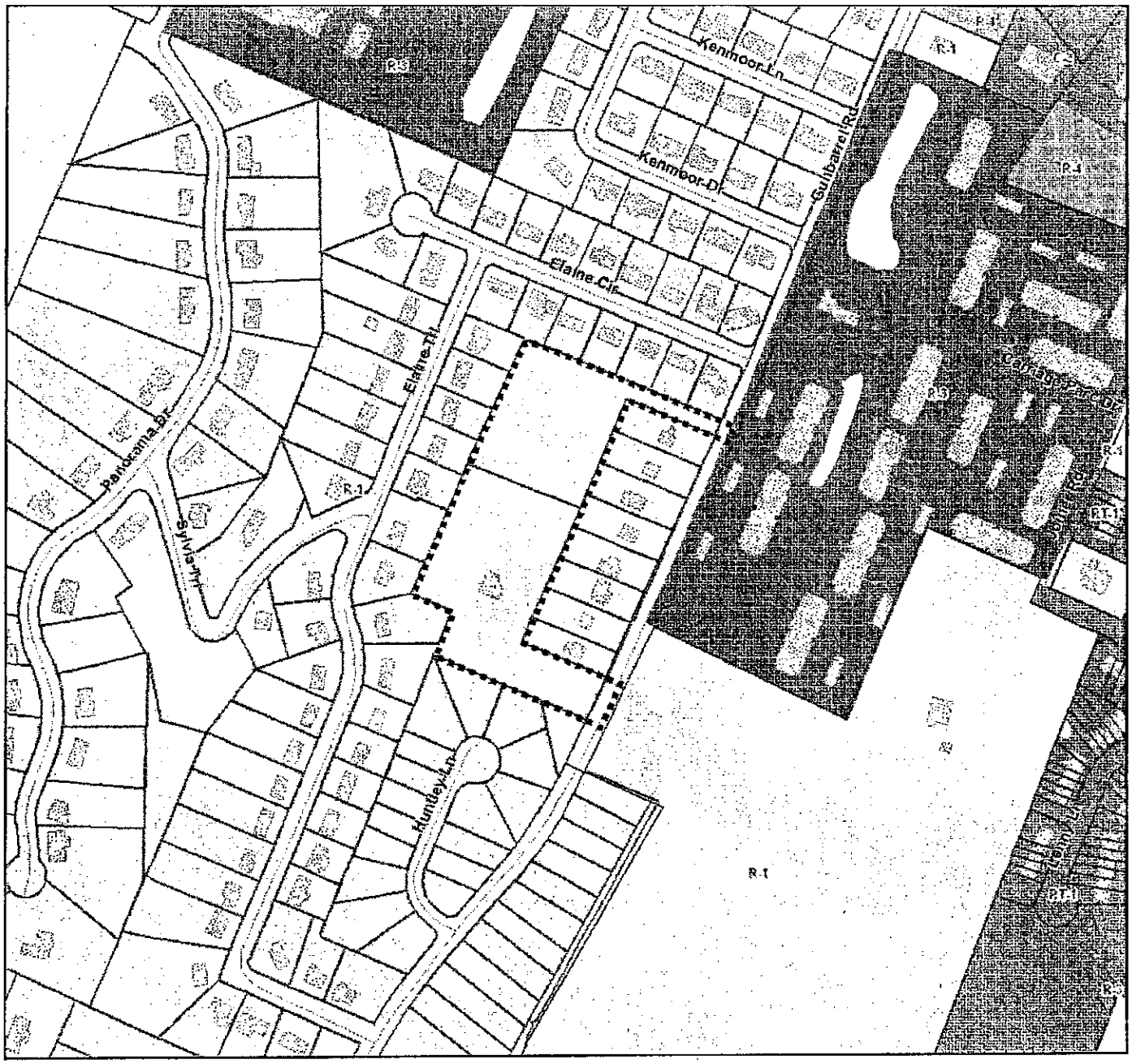
MAY 28 2014

Chattanooga Hamilton County
Regional Planning Agency
Development Services



2014-046 Rezoning from R-1 to R-4

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-046:

Approve, subject to the conditions listed in the Planning Commission Resolution.

325 ft

Chattanooga Hamilton County Regional Planning Agency

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

> 2014-046 Wallace and Nancy Braud. 1329 and 1349 Gunbarrel Road, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.
>
> 2014-050 Patrick Johnson. 5209 St. Elmo Avenue, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.
>
> 2014-051 RTB Holdings, LLC/Parks Properties, LLC. 614 East Main Street (at rear of parcel), from M-3 Warehouse and Wholesale Zone to C-3 Central Business Zone, subject to certain conditions.
>
> 2014-054 Hixson Investors, LLC/Wells Fargo Bank and Raymond L. Hassler. 6308, 6338, 6348, 6352 Grubb Road and 5851 Highway 153, from C-2 Convenience Commercial Zone to R-4 Special Zone, subject to certain conditions.

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

> 2014-043 Chattanooga Construction Company/Lighthouse Enterprises, LLC. 5336, 5344, and 5050 Hunter Road, for a proposed Residential Planned Unit Development (PUD), subject to certain conditions.

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

> 2014-055 Hixson Investors, LLC/Wells Fargo Bank and Raymond Hassler. 6308 Grubb Road and 5851, 5861, and 5857 Highway 153, so as to lift conditions from Ordinance No. 11827 of previous Case No. 2006-028 and to lift conditions from Ordinance No. 11946 of previous Case No. 2007-022.

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

(a) Deleting in its entirety Section 38-25, Lots to front street; exceptions, and substituting in lieu thereof; and

(b) Adding a new Division 4 to Article III, Zones and boundaries, Brainerd Road Streetscape Overlay Zone (BR-SO).

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 8, 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