

First Reading: 8/12/14
Second Reading: _____

2014-068
Neuhoff Taylor Architects/
YMCA Association of Metro
Chattanooga
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7502 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-4 PLANNED COMMERCE CENTER, 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 7502 Shallowford Road, more particularly described herein:

An unplatted tract of land located at 7502 Shallowford Road, being the property described in Deed Book 8198, Page 118, ROHC, and in Deed Book 6142, Page 556, ROHC. Part of Tax Map No. 149J-A-002.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-4 Special Zone to C-4 Planned Commerce Center.

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) Provide vehicular access to Ogletree Avenue;
- 2) Developer to construct internal driveway which includes five (5') feet landscaped buffer and five (5') feet sidewalks in the general locations as illustrated on accompanying site plan, for the review and approval of the City Transportation Department;
- 3) Landscaping to be approved by City Landscape Architect;
- 4) Applicant and successor owners of 7502 Shallowford Road shall bear all maintenance responsibility (ongoing) for the entire access drive (and related features) from the new 7502 Shallowford Road development to Ogletree Avenue;
- 5) Developer of 7502 Shallowford Road shall install two to three raised cross walks similar to the one in Ogletree which connects the YMCA to Northwest Georgia Bank, as needed, at points along the entire access drive from the new development to Ogletree Avenue, in consultation with and according to reasonable input from the owners of HOP Lots 1 and 2;
- 6) In constructing the new portion of the access drive between the new development and Ogletree Avenue, Developer shall route the access drive as far from the adjacent HOP building (7446 Shallowford Road) as feasible; if the new portion of the access drive will disturb the HOP mailbox and HOP dumpster, Developer will relocate those HOP features at Developer's expense and in locations that satisfy the owners of HOP Lots 1 and 2;
- 7) Developer shall install access barrier (fence and landscaping) between that HOP building and the new portion of the access drive (and sidewalk), in consultation with and according to reasonable input from the owners of HOP Lots 1 and 2;
- 8) Developer shall construct sidewalk along new portion of access drive to Ogletree Avenue and tie-in that sidewalk to the pedestrian pathways within the 7502 Shallowford Road development; and
- 9) Applicant and successor owners of 7502 Shallowford Road shall direct operators of large vehicles (e.g., construction, delivery and garbage trucks) to access the property from Shallowford Road instead through Hamilton Office Park (from Ogletree Avenue).

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: _____

2014-068
Neuhoff Taylor Architects/
YMCA Association of Metro
Chattanooga
District No. 4
Staff Version

ORDINANCE NO. _____

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- 3) Landscaping to be approved by City Landscape Architect.

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Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

First Reading: _____
Second Reading: _____

2014-068
Neuhoff Taylor Architects/
YMCA Association of Metro
Chattanooga
District No. 4
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7502 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-4 SPECIAL ZONE TO C-4 PLANNED COMMERCE CENTER.

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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

2014-068 City of Chattanooga
July 14, 2014

RESOLUTION

WHEREAS, Neuhoff Taylor Architects/YMCA Association of Metro Chattanooga 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 and R-4 Special Zone to C-4 Planned Commerce Center Zone, property located at 7502 Shallowford Road.

An unplatted tract of land located at 7502 Shallowford Road, being the property described in Deed Book 8198, Page 118, ROHC, and in Deed Book 6142, Page 556, ROHC. Part of Tax Map 149J-A-002 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 14, 2014,

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

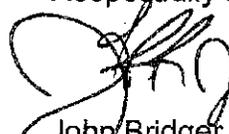
AND WHEREAS, there was opposition present to the petition,

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 July 14, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to 1) Provide vehicular access to Ogletree Avenue; 2) Developer to construct internal driveway which includes 5' landscaped buffer and 5' sidewalks in the general locations as illustrated on accompanying site plan, for the review and approval of the City Transportation Department; 3) Landscaping to be approved by City Landscape Architect; 4) Applicant & successor owners of 7502 Shallowford Road shall bear all maintenance responsibility (ongoing) for the entire access drive (and related features) from the new 7502 Shallowford Road development to Ogletree Avenue; 5) Developer of 7502 Shallowford Road shall install 2-3 raised cross walks similar to the one in Ogletree which connects the YMCA to Northwest Georgia Bank, as needed, at points along the entire access

drive from the new development to Ogletree Avenue, in consultation with and according to reasonable input from the owners of HOP Lots 1 and 2; 6) In constructing the new portion of the access drive between the new development and Ogletree Avenue, Developer shall route the access drive as far from the adjacent HOP building (7446 Shallowford Road) as feasible; if the new portion of the access drive will disturb the HOP mailbox and HOP dumpster, Developer will relocate those HOP features at Developer's expense and in locations that satisfy the owners of HOP Lots 1 and 2; 7) Developer shall install access barrier (fence and landscaping) between that HOP building and the new portion of the access drive (and sidewalk), in consultation with and according to reasonable input from the owners of HOP Lots 1 and 2; 8) Developer shall construct sidewalk along new portion of access drive to Ogletree Avenue and tie-in that sidewalk to the pedestrian pathways within the 7502 Shallowford Road development; and 9) Applicant and successor owners of 7502 Shallowford Road shall direct operators of large vehicles (e.g., construction, delivery and garbage trucks) to access the property from Shallowford Road instead through Hamilton Office Park (from Ogletree Avenue).

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-068		Date Submitted: 6-17-2014				
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)							
1 Applicant Request							
Zoning	From: R-1 & R-4		To: C-4				
	Total Acres in request area: 5.42 Acres						
2 Property Information							
Property Address:	7502 Shallowford Road						
Property Tax Map Number(s):	149J-A-002 (Part)						
3 Proposed Development							
Reason for Request and/or Proposed Use:	To facilitate compatible uses for project development						
4 Site Characteristics							
Current Zoning:	R-4 / R-1 / C-4						
Current Use:	Recreation Area						
Adjacent Uses:	R-4 / R-3 / C-4						
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: Neuhoff Taylor Architects		Address: 699 Dallas Road					
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner				
City: Chattanooga	State: Tenn.	Zip Code: 37405	Email: pat@neuhofftaylor.com				
Phone 1: 423-265-3272	Phone 2:	Phone 3:	Fax: 423-266-5502				
6 Property Owner Information (if not applicant)							
Name: YMCA Association of Metro Chattanooga		Phone: 423-265-8834					
Address: 301 West Sixth Street, Chattanooga, TN. 37402							
Office Use Only:							
Planning District: 10		Neighborhood: Friends of East Brainerd, Brainerd-East Brainerd Chamber					
Hamilton Co. Comm. District: 8	Chatt. Council District: 4		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: 5.42	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 8198-118, 6142/556							
Plat Book/Page: 12-39		<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 1			
<input checked="" type="checkbox"/>	Filing Fee: \$709.00	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 3031	
Planning Commission meeting date: 7-14-2014			Application processed by: Jennifer Ware				

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-068	PC Meeting Date: 07-14-14
Applicant Request:	Rezoning from R-1 Residential Zone and R-4 Special Zone to C-4 Planned Commerce Center Zone	
Property Location:	7502 Shallowford Road	
Property Owner:	YMCA Association of Metro Chattanooga	
Applicant:	Neuhoff Taylor Architects	
Staff Recommendation:	APPROVE, subject to conditions as specified in the summary below.	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing 48,720 square feet of retail development with access from Shallowford Road and through the adjacent office development to the west to Ogletree Avenue.

Site Description

The 5.26 acre site is developed as a recreational area with tennis courts and outbuildings. Adjacent surrounding properties are multi-family residential, office and commercial uses.

Zoning History

A narrow portion of this site at the southern end was zoned to C-4 Planned Commerce Center Zone by Ordinance 11208 in 2001 (Case 2001-175). An area of the site to the west was rezoned to R-4 Special Zone with conditions by Ordinance 11571 in 2004 (Case 2004-092). The northern portion of the property has been zoned R-4 Special Zone since the 1970's. The applicant recently applied in May, then withdrew, (Case 2014-048) for the same rezoning as is requested on this application.

Plans/Policies

The land uses of this site are guided by the 2001 Hamilton Place Community Plan. The plan calls out this area as a "pressure site" which sits at the midpoint of the conflict between single-family residential neighborhoods and the expanding commercial areas. This "pressure site" is described as a transition to the residential uses, developed either as a civic use or with medium-density residential development.

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 the extension of C-4 Planned Commerce Center Zone replacing the existing R-1 Residential Zone and a portion of the existing R-4 Special Zone.

The plan states that underutilized and undeveloped land on Shallowford Road east of Gunbarrel Road creates pressure to expand commercial development eastward along Shallowford Road. The land use strategy for this area is to promote medium and high density residential development that acts as a transition between the commercial areas and the single-family residential neighborhoods to the east.

STAFF CASE REPORT TO PLANNING COMMISSION

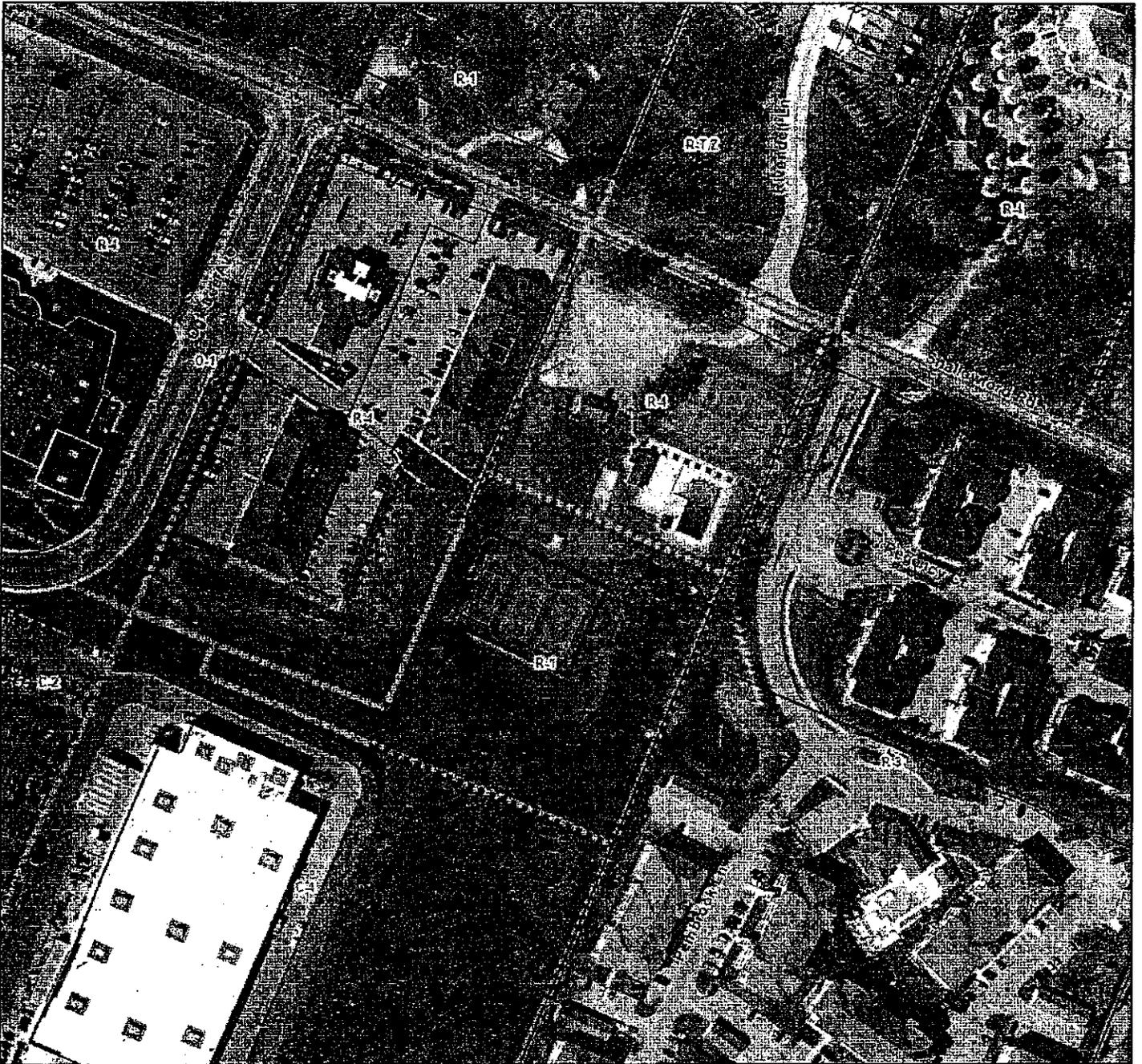
Therefore, the Hamilton Place Community Plan recommends a medium-density residential or civic use (reflective of its current land use) for this site.

The applicant shows access from both Shallowford Road and Ogletree Avenue. The applicant has provided an easement agreement with neighboring property to allow for the Ogletree Avenue connection. Within the site, a set of internal streets have been shown which will increase internal circulation. This connectivity could be further increased with a vehicular connection to the adjacent C-4 Planned Commerce Center zoned property south of the site.

Less intense and smaller-scale commercial and office development are appropriate for the site as found in the existing R-4 Special Zone currently on site and as depicted as offices on the applicant's site plan. The scale and intensity of development allowed in C-4 Planned Commerce Center Zone can be appropriate if compatibility issues are addressed and mitigated with conditions. The RPA recommends approval with the following conditions:

1. Provide vehicular access to Ogletree Avenue.
2. Developer to construct internal driveway which includes 5' landscaped buffer and 5' sidewalks in the general locations as illustrated on accompanying site plan, for the review and approval of the City Transportation Department.
3. Landscaping to be approved by City Landscape Architect.

Although not noted as a condition, staff further recommends that the applicant orient the proposed office buildings on the front portion of the site so that they directly front the primary access drive coming off of Shallowford Road. This would help break up the parking areas and add further interest to the entrance coming off of Shallowford Road.



2014-068 Rezoning from R-1 and R-4 to C-4



Chattanooga Hamilton-County Regional Planning Agency



175 ft





2014-068 Rezoning from R-1 and R-4 to C-4

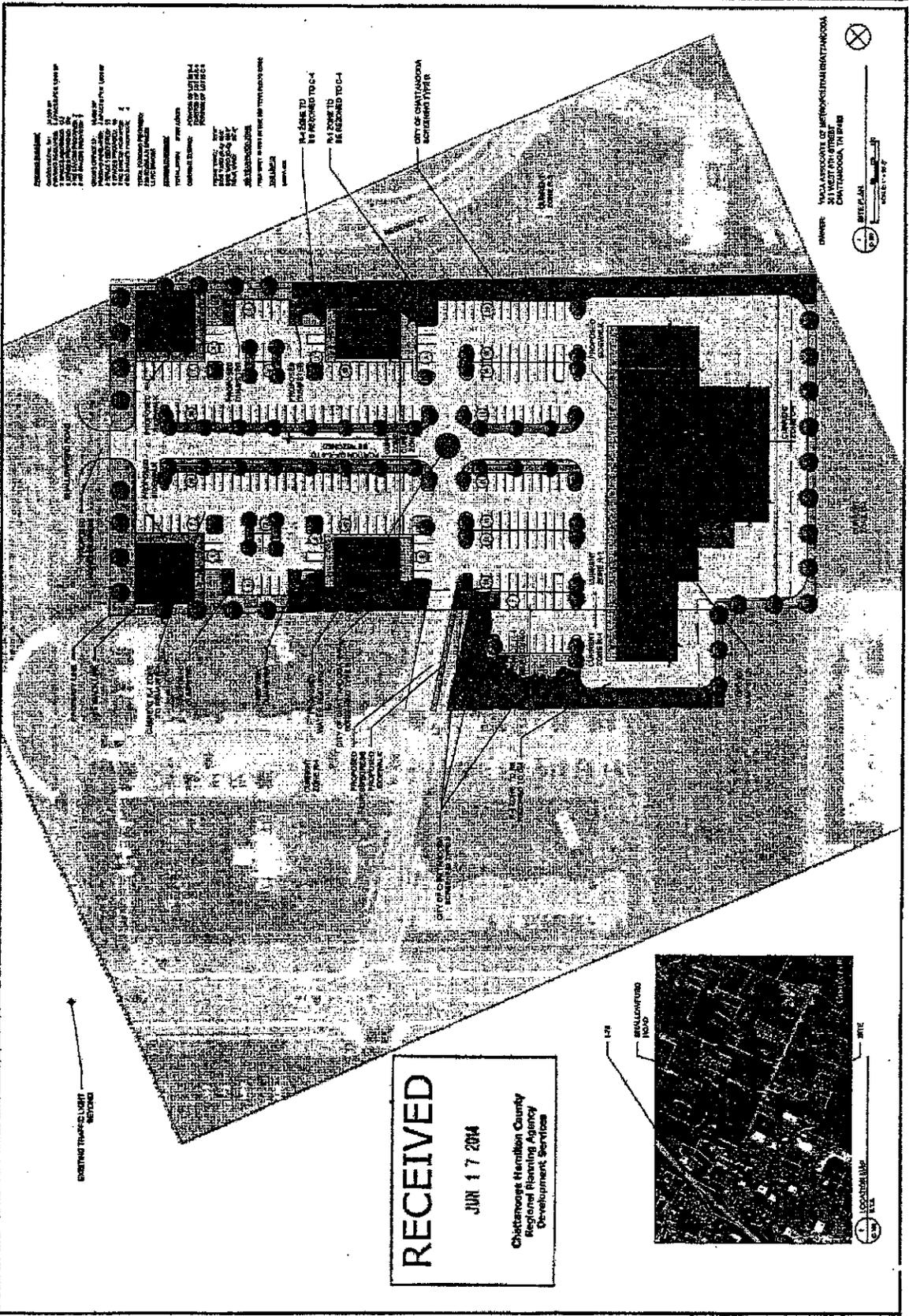


Chattanooga Hamilton County Regional Planning Agency



175 ft





2014-068



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:

2014-023 Elemi Architecture, LLC/Matt Winget/Paul Teruya/ALC Holdings, LLC. 1690 Silvels Lane, 109 Old Mountain Road, and 1605 W. 39th Street, from R-1 Residential Zone, R-2 Residential Zone, and C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, as amended per site plan.

2014-068 Neuhoff Taylor Architects/YMCA Association of Metro Chattanooga. 7502 Shallowford Road, from R-1 Residential Zone and R-4 Special Zone to C-4 Planned Commerce Center Zone, subject to certain conditions.

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

2014-061 TC Development, LLC/Trey Stanley. 2506 Ocoee Street, from R-1 Residential Zone to R-2 Residential Zone.

3. 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 Item 11 of Article V, Section 38-393, Permitted Uses in all PUDs in its entirety and substituting in lieu thereof; and
- (b) Deleting Article V, Section 38-398, Permitted Density in its entirety and substituting in lieu thereof.

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,

August 12, 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