

First Reading: _____
Second Reading: _____

2014-086
MAP Engineers, LLC/Heatec, Inc.
District No. 7
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5200 WILSON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO O-1 OFFICE ZONE, AND SO AS TO LIFT CONDITION NO. 1 FROM ORDINANCE NO. 11820 AND REPLACE WITH CONDITIONS THERETO.

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 5200 Wilson Road, more particularly described herein, from M-1 Manufacturing Zone to O-1 Office Zone, and so as to Lift Condition No. 1 from Ordinance No. 11820 and replace with conditions as provided below, more particularly described herein:

Part of Lot 1 of the Heatec Inc. Subdivision, Plat Book 82, Page 30, ROHC, being the property described in Deed Book 9408, Page 239, ROHC. Part of Tax Map No. 167M-A-001.01.

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

SECTION 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That this rezoning shall be denied and recommendation to Lifting Condition No. 1 from Ordinance No. 11820 and replace with the following:

Prohibit trucking traffic from use of the new "employee entrance" created by the expansion of the training facility ("trucking traffic" as defined per the Transportation Department).

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: _____

2014-086
MAP Engineers, LLC/Heatec, Inc.
District No. 7
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO
REZONE PROPERTY LOCATED AT 5200 WILSON ROAD,
MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1
MANUFACTURING ZONE TO O-1 OFFICE 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 property located at 5200 Wilson
Road, more particularly described herein, from M-1 Manufacturing Zone to O-1 Office Zone,
more particularly described herein:

Part of Lot 1 of the Heatec Inc. Subdivision, Plat Book 82, Page
30, ROHC, being the property described in Deed Book 9408, Page
239, ROHC. Part of Tax Map No. 167M-A-001.01.

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

2014-086 City of Chattanooga
August 11, 2014

RESOLUTION

WHEREAS, MAP Engineers, LLC/Heatec, Inc. 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 M-1 Manufacturing Zone to O-1 Office Zone, property located at 5200 Wilson Road.

Part of Lot 1 of the Heatec Inc. Subdivision, Plat Book 82, Page 30, ROHC, being the property described in Deed Book 9408, Page 239, ROHC. Part of Tax Map 167M-A-001.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 11, 2014,

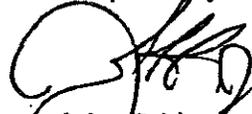
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 August 11, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied and recommends Lifting Condition #1 from Ordinance #11820 and replace with the following: Prohibit trucking traffic from use of the new "employee entrance" created by the expansion of the training facility ("truck traffic" as defined per the Transportation Department).

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-086	Date Submitted:	07/10/2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: M-1	To: O-1	
Total Acres in request area: 0.86			
2 Property Information			
Property Address:	5200 Wilson Rd		
Property Tax Map Number(s):	167M-A-001.01 (part)		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Building Addition for new training rooms/office space		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Office		
Adjacent Uses:	Manufacturing, Residential, Undeveloped		
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: MAP Engineers, LLC		Address: 7380 Applegate Ln	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37421	Email: mapengr@epbf.com
Phone 1: 423-855-5554	Phone 2: 423-	Phone 3:	Fax: 423-485-8110
6 Property Owner Information (if not applicant)			
Name: Heatec, Inc.		Phone: 423-821-5200	
Address: 5200 Wilson Rd, Chattanooga, TN 37410			
Office Use Only:			
Planning District: 8C		Neighborhood: South Chattanooga, South Broad, Alton Park	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	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: 0.86	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9408/239			
Plat Book/Page: 82/30		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 5801
Planning Commission meeting date: 08/11/2014		Application processed by: Jennifer Ware	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-086	PC Meeting Date: 08-11-14
Applicant Request:	Rezone from M-1 Manufacturing Zone to O-1 Office Zone	
Property Location:	5200 Wilson Road	
Property Owner:	Heatec, Inc.	
Applicant:	Map Engineers, LLC	
Staff Recommendation:	DENY O-1 Office Zone, Recommend Lift Condition (1) from Ordinance 11820	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing to build an addition to the existing structure for use as training rooms and office space.

Site Description

The 0.86 acre site is part of an eight (8) acre parcel that is currently used as corporate offices for Heatec, Inc. Surrounding property uses are manufacturing, residential and undeveloped. The adjacent property to the northeast features the Emma Wheeler multi-family housing complex. The site is located along a tributary of Chattanooga Creek and includes a forested riparian area that is part of the 100-year flood plain.

Zoning History

The portion of the lot under consideration was originally part of the Emma Wheeler Homes site as noted in the 2000 Alton Park Master Plan. It was rezoned in 2006 to M-1 Manufacturing Zone, subject to: 1) no vehicular access via parcel IF access would impinge on the mandated 30 foot buffer, and 2) Office use only, (case 2006-061) by Ordinance 11820.

Plans/Policies

This site is within the 2000 Alton Park Master Plan boundary. The Alton Park Master Plan calls for the expansion of jobs and employment opportunities, while also noting the importance of being sensitive to the environmental resources found in the area.

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 is currently unable to construct a proposed office addition due to the need to relocate an entrance drive as there is a conflict with a zoning condition that states that "no vehicular access via parcel IF access would impinge on the mandated 30 foot buffer". The existing condition that prohibits vehicular use within the mandated 30 foot buffer will be affected by the proposed expansion since it

STAFF CASE REPORT TO PLANNING COMMISSION

entails the relocation of an existing drive for employee egress and ingress. The "mandated 30 foot buffer" referenced is the required landscape screening Type A between manufacturing uses and residential uses.

The applicant is proposing to rezone this section of the property to O-1 to accommodate the proposed use which, as a result, would trigger a reduced screening buffer: from 30' to 10'. While this is allowed under zoning code, staff does not feel that it is sound practice to rezone a portion of a property's perimeter with a resulting impact of allowing a reduced landscape buffer. Therefore, staff is recommending denial of the O-1 Office Zone.

However, the proposed development does seem appropriate at this site as the office/training use is an accessory use to the manufacturing use currently on site. The location of the office/training use along the northern property line would seem to have less impact to the neighboring property- Emma Wheeler Homes- than a traditional manufacturing use.

So, staff is recommending that instead of the O-1 Office Zone, that the following 2006 condition be lifted:

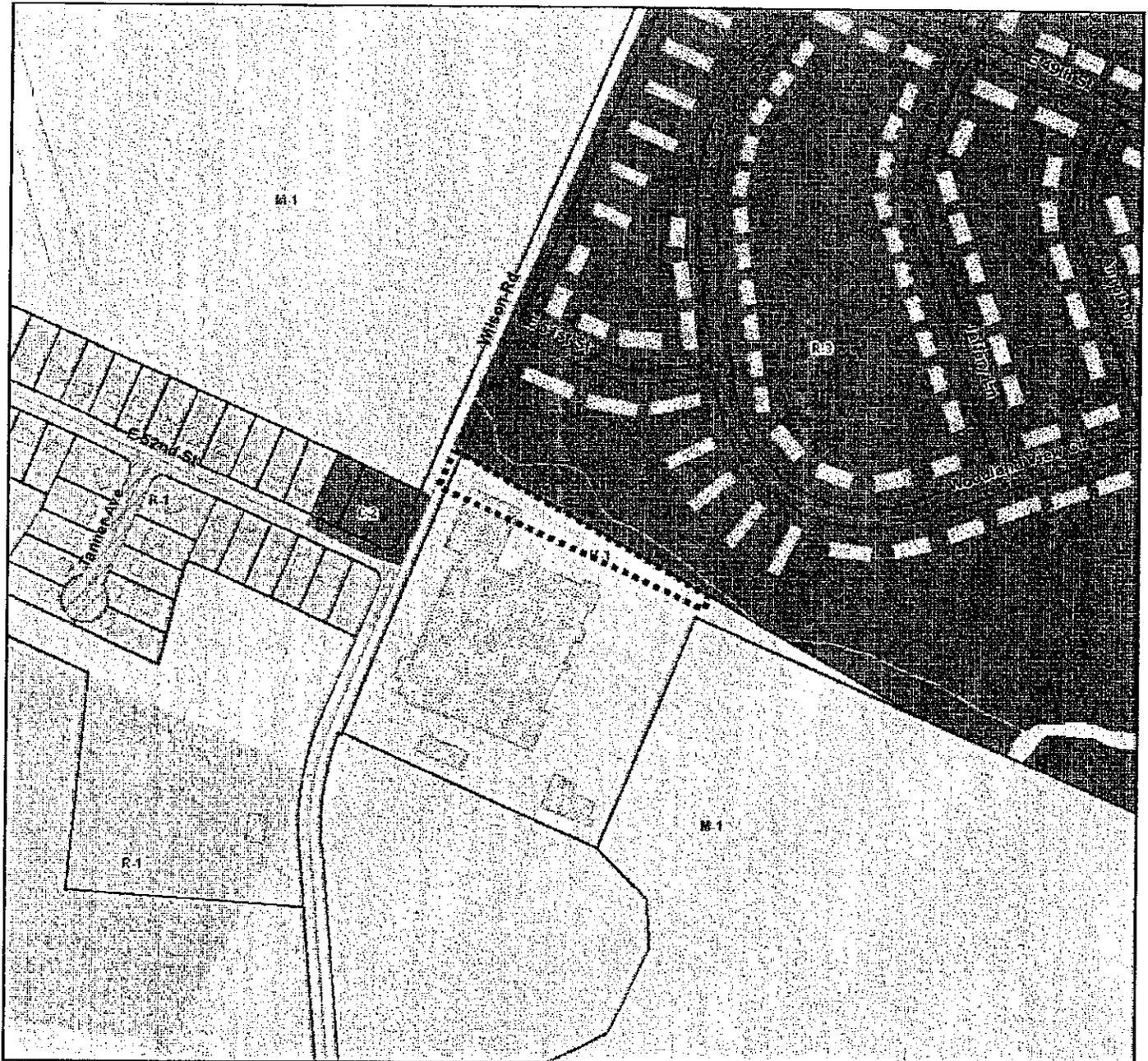
1. No vehicular access via parcel IF access would impinge on the mandated 30 foot buffer.

However, in order to allow the proposed design while mitigating the proximity of the proposed drive to the abutting residential property, staff is proposing the following condition be placed on the M-1 Manufacturing Zone:

1. Prohibit trucking traffic from use of the new "employee entrance" created by the expansion of the training facility ("trucking traffic" as defined per the Transportation Department)

As an alternative, and based on the Chattanooga Transportation Department's advice, the drive may potentially be narrowed if used only for car traffic, thus allowing for a more generous buffer.

In order to reduce the horizontal width of the 30 foot buffer, the applicant will still need to pursue a variance from the required landscape screening. However, the variance process was established to deal with cases such as this situation. The site's coverage of the 100-year floodplain, proximity to the creek and floodway, and the potential for the Board of Zoning Appeals to review an alternative screening proposal is a more acceptable route to address this development proposal.



2014-086 Rezoning from M-1 to O-1

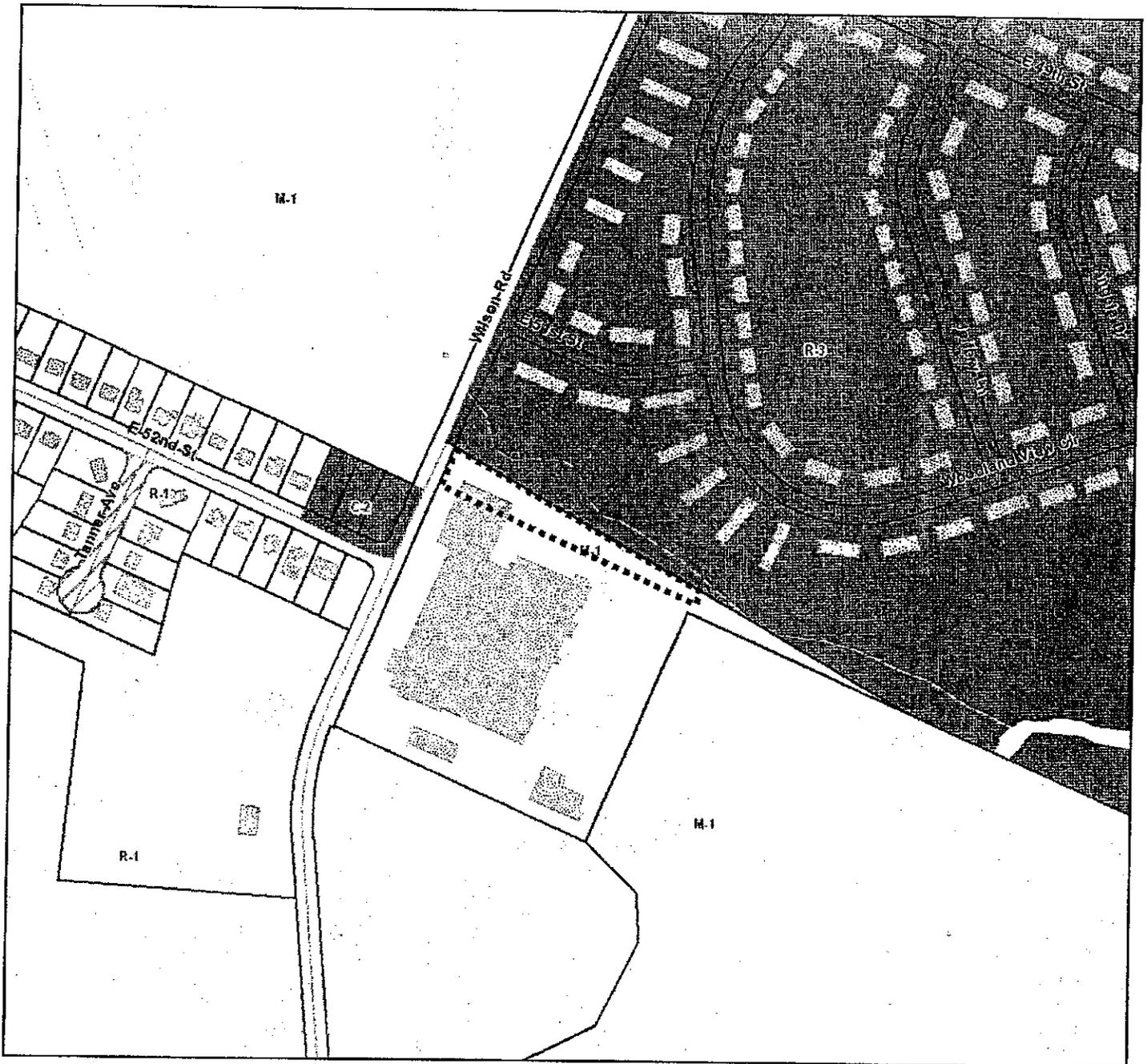
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-086: Deny O-1 Office Zone, Recommend Lifting Condition #1 from Ordinance 11820 and replacing with the following: Prohibit trucking traffic from use of the new "employee entrance" created by the expansion of the training facility ("trucking traffic" as defined per the Transportation Department).



300 ft

Chattanooga Hamilton County Regional Planning Agency





2014-086 Rezoning from M-1 to O-1



Chattanooga Hamilton County Regional Planning Agency



300 ft





2014-086 Rezoning from M-1 to O-1



300 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

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:

2014-077 Allen Jones/Watkins Street Project, LLC. 1700 & 1800 Watkins Street & 2461 East 18th Street, from R-2 Residential Zone, M-1 Manufacturing Zone, and M-2 Light Industrial Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2013-145 Gunbarrel Partners. 2515, 2519, and 2527 Gunbarrel Road, from R-1 Residential Zone to C-4 Planned Commerce Center Zone.

2013-144 Napier Associates & Gunbarrel Partners. 2418, 2424, 2428, and 2440 Elam Lane and 2501, 2511, 2515, 2519, and 2527 Gunbarrel Road, from R-1 Residential Zone and C-4 Planned Commerce Center Zone to MXU Zone, subject to certain conditions.

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

2014-083 Carl Buch/Les Lazarus. 319 Pine Ridge Road, from R-1 Residential Zone to R-2 Residential Zone.

2014-086 MAP Engineers, LLC/Heatec, Inc. 5200 Wilson Road, from M-1 Manufacturing Zone to O-1 Office Zone, and recommends lifting Condition #1 from Ordinance No. 11820 and replacing same.

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) Adding to and Renumbering Section 38-201. Intent;
- (b) Deleting Sections 38-207 through 38-213 in its entirety and substituting in lieu thereof; and

- (c) Deleting Section 38-473(12) 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,

September 9, 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