

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

2013-144  
Napier Associates and  
Gunbarrel Partners  
District No. 4  
Planning Version

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2418, 2424, 2428, AND 2440 ELAM LANE AND 2501, 2511, 2515, 2519, AND 2527 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-4 PLANNED COMMERCE CENTER ZONE TO MXU 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 2418, 2424, 2428, and 2440 Elam Lane and 2501, 2511, 2515, 2519, and 2527 Gunbarrel Road, more particularly described herein:

Beginning at the southern corner of Tax Map No. 149H-A-019.04, thence northeast along Elam Lane approximately 467 feet, thence approximately 20 feet east to the center of Elam Lane, thence approximately 1400 feet northeastwardly, thence approximately 417 feet southeastwardly, thence approximately 1070 feet southwestwardly, thence approximately 344 feet west, thence approximately 149 feet southwest, thence approximately 325 feet west, thence approximately 447 feet southwest, thence approximately 20 feet west to the point of beginning. Part of Tax Map Nos. 149A-B-007, 149A-B-007.01, 149A-B-008, 149A-B-

017.01, 149A-B-017.02, 149A-B-018, and 149A-B-019 and all of  
Tax Map Nos. 149A-B-016, 149A-B-017.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1  
Residential Zone and C-4 Planned Commerce Center Zone to MXU 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) Dumpsters should be located no closer than 100 feet to Gunbarrel  
Road and screened from view of Gunbarrel Road; and
- 2) The applicant shall install a shared-use path with a minimum 20  
feet deep buffer area along the eastern property line within the  
MXU that abuts the Gunbarrel Road right-of-way that incorporates  
landscaping, berming and sidewalk features as illustrated in  
Attachment A.

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: \_\_\_\_\_

2013-144  
Napier Associates and  
Gunbarrel Partners  
District No. 4  
Applicant Version

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2418, 2424, 2428, AND 2440 ELAM LANE AND 2501, 2511, 2515, 2519, AND 2527 GUNBARREL ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND C-4 PLANNED COMMERCE CENTER ZONE TO MXU 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 2418, 2424, 2428, and 2440 Elam Lane and 2501, 2511, 2515, 2519, and 2527 Gunbarrel Road, more particularly described herein:

Beginning at the southern corner of Tax Map No. 149H-A-019.04, thence northeast along Elam Lane approximately 467 feet, thence approximately 20 feet east to the center of Elam Lane, thence approximately 1400 feet northeastwardly, thence approximately 417 feet southeastwardly, thence approximately 1070 feet southwestwardly, thence approximately 344 feet west, thence approximately 149 feet southwest, thence approximately 325 feet west, thence approximately 447 feet southwest, thence approximately 20 feet west to the point of beginning. Part of Tax Map Nos. 149A-B-007, 149A-B-007.01, 149A-B-008, 149A-B-017.01, 149A-B-017.02, 149A-B-018, and 149A-B-019 and all of Tax Map Nos. 149A-B-016, 149A-B-017.

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

2013-144 City of Chattanooga  
July 14, 2014 (Deferred)  
August 11, 2014 (Action Taken)

## RESOLUTION

WHEREAS, Napier Associates & Gunbarrel Partners 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 C-4 Planned Commerce Center Zone to MXU Zone, properties located at 2418, 2424, 2428, and 2440 Elam Lane and 2501, 2511, 2515, 2519, and 2527 Gunbarrel Road.

Beginning at the southern corner of Tax Map # 149H-A-019.04, thence northeast along Elam Lane approximately 467 feet, thence approximately 20 feet east to the center of Elam Lane, thence approximately 1400 feet northeastwardly, thence approximately 417 feet southeastwardly, thence approximately 1070 feet southwestwardly, thence approximately 344 feet west, thence approximately 149 feet southwest, thence approximately 325 feet west, thence approximately 447 feet southwest, thence approximately 20 feet west to the point of beginning. Part of Tax Maps 149A-B-007, 149A-B-007.01, 149A-B-008, 149A-B-017.01, 149A-B-017.02, 149A-B-018, and 149A-B-019 and all of Tax Maps 149A-B-016, 149A-B-017 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 14, 2014, at which time hearing was deferred to August 11, 2014,

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

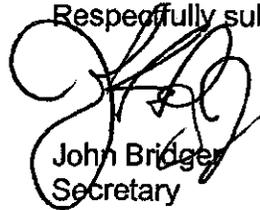
AND WHEREAS, no one was present in opposition to the petition,

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 subject to: 1) Dumpsters should be located no closer

than 100 feet to Gunbarrel Road and screened from view of Gunbarrel Road; and 2) The applicant shall install a shared-use path with a minimum 20 feet deep buffer area along the eastern property line within the MXU that abuts the Gunbarrel Road right-of-way that incorporates landscaping, berming and sidewalk features as illustrated in Attachment A.

Respectfully submitted,



John Bridger  
Secretary



## STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>2013-144</b>	<b>PC Meeting Date: 08-11-14</b>
<b>Applicant Request:</b>	<b>Rezone from R-1 Residential Zone and C-4 Planned Commerce Center Zone to MXU Mixed Use Zone</b>	
<b>Property Location:</b>	<b>2418,2424,2428,2440 Elam Lane; 2501,2511,2515,2519 Gunbarrel Road</b>	
<b>Property Owner:</b>	<b>Napier Associates and Gunbarrel Partners</b>	
<b>Applicant:</b>	<b>Same</b>	
<b>Staff Recommendation:</b>	<b>Approve with Conditions &amp; Site Plan modifications</b>	

### PROJECT ANALYSIS

#### RPA Land Use & Transportation Comments

##### Project Description

The applicant is proposing to extend the existing MXU Mixed Use Zone for future mixed use development.

##### Site Description

The 9.8 acres site is currently vacant. Adjacent properties are commercial, single family residential and townhouse uses.

##### Zoning History

Part of this site was rezoned to C-4 Planned Commerce Center Zone in 2012 (case 2012-089) by Ordinance 12691. The remaining portion of the requested site is R-1 Residential Zone with no recent rezoning requests. Adjacent properties to the south have been rezoned to MXU Mixed Use Zone in 2005, 2006, 2007 and 2012.

##### Plans/Policies

The uses of this site are guided by the 2001 Hamilton Place Community Land Use Plan. A primary theme of the Hamilton Place Community plan is to clearly define the boundaries of commercial retail development and to protect bordering neighborhoods in order to ensure greater predictability and continued livability for residents living in the area. The Plan also sets a series of principles organized by Land Use, Transportation, and Open Space as defined below:

##### Land Use

- Commercial and neighborhood boundaries should be maintained as defined by the land use plan
- Configure new development so that it is compatible with existing adjoining uses. Examples include placing smaller scale, less intense buildings next to existing neighborhoods.
- Placement of large-scale buildings next to neighborhoods should be avoided.

##### Transportation

- Promote and expand street network to provide better access to area destinations
- Encourage multi-modal transportation system that supports pedestrians, cyclists, transit, and the automobile.
- Promote pedestrian-friendly street design including sidewalks and street trees
- Establish neighborhood traffic calming programs

## STAFF CASE REPORT TO PLANNING COMMISSION

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### Open Space

- Support new parks and greenway connections
- Promote effective and sustainable stormwater management
- Protect the natural environment including stream and creek corridors, and existing tree canopy
- Establish better landscape design standards and buffers

The Hamilton Place Plan identified this as one of several "pressured sites" and recommended a mixed use development featuring apartments, townhomes and office with supporting retail. The key design principles for this site were:

- ❖ Potential access should be planned as a series of blocks that provide multiple ways to get in and out of the site from both Shallowford Road and Gunbarrel Road.
- ❖ The Land Use Plan shows one potential way of organizing future development into blocks that accommodate office, townhome and apartment uses.
- ❖ Parks and open space should be designed as an integral part of the development providing needed public space.

The property was rezoned in 2005 and a MXU zoning district was created to facilitate implementation of the Hamilton Place Plan's vision for the site and other locations throughout the City. The intent of the MXU district is to allow medium intensity mixed-use suburban development that is compact, diverse, walkable and urban in character and form, focusing on the form of development rather than just uses, and creating special destinations with a "sense of place". To accomplish this intent, the MXU district has a robust set of design principles for the scale/height/setbacks of buildings, maximum building footprint (25,000 sq. ft.), street/pedestrian connectivity, provision for green/civic spaces, a minimum residential requirement (.75 units per acre), and standards for design of spaces between buildings and the street.

A key element of this zone to demonstrate compliance with these standards is a Development Plan for the entire MXU zone area that indicates location/placement of buildings (including # stories, use(s), square footage), locations for trees and green spaces, proposed streets/drives, pedestrian walks, retention/detention areas, and any key environmental features on the site. The applicant has submitted the Development Plan and staff have reviewed the plan (see below for comments). The Development Plan does provide some flexibility for modifications that can be staff approved, provided those modifications are consistent with the standards and intent of the MXU zone. However, modifications to the plan that staff determines are inconsistent or are not clearly consistent with the MXU intent or standards would be referred back to Planning Commission and City Council for approval.

### 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.

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## STAFF CASE REPORT TO PLANNING COMMISSION

### City Transportation Department

The transportation intent and benefit of the MXU zoning is to create medium density mixed-use centers that enable walking, biking, and transit as viable transportation modes, to an extent that is difficult or impossible to accomplish with conventional zoning. The Transportation Department supports the RPA comments and conditions because they provide better internal car and bike/ped connectivity and require building frontages that promote walkability. By enhancing multi-modal connectivity, the submitted plan combined with the proposed conditions enable previous conditions for the site to be removed that restricted access to Napier Dr. and allowed only two access points to Gunbarrel Rd. We believe this development type should be prototypical for new development in intended growth areas.

### RPA Summary

The staff has reviewed the submitted plan for consistency with the MXU intent and standards, and the Hamilton Place Plan principles. The following is a synopsis of the staff's review:

- ❖ **Placement/Scale/Setback of Buildings and Uses:** overall, the proposed site plan meets the intent and standards for building placement. Retail uses have been oriented away from Gunbarrel Road, consistent with the Hamilton Place Plan principles of maintaining compatibility with bordering residential areas. The east side of Gunbarrel Road has several existing residences, and residential subdivisions including Hamilton Run and Preston Circle that border the MXU site. Given the lower density and scale of these residential uses, the MXU Development Plan should avoid placement of large scale buildings, intensive uses, or service activities that would impact the residential communities along Gunbarrel Road. There are some modifications and a zoning condition that are needed to the plan to accomplish the design principles noted above:
  - **Staff Recommended Zoning Condition:** Some dumpsters/loading areas are shown on the development plan in close proximity to Gunbarrel Road. A more preferable approach is for these loading/dumpster pads be oriented to the side or rear of the buildings. Staff recommends a condition that dumpsters should be located no closer than 200 feet to Gunbarrel Road and screened from view of Gunbarrel Road.
  - **Plan Modification A:** To promote the intent of the MXU zone to create walkable, urban form, buildings should front directly on the street. The MXU zone promotes zero setback buildings to create an attractive walking environment. Generally, most of the buildings within the MXU zone area meet this standard. Staff recommends that Building I (noted as an office building) should be moved to front McCutcheon Road to accomplish the MXU intent.
- ❖ **Street Network/Pedestrian Connectivity:** The development plan shows a connected street network in a grid/super block pattern that is generally consistent with the MXU standards. However, Elam Lane is a long street with no full intersections. A contributing factor to this challenge are two parcels outside of the MXU zone that are not owned by the applicant, dividing the MXU development into north and south sections, resulting in a long north-south connector road with limited blocks.

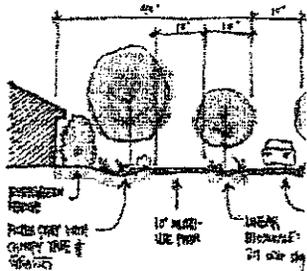
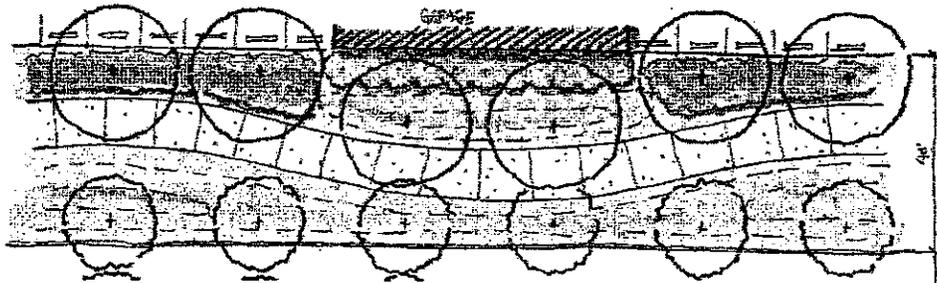
## STAFF CASE REPORT TO PLANNING COMMISSION

- **Plan Modification B:** In order to leave open the opportunity to create another full street intersection along Elam Road, staff recommends that Building R (hotel) be shifted south or north to leave open the opportunity to create a connector road from Gunbarrel Road to Elam Drive.
  
- ❖ **Buffering/Transition between the MXU Development and residential communities to the east:** Given the large scale of this development relative to the existing neighborhoods to the east, staff recommends that a minimum 30 feet deep linear park featuring a multi-modal path (similar in design to RiverPark) be constructed along Gunbarrel Road. This park would serve two functions: provide transition/screening between the MXU development and the neighborhoods, and offer pedestrian/bike connectivity between the MXU development and bordering neighborhoods. The development plan does show the 30 feet buffer area, but the design elements are not clearly noted. To ensure that the intent and design elements of this park are appropriately implemented, staff recommends that this be added as a condition to the rezoning as described below:
  - **Staff Recommended Condition:** The applicant shall install a shared-use path with a minimum 30 feet deep buffer area along the eastern property line within the MXU that abuts the Gunbarrel Road right-of-way that incorporates landscaping, berming and sidewalk features as illustrated in Attachment A.

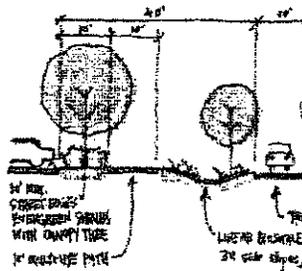
In summary, the staff recommends approval of the proposal with the above site plan modifications and zoning conditions noted. With these changes, staff feels the proposal is consistent with the principles of the Hamilton Place Plan and the intent and standards of the MXU district.

ATTACHMENT A

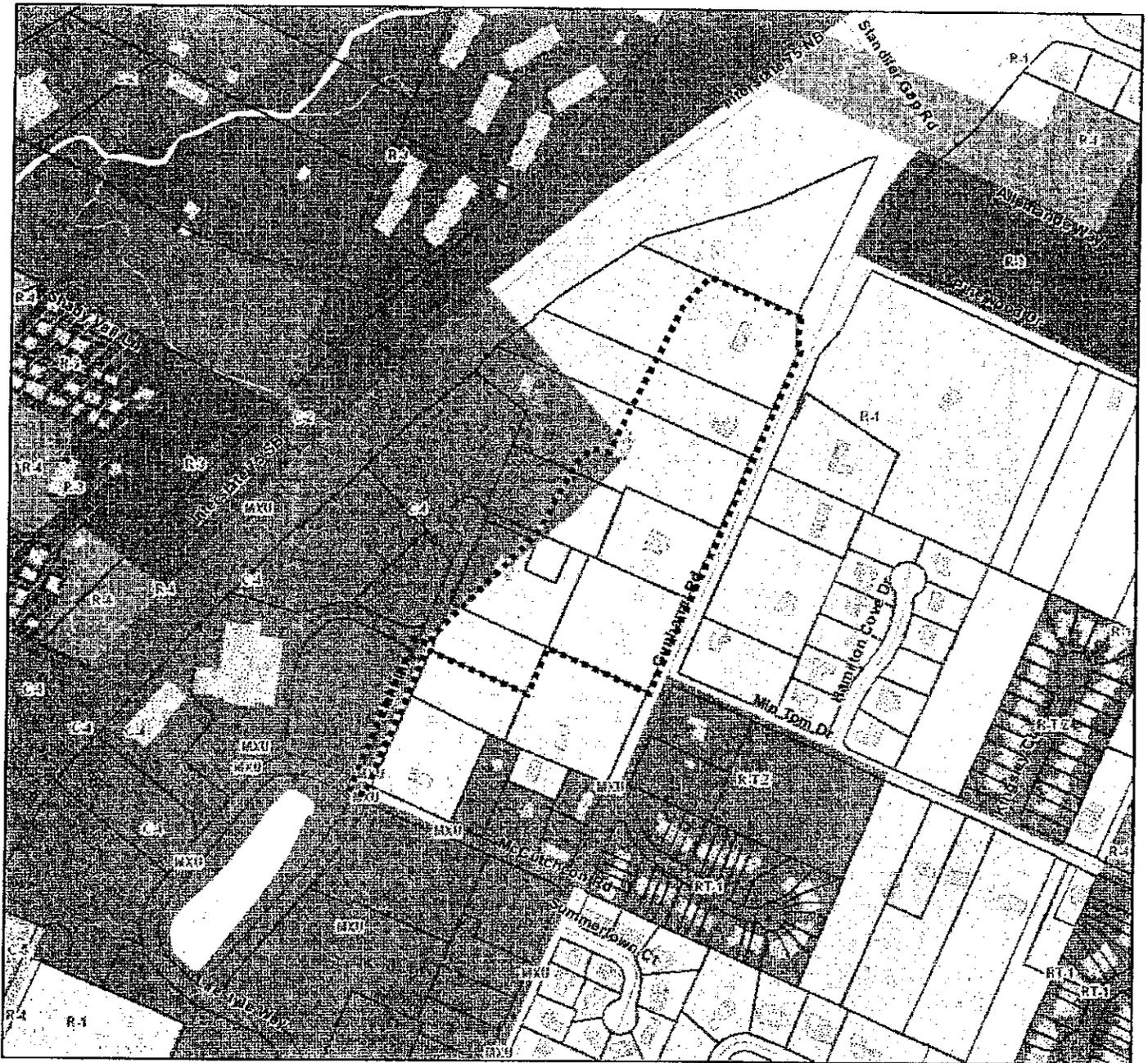
GUNBARREL ROAD – WATERSIDE MXU LINEAR PARK ILLUSTRATION



Treatment where blank walls  
border Gunbarrel Road  
Linear Park



Treatment where parking  
areas border Gunbarrel Road  
Linear Park



## 2013-144 Rezoning from R-1 and C-4 to MXU

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-144: Approve, subject to: 1) Dumpsters should be located no closer than 100 feet to Gunbarrel Road and screened from view of Gunbarrel Road, and 2) The applicant shall install a shared-use path with a minimum 20 feet deep buffer area along the eastern property line within the MXU that abuts the Gunbarrel Road right-of-way that incorporates landscaping, berming and sidewalk features as illustrated in Attachment A.



400 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:

2014-077 Allen Jones/Watkins Street Project, LLC. 1700 & 1800 Watkins Street & 2461 East 18<sup>th</sup> 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.

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Sandra Freeman  
Clerk to the City Council