

First Reading: _____
Second Reading: _____

2014-108
Alan Haniszewski/HP Partners
District No. 8
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1200 SOUTH WATKINS STREET, 1206 LYERLY STREET, AND 2308 EAST 12TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND R-2 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL 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 1200 South Watkins Street, 1206 Lyerly Street, and 2308 East 12th Street, more particularly described herein:

Lots 1-5, 9-16 and parts of Lots 6, 7 and 8 of the Watkins Addition to Ridgedale, Plat Book 3, Page 4, ROHC, being the property described in Deed Book 9726, Page 125, ROHC. Tax Map Nos. 156C-B-001, 024, and 029.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved for a portion of the M-2 Light Industrial Zone in the amount of approximately 0.84 acres of the property fronting East 13th Street, as shown on the staff recommendation map.

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: _____

2014-108
Alan Haniszewski/HP Partners
District No. 8
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1200 SOUTH WATKINS STREET, 1206 LYERLY STREET, AND 2308 EAST 12TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND R-2 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL 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 1200 South Watkins Street, 1206 Lyerly Street, and 2308 East 12th Street, more particularly described herein:

Properties located at 1200 S. Watkins Street & 2308 East 12th Street

All of parcel 156C-B-024 and a portion of 156C-B-001 beginning at the southwest corner of parcel 156C-B-024 and going 100 feet northwest and parallel to East 13th Street, thence 147 feet northeast, thence 100 feet southeast, thence 147 feet southwest to the point of beginning. Tax Map Nos. 156C-B-024 and 156C-B-001 (part).

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved for a portion of the M-2 Light Industrial Zone in the amount of approximately 0.84 acres of the property fronting East 13th Street, as shown on the staff recommendation map.

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: _____

2014-108
Alan Haniszewski/HP Partners
District No. 8
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1200 SOUTH WATKINS STREET, 1206 LYERLY STREET, AND 2308 EAST 12TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND R-2 RESIDENTIAL ZONE TO M-2 LIGHT INDUSTRIAL 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 1200 South Watkins Street, 1206 Lyerly Street, and 2308 East 12th Street, more particularly described herein:

Lots 1-5, 9-16 and parts of Lots 6, 7 and 8 of the Watkins Addition to Ridgedale, Plat Book 3, Page 4, ROHC, being the property described in Deed Book 9726, Page 125, ROHC. Tax Map Nos. 156C-B-001, 024, and 029.

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

2014-108 City of Chattanooga
October 13, 2014

RESOLUTION

WHEREAS, Alan Haniszewski/H P 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 M-1 Manufacturing Zone and R-2 Residential Zone to M-2 Light Industrial Zone, properties located at 1200 South Watkins Street, 1206 Lyerly Street & 2308 East 12th Street.

Lots 1-5, 9-16 and parts of Lots 6, 7 and 8 of the Watkins Addition to Ridgedale, Plat Book 3, Page 4, ROHC, being the property described in Deed Book 9726, Page 125, ROHC. Tax Maps 156C-B-001, 024, and 029 as shown on the attached map.

Staff Recommendation:

Properties located at 1200 S. Watkins Street & 2308 East 12th Street

All of parcel 156C-B-024 and a portion of 156C-B-001 beginning at the southwest corner of parcel 156C-B-024 and going 100 feet northwest and parallel to East 13th Street, thence 147 feet northeast, thence 100 feet southeast, thence 147 feet southwest to the point of beginning. Tax Map 156C-B-024 and 156C-B-001 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 13, 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 October 13, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved for a portion of the M-2 Light Industrial Zone

in the amount of approximately 0.84 acres of the property fronting East 13th Street, as shown on the staff recommendation map.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

| | | | |
|---|--|---|--|
| CASE NUMBER: | 2014-108 | Date Submitted: | 8-25-2014 |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | |
| 1 Applicant Request | | | |
| Zoning | From: M-1 & R-2 | To: M-2 | |
| Total Acres in request area: 2.4 | | | |
| 2 Property Information | | | |
| Property Address: | 1200 S. Watkins Street, 1206 Lyerly Street & 2308 East 12th Street | | |
| Property Tax Map Number(s): | 156C-B-001, 024 & 029 | | |
| 3 Proposed Development | | | |
| Reason for Request and/or Proposed Use: | Light Industrial | | |
| 4 Site Characteristics | | | |
| Current Zoning: | M-1 & R-2 | | |
| Current Use: | Food prep, Equipment repair | | |
| Adjacent Uses: | | | |
| 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: Alan Haniszewski | | Address: 3073 Baggett Trail | |
| Check one: | <input type="checkbox"/> I am the property owner | <input checked="" type="checkbox"/> I am not the property owner | |
| City: Signal Mountain | State: TN | Zip Code: 37377 | Email: a_haniszewski@yahoo.com |
| Phone 1: 423-364-6032 | Phone 2: | Phone 3: | Fax: |
| 6 Property Owner Information (if not applicant) | | | |
| Name: H P Partners | | Phone: 865-567-3123 | |
| Address: 2315 Sycamore Drive Knoxville, TN 37921 | | | |
| Office Use Only: | | | |
| Planning District: 3B | Neighborhood: Ridgedale Community | | |
| Hamilton Co. Comm. District: 4 | Chatt. Council District: 8 | 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: 2.4 | <input checked="" type="checkbox"/> Deeds | <input checked="" type="checkbox"/> Plats, if applicable |
| Deed Book(s): 9726-125, 7752-898 | | | |
| Plat Book/Page: 3-4 | | <input checked="" type="checkbox"/> Notice Signs | Number of Notice Signs: 4 |
| <input checked="" type="checkbox"/> Filing Fee: 635.00 | <input type="checkbox"/> Cash | <input checked="" type="checkbox"/> Check | Check Number: 11125 |
| Planning Commission meeting date: October 13, 2014 | | Application processed by: Marda Parker | |

STAFF CASE REPORT TO PLANNING COMMISSION

| | | |
|------------------------------|---|----------------------------------|
| Case Number: | 2014-108 | PC Meeting Date: 10-13-14 |
| Applicant Request: | Rezone from M-1 Manufacturing Zone and R-2 Residential Zone to M-2 Light Industrial Zone | |
| Property Location: | 1200 South Watkins Street, 1206 Lyerly Street and 2308 East 12 th Street | |
| Property Owner: | H P Partners | |
| Applicant: | Alan Haniszewski | |
| Staff Recommendation: | Recommend to APPROVE a portion of the M-2 Light Industrial Zone in the amount of approximately 0.84 acres of the property fronting East 13 th Street, as shown by the attached staff recommendation map. | |

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing an addition to the existing building for light industrial uses. It is unclear what is being proposed for the remainder of the site.

Site Description

The 2.4 acre site consists of three parcels of property. The applicant has also submitted a subdivision request. The parcel at the corner of South Watkins and East 13th Street is currently used for food preparation and equipment repair and is zoned M-1 Manufacturing Zone. The two other parcels appear to be used for parking and are currently zoned R-2 Residential Zone. Property uses on the east, south and west are single-family residential. Property located across East 12th Street to the north is zoned M-1 Manufacturing Zone and contains a large industrial building.

Zoning History

The parcel currently zoned M-1 Manufacturing Zone was established in 1969 (case 1969-024), Ordinance No. 6040. The remaining parcels, currently zoned R-2 Residential Zone, were established with the adoption of zoning in 1937. Alleys within this site were closed in 1978 by Ordinance No. 7433.

Plans/Policies

This site is within the 1998 Ridgedale Plan, which identifies this property as an extension of the industrial uses and surface parking lots to the north. Because these industrial properties are located adjacent to residential development, the Ridgedale Plan recommends the following for business and industry:

- Improve the appearance of properties by landscaping or screening materials stored outside.
- Notify the Neighborhood Association of expansion activities.
- Rehabilitate building exteriors and landscape parking lots.

The Ridgdale Plan also recommends the "development of new housing to fit neighborhood plans and goals."

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

STAFF CASE REPORT TO PLANNING COMMISSION

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.

Additional comments are indicated by department below.

Land Development Office

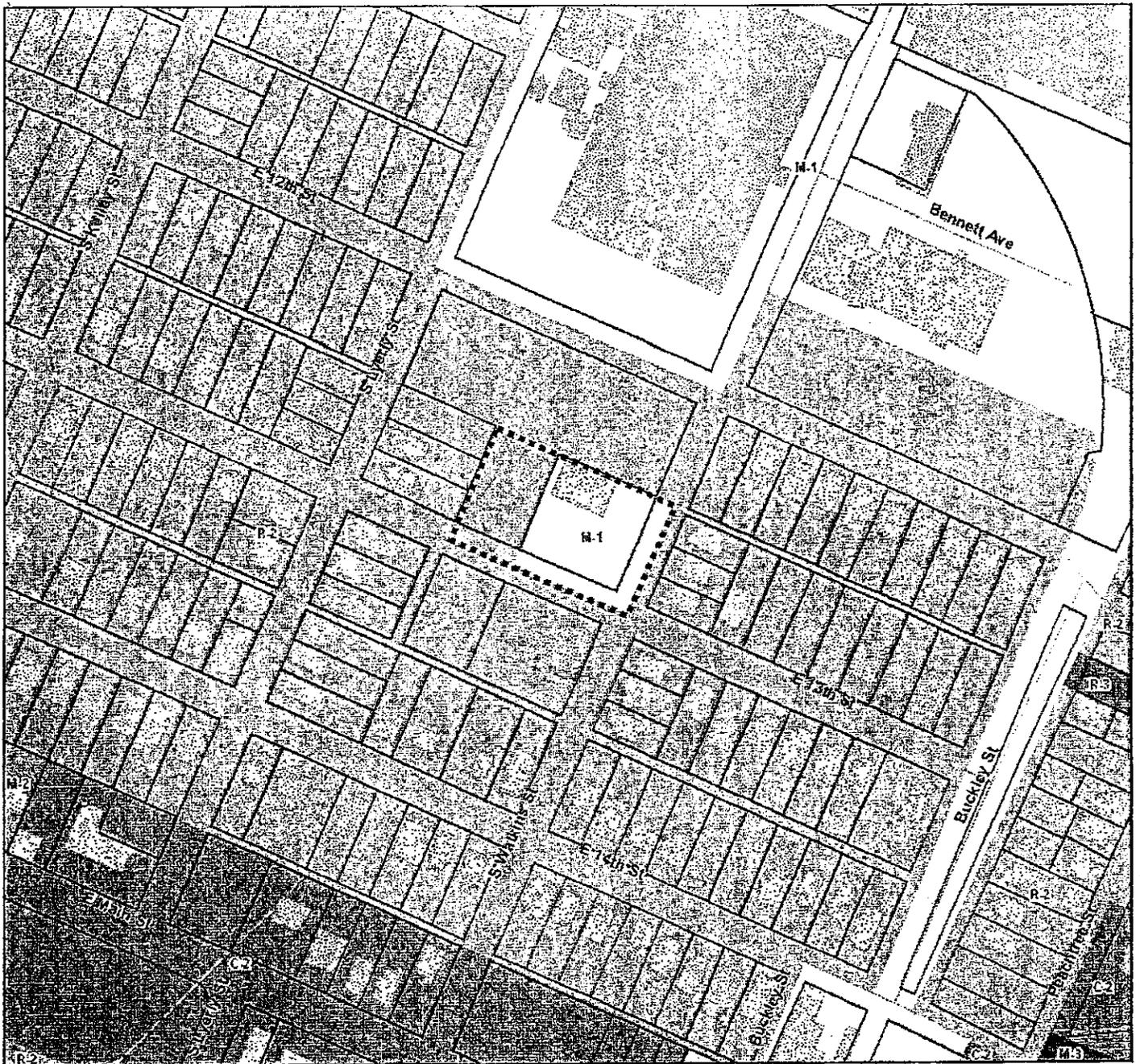
The Land Development Office staff comment: A 30-foot Type A buffer is required between the M-2 Light Industrial Zone property and any R-2 Residential Zone property. This required buffer should be taken into account when the property is re-platted.

RPA Summary

Staff recommends approval of the M-2 Light Industrial Zone for a portion of the property—approximately 0.84 acres—fronting East 13th Street, as shown by the attached staff recommendation map. The proposed expansion of the food preparation, equipment repair and employee parking are uses that are in keeping with the surrounding development and the 1998 Ridgedale Plan.

The remainder of the property has no clear development plan, and appears to remain as surface parking lots. Approving an M-2 Light Industrial Zone, with its wide range of uses, for this approximately 1.53 acres of land, without a site plan for the overall development, and with no restrictions or limitations on the future use of the property, could potentially create nuisance issues for the adjoining residential community.

In an attempt to reduce potential nuisance issues associated with light industrial uses adjacent to residential uses, RPA recommends that only the approximately 0.84-acre portion, identified for the expansion of food preparation, equipment repair and employee parking (on the attached staff recommendation map), be rezoned to the M-2 Light Industrial Zone. The remainder of the property should remain as zoned, which is R-2 Residential Zone. Leaving the remaining R-2 Residential Zone in place provides an opportunity for RPA, the public and Planning Commission to review any proposed future uses on this property prior to City Council action on the property.



2014-108 Rezoning from M-1 and R-2 to M-2

STAFF RECOMMENDATION: Approve Tax Map 156C-B-024 and an Adjacent Portion of 156C-B-001 Only

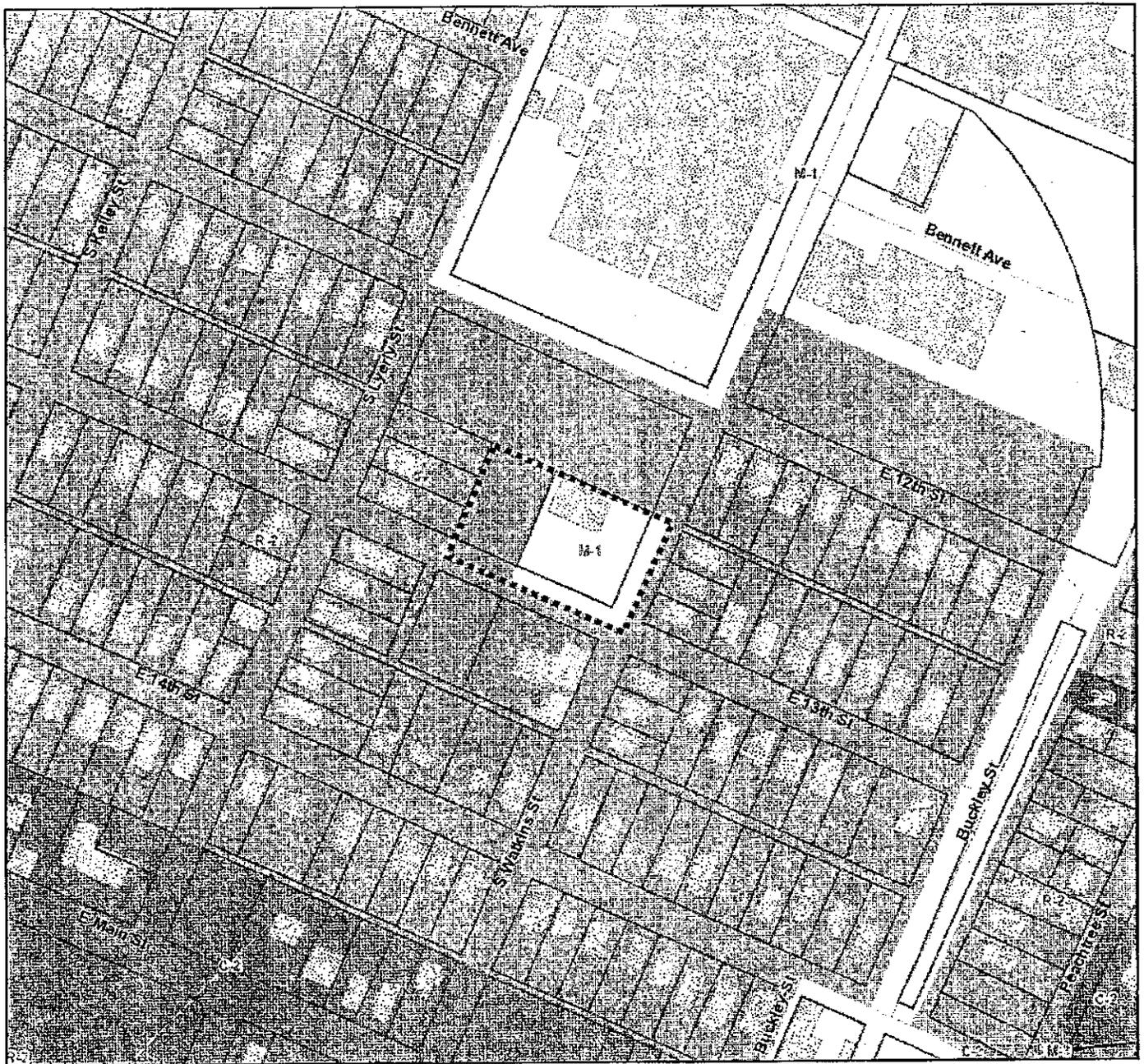


200 ft



Chattanooga Hamilton County Regional Planning Agency





2014-108 Rezoning from M-1 and R-2 to M-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-108:
 Approve a portion of the M-2 Light Industrial Zone in the amount approximately 0.84 acres of the property fronting East 13th Street, as shown on the staff recommendation map.

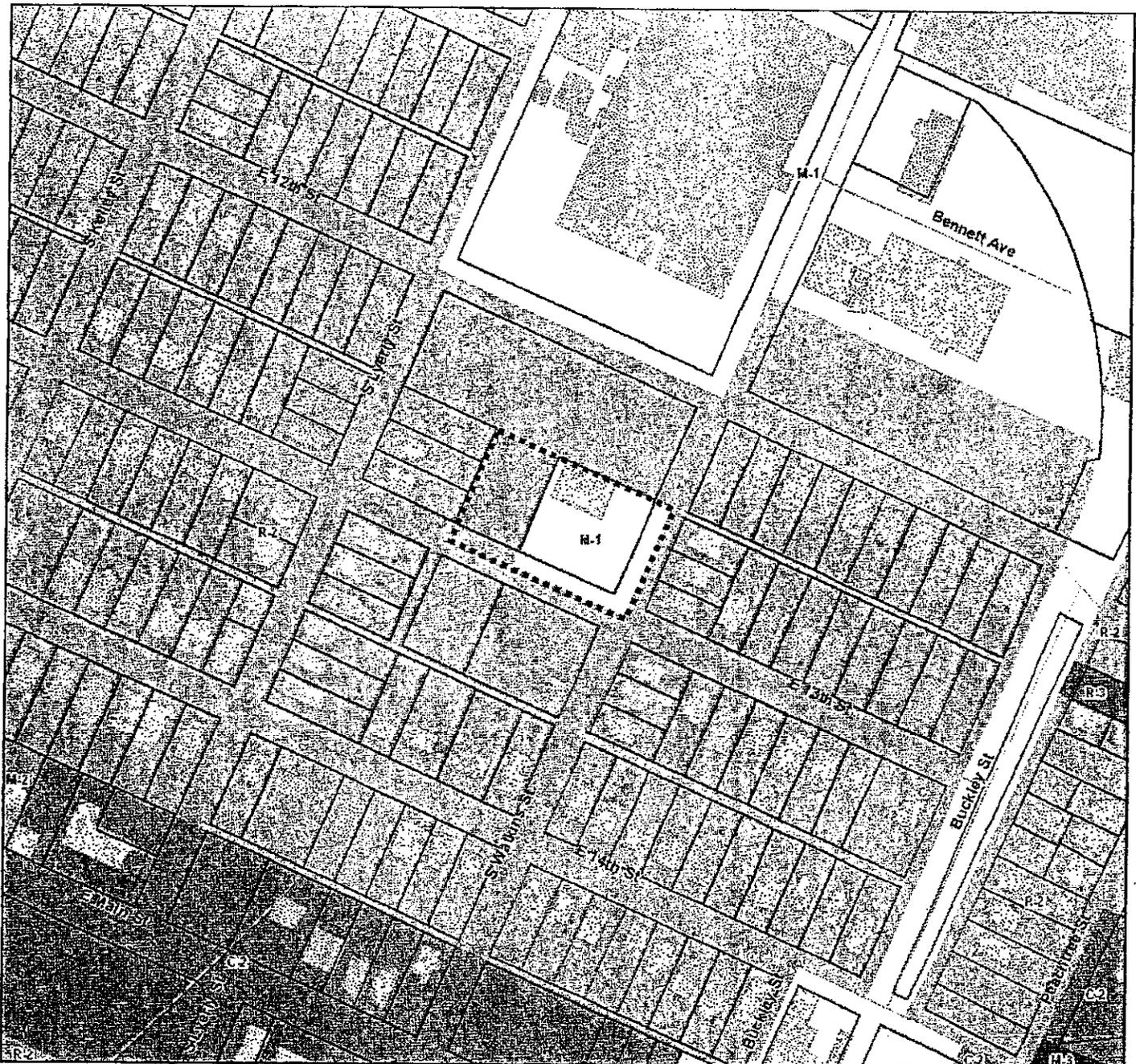


200 ft



Chattanooga Hamilton County Regional Planning Agency





2014-108 Rezoning from M-1 and R-2 to M-2

STAFF RECOMMENDATION: Approve Tax Map 156C-B-024 and an Adjacent Portion of 156C-B-001 Only



200 ft



Chattanooga Hamilton County Regional Planning Agency

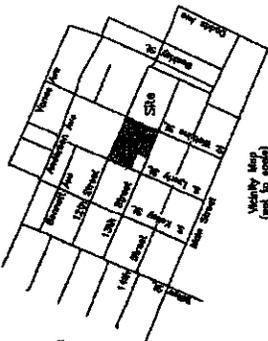


Site Plan
 Being Lots 1-5, 9-16 And Parts Of Lots 6, 7 And 8, Block 13
 Watkins' Addition To Ridgecreek
 Recorded In Plat Book 3, Page 34 R.O.H.C.
 Chattanooga, Hamilton County, Tennessee

Scale: 1" = 60' August 22, 2014

RECEIVED
 AUG 25 2014
 Chattanooga Hamilton County
 Regional Planning Agency
 Development Services

TN State Plane Grid
 (By GPS)



Zoned M-1

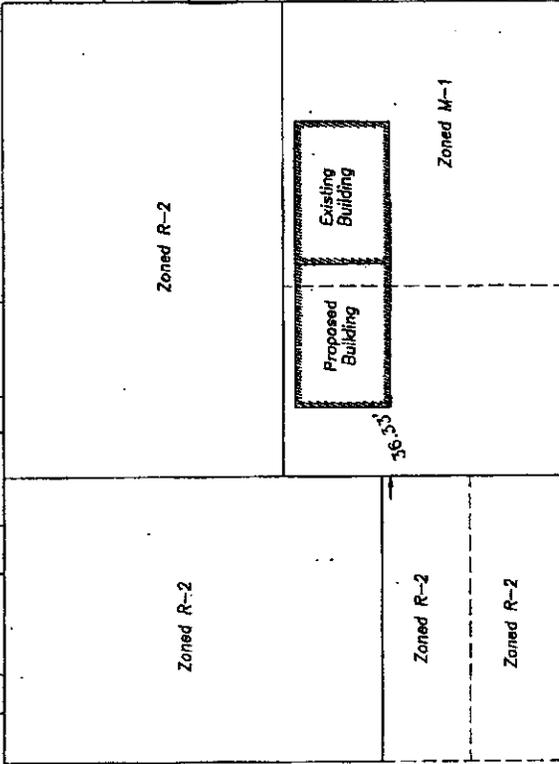
East 12th Street 50' R.O.W.

Entrance

Entrance

Entrance

Entrance



Lyerly Street 50' R.O.W.



Graphic Scale

Zoned R-2

Notes:

- 1.) Project area: 2.4± ac.
- 2.) Tax Parcel #1560-B-001 and 024;
- 3.) Landscape ordinance requires a 30' buffer between M-2 and a residential zone.
- 4.) Currently Zoned M-1 and R-2.
- 5.) All parking is off street.

FOR:
 H.P. Fortners
 2315 Sycamore Dr.
 Knoxville, TN 37921
 865-567-3123

Zoned R-2

Watkins Street 50' R.O.W.

Entrance Entrance Entrance Entrance

East 13th Street 50' R.O.W.

Entrance

Entrance

Entrance

File Name: Fesco_Site Plan
 Drawing No. 14-150-2

Zoned R-2

2014-106

Project Contact
 Alan Hanziszewski
 Tennessee PLS #2998
 9073 Baggett Trail
 Signal Mountain, TN 37377
 423-364-6082
 a.hanziszewski@yahoo.com

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 petitions to rezone be approved:

2014-105 Charles Ankar/Joyce Douglas. 1812, 1816, and 1818 Madison Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2014-108 Alan Haniszewski/HP Partners. 1200 South Watkins Street, 1206 Lyerly Street, and 2308 East 12th Street, from M-1 Manufacturing Zone and R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.

2014-110 Polestar Development, LLC/Sarah Henshall Rutherford. 7911 East Brainerd Road, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-111 Polestar Development, LLC/First Cumberland Presbyterian. 1505 North Moore Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2014-112 Passpointe Engineering, PLLC/Walnut Street Enterprises/Marvin Berke/Claudette C. Braley. 102 Walnut Street and 213 East Aquarium Way, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions.

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

2014-107 Southern Land Company/Obar Investments, LLC. 900 block of River Gorge Drive, for a Residential Planned Unit Development, subject to certain conditions.

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

2014-109 Hixson Investors, LLC/Mary Eastman. 6300, 6302, and 6306 Grubb Road and part of 5800 block of Highway 153, lifting conditions 1 through 9 from Ordinance No. 11827 of previous Case No. 2006-028, subject to certain conditions.

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) Adding a new sub-section (23) to Article VIII, Section 38-568 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (b) Adding a new definition in alphabetical order to Article II, Section 38-2 entitled, "Lot of Record."
- (c) Amending definition in Article II, Section 38-2 by changing the definition name entitled, "Dwelling, Multiple to Dwelling, Multi-family."
- (d) Adding a new sub-section (5) to Article V, Section 38-92 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (e) Adding a new sub-section (4) to Article V, Section 38-102 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (f) Adding a new sub-section (7) to Article V, Section 38-112 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (g) Adding a new sub-section (15) to Article V, Section 38-122 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."

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,

November 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