

First Reading: _____
Second Reading: _____

2014-121
Allen Jones/University Investors, LLC
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 7407 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 property located at 7407 Igou Gap Road, more particularly described herein:

Lot 2 of the Suntrust Subdivision, Plat Book 71, Page 188, ROHC, being the property described in Deed Book 7536, Page 605, ROHC. Tax Map No. 149P-A-014.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to the following conditions:

- 1) Require a 20' type "B" landscape buffer along Denton Road north of curb cut along Denton Road;
- 2) Any curb-cut on Igou Gap Road must be approved by the Transportation Department;
- 3) No auto-oriented uses such as Gas Stations, Service Stations, Convenience Stores, Auto Dealerships, Auto Repair/Detailing Shops, Car Washes; and
- 4) Drive-through is only permitted for a multi-use tenant along the western side of the property.

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: _____

2014-121
Allen Jones/University Investors, LLC
District No. 4
Applicant Version

ORDINANCE NO. _____

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and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial 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

2014-121 City of Chattanooga
November 10, 2014

RESOLUTION

WHEREAS, Allen Jones/University Investors, LLC 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 C-2 Convenience Commercial Zone, property located at 7407 Igou Gap Road.

Lot 2 of the Suntrust Subdivision, Plat Book 71, Page 188, ROHC, being the property described in Deed Book 7536, Page 605, ROHC. Tax Map 149P-A-014 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 10, 2014,

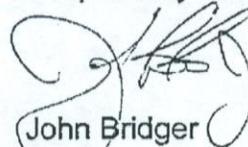
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 November 10, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: 1) Require a 20' type "B" landscape buffer along Denton Road north of curb cut along Denton Road. 2) Any curb-cut on Igou Gap Road must be approved by the Transportation Department. 3) No auto-oriented uses such as Gas Stations, Service Stations, Convenience Stores, Auto Dealerships, Auto Repair/Detailing Shops, Car Washes. 4) Drive-through is only permitted for a multi-use tenant along the western side of the property.

Respectfully submitted,


John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-121		Date Submitted: 9/15/2014	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)				
1 Applicant Request				
Zoning	From: R-1		To: C-2	
Total Acres in request area: 1.20 Acres				
2 Property Information				
Property Address:	7407 Igou Gap Road			
Property Tax Map Number(s):	149P-A-014			
3 Proposed Development				
Reason for Request and/or Proposed Use:	Develop 10,500 sq. feet of retail space			
4 Site Characteristics				
Current Zoning:	R-1			
Current Use:	Undeveloped			
Adjacent Uses:	North: C-2 / West: R-1 / South: C-2 / East R-4 (Commercial Use)			
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: Allen Jones		Address: 832 Georgia Avenue, Suite 221		
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner		
City: Chattanooga	State: #n.	Zip Code: 37402	Email: ajones@asaengineeringinc.com	
Phone 1: 423-805-3700	Phone 2: 919-793-4077	Phone 3:	Fax:	
6 Property Owner Information (if not applicant)				
Name: University Investors LLC.		Phone:		
Address: 979 E. 3rd Street, Suite 220, Chattanooga, Tn. 37403				
Office Use Only:				
Planning District: 10		Neighborhood: Friends of East 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: 1.2	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable	
Deed Book(s): 7536-605				
Plat Book/Page: 71-188		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2	
<input checked="" type="checkbox"/> Filing Fee: \$635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 2691	
Planning Commission meeting date: 11-10-14		Application processed by: Trevor Slayton		

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-121	PC Meeting Date: 11-10-14
Applicant Request:	Applicant is requesting a rezoning from R-1 Residential Zone to C-2 Convenience Commercial Zone	
Property Location:	7407 Igou Gap Road	
Property Owner:	University Investors LLC.	
Applicant:	Allen Jones	
Staff Recommendation:	APPROVAL with conditions	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing to construct a 10,500 square foot commercial retail building on a lot facing Igou Gap Road. The applicant's site plan depicts a one-story building centered on the lot with 57 parking spaces ringing the building. The site will have access from both Igou Gap Road and Denton Lane.

Site Description

The 1.20 acre site is currently vacant and heavily vegetated. Based on information provided by the applicant, there is an existing drainage easement on the property that will need to be addressed as the property is developed. Property to the north is zoned C-2 Convenience Commercial Zone with a hotel. To the west, immediately adjacent to the site, is a bank with an R-4 Special Zone classification. To the south, across Igou Gap Road, is the commercially-zoned shopping center anchored by Target and Kohl's. To the east across Denton Lane are single-family homes zoned R-1 Residential Zone.

Zoning History

Two prior cases were both withdrawn for this site. Case 2004-143 was a rezoning request for C-2 Convenience Commercial Zone which was later changed to O-1 Office Zone. That case was deferred for lack of a site plan then was asked to be withdrawn by applicant. Opposition was present at Planning Commission. Case 2005-083 was a request to rezone to C-2 Convenience Commercial Zone and O-1 Office Zone. This rezoning request was withdrawn prior to the Regional Planning Agency completing a staff recommendation.

Plans/Policies

This site is within the 2001 Hamilton Place Community Plan which identifies the site as appropriate for commercial land use. The land use principles of that plan recommend that new development be configured so that it is compatible with existing adjoining uses. An example of this compatibility includes placing smaller scale, less intense buildings next to existing neighborhoods.

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.

STAFF CASE REPORT TO PLANNING COMMISSION

Additional comments are indicated by department below.

Land Development Office

The Land Development Office will require a 20' type "B" landscape buffer along Denton Rd. Identify and preserve all trees 8" Caliper DBH or greater within the 20' buffer. Add two rows of screening shrubs per type "B" screening standards in landscape ordinance.

Transportation Department

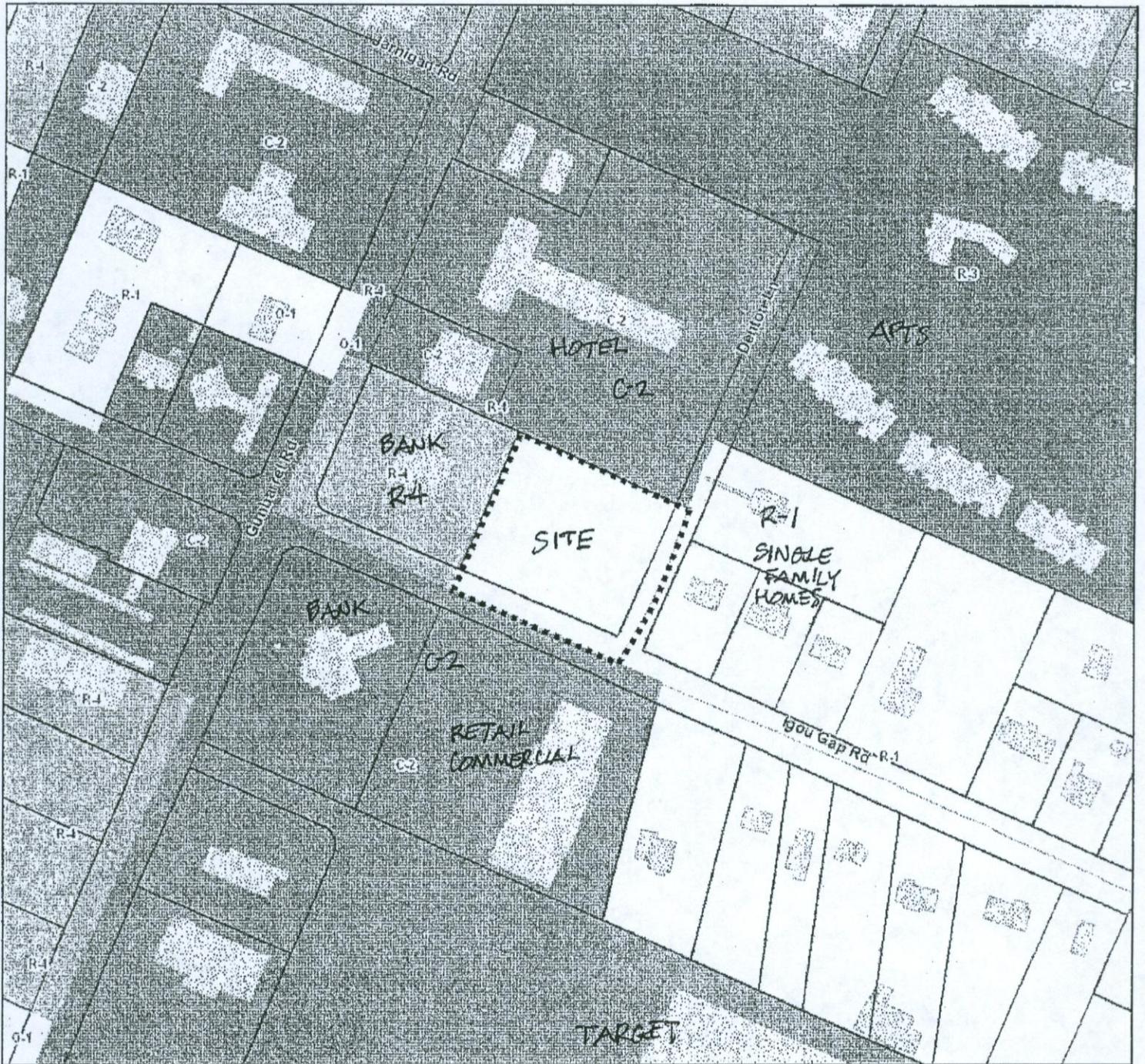
The Transportation Department for the City of Chattanooga will require a traffic analysis to determine if modifications will be needed to the lane configuration on Igou Gap Rd. Additionally, any curb-cut on Igou Gap Rd. will need to be 100' from any other curb-cut on Igou Gap Rd.

RPA Summary

The Hamilton Place Community Plan identifies this site as a location appropriate for commercial uses. The one-story building with 57 parking spaces is relatively small-scale and the proposed condition limiting auto-oriented uses will ensure the commercial uses are of intensity more appropriate near single-family residences. However, other uses allowed in the requested C-2 Convenience Commercial Zone may also cause unintended nuisance issues to the nearby single-family dwellings. Conditions are recommended to mitigate these negative effects:

1. Require a 20' type "B" landscape buffer along Denton Rd.
2. Applicant to identify and preserve all trees 8" Caliper DBH (diameter at breast height) or greater within the 20' buffer and add two rows of screening shrubs per type "B" screening standards in landscape ordinance.
3. Any curb-cut on Igou Gap Rd. must be at least 100' from adjacent curb-cuts onto Igou Gap Rd.
4. Require a traffic analysis for Igou Gap Rd.
5. No auto-oriented uses such as Gas Stations, Service Stations, Convenience Stores, Drive-throughs, Drive-in's, Auto Dealerships, Auto Repair/Detailing Shops, Car Washes.

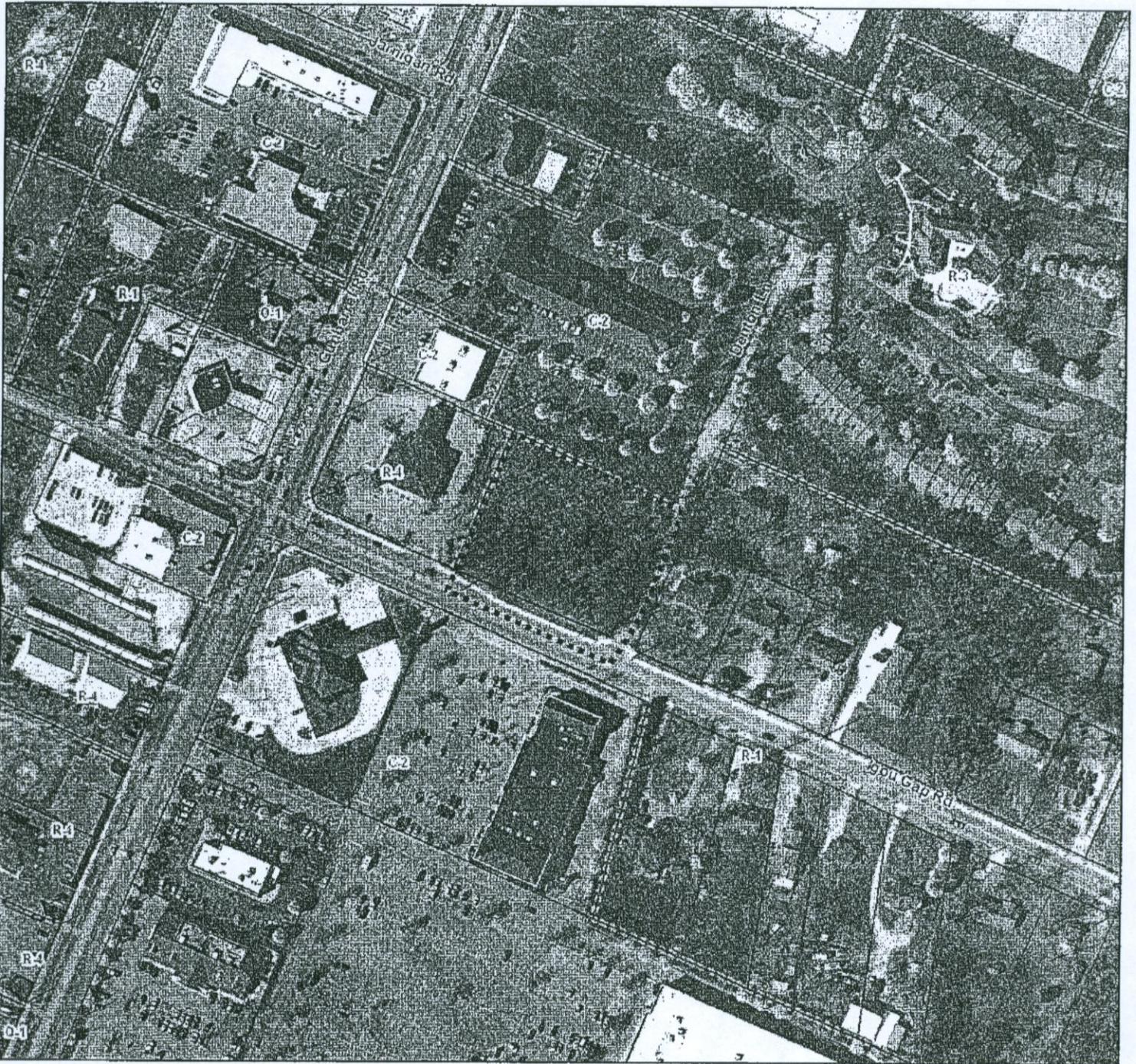
Therefore, the RPA recommends approval of this zoning request with the above listed conditions.



2014-121 Rezoning from R-1 to C-2

200 ft

Chattanooga Hamilton County Regional Planning Agency



2014-121 Rezoning from R-1 to C-2



200 ft

Chattanooga Hamilton County Regional Planning Agency



The Shoppes At Gunbarrel Pointe

10,500 SF OF RETAIL

Map A 614 BY
ERICAN (MATH BANK & TRUST CO.)
ZONED R-4 COMMERCIAL USE

(R-4)

19 POWEREA - PERMIT

58' 0" 00" E 218' 0"

N23°20'00" E 213' 0"

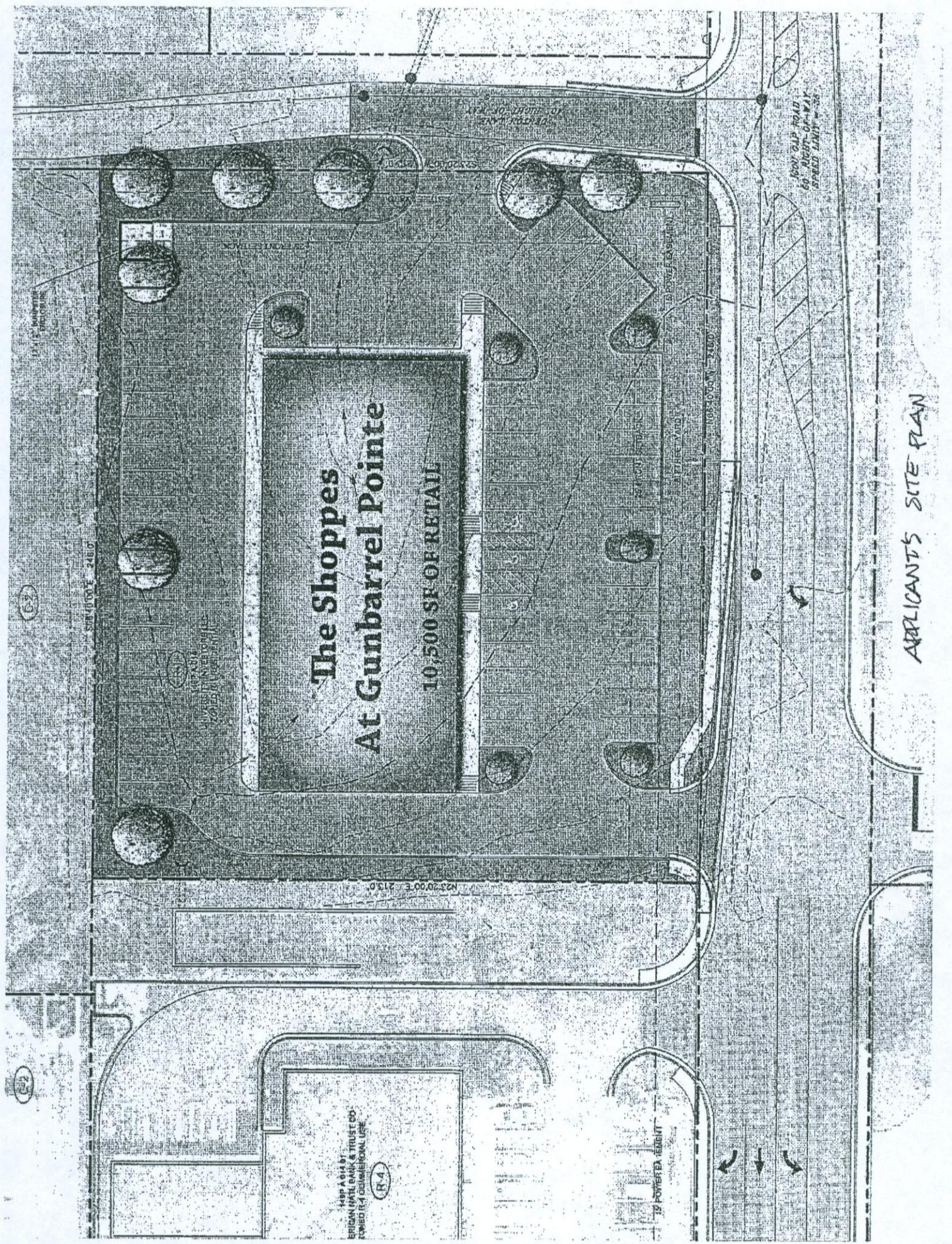
N68°00'00" W 218' 0"

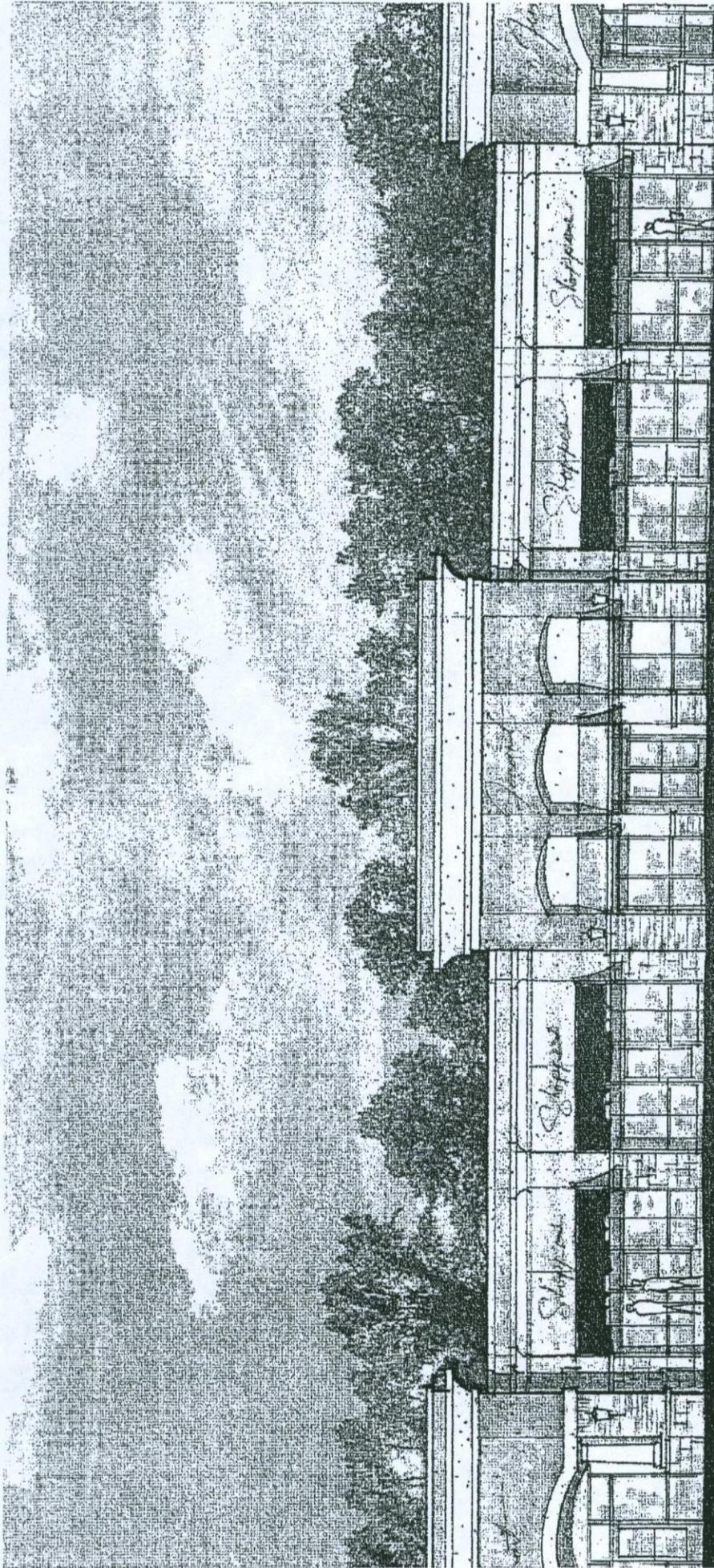
10' SIDEWALK

10' SIDEWALK

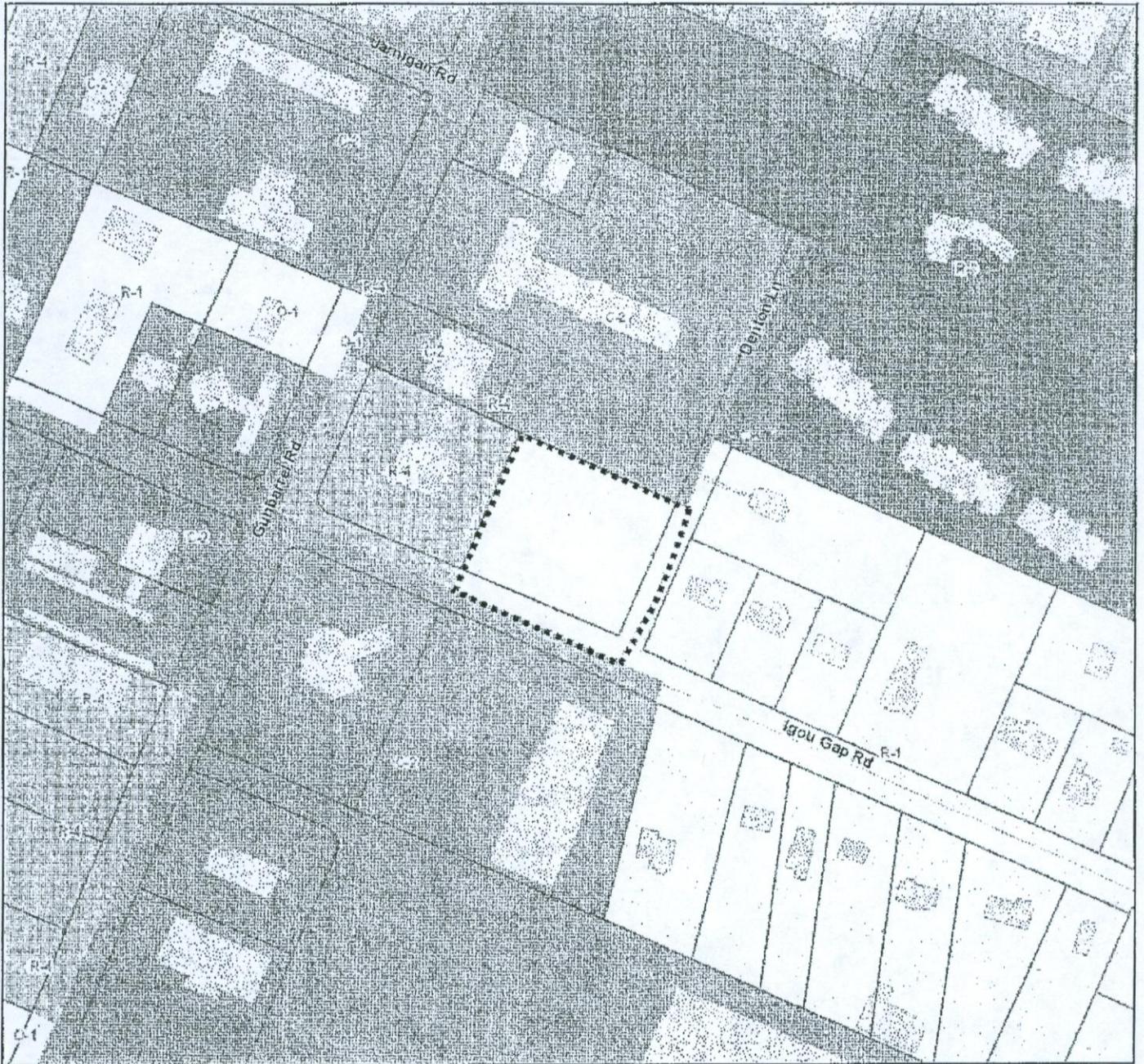
10' GAP ROAD
60' RIGHT-OF-WAY
SPEED LIMIT 25

APPLICANT'S SITE PLAN





The Shoppes at Gunbarrel Pointe



2014-121 Rezoning from R-1 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-121:
 Approve, subject to the list of conditions in the Planning Commission Resolution.



200 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 petitions to rezone be approved:

2014-118 John A. Tucker/International Board of Jewish Missions.
5106 Genesis Lane, from M-1 Manufacturing Zone to C-2 Convenience Commercial Zone.

2014-121 Allen Jones/University Investors, LLC. 7407 Igou Gap Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-124 Charles Adamson/Mount Summit of Peace Church.
8062 and 8074 Old Lee Highway, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone.

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

2014-115 Carol Page Wnuk. 304 Gillespie Road, for a two-family dwelling in an R-1 Residential Zone.

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

2014-123 Chattanooga Engineering Group/Michael Oswald. 6803, 6807, and 6811 McCutcheon Road, to lift conditions from Ordinance No. 12667 of previous Case No. 2012-131.

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,

December 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