

First Reading: _____
Second Reading: _____

2014-124
Charles Adamson/
Mount Summit of Peace Church
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTIES LOCATED AT 8062 AND 8074 OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE AND R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL 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 part of properties located at 8062 and 8074 Old Lee Highway, more particularly described herein:

Beginning at the northeast corner of Tax Map No. 140-011.10 and going approximately 540 feet south, thence approximately 390 feet southwest, thence approximately 660 feet southeast, thence approximately 340 feet southwest, thence approximately 250 feet west, thence approximately 80 feet north, thence approximately 830 feet west, thence approximately 50 feet north, thence approximately 260 feet west, thence approximately 825 feet northeast, thence approximately 570 feet east, thence approximately 260 feet north, thence approximately 80 feet east to the point of beginning, being part of the properties described in Deed Book 4557, Page 154 and Deed Book 8764, Page 973, ROHC. Part of Tax Map Nos. 140-011 and 011.10.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential 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

2014-124 City of Chattanooga
November 10, 2014

RESOLUTION

WHEREAS, Charles Adamson/Mount Summit of Peace Church 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-2 Residential Zone to R-3 Residential Zone, part of properties located at 8062 and 8074 Old Lee Highway.

Beginning at the northeast corner of Tax Map 140-011.10 and going approximately 540 feet south, thence approximately 390 feet southwest, thence approximately 660 feet southeast, thence approximately 340 feet southwest, thence approximately 250 feet west, thence approximately 80 feet north, thence approximately 830 feet west, thence approximately 50 feet north, thence approximately 260 feet west, thence approximately 825 feet northeast, thence approximately 570 feet east, thence approximately 260 feet north, thence approximately 80 feet east to the point of beginning, being part of the properties described in Deed Book 4557, Page 154 and Deed Book 8764, Page 973, ROHC. Part of Tax Maps 140-011 and 011.10 as shown on the attached map.

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

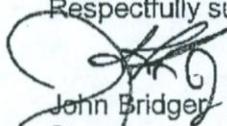
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

| | | | | |
|---|---|---|--|--|
| CASE NUMBER: | 2014-124 | | Date Submitted: 9-23-2014 | |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | | |
| 1 Applicant Request | | | | |
| Zoning | From: R-1 & R-2 | | To: R-3 | |
| Total Acres in request area: 20.51 | | | | |
| 2 Property Information | | | | |
| Property Address: | 8062 & 8074 Old Lee Highway | | | |
| Property Tax Map Number(s): | 140-011 part, 011.10 part | | | |
| 3 Proposed Development | | | | |
| Reason for Request and/or Proposed Use: | Apartment development and mixed use | | | |
| 4 Site Characteristics | | | | |
| Current Zoning: | R-2 & R-1 | | | |
| Current Use: | Vacant Parcels | | | |
| Adjacent Uses: | Residential & light Commercial | | | |
| 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: Charles Adamson | | Address: 8151 Leon Brenda Lane | | |
| Check one: | <input checked="" type="checkbox"/> I am the property owner | <input type="checkbox"/> I am not the property owner | | |
| City: Ooltewah | State: TN | Zip Code: 37363 | Email: | |
| Phone 1: 423-421-0967 | Phone 2: 423-421-1556 | Phone 3: 423-227-1727 | Fax: | |
| 6 Property Owner Information (if not applicant) | | | | |
| Name: MT Summit of Peace Church | | Phone: | | |
| Address: P.O. Box 28145 Chattanooga, TN 37424 | | | | |
| Office Use Only: | | | | |
| Planning District: 10 | | Neighborhood: F.O.E.B., B.E.B.C., Ooltewah James County | | |
| Hamilton Co. Comm. District: 5 | 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: 20.51 | <input checked="" type="checkbox"/> Deeds | <input checked="" type="checkbox"/> Plats, if applicable | |
| Deed Book(s): 8764-973, 4557-154 | | | | |
| Plat Book/Page: | | <input checked="" type="checkbox"/> Notice Signs | Number of Notice Signs: 1 | |
| <input checked="" type="checkbox"/> Filing Fee: 770.00 | <input type="checkbox"/> Cash | <input checked="" type="checkbox"/> Check | Check Number: 3563 | |
| Planning Commission meeting date: 11-10-2014 | | Application processed by: Marcia Parker | | |

STAFF CASE REPORT TO PLANNING COMMISSION

| | | |
|------------------------------|---|----------------------------------|
| Case Number: | 2014-124 | PC Meeting Date: 11-10-14 |
| Applicant Request: | Applicant is requesting a rezoning from R-1 Residential Zone and R-2 Residential Zone to R-3 Residential Zone | |
| Property Location: | 8062 & 8074 Old Lee Highway | |
| Property Owner: | Mt. Summit of Peace Church | |
| Applicant: | Charles Adamson | |
| Staff Recommendation: | DENY | |

PROJECT ANALYSIS**RPA Land Use & Transportation Comments****Project Description**

The applicant is requesting rezoning of a portion of several parcels to R-3 Residential Zone for an apartment complex. This case is in tandem with case 2014-125 which accounts for the rezoning for parcels in unincorporated Hamilton County. The most recent site plan identifies the complex as having approximately 300 units or a density of 13.62 dwelling units per acre. The plan identifies two ingress-egress points, one on Old Lee Highway and one on Pattenstown Road.

Site Description

The 20.51 acre site is currently vacant and heavy vegetated. There is an easement the runs east-west on the site for utilities. The site has an approximate 80' rise in topography from the northwest edge of the site to the center where the height peaks and then slopes down again to the southeast edge of the property. Property to the northeast and east are zoned R-1 Residential Zone with single-family housing. To the southeast is A-1 Agricultural District in the County which is developed with a church. To the south is an R-1 Residential Zone single-family subdivision which has a through street easement on Bobby Jeffery Dr. To the west is A-1 Agricultural District with single-family housing.

Zoning History

In 2011, permanent zoning was approved for land annexed by the City of Chattanooga in the Summit area. City Council approval of Case 2011-026 set the current R-1 Residential Zone on the site.

Plans/Policies

This site is within the 2013 Summit Plan which shows this large site being partially in the Light Retail land use and partially in the Transitional land use. The majority of the site falls into the Transitional land use which is noted for office and townhomes. The plan describes the following for this use category: "The land use plan map depicts two different types of transitional uses- one with apartments and one without. The recommended Transitional land use is intended to provide the community additional services and a variety of housing while also serving as a transition or step down from higher-intensity activity such as from commercial uses found in the Heavy and Medium-scale Commercial categories.

Uses in this land use classification include professional or medial offices, townhomes or other small lot residential housing such as patio homes. The Transitional classification that recommends multi-family housing or apartments is to the far east of the study area. The site design of Transitional areas should focus on elements such as placement of parking, access points, dumpsters, truck delivery, and buildings so that the higher-intensity activity is positioned towards existing non-residential and not towards existing residences. Additional attention should also be given to buffering and landscape elements to help mitigate the noise and activity associated with a business or higher-intensity residential use."

STAFF CASE REPORT TO PLANNING COMMISSION

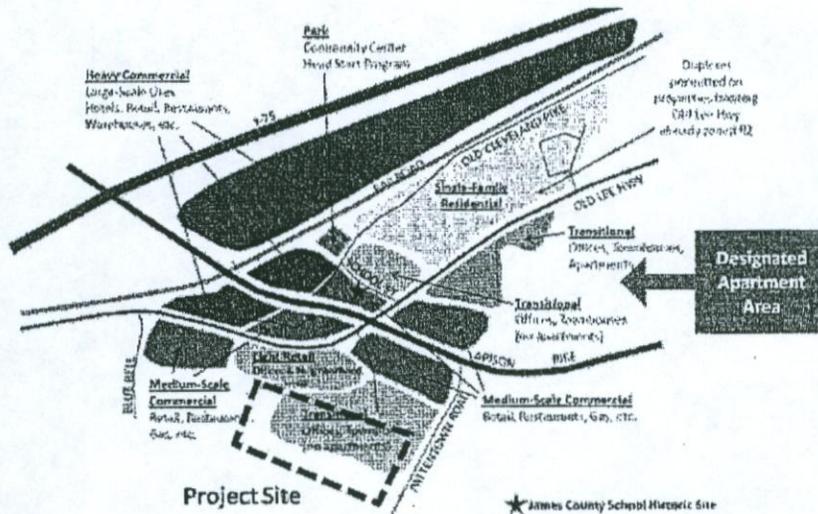
There is a specific note that while there are other Transitional land use areas on the plan appropriate for apartments, this site is deemed inappropriate for apartments.

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

In 2009, a property approximately 650' west of the site was rezoned to allow apartment development. The proposal at that time was for 216 units with 466 parking spaces. As part of the annexation permanent zoning process, an approximately nine acre site to the northeast of the current proposed site was zoned R-3 Residential Zone. Neither of these sites has developed with the proposed use although it appears that site preparation work is occurring on the site to the west. Additionally, there are 248 apartment units approved and under construction in Collegedale across Pattentown Road (near the Summit Ballfields). The existence of these sites was a factor in the feedback of Summit stakeholders that the majority preferred that growth in the area not include the development of additional apartment complexes. Several options were explored during the community planning process for applicant's site, including an option for apartments. Based on the feedback received during the public process, the plan recommendation was to limit apartments to the existing zoned area on the northeast. As noted in the land use plan map below, the transitional area specifically notes that apartments are not included in the list of recommended uses.

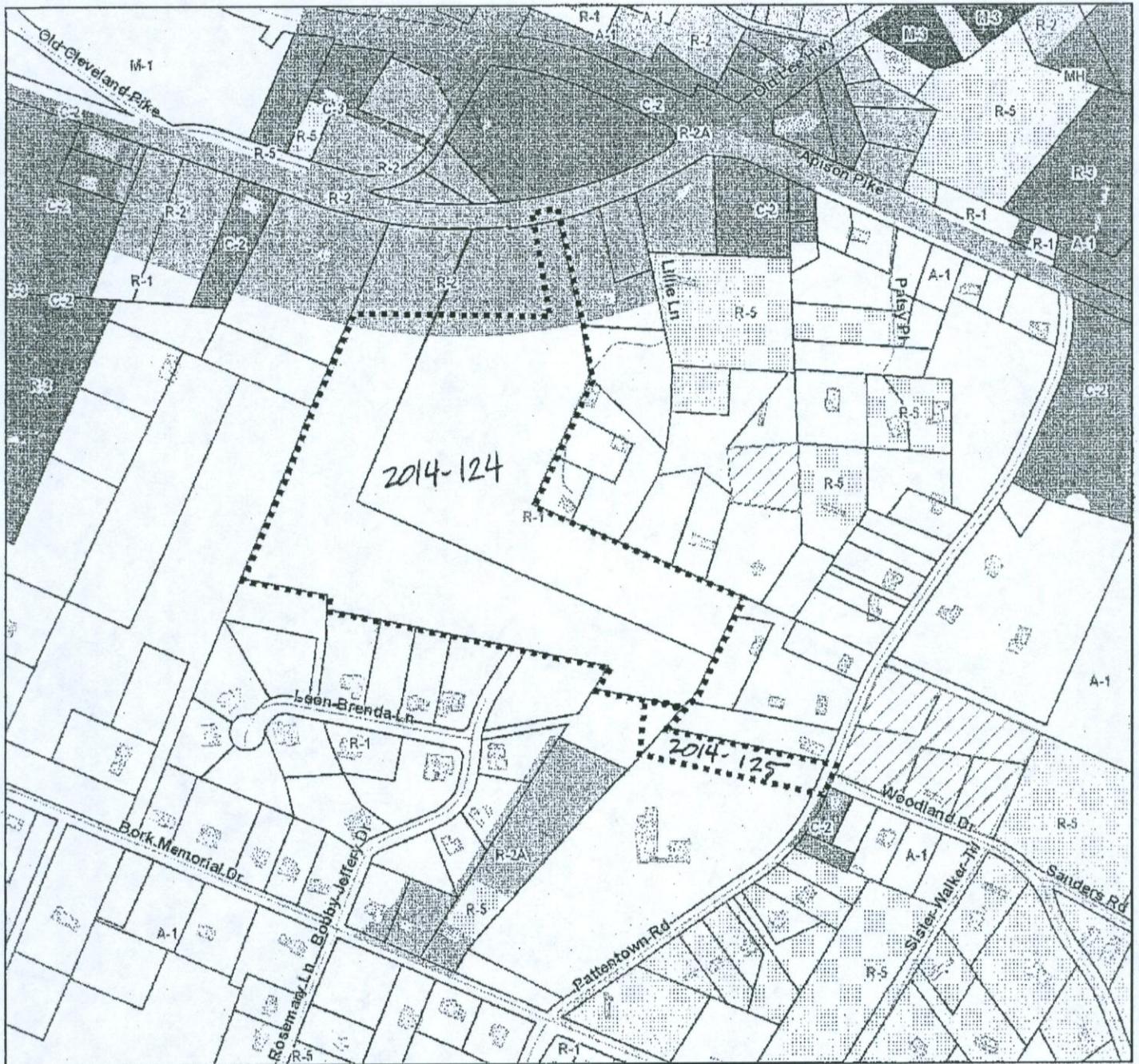


STAFF CASE REPORT TO PLANNING COMMISSION

However, staff does acknowledge that apartments should be considered as a potential option for this general area, as noted in the 2013 Summit Plan, given the proximity to the Enterprise South Industrial Park, a major regional employment site and the proximity to the Apison Pike-Lee Highway intersection and the Enterprise Drive exit. This is why staff presented several options for considering apartments in the transitional areas during the community planning process.

However, given the recently adopted policy and the very specific plan recommendation to not include apartments, staff recommends denial of this request to be consistent with this policy.

Staff would also like to note that the site design includes several elements that promote good planning principles including a grid street network, two points of access, pedestrian trails/sidewalks, a 60-ft buffer around the perimeter of the property where it abuts adjacent single family, and amenities such as a pool and clubhouse. Staff would encourage that the development at least provide a pedestrian connection to Bobby Jeffery Drive to the south.



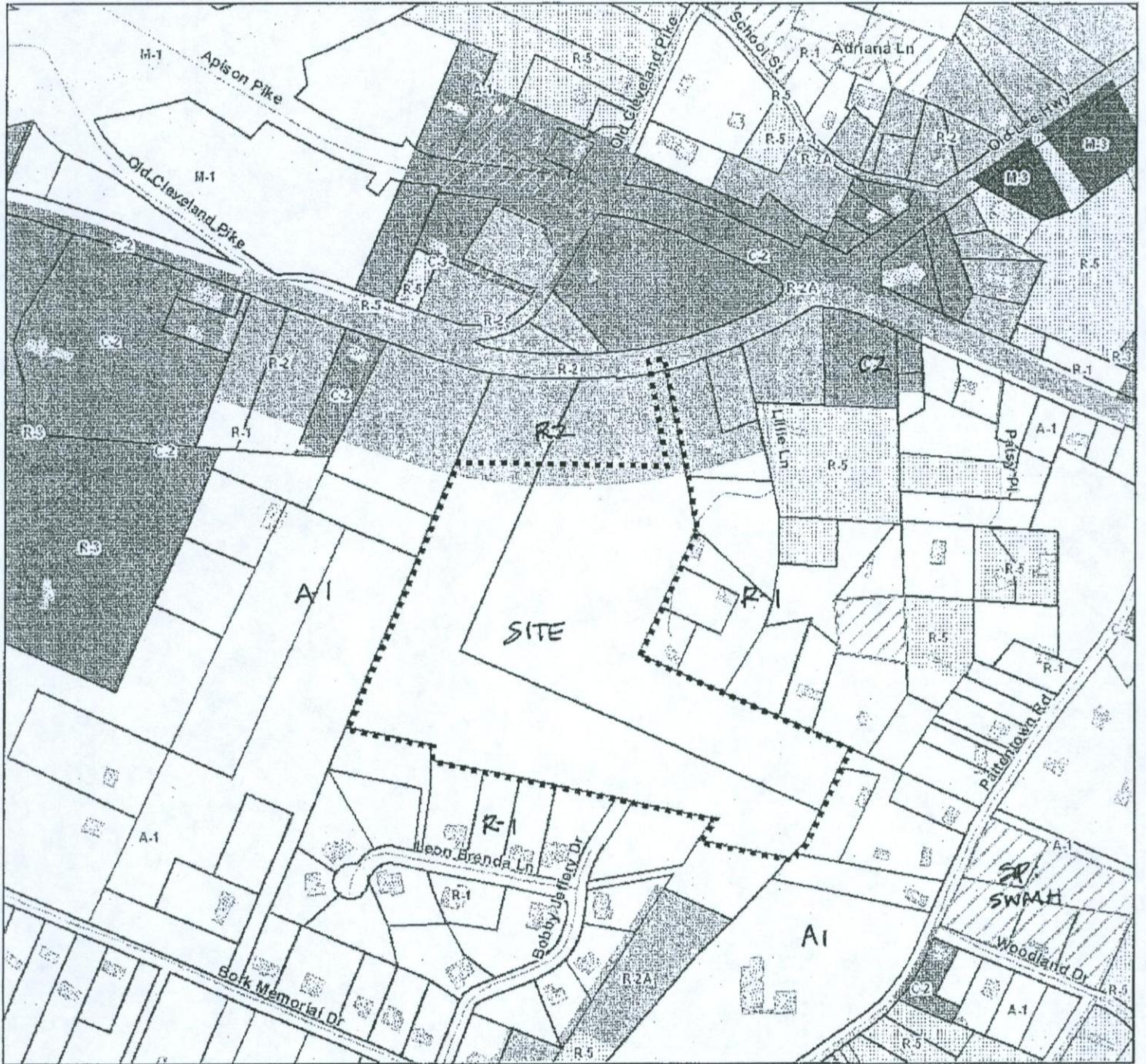
2014-124 and 125 Rezoning from A-1, R-1, and R-2 to R-3



400 ft

Chattanooga Hamilton County Regional Planning Agency





2014-124 Rezoning R-1 and R-2 to R-3





400 ft

Chattanooga Hamilton County Regional Planning Agency





FUTURE DEVELOPMENT

FUTURE NEIGHBORHOOD SERVING RETAIL:
 27,000 SQFT RETAIL
 105 PARKING SPACES

FUTURE COMMERCIAL DEVELOPMENT 1:
 67,000 SQFT RETAIL
 300 PARKING SPACES

FUTURE COMMERCIAL DEVELOPMENT 2:
 88,000 SQFT RETAIL
 450 PARKING SPACES

SUMMIT APARTMENTS MASTER PLAN
 OLD LEE HIGHWAY-CHATTANOOGA, TN

OCTOBER 8, 2014

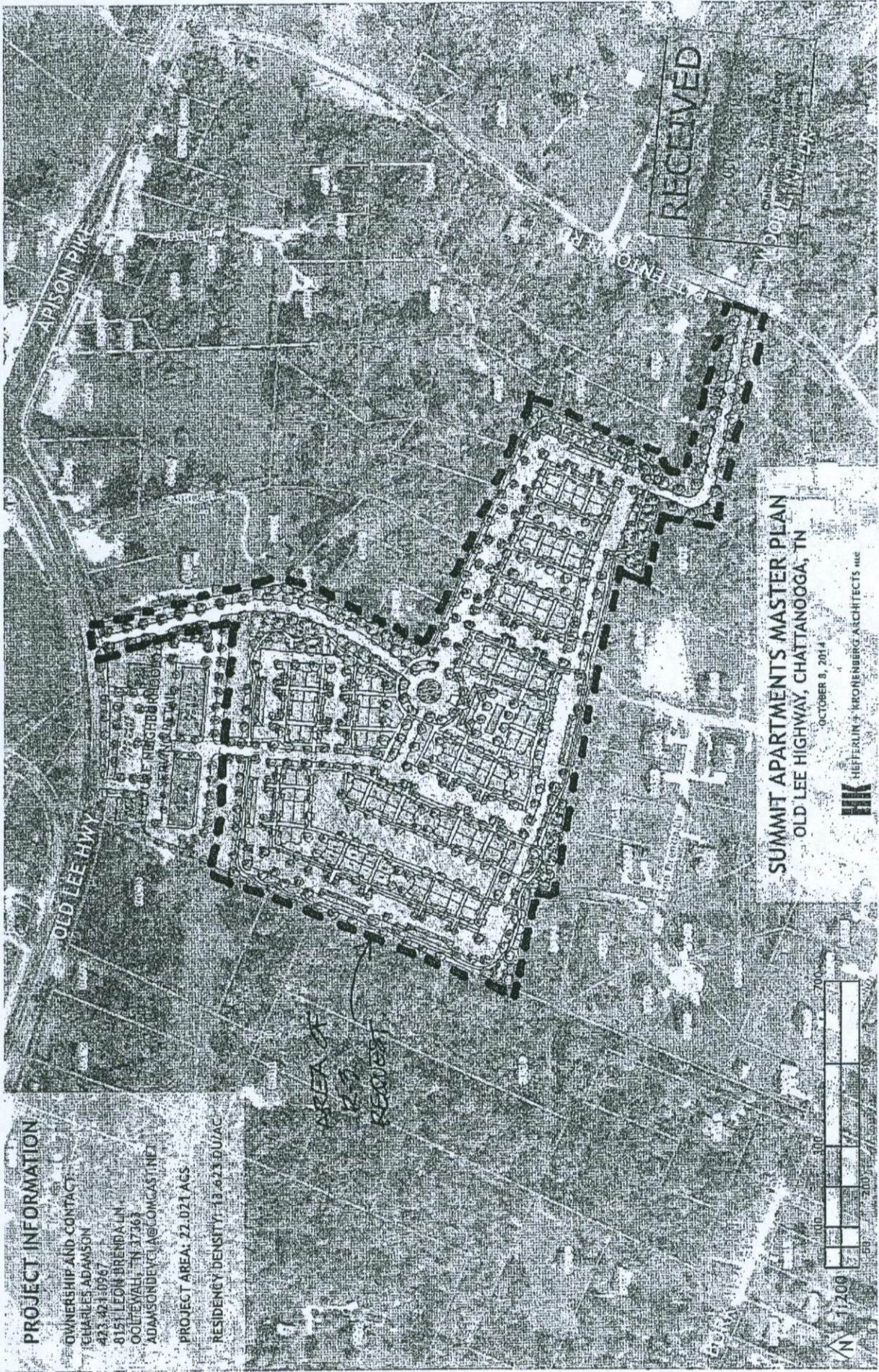
HK HEFFERLIN + KRONENBERG ARCHITECTS LLC

RECEIVED

OCT 16 2014

Chattanooga Hamilton County
 Regional Planning Agency
 Development Services

FUTURE DEVELOPMENT PLAN - Shows additional areas being planned by the applicant



PROJECT INFORMATION

OWNERSHIP AND CONTACT

CHARLES ADAMSON
423.421.0967
8151 LEON BRENDALIN
OOLTEWALL, TN 37363
ADAMSONDEVCO@COMCAST.NET

PROJECT AREA: 22.021 ACS

RESIDENCY DENSITY: 13.623 DU/AC

AREA OF
REQUIREMENT

RECEIVED

SUMMIT APARTMENTS MASTER PLAN
OLD LEE HIGHWAY, CHATTANOOGA, TN

OCTOBER 9, 2014

HEFFERLIN + KRONENBERG ARCHITECTS LLC



APPLICANT'S SITE PLAN

SUMMIT APARTMENTS

SITE AREA: 22.021 ACS
 UNITS ALLOWED: 457
 UNITS PROVIDED: 500
 DENSITY ALLOWED: 22.57 DU/AC
 DENSITY PROVIDED: 22.623 DU/AC
 PROJECT AREA

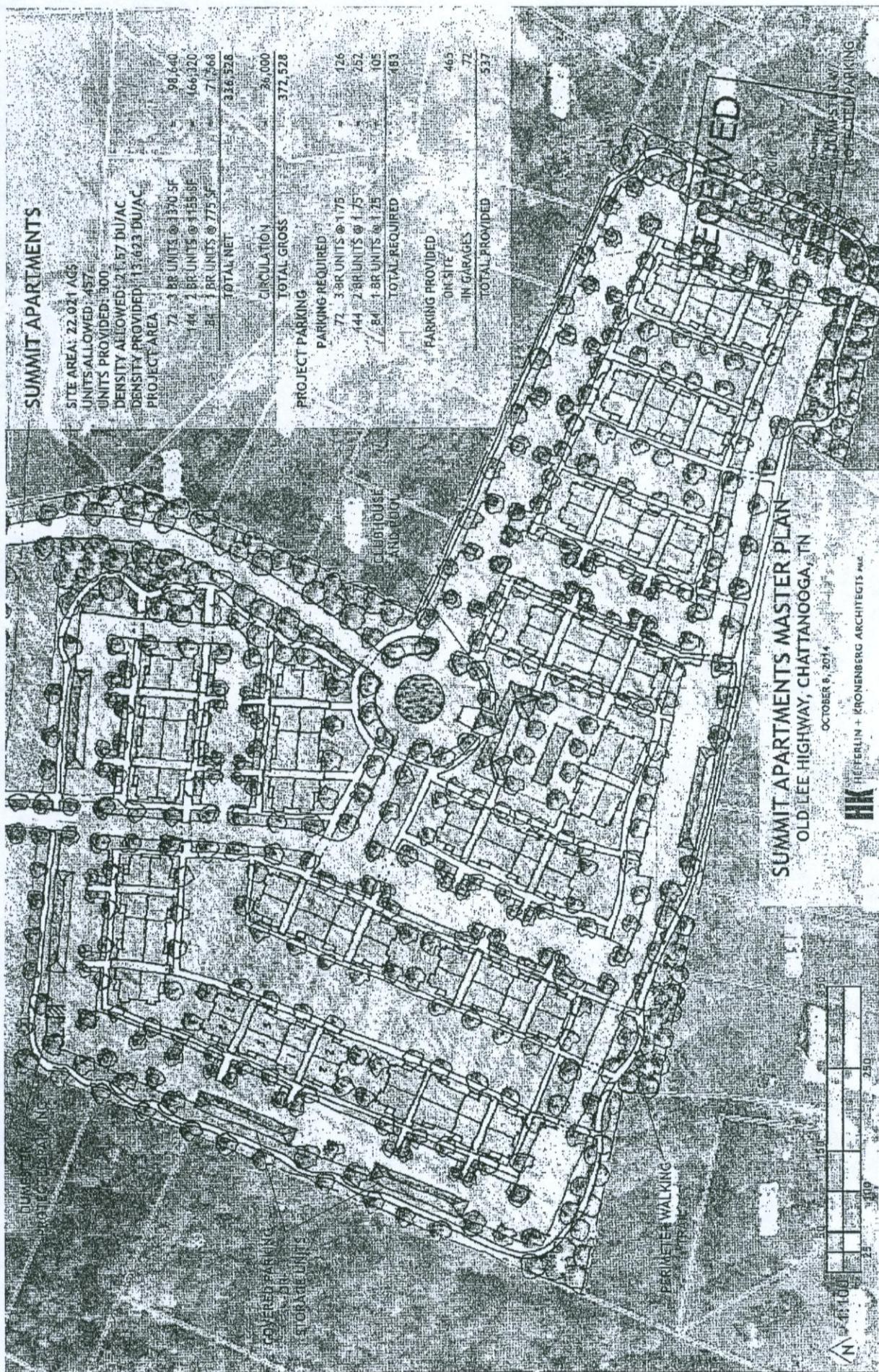
72 3 BR UNITS @ 1370 SF 98,640
 144 2 BR UNITS @ 1155 SF 166,320
 84 1 BR UNITS @ 775 SF 65,160
TOTAL NET 316,528

CIRCULATION 26,000
TOTAL GROSS 372,528

PROJECT PARKING

PARKING REQUIRED
 72 3 BR UNITS @ 1.75 = 126
 144 2 BR UNITS @ 1.75 = 252
 84 1 BR UNITS @ 1.75 = 147
TOTAL REQUIRED 525

PARKING PROVIDED
 ON SITE 465
 IN GARAGES 72
TOTAL PROVIDED 537



SUMMIT APARTMENTS MASTER PLAN
 OLD LEE HIGHWAY, CHATTANOOGA, TN

OCTOBER 8, 2014

HK HOFFERLIN + KRONENBERG ARCHITECTS, P.C.

APPLICANT SITE PLAN / 10-8-14

PROJECT INFORMATION

OWNERSHIP AND CONTACT:

CHARLES ADAMSON

243.424.0867

8151 LEON BRENDA LN

COLEMAN, TN 37363

ADAMSONDEVCL@COMCAST.NET

PROJECT AREA 22.021 ACS

RESIDENCY DENSITY: 13.623 DU/AC

FOREST BUFFER PLAN

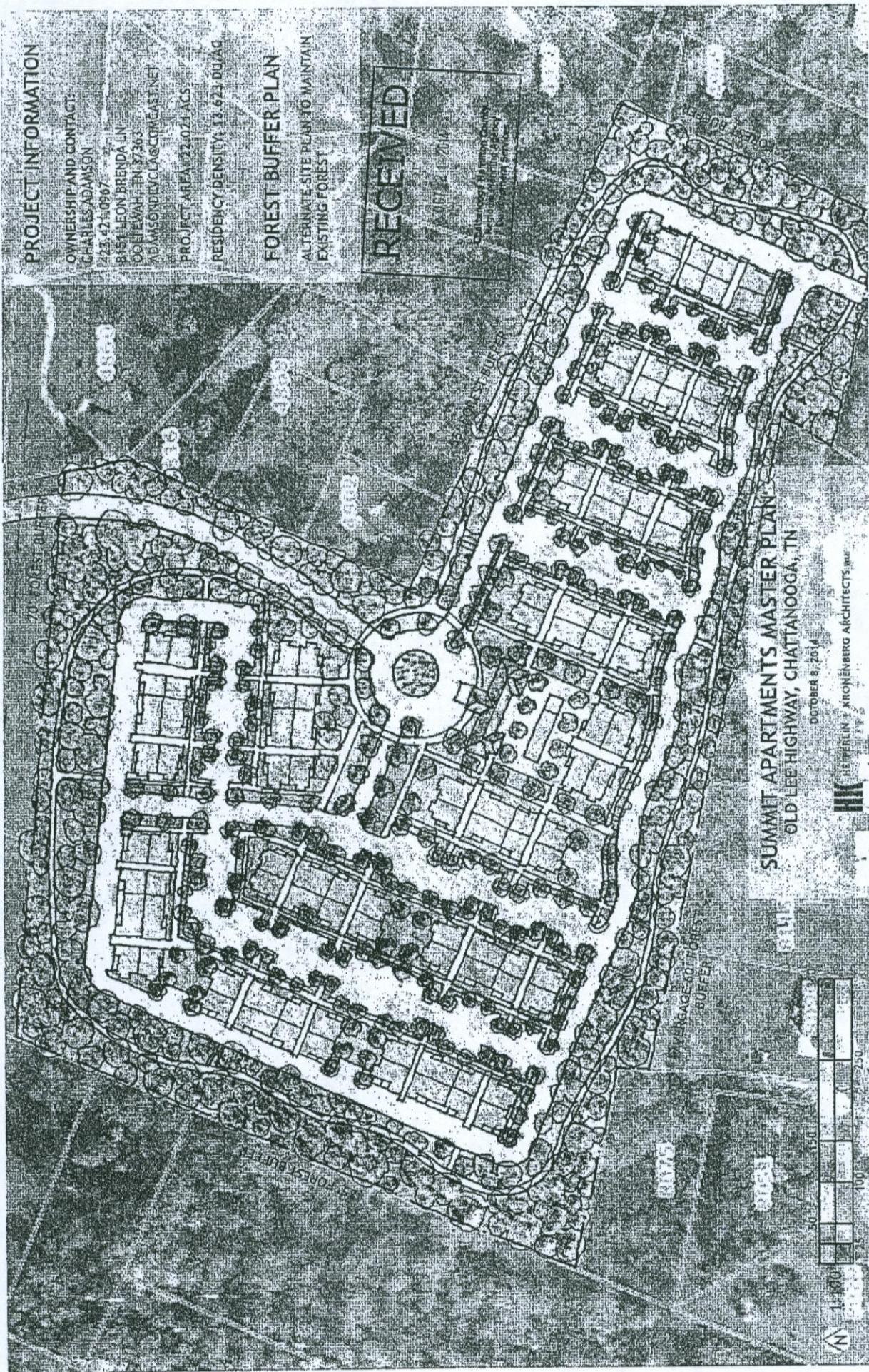
ALTERNATE SITE PLAN TO MAINTAIN

EXISTING FOREST

RECEIVED

NOV 11 2014

City of Chattanooga
Public Works Department
City Services

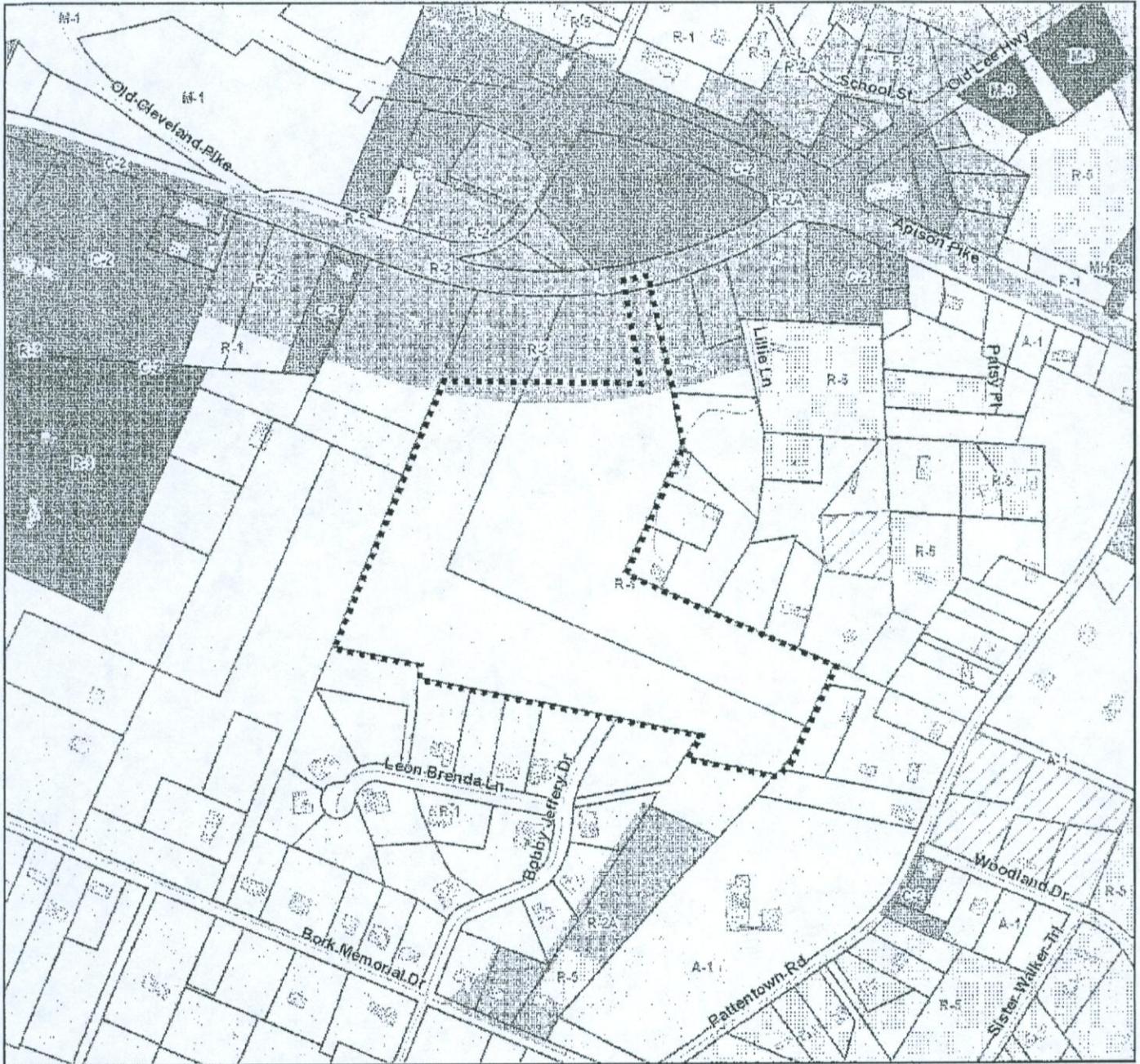


SUMMIT APARTMENTS MASTER PLAN
OLD LEE HIGHWAY, CHATTANOOGA, TN

OCTOBER 8, 2014

HEFFLIN & KRONBERG ARCHITECTS, INC.

APPLICANT SITE PLAN / 10-21-14
This revised version shows more landscape buffering around the exterior.



2014-124 Rezoning from R-1 and R-2 to R-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-124:

Approve



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 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