

First Reading: _____
Second Reading: _____

2015-039
City of Chattanooga/RPA and
Johnston Southern Company, LLC
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 9337 AND 9339 BRADMORE LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM TEMPORARY C-2 CONVENIENCE COMMERCIAL ZONE TO A PERMANENT ZONE PER CITY CODE, ARTICLE XII, SECTION 38-653 PLANNING COMMISSION ZONING PLAN TO ESTABLISH PERMANENT ZONES FOR AREA ANNEXED AS IDENTIFIED IN ORDINANCE NO. 12897 ADOPTED JANUARY 20, 2015, BY CITY COUNCIL.

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 9337 and 9339 Bradmore Lane, more particularly described herein:

Being a portion of Lots 6 & 7, Cambridge Square as shown in Plat Book 99, Page 189, ROHC, beginning at the northern most corner of Lot 7, at the eastern ROW (right-of-way) of Ooltewah-Georgetown Road, thence along northern line of Lot 7 South 66 degrees 37 minutes 40 seconds East, a distance of 79.44 feet to the common corner of Lots 6 & 7, thence along the northern line of Lot 6 South 66 degrees 37 minutes 40 seconds East, a distance of 137.0 feet to the eastern most corner of Lot 6; thence along the eastern line of Lot 6 South 23 degrees 10 minutes 27 seconds West, a distance of 80 feet more or less to a point in the current Chattanooga and Hamilton County annexation limit line; thence

along the current limit line North 66 degrees 37 minutes 40 seconds West, a distance of 137 feet more or less to a point in the common line of Lots 6 & 7; thence continuing along said existing limit line North 66 degrees 37 minutes 40 seconds West, a distance of 80 feet more or less to a point at the eastern ROW of Ooltewah-Georgetown Road; thence along said eastern line North 23 degrees 48 minutes 11 seconds East, a distance of 80 feet more or less, to the point of beginning. Tax Map Nos. 132H-A-001.04 and 132H-A-001.08.

and as shown on the maps attached hereto and made a part hereof by reference, from Temporary C-2 Convenience Commercial Zone to a Permanent Zone per City Code, Article XII, Section 38-653 Planning Commission Zoning Plan to establish permanent zones for area annexed as identified in Ordinance No. 12897 adopted January 20, 2015, by City Council.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved for UGC Urban General Commercial Zone.

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

2015-039 City of Chattanooga
March 9, 2015

RESOLUTION

WHEREAS, City of Chattanooga/RPA & Johnston Southern Company, 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 Temporary C-2 Convenience Commercial Zone to a Permanent Zone per City Code, Article XII, Section 38-653 Planning Commission Zoning Plan To Establish permanent zones for area annexed as identified in Ordinance #12897, adopted 1/20/15 by City Council, properties located at 9337 & 9339 Bradmore Lane.

Being a portion of Lots 6 & 7, Cambridge Square as shown in Plat Book 99, Page 189, ROHC, beginning at the northern most corner of Lot 7, at the eastern ROW (right-of-way) of Ooltewah-Georgetown Road, thence along northern line of Lot 7 South 66 degrees 37 minutes 40 seconds East, a distance of 79.44 feet to the common corner of Lots 6 & 7, thence along the northern line of Lot 6 South 66 degrees 37 minutes 40 seconds East, a distance of 137.0 feet to the eastern most corner of Lot 6; thence along the eastern line of Lot 6 South 23 degrees 10 minutes 27 seconds West, a distance of 80 feet more or less to a point in the current Chattanooga and Hamilton County annexation limit line; thence along the current limit line North 66 degrees 37 minutes 40 seconds West, a distance of 137 feet more or less to a point in the common line of Lots 6 & 7; thence continuing along said existing limit line North 66 degrees 37 minutes 40 seconds West, a distance of 80 feet more or less to a point at the eastern ROW of Ooltewah-Georgetown Road; thence along said eastern line North 23 degrees 48 minutes 11 seconds East, a distance of 80 feet more or less, to the point of beginning. Tax Maps 132H-A-001.04 and 132H-A-001.08.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 9, 2015,

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 March 9, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved for **UGC Urban General Commercial Zone**.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

| | | | |
|---|---|---|--|
| CASE NUMBER: | 2015-039 | Date Submitted: | 1-29-2015 |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | |
| 1 Applicant Request | | | |
| Zoning | From: Temporary C-2 | To: Permanent | |
| Total Acres in request area: .39 | | | |
| 2 Property Information | | | |
| Property Address: | 9337 & 9339 Bradmore Lane | | |
| Property Tax Map Number(s): | 132H-A-001.04 & 001.08 | | |
| 3 Proposed Development | | | |
| Reason for Request and/or Proposed Use: | Per City Code, Art XII, Sec. 38-653 Planning Commission Zoning Plan To Establish permanent zones for area annexed as identified in Ordinance #12897, adopted 1/20/15 by City Council. | | |
| 4 Site Characteristics | | | |
| Current Zoning: | Temporary Zone "C-2 Convenience Commercial Zone" | | |
| Current Use: | | | |
| 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: City of Chattanooga/RPA | | Address: 1250 Market Street Suite 2000 | |
| 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: 37402 | Email: |
| Phone 1: 423-643-5902 | Phone 2: | Phone 3: | Fax: |
| 6 Property Owner Information (if not applicant) | | | |
| Name: Johnston Southern Company, LLC | | Phone: | |
| Address: | | | |
| Office Use Only: | | | |
| Planning District: 6 | Neighborhood: CNAC, FDEB, Ooltewah James County | | |
| Hamilton Co. Comm. District: 9 | Chatt. Council District: 6 | 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: .39 | <input checked="" type="checkbox"/> Deeds | <input checked="" type="checkbox"/> Plats, if applicable |
| Deed Book(s): 10111-139 | | | |
| Plat Book/Page: 99-189 | | Notice Signs: | Number of Notice Signs: 0 |
| Filing Fee: N/C | Cash | Check | Check Number: |
| Planning Commission meeting date: 3-09-2015 | | Application processed by: Marcia Parker | |

PLANNING COMMISSION CASE REPORT

Case Number: 2015-039

PC Meeting Date: 03-09-15

Applicant Request**Temporary C-2 Convenience Commercial to a Permanent Zoning Classification**

| | |
|--------------------|---|
| Property Location: | 9337 & 9339 Bradmore Lane |
| Property Owner: | Johnston Southern Company |
| Applicant: | No Applicant/ Required by Chattanooga City Code |

Project Description

- This property is already a part of the Cambridge Square mixed-use development.
- The purpose of this rezoning case is to establish permanent zones for an area annexed into the City of Chattanooga by the City Council (Ordinance 12897) per Chattanooga City Code, Article XII, Section 38-653, Planning Commission Zoning Plan.

Site Analysis**Site Description**

- The 0.39-acre site is located at the west entrance of the Cambridge Square mixed-use development complex on the east side of Ooltewah-Georgetown Road approximately 460 feet north of the Lee Highway intersection.

Zoning History

- This property was recently annexed into the City of Chattanooga at the request of the property owner.
- Within 90 days of the effective date of the annexation (January 20, 2015), Section 38-653 of the Zoning Ordinance requires that the Planning Commission recommend a permanent zoning classification to the City Council.
- The site is temporarily zoned C-2 Convenience Commercial as required by the Chattanooga Zoning Ordinance, Section 38-651.
- The adjacent zoning to the south is UGC Urban General Commercial Zone and is part of the Cambridge Square development.
- The zone across Ooltewah-Georgetown Road to the west is C-2 Convenience Commercial and an A-1 Agricultural District is to the north.

Plans/Policies

- The Wolftever Creek Area Plan (adopted by City Council in 2007) supports commercial uses at this location.

Key Findings

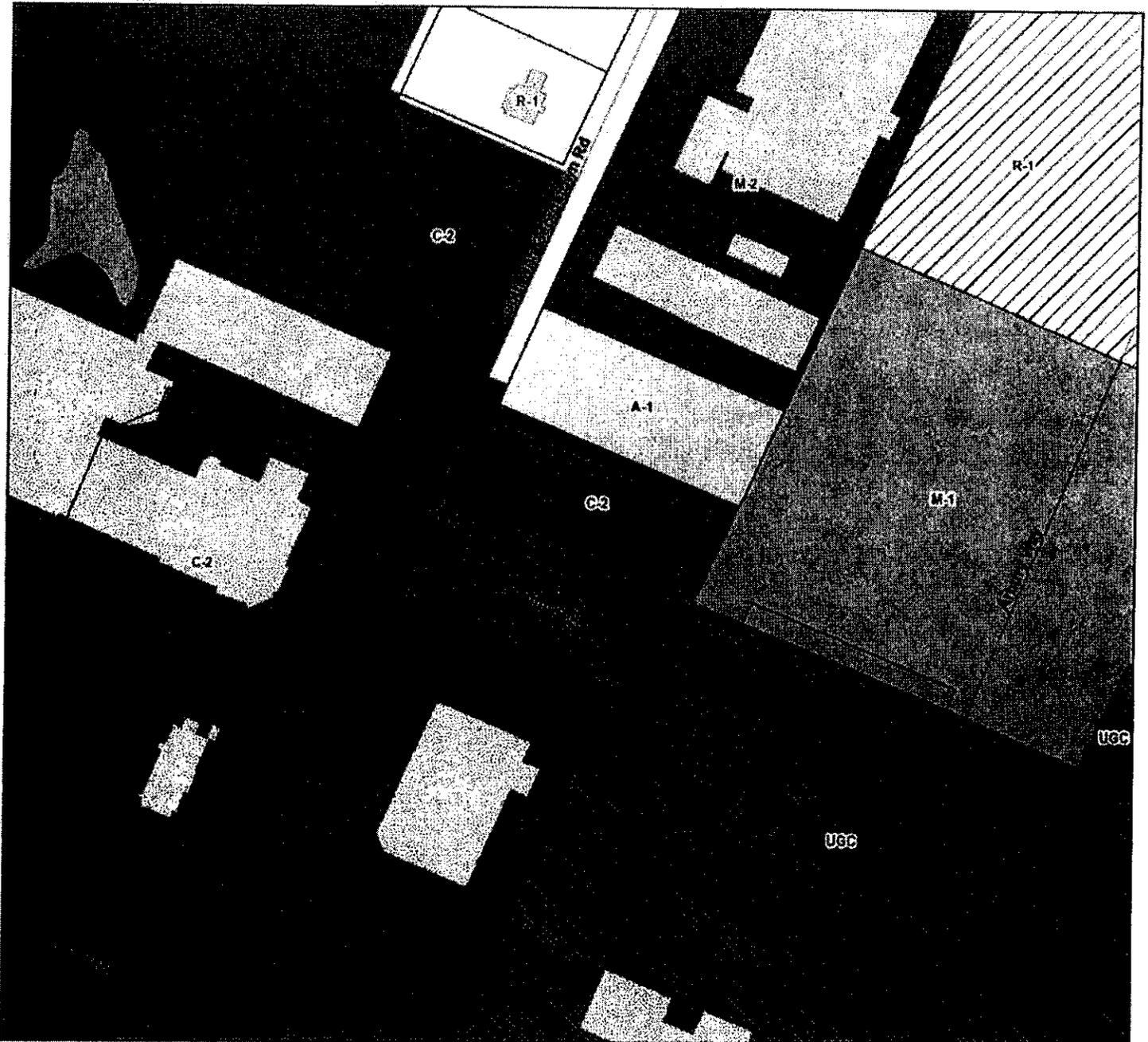
- Mixed-use development is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed mixed-use is consistent with surrounding uses.
- The UGC Urban General Commercial Zone would allow the development form of these two parcels to be consistent with the development form of the rest of the Cambridge Square project.
- The UGC Urban General Commercial Zone would be an extension of an existing zone.
- The UGC Urban General Commercial Zone would set a precedent for future requests.

Staff Recommendation

UGC Urban General Commercial Zone

Planning Commission Recommendation

UGC Urban General Commercial Zone



2015-039 Rezoning from Temporary C-2 to Permanent Zone

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-039:
Approve UGC Urban General Commercial Zone.

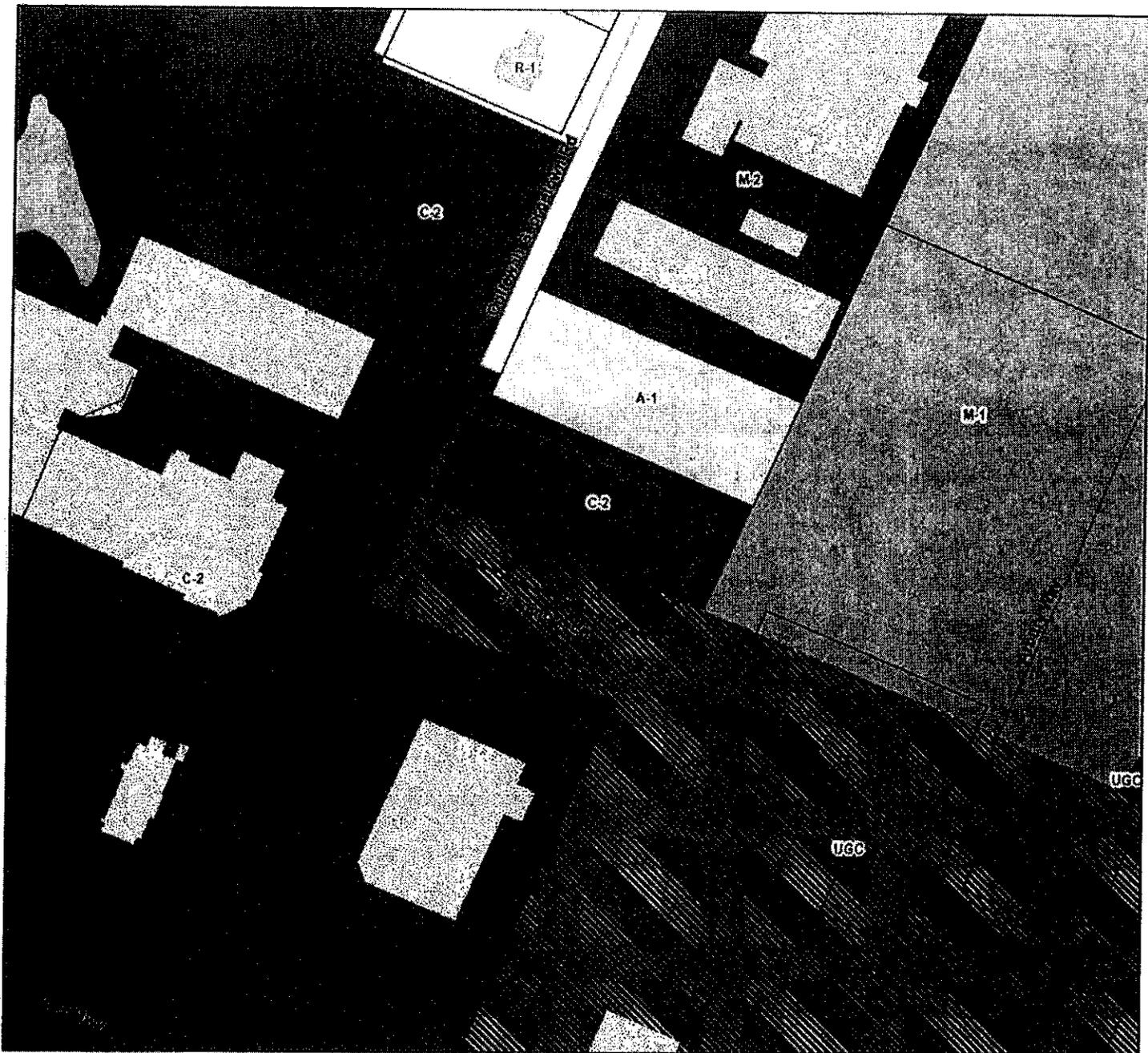


131 ft



Chattanooga Hamilton County Regional Planning Agency





2015-039 Rezoning from Temporary C-2 to Permanent Zone



Chattanooga Hamilton County Regional Planning Agency



121 ft



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 denied:

2015-028 Fred Ervin and W.C. Hunter. 3525 Garner Road, from R-1 Residential Zone to R-3 Residential Zone.

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

2015-033 Passpointe Engineering/Jan Pass and JJMP GP/Jasmin Patel. 216 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-034 Julie Gardenhire and Betty Silvers. 7104 Bonny Oaks Drive, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

2015-035 Skip Pond and Alfred Jayne. 941 McCallie Avenue, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions.

2015-038 Gabe Thomas of Collier Construction and Tammy Development Company, LLC (Hickory Land). 3100 Saint Elmo Avenue, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone and UGC Urban General Commercial Zone, subject to certain conditions.

2015-039 City of Chattanooga/RPA and Johnston Southern Company, LLC. 9337 and 9339 Bradmore Lane, from Temporary C-2 Convenience Commercial Zone to a Permanent Zone per City Code, Article XII, Section 38-653 Planning Commission Zoning Plan to establish permanent zones for area annexed as identified in Ordinance No. 12897, adopted January 20, 2015, by City Council.

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) Deleting Item (18) in its entirety in Section 38-121 (R-4 Special Zone), Permitted Uses, and renumber the remaining items in numerical order.
- (b) Deleting Item (9) in its entirety in Section 38-171 (O-1 Office Zone), Permitted Uses, and deleting Item (12) in its entirety and renumber the remaining items in numerical order.
- (c) Deleting the last paragraph of Article V, Division 15, C-3 Central Business Zone, Section 38-228(1) and substituting in lieu thereof.
- (d) Adding a second paragraph to Article VIII, Section 38-565, Notices.

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,

April 14, 2015

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 _____, 2015.

Nicole Gwyn
Clerk to the City Council