

First Reading: _____
Second Reading: _____

2015-038
Gabe Thomas of Collier Construction
Tammy Development Company, LLC
(Hickory Land)
District No. 7
Planning Version #3

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3100 SAINT ELMO AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, 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.

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 3100 Saint Elmo Avenue, more particularly described herein:

M-1 to R-T/Z: Beginning at the southwest corner of Tax Map 155F-A-009 and going parallel with Chattanooga Creek 484.56 feet in a northeasterly direction, thence 133 feet northeast, thence 74 feet northeast, thence 306.26 feet in a northeasterly direction, thence 496.51 feet southwest, thence 104.52 feet west, thence 472.35 feet southwest, thence 302.29 feet northwest to the point of beginning, being part of the property described Deed Book 6545, Page 608, ROHC. Tax Map 155F-A-009 (Part) as shown on the attached map.

M-1 to UGC: Beginning at the northeast corner of Tax Map 155F-A-009 and going 225.55 southwest, thence 100.00 feet southeast, thence 331.62 feet southwest, thence 466.49 feet northeast, thence 164.42 feet in a northeasterly direction, thence 47.99 feet in a northeasterly direction to the point of beginning; along with an additional portion of the property beginning at the southeastern corner of Tax Map 155F-A-009 and going thence 91.21 feet northwest, thence 472.35 feet northeast, thence 86.21 feet east, thence 15.7 feet southwest, thence 505.75 feet southwest to the point of beginning, being parts of the property described Deed Book 6545, Page 608, ROHC. Tax Map 155F-A-009 (Part) as shown on the attached map.

and as shown on the maps attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone and UGC Urban General Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to which the impervious surfaces shall not be permitted within the 100-year floodplain:

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: _____

2015-038
Gabe Thomas of Collier Construction
Tammy Development Company, LLC
(Hickory Land)
District No. 7
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3100 SAINT ELMO AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE AND UGC URBAN GENERAL COMMERCIAL 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 property located at 3100 Saint Elmo Avenue, more particularly described herein:

M-1 to R-T/Z: Beginning at the southwest corner of Tax Map No. 155F-A-009 and going parallel with Chattanooga Creek 484.56 feet in a northeasterly direction, thence 133 feet northeast, thence 74 feet northeast, thence 293.77 feet in a northeasterly direction, thence 453.12 feet southwest, thence 108.64 feet west, thence 501.49 feet southwest, thence 285.13 feet northwest to the point of beginning, being part of the property described Deed Book 6545, Page 608, ROHC. Tax Map No. 155F-A-009 (Part).

M-1 to UGC: Beginning at the northeast corner of Tax Map No. 155F-A-009 and going 225.55 southwest, thence 100.00 feet southeast, thence 382.29 feet southwest, thence 505.75 feet in a southwest, thence 108.37 feet northwest, thence 501.49 feet northeast, thence 108.64 feet in a east, thence 453.12 feet northeast, thence 224.91 feet in a northeasterly direction. Tax Map No. 155F-A-009 (Part).

and as shown on the maps attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone and UGC Urban General 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

2015-038 City of Chattanooga
March 9, 2015

RESOLUTION

WHEREAS, Gabe Thomas of Collier Construction & Tammy Development Company, LLC (Hickory Land) 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 to R-T/Z Residential Townhouse/Zero Lot Line Zone & UGC Urban General Commercial Zone, property located at 3100 Saint Elmo Avenue.

M-1 to R-T/Z: Beginning at the southwest corner of Tax Map 155F-A-009 and going parallel with Chattanooga Creek 484.56 feet in a northeasterly direction, thence 133 feet northeast, thence 74 feet northeast, thence 293.77 feet in a northeasterly direction, thence 453.12 feet southwest, thence 108.64 feet west, thence 501.49 feet southwest, thence 285.13 feet northwest to the point of beginning, being part of the property described Deed Book 6545, Page 608, ROHC. Tax Map 155F-A-009 (Part) as shown on the attached map.

M-1 to UGC: Beginning at the northeast corner of Tax Map 155F-A-009 and going 225.55 southwest, thence 100.00 feet southeast, thence 382.29 feet southwest, thence 505.75 feet in a southwest, thence 108.37 feet northwest, thence 501.49 feet northeast, thence 108.64 feet in a east, thence 453.12 feet northeast, thence 224.91 feet in a northeasterly direction. Tax Map 155F-A-009 (Part) as shown on the attached map.

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, subject to impervious surfaces shall not be permitted within the 100-year floodplain.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-038	Date Submitted:	01-26-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: M-1	To: R-T/Z & UGC	
Total Acres in request area: 7.572			
2 Property Information			
Property Address:	3100 St Elmo Avenue		
Property Tax Map Number(s):	155F-A-009		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Single Family Homes, Townhomes, & mixed use building		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Vacant		
Adjacent Uses:	M-1		
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: Gabe Thomas/Collier Construction		Address: 1161 East Main Street	
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: 37408	Email: gabe@collierbuild.com
Phone 1: 423-265-0110	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Tammy Development Company, LLC (Hickory Land)		Phone: 423- 664-4205, Jim Hudson, III	
Address: 5959 Shallowford Road, Suite 433, Chattanooga, TN 37421			
Office Use Only:			
Planning District: 8A		Neighborhood: CNAC, South Broad Redevelopment, Alton Park	
Hamilton Co. Comm. District: 6	Chatt. Council District: 7	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: 7.572	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 6545-608			
Plat Book/Page: 5-54		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 705.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 4457
Planning Commission meeting date: 3-9-2015		Application processed by: Marcia Parker	

PLANNING COMMISSION CASE REPORT

Case Number: 2015-038

PC Meeting Date: 03-09-15

Applicant Request**M-1 Manufacturing to R-T/Z Residential Townhouse Zero Lot Line Zone & UGC Urban General Commercial Zone**

Property Location:	3100 St Elmo Avenue
Property Owner:	Tammy Development Company, LLC (Hickory Land)
Applicant:	Gabe Thomas/Collier Construction

Project Description

- The applicant proposes to develop the 7.5-acre site with 29 single-family homes, 20 three-story townhomes, a three-story mixed-use building, and sidewalks.
- The mixed use building is proposed to have commercial uses on the ground floor and apartment units on the 2nd and 3rd floors.

Site Analysis**Site Description**

- The 7.5-acre vacant site is located on the north end of St. Elmo Avenue at the intersection of West 31st Street behind the old Southern Saddlery Building on South Broad Street.
- Chattanooga Creek borders the site on the north and west. Just beyond the creek, to the north and west, are a railroad and the former U.S. Pipe/Wheland property.
- A portion of the site is located in the 100-year floodplain, but the proposed building locations are not within the 100-year floodplain.
- Access: Currently, access to the site is from St. Elmo Avenue.
- Development form: This site is located within the Urban Overlay Zone. There is a mixture of one, two, and four story buildings located to the east across the street from the site.
- Land Uses: All of the land uses within the immediate vicinity of the site are non-residential: offices, retail, restaurants, and warehousing.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- All properties within a 1,000 foot radius are also zoned M-1 Manufacturing.
- The nearest UGC Zone and other residential zones (R-3 Residential) are located approximately 1,000 feet to the north on the other side of Chattanooga Creek.
- 2007- A request was made in 2007 to rezone the site to R-3 Residential (2007-077). The RPA staff recommended approval of the UGC Urban General Commercial Zone instead. The request was deferred for several months by the Planning Commission and was finally withdrawn by the applicant before final Planning Commission action.

Plans/Policies/Regulations

- The M-1 Manufacturing Zone permits most non-residential uses and prohibits residential uses.
- The UGC Urban General Commercial Zone permits commercial uses and residential uses. However, single-family detached dwellings and two-family residences are not permitted. The R-T/Z Residential Townhouse Zero Lot Line Zone permits single-family detached dwellings with a maximum density of 12 dwelling units per acre, if in the Urban Overlay Zone.
- The South Broad Redevelopment Plan (adopted by City Council in 2003) recommends mixed-use development for this area to include commercial, office, and residential uses with sidewalk connections.
- The South Broad Redevelopment Plan also recommends "conserving the creek areas with tree buffers and green space. Consider a Resource Conservation Zone that addresses flood plains, slopes and other sensitive natural features."

PLANNING COMMISSION CASE REPORT

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area as it includes a mix of residential and commercial uses.
- The proposed use is compatible with surrounding uses.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would not be an extension of an existing zone, however the South Broad Redevelopment Plan recommended new zoning for the entire area to support the community's vision for a more urban, walkable district.
- The proposal would set a precedent for future requests.

Staff Recommendation

Approve, subject to impervious surfaces shall not be permitted within the 100-year floodplain.

Planning Commission Recommendation

Approve, subject to impervious surfaces shall not be permitted within the 100-year floodplain.



2015-038 Rezoning from M-1 to R-T/Z and UGC

Per Site Plan Submitted 04/27/2015

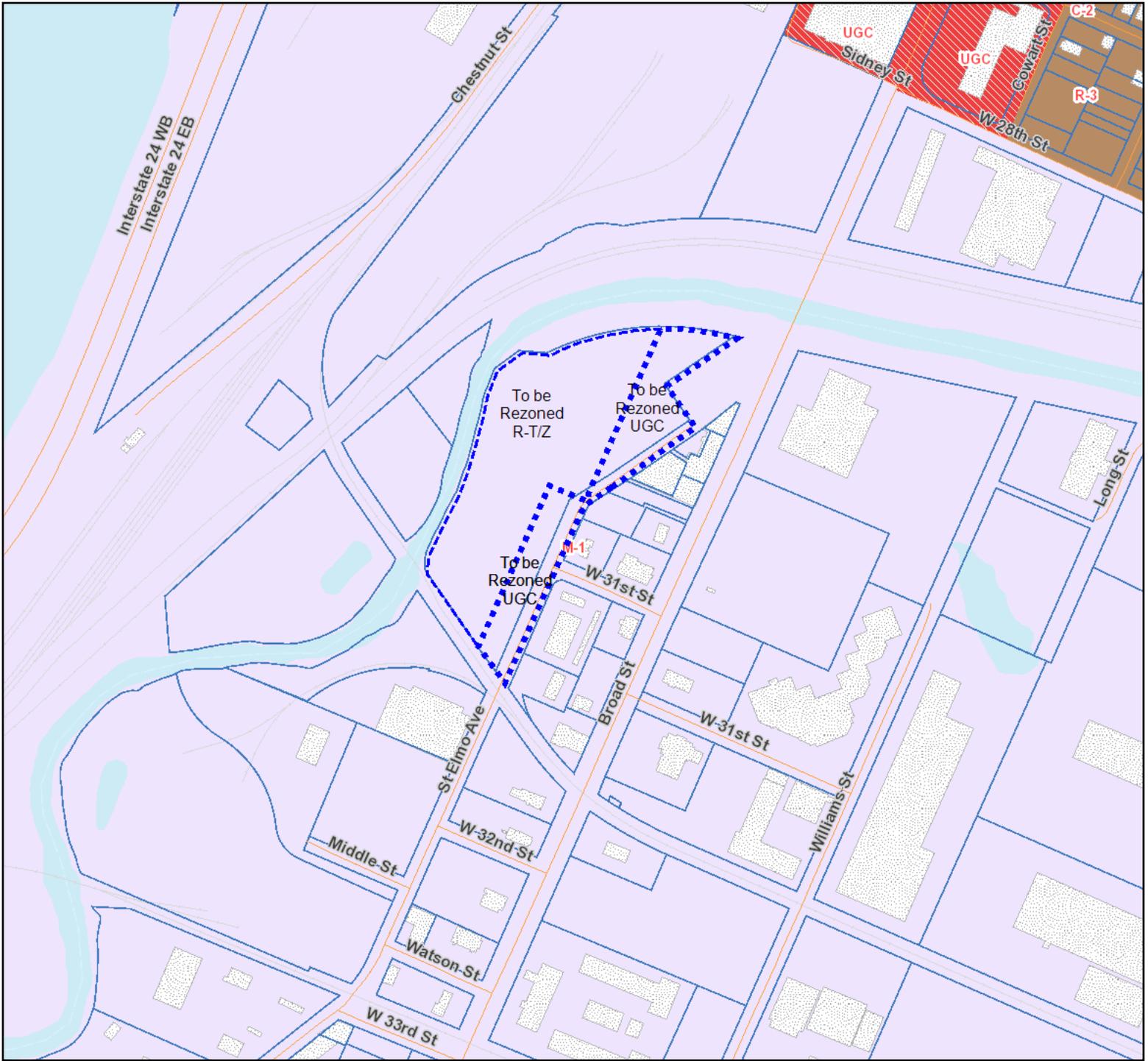


379 ft



Chattanooga Hamilton County Regional Planning Agency





2015-038 Rezoning from M-1 to R-T/Z and UGC

Per Site Plan Submitted 04/27/2015



379 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 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