

First Reading: _____
Second Reading: _____

2015-057
Becky Lockwood and Diantha Swift
District No. 6
Alternate Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2211 AND 2217 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE 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 2211 and 2217 Hickory Valley Road, more particularly described herein:

Two unplatted tracts of land located at 2211 and 2217 Hickory Valley Road, being the properties described in Deed Book 10336, Page 215, ROHC, and Deed Book 10267, Page 138, ROHC. Tax Map Nos. 148D-D-023 and 148D-D-024.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved

subject to the following conditions:

- 1) Retention of existing buildings on the site;
- 2) No dumpsters permitted;
- 3) Signs incident to the permitted uses, except that only one (1) monument type sign shall be permitted for each structure, which sign shall be set back ten (10) feet from any property line. The sign shall not exceed forty-eight (48) square feet in area and shall not be more than four (4) feet in height. If illuminated, the sign shall be indirectly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted, and no internally illuminated signs shall be permitted;
- 4) No surface parking shall be permitted between the structure and the primary street. Paving of the area between the structure and the primary street shall be limited only to approve access drives; and
- 5) All exterior lighting shall be residential type and style. No commercial fixtures shall be allowed. If residential style fixtures are mounted on single posts, then no posts shall be more than six (6) feet in height.

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: _____

2015-057
Becky Lockwood and Diantha Swift
District No. 6
Planning 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 O-1 Office Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to buildings maintaining a residential character/appearance.

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: _____

2015-057
Becky Lockwood and Diantha Swift
District No. 6
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2211 AND 2217 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE, SUBJECT TO CERTAIN CONDITIONS.

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Two unplatted tracts of land located at 2211 and 2217 Hickory Valley Road, being the properties described in Deed Book 10336, Page 215, ROHC, and Deed Book 10267, Page 138, ROHC. Tax Map Nos. 148D-D-023 and 148D-D-024.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to use of existing buildings only.

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: _____

2015-057
Becky Lockwood and Diantha Swift
District No. 6
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 2211 AND 2217 HICKORY VALLEY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL 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 2211 and 2217 Hickory Valley Road, more particularly described herein:

Two unplatted tracts of land located at 2211 and 2217 Hickory Valley Road, being the properties described in Deed Book 10336, Page 215, ROHC, and Deed Book 10267, Page 138, ROHC. Tax Map Nos. 148D-D-023 and 148D-D-024.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special 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

2015-057 City of Chattanooga
April 13, 2015

RESOLUTION

WHEREAS, Becky Lockwood & Diantha Swift 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 R-4 Special Zone, properties located at 2211 & 2217 Hickory Valley Road.

Two unplatted tracts of land located at 2211 and 2217 Hickory Valley Road, being the properties described in Deed Book 10336, Page 215, ROHC, and Deed Book 10267, Page 138, ROHC. Tax Maps 148D-D-023 and 148D-D-024 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 13, 2015,

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 April 13, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for the R-4 Special Zone request and recommend an O-1 Office Zone, subject to buildings maintaining a residential character/appearance.

Respectfully submitted,


John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2015-057

PC Meeting Date: 04-13-15

Applicant Request**Rezone from R-1 Residential Zone to R-4 Special Zone**

Property Location:	2211 and 2217 Hickory Valley Road
Property Owner:	Diantha Swift
Applicant:	Becky Lockwood

Project Description

- Use existing two residential structures on a combined 4.6-acre site for office and/or residential uses.
- Site plan shows a separate ingress/egress drive for each building.

Site Analysis**Site Description**

- The 4.6-acre site is located on the west side of Hickory Valley Road approximately 1,200 feet north of the intersection with Lee Highway.
- Tennessee Department of Transportation Functional Classification: Urban Minor Arterial.
- Access: Currently, access to the site is from Hickory Valley Road.
- Development form: The site contains two large lots. Parcel 148D-D-023 has 190 feet of road frontage and is 645 feet deep. Parcel 148D-D-024 has 110 feet of road frontage and is 640 feet deep. Adjacent lots to the north and south have similar dimensions.
- Land Uses: North- adjacent property on the north side is a 2.3-acre vacant site; East- Two large commercial buildings with loading areas and dumpster facing Hickory Valley Road; South- church and school; West- Single-family homes fronting on Beeler Avenue abut at the rear.
- Density: Average residential density on Beeler Avenue is 2.1 dwelling units per acre.

Zoning History

- The site is currently zoned R-1 Residential.
- The zoning of the adjacent properties are as follows: North- RT-1 Residential Townhouse Zone; East- (across Hickory Valley Road) C-2 Convenience Commercial; South and West- R-1 Residential.
- The nearest R-4 Special Zone is approximately 170 feet to the north.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The requested R-4 Special Zone allows single-family homes, duplexes, multi-family residential (apartments), lodging house, bed and breakfast uses, offices, banks, and other similar uses.
- The Shallowford Road-Lee Highway Area Plan (adopted by City Council in 2005) recommends office and residential uses compatible to the surrounding neighborhood.

Key Findings

- The proposal is supported by the adopted Land Use Plan for the area.
- The proposal to use the existing buildings is consistent with the development form of the area.
- The proposal would not be an extension of an existing zone, however, there is R-4 zoning to the north and south of the site along Hickory Valley Road.
- The applicant is encouraged to meet with the Land Development Office before increasing the amount of impervious surface on the site.

Staff Recommendation

Approval, subject to use of existing buildings only.

Planning Commission Recommendation

Deny R-4 Special Zone. Approve O-1 Office Zone, subject to buildings maintaining a residential character/appearance. Note: There was opposition present at the Planning Commission meeting.

ZONING APPLICATION FORM

CASE NUMBER:	2015-057	Date Submitted:	2/23/15
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-1	To: R-4	
Total Acres in request area: 4.64 Acres			
2 Property Information			
Property Address:	2211 and 2217 Hickory Valley Road		
Property Tax Map Number(s):	148D-D-023 and 148D-D-024		
3 Proposed Development			
Reason for Request and/or Proposed Use:	- Combine two adjoining properties - To allow for commercial office rental		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Residential		
Adjacent Uses:	Church, commercial, residential, vacant lot		
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: Becky Lockwood		Address: 2125 Hickory Valley Road	
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: 37421	Email: bjlockwood@comcast.net
Phone 1: 443-7321	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Diantha Swift		Phone: (w) 301-562-2722 (C) 240-848-2722	
Address: 6905 Stonewood Court. Rockville, Md 20852			
Office Use Only:			
Planning District: 6		Neighborhood: CNAC / Friends of East Brainerd / Brainerd-East Brainerd Chamber	
Hamilton Co. Comm. District: 5		Chart. 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"/>	Deeds
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Total Acres to be considered: 4.64
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Notice Signs
Deed Book(s): 10836-215 & 10267-138		Number of Notice Signs: 1	
Plat Book/Page: NR		<input checked="" type="checkbox"/>	Check Number: 827
<input checked="" type="checkbox"/>	Filing Fee: \$635.00	<input checked="" type="checkbox"/>	Cash
Planning Commission meeting date: 4-13-15		Application processed by: Trevor Slayton	



2015-057 Rezoning from R-1 to R-4

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-057:
 Approve O-1 Office Zone, subject to buildings maintaining a residential
 character/appearance.



467 ft



Chattanooga Hamilton County Regional Planning Agency





2015-057 Rezoning from R-1 to R-4



Chattanooga Hamilton County Regional Planning Agency



467 ft



Site Plan

Case # 2015-057

Total Acres being requested for rezoning or special permit: 1.5 acres

Total number of dwelling units (if applicable): 2

Identify all items on the site plan that are listed in the RPA Site Plan Policy



Date Received 2/23/15

Applicant Initial BL



RECEIVED

FEB 23 2015

Charlottesville Planning Commission
1000 University Way
Charlottesville, VA 22902

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:

2015-046 Amelia Roberts and Billie Lyles. 4115 North Terrace, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

2015-047 Highland Park, LLC (Chattanooga Neighborhood Enterprise). 1704, 1706, and 1714 Kirby Avenue, from R-4 Special Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions.

2015-049 John Straussberger/Southside Centre, LLC. 1700 Broad Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-052 Chattanooga Neighborhood Enterprise/Bob McNutt and Tennessee Temple. 1706, 1708, 1710, 1712, 1714, and 1716 Bailey Avenue, from R-4 Special Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2015-054 Tower Construction Company/Calvin Ball. 2408, 2410, and 2412 Chamberlain Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2015-055 ASA Engineering c/o Allen Jones and Marshall Berry. 1400 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-058 Elemi Architecture and Jim Lee. 1705 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the R-4 Special Zone request and recommend an O-1 Office Zone as follows:

2015-057 Becky Lockwood and Diantha Swift. 2211 and 2217 Hickory Valley Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

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 in its entirety Article XIII, Changes and Amendments, Section 38-672, Method of Procedure, and replacing in lieu thereof.
- (b) Deleting in its entirety Article VIII, Board of Appeals for Variances and Special Permits, Section 38-565, Notices, and replacing in lieu thereof.
- (c) Adding item (6) to Article VIII, Board of Appeals for Variances and Special Permits, Section 38-566, Hearings.

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,

May 12, 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