

First Reading: _____
Second Reading: _____

2015-047
Highland Park, LLC
(Chattanooga Neighborhood Enterprise)
District No. 9
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1704, 1706, AND 1714 KIRBY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE 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 1704, 1706, and 1714 Kirby Avenue, more particularly described herein:

Lots 53, 55, 57, 59, 61, and 63, Block 3, Vance Kirby Bennett, Plat Book 2, Page 10, ROHC, being the properties described as Tracts Four (4) and Five (5) in Deed Book 10271, Page 376, ROHC and Deed Book 10402, Page 855, ROHC. Tax Map Nos. 146O-M-003, 004, and 005.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

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

- 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns;
- 2) Shall be developed with single-family detached residences only; and
- 3) No more than nine (9) detached single-family dwellings.

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: _____

2015-047
Highland Park, LLC
(Chattanooga Neighborhood Enterprise)
District No. 9
Staff Version

ORDINANCE NO. _____

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Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

First Reading: _____
Second Reading: _____

2015-047
Highland Park, LLC
(Chattanooga Neighborhood Enterprise)
District No. 9
Applicant Version

ORDINANCE NO. _____

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Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2015-047 City of Chattanooga
April 13, 2015

RESOLUTION

WHEREAS, Highland Park, LLC (Chattanooga Neighborhood Enterprise) 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-4 Special Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, properties located at 1704, 1706, and 1714 Kirby Avenue.

Lots 53, 55, 57, 59, 61, and 63, Block 3, Vance Kirby Bennett, Plat Book 2, Page 10, ROHC, being the properties described as Tracts Four (4) and Five (5) in Deed Book 10271, Page 376, ROHC and Deed Book 10402, Page 855, ROHC. Tax Maps 146O-M-003, 004, and 005 as shown on the attached map.

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

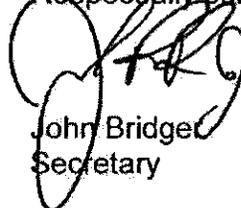
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 approved, subject to the following conditions: 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns; and 2) Shall be developed with single-family detached residences only; and 3) No more than nine (9) detached single-family dwellings.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2015-047

PC Meeting Date: 04-13-15

Applicant Request**Rezone from R-4 Special Zone to R-T/Z Residential Townhouse Zero Lot Line Zone**

Property Location:	1704, 1706 and 1714 Kirby Avenue
Property Owner:	Highland Park LLC (Chattanooga Neighborhood Enterprise (CNE))
Applicant:	Highland Park LLC (Chattanooga Neighborhood Enterprise (CNE))

Project Description

- Demolish the vacant 4-story building, formerly used as a 76-unit Tennessee Temple University dormitory, and replace with 9 single-family homes on a 1.1-acre site.
- Seven of the proposed nine lots are to be 31-feet wide, one is to be 40 feet wide, and one 45 feet wide.
- The proposed residential density of the 1.1-acre site is 8.1 dwelling units per acre. This would increase the overall potential density of this block from 6 to 7.2 units per acre (based on current and proposed number of lots).

Site Analysis**Site Description**

- The 1-acre site includes three parcels located on the southwest corner of Hawthorne Street and Kirby Avenue in the Highland Park Neighborhood and within the Urban Overlay Zone.
- The vacant 4-story building on the site was previously used as a Tennessee Temple University dormitory.
- Access: Currently, access to the site is from Kirby Avenue and from a rear alley which is accessed from Hawthorne Street.
- Development form: Most of the adjacent and nearby properties are one-story homes with a few two-story homes. On average, lot widths in this area are about 50 feet wide and 130-135 feet deep.
- Land Uses: North, south, and west- single-family residential; East- mostly vacant buildings formerly used for institutional, school and university uses.
- Density: The average residential density in the area is 6 dwelling units per acre. This is based on each block being approximately 2 ½-acres in size with 15-16 lots on each block. Currently, the 1-acre site area of this request has 6 lots of record and could be developed with 6 homes.

Zoning History

- 1970's- The site has been part of the Tennessee Temple University Institutional Planned Unit Development (PUD) since the 1970's.
- 2009- The site was zoned R-4 Special Zone with certain conditions. One of the conditions of the R-4 Zone is that the property be "used as dormitories by Tennessee Temple University, Tennessee Temple Academy or Highland Park Baptist Church only" (Ordinance No. 12257).
- 2011- The Tennessee Temple University Institutional Planned Unit Development (PUD) boundary was updated to reflect changes in property uses and ownership (Resolution No. 26947).
- The site is no longer owned or managed by Tennessee Temple University, Tennessee Temple Academy, or Highland Park Baptist Church as mentioned above.
- Except for the Tennessee Temple University property to the east, all of the surrounding zoning is currently R-1 Residential. One lot in the next block to the west is zoned R-2 Residential.
- There are currently no other zones within the Highland Park neighborhood that allow lot sizes as small as what is being proposed.

Plans/Policies/Regulations

- The R-T/Z Residential Townhouse Zero Lot Line Zone permits single-family homes *and* townhouses.

PLANNING COMMISSION CASE REPORT

- In the Urban Overlay Zone, the R-T/Z Zone can have no more than 12 units per acre. For individual homes, lots can be no less than 25 feet wide.
- The 2000 Highland Park Plan recommends single-family residential infill for this area.

Key Findings

- The proposed development is supported by the recommendations of the adopted Land Use Plan for this area.
- The proposed residential use is consistent with surrounding uses.
- The proposed development is consistent with the development form of the area, except for the narrower lot frontages.
- The proposed residential density is slightly higher than the surrounding densities.
- The proposed development does not raise concerns regarding location, lighting, or height.
- The proposed development would not be an extension of an existing zone.
- The proposed development would set a precedent for future requests regarding smaller lot sizes.
- The 1-acre site area of this request has 6 lots of record and could be developed with 6 homes. The rezoning request is to allow 9 homes.

Staff Recommendation

Approve, subject to the following conditions:

- 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns.
- 2) Shall be developed with single-family detached residences only.

Planning Commission Recommendation

Approve, subject to the following conditions:

- 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns.
- 2) Shall be developed with single-family detached residences only.
- 3) No more than nine (9) detached single-family residential units.

Note: There was opposition *and* support present at the Planning Commission meeting.

ZONING APPLICATION FORM

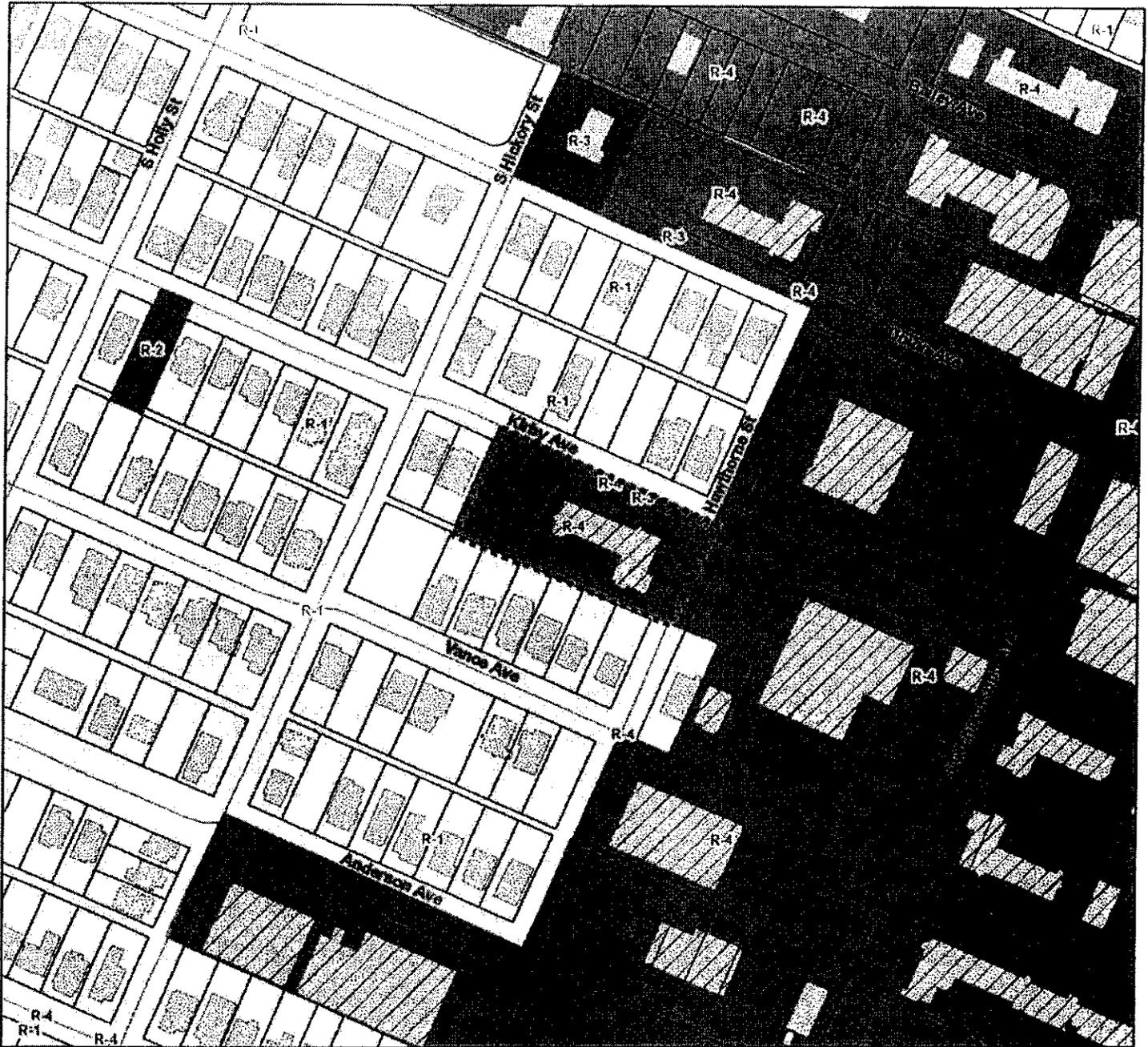
CASE NUMBER:	2015-047	Date Submitted: 2/20/2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-4 Special Zone	To: R - T/Z	
Total Acres in request area: 1.1			
2 Property Information			
Property Address:	1704, 1706 and 1714 Kirby Avenue		
Property Tax Map Number(s):	1460-M-003, 004, and 005		
3 Proposed Development			
Reason for Request and/or Proposed Use:	To Replat for Narrow Lot Single-Family Detached Housing		
4 Site Characteristics			
Current Zoning:	R-4, Tennessee Temple University PUD		
Current Use:	Dorm space		
Adjacent Uses:	R-1 and R-4		
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. **Contact: Bob McNutt			
Name: Highland Park LLC (CNE)		Address: 1500 Chestnut Street	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37408	Email: bmcnutt@cneinc.org
Phone 1: 423-400-6908	Phone 2: 423-267-6226	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name:		Phone:	
Address:			
Office Use Only:			
Planning District: 8b		Neighborhood: CNAC and Highland Park Neighborhood Watch Association	
Hamilton Co. Comm. District: 4	Chart. Council District: 9	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: 1.1	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10271-365 and 10402-855			
Plat Book/Page: 2-10		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: \$295.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 10270
Planning Commission meeting date: 4-13-15		Application processed by: Trevor Slayton	

2014-041

We support Chattanooga Neighborhood Enterprise Rezoning Request for the following parcels:

Tax Map 1460 M 003-005: From R-4 to R-T/Z. We believe that the R-T/Z zoning will provide a more appropriate single family infill home zoning for these properties, which are located in the heart of the neighborhood, adjacent to other single family homes.

	Name	Address
1	Alice O'Dea	1700 Duncan
2	Kathryn Faulkner	1315 Duncan
3	Judi Coyle	1904 Chamberlain
4	Phillip Coyle	1904 Chamberlain
5	Sara M. Luce	1901 Chamberlain
6	Danna Bailey	1811 Duncan
7	Marion Philippi	1810 Chamberlain
8	Mary Elizabeth Kyle	1407 S. Highland Park
9	Tyler C. Scharf	1600 E 13 th
10	Kyle Allen Philippi	1810 Chamberlain
11	Andrea Bate	1711 Chamberlain
12	Jake Brown	1902 Chamberlain
13	Michelle Thomas	1920 Kirby
14	Terry Thomas	1920 Kirby
15	Kristine Simpson	904 S. Highland Park
16	Jessie Bailey	1714 E 13 th
17	Charles Jason Moss	1600 Kirby
18	Dan Hekman	1710 E 12 th
19	Justin Hoenke	1506 Vance
20	Haley Hoenke	1506 Vance
21	Mike McJunkin	407 S. Orchard Knob
22	Jay Martin	708 S. Highland Park
23	Matthew Stevens	1807 Chamberlain
24	Sumer Arispe	1904 Chamberlain, Unit 1
25	Kevin Bate	1711 Chamberlain
26	Lisa Flint	1616 Duncan
27	Christina Herron	2001 E 13 th
28	Teletha McJunkin	407 S. Orchard Knob
29	James William Bruneau	1907 E 12 th
30	Stacy Richardson	1812 Duncan
31	Eva Grammar	1803 Chamberlain
32	William Rizzo	1904 Chamberlain, Unit 4
33	Emily Curb	2008 Duncan
34	Curt Zacharias	1601 Vance
35	Emerson Burch	1908 Chamberlain
36	Matt Busby	1609 E 14 th
37	Mary Zacharias	1601 Vance
38	Lane Wilkinson	906 S. Highland Park
39	Khristy Ann Wilkinson	906 S. Highland Park
40	Daniel Johnson	1908 Chamberlain
41	Benjie Moore	1004 S. Highland Park



2015-047 Rezoning from R-4 to R-T/Z

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-047:

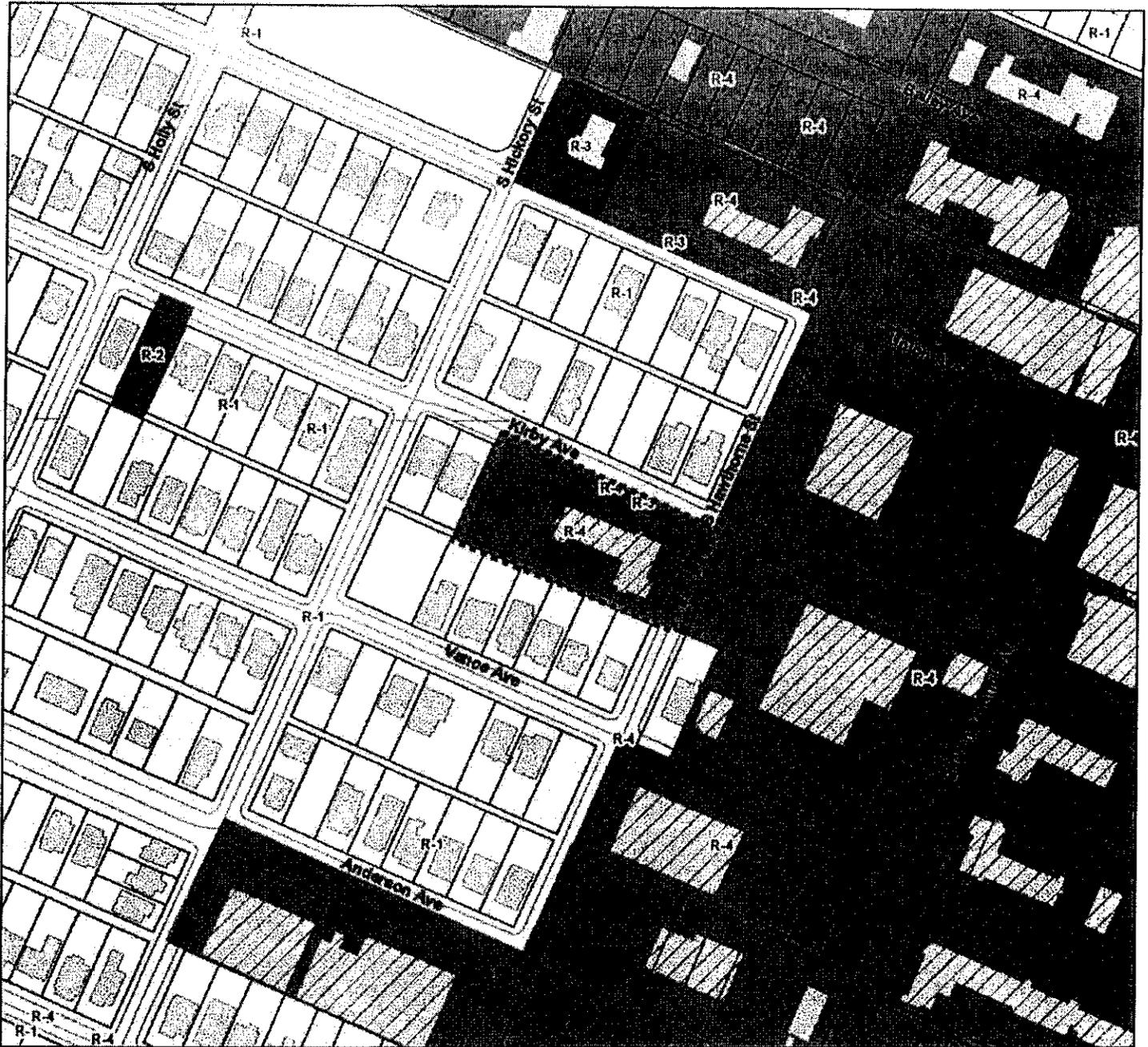
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194 ft

Chattanooga Hamilton County Regional Planning Agency





2015-047 Rezoning from R-4 to R-T/Z



194 ft

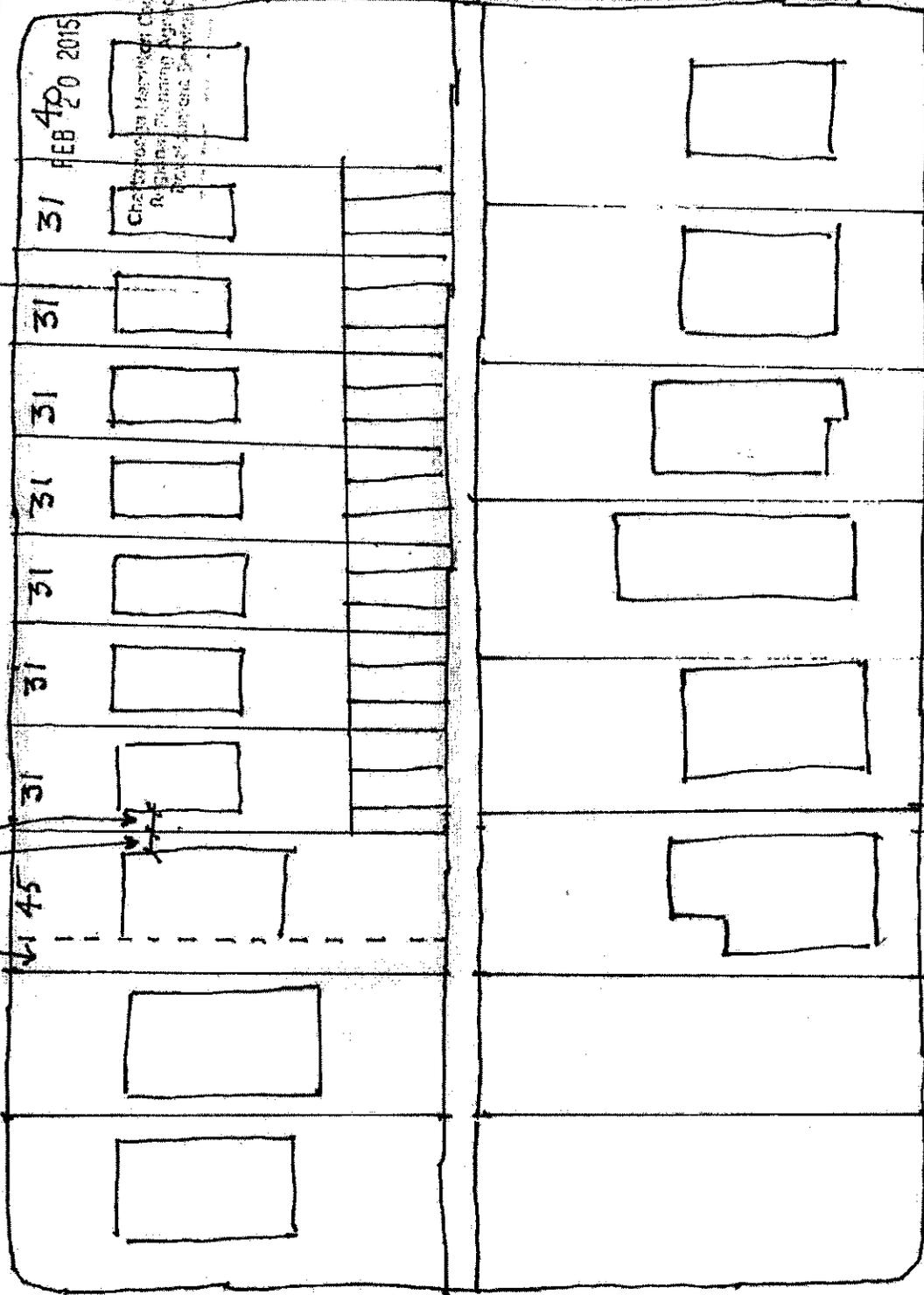
Chattanooga Hamilton County Regional Planning Agency



PROPOSED NEW PLAT

RECEIVED

10' SETBACK
5' SETBACK
KIRBY AVENUE



FEB 20 2015

Clark County
Register-Planning Agency
10000 Peachtree Dunwoody
Atlanta, GA 30328

HAWTHORNE STREET

HICKORY STREET

VANCE AVENUE



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