

First Reading: _____
Second Reading: _____

2015-063
Donald Runyan and
Smart Living Trust
District No. 5
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4200 WILLARD DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 MODERATE DENSITY 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 4200 Willard Drive, more particularly described herein:

A portion of the property located at 4200 Willard Drive, beginning at the northwest corner of Tax Map 129H-F-004 and going southeast 145 feet, thence southwest 173.5 feet, thence northwest 160.5 feet, thence northeast 102.62 feet to the point of beginning, being part of the property described as Tract Two in deed Book 10400, Page 937, ROHC.

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

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

- (1) Use restricted to no more than three (3) apartment units; and
- (2) One shared driveway with parking behind the main buildings.

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: _____

2015-063
Donald Runyan and
Smart Living Trust
District No. 5
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO
REZONE PROPERTY LOCATED AT 4200 WILLARD DRIVE,
MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2
RESIDENTIAL ZONE TO R-3 MODERATE DENSITY 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 4200 Willard
Drive, more particularly described herein:

A portion of the property located at 4200 Willard Drive, beginning at the
northwest corner of Tax Map 129H-F-004 and going southeast 145 feet, thence
southwest 173.5 feet, thence northwest 160.5 feet, thence northeast 102.62 feet to
the point of beginning, being part of the property described as Tract Two in deed
Book 10400, Page 937, ROHC.

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

2015-063 City of Chattanooga
May 11, 2015

RESOLUTION

WHEREAS, Donald Runyan & Smart Living Trust 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-2 Residential Zone to R-4 Special Zone, property located at 4200 Willard Drive.

A portion of the property located at 4200 Willard Drive, beginning at the northwest corner of Tax Map 129H-F-004 and going southeast 145 feet, thence southwest 173.5 feet, thence northwest 160.5 feet, thence northeast 102.62 feet to the point of beginning, being part of the property described as Tract Two in deed Book 10400, Page 937, ROHC.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 11, 2015,

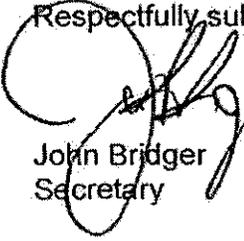
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 May 11, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for the R-4 request and recommended approval of R-3 Moderate Density (R-3 MD), subject to the following conditions: (1) Use restricted to no more than three apartment units; and (2) One shared driveway with parking behind the main buildings.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-063		Date Submitted: 3-18-15				
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)							
1 Applicant Request							
Zoning	From: R-2		To: R-4				
	Total Acres in request area: 0.46						
2 Property Information							
Property Address:	4200 Willard Drive						
Property Tax Map Number(s):	129H-F-004 (Part)						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Wish to Construct Tri-Plex Housing						
4 Site Characteristics							
Current Zoning:	Half of the Lot is Zoned R-2, Half is zoned R-4						
Current Use:	Vacant - No Structures						
Adjacent Uses:	Residential						
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: Donald Runyan		Address: 7009 Lakeshore Drive					
Check one:	<input type="checkbox"/> I am the property owner		<input checked="" type="checkbox"/>	<input type="checkbox"/> I am not the property owner			
City: Chattanooga	State: TN.	Zip Code: 37416	Email:				
Phone 1: 423-667-0292	Phone 2:	Phone 3:	Fax:				
6 Property Owner Information (if not applicant)							
Name: Smart Living Trust		Phone:					
Address: 3131 Huckabee Trail, Apison, Tn. 37302							
Office Use Only:							
Planning District: 6		Neighborhood: CNAC, Friends of East Brainerd / Brainerd-East Brainerd Chamber					
Hamilton Co. Comm. District: 5	Chatt. Council District: 5		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: 0.46	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 10400-937							
Plat Book/Page: 15-21		<input checked="" type="checkbox"/>		Notice Signs	Number of Notice Signs: 1		
<input checked="" type="checkbox"/>	Filing Fee: \$635.00	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 1043	
Planning Commission meeting date: 5-11-15			Application processed by: Trevor Slayton				

PLANNING COMMISSION CASE REPORT

Case Number: 2015-063

PC Meeting Date: 05-11-15

Applicant Request**Rezone from R-2 Residential Zone to R-4 Special Zone**

Property Location:	4200 Willard Drive
Property Owner:	Smart Living Trust
Applicant:	Donald Runyan

Project Description

- Proposal: Develop a 0.46-acre site with a 3-family dwelling (triplex).
- Proposed Access: Willard Drive
- Proposed Development Form: 2- story building.
- Proposed Density: Approximately 6.5 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 1/2-acre site is part of a 1-acre vacant parcel located at the corner of Willard Drive and Redlands Drive (facing Highway 153) near Highway 58.
- Current Access: Willard Drive and Redlands Drive
- Current Land Uses: A single-family home is located across Willard Drive to the west. A duplex is adjacent to the site on the north side. There are 2 duplexes and 2 single-family homes on Willard Drive. The remainder of the site property to the east is vacant. There are 8 duplexes and 2 single-family homes on Wilkesview Drive east and north of the site. The site faces Highway 153 on the south side.
- Current Development Form: 1 and 2-story residences.
- Current Density: The average residential in the area is approximately 4.5 dwelling units per acre.

Zoning History

- The site is currently zoned R-2 Residential.
- Properties west and north of the site are zoned R-2 Residential. The other half of the parcel was zoned R-4 Special Zone in 1985.
- There has been no recent zoning activity on this site.

Plans/Policies/ Regulations

- The R-4 Special Zone permits multi-family dwellings and several non-residential uses. Based on the required minimum lot area for multi-family dwellings (Section 38-124 of the Chattanooga Zoning Ordinance), a 1-acre site could accommodate 19 dwelling units.
- The Highway 58 Community Plan (adopted by City Council in 2002) recommends Medium-Density Residential which is "intended for single, two, three, and four-family dwellings, typically 6 to 8 dwelling units per acre."

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use is consistent with surrounding uses.
- The proposal (with three front-loaded drives) is not consistent with the development form of the area which generally features a single drive per property.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone; however, the applicant is encouraged to consider the R-3MD zone, which would limit the broad range of uses allowed in R-4 Special Zone.
- The Transportation Department recommends one curb cut, not to exceed 20ft, with parking in the rear.

PLANNING COMMISSION CASE REPORT

Staff Recommendation

Deny R-4, approve R-3 Moderate Density (R-3MD), subject to the following conditions:

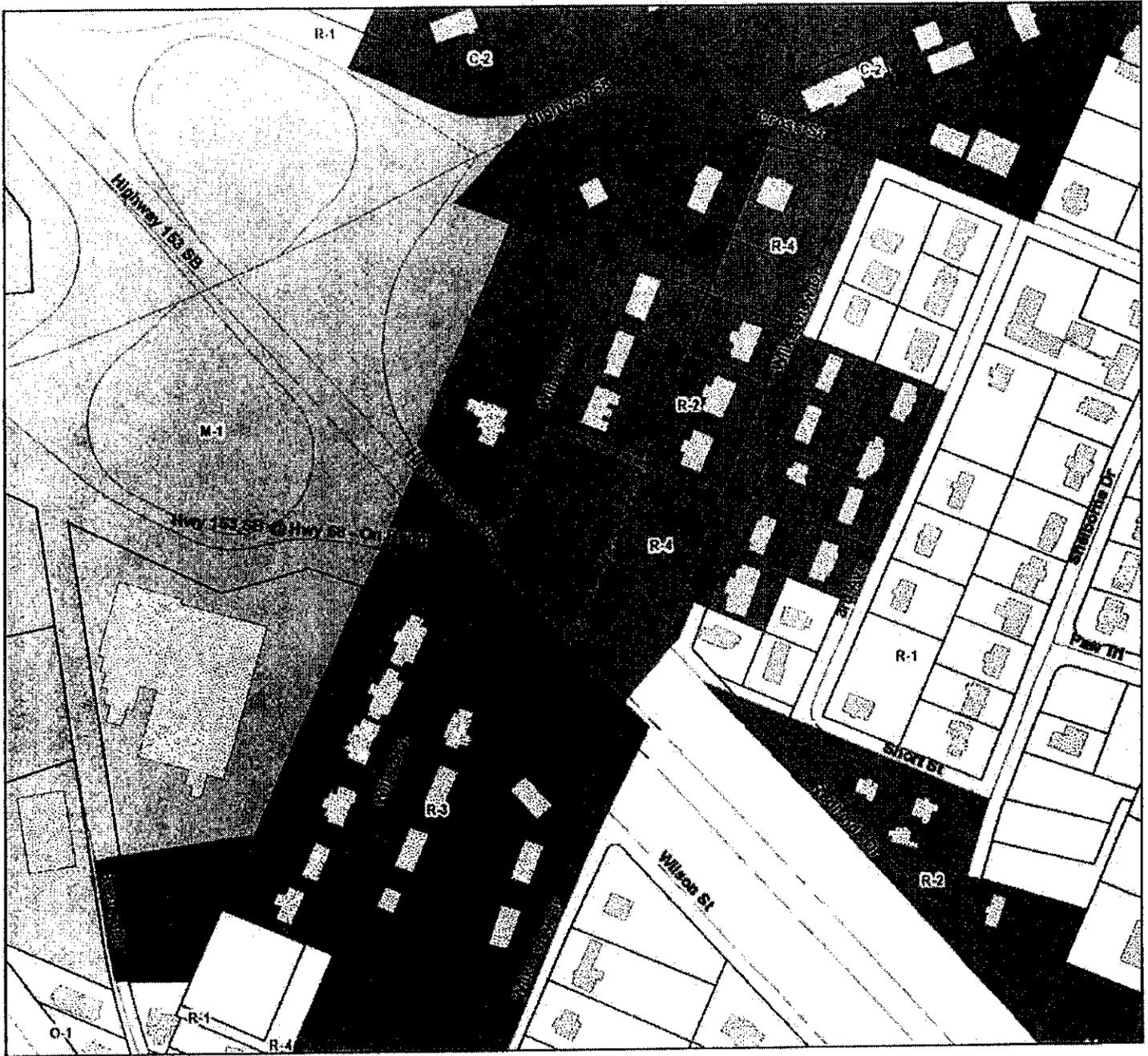
1. Use restricted to no more than three apartment units.
2. One shared driveway with parking behind the main buildings.

Planning Commission Recommendation

Deny R-4, approve R-3 Moderate Density (R-3MD), subject to the following conditions:

1. Use restricted to no more than three apartment units.
2. One shared driveway with parking behind the main buildings.

NOTE: Opposition was present at the Planning Commission meeting.



2015-063 Rezoning from R-2 to R-4

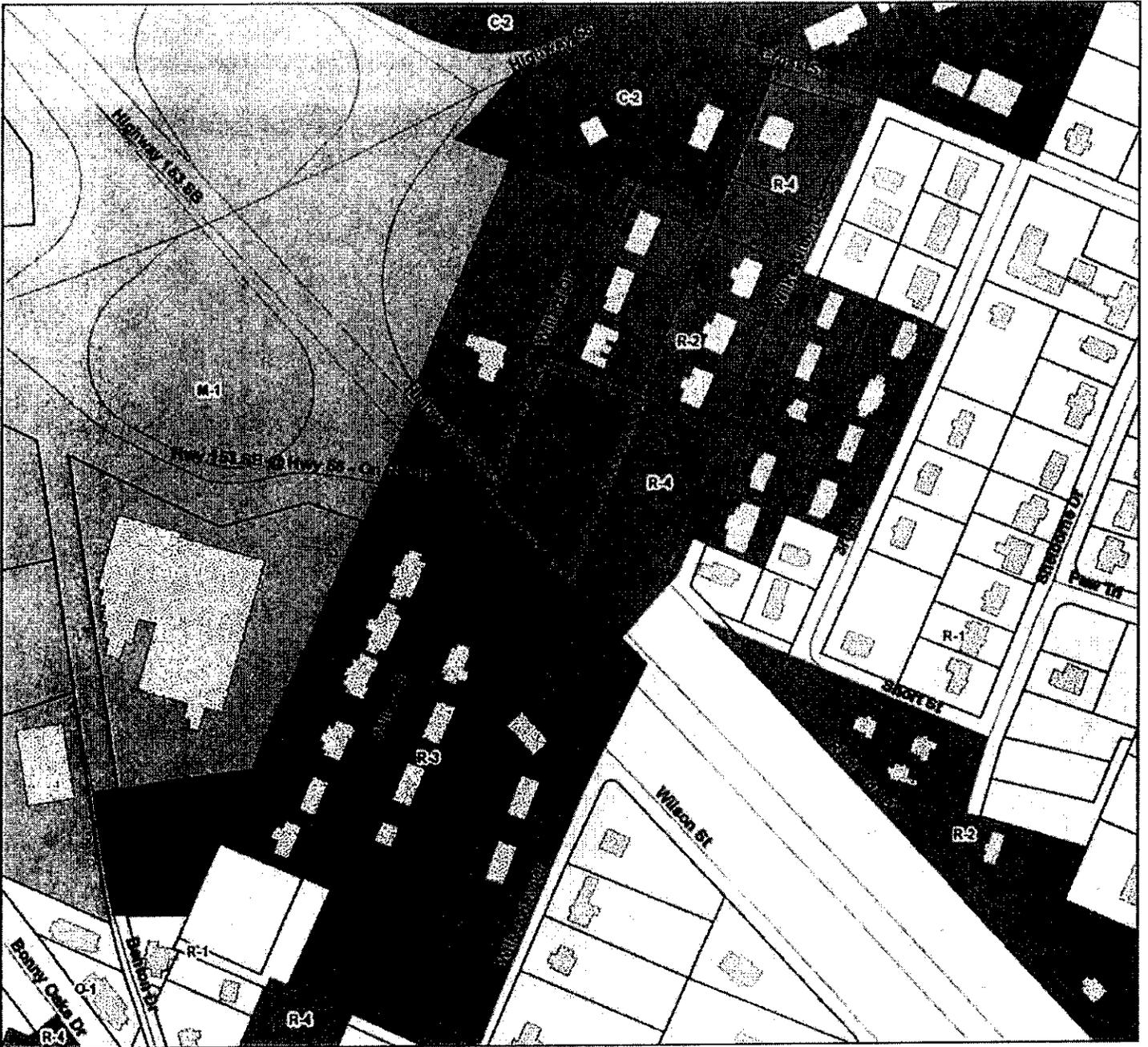
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-063: Deny R-4; Approve R-3 Moderate Density (R-3 MD), subject to the following conditions: (1) Use restricted to no more than three apartment units; and (2) One shared driveway with parking behind the main buildings.



238 ft

Chattanooga Hamilton County Regional Planning Agency





2015-063 Rezoning from R-2 to R-4

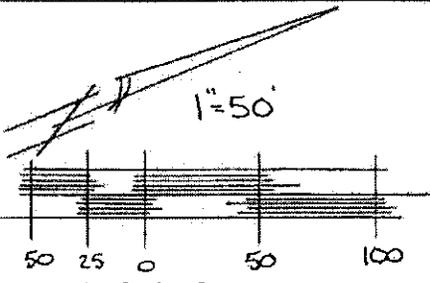


238 R



Chattanooga Hamilton County Regional Planning Agency





MARCH 18, 2015

SITE PLAN

Owner: Smart Living Trust

Address: number not yet assigned
Willard Drive; Chattanooga, TN 37416

Contact: Donny Runyon
7009 Lakeshore Drive
Chattanooga, TN 37416
423-667-0292
dirun@bellsouth.net

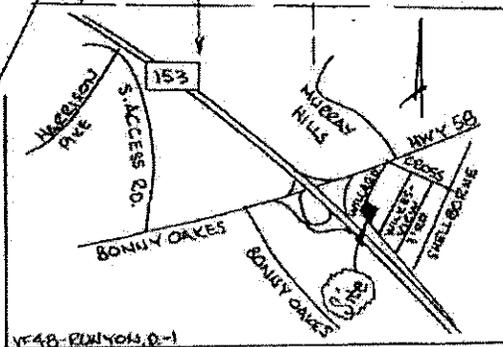
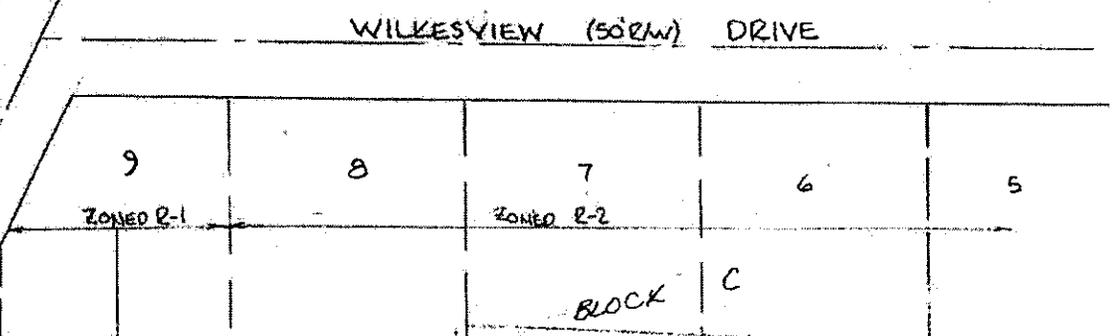
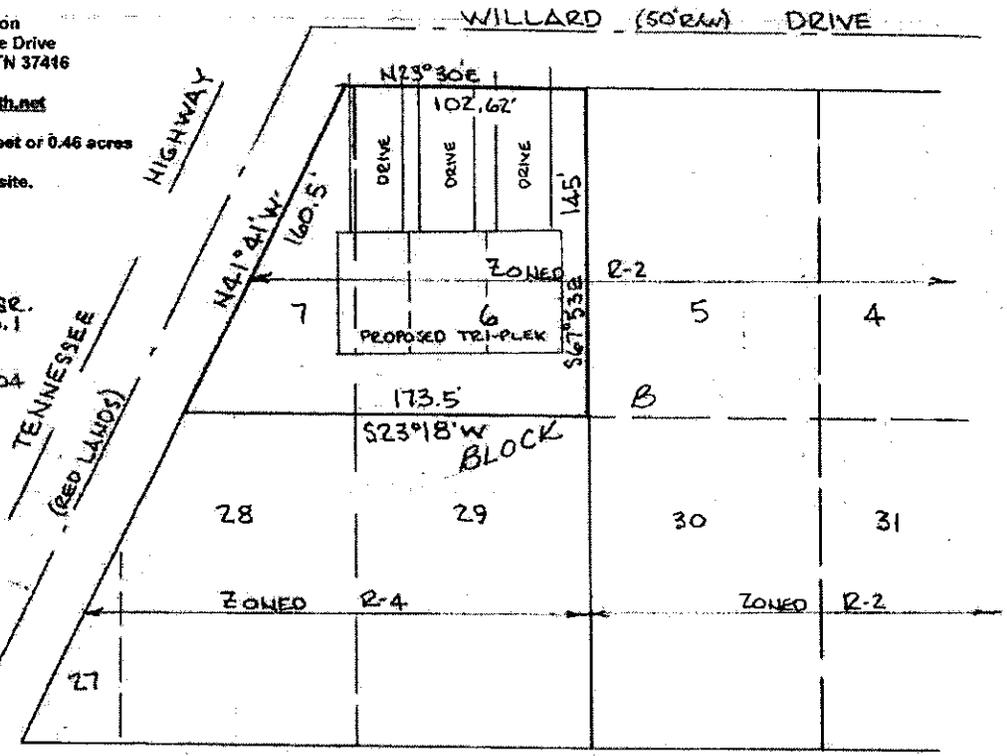
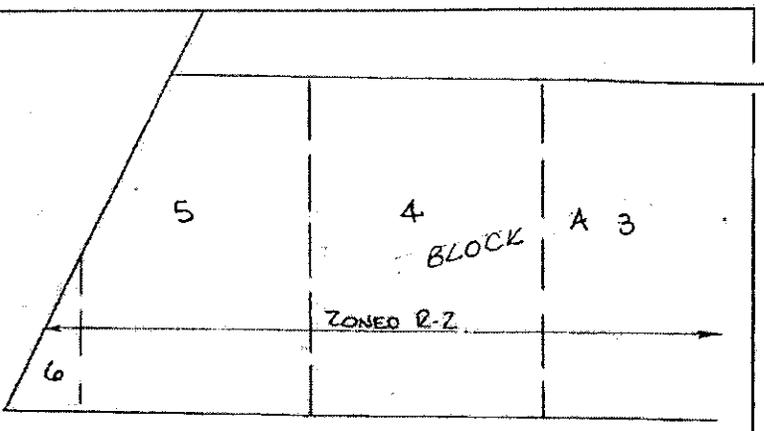
Area: 20,055 square feet or 0.46 acres

No Improvements on site.

Current Zoning: R-2

FRED STERCHI SR.
SUBDIVISION No. 1
P.B. 15, Pg. 21

PARCEL: 129H-F-04



RECEIVED

MAR 19 2015

Chattanooga Hamilton County
Regional Planning Agency
Development Services

Niles Surveying Co., Inc.
Land Surveying — Flood Consultation
Offering Surveying Services In Tennessee and Georgia
3962 Churchill Road — Chattanooga, Tennessee 37406
423-624-5041 — 423-629-7813 fax

2015-063

VC48-RUNYON, D-1

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:

2015-061 James Scott and Holy Temple Church of God, 2311 Bliss Avenue, from M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2015-062 Duane Carleo, 1518 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-070 Asa Engineering, Allen Jones, Ronald Speicher, and Ben O'Daniel, 137 and 200 Oyler Lane and 5510 Moody Sawyer Road, from R-1 Residential Zone to R-3 Residential Zone.

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 approval of R-3 Moderate Density as follows:

2015-063 Donald Runyan and Smart Living Trust, 4200 Willard Drive, from R-2 Residential Zone to R-4 Special Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Permit be approved:

2015-067 MAP Engineers c/o Mike Price and Bernard H. Brown, III, 4500, 4506, 4510, 4514, and 4550 Webb Road, for a Residential Planned Unit Development.

4. 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) Amending Article V, Division 15, C-3 Central Business Zone, Section 38-223, by adding a Special Exceptions Permit requirement for assisted living facilities operated for profit.
- (b) Deleting the Urban Overlay Zone area description in Article III, Division 3, Urban Overlay Zone, Section 38-11(2) beginning in the text at “the 1800 block of Hixson Pike” and ending with “the center line of the 1200 block of Hixson Pike” and replacing in lieu thereof.

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,

June 9, 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