

First Reading: _____
Second Reading: _____

2015-061
James Scott and
Holy Temple Church of God
District No. 8
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2311 BLISS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-4 SPECIAL 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 2311 Bliss Avenue, more particularly described herein:

Lot 1, Ronald Hayes Heights Subdivision, Plat Book 14, Page 117, ROHC, Lot A, Block 73, Ronald Hayes Heights Subdivision, Plat Book 75, Page 187, ROHC, Lot 2, Block 73, Ronald Hayes Heights Subdivision, Plat Book 101, Page 16, ROHC, being the properties described in Deed Book 7434, Page 344, ROHC, Deed Book 9947, Page 873, ROHC, and Deed Book 4965, Page 78, ROHC. Tax Map No. 136C-E-024.

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

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

- 1) Access to Crutchfield Street be limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan; and
- 2) Residential density shall be limited to no more than fifteen (15) dwelling units per acre.

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: _____

2015-061
James Scott and
Holy Temple Church of God
District No. 8
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2311 BLISS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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Lot 1, Ronald Hayes Heights Subdivision, Plat Book 14, Page 117, ROHC, Lot A, Block 73, Ronald Hayes Heights Subdivision, Plat Book 75, Page 187, ROHC, Lot 2, Block 73, Ronald Hayes Heights Subdivision, Plat Book 101, Page 16, ROHC, being the properties described in Deed Book 7434, Page 344, ROHC, Deed Book 9947, Page 873, ROHC, and Deed Book 4965, Page 78, ROHC. Tax Map No. 136C-E-024.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to access to Crutchfield Street be limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan.

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: _____

2015-061
James Scott and
Holy Temple Church of God
District No. 8
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO
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Avenue, more particularly described herein:

Lot 1, Ronald Hayes Heights Subdivision, Plat Book 14, Page 117, ROHC, Lot A,
Block 73, Ronald Hayes Heights Subdivision, Plat Book 75, Page 187, ROHC,
Lot 2, Block 73, Ronald Hayes Heights Subdivision, Plat Book 101, Page 16,
ROHC, being the properties described in Deed Book 7434, Page 344, ROHC,
Deed Book 9947, Page 873, ROHC, and Deed Book 4965, Page 78, ROHC. Tax
Map No. 136C-E-024.

and as shown on the maps attached hereto and made a part hereof by reference, from M-1
Manufacturing 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

6/9/15

2015-061 City of Chattanooga
May 11, 2015

RESOLUTION

WHEREAS, James Scott & Holy Temple Church of God 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-4 Special Zone, property located at 2311 Bliss Avenue.

Lot 1, Ronald Hayes Heights Subdivision, Plat Book 14, Page 117, ROHC, Lot A, Block 73, Ronald Hayes Heights Subdivision, Plat Book 75, Page 187, ROHC, Lot 2, Block 73, Ronald Hayes Heights Subdivision, Plat Book 101, Page 16, ROHC, being the properties described in Deed Book 7434, Page 344, ROHC, Deed Book 9947, Page 873, ROHC, and Deed Book 4965, Page 78, ROHC. Tax Map 136C-E-024 as shown on the attached map.

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 approved, subject to: 1) Access to Crutchfield Street be limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan; and 2) Residential density shall be limited to no more than 15 dwelling units per acre.

Respectfully submitted,


John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-061		Date Submitted: 3-12-2015				
(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-4				
Total Acres in request area: 2.1							
2 Property Information							
Property Address:	2311 Bliss Avenue						
Property Tax Map Number(s):	136C-E-024						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Adult Daycare/Nursing Home/8 One Bedroom Apartments						
4 Site Characteristics							
Current Zoning:	M-1						
Current Use:	Church						
Adjacent Uses:	M-1 & 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: James M. Scott/Holy Temple Church of God			Address: 2311 Bliss Avenue				
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: 37406	Email:				
Phone 1: 423-693-6951	Phone 2: 423-756-8838 Thomas Johnson Architect	Phone 3:	Fax:				
6 Property Owner Information (if not applicant)							
Name: Same			Phone:				
Address:							
Office Use Only:							
Planning District: 8B		Neighborhood: CNAC/Riverside Area Community Club					
Hamilton Co. Comm. District: 4		Chatt. Council District: B		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: 2.1	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 7434-344, 9947-873, 4965-78							
Plat Book/Page: 75-187, 101-16, 14-117			<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 3		
<input checked="" type="checkbox"/>	Filing Fee: 635.00	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 15347		
Planning Commission meeting date: May 11, 2015			Application processed by: Marcia Parker				

PLANNING COMMISSION CASE REPORT**Case Number: 2015-061****PC Meeting Date: 05-11-15****Applicant Request****M-1 Manufacturing Zone to R-4 Special Zone**

Property Location:	2311 Bliss Avenue
Property Owner:	James M. Scott/Holy Temple Church of God
Applicant:	Same

Project Description

- **Proposal:** Develop a 38,025 square feet portion of the two-acre church property with a 6,000 square feet adult daycare/nursing home and two apartment buildings with four apartment units in each building, for a total of eight units.
- **Proposed Access:** The adult daycare/nursing home parking is to be located at the rear of the building and accessed from Bliss Avenue. The parking for the apartments is to be located at the rear of the apartment buildings and accessed from Crutchfield Street.
- **Proposed Development Form:** All buildings are to be one-story in height and will front Crutchfield Street.
- **Proposed Density:** Approximately 10 dwelling units per acre.

Site Analysis**Site Description**

- **Location:** The 2-acre site is located on the east side of Bliss Avenue between Crutchfield Street and Latta Street approximately 1,000 feet from the Amnicola Highway.
- **Current Access:** Bliss Avenue
- **Current Land Uses:** Warehouse, office, and other manufacturing uses are located across Bliss Avenue to the west and Latta Street to the north, and east to the rear of the site. Two single-family homes are also located to the west of the site. Approximately 6 single-family homes are located south of the site across Crutchfield Street. Since the area is surrounded by M-1 zoned properties, staff reviewed the Standard Land Use Codes from the Hamilton County tax assessor to determine if there are any known currently active noxious/heavy industrial uses within 1,000 feet of the site. Staff did not find any documented such uses in proximity to this site. It should also be noted that heavy industrial uses within the M-1 zone must be located a minimum of 1,000 feet of any residential zone.
- **Current Density:** The average residential density of the single-family neighborhood to the south is approximately 4.4 dwelling units per acre.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- All properties within 500 feet to the west, north, and east are zoned M-1 Manufacturing. The adjacent property on the east side of the site is zoned M-2 Light Industrial. The neighborhood to the south is zoned R-1 Residential.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- M-1 Manufacturing does not permit residential uses, except for those residences that are legal non-conforming, or "grandfathered."
- A Special Exceptions Permit from the Board of Zoning Appeals is required for day care centers and assisted living facilities or medically assisted living facilities in the R-4 Special Zone.
- There is no current adopted land use plan for this area.

PLANNING COMMISSION CASE REPORT

Key Findings

- The proposed use is compatible with surrounding uses, since the area features a mix of residential, institutional and industrial activities
- The proposal is consistent with the development form of the area.
- The proposed residential density is somewhat higher than the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.

Staff Recommendation

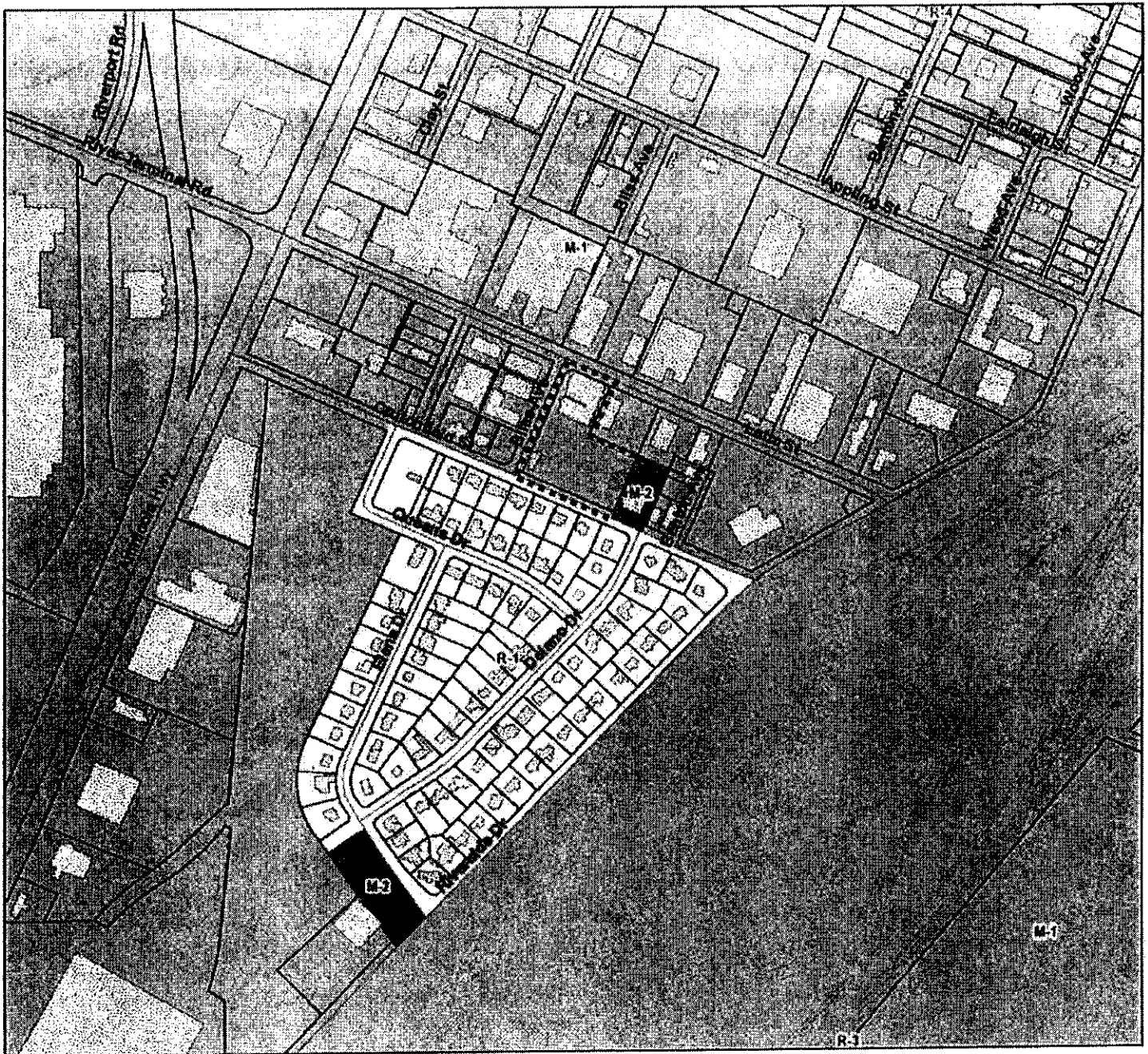
Approve, subject to access to Crutchfield Street limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan.

Planning Commission Recommendation

Approve, subject to:

- 1) Access to Crutchfield Street limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan.
- 2) Residential density shall be limited to no more than 15 dwelling units per acre.

NOTE: Opposition was present at the Planning Commission meeting.



2015-061 Rezoning from M-1 to R-4

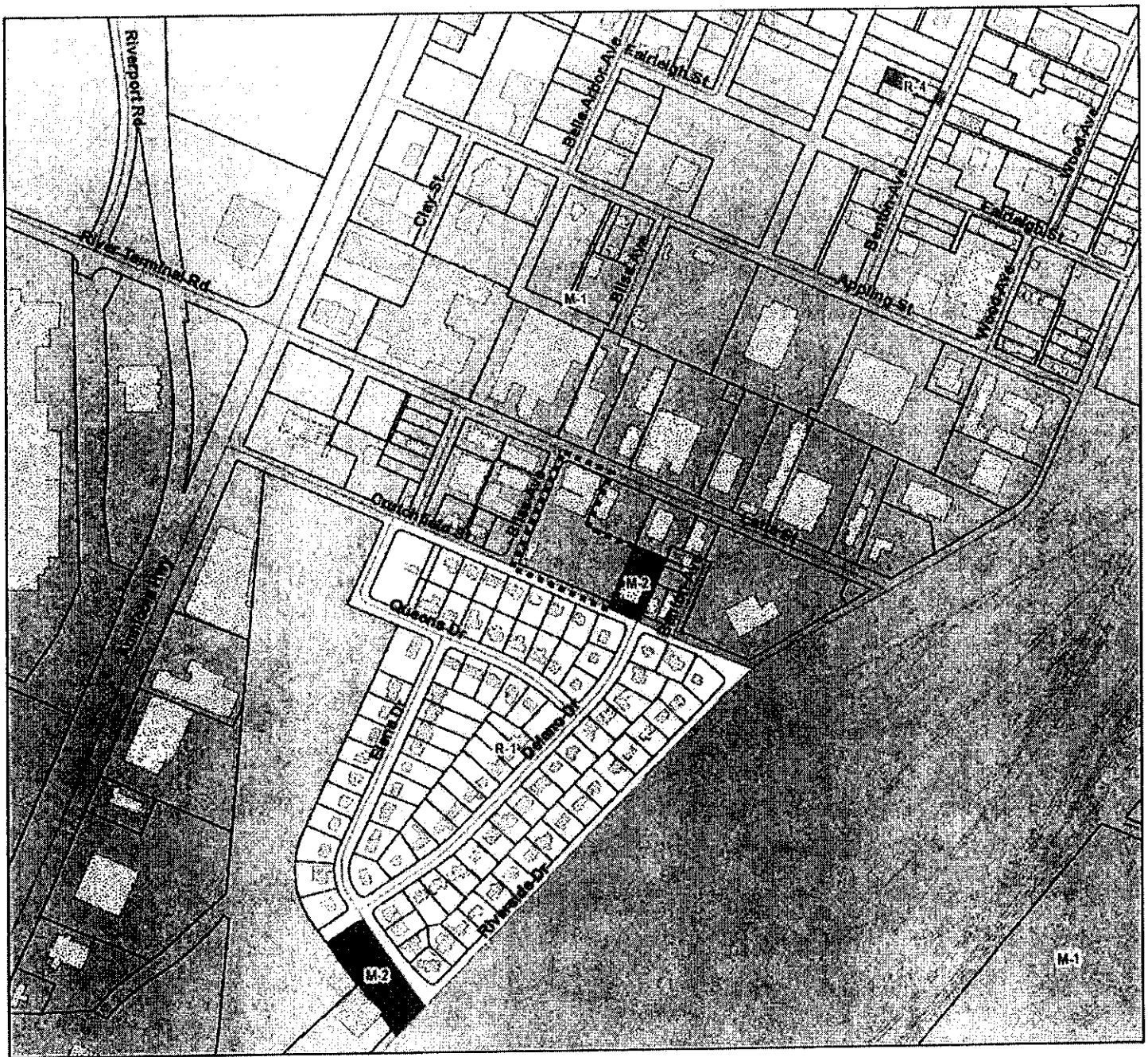


Chattanooga Hamilton County Regional Planning Agency



463 ft

RPA



2015-061 Rezoning from M-1 to R-4

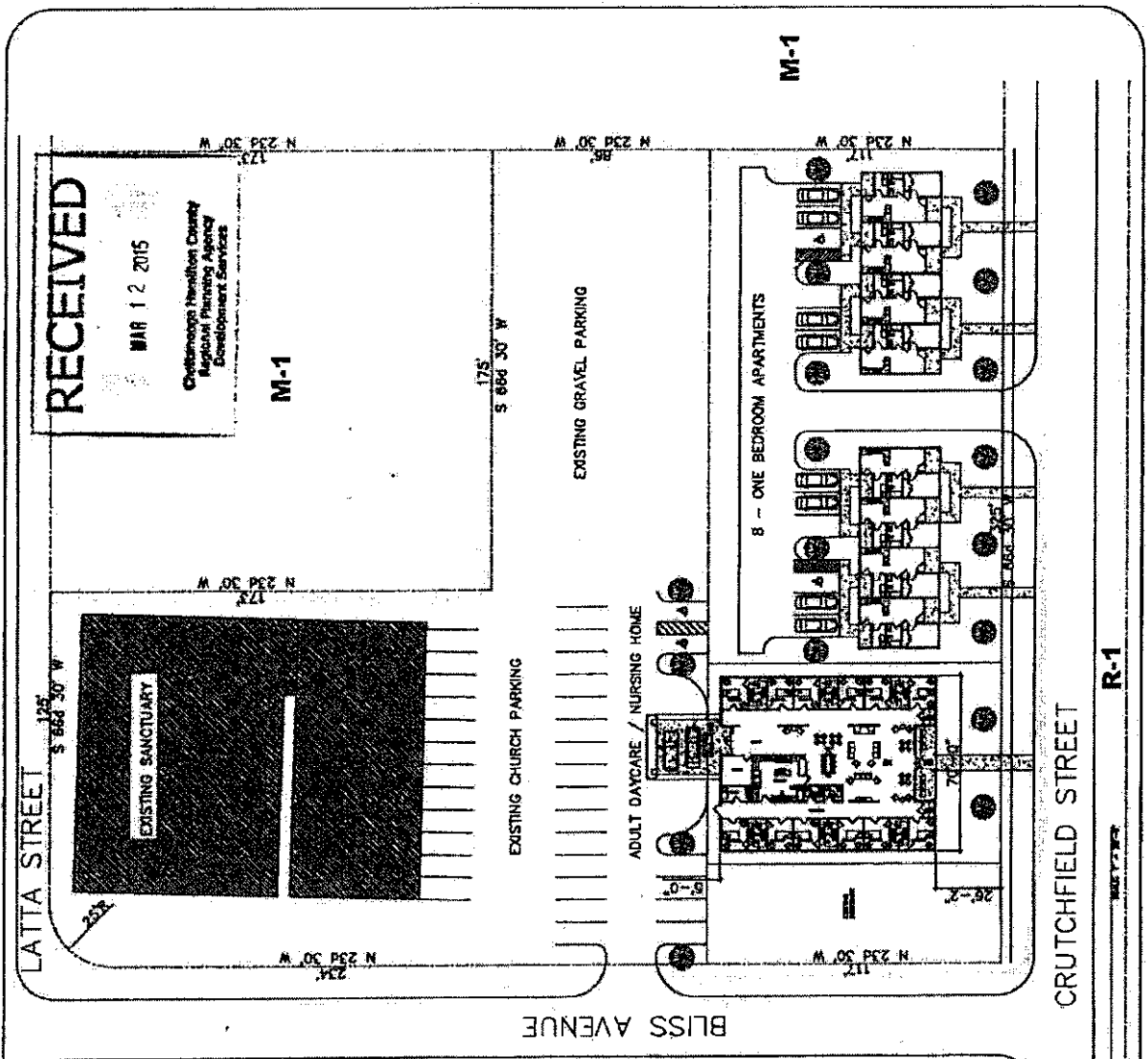
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-061:
 Approve, subject to: 1) Access to Crutchfield Street be limited to one drive, with parking to the rear of the buildings as shown on the proposed site plan; and 2) Residential density shall be limited to no more than 15 dwellings units per acre.



463 ft

Chattanooga Hamilton County Regional Planning Agency





2015-061

VICINITY MAP

NOTES:

1. CURRENT ZONING: M-1
2. PROPOSED NEW USES:
ADULT DAY CARE
AND NURSING HOME
3. TWO 4-UNIT ONE
BEDROOM APARTMENTS
4. PROPOSED ZONING
CHANGE TO R-4.
5. TAX MAP# 136C E 024
& 136C E 023
6. CURRENT USE: VACANT
7. Acreage 2.1

OWNER:
HOLY TEMPLE CHURCH
OF GOD IN CHRIST
2311 BLISS AVENUE
CHATTANOOGA, TN 37408

CONTACT:
JAMES M. SCOTT: PASTOR

ARCHITECT:
THOMAS JOHNSON
756-8638
TUSOLAR@elisoath.net

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