

First Reading: _____
Second Reading: _____

2015-073
Joshua Good of Land Titans Investments, LLC/
Robert Pettross
District No. 2
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 507 ASHLAND TERRACE, 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 property located at 507 Ashland Terrace, more particularly described herein:

An unplatted tract of land located at 507 Ashland Terrace, beginning at the right-of-way of Ashland Terrace and extending 221 feet in a northeasterly direction, being part of the property described in Deed Book 9580, Page 963, ROHC. Tax Map No. 109J-G-029 (Part).

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 for an O-1 Office Zone only for the front half of the lot measuring 221 feet deep from the right-of-way of Ashland Terrace toward the interior of the property, subject to the following conditions:

1. Use of existing structure only;
2. Limited to one curb cut for ingress/egress onto Ashland Terrace;
3. Off-street parking limited to a maximum of eight (8) spaces;
4. No dumpsters permitted;
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 the posts shall be no more than six (6) feet in height;
6. Type "C" landscape buffer to be provided along the property line where the O-1 Office Zone abuts the property line of the R-1A Residential Zone (City of Red Bank);
7. Except for the existing driveway, 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 approved access drive;
8. Signs incident to the permitted uses, except that only one (1) monument type sign shall be permitted, 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.

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: _____

2015-073
Joshua Good of Land Titans Investments, LLC/
Robert Pettross
District No. 2
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 507 ASHLAND TERRACE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL 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 507 Ashland Terrace, more particularly described herein:

An unplatted tract of land located at 507 Ashland Terrace, beginning at the right-of-way of Ashland Terrace and extending 221 feet in a northeasterly direction, being part of the property described in Deed Book 9580, Page 963, ROHC. Tax Map No. 109J-G-029 (Part).

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

2015-073 City of Chattanooga
June 8, 2015

RESOLUTION

WHEREAS, Joshua Good of Land Titans Investments, LLC & Robert Pettross 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, property located at 507 Ashland Terrace.

Planning Commission Recommendation:

An unplatted tract of land located at 507 Ashland Terrace, beginning at the right-of-way of Ashland Terrace and extending 221 feet in a northeasterly direction, being part of the property described in Deed Book 9580, Page 963, ROHC. Tax Map 109J-G-029 (Part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 8, 2015,

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

AND WHEREAS, there was opposition present to the petition,

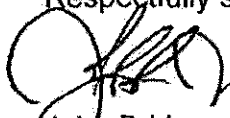
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 8, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for R-4 Special Zone but approved or an O-1 Office Zone only for the front half of the lot measuring 221 feet deep from the right-of-way of Ashland Terrace toward the interior of the property subject to the following conditions:

1. Use of existing structure only.
2. Limited to one curb cut for ingress/egress onto Ashland Terrace.
3. Off-street parking limited to a maximum of 8 spaces.
4. No dumpsters permitted.

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 the posts shall be no more than six (6) feet in height.
6. Type "C" landscape buffer to be provided along the property line where the O-1 Office Zone abuts the property line of the R-1A Residential Zone (City of Red Bank).
7. Except for the existing driveway, 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 approved access drive.
8. Signs incident to the permitted uses, except that only one (1) monument type sign shall be permitted, 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.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-073	Date Submitted:	04/20/2015
(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: 1.4		
2 Property Information			
Property Address:	507 Ashland Terrace		
Property Tax Map Number(s):	109J-G-029		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Use existing house as an office		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Rental House		
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: Joshua Goode (Land Titans Investments, LLC)	Address: P. O. Box 772		
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Hixson	State: TN	Zip Code: 37343	Email: josh@turn2ushandyman.com
Phone 1: 423-322-2768	Phone 2: 423-531-3478	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Robert (Mike) Pettross	Phone: (423) 902-4156		
Address:			
Office Use Only:			
Planning District: 5	Neighborhood: CNAC		
Hamilton Co. Comm. District: 2	Chatt. Council District: 2	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: 1.4	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9580/963			
Plat Book/Page: N/A	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
<input checked="" type="checkbox"/> Filing Fee: 635.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 1009
Planning Commission meeting date: 06/08/2015		Application processed by: Jennifer Ware	

PLANNING COMMISSION CASE REPORT

Case Number: 2015-073

PC Meeting Date: 06-08-15

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

Property Location:	507 Ashland Terrace
Property Owner:	Robert (Mike) Petross
Applicant:	Joshua Goode (Land Titans Investments, LLC)

Project Description

- Proposal: Use existing house for office use.
- Proposed Access: Ashland Terrace.
- Proposed Development Form: Use existing 1 ½-story home.

Site Analysis**Site Description**

- Location: The 1.4-acre site is located on the north side of Ashland Terrace between Crestview Drive and Ely Road.
- Current Access: Ashland Terrace
- Tennessee Department of Transportation Functional Classification: Urban Collector
- Current Development Form: The general pattern for the area is suburban (front vehicular access, buildings set back from the street).
- Current Land Uses: Single-family home adjacent to the site on the west; Vacant land to the north; Vacant land adjacent to the site on the east; Four single-family homes front Ashland Terrace approximately to the east; Vacant land across Ashland Terrace to the south.

Zoning History

- The site is currently zoned R-1 Residential.
- The property to the north is zoned R-1 Residential. The two adjacent properties to the east are zoned R-3 Residential (1969). The property to the south is zoned R-1 Residential. The adjacent property to the west is zoned R1-A Residential and is within the Red Bank city limits.
- The nearest business zones are approximately 250 feet to the east at the Ely Road and Ashland Terrace intersection (C-5 Neighborhood Commercial Zone and C-2 Convenience Commercial Zone).
- There has been no recent zoning activity on this particular site.

Plans/Policies/Regulations

- The Hixson-North River Community Plan (adopted by City Council 2003) recommends Medium Density Residential for the front portion of this property, which is approximately 221'. The remaining portion of the property is recommended for Low Density Residential. The Medium Density Residential classification supports single-family homes, townhouses, patio homes, as well as two, three, and four-family dwellings. The Low Density Residential classification supports single-family homes, with some exceptions made for townhouses, patio homes, and two-family dwellings if the density is compatible.
- The R-4 Special Zone (requested for this site) permits single-family homes, duplexes, multi-unit dwellings, bed and breakfasts, offices, banks, and short-term vacation rentals.

Key Findings

- The proposal is not supported by the recommendations of the adopted Land Use Plan for the area. However, the Hixson-North River Community Plan was adopted before the widening of Ashland Terrace occurred. The use of the property as a small office in an existing single-family dwelling would appear to be a less intrusive use along this corridor than introducing medium density residential. The plan recommends Medium Density Residential for the front portion of this property, which is approximately 221' as measured from the frontage of Ashland Terrace to the

PLANNING COMMISSION CASE REPORT

interior of the lot. The remaining portion of the property is recommended for Low Density Residential. Staff would recommend that the rezoning follow the recommendations of the Hixson North River Community Plan and not rezone the entire property. The portion that should be rezoned only is 221' as measured from Ashland Terrace toward the interior of the property. The remainder of the property should remain R-1 Residential.

- The proposed use is compatible with surrounding uses. The site is approximately 385' from the intersection of Ashland Terrace and Ely Road, which is a commercial intersection. Land uses at this intersection include a convenience store, funeral home, and other neighborhood scale commercial uses. The site is approximately 235' from an existing C-5 Neighborhood Commercial Zone and 385' from an existing R-4 Special Zone.
- The proposal is consistent with the development form of the area, since the request proposes to maintain the existing residential structure. Placing conditions on the site such as of existing structure only would ensure that the development of the site is consistent with the development form found in the area.
- The proposed structure does not raise concerns regarding location, lighting, or height. There are no plans to construct a new structure on the site. The existing structure will be used for office use.
- The proposal would not be an extension of an existing zone. However, the R-4 Special Zone or the O-1 Office Zone would serve as a transition/buffer between the existing R-3 Residential Zone and the R-1 Residential Zone and the R-1A Residential Zone classification for the City of Red Bank. The R-4 Special Zone permits some land uses that may not be compatible with the adjacent properties. A more restrictive zone, such as the O-1 Office Zone would be more appropriate at this location.
- The proposal would set a precedent for future requests.
- The transportation infrastructure is adequate to absorb additional capacity; however, the Chattanooga Department of Transportation recommends only one curb cut be provided to the site.

Staff Recommendation

Deny R-4 Special Zone, approve O-1 Office Zone only for 221' as measured from the property line of Ashland Terrace toward the interior of the property subject to the following conditions:

1. Use of existing structure only.
2. Limited to one curb cut for ingress/egress onto Ashland Terrace.
3. Off-street parking limited to a maximum of 8 spaces.
4. No dumpsters permitted.
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 the posts shall be no more than six (6) feet in height.
6. Type "C" landscape buffer to be provided along the property line where the O-1 Office Zone abuts the property line of the R-1A Residential Zone (City of Red Bank).
7. Except for the existing driveway, 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 approved access drive.
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2015-073 Rezoning from R-1 to R-4

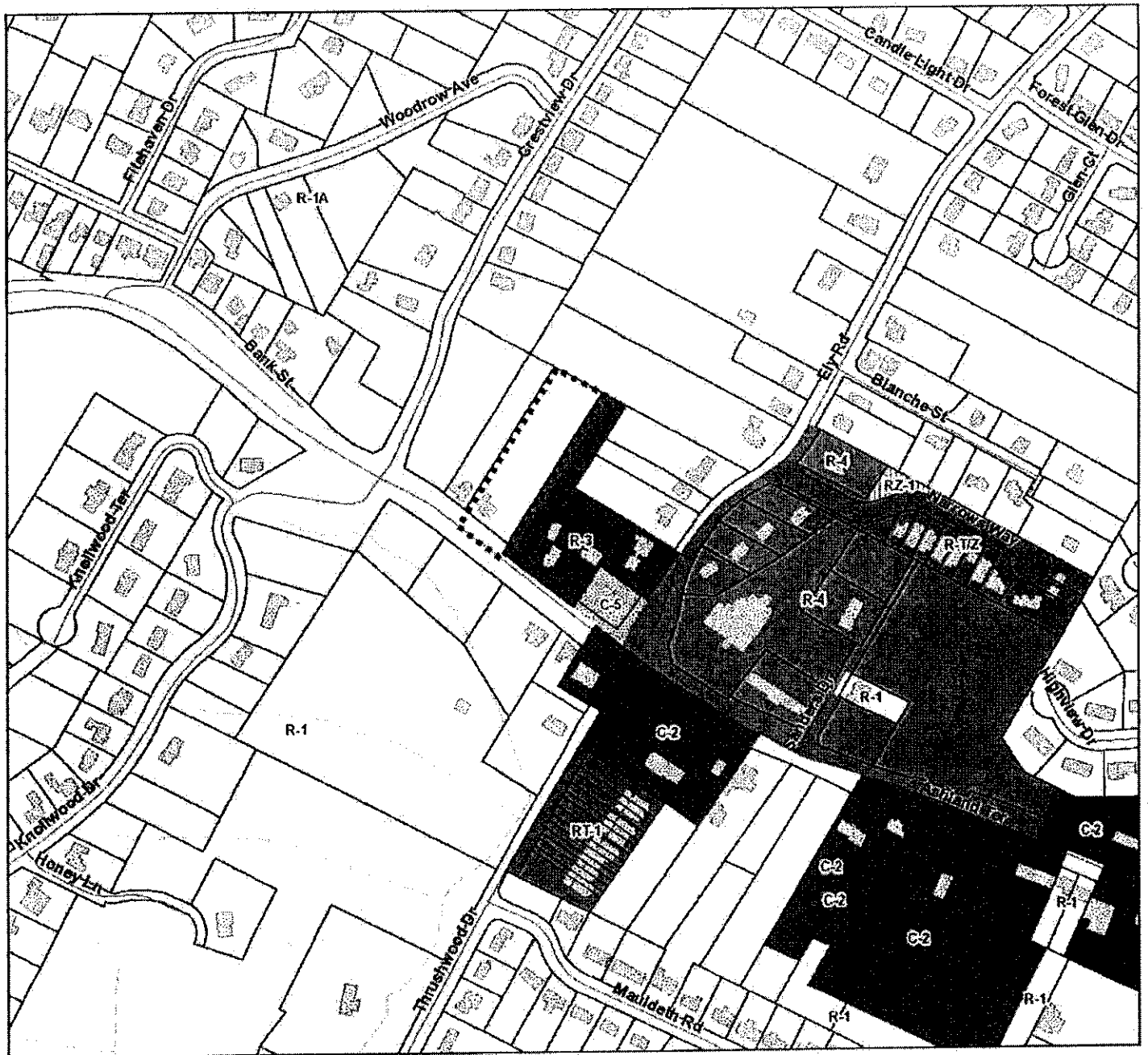
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-073: Deny for R-4 Special Zone but approve an O-1 Office Zone only for the front half of the lot measuring 221 feet deep from the right-of-way of Ashland Terrace toward the interior of the property subject to the conditions listed in the Planning Commission Resolution.



350 ft

Chattanooga Hamilton County Regional Planning Agency

RPA



2015-073 Rezoning from R-1 to R-4



Chattanooga Hamilton County Regional Planning Agency



356 ft



Site Plan

Case # 2015-013

Total Acres being requested for rezoning or special permit: 1.4

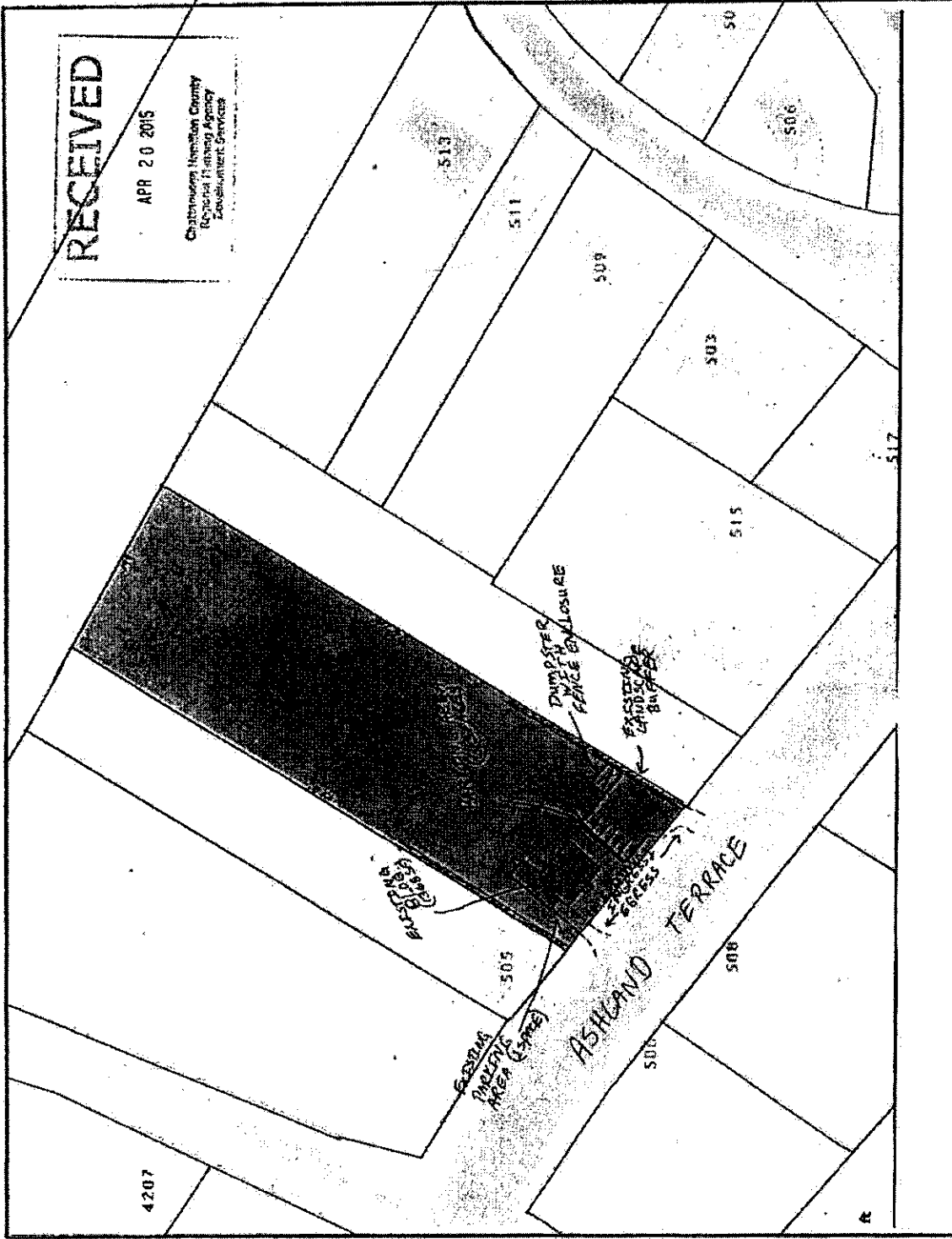
Total number of dwelling units (if applicable): 0

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



Date Received 4/20/15

Applicant Initial _____



RECEIVED
APR 20 2015
Chattanooga Hamilton County
Regional Planning Agency
Land-Use Services

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 for R-4 Special Zone but approved for an O-1 Office Zone:

2015-073 Joshua Good of Land Titans Investments, LLC and Robert Pettross. 507 Ashland Terrace, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2015-077 Passpointe Engineering c/o Jan Pass and Tennessee Valley Railroad Museum c/o Tim Andrews. 2202 North Chamberlain Avenue, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.

2015-082 Frank Kinser/East Brainerd Land Company. 6001 Lee Highway, from R-1 Residential Zone to M-1 Manufacturing Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following condition be lifted from Ordinance No. 12703 of previous Case No. 2013-004 as follows:

2015-075 Michael Tawzer. 5223 Hunter Road, lifting part of Condition No. 1 from Ordinance No. 12703 of previous Case No. 2013-004.

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

2015-050 Joseph Ingram/Salient Investments. 6801 Conner Lane and 2115 North Concord Road, granting a Special Permit for a Residential Planned Unit Development, subject to certain conditions.

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,

July 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