

First Reading: _____
Second Reading: _____

2015-082
Frank Kinser/
East Brainerd Land Company
District No. 5
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE A PORTION OF THE PROPERTY LOCATED AT 6001 LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-1 MANUFACTURING 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 a portion of the property located at 6001 Lee Highway, more particularly described herein:

All that part of Tax Map 148P-E-001.03 currently zoned R-1, being a portion of the property described in Deed Book 3124, Page 115, ROHC. Tax Map No. 148P-E-001.03 (Part).

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

2015-082 City of Chattanooga
June 8, 2015

RESOLUTION

WHEREAS, Frank Kinser/East Brainerd Land Company 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 M-1 Manufacturing Zone, a portion of the property located at 6001 Lee Highway.

All that part of Tax Map 148P-E-001.03 currently zoned R-1, being a portion of the property described in Deed Book 3124, Page 115, ROHC. Tax Map 148P-E-001.03 (Part) as shown on the attached map.

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

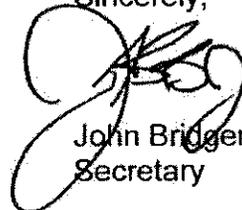
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition 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 approved.

Sincerely,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-082		Date Submitted: 5-19-2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)				
1 Applicant Request				
Zoning	From: R-1		To: M-1	
Total Acres in request area: ~2.78 Acres				
2 Property Information				
Property Address:	6001 Lee Highway (Part)			
Property Tax Map Number(s):	148P-E-001.03 (Part)			
3 Proposed Development				
Reason for Request and/or Proposed Use:	To clean up zoning for entire 17 acre tract that was partially rezoned in 1985 so as to accommodate a distribution / warehouse center.			
4 Site Characteristics				
Current Zoning:	R-1			
Current Use:	Lumber Yard and saw mill			
Adjacent Uses:	M-1 / Lumber Yard			
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: Frank Kinser / East Brainerd Land Company			Address: 6001 Lee Highway	
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: 37421	Email: frankkinser@aol.com	
Phone 1: 423-280-4195	Phone 2:	Phone 3:	Fax:	
6 Property Owner Information (if not applicant)				
Name: Same			Phone:	
Address:				
Office Use Only:				
Planning District: 9		Neighborhood: Friends of East Brainerd; Brainerd East Brainerd Chamber, CNAC		
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: ~2.78	<input checked="" type="checkbox"/>
Deeds		<input checked="" type="checkbox"/>		
Plats, if applicable		<input checked="" type="checkbox"/>		
Deed Book(s): 3124-115				
Plat Book/Page: 7-27		<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: 72687		
Planning Commission meeting date: 6-8-2015			Application processed by: Trevor Slayton	

PLANNING COMMISSION CASE REPORT

Case Number: 2015-082

PC Meeting Date: 06-08-15

Applicant Request**Rezone from R-1 Residential to M-1 Manufacturing**

Property Location:	6001 Lee Highway
Property Owner:	Frank Kinser/ East Brainerd Land Company
Applicant:	Frank Kinser/ East Brainerd Land Company

Project Description

- Proposal: To rezone a remaining 2.78-acre portion of a 17-acre site to accommodate parking, detention areas, and future expansion of a proposed warehouse and distribution center.
- Proposed Access: Provence Street

Site Analysis**Site Description**

- Location: The site is located between Lee Highway and Airport Road on the north side of Provence Street.
- Current Access: Provence Street
- Current Land Uses: The overall site is the location of the former East Brainerd Lumber Company. The area requested for rezoning is interior to the former lumber yard. The property to the north is a mobile home park. The site is bordered on the east and south by the former lumber yard and structures. The adjacent properties to the west are used for offices.

Zoning History

- The site is currently zoned R-1 Residential.
- The original lumber yard site was rezoned to M-1 Manufacturing in 1962. A larger portion was rezoned to M-1 in 1985 (Ordinance #8561). Additional properties zoned R-1 Residential were acquired after 1985 and absorbed into the lumber yard site but were never rezoned. This is the area of the current M-1 request.
- The property to the north is zoned C-2 Convenience Commercial. The area to the east is zoned M-1 Manufacturing. The area to the south is zoned M-1 Manufacturing. The properties to the west are zoned M-1 Manufacturing and C-2 Convenience Commercial.

Plans/Policies/Regulations

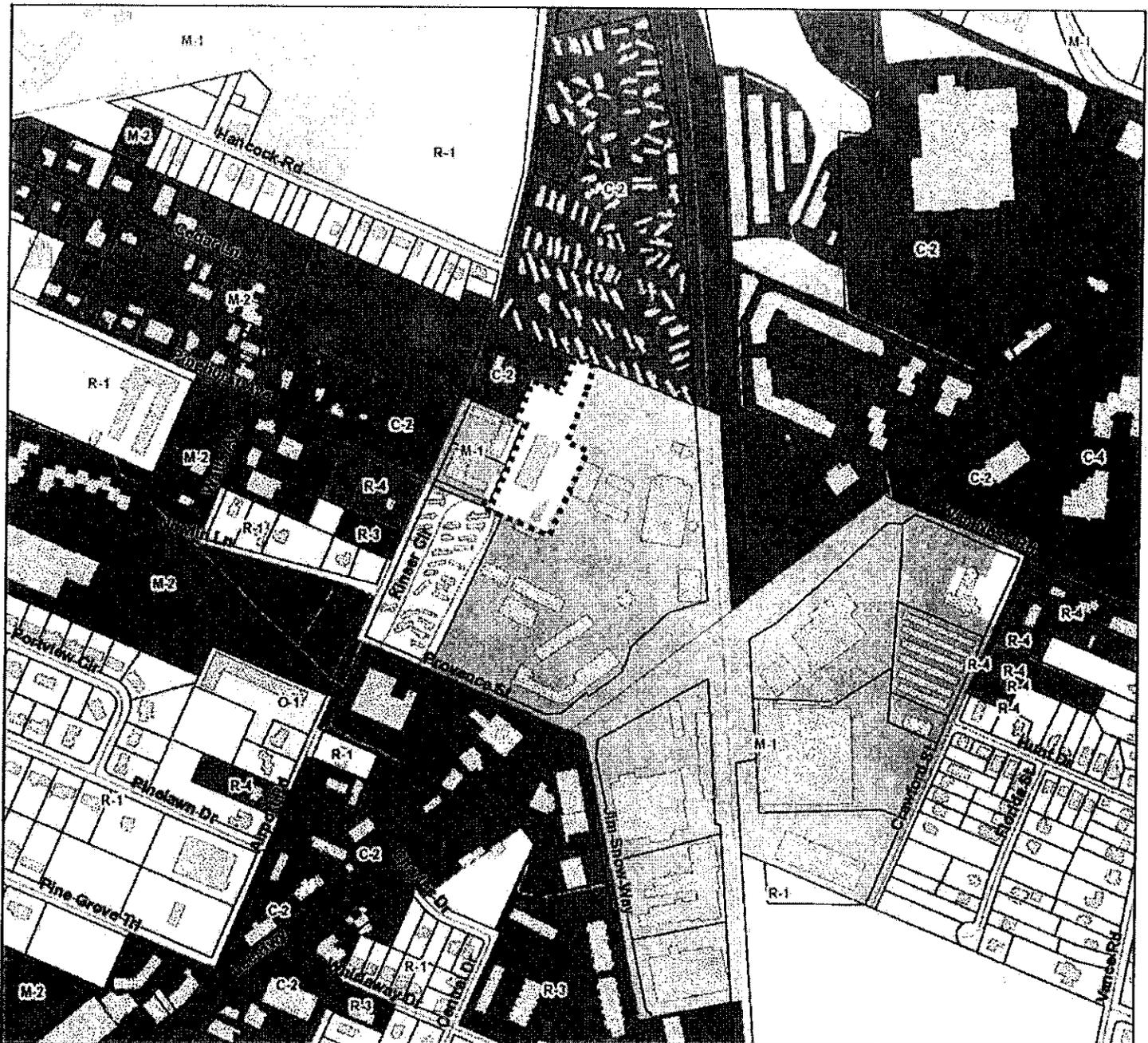
- There is no current adopted land use plan for this area.
- The M-1 Manufacturing Zone permits more non-residential uses than any other zone.

Key Findings

- The proposed use is generally consistent and compatible with surrounding uses to the south, east and west. However, there is a residential mobile home park abutting the north end of the property. Based on the submitted site plan, the proposed rezoning request would be part of the redevelopment of the larger tract of land to the east and south. The landscape ordinance standards would require screening and buffering where the property adjoins some existing residential properties to the north and west. Therefore staff is not recommending any conditions for this request.
- The proposal does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve.



2015-082 Rezoning from R-1 to M-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-082:

Approve

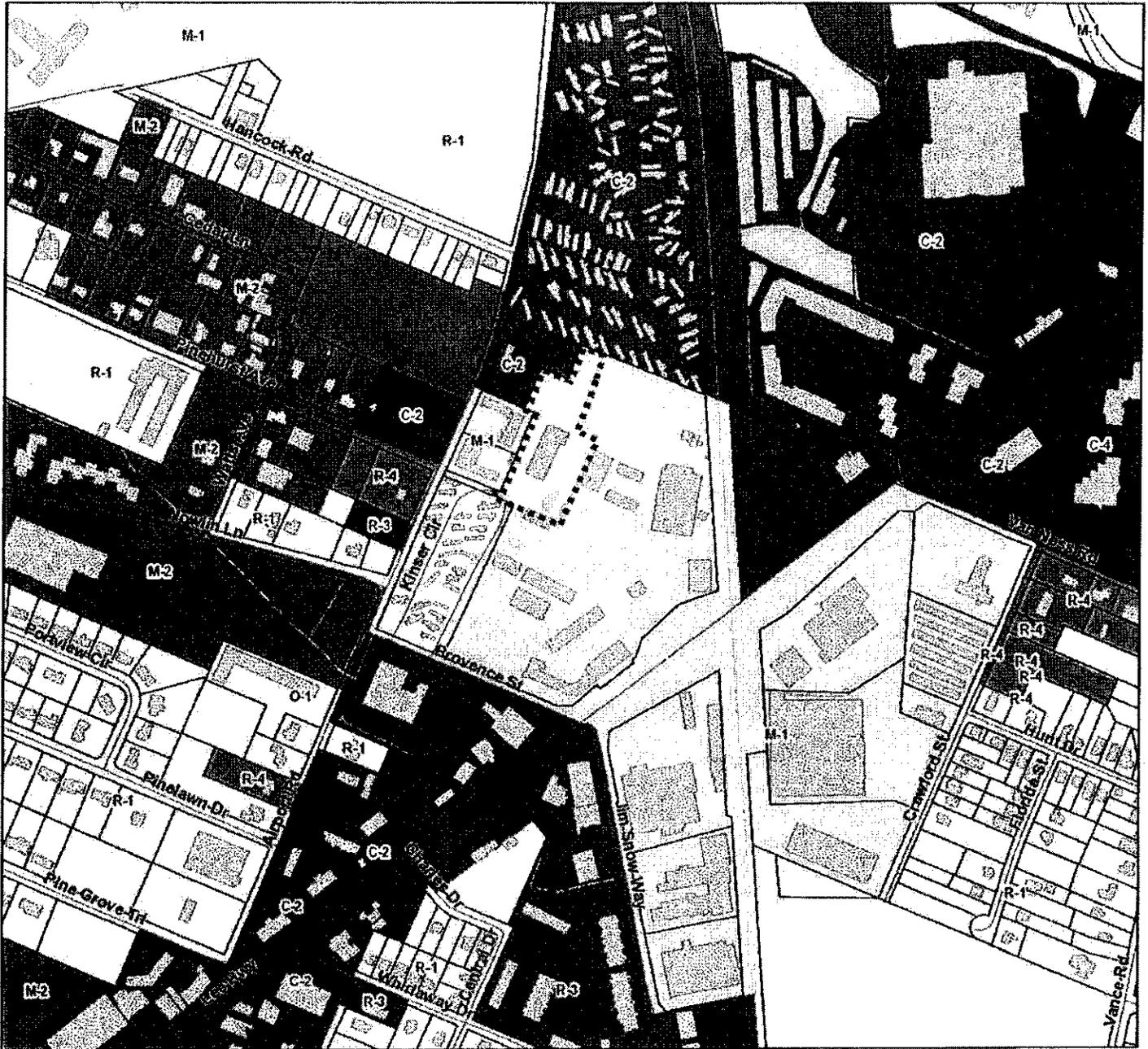


480 ft



Chattanooga Hamilton County Regional Planning Agency





2015-082 Rezoning from R-1 to M-1

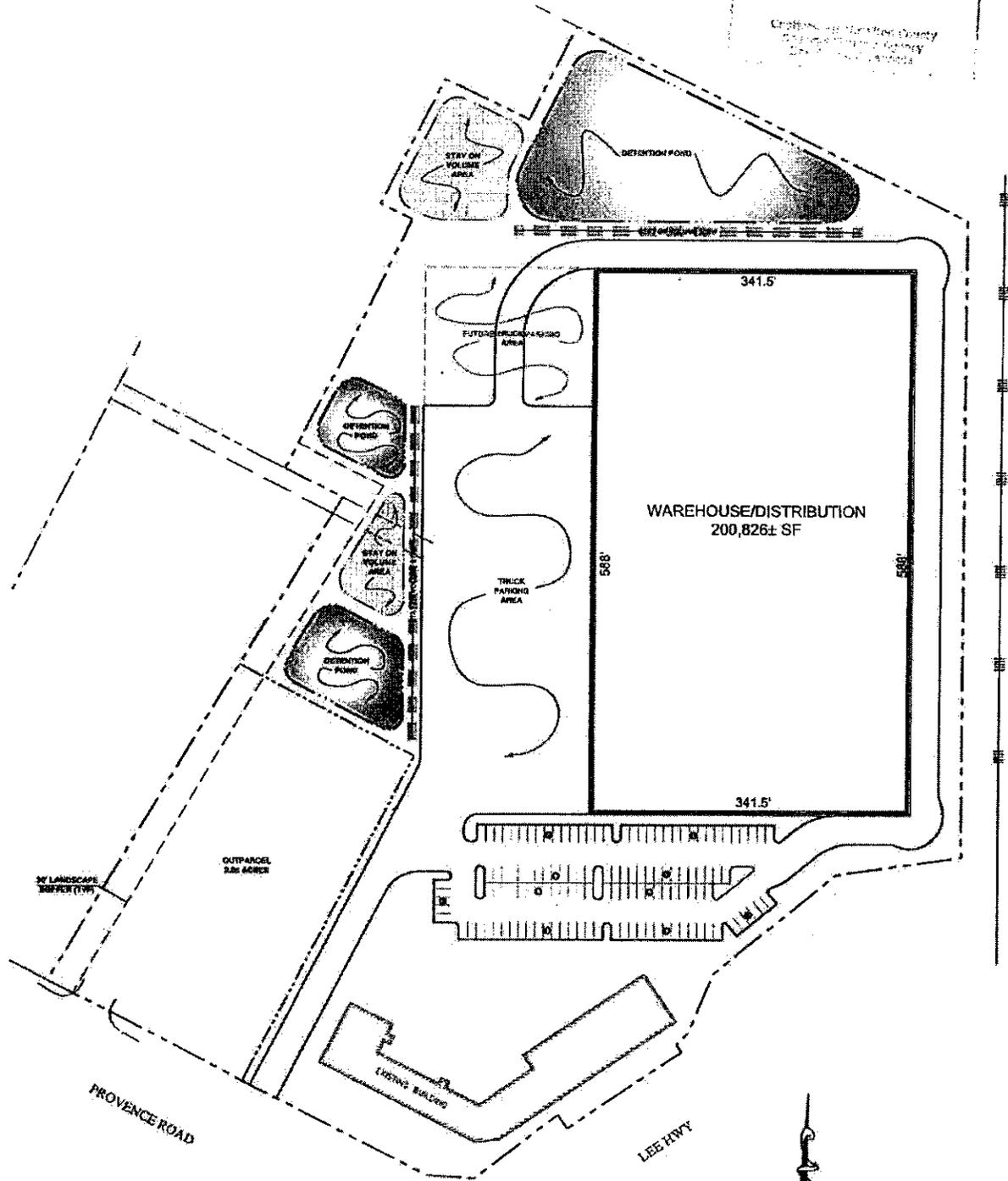
Chattanooga Hamilton County Regional Planning Agency

480 ft

RECEIVED

MAY 22 2015

City of North York County
Planning and Zoning
Department



GRAPHIC SCALE



2015-082

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