

First Reading: _____
Second Reading: _____

2015-138
Peter C. Cory and Miles D. Raborn
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8407 AND 8575 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-5 RESIDENTIAL ZONE TO R-1 RESIDENTIAL 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 properties located at 8407 and 8575 Petty Road, more particularly described herein:

Parts of Lot 13, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, being the properties described in Deed Book 10519, Page 75 and 78, ROHC. Tax Map Nos. 159K-A-001 and 002.

and as shown on the maps attached hereto and made a part hereof by reference, from R-5 Residential Zone to R-1 Residential 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

2015-138 City of Chattanooga
November 9, 2015

RESOLUTION

WHEREAS, Peter C. Cory & Miles D. Raborn 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-5 Residential Zone to R-1 Residential Zone, properties located at 8407 & 8575 Petty Road.

Parts of Lot 13, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, being the properties described in Deed Book 10519, Page 75 and 78, ROHC. Tax Map 159K-A-001 and 002 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 9, 2015,

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

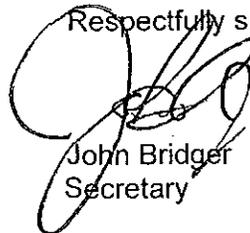
AND WHEREAS, no one was present in opposition to the petition,

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

AND WHEREAS, the Planning Commission has determined that the proposal is consistent and compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on November 9, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-138	Date Submitted: 9-22-2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-5	To: R-1	
	Total Acres in request area: 3.2 + or -		
2 Property Information			
Property Address:	8407 & 8575 Petty Road		
Property Tax Map Number(s):	159K-A-001 & 002		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Single Family Residential Development		
4 Site Characteristics			
Current Zoning:	R-5		
Current Use:	Residential		
Adjacent Uses:	Apartments, Residential, & Undeveloped		
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: Peter C. Cory & Miles D. Raborn		Address: P.O. Box 28193	
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: 37424	Email: coryconstruction@gmail.com
Phone 1: 423-304-4407	Phone 2: 423-280-7004	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 10		Neighborhood: CNAC, BEBC, FOEB	
Hamilton Co. Comm. District: 7		Chatt. Council District: 4	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: 3.2	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10519-78, 10519-75			
Plat Book/Page: 12-27		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 295.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 3818
Planning Commission meeting date: 11-9-2015		Application processed by: Marcia Parker	

PLANNING COMMISSION CASE REPORT

Case Number: 2015-138

PC Meeting Date: 11-09-15

Applicant Request**Rezone from R-5 Residential to R-1 Residential**

Property Location:	8407 & 8575 Petty Road
Property Owner:	Peter C. Cory & Miles D. Raborn
Applicant:	Peter C. Cory & Miles D. Raborn

Project Description

- Proposal: This is a 3.2-acre portion of a 6-acre site proposed to be developed for single-family homes as part of an associated Planned Unit Development (Case #2015-139).
- Proposed Access: Morris Hill Road.
- Proposed Development Form: 29 lots are proposed for 27 single-family homes for the overall 6-acre site. Two of the lots shown on the site plan are proposed for detention ponds. It is assumed that these two lots are also for the required open space.
- Proposed Density: 4.5 dwelling units per acre for the entire 6-acre site.

Site Analysis**Site Description**

- Location: This 3.2-acre rezoning site is located on the east side of Petty Road approximately 450 feet south of Igou Gap Road in East Brainerd.
- Current Access: Petty Road
- Current Development form: There is a mixture of residential lots surrounding this suburban site ranging from 7,500 square feet to 4.7 acres in size.
- Current Land Uses: Single-family homes and single-wide manufactured homes are located to the west and south of the site. Single-family homes are located to the north. Single-family homes and Morris Hill Baptist Church are located to the east.
- Current Density: The residential density of the Planned Unit Development under construction on Petty Road is 5.6 dwelling units per acre. The density of the newly constructed apartments adjacent to the south side of the site is 8 dwelling units per acre. The average residential density of the homes on the west side of Petty Road (with Petty Road addresses) across the street from the site is approximately 1.8 dwelling units per acre.

Zoning History

- The site is currently zoned R-5 Residential.
- The property to the north is zoned R-1 Residential. The property to the east is part of the total development project and is zoned R-1 Residential. The adjacent property to the south is zoned R-3MD Moderate Density. Other properties to the south west are zoned R-5 Residential.
- There most recent zoning activity near this site was for the adjacent R3MD property, approved by City Council in 2013 (Ordinance #12770) and the PUD across Petty Road to the south, also approved by City Council in 2013 (Resolution #27662).

Plans/Policies/Regulations

- The East Brainerd Corridor Community Land Use Plan (adopted by City Council in 2003) recommends Low Density Residential for this area.
- The R-5 Residential Zone permits single-family homes, duplexes, and single-wide manufactured homes.

PLANNING COMMISSION CASE REPORT

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area based upon R-1 Residential Zones being a low density residential zone.
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the surrounding densities.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve



2015-138 Rezoning from R-5 to R-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-138:
Approve



244 ft





2015-138 Rezoning from R-5 to R-1



244 ft

Chattanooga Hamilton County Regional Planning Agency





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MORRIS HILL ROAD
 RESIDENTIAL DEVELOPMENT
 FOR
 COREY CONSTRUCTION
 P.O. BOX 28193
 CHATTANOOGA, TN 37424

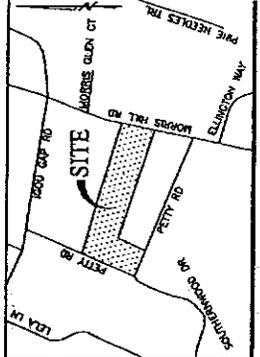
REZONING PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
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DATE: 07/17/15
 DRAWN BY: MAF
 CHECKED BY: MAF
 FIELD NUMBER: 15-138
 SHEET NUMBER: C-1



SITE ANALYSIS

PROPERTY ADDRESS: 8407, 8575 PETTY RD & 1813 MORRIS HILL RD
 TAX MAP ID: 158K-A-001, 158K-A-002, 158K-A-009
 CURRENT ZONING: R-1 & R-5
 PROPOSED ZONING: R-1 PUD
 TOTAL SITE AREA: 8.0 ± ACRES
 TOTAL COMMUNITY LOT AREA: 0.88 ACRES
 COMMUNITY LOT AREA: 1.68 (OF TOTAL SITE)

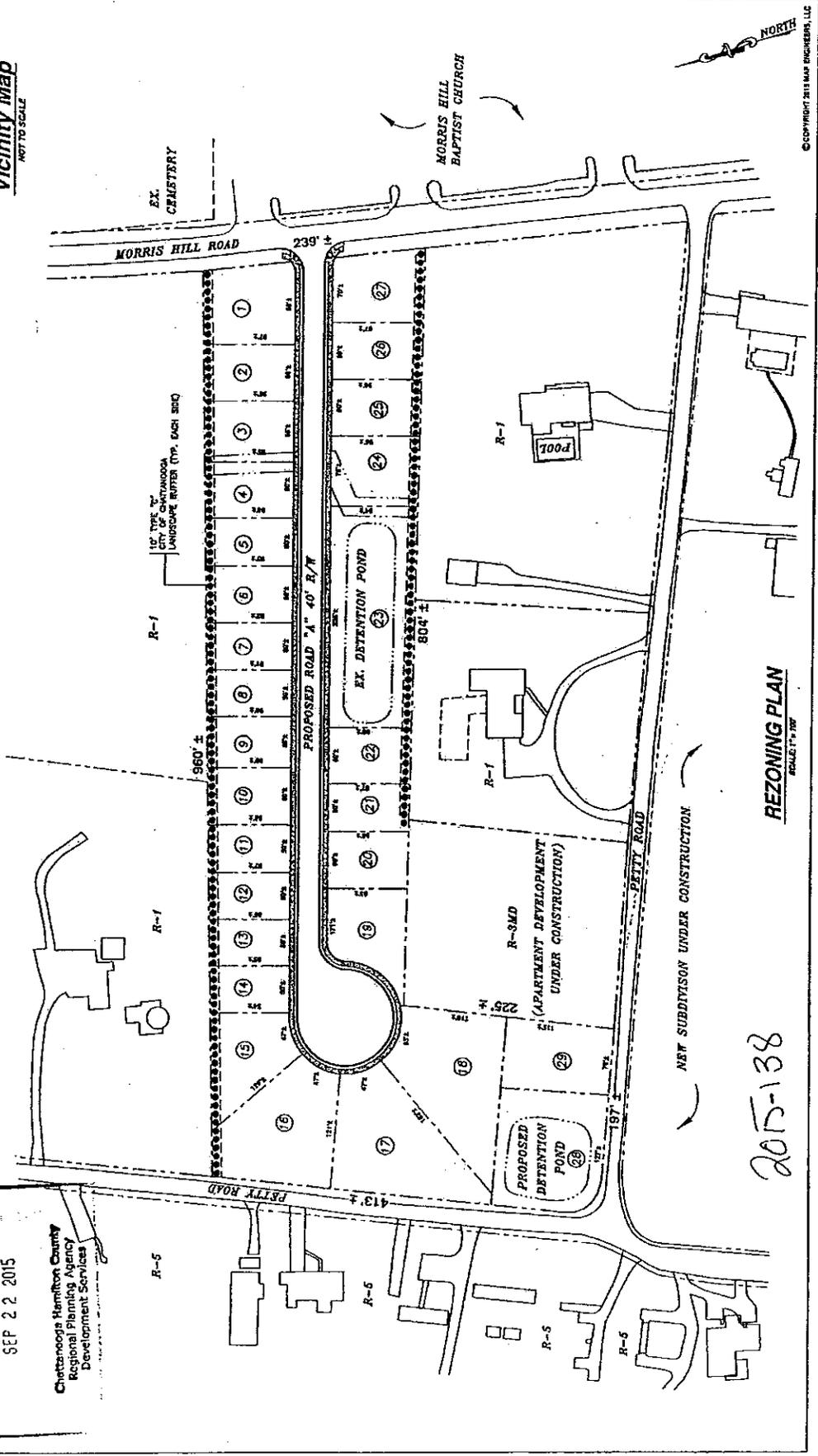
TOTAL # OF SINGLE FAMILY LOTS: 27
 TOTAL # OF COMMUNITY LOTS: 2
 TOTAL # OF BUILDABLE RESIDENTIAL LOTS: 27
 PROPOSED DENSITY: 4.58 UNITS/ACRE



RECEIVED

SEP 2 2 2015

Chattanooga Hamilton County
 Regional Planning Agency
 Development Services



2015-138

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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:

2015-119 Matthew W. Thacker and Jean M. Thacker. 1402 Cemetery Avenue, from R-3 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2015-136 James Hixson. 2700 and 2708 Walker Road, from R-2 Residential Zone to R-4 Special Zone.

2015-138 Peter C. Cory and Miles D. Raborn. 8407 and 8575 Petty Road, from R-5 Residential Zone to R-1 Residential Zone.

2015-140 Owen Trepanier and Richard Puente. 3120 Dodson Avenue, from M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions.

2015-141 Wise Properties, LLC. 1920 Chestnut Street, 1817 Broad Street, and 423 West 20th Street, from M-1 Manufacturing Zone to C-2 Central Business Zone, subject to certain conditions.

2015-144 Nick Adams and Christy Clark/Adams Masonry. Part of 2833 Calhoun Avenue and all of 2902 Morgan Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone.

2015-145 Bristol Development Group and Scott Black. 401, 403, 407, 409, 411, and 413 Somerville Avenue, from M-1 Manufacturing Zone and C-2 Convenience Commercial Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2015-149 City of Chattanooga/RPA. 3000 Broad Street, from M-1 Manufacturing Zone to M-2 Light Industrial Zone, subject to certain conditions.

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

2015-135 Jason McGlohon/SBI Engineers. 6501 Shallowford Road, from R-1 Residential Zone to R-4 Special Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permits be approved as follows:

2015-123 Dreamtech Homes, LLC/Sherman Smith and First Bank/Jim McKenzie. 1091 Mackey Avenue, for a Residential Planned Unit Development, subject to certain conditions.

2015-139 Peter C. Cory and Miles D. Raborn. 1813 Morris Hill Road and 8407 and 8575 Petty Road, for a Residential Planned Unit Development, subject to certain conditions.

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 Section 38-563, Jurisdiction of the Board, by adding subsection (6).
- (b) Amending Section 38-2, Definitions, by deleting the definition "Alternative Financial Services" and adding in lieu thereof a new definition in alphabetical order.

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,

December 8, 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