

First Reading: _____
Second Reading: _____

2016-018
Joseph Parks and James Rogers
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7504 OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM C-2 CONVENIENCE COMMERCIAL ZONE TO R-4 SPECIAL 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 7504 Old Lee Highway, more particularly described herein:

An unplatted tract of land located at 7504 Old Lee Highway being the property described in Deed Book 10133, Page 696, ROHC. Tax Map No. 139F-E-002.

and as shown on the maps attached hereto and made a part hereof by reference, from C-2 Convenience Commercial 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

2016-018 City of Chattanooga
February 8, 2016

RESOLUTION

WHEREAS, Joseph Parks and James Rogers petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from C-2 Convenience Commercial Zone to R-4 Special Zone, property located at 7504 Old Lee Highway.

An unplatted tract of land located at 7504 Old Lee Highway being the property described in Deed Book 10133, Page 696, ROHC. Tax Map 139F-E-002 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016,

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

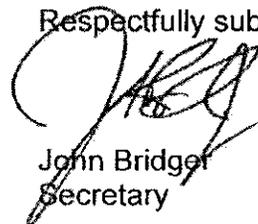
AND WHEREAS, no one was present in opposition to the petition,

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 compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 8, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Bridger', is written over the typed name and title.

John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2016-018	Date Submitted:	12-28-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: C-2	To: R-4	
Total Acres in request area: 7.41			
2 Property Information			
Property Address:	7504 Old Lee Highway		
Property Tax Map Number(s):	139F-E-002		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Proposed Building Use (Assisted Living) is not allowed in C-2		
4 Site Characteristics			
Current Zoning:	C-2		
Current Use:	Vacant (Formerly Residential)		
Adjacent Uses:	Residential & Commercial Office		
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: Joseph Parks		Address: P.O. Box 3689, 310 Dodds Avenue	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37404	Email: joe.parks@marchadams.com
Phone 1: 423-664-1482	Phone 2:	Phone 3:	Fax: 423-698-3638
6 Property Owner Information (if not applicant)			
Name: James Rogers		Phone: 423-785-6757	
Address: 7111 Snow Hill Road Ooltewah, TN 37363			
Office Use Only:			
Planning District: 10		Neighborhood: CNAC, FOEB, BEBC	
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: 7.41	<input checked="" type="checkbox"/> Deeds	<input type="checkbox"/> Plats, if applicable
Deed Book(s): 10133-696			
Plat Book/Page: N/A		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 705.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 505238
Planning Commission meeting date: 2-8-2016		Application processed by: Marcia Parker	

PLANNING COMMISSION CASE REPORT

Case Number: 2016-018

PC Meeting Date: 02-08-16

Applicant Request

Rezone from C-2 Convenience Commercial to R-4 Special Zone

Property Location:	7504 Old Lee Highway
Property Owner:	James Rogers
Applicant:	Joseph Parks

Project Description

- Proposal: Develop 7.41-acre site with a 52 unit assisted living facility.
- Proposed Access: Main entrance on Old Lee Highway.
- Proposed Development Form: New construction of a 1 story building approximately 50,000 square feet.
- Proposed Density: Approximately 7 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 7.41 acre vacant site is located on the east side of Old Lee Highway approximately 1,000 feet from the Old Lee Highway and Jenkins Road intersection.
- Current Access: Main entrance on Old Lee Highway
- Tennessee Department of Transportation Functional Classification: Old Lee Highway is designated as an Urban Minor Arterial.
- Current Development form: The site faces Interstate 75 to the west. To the south are large lots with two story buildings. To the north is vacant land. To the east on higher topography are single family dwellings.
- Current Land Uses: The site is currently vacant. The lots west, north, and east of the site are vacant. South east of the site and farther to the east are single-family residential uses. To the south are religious and office uses.
- Current Density: The single-family development to the east has an average density of 1 dwelling unit per acre.

Zoning History

- The site is currently zoned C-2 Convenience Commercial.
- The site was rezoned in 2003 when annexed into the City of Chattanooga (Ordinance #11430).
- The property to the north is zoned R-2A Rural Residential. The property to the east is zoned A-1 Agricultural. The property to the south is zoned C-2 Convenience Commercial. The property to the west is zoned C-2 Convenience Commercial.
- The nearest R-4 Special Zone (same as the request) is approximately 1,500 feet to the south of the site.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The requested R-4 Special Zone permits residential uses, bed and breakfast establishments, dormitories, professional and medical offices, banks, and short-term vacation rentals.
- R-4 Special Zone may allow Assisted Living through a Special Exceptions Permit that goes before the Board of Zoning Appeals.
- The C-2 Convenience Commercial Zone permits most commercial uses and would require a 20-foot wide landscape buffer where adjacent to a residential zone. The C-2 Convenience Commercial Zone does not permit assisted living facilities.

Key Findings

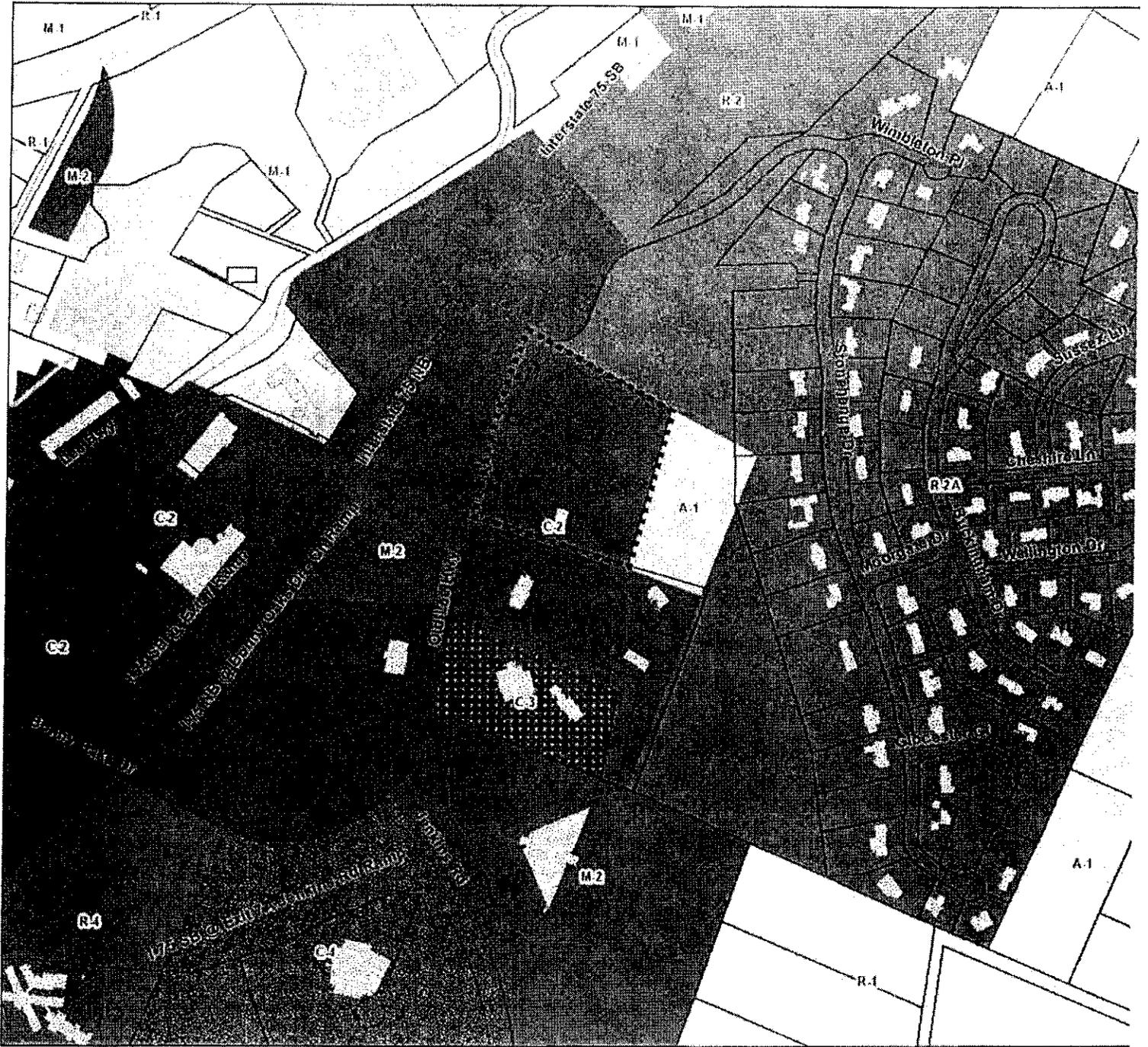
- The proposed use is compatible with surrounding uses.

PLANNING COMMISSION CASE REPORT

- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the surrounding densities due to the distance and topography change between site and adjacent residential dwellings.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would not be an extension of an existing zone.
- The proposal would set a precedent for future requests.

Staff Recommendation

Approve



2016-018 Rezoning from C-2 to R-4

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-018: Approve

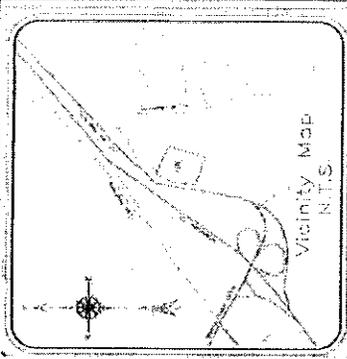


486 ft



Chattanooga Hamilton County Regional Planning Agency



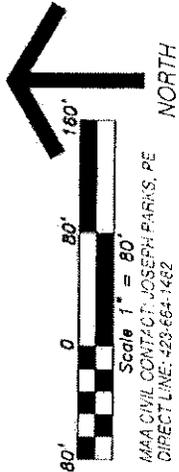


**MEMORY CARE
SCHEMATIC SITE PLAN**

DATE REVISED: 12-31-2015

SITE # 2015-02
 REQUESTED ZONE: R-2
 MAP AND PARCEL # 1107 E 002
 STREET ADDRESS: 2504 OLD LEE HIGHWAY
 USE: ALZHEIMER CARE/ ASSISTED LIVING
 ZONING AHD: R-2015
 PROJECT ADDRESS: 2572 OLD LEE HIGHWAY (15MP BLOCK)
 TOTAL NUMBER OF UNITS: 22 UNITS WITH 4572

REGULAR PARKING SPACES: 47
 ADA COMPLIANT PARKING SPACES: 51
 TOTAL PARKING SPACES: 98
 TOTAL PARKING REQUIRED: 10 SPACES 5 ASSOCIATED WITH 22 UNITS
 PROPERTY OWNER: PODES JAMES C JR
 7111 SNOW HILL RD
 DOLEWORTH, IN 47303



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:

2016-012 Richard Zavala, 1446 Central Avenue and 901, 911, and 915 East Main Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2016-013 Chestnut Holdings, LLC/Matt Hullander, Jonathan Frost, and John Clark, 1413 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-015 Asa Engineering c/o Allen Jones and John Pregulman/Rober Partners, 551 West 21st Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-018 Joseph Parks and James Rogers, 7504 Old Lee Highway, from C-2 Convenience Commercial Zone to R-4 Special Zone.

2016-025 Roger Radpoir and Kaihan Strain, 6708 Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-026 Ben Peppers of Peppers Construction Company and Nancy Miller, 1813 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. 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 38-402, Application procedure for planned unit development** by amending subsection (2)(b); removing "active" from the last sentence of subsection (5)(a); deleting subsection 6(a) in its entirety and re-letter the remaining items alphabetically; and removing "expires or" from the first sentence in subsection 6(c).

- (b) **Deleting Article V, Zone Regulations, Division 26, Planned Unit Development: Institutional** in its entirety and substituting in lieu thereof new Sections 38-411 through 38-419.
- (c) **Deleting Section 38-482(1)&(2), Process** and substituting in lieu thereof, and adding subsection (3) and renumbering subsection (3) to subsection (4).

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,

March 8, 2016

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 _____, 2016.

Nicole Gwyn
Clerk to the City Council