

First Reading: _____
Second Reading: _____

2016-023
Wanda Threat
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6420 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-5 NEIGHBORHOOD COMMERCIAL 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 6420 Shallowford Road, more particularly described herein:

Lot 1, Final Plat, Havens Addition to Edgemon Forest, Revision No. 1, Plat Book 55, Page 216, being part of the property described in deed Book 9183, Page 471, ROHC. Tax Map No. 148C-A-005.

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

2016-023 City of Chattanooga
February 8, 2016 (Deferred)
March 14, 2016 (Action)

RESOLUTION

WHEREAS, Wanda Threat petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from R-1 Residential Zone to C-5 Neighborhood Commercial Zone, property located at 6420 Shallowford Road.

Lot 1, Final Plat, Havens Addition to Edgemon Forest, Revision No. 1, Plat Book 55, Page 216, being part of the property described in deed Book 9183, Page 471, ROHC. Tax Map 148C-A-005 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016, at which time hearing was deferred to March 14, 2016,

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

AND WHEREAS, opposition was 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,

AND WHEREAS, the Planning Commission has determined that the proposed office use could be compatible with surrounding uses, but retail and drive-thru uses are not compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2016-023

PC Meeting Date: 02-08-16

Applicant Request**Rezone from R-1 Residential Zone to C-5 Neighborhood Commercial Zone**

Property Location:	6420 Shallowford Road
Property Owner:	Wanda Threat
Applicant:	Wanda Threat

Project Description

- Proposal: Develop the approximately 1.2-acre site with doctors office and pharmacy.
- Proposed Access: Only entrance on Shallowford Road and closing access to Edgemon Forest Lane.
- Proposed Development Form: To use the existing building with modification for phase 1. Eventually to build a 1 story 5,000 square foot building.

Site Analysis**Site Description**

- Location: The 1.2 acres residential site is located on the south west corner of Shallowford Road and Edgemon Forest Lane intersection.
- Current Access: Main access from Edgemon Forest Lane with secondary access through shared easement and drive off Shallowford Road.
- Tennessee Department of Transportation Functional Classification: Shallowford Road is defined as an Urban Minor Arterial.
- Current Development form: The predominate development form in the area is single-family dwellings on small lots. There are examples of sparse small commercial developments mixed into residential developments along Shallowford Road.
- Current Land Uses: The site currently contains a single-family dwelling. To the east, north east, and south are single-family dwellings. North of the site is a single 27-acre lot with several 1 and 2 story homes set significantly far back from the road. To the west is a 1.2-acre undeveloped.

Zoning History

- The site is currently zoned R-1 Residential Zone.
- The property to the north is zoned R-2 Residential Zone. The properties to the east and south are zoned R-1 Residential Zone. The property to the west is zoned R-1 Residential Zone and RT-1 Residential Townhouse Zone. The RT-1 Residential Townhome Zone was rezoned in 1986 and includes a condition that limits the maximum number of units build to 45 for the site.
- The nearest C-5 Neighborhood Commercial Zone (same as the request) is approximately 1/3 of a mile to the northwest on Shallowford Road. A C-2 Convenience Commercial Zone is located approximately 585 feet to the east.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Shallowford Road Plan (adopted by City Council in 2009) recommends R-4 Special Zone with conditions. The plan then provides additional specific recommendations for the site stating; *"Expanded uses such as offices may be appropriate for this site if the existing structure is used as this will help ensure compatibility with the Edgemon Forest neighborhood."*
- The C-5 Neighborhood Commercial Zone permits small commercial uses and serves enterprises such as grocery stores, barber shops, offices, and banks which are more compatible relative to C-2 uses in neighborhoods.

PLANNING COMMISSION CASE REPORT

Key Findings

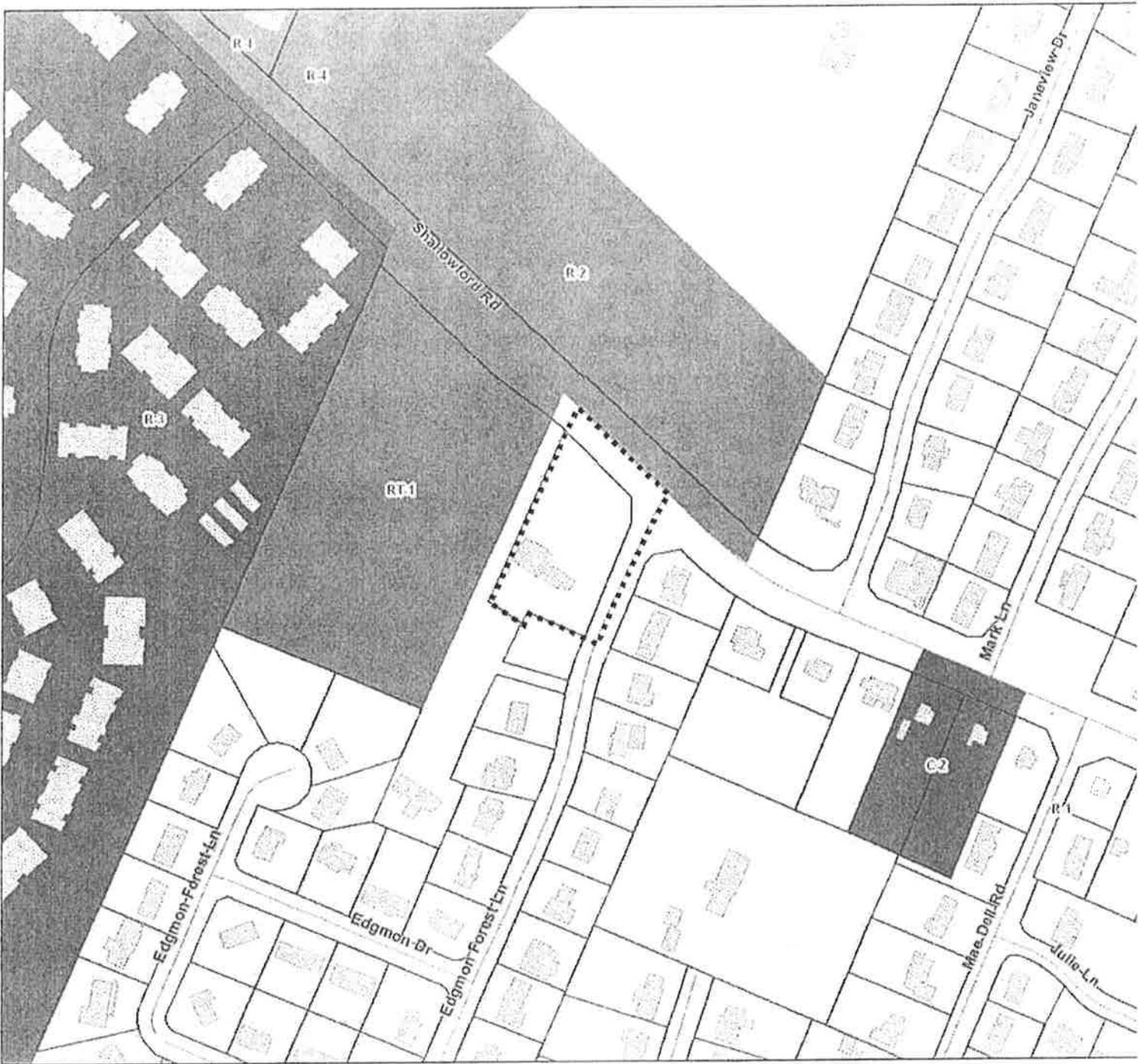
- The proposal is not supported by the recommendations of the adopted Land Use Plan which does not recommend commercial uses or replacing existing buildings.
- The proposed office use could be compatible with surrounding uses, but retail and drive-thru uses are not compatible with surrounding uses.
- The proposal for future new development is not consistent with the development form of the adjacent properties.
- 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 not set a precedent for future requests.

Staff Recommendation

Deny

ZONING APPLICATION FORM

CASE NUMBER:	2016-023	Date Submitted: 12-29-2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-1	To: C-5	
	Total Acres in request area: 1.2 +/-		
2 Property Information			
Property Address:	6420 Shallowford Road		
Property Tax Map Number(s):	148C-A-005		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Proposed Neighborhood Commercial Development		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Residential		
Adjacent Uses:	Residential & Vacant		
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: Wanda Threat		Address: 6420 Shallowford Road	
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:
Phone 1: 423-596-7687	Phone 2: 423-892-1388	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 6		Neighborhood: CNAC, BEBC, FOEB, Shepherd Community	
Hamilton Co. Comm. District: 5		Chatt. Council District: 6	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: 1.2	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9183-471			
Plat Book/Page: 55-216		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 3732
Planning Commission meeting date: 2-8-2016		Application processed by: Marcia Parker	



2016-023 Rezoning from R-1 to C-5

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-023: Approve

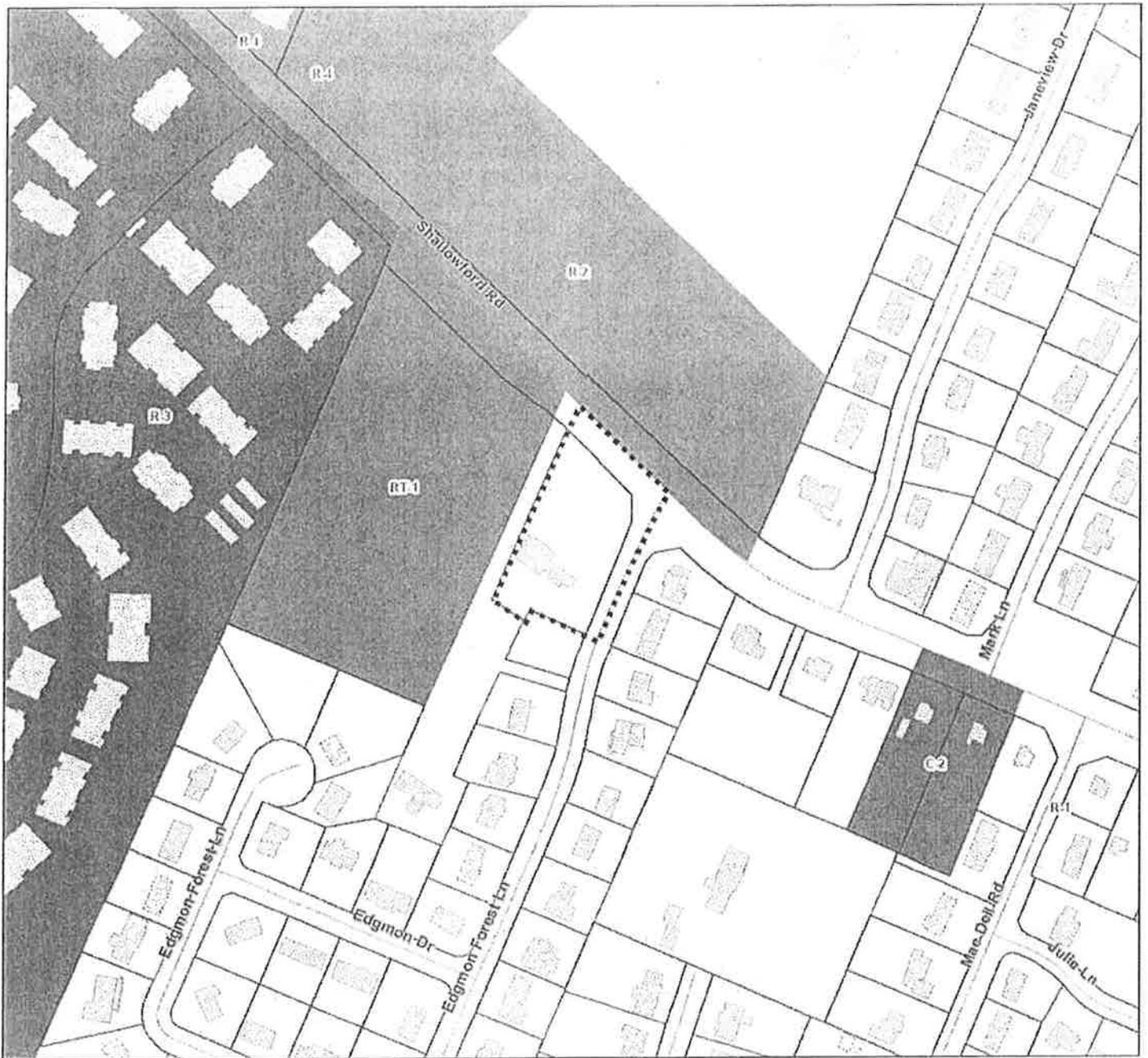


250 ft



Chattanooga Hamilton County Regional Planning Agency





2016-023 Rezoning from R-1 to C-5

Chattanooga Hamilton County Regional Planning Agency

250 ft

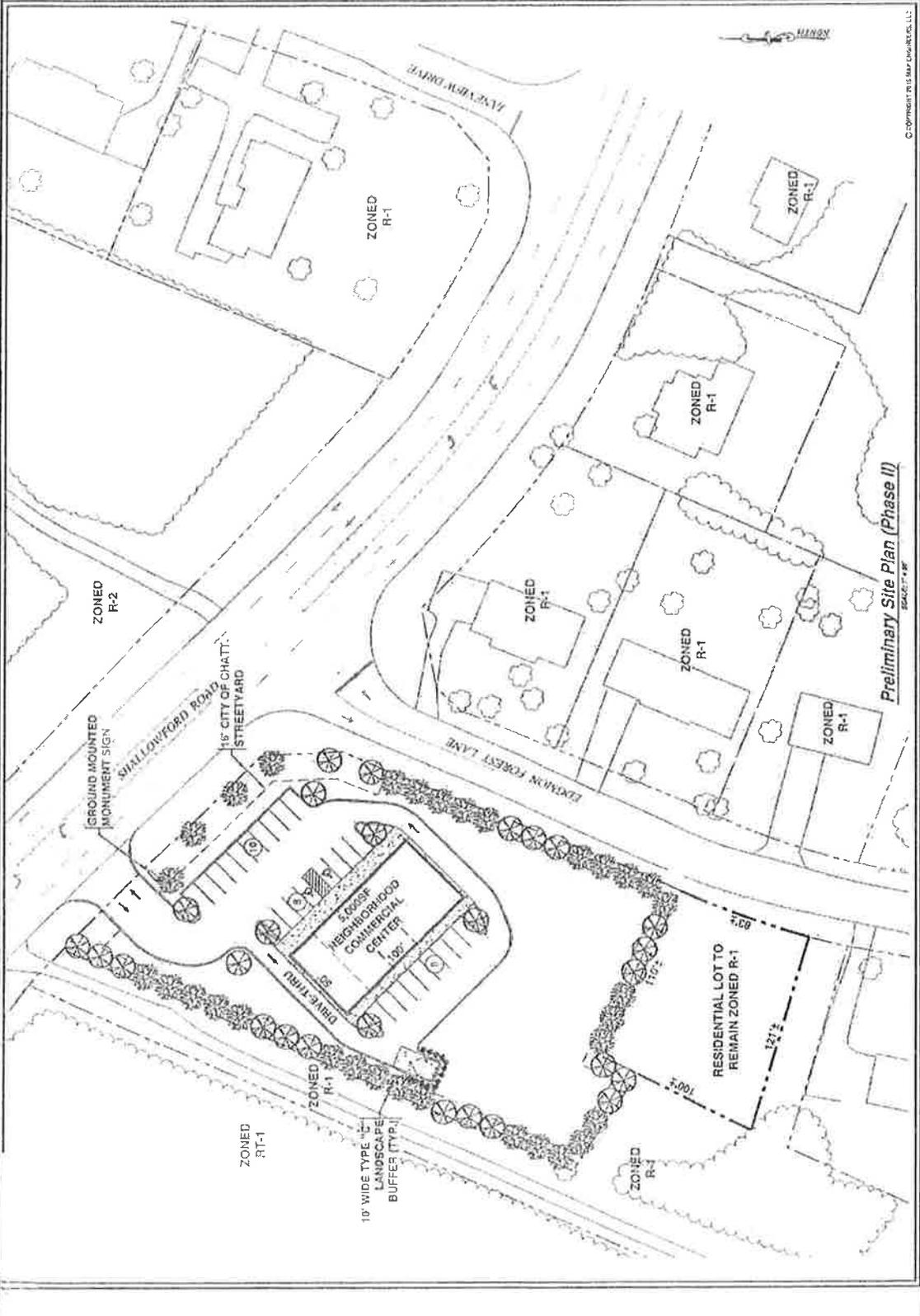


MAP ENGINEERS, LLC
 2700 MAP DRIVE
 CHATTANOOGA, TN 37421

PRELIMINARY
 SITE
 PLAN

NO.	REVISIONS

DATE: 08/15/16
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN



2016-023

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:

2016-023 Wanda Threat. 6420 Shallowford Road, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone.

2016-024 Belle Investment Company, Third Street Partners, and Jimmy & Molly Seal. 1028 and 1042 East 3rd Street and 1039, 1043, and 1047 East 4th Street, from R-4 Special Zone to C-3 Convenience Commercial Zone, subject to certain conditions.

2016-031 Silverdale Baptist Church, Inc. Part of a property located at 2916 Silverdale Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-035 Miller Industries Towing Equipment, Inc./Amon A.C. and Doris York. 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, from R-1 Residential Zone to M-1 Manufacturing Zone.

2016-036 ALC Holdings, LLC. 1605 and 1691 West 39th Street, 109 Old Mountain Road, and 1690 Silvels Lane, from R-1 Residential Zone, R-2 Residential Zone, and UGC Urban General Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

2016-042 Field, LLC, Gabe Thomas/John and Jennifer Langworthy. 721, 725, and 729 North Market Street, 14, 16, 18, and 20 Peak Street, and 718 Spears Avenue, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved for C-5 Neighborhood Commercial Zone and denied for the M-2 Light Industrial Zone:

2016-037 Eric Emery/Tammy Cagle, Greg Brock, and Norma Mahaffey. 5116 and 5120 Highway 58.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit for a Residential Planning Unit Development be approved:

2016-040 Joseph Ingram/Marcus Jones/Magnolia Investors, LLC/Jack Thompson and Allen Headrick, 604 and 638 Samoyed Trail, 1038 Meroney Street, 1400 Hamilton Avenue, and unnumbered Wert Street.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 2 be amended from Ordinance No. 12841 of Previous Case No. 2014-046 regarding Signage Replacement and Design Restrictions for 2016-033 Wallace Braud on property located at 1349 Gunbarrel Road.

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,

April 12, 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