

First Reading: _____
Second Reading: _____

2016-054
Chambliss Center for Children
District No. 5
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 402 AND 406 GILLESPIE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 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 402 and 406 Gillespie Road, more particularly described herein:

Lot 2 and part of Lot 3, Final Plat – Lots 1, 2 & 3, Chamblis Centers Revision to Part of Lot 5 & Part of Lot 6, Stanley’s Corrected Subdivision of the Gonway Field, Plat Book 103, Page 114, ROHC, beginning at the southwest corner of Lot 3, thence northeast some 156.98 feet along the west line of said Lots 2 and 3 parallel with Gillespie Road to a point, thence southeast some 176.5 feet to a point, thence southwest some 129.70 feet to the southeast corner of said Lot 3, thence northwest some 155.4 feet to the southwest corner of said Lot 3 being the point of beginning and being parts of the properties described in Deed Book 1769, Page 472, and Deed Book 3923, Page 188, ROHC. Tax Map No. 147P-L-024.01 (part) and 025.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-2 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

2016-054 City of Chattanooga
April 11, 2016

RESOLUTION

WHEREAS, Chambliss Center for Children petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning of properties located at 402 & 406 Gillespie Road from R-1 Residential Zone to R-2 Residential Zone.

Lot 2 and part of Lot 3, Final Plat – Lots 1, 2 & 3, Chamblis Centers Revision to Part of Lot 5 & Part of Lot 6, Stanley's Corrected Subdivision of the Gonway Field, Plat Book 103, Page 114, ROHC, beginning at the southwest corner of Lot 3, thence northeast some 156.98 feet along the west line of said Lots 2 and 3 parallel with Gillespie Road to a point, thence southeast some 176.5 feet to a point, thence southwest some 129.70 feet to the southeast corner of said Lot 3, thence northwest some 155.4 feet to the southwest corner of said Lot 3 being the point of beginning and being parts of the properties described in Deed Book 1769, Page 472, and Deed Book 3923, Page 188, ROHC. Tax Map 147P-L-024.01 (part) and 025 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 11, 2016,

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

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

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on April 11, 2016, 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:	2016-054	Date Submitted: 2-22-2016
(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-2
Total Acres in request area: .53 Acres		
2 Property Information		
Property Address:	402 & 406 Gillespie Road	
Property Tax Map Number(s):	Part of 147P-L-024.01 & all of 025	
3 Proposed Development		
Reason for Request and/or Proposed Use:	2 Build 2 new duplexes for housing for youth aging out of state custody, have no family and would still be under our case management. Not requested for existing parking lot adjacent	
4 Site Characteristics		
Current Zoning:	R-1	
Current Use:	Vacant lot	
Adjacent Uses:	Parking	
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: Chambliss Center for Children		Address: 315 Gillespie 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: 37411
Phone 1: 423-698-2456	Phone 2: 423-991-1129	Phone 3: 423-468-1129
Fax: 423-242-1670		
6 Property Owner Information (if not applicant)		
Name: Same	Phone:	
Address:		
Office Use Only:		
Planning District: 6	Neighborhood: CNAC, N. Brainerd Neighborhood Assn, N. Brainerd Community Council, Brainer Unity Group, Menlo Park	
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: .53	<input checked="" type="checkbox"/> Deeds
<input checked="" type="checkbox"/> Plats, if applicable		
Deed Book(s): 3923-188, 1769-472		
Plat Book/Page: 103-114	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
Check Number: 1133		Application processed by: Marcia Parker
Planning Commission meeting date: 4-11-2016		

PLANNING COMMISSION CASE REPORT

Case Number: 2016-054

PC Meeting Date: 04-11-16

Applicant Request**Rezone from R-1 Residential Zone to R-2 Residential Zone**

Property Location:	402 & 406 Gillespie Road
Property Owner:	Chambliss Center for Children
Applicant:	Chambliss Center for Children

Project Description

- Proposal: Develop 0.53-acre site with 2 duplexes for housing for youth aging out of state custody, have no family and would still be under case management of the applicant.
- Proposed Access: Entrance on Gillespie Road.
- Proposed Development Form: 1-story buildings are proposed.
- Proposed Density: Approximately 7.54 dwelling units per acre.

Site Analysis**Site Description**

- Location: The vacant site is located on the north east corner of the Gillespie Road and Sunnyside Drive intersection.
- Current Access: Entrance on Gillespie Road.
- Current Development form: There is a mixture of single family detached dwellings, a large three story building set back from the road with parking located between the building and the street, and surface parking lots within a 300 foot radius of this site.
- Current Land Uses: The properties to the north are surface parking lots and single-family dwellings. The properties to the south and east are large lot single family dwellings. The property to the west is an institution for housing children.
- Current Density: The average residential density of the lots fronting along Gillespie Road and Sunnyside Drive within 300' is 2.8 dwelling units per acre based on 1 vacant lot, 1 duplex, and 9 single-family dwellings.

Zoning History

- The site and surrounding properties were zoned R-1 Residential in 1995 as part of the Brainerd Area Zoning Study (Ordinance #10331)
- There is no other R-2 Residential Zone (same as the request) within the neighborhood, though it appears there are several existing duplexes within 300 feet south of the site on Gillespie Road.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The R-2 Residential Zone permits single-family dwellings and two-family dwellings (duplexes). The minimum lot size for a single-family dwellings is 7,500 square feet (on sewers). The minimum lot size for duplexes is 9,500 square feet (on sewers).

Key Findings

- The proposed use is consistent with surrounding uses as there are other duplexes located along Gillespie Road.
- The proposal is compatible with the development form of the area based on the location of this site being next to a parking lot and across for a large residential institution for children and youth.
- The proposed residential density is not compatible with the surrounding densities.
- The proposed structure does not 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 by allowing R-2 Residential Zone back into the area. However, an important factor in considering approval of this request is the immediate proximity

PLANNING COMMISSION CASE REPORT

of an institutional housing campus (Chambliss Center). Therefore approval of this request does not imply R-2 zoning is appropriate in any location in this neighborhood.

Staff Recommendation

Approve



2016-054 Rezoning from R-1 to R-2

PLANNING COMMISSION RECOMMENDATION FOR
 CASE NO. 2016-054: Approve



200 ft





2016-054 Rezoning from R-1 to R-2

200 ft

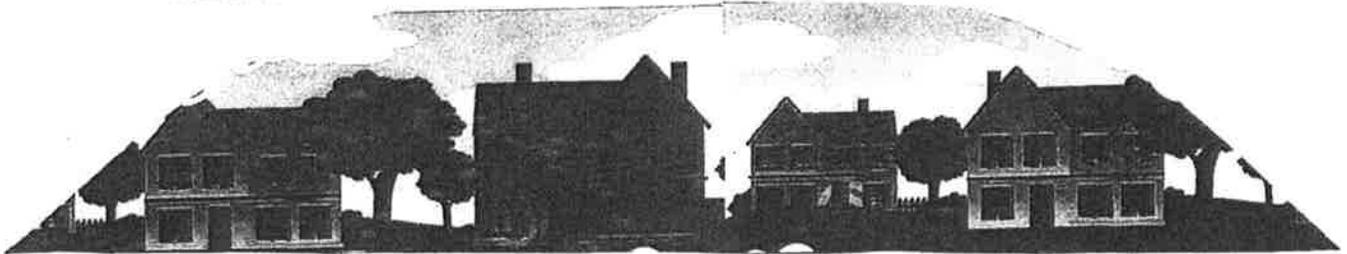
Chattanooga Hamilton County Regional Planning Agency

2016-054
Letter of support

Biltmore Neighborhood Association

617 Midland Pike 37411

Crystal Smith President



Regional Planning Agency of Hamilton County

1250 Market Street Suite 200

Chattanooga, Tennessee 37402

Greetings Gentleman

We the members of the Biltmore Neighborhood Association support the efforts of the Chambliss Home.

We have met with the Staff on two occasions, discussing how this Zoning request would benefit both Biltmore Community and the Chambliss Home. It was made clear to us that they would need to make a Zone Change in order to build the duplexes for the Program. We appreciate their efforts in trying to improve life for Our Community.

May God Bless the Chambliss Home for Children

Crystal Smith President 423 413-6259

2016-054
Letter of support

Menlo Park Neighborhood Association

423486-1336

RPA

Executive Office • Development
Services Transportation Planning
Organization (TPOJ)

1250 Market Street, Suite 2000
Chattanooga-Hamilton County Development Resource Center
Regional Planning Agency Chattanooga, Tennessee 37402

04/02/16

The Members of the Menlo Neighborhood would like to Thank you for sending us the notification for the Zoning request mad by Chambliss Center for Children. We have met with the Staff of The Chambliss Home and hereby support their efforts and request. We hope that this will be a blessing to The Chambliss Home. We understand that the duplexes they request will aide citizens that turn age 18 and leave the Foster Care Program. The Staff has made it clear to our neighborhood and we have reviewed the plans with the North Brainerd Neighborhood Council in which we are a member of. Ezra Harris and Crystal Smith have been very instrumental in getting information to us. We hereby give our support for the project MR 2016-054

Mary Powell 5001 Marylin Ln Chattanooga Tn 37411



President Menlo Neighborhood Association



2016-054.
Letter of support.

THE KIWANIS CLUB OF BRAINERD

P.O. Box 25134

Chattanooga, Tennessee 37422

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Loureta Hayworth
8812 Havendale Ln.
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- Tom Carter
- Gene Goodner
- Jim Holloway

2 year Directors

- Stephen Austin
- Jerry Bohn
- Barbara Evans
- Joe McCroskey

March 30, 2016

Regional Planning Agency
1250 Market Street
Chattanooga, TN 37402.

Dear Friends,

My name is Loureta Hayworth and I currently serve as President of the 52 member Kiwanis Club of Brainerd, a Chattanooga service club that has been actively caring for the needs of children and families in Hamilton County and around the world through our affiliations with Kiwanis International for 70 years.

One outstanding local child care agency we have proudly supported for decades is the Chambliss Center for Children. Their accomplishments in child care on behalf of hurting, abused and frequently abandoned boys and girls of all ages has been, and remains, among the best our city and county have to offer. Our club has complete confidence in the quality of care given by everyone on their staff.

We are also deeply proud of their innovative compassion that keeps them on the cutting edge of ministry. Recently the Chambliss leadership became aware of a serious problem facing some of the young men and women in their residential care program who were also in state custody. Upon turning 18, these individuals were aged out of care and literally had no place to go but on the street. Chambliss decided to build two duplexes (Phase I) on property they own that is across the street from their campus. The only problem was that the property was zoned R-1 and it needed to be zoned R-2.

We are aware that Chambliss has requested a change of zoning for the property in question and Brainerd Kiwanis has voted unanimously to support them in this worthy quest. Therefore, we urge the RPA to vote in favor of a zoning change from R-1 to R-2 to open the door to these young adults to have a quality caring facility for them to live in as they transition to adult life and responsible living.

Thank you for your service to all of us and especially to these very vulnerable young adults.

Sincerely,

Loureta Hayworth for the Kiwanis Club of Brainerd.

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:

2016-049 Sonja Y. Benning. 109 Workman Road, from M-1 Manufacturing Zone to R-1 Residential Zone.

2016-051 Duane Carleo and Mark Neal. 24 East 14th Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-052 David J. Kluttz. 5277 Wilbanks Road, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2016-053 Adamson Developers. 8062 and 8074 Old Lee Highway, from R-2 Residential Zone to R-3 Residential Zone.

2016-054 Chambliss Center for Children. 402 and 406 Gillespie Road, from R-1 Residential Zone to R-2 Residential Zone.

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

2016-048 Sunnyside Properties, LLC. 4820 Oakland Avenue, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, recommending denial for the R-T/Z Residential Townhouse Zero Lot Line and approved for R-1 Residential Zone, subject to one single-family residential dwelling only.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 4 be lifted from Ordinance No. 12867 of Previous Case No. 2014-094 on property located at 7408 Bonny Oaks Drive.

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 38-2, Definitions**, by adding definitions for Animal day care facility; Animal, domestic; Animal, small; Animal grooming service; Animal run; and Kennel.
- (b) **Amending Section 38-184, Uses permitted as special exceptions by the board of appeals**, by deleting subsection (7) in its entirety and substituting in lieu thereof.
- (c) **Amending Section 38-204, Uses permitted as special exceptions by the board of appeals**, by deleting subsection (7) in its entirety and substituting in lieu thereof.
- (d) **Amending Section 38-302, Uses permitted as special exceptions by the board of appeals**, by deleting subsection (6) in its entirety and substituting in lieu thereof.
- (e) **Amending Section 38-568, Powers, etc., of board; hearings**, by deleting subsection (12) in its entirety and substituting in lieu thereof.
- (f) **Amending Section 38-361(3), Areas included**, by deleting in its entirety and substituting in lieu thereof.

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,

May 10, 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