

First Reading: _____
Second Reading: _____

2016-049
Sonja Y. Benning
District No. 7
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 109 WORKMAN ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING 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 property located at 109 Workman Road, more particularly described herein:

Lot 260, Block 14, Oak View New Era Land Company's Addition No 1, Plat Book 5 Page 69, ROHC, Deed Book 10211, Page 753, ROHC. Tax Map No. 167F-D-010.

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

2016-049 City of Chattanooga
April 11, 2016

RESOLUTION

WHEREAS, Sonja Y. Benning 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 property located at 109 Workman Road from M-1 Manufacturing Zone to R-1 Residential Zone.

Lot 260, Block 14, Oak View New Era Land Company's Addition No 1, Plat Book 5 Page 69, ROHC, Deed Book 10211, Page 753, ROHC. Tax Map 167F-D-010 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, 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 with the development form of the area.

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:	2016-049	Date Submitted: 2-17-2016
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	From: M-1	To: R-1
Total Acres in request area: 0.12		
2 Property Information		
Property Address:	109 Workman Road	
Property Tax Map Number(s):	167F-D-010	
3 Proposed Development		
Reason for Request and/or Proposed Use:	To bring existing Single Family Dwelling into R-1 Zoning	
4 Site Characteristics		
Current Zoning:	M-1	
Current Use:	Single Family residence (Rental)	
Adjacent Uses:	Vacant, Residential & Manufacturing	
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: Sonja Y. Benning	Address: 290 West 36 th Street	
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: 37410
Email: sonja.benning@tn.gov	Phone 1: 423-313-0380	
Phone 2: 423-622-6164	Phone 3: 423-634-6739	Fax:
6 Property Owner Information (if not applicant)		
Name: Same	Phone:	
Address:		
Office Use Only:		
Planning District: 4	Neighborhood: CNAC, South Broad Redevelopment, Alton Park, South Chattanooga, Alton Park Piney Wood	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	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 type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 0.12	<input checked="" type="checkbox"/> Deeds <input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10211-753		
Plat Book/Page: 5-69	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 150.00	<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> Check
Check Number:	Planning Commission meeting date: 4-11-2016	
Application processed by: Pattie Dodd		

PLANNING COMMISSION CASE REPORT

Case Number: 2016-049

PC Meeting Date: 04-11-16

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

Property Location:	109 Workman Road
Property Owner:	Sonja Y. Benning
Applicant:	Sonja Y. Benning

Project Description

- Proposal: Bring existing Single Family Dwelling located on 0.12 acres into compliance within a zone that permits residential use.
- Proposed Access: Entrance on Workman Road.
- Proposed Development Form: Keeping existing single-family dwelling.
- Proposed Density: Approximately 7.78 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 5,600 square foot site is located on the north side of Workman Street approximately 100 feet from the Workman Street and Fagan Street intersection.
- Current Access: Entrance on Workman Road.
- Current Development form: The area is a mix of small-lot dwellings, multi-story industrial buildings, and vacant lots.
- Current Land Uses: The properties to the north are a mix of single-family and two-family residential uses. The property directly to the east is a single-family residential use, followed by vacant lots and a large manufacturing use across Fagan Street. The property to the south is a metal recycling yard. The property directly to the west is a vacant lot, followed by a commercial store and parking lot, across Dorris Street is a commercial use and car dealership.
- Current Density: Average residential density on the same block is 10.4 dwelling units per acre based on the 12 dwelling units (5 duplex, 2 single-family) on 7 lots.

Zoning History

- The site is currently zoned M-1 Manufacturing Zone.
- The property to the north is zoned R-2 Residential Zone. The properties to the east are zoned M-1 Manufacturing Zone and R-3 Residential Zone with a special permit for assisted living facility. The property to the south is zoned M-1 Manufacturing Zone. The property to the west is zoned M-1 Manufacturing Zone.
- There is no R-1 Residential Zone existing within the area.

Plans/Policies/Regulations

- The Alton Park Master Plan (adopted by City Council in 2000) recommends Single Family Residential for this site.
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The R-1 Residential Zone permits single-family residential lots with a minimum lot size of 7,500 square feet (on sewers) and a minimum frontage width of 60 feet (on sewers).

Key Findings

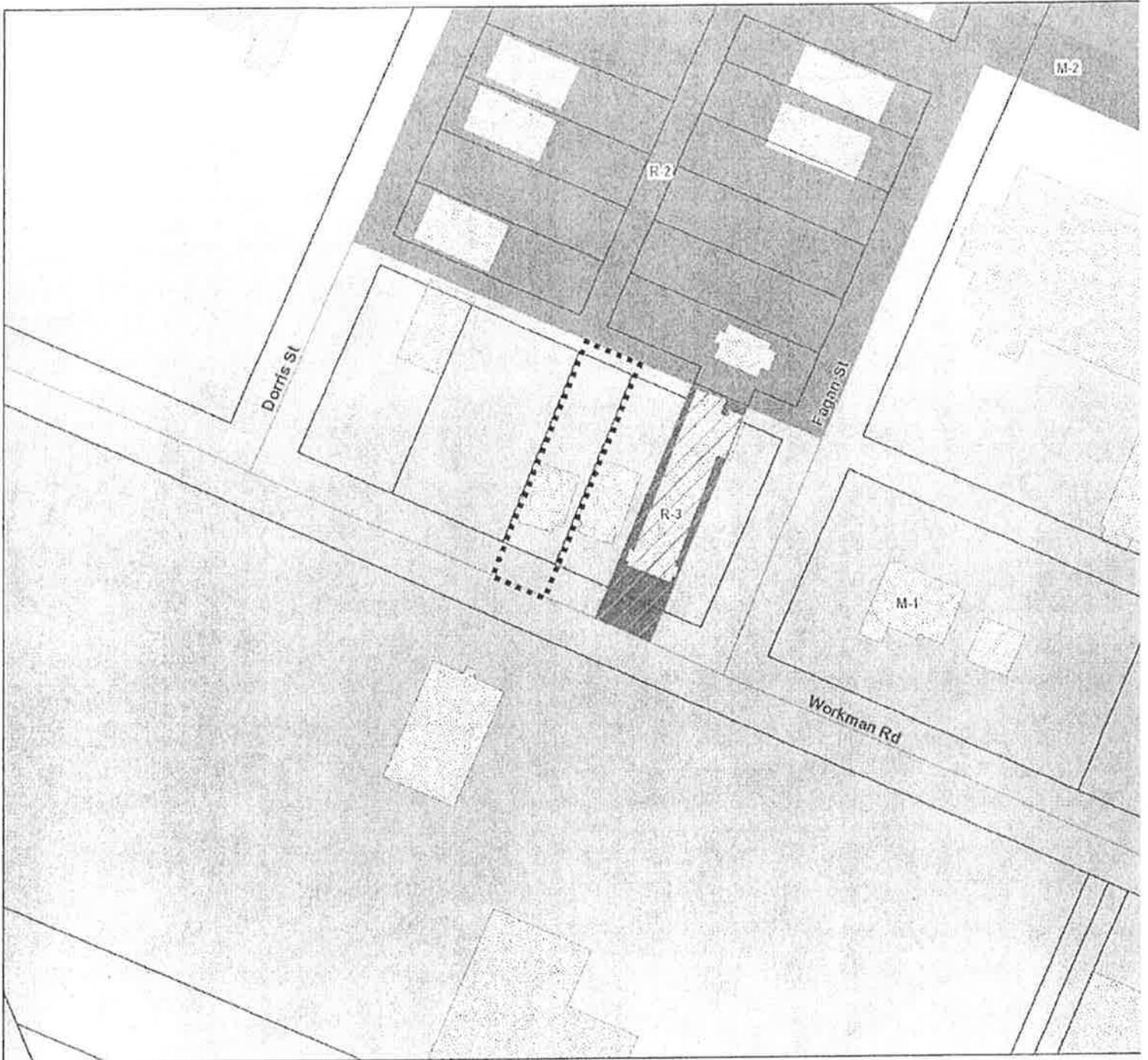
- The proposal is supported by the adopted Land Use Plan for the area which recommends single-family residential for this site.
- The proposed use is consistent with existing residential uses that are adjacent to the property on the north side of Workman Road; however, there are industrial uses which border the property on the south side of Workman Road.

PLANNING COMMISSION CASE REPORT

- The proposal is consistent with the development form of the area based on the single-family and duplex structures on Dorris Street and Fagan Street.
- The proposal is not consistent with the development form on Workman Road based on the neighboring outdoor storage, large truck traffic, and industrial buildings.
- The proposed residential density is compatible with the surrounding densities.
- The proposal would not be an extension of an existing zone.
- The proposal would not set a precedent for future requests as the request follows the Alton Park Master Plan.

Staff Recommendation

Approve



2016-049 Rezoning from M-1 to R-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO.
2016-049: Approve



96 ft



Chattanooga Hamilton County Regional Planning Agency





2016-049 Rezoning from M-1 to R-1



Chattanooga Hamilton County Regional Planning Agency



96 ft



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