

First Reading: _____
Second Reading: _____

2014-099
David Harris
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 3326 JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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 3326 Jenkins Road, more particularly described herein:

Lot 2 of H Crocketts Addition to Jenkins Road, Plat Book 95, Page 128, ROHC, being the property described in Deed Book 9453, Page 946, ROHC. Tax Map No. 149C-B-010.09.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-2 Convenience Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following:

- 1) No drive-thru services;

2) Limit permitted uses to drug store, pharmaceutical space and retail, medical or professional office buildings; and

3) Limit building height to two (2) stories.

SECTION 3. 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

First Reading: _____
Second Reading: _____

2014-099
David Harris
District No. 4
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3326 JENKINS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

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and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-2 Convenience 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

2014-099 City of Chattanooga
September 8, 2014

RESOLUTION

WHEREAS, David Harris 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-4 Special Zone to C-2 Convenience Commercial Zone, property located at 3326 Jenkins Road.

Lot 2 of H Crocketts Addition to Jenkins Road, Plat Book 95, Page 128, ROHC, being the property described in Deed Book 9453, Page 946, ROHC. Tax Map 149C-B-010.09 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 8, 2014,

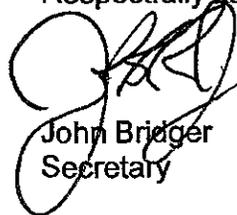
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 8, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: 1) No drive-thru services; 2) Limit permitted uses to drug store, pharmaceutical space and retail, medical or professional office buildings; and 3) Limit building height to two stories.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-099	Date Submitted:	8-8-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-4	To: C-2	
Total Acres in request area: .98			
2 Property Information			
Property Address:	3326 Jenkins Road		
Property Tax Map Number(s):	149C-B-010.09		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Pharmaceutical Space/Retail Area		
4 Site Characteristics			
Current Zoning:	R-4		
Current Use:	Vacant lot		
Adjacent Uses:	R-4 Professional Office Space/Medical Space		
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: David Harris		Address: 3328 Jenkins 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: sdavidharris1@gmail.com
Phone 1: 423-593-3231	Phone 2: 423-834-6230	Phone 3:	Fax: 423-933-1235
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 10		Neighborhood: F.O.E.B., B.E.B.C.	
Hamilton Co. Comm. District: 8		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: .98	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9453-946			
Plat Book/Page: 95-128		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 635.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 3433
Planning Commission meeting date: September 8, 2014		Application processed by: Marcia Parker	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-099	PC Meeting Date: 09-08-14
Applicant Request:	Rezone from R-4 Special Zone to C-2 Convenience Commercial Zone	
Property Location:	3326 Jenkins Road	
Property Owner:	David Harris	
Applicant:	Same	
Staff Recommendation:	APPROVE with Conditions	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing construction of a pharmaceutical/retail building.

Site Description

The 0.98 acre site is vacant. Adjacent properties on the north, east and south are office/medical uses. Further east are single-family residential uses. The property across Jenkins Road to the west is zoned R-1 Residential. However, the single-family residences within the R-1 Residential Zone front Standifer Gap Road and not Jenkins Road.

Zoning History

This site was rezoned in 2005 (case 2005-181), Ordinance 11788, to R-4 Special Zone subject to four conditions: 1) one story buildings abutting the residential development to the east; 2) no parking to the rear along the R-2A development; 3) lighting must be direct away from the residential property to the east and north; and 4) dumpsters not to be located against the residential property to the east along Old Britain Circle. In 2011 (Case 2011-096), Ordinance No. 12544, lifted condition 1 and 2, leaving condition 3 and 4 intact. The requested site has been re-subdivided since the 2005 rezoning to R-4 Special Zone.

Plans/Policies

This site is not within an adopted plan area, but is just outside of the 2003 East Brainerd Corridor Community Plan.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

RPA Summary

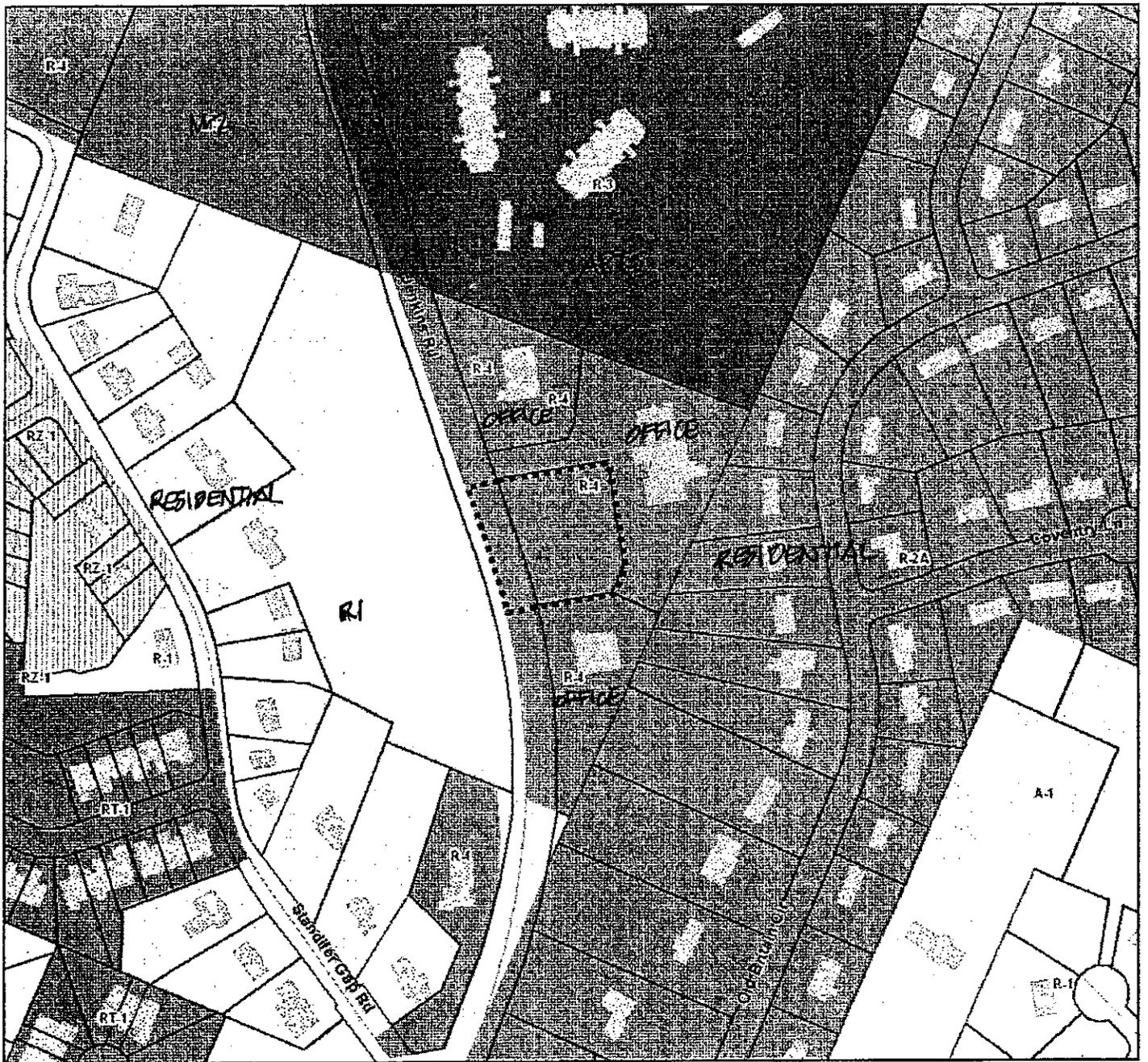
The applicant is proposing to develop a drug store. This use is which is allowed in the property's current R-4 Special Zone, but only within a four-story building. The applicant is seeking the change of zone to enable development of the drug store without the construction of the four-story building.

The proposed drug store use by itself is appropriate at this site because there is adequate infrastructure

STAFF CASE REPORT TO PLANNING COMMISSION

serving the site, it is a low-intensity use as no drive-thru is proposed, and the site is buffered adequately from nearby residential uses by the surrounding R-4 Special Zone. The C-2 Convenience Commercial Zone is appropriate if several conditions limit permitted uses which are not appropriate for the site due to the R-1 Residential zoning and residential use across Jenkins Road from this site. Therefore staff recommends approval of C-2 Convenience Commercial Zone with the following conditions:

1. No drive-thru services.
2. Limit permitted uses to drug store, pharmaceutical space and retail, medical or professional office buildings.
3. Limit building height to two stories.



2014-099 Rezoning from R-4 to C-2

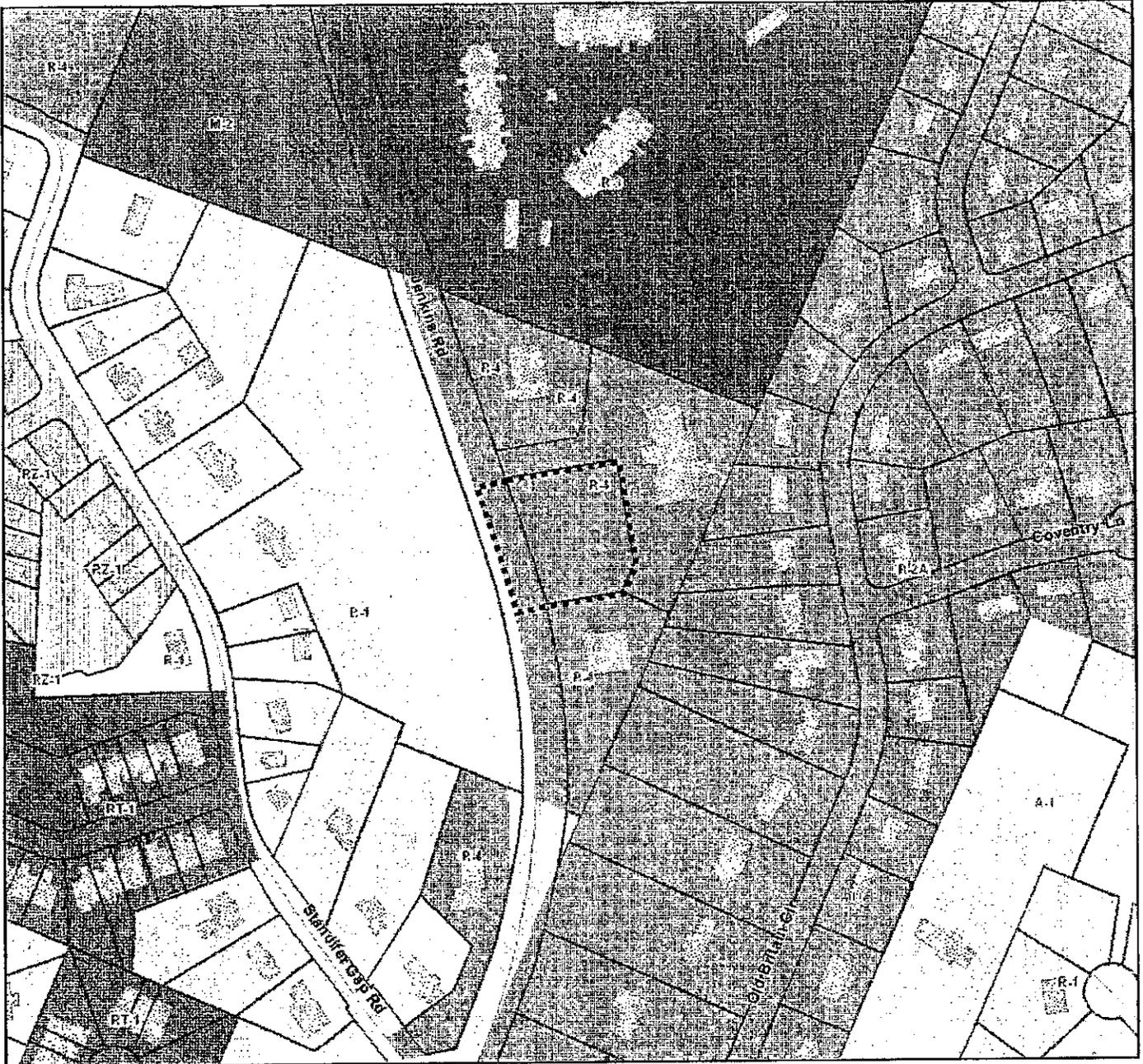


Chattanooga Hamilton County Regional Planning Agency



250 ft





2014-099 Rezoning from R-4 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-099:

Approve, subject to: 1) No drive-thru, 2) Limit permitted uses to drug store, pharmaceutical space and retail, medical or professional office buildings; and 3) Limit building height to two stories.



250 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

River City Dentistry

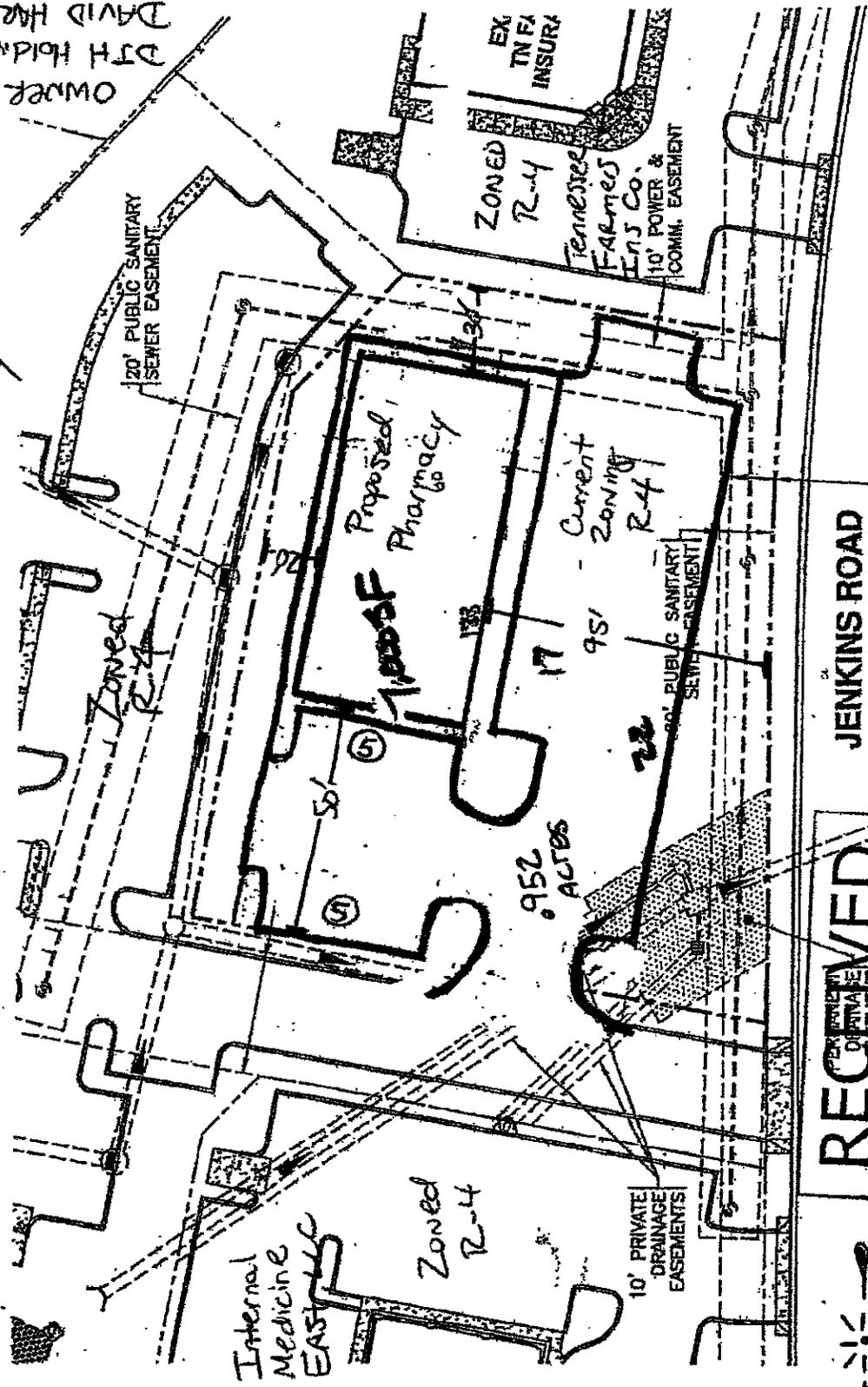
Chattanooga Pediatrics

Family Dentistry

OWNER:
DTH Holdings, LLC
DAVID HARKS
3328 Jenkins Road
Suite 700
Chattanooga, TN 37421

sdov!dhorris!e@gmail.com 423-593-3231

Property Tax MAP 149 C B 010.09



RECEIVED

JENKINS ROAD

Se AUG 8 2014

Chattanooga Hamilton County
Regional Planning Agency
Development Services

Parking Spaces

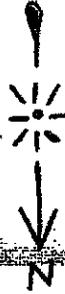
45 Reg'd - Provided = 49

3326 Jenkins

13-100

1" = 50'

2014-099



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:

2014-064 MAP Engineers c/o Mike Price/Valor. 7518 Standifer Gap Road, from R-4 Special Zone to M-3 Warehouse and Wholesale Zone.

2014-066 Chris Senn/IMI Merchandising Holding, Inc. 950 Riverside Drive, from M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2014-085 Frank Goodwin. 1400 block of Adams Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2014-094 Global Southern Realty Holdings, LLC/Roy & Vivian Thomas c/o Lorrie Dorsey. 7408 and 7414 Bonny Oaks Drive, from R-1 Residential Zone and R-3 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-097 MAP Engineers, LLC/MPL Construction/Gold Bond, Inc. 5485 Old Hixson Pike and 5519 Hixson Pike, from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone.

2014-099 David Harris. 3326 Jenkins Road, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-100 Travis L. Hulsey/William J. Hulsey. 6115 Mountain View Road, from M-2 Light Industrial Zone to C-2 Convenience Commercial Zone.

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

2014-078 Ivan Mousaw/James Cunningham. 4501 Jersey Pike, from R-2 Residential Zone to R-3 Residential Zone.

2014-080 RSN Group, LLC/Vanessa Knight. 1809 Gunbarrel Road, from O-1 Office Zone to C-2 Convenience Commercial Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied and recommends approval of a Special Exceptions Permit:

2014-093 Carol Page Wnuk, 304 Gillespie Road, from R-1 Residential Zone to R-2 Residential Zone, petition to be denied and recommends approval of a Special Exceptions Permit for a duplex in the R-1 Residential Zone.

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,

October 14, 2014

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 _____, 2014.

Sandra Freeman
Clerk to the City Council