

**PLANNING COMMISSION CASE REPORT**

Case Number: 2015-119

PC Meeting Date: 11-9-15

**Applicant Request****Rezoning R-3 Residential Zone to C-2 Convenience Commercial Zone**

<b>Property Location:</b>	<b>1402 Cemetery Avenue at East 14<sup>th</sup> Street</b>
<b>Property Owner:</b>	<b>Jean M Thacker</b>
<b>Applicant:</b>	<b>Matthew W Thacker</b>

**Project Description**

- Proposal: Expand an existing business at 1402 Cemetery Avenue by building an automotive shop on the adjacent 5,967-square foot site to the rear. It should be noted that the site plan indicates utilization of an existing alley right-of-way for their building and parking access. The applicant will need to submit an alley closure request in order to develop according to the submitted site plan.
- Proposed Access: East 14<sup>th</sup> Street.
- Proposed Development Form: 1-story building

**Site Analysis****Site Description**

- Location: The 5,967 square foot site is located on the south side of East 14th Street at the intersection with Cemetery Avenue and just east of Central Avenue.
- Current Access: East 14<sup>th</sup> Street.
- Current Development form: There is a mixture of one and two-story buildings within a 500 foot radius of this urban site.
- Current Land Uses: The Top Flight paper manufacturing facility and single-family homes are located across 14<sup>th</sup> Street to the north. A single-family home is adjacent to the site on the east side. Several businesses are adjacent to the site on the west side. The adjacent property to the south is vacant.

**Zoning History**

- The site is currently zoned R-3 Residential.
- The property to the north is zoned R-3 Residential. The property to the east is zoned R-3 Residential. The property to the south is zoned M-1 Manufacturing. The property to the west is zoned C-2 Convenience Commercial.
- The nearest C-2 Convenience Commercial zone (same as the request) is adjacent to the site on the west side.
- There has been no recent zoning activity on this site.

**Plans/Policies/Regulations**

- There is no current adopted land use plan for this area.
- The site is located in the 2030 Comprehensive Plan's Urban Infill Development Sector. The 2030 Comprehensive Plan notes that auto-oriented developments are encouraged to be designed in such a way that is sensitive to the character of the community and adjacent uses. For this development sector, the Plan also recommends that parking should be located behind the building, or if physically impossible, then low street walls should be used to maintain the street frontage and screen the parked cars from the public streets. The plan recommends that parking lots be planted with shade trees. The R-3 Residential Zone permits single, double, and multi-family dwellings.
- 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.

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### Key Findings

- The proposed auto oriented use is supported by the recommendations of the adopted 2030 Comprehensive Plan for the Urban Infill Development Sector. The Plan does give specific recommendations regarding site design, noted above.
- The proposed use is consistent with surrounding uses. There are a variety of light manufacturing, religious, single-family and business uses in the area.
- The proposal is not consistent with the development form of the area. The majority of the non-residential development in the area has a zero setback.
- The proposed structure does raise concerns regarding location, lighting, or height. It should be noted that a 20-foot landscape buffer is required between the proposed structure and the adjacent residential lot. The landscaped street edge treatment between the proposed parking fronting East 14<sup>th</sup> Street should be addressed with a condition added to this recommendation.
- The proposal would be an extension of an existing zone. This is an expansion of an existing business at 1402 Cemetery Avenue.
- The proposal would set a precedent for future additional requests. Even though similar uses are located in the area, the staff recommends conditions to address the site design as called for in the 2030 Comprehensive Plan.
- Chattanooga Department of Transportation comment: 14th Street and Cemetery Avenue are planned as neighborhood greenways, similar in style to the Virginia Avenue Neighborhood Greenway currently under construction in St. Elmo. Due to the anticipated increase in pedestrian and bicycle traffic along this corridor, building placement and treatment could be a vital piece to ensuring the safety and quality of this experience by enhancing the eyes-on-the-street concept.
- RPA Staff comments: Given the proximity of the proposed building indicated on the site plan to the existing commercial building, and the proposed utilization of an existing public right of way to the rear, the applicant should schedule a pre-submittal meeting at the LDO office to ensure the currently proposed building placement and proposed parking are feasible. Applicant will also need to submit an application with the RPA Development Services office to permanently abandon a portion of the existing rear right-of-way. The applicant will also need to apply for a landscape buffer variance (landscape ordinance requires a minimum 20-foot buffer, and the site plan shows a 10-foot buffer) through the LDO office.

### Staff Recommendation

Approve, with the following conditions:

- 1) In addition to providing the street yard as required by the City Landscape Ordinance, an evergreen hedge, to be maintained at a minimum of three (3) feet in height at maturity, shall be provided within the required street yard.
- 2) A fence, if provided, shall be a decorative metal fence and located at the interior edge of the street yard.
- 3) No chain link fence is permitted between the proposed building and the 14<sup>th</sup> Street right of way.