

PLANNING COMMISSION CASE REPORT

Case Number: 2016-117

PC Meeting Date: 08-08-16

Applicant Request

Rezoning M-2 Light Industrial Zone to M-1 Manufacturing Zone

Property Location:	3401 Cummings Road
Property Owner:	Nooga Investments, LLC
Applicant:	Robert Bullard

Project Description

- Proposal: Re-use of existing building for packaging and redistribution plant. A plat was submitted on July 14, 2016 proposing to subdivide the property.
- Proposed Access: Main entrance on Cummings Road and secondary entrance at Corporate Place.
- Proposed Development Form: multi-story building exist

Site Analysis

Site Description

- Location: The 12 acre site is located on the northern corner of Cummings Road and Corporate Place intersection.
- Current Access: Main entrance on Cummings Road and secondary entrance at Corporate Place.
- Current Development form: The area is surrounded by large scale industrial buildings and warehouses. There is a 40 acre lot to the north sparsely populated with single-family dwellings.
- Current Land Uses: To the east, south, and west are industrial and warehousing uses. To the north is a single large multi-family parcel.

Zoning History

- The site is currently zoned M-2 Light Industrial Zone.
- The property to the north is zoned R-3 Residential Zone. The properties to the north east and east are zoned M-2 Light Industrial Zone. The property to the south is zoned M-1 Manufacturing Zone. The properties to the west are a mixture of M-2 Light Industrial Zone, R-4 Special Zone, and M-1 Manufacturing Zone.
- The nearest M-1 Manufacturing Zone (same as the request) is abutting the site to the south.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Lookout Valley Plan (adopted by City Council in 2003) recommends Business and Technology uses for this site.
- The Development Policy from the Comprehensive Plan 2030 update (Called the Renewing Our Vision and adopted by Planning Commission in 2016) identifies this site as being in intensity level 2 and 3. Level 2 describes the development potential appropriate for low-density development based on the limited infrastructure. Level 3 describes the development potential appropriate for low-to-medium density development based on the limited infrastructure.
- The M-1 Manufacturing Zone permits most types of non-residential uses, including the most intense industrial uses, but does not permit residential uses.
- The M-2 Light Industrial Zone permits most use while prohibiting the most intense industrial uses.
- The M-2 Light Industrial Zone has a maximum allowable building site coverage of 50%. The M-1 Manufacturing Zone has no building site coverage limit.
- Non-conforming industrial, commercial or other business as noted in Chapter 38-545
 1. Any non-conforming industrial, commercial, or other business establishment in operation shall be allowed to expand operations and construct additional facilities which involve an actual continuance and expansion of the activities of the industry or business provided that there is a reasonable amount of space for such expansion on the property owned by such industry or

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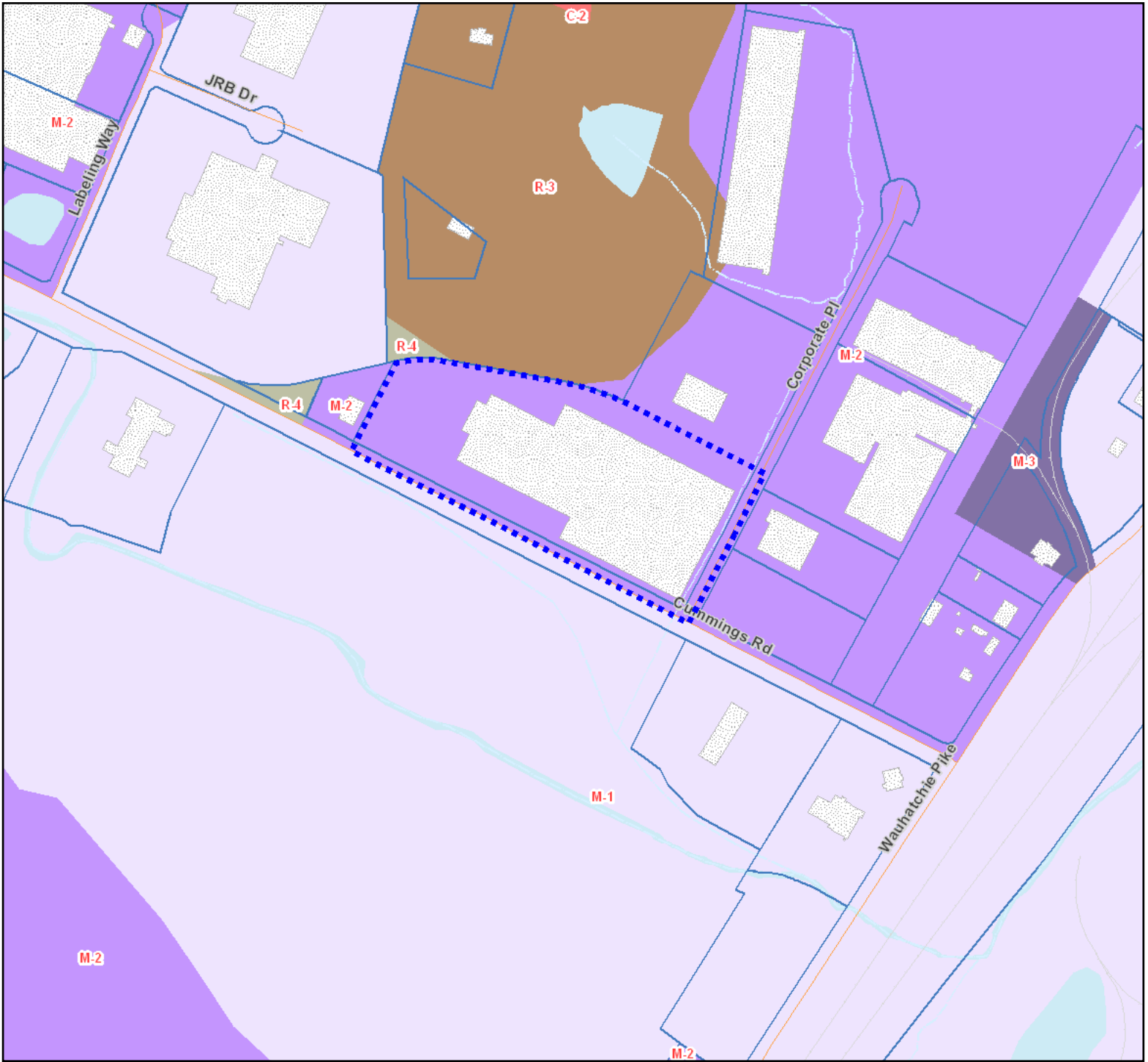
- business and so as to avoid nuisances to adjoining landowners.
2. No building permit or like permission for construction or landscaping shall be denied to an industry or business seeking to expand and continue activities conducted by that industry or business provided that there is a reasonable amount of space for such expansion on the property owned by such industry or business and so as to avoid nuisances to adjoining landowners.
 3. Industrial, commercial, or other business establishments in operation and permitted to operate as non-conforming uses shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business provided that no destruction and rebuilding shall occur which shall act to change the use classification of the land as classified under any zoning regulations or exceptions thereto in effect.
 4. No building permit or like permission for demolition, construction or landscaping shall be denied to an industry or business seeking to destroy and reconstruct facilities necessary to the continued conduct of the activities of that industry or business provided that there is a reasonable amount of space for such expansion on the property owned by such industry or business and so as to avoid nuisances to adjoining landowners.
- Landscaping requirements will not prevent an existing manufacturing facility from expanding.

Key Findings

- The existing structure's size prohibits subdivision and expansion in current zone. This appears to be the main reason for the rezoning request. The current zone (M-2 Light Industrial) has a maximum allowable building site coverage of 50%. The applicant's proposal to subdivide is not permitted because it would create a lot whereby the building site coverage would exceed 50%. The requested M-1 Manufacturing Zone has no building site coverage limit and would allow the subdivision.
- The proposal is not supported by the adopted Land Use Plan for the area which recommends "business and technology" uses and not "manufacturing and industrial" uses for this site.
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area; the existing building appears to be non-conforming to existing zoning requirements.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve, subject to a packaging and redistribution plant only.



2016-117 Rezoning from M-2 to M-1

442 ft

Chattanooga Hamilton County Regional Planning Agency

Site Plan

Case # _____

Total Acres being requested for rezoning or special permit: 12

Total number of dwelling units (if applicable): _____

Identify all items on the site plan that are listed in the RPA Site Plan Policy



Date Received _____

Applicant Initial _____

