

PLANNING COMMISSION CASE REPORT

Case Number: 2016-089

PC Meeting Date: 06-13-16

Applicant Request

Rezone from R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone to R-4 Special Zone

Property Location:	3900 block of Kelly's Ferry Road
Property Owner:	Thomas Austin
Applicant:	Thomas Austin

Project Description

- Proposal: Develop 32.88-acre site with 246 apartment units and 11 acres of natural space left undisturbed.
- Proposed Access: Entrance on Francis Street.
- Proposed Development Form: Multiple 3-story buildings are proposed to be located in three clusters along the properties main internal road.
- Proposed Density: Approximately 7.5 dwelling units per acre.

Site Analysis

Site Description

- Location: The vacant site is located on the south side of Kelly's Ferry Road and the east side of Francis Street approximately 200 feet from the Kelly's Ferry Road and Francis Street intersection.
- Current Access: From Francis Street
- Current Development form: The site is currently vacant with the exception of a water tower. To the west and north of the site are small lot single-family dwellings. The eastern boundary of the site abuts Interstate 24. To the south are large lots with several large buildings.
- Current Land Uses: To the west and north are single-family dwellings. To the south are a mix of commercial, hotel, and warehousing uses. The eastern boundary of the site abuts Interstate 24.
- Current Density: The average residential density in the area is 1.6 dwelling units per acre. The average density is based on the 37 dwelling units on the 39 lots fronting Francis Street and Kelly's Ferry Road along the site.

Zoning History

- The site is currently zoned a mix of R-1 Residential Zone, R-4 Special Zone, and M-1 Manufacturing Zone.
-
- The site was rezoned from R-1 Residential Zone to R-4 Special Zone in 1986 with four conditions (Ordinance #8726).

Condition 1: "That any R-4 permitted use be allowed with the exception of multiple family dwellings (apartments, condos, etc...)"

Condition 2: "That access be restricted to Cummings Highway and Frances Avenue from the southwest corner of the site which is approximately 300 feet north of Cummings Highway."

Condition 3: "In the event the site is developed or sold, the applicant will itself, or by contract with the purchaser or developer, see that Frances Avenue is improved to City standards from Cummings Highway a point north of the entrance to the site. Said improvements are to be determined and/or approved by the City Traffic Engineer."

Condition 4: "That a fifty (50) foot buffer area to be maintained along the south property line of parcel 154H-A-5, 6, 7, and 8. Said buffer to consist of the existing natural foliage which is to be left undisturbed."

- Section 38-511 of the Chattanooga Zoning Ordinance states, "Access to commercial, industrial or other non-residentially zoned property shall be permitted only through a non-residential zone." And,

PLANNING COMMISSION CASE REPORT

“The R-4 Special Zone, for purposes of access, shall be considered a residential zone if undeveloped or developed residentially; it shall be considered a non-residential zone if developed with non-residential uses or multi-family residential uses.”

- The site was rezoned from R-1 Residential Zone and R-4 Special Zone to M-1 Manufacturing Zone in 1998 with three conditions (Ordinance #10820).
 - Condition 1: “Use of water storage tank and telecommunications site only.”*
 - Condition 2: “No Signs.”*
 - Condition 3: “All existing easements are retained.”*
- The property to the north is zoned R-1 Residential Zone. The eastern boundary of the site abuts Interstate 24. The properties to the south are zoned a mix of C-2 Convenience Commercial Zone, R-2 Residential Zone, and M-3 Warehouse and Wholesale Zone. The properties to the west are zoned a mix of R-1 Residential Zone and R-5 Residential Zone.

Plans/Policies/Regulations

- The Lookout Valley Area Plan (adopted by City Council in 2003) recommends two different use groups for the site. The southern portion of the site is recommended to have Planned Commercial Center which is intended to provide sites for administrative, business, professional, medical, and public offices. This classification is not suitable for small, isolated parcels, but should be a part of a larger planned development which would include a variety of goods and services conveniently arranged with respect to one another. The northern portion of the site is recommended to have Medium Density Residential which is intended for single-family dwellings, townhomes, and patio homes with a density of five to eight units per acre. Townhome and patio home developments should be designed in a manner that is compatible with and enhances the surrounding neighborhood. Neighborhood-scale assisted living facilities would also be included in this classification. This classification is not intended to encourage the creation or expansion of mobile home parks or apartment buildings.
- The Lookout Valley Area Plan (adopted by City Council in 2003) has a specific recommendation for this portion of the plan stating, *“Ingress, egress, and capacity issues of Cummings Highway and Francis Street, a very narrow local road adjacent to the study area, need to be addressed prior to development of this focus area. In addition, substantial buffering would be needed to protect adjacent residential areas from any negative impacts of development. The portion of this quadrant which backs up to the residential properties on Kelley’s Ferry Road is not recommended for commercial development. Medium density residential development should be used as a buffer.”*
- The R-3 Multi-family Residential District permits all types of residential uses with no maximum density.

Key Findings

- The proposed density (7.5 dwelling units per acre) is supported by the adopted Land Use Plan for the area which recommends medium density residential and buffering single-family uses from more intense uses fronting Cummings Highway. However, the R-4 zoning without conditions to control the allowed density could result in more intensive residential development than recommended by the adopted plan policy.
- The proposed use could be compatible with surrounding uses if the topography and density are taken into consideration when siting buildings.
- The proposal is not consistent with the development form (building height and scale) of the area.
- The proposed residential density could be compatible with the surrounding densities if development density is limited to the proposed density.
- The proposed structures do not raise concerns regarding location, lighting, or height.

PLANNING COMMISSION CASE REPORT

- The proposal would be an extension of an existing zone, except that the existing zone has a condition prohibiting the requested land-use.
- The proposal would not set a precedent for future requests in the area based on the location and size of this unique site.
- Chattanooga Department of Transportation: Parcels with over 200 dwelling units will require a 2nd access. That is not currently shown on the site plan.
- The Chattanooga Department of Transportation has asked for a Traffic Impact Study for this property to be provided before pre-submittal meeting.

Staff Recommendation

Approve, subject to the following conditions:

1. The attendance of a pre-submittal meeting set up through the Chattanooga Land Development Office.
2. A Traffic Impact Study to be provided to the Chattanooga Department of Transportation prior to pre-submittal meeting.
3. Building height not to exceed four stories.
4. Residential density not to exceed eight dwelling units-per-acre.
5. Permitted uses are limited to residential uses only.
6. No land disturbance allowed within 200' of Kelly's Ferry Road, except to allow a secondary entrance as approved by the Chattanooga Transportation Department.

