

1ST READING 10-9-08
2ND READING 12-16-08
INDEX NO. _____

2008-161
City of Chattanooga/RPA

ORDINANCE NO. 12197

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE SPECIFIC PROPERTIES WITHIN THE HIGHLAND PARK NEIGHBORHOOD, MORE PARTICULARLY DESCRIBED HEREIN AND IN THE ZONING STUDY ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM R-2 RESIDENTIAL ZONE, R-3MD MODERATE DENSITY ZONE, AND R-4 SPECIAL ZONE TO R-1 RESIDENTIAL ZONE, R-3 RESIDENTIAL ZONE WITH CONDITIONS, AND R-4 SPECIAL ZONE WITH CONDITIONS, SUBJECT TO SAID ZONING STUDY.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to rezone specific properties within the Highland Park Neighborhood, more particularly described below and in the Zoning Study attached hereto and made a part hereof by reference, from R-2 Residential Zone; R-3MD Moderate Density Zone, and R-4 Special Zone to R-1 Residential Zone, R-3 Residential Zone with Conditions, and R-4 Special Zone with Conditions, as set forth also below, subject to said Zoning Study.

Highland Park Neighborhood which is bounded on the north by the 1300 thru 2000 blocks of McCallie Avenue, on the south by the 1300 thru 2000 blocks of East Main Street, on the east by the 300 to 1400 blocks of South Willow Street, and on the west by the 300 thru 1400 blocks of South Hickory Street being part of Tax Maps 146I, J, K, N, O, and P.

R-2 properties to be rezoned to R-1:

Tax Map Nos. 146J-N-021 thru 028, 146O-L-025, and 027 thru 030; 146O-M-001, 002, and 019 thru 026; and 146O-V-011 thru 016.

R-3MD properties to be rezoned to R-1:

~~Tax Map Nos. 146J-P-013 thru 015, and 017 thru 027, 146O-B-001 thru 006 and 006.01; 146O-P-020 thru 022 and 022.02; and 146O-P-023.~~

R-4 properties to be rezoned to R-1:

Tax Map Nos. 146J-N-007, 146N-M-002 thru 006, 025 thru 034, 146O-J-020, 021, and 021.01; 146O-L-031; 146O-M-003, 004, and 018; 146O-P-016 thru 019, 024, 024.01, 024.02, 024.03, and 024.04; and 146O-V-003.

R-4 properties to R-3 with Conditions:

Tax Map Nos. 146J-P-010 and 146O-M-005.

R-4 properties to be rezoned to R-4 with Conditions:

Tax Map Nos. 146J-P-004 and 005; 146J-U-004 and 005; 146K-Q-023 thru 026; 146N-A-001 and 007; 146N-M-001; 146O-J-025; 146O-N-009 thru 015, 146O-U-012, 013, and 017 thru 019; 146O-V-004.01, 005, and 006.

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

December 16, 2008.

Linda Bennett
CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: Dec 19, 2008

[Signature]
MAYOR

/add

~~HIGHLAND PARK ZONING STUDY~~
CASE 2008-161

Chattanooga-Hamilton County Regional Planning Agency
October 28, 2008
For further information contact Karen Rennich, 423.757.5216

DRAFT 10/29/2008

A RESOLUTION DIRECTING THE REGIONAL PLANNING AGENCY TO
CONDUCT A ZONING STUDY FOR CERTAIN PROPERTIES IN THE HIGHLAND
PARK COMMUNITY

WHEREAS, the Highland Park community underwent a zoning study in 1996; and

WHEREAS, through the zoning study process at that time, much of the area was rezoned to R-1 Residential with some portions of the study area remaining R-2 Residential, R-3 Residential, R-3 Moderate Density Zone, and R-4 Special Zone; and

WHEREAS, potential changes to the boundary of Tennessee Temple's Planned Unit Development could leave those properties removed from the Planned Unit Development with a zoning incompatible with the surrounding residential development; and

WHEREAS, the nature of Highland Park continues to change as development and redevelopment occurs; and

WHEREAS, the study area includes those residentially-zoned properties and those properties zoned R-4 within the area of South Willow Street to the east, E. Main Street to the south, South Holtzclaw Avenue to the west, and McCallie Avenue to the North; and

WHEREAS, a zoning study can determine if the current zoning supports and encourages current and future land uses which are consistent with the development character of the neighborhood; and

AND WHEREAS, the intention of this zoning study is not to include those properties with a commercial or manufacturing zoning.

NOW THEREFORE, BE IT RESOLVED that the Chattanooga City Council on September 4, 2007 does hereby direct the Chattanooga-Hamilton County Regional Planning Agency to conduct a zoning study for the purpose of consideration of a zoning adjustment for the area described above.

HIGHLAND PARK ZONING STUDY
(Case 2008-118)

Chattanooga City Council passed a resolution directing the Regional Planning Agency to conduct a zoning study for certain properties in the Highland Park community.

Previously, the Highland Park community underwent a zoning study in 1996 which resulted in much of the area being rezoned to R-1 Residential with some portions of the study area remaining R-2 Residential, R-3 Residential, R-3 Moderate Density Zone, and R-4 Special Zone.

Currently, potential changes to the boundary of Tennessee Temple's Planned Unit Development could leave properties removed from the Planned Unit Development with a zoning incompatible with the surrounding residential development. The zoning study will also be used to examine all the residentially-zoned property in Highland Park to determine if the current zoning supports and encourages current and future land uses which are consistent with the development character of the neighborhood.

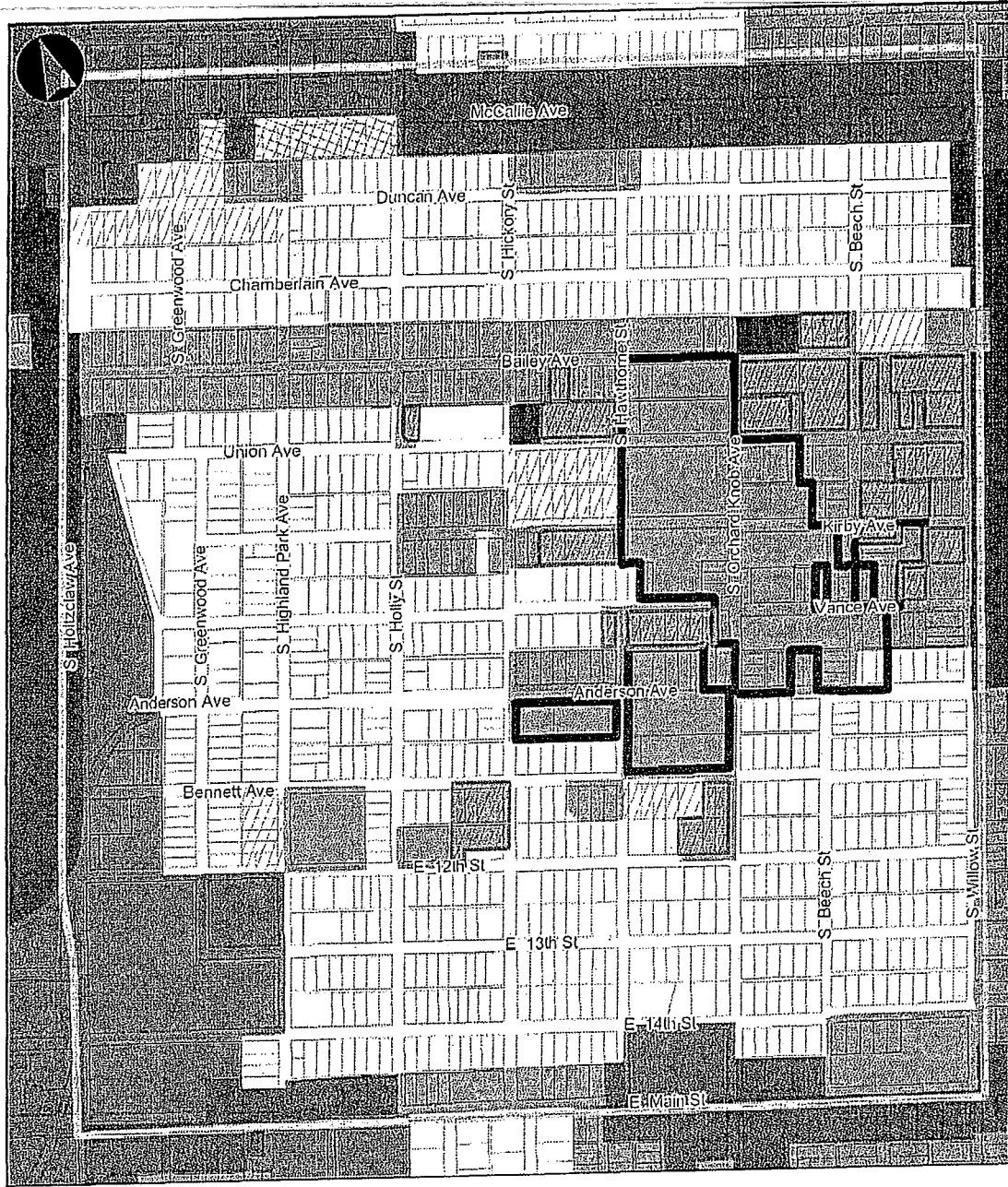
The recommendations of the zoning study focus on those properties that were once part of the PUD and then focus on those that are separate from the PUD.

HIGHLAND PARK/TENNESSEE TEMPLE UNIVERSITY MASTER PLAN

The Highland Park/Tennessee Temple University Master Plan was adopted by Chattanooga City Council in 1999. The plan "supports the rehabilitation and preservation of existing single-family land uses in the area". The recommendation is further strengthened by "the broad area of single family land use that appears on the Physical Plan highlights this emphasis on residential redevelopment in the Master Plan".

The Master Plan does identify opportunities for "low-density, multi-family and mixed-use developments on peripheral sites in the neighborhood. " As much as possible, "land use areas accommodating multi-family and mixed-use projects are designated for sites along neighborhood edges so as not to fragment the predominant single-family character of the area."

Current zoning



- | | | |
|---------------------------------|-----------------------------|------------------------|
| Proposed to be removed from PUD | C-2 Convenience Commercial | R-1 Residential |
| Revised PUD boundary | C-5 Neighborhood Commercial | R-2 Residential |
| Highland Park Boundary | O-1 Office | R-3 Residential |
| | M-1 Manufacturing | R-3MD Moderate Density |
| | M-2 Light Industrial | R-4 Special Zone |
| | M-3 Warehouse and Wholesale | |

PROPERTY PROPOSED TO BE REMOVED FROM IPUD

The following properties are all zoned R-4 Special Zone. They were all part of the 1975 amended Institutional Planned Unit Development of Tennessee Temple University and Highland Park Baptist Church. These properties will be removed from the IPUD under the PUD revision Case No. 2008-164.

As always, in considering its staff recommendation, RPA took into account the existing structures and area requirements (setbacks, parking, square footage) of the existing zone, surrounding zoning and land use, adopted plan recommendations, and stakeholder input.

Tax Map # 146J P 004, 146J P 005

Property fronting on Bailey Avenue between Holtzclaw Avenue and Willow Street is predominately zoned R-4 Special Zone with the condition of "no apartments or boarding and rooming houses".

Recommendation: Rezone R-4 Special Zone to R-4 Special Zone conditioned to no apartments or boarding and lodging houses.

Tax Map # 146J N 007 (part)

Currently used as a park, most of this parcel is zoned R-1 and is bounded on three sides by R-1 Residential Zone.

Recommendation: Change to R-1 Residential Zone.

Tax Map # 146O P 024, 146O P 024.01, 146O P 024.02, 146O P 024.03, 146O P 024.04,

Only one of these parcels is still under ownership of TTU and all five contain well-maintained two-family dwellings (duplexes). According to the legal description from the Tax Assessor's office, these properties were subdivided in 2008 and thereby lost any Lot of Record status they may have had. There is not a residential zoning designation that would make these legally conforming based on the lot size requirements for duplexes.

Recommendation: Change to R-1 Residential Zone.

Tax Map # 146O J 025 (part)

Previously used as a school, the existing structure is currently used as a Day Care Center. This is an appropriate use of the building and a rezoning to a low-density residential zone will not benefit the neighborhood and may prohibit potentially appropriate reuse if the current activity ceases. The recommended zoning condition of a Day Care Center use only will involve the community in the public process if a different use is ever proposed at this site.

Recommendation: Change R-4 Special Zone to R-4 Special Zone with condition of Day Care Center use only. Day Care Centers are specifically defined as "A place, except schools graded one (1) through twelve (12) and kindergartens operated by any governmental unit or under the supervision of any religious organization, operated by a person, society, agency, corporation, or institution, or any group wherein are received for pay eight (8) or more children under 17 years of age for group care, without transfer of custody for less than 24 hours per day. The term "day care center" shall include, but not be limited to, child development centers, nursery schools, day nurseries, play schools, and kindergartens, as well as agencies providing before and after school care regardless of name, purpose, or auspices. Also, a place operated by a person, society, agency, corporation, or institution, or any group where are received for pay eight (8) or more aged

persons for group care for less than 24 hours per day. This definition is not applicable to any such use operated by any governmental unit.”

Tax Map # 146O J 020 and 146O J 021.01

This property was given rights under the Institutional PUD that are not appropriate in the middle of this low-density residential neighborhood. These two parcels are vacant and single-family development is in keeping with the adopted plan and the majority of the surrounding land use. Retaining the current R-4 Special Zone could encourage combination of these two lots and construction of a higher-intensity or higher-density use than is appropriate.

Recommendation: Rezone to R-1 Residential.

Tax Map # 146O J 021

As with the adjoining parcels, this property was given rights under the Institutional PUD that are not appropriate in the middle of this low-density residential neighborhood. Currently developed with a four or five multi-unit structure, this development form is not recommended within a low-density neighborhood and is not supported by the neighborhood plan.

Recommendation: Rezone to R-1 Residential.

Tax Map # 146O M 018

Currently used a fenced, graveled parking lot by Highland Park Baptist Church, this is a remnant of institutional use west of Hawthorne Street.

Recommendation: Rezone to R-1 Residential.

Tax Map # 146O N 009, 146O N 010, 146O N 011, 146O N 012, 146O N 013, 146O N 014, 146O N 015

These parcels contain the Highland Park Baptist Church owned gym and adjoining parking.

Recommendation: Rezone to R-4 Special Zone with the condition of single-family residence, gymnasium, or parking lot only.

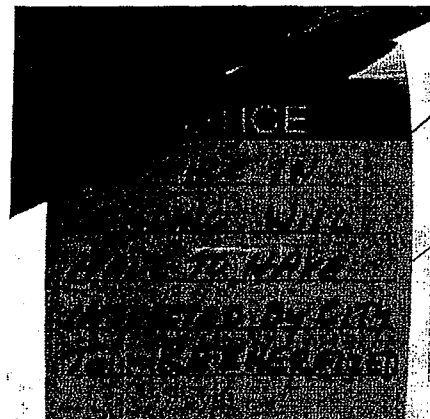
Tax Map #146O M 003 and 146O M 004

These two parcels are used as parking lots for the adjacent dorms and were part of the westernmost border of TTU. With the current R-4 zoning designation, this property was given extensive permitted uses that are not appropriate by-right uses in the middle of this low-density residential neighborhood.

Recommendation: Rezone to R-1 Residential

Tax Map # 146J P 010 and 146O M 005

Previously Martin Hall and Phillips Hall Dormitories, these four-story dorms are currently for sale by TTU. Martin Hall is approximately 56,000 sq. ft. with a building footprint of 7,500 sq. ft.; Phillips Hall is slightly smaller. Both dorms have 76 units. They are currently vacant and RPA staff has not conducted a tour of the dorms; however, the condition of Phillips Hall in particular is unknown as it has been tagged by the Fire Department as shown to the right.



Note posted on power pole by dorm

The dorms are the most difficult land use to address in this zoning study. Because they are structured as single rooms without individual restroom facilities or kitchen facilities, neighborhood residents expressed the opinion that the most likely residential reuse of the existing structures would be a lodging/boarding/group home facility. This does seem likely as structural modifications may be needed to allow for self-contained dwelling units to be developed. Another point of consideration is that a change of use to multi-family dwelling units will trigger a substantial loss in the number of dwelling units based on the minimum lot area requirements.

At the first of the two meetings with the Highland Park Neighborhood Association, there was discussion that potential reuse of the structures as some form of residences may be appropriate. However, by the second meeting concerns were more strongly expressed in opposition to the reuse of the buildings as lodging/boarding/group homes. Stakeholders solidified their concerns about transient residential housing as a use not in keeping with their individual and neighborhood efforts at revitalization.

Oftentimes in situations where potential land uses are viewed as potentially conflicting with community goals, stakeholders support a rezoning to R-1 Residential. This desire was reflected in much of the feedback RPA received verbally and in writing. This option was given extensive consideration as this is usually the best method to give the citizens a voice in the physical development of their community by participating in the public process of rezoning. However, this option would leave the property owner and property with little use.

Staff is concerned that action by City Council of a rezoning to R-1 Residential could deny almost all beneficial use of the property for the following reasons:

- 1) Once rezoned, a rezoning to a zone other than R-1 Residential is not guaranteed.
- 2) As these dorms are currently vacant, and at least one appears to have no power running to it, if they are rezoned to R-1 Residential the dorms would have no legal, nonconforming use. Essentially, the buildings as they exist would have no value or use other than single-family residences or one of the other permitted uses in that zone such as a school or church.
- 3) With no legal, nonconforming use and with an R-1 zoning, it is possible that the dorms would need to be removed for the underlying property to have reuse and potential value. Removal of the existing structures could provide an extensive financial burden on the property owner.

If the vacant dormitory structures are to be integrated into the Highland Park neighborhood, staff is recommending a set of conditions to ease this transition and mitigate potential negative impacts.

Recommendation: Rezone to R-3 Residential with conditions:

- 1) Use of existing structure only. If the existing building is demolished, future development of this site will need to proceed through the public process (RPA staff review, Planning Commission, and City Council) to lift this condition. If structure is removed, other zoning designations may be considered.
- 2) Apartments or condominiums only.
- 3) Adequate parking required onsite.
- 4) Public meeting with the Highland Park Neighborhood Association required before a building permit from the City of Chattanooga is pulled.
- 5) Landscaping requirements must be met for parking lot, street yard, and buffering.
- 6) Maximum number of apartments or condominiums allowed for Phillips Hall is 17 and the maximum number allowed in Martin Hall is 9. This number is based on the requirement of 7,500 square feet for the first dwelling unit and 2,000 square feet for each additional dwelling unit.

THE FOLLOWING RECOMMENDATIONS ARE FOR ALL PROPERTY REMOVED FROM THE PUD EAST OF ORCHARD KNOB AVENUE

In the eastern portion of Highland Park, some of the parcels being removed from the PUD are owned by TTU, while others are under ownership of Highland Park Baptist Church and St. Andrew's Methodist Church. These properties were part of the PUD and were rezoned to the R-4 Special Zone as part of the PUD process. However, many of these parcels are vacant or contain single-family homes or parking lots.

TTU's selling of property zoned R-4 Special Zone that was part of the PUD was the main trigger for this zoning study. The R-4 Special Zone does reflect the institutional nature of these properties, but the potential uses allowed by that zone represent more of a challenge to the surrounding neighborhoods (including Ridgeside) than the benefit received by the religious institution owners.

One concern about the multiple vacant or underutilized properties remaining R-4 Special Zone is that the compilation of properties would allow for a much larger, more intense development than may be appropriate in this area. Large-scale apartment homes or multi-story office buildings are best handled in this area through the rezoning process than with "by right" uses particularly as this very urban setting may have special challenges to address. Additionally, religious uses are permitted in any of the residential, office, and commercial zones. The uses can continue to expand regardless of the zoning designation of the property.

This zoning study generally recommends:

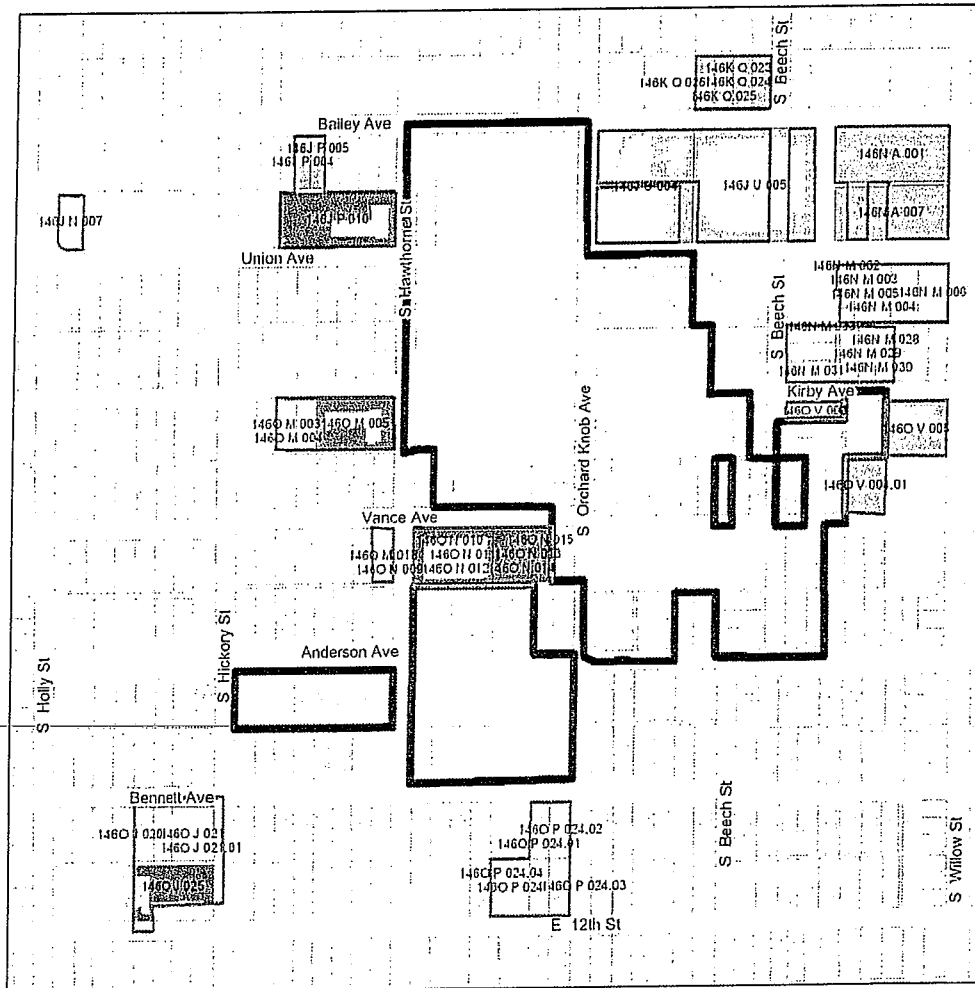
- 1) Those properties with larger lots that contain institutional uses such as the day care or worship facilities and accessory paved parking lots have zoning conditions placed upon them.
- 2) The properties that are vacant, have a small lot size, or have residential structures on them are recommended for rezoning to R-1 Residential







The following are the specific recommendation for each parcel:

Owner	Tax Map #	Recommended zoning designation
FORRESTER PERRY T & KATHRYN L	146N M 028	R-1 Residential
HIGHLAND PARK BAPTIST CHURCH	146J U 004	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146J U 005	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146N A 007	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146N A 001	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146O V 005	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146K Q 024	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146O V 004.01	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
HIGHLAND PARK BAPTIST CHURCH	146O V 003	R-1 Residential
ST ANDREWS UNITED METHODIST	146N M 031	R-1 Residential
ST ANDREWS UNITED METHODIST	146N M 032	R-1 Residential
ST ANDREWS UNITED METHODIST	146N M 033	R-1 Residential
TENN TEMPLE COLLEGE	146N M 030	R-1 Residential
TENN TEMPLE SCHOOL	146N M 006	R-1 Residential
TENN TEMPLE SCHOOL	146N M 005	R-1 Residential
TENN TEMPLE SCHOOL	146N M 004	R-1 Residential

TENN TEMPLE SCHOOL	146K Q 023	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
TENN TEMPLE UNIVERSITY	146N M 034	R-1 Residential
TENN TEMPLE UNIVERSITY INC	146N M 002	R-1 Residential
TENN TEMPLE UNIVERSITY INC	146N M 003	R-1 Residential
TENN TEMPLE UNIVERSITY INC	146N M 029	R-1 Residential
TENN TEMPLE UNIVERSITY INC	146K Q 026	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
TENN TEMPLE UNIVERSITY INC	146K Q 025	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing

Zoning recommendation for those R-4 zoned properties removed from PUD



- | | | | |
|---|---------------------------------|---|--|
|  | Revised PUD boundary |  | R-1 Residential |
|  | Proposed to be removed from PUD |  | R-3 Residential with conditions |
| | |  | R-4 Special Zone with condition no boarding/lodging homes or multi-family housing |
| | |  | R-4 Special Zone with condition of single-family residence, gymnasium, or parking lot only |

PROPERTY NOT PART OF THE INSTITUTIONAL PUD

As part of the zoning study process, and as detailed in City Council's resolution, all parcels with a residential and R-4 zoning were reviewed.

If Chattanooga City Council's final legislative action mirrors that of this zoning study with some properties being rezoned to R-1 Residential, several two-family dwellings (duplexes) and multi-family dwellings will become legal, nonconforming uses.




A nonconforming use is the use of a particular parcel of land that is not permitted by the current zoning requirements of the applicable zoning classification. The property's current use does not change when a zoning change is adopted. It only requires future development and redevelopment of properties to be single-family. Any other uses must go through the rezoning process on a case-by-case basis.

Property owners with two-family dwellings also have the option to pursue a Special Permit that allows for two-family dwellings in the R-1 Residential Zone. If an applicant meets certain conditions, one of which is having property that was rezoned in a zoning study, a permit allowing continued use as a two-family dwelling may be issued by City Council.

As the Comprehensive Plan 2030 states, a diversity of housing types with medium to high densities is encouraged in the urban area and this mix can include single-family detached residences, duplexes, apartments, live-work buildings, and row houses. The zoning study does recommend some properties change from a residential use that allows a diverse mix of housing uses to the R-1 Residential zone that predominately permits single-family residential detached housing. This recommendation reflects 1) the adopted neighborhood plan which supports a single-family residential core for the neighborhood while directing diverse uses to the perimeter and 2) the fact that the 1996 rezoning actually made many of the existing uses legally nonconforming and the R-1 Residential zone reflects this better than the current zone.

The following maps depict land use and the numbers on each parcel is the lot size. The following legend applies to all the land use maps:

Legend

	Single Family
	Duplex
	Multi-Family

R-1 Residential

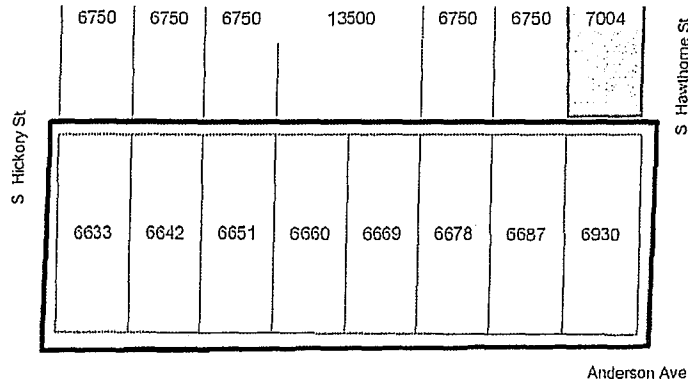
This zoning supports the recommendation of the adopted Highland Park/Tennessee Temple University Master Plan.

R-2 Residential

There are currently 30 parcels zoned R-2 Residential within the study boundary. Only three of the 30 parcels are large enough to construct anything other than a single-family dwelling. Because Highland Park is an older neighborhood, the requirements for a use other than single-family dwellings most likely fall under the "lots of record" standards. Under the requirements of the Chattanooga Zoning Regulations, a duplex may be constructed on any lot in the R-2 zone created before June 20, 1961 that has an area of 7,500 square feet or more.

Chattanooga Zoning Regulation, Article VI, Section 106:

A duplex may be built on any lot which was a separate unit at the time of the passage of this Ordinance in any zone where duplexes are permitted, provided that the yard requirements are met and that the lot has a area of 7,500 square feet or more in the R-2 Zone, or 5,000 square feet or more in the R-3 and R-4 Zones.



Addresses:

1701, 1703, 1705, 1707, 1709, 1711, 1713, 1715 Anderson Avenue.

Land Use:

Predominately single-family homes. Under the current R-2 zoning, none of the lots have enough lot size to support a use other than a single-family residence. Based on staff's land use windshield survey, all homes are currently used as single-family residences.

Recommendation:

Rezone to R-1 Residential

Addresses:

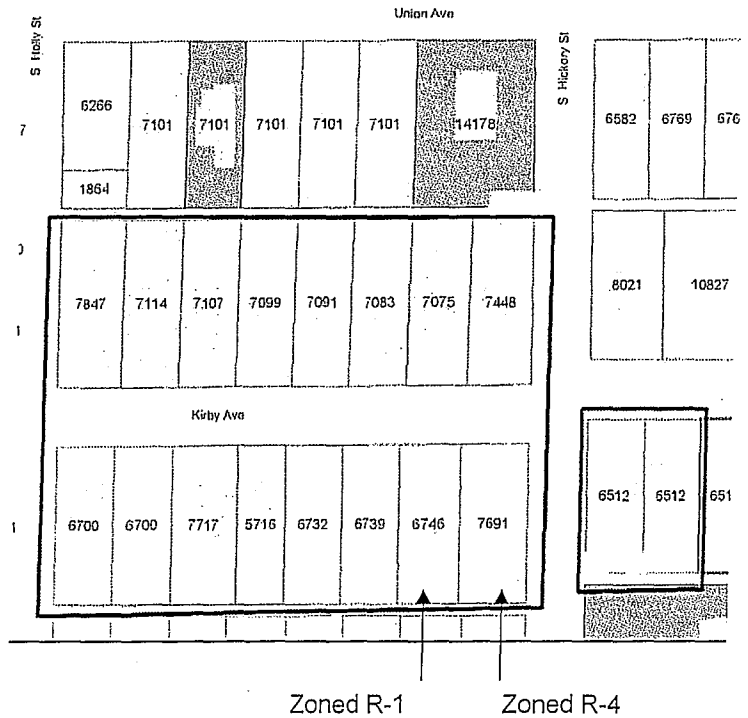
1700 and 1702 Kirby, 1600-1615 Kirby (does not include 1612 Kirby)

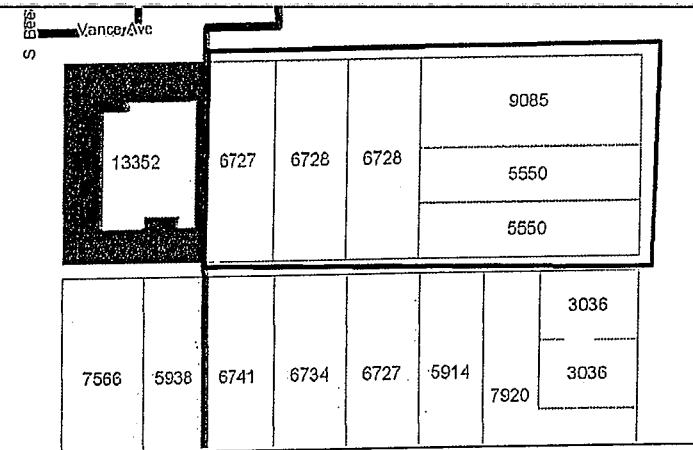
Land Use:

A mix of single-family homes and five duplexes. Under the current R-2 zoning, only two lots have enough lot size have a use other than a single-family residence. One of these lots currently is developed with a two-family dwelling.

Recommendation:

Rezone to R-1 Residential





Addresses:
 2004, 2006, 2008 Vance
 and 901, 903, 905 Willow
 St.

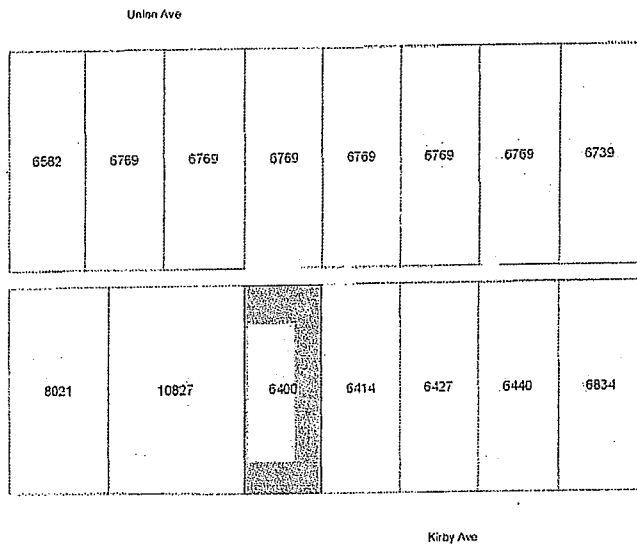
Land Use:
 Single-family and one two-
 family residence. Under the
 current R-2 zoning, one lot
 could be converted from a
 single-family home to a tow-
 family home.

Recommendation:
 Rezone to R-1 Residential

R-3MD Moderate Density

There are currently 45 parcels in the study boundary that are zoned R-3MD. This zone allows for the development of one, two, three, and four-family dwellings. All of these properties were once R-3 Residential until the zoning was adjusted through the neighborhood's 1996 zoning study process. 10 of these properties, under the Lots of Record standard, could be developed as two-family dwellings but do not have enough square footage to be subdivided under current standards. One lot on Bailey Avenue near South Beech Street has enough square footage for a four-family dwelling.

Recommendation: No zoning change is recommended for the properties zoned R-3MD along Bailey Avenue and Duncan Avenue. Bailey Avenue at this location is primarily zoned R-4 and the properties along Duncan Avenue provide a transitional zone for the manufacturing and commercial uses along Holtzclaw and McCallie Avenues.



Addresses:

The block of R-3MD zoned properties between Union and Kirby Avenues west of Hawthorne including addresses 1700, 1702, 1704, 1706, 1708, 1710, 1712, 1714 Union Avenue and 1701, 1705, 1707, 1709, 1711, 1713, 1715 Kirby

Land Use:

A mix of vacant lots, single-family homes, and one multi-family residence. Under the current R-3MD zoning, only two lots have enough lot size have a use other than a single-family residence. These two lots currently have single-family homes on them based on staff's land use windshield survey.

Recommendation:

Rezone to R-1 Residential

Bennett Ave

6110	6580
6110	6580
5850	6440
5980	6440
5980	6440
6342	2571 4123

S Greenwood Ave

Addresses:

1415 East 12th St, and 1101, 1103, 1105, 1107, 1109, 1111 S. Highland Park Avenue

Land Use:

A mix of one and two-family dwellings and a multi-family residence. However, as none of the seven lots sizes are large enough to support anything other than single-family residential, the existing two and multi-family structures are already non-conforming.

Recommendation:

Based on current lot sizes and with the R-3MD zone, a R-1 Residential zoning will better reflect allowable uses for these properties. A rezoning to R-1 Residential will not change any of the existing uses from legally conforming to legally nonconforming.

Addresses:

1800, 1802, 1804, 1806, 1808, 1810 Bennett Avenue.

Land Use:

Single-family residences, a substation, and one two-family dwelling. Again, as in the cases above, the residentially-used lots, with their current R-3MD zoning and the lot size less than 7,500 sq. ft, can currently be used for single-family residences.

Recommendation:

An R-1 Residential zoning best reflects the allowable uses for these properties.

Bennett Ave

7000	7000	7000	7188	13550	7015	7742
14018	7010	7526	13494	7004	7720	

S Orchard Knob Ave

E 12th St

R-3 Residential

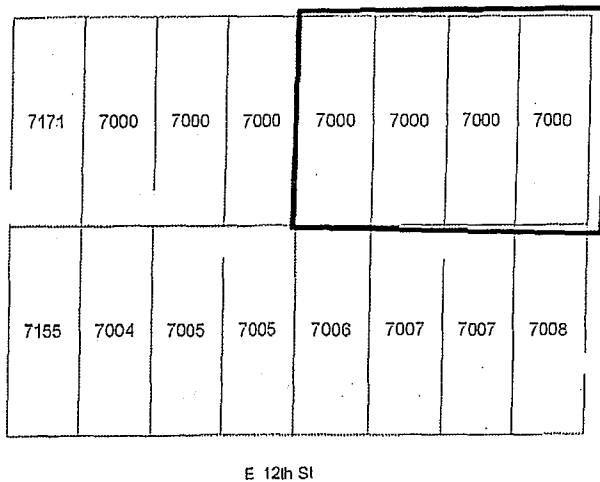
Within the study boundary, three parcels are zoned R-3 Residential. Two front on Bailey Avenue and one is to the interior of the neighborhood on Union Avenue and is developed with a single-family residence.

Recommendation:

No change to the R-3 Residential property on Bailey Avenue as that corridor contains a mix of uses. No change recommended for the property at the northeast corner of South Hickory St. and Union Avenue as it is adjacent to the R-4 zoned property to the north along Bailey Avenue and abuts the property that contains the former dorm that is being recommended for an R-3 Residential zoning with conditions.

R-4 Special Zone

The majority of R-4 zoning in Highland Park is along the eastern perimeter of the neighborhood with one exception.



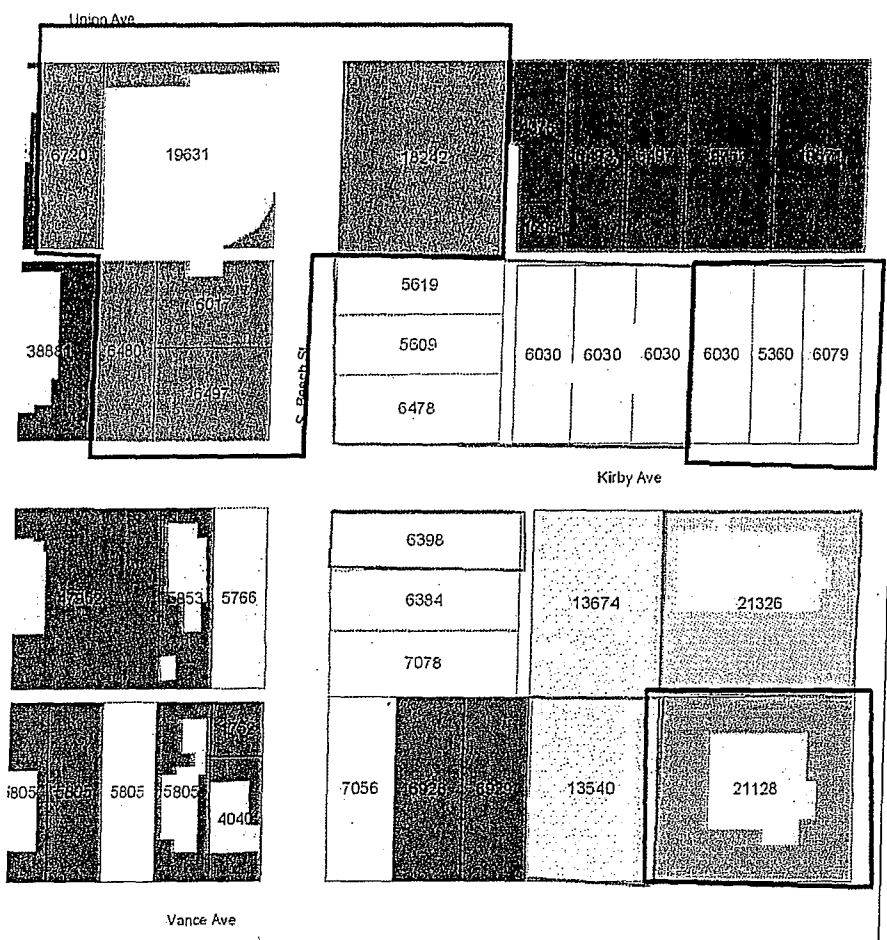
Addresses:
1708, 1710, 1712, 1714 Bennett Avenue.

Land Use:
Single-family residences

Recommendation:
These four parcels have enough lot area in the R-4 Special Zone to redevelop as two-unit dwellings. However, as a single-family home was recently constructed on one of the lots, and the other homes are single-family, the recommendation is to rezone to R-1 Residential.

The TTU/Highland Park Master Plan identifies opportunities for "low-density, multi-family and mixed-use developments on peripheral sites in the neighborhood." For the remainder of the R-4 zoned properties, the zoning study is recommending either placing conditions on the zoning of institutional uses or a rezoning to R-1 Residential for other lots. However, this study is also recommending a policy of supporting the plan recommendations.

The zoning study recommendations are not meant to exclude zoning requests and potential future land use changes for new or expanded institutional uses or for a mix of residential housing types. The zoning study seeks to provide a base for the community, by eliminating certain "by right" uses, that will allow the neighborhood to have a voice in the process should land use change. Additionally, continued development and redevelopment of this eastern edge of Highland Park will allow this community to have that important mix of uses that are a key component of urban neighborhood while retaining a strong, single-family residential core.



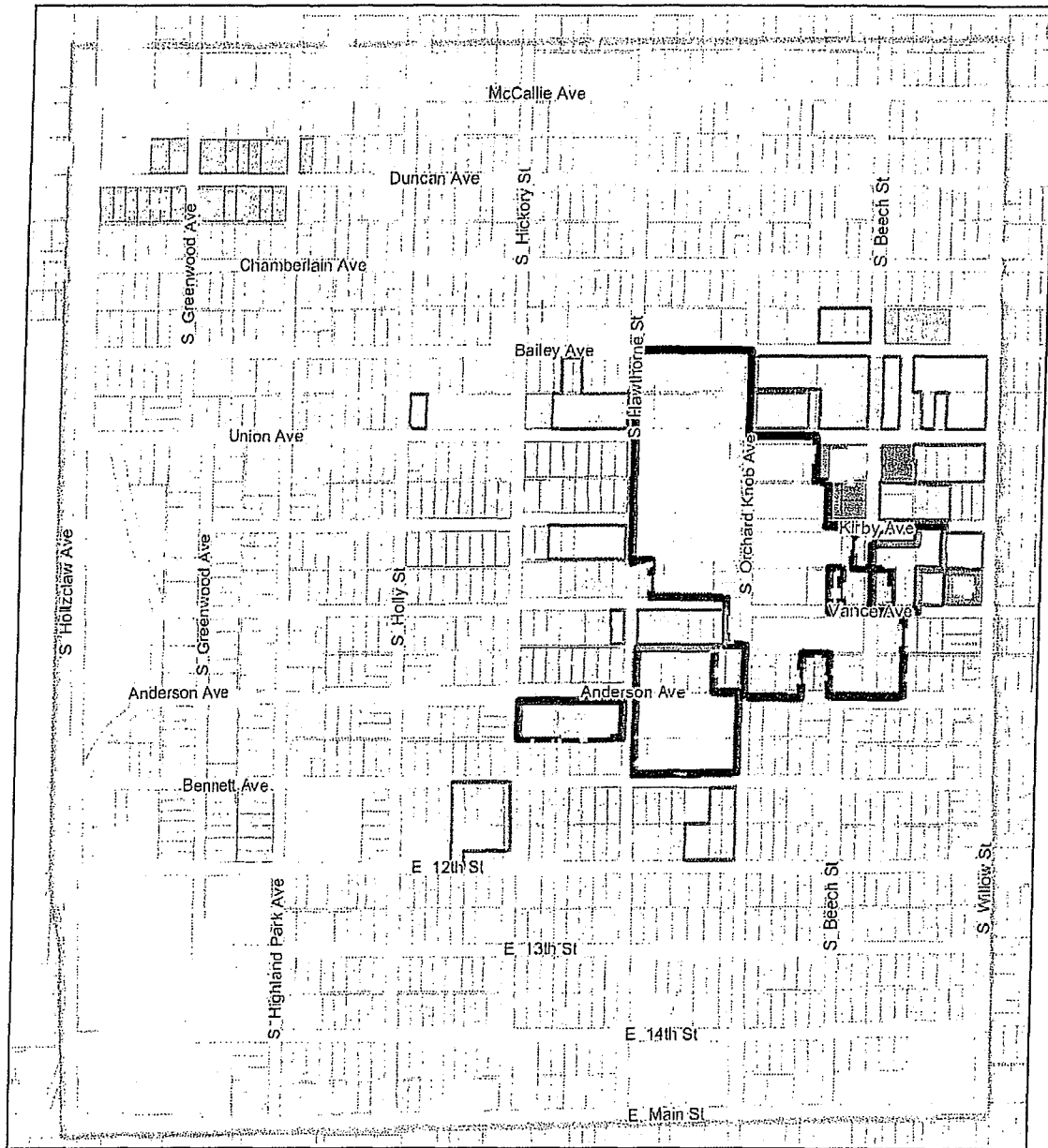
The following table contains the specific recommendation for each parcel. As with the parcels contained previously in the IPUD, the following recommendations are generally being made:




- 1) Those properties with larger lots that contain institutional uses such as the day care or worship facilities and accessory paved parking lots have zoning conditions placed upon them.
- 2) The properties that are vacant, have a small lot size, or have residential structures on them are recommended for rezoning to R-1 Residential

Owner	Tax Map #	Current zoning	Recommended zoning designation
CITY OF CHATTANOOGA	146O V 006	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
DOUBERLY ALEXINE J	146N M 026	R-4	R-1 Residential
ELMORE HARLEY FRANKLIN & LINDA	146N M 025	R-4	R-1 Residential
ST ANDREWS METHODIST CHURCH	146N M 001	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing




ST ANDREWS METHODIST CHURCH	146O U 017	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
ST ANDREWS UNITED METHODIST	146O U 012	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
ST ANDREWS UNITED METHODIST	146O U 019	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
ST ANDREWS UNITED METHODIST	146O U 013	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
ST ANDREWS UNITED METHODIST	146O U 018	R-4	R-4 Special Zone with condition no boarding/lodging homes or multi-family housing
WEST RICHARD S JR	146N M 027	R-4	R-1 Residential

Zoning Recommendation for remaining Highland Park properties



-  Highland Park Boundary
-  Proposed to be removed from PUD
-  Revised PUD boundary

Zoning Recommendation

-  Reviewed, no change recommended
-  R-1 Residential
-  R-4 Special Zone with condition no boarding/ lodging homes or multi-family housing

THE FOLLOWING ARE SOME OF THE COMMENTS RECEIVED VIA EMAIL

I am a resident in Highland Park and am very concerned about the present status of the two former Tennessee Temple University dormitories, which have been removed from the PUD. Currently, these properties are in the R4 designation, which are not acceptable to me as a neighbor of HP. All concerned in Highland Park have been diligently taking care of our homes, beautifying them and restoring them. Our efforts have resulted in a neighborhood, in which the residents are proud of their properties. We work continuously to make our area a safe and inviting place to live. If the dormitories stay in the R4 designation, a potential new owner would not fall under the scrutiny we would like to see in our neighborhood. I therefore kindly request you to rezone mentioned dormitories to R1.

Another concern is that these buildings at present are vacant, and that they are easily accessible, which could create unwanted criminal activity and/or unsanitary situations.

Thank you in advance for your kind consideration to the above.

We are writing to document my preference regarding the future usage of the two Tennessee Temple dormitories under consideration by the Planning Department

With the plan to remove these two buildings from the PUD, I strongly hope serious consideration will be given to change the zoning from R4 to R1. This zoning change will protect the Highland Park Neighborhood, and ensure the efforts over the past few years are protected.

If an interested party wants to pursue usage for these buildings that require a change in zoning, the neighborhood can address these plans on an individual basis.

We appreciate your efforts to ensure the right decision is made for the PUD changes

As an active member of the Highland Park Neighborhood Association and a resident of Highland Park, I strongly recommend that the conditions, sizes, and locations of each of the PUD tracts and houses be taken into careful consideration when your study proposes rezoning. As more lots have been rezoned R-1 for single family residences and houses, and existing structures have been renovated with single-family housing in mind, the neighborhood has grown safer and friendlier and has brought in more city funds through property taxes. To keep this trend consistent and to continue the growth of the neighborhood, I would hope that your study recommends that many of the PUD tracts, especially those near R-1 housing, be rezoned R-1 as well. I would make the same observations that were written in the previously completed Highland Park/Tennessee Temple University Master Plan, wherein "[t]he Client Committee ... stressed the importance of homeownership in stabilizing existing housing," and also noted that "more and more absentee landlords" (primarily in duplexes and multiplexes, where "the neighborhood's older homes have been modified and divided up into boarding houses") have promoted "substandard conditions." The need to correct this through R-1 zoning

still exists, and is still in the neighborhood's best interests.

As for the two dormitories currently for sale by Tennessee Temple, the difficulty in renovating them for alternative use will pose a large problem to any future owner, due not least of all to their style, but also to their age, location, and condition. Phillips dorm was in need of renovation during the completion of the original master plan nearly ten years ago, and its condition has undoubtedly not improved since then. This suggests that the most beneficial zoning proposal for these buildings would also be R-1, in order to keep them from being made into substandard or transient housing, an all-too common feature in the neighborhood which does not promote the safety and growth that permanent residents bring. Though the neighborhood as a whole is probably not opposed to offices or creative uses of the buildings, it is unlikely that the necessary funds to bring the buildings into alignment with those uses would be available privately. If, however, a private organization were interested in any special commercial or R-4 use of the property, R-1 zoning would place the burden on future developers to convince the city and neighborhood that their enterprise is both desired and feasible, as opposed to R-4 zoning which places the burden of hindering harmful, unwanted development on residents. Again, as was written in the previous master plan, "While private development should continue to be interested in the neighborhood, assembling vacant lots to offer to developers may be one method of encouraging new development." The master plan also suggests that "deteriorated and dilapidated structures," such as the vacant dormitories, "provide environments for undesirable activities such as drug use, prostitution, and vagrancy," and as such the new zoning study would do well to recommend a use for these structures that is both economically feasible and consistent with the desires of the residents.

With the now-imminent revival of Chattanooga's Main Street, the Highland Park neighborhood continues to represent an affordable residential area for families with a desire to live within a short distance of downtown. As the earlier master plan suggests, "The neighborhood is uniquely situated to take advantage of the continuing renaissance of Downtown Chattanooga in becoming another desirable, in-town neighborhood of historic character." Rather than simply becoming "another" desirable neighborhood, we in Highland Park hope that, through resident-friendly zoning, it can continue to become "the" desirable neighborhood.

Thank you for your time, and for your work to sustain the positive growth in our community.

I am writing to express my thoughts regarding the two former TTU dormitories under consideration by the planning department.

As a part of the Tennessee Temple University campus, these properties were an appropriate neighbor to a residential setting. Now that they are being removed from the PUD I strongly believe that they should revert to R1. If a potential buyer has a creative strategy to reuse the buildings, he or she will be able to go through the exercise of applying for the appropriate variance. If the R4 designation is left in place, potential new owners will not be placed under the scrutiny this delicate situation requires.

The R4 designation was acceptable while under the purview of a university PUD; it is NOT acceptable on a vacant building on the open market in a transitional university / residential neighborhood.

Thanks for your time and attention.

I am writing as a Highland Park resident.

This is a flourishing family neighborhood whose transition has been anchored by single family homes.

My understanding that the Tennessee Temple University campus has dormitories for sale is concerning if it is decided that their zoning be left as is for prospective buyers.

I believe that these properties should revert to R1 zoning. Again, this will help Highland Park continue to develop as a place of residence for families of all kinds.

Thank you for your consideration.

I am writing to register my thoughts about the rezoning of Tennessee Temple's campus, and specifically about the use to which the two dorms currently for sale might be put.

I am a resident of Highland Park (1700 Duncan Avenue), and my concern is naturally that these dorms might be sold and put to a use that will set our recovering neighborhood on a backward course. I am absolutely opposed to the dorms being used for transient housing, half-way housing, or anything of that sort. Highland Park already has more than its fair share of such facilities and the problems associated with them. As you probably know, and as the Planning Commission is certainly aware, our neighborhood was recently "graduated" from a Strategic Neighborhood Initiative program, and I think a Community Impact Fund development program, meaning that we have made a lot of progress toward becoming a "clean, safe, and attractive" community (that's from the SNI fact sheet). But it also means we're now at a very fragile point in our development; we no longer have those supportive programs/funds to help us, but surely we have not yet brought HP to its full potential, either. The selling-off of Tennessee Temple's buildings represents a massive potential threat to our neighborhood and, without very careful and community-minded planning and zoning, could very well erode the progress we've made - and that Chattanooga's downtown has made. At this particular point in our renewal we cannot absorb any such erosion. We simply can't take any impact that isn't obviously positive at this point.

The City of Chattanooga, numerous local foundations, and many private citizens have invested untold time, funding, and resources in the renewal of Highland Park over a long period. I hope it's obvious that the Tennessee Temple PUD and properties must be handled with every consideration of these long-term investments and plans.

Thanks for attending our community meetings.

I wanted to reiterate, that, as a community, we wish to see the properties released from the PUD fall back to R-1 (which ties into the other zoning study). This would be consistent with what is around them. I think the Bailey property may fall into R-4 with very strict conditions, but I'm not sure.

As far as the other zoning study is concerned (the one where we are asking for the other properties to be downzoned) these were left out of the R-1 initially because of 1) the PUD, and 2) there were more multi-units on these blocks. Today this is not the case - they are mostly single-family houses and the blocks are surrounded by R-1. Again, consistency.

The dorms are a different matter, but we don't, DON'T want them to remain R-4 in any way, shape, or form.

Thanks for all of your hard work.

We live at 1708 Chamberlain Avenue in Highland Park.

We strongly feel that the Tenn. Temple dorm properties should revert back to R1 zoning. If someone purchases the properties, they should be required to petition the city to change the zoning status (from R1) or request any other variance.

We feel that these buildings have very limited potential, since they were built as dormitories. Not only that, but they are in very poor condition, with obvious foundation cracks, etc.