

READING 1-16-12  
READING 1-17-12

2011-133  
Eric Lovett  
Tennessee Temple University  
Highland Park Baptist Church  
District No. 9

ORDINANCE NO. 12560

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO APPROVE AMENDING CONDITION #3 IMPOSED IN ORDINANCE NO. 12257 TO ALLOW USE AS UNIVERSITY HOUSING ON PROPERTIES LOCATED AT 1715 UNION AVENUE AND IN THE 1700 BLOCK OF KIRBY AVENUE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same is hereby amended so as to approve amending Condition #3 imposed by Ordinance No. 12257 to allow use as university housing on properties located at 1715 Union Avenue and in the 1700 block of Kirby Avenue, on the following tract of land:

Lots 53, 55, 57, 59, 61 and 63 of Block 3, New Subdivision of Blocks 3, 4, 5 and 6 of the Vance, Kirby Bennett Addition to Highland Park, Plat Book 2, Page 10 and Lots 9 thru 14, Block 20, Highland Park Addition Number 1, Plat Book 1, Page 23, ROHC, Deed Book 1659, Pages 37 and 94, Deed Book 1904, Pages 261 and 263, Deed Book 1937, Page 539, and Deed Book 2111, Page 400, ROHC. Tax Map Nos. 146O-M-003 thru 005 and 146J-P-010.

SECTION 2. BE IT FURTHER ORDAINED, That Condition #3 of Ordinance No. 12257 be amended to a revised condition, "Use as university housing by Tennessee Temple University for their students or faculty and is not advertised or otherwise held out to the public."



2011-133 AMEND CONDITIONS

Printed: Nov 16, 2011

4 112408

S. Hickory St.

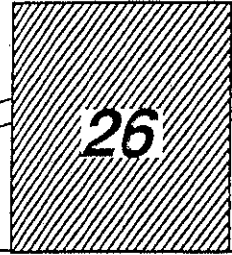
LIFT CONDITION:  
REWORD - USE AS  
UNIVERSITY HOUSING



28

Union Ave

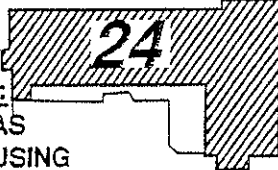
2011-133



26

Kirby Ave

LIFT CONDITION:  
REWORD - USE AS  
UNIVERSITY HOUSING

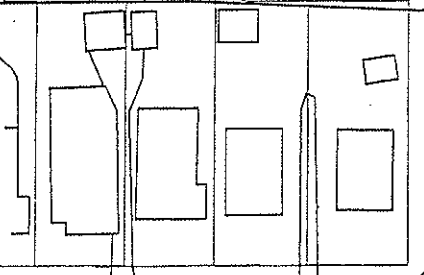


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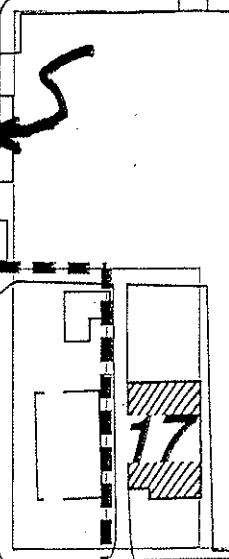
S. Hickory St.

BUILDING KEY

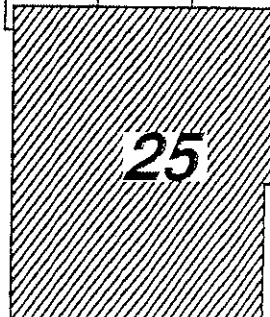
- 2. Cierpke Library
- 17. House owned by TTU/HPBC
- 24. Martin Hall
- 25. McGilvray Gym
- 26. Old Highland Park Elem
- 28. Phillips Hall



S Hawthorne St

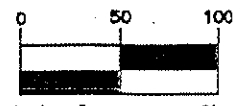


17



25

GRAPHIC SCALE



1 inch = 100 ft.

**AD ENGINEERING SERVICES, INC.**  
COMPLETE ENGINEERING & DESIGN SERVICES

651 E. 4th Street, Suite 407  
Chattanooga, TN 37403  
PH: (423) 266-3501 FAX: (423) 266-3286

Tennessee Temple University  
1815 Union Avenue  
Chattanooga, TN 37404

SPECIAL REQUEST:  
LIFT CONDITION  
MARTIN & PHILLIPS HALLS

SCALE: 1"=100'

DATE: 11/9/11

DRAWN BY: DYA

CHECKED BY: ASD

JOB NO: 10171



**Case Number: 2011-133**

**Applicant Request:** Special Request to Amend Conditions of Ordinance No. 12257 (Condition #3) and Resolution No. 25959 (Condition #2)

**STAFF RECOMMENDATION:** Approve amending Condition #3 of Ordinance No. 12257 to a revised condition "Use as university housing by Tennessee Temple University for their students or faculty and is not generally advertised or otherwise held out to the public".

**Applicant:** Eric Lovett, Tennessee Temple University  
**Property Address:** 1704, 1706, 1714 Kirby Avenue and 1715 Union Avenue  
**Jurisdiction:** Chattanooga District 9/Hamilton County District 6  
**Neighborhood:** Highland Park  
**Development Sector:** Urban Infill

**Planning Commission Recommendation:**  
Approve with change (see resolution)

**Proposed Development**

**Site Plan Submitted:** Yes  
**Proposed Use:** Institutional Campus Housing  
**Purpose:** Amend Condition Ordinance 12257 #3 to use as University Housing Only

**Site Characteristics**

**Current Zoning:** R-4 Special Zone  
**Current Use:** Vacant Dormitories  
**Adjacent Uses:** Residential, Church Facilities, and Institutional Uses  
**Size of Tract:** Various  
**Access:** Multiple streets including, but not limited to Union Avenue, Kirby Avenue, and Hawthorne Street

**Analysis**

**Extension of Existing Zoning?**  
**Community Land Use Plan:** Highland Park/Tennessee Temple University Master Plan (1999)  
**Proposed Use Supported by Community Land Use Plan?** Partly  
**Proposed Use Supported by Comprehensive Plan?** Issue not addressed in the Comprehensive Plan

**Comments**

**Planning Staff:** Resolution #25959 had four conditions as related to the former dorms but this resolution was related to a Preliminary Institutional Planned Unit Development (IPUD) which has now expired. The condition that related to the dorms' use is no longer active and there is no need to amend conditions related to this resolution.

Ordinance No. 12257 that rezoned these properties to R-4 Special Zone contained the following conditions:

1. Being included in the Tennessee Temple PUD;
2. Has to be shown and remain under the ownership of Tennessee Temple; and
3. Use as dormitories by Tennessee Temple University, Tennessee Temple Academy or Highland Park Baptist Church only.

The applicant has asked that Condition #3 be revised to read "Use as university housing only". The application materials do not state what "university housing" would entail but further discussion has clarified

that the intention is for graduate student and faculty housing. According to the Highland Park/Tennessee Temple University Master Plan, "a primary objective of HPNWA and TTU is to restore a stable, family-oriented atmosphere to the neighborhood". In order to balance TTU's needs with the needs of a stable neighborhood, staff is recommending broadening the language of the condition to include more than dormitories yet provide parameters to "university housing". During a 2008 Highland Park Zoning Study and since that time, Highland Park residents have expressed concern about the potential reuse of these structures as transient residential housing as perhaps a lodging/boarding or group home. In order to provide more predictability to the housing pattern of these two former dorms at the periphery of campus, staff is recommending that the condition be revised as "Use as university housing by Tennessee Temple University for their students or faculty and is not generally advertised or otherwise held out to the public".

1<sup>ST</sup> READING 1-10-12  
2<sup>ND</sup> READING 1-17-12

2011-134  
Eric Lovett-Tennessee Temple University-  
Highland Park Baptist Church  
District No. 9

ORDINANCE NO. 12561

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 800 SOUTH BEECH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL 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:

Parts of Lots 19, 21, and 23, Payne's Subdivision of Highland Park, Plat Book 1, Page 16, ROHC, being the property described as Tract 19 in Deed Book 4185, Page 209, ROHC. Tax Map No. 1460-V-003.

and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to inclusion in an Institutional Planned Unit Development.

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

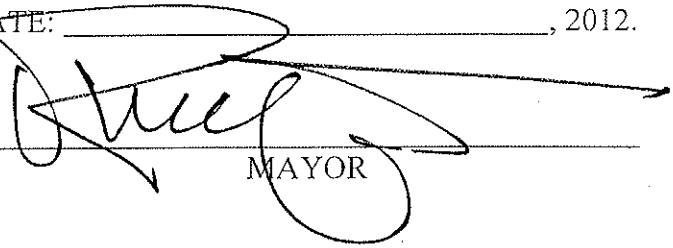
January 17, 2012.



CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_, 2012.



MAYOR

/mms