

9/11/12

2012-096
Twin Brook Investments
District No. 3
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5414 HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 property located at 5414 Hixson Pike, more particularly described herein:

All parts of Lots 40 and 41, Map of Long Hixson Subdivision, Plat Book 14, Page 150, ROHC, which are currently zoned R-1 and part of the property described in Deed Book 9269, Page 48, ROHC. Tax Map 1000-D-022 (part).

and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following:

- 1) Restricting dumpster activity to the hours between 6:00 a.m. to 6:00 p.m.; and
- 2) Type C screening provided along the interior of the property line abutting Longview Drive.

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

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/mms

MAYOR

9/11/12

2012-096
Twin Brook Investments
District No. 3
Applicant Version

ORDINANCE NO. _____

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PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/mms

MAYOR

2012-096 City of Chattanooga
August 13, 2012

RESOLUTION

WHEREAS, Twin Brook Investments petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-1 Residential Zone to C-2 Convenience Commercial Zone, property located at 5414 Hixson Pike.

All parts of Lots 40 and 41, Map of Long Hixson Subdivision, Plat Book 14, Page 150, ROHC, which are currently zoned R-1 and part of the property described in Deed Book 9269, Page 48, ROHC. Tax Map 100O-D-022 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 13, 2012,

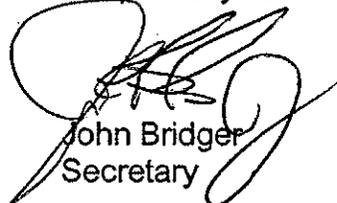
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

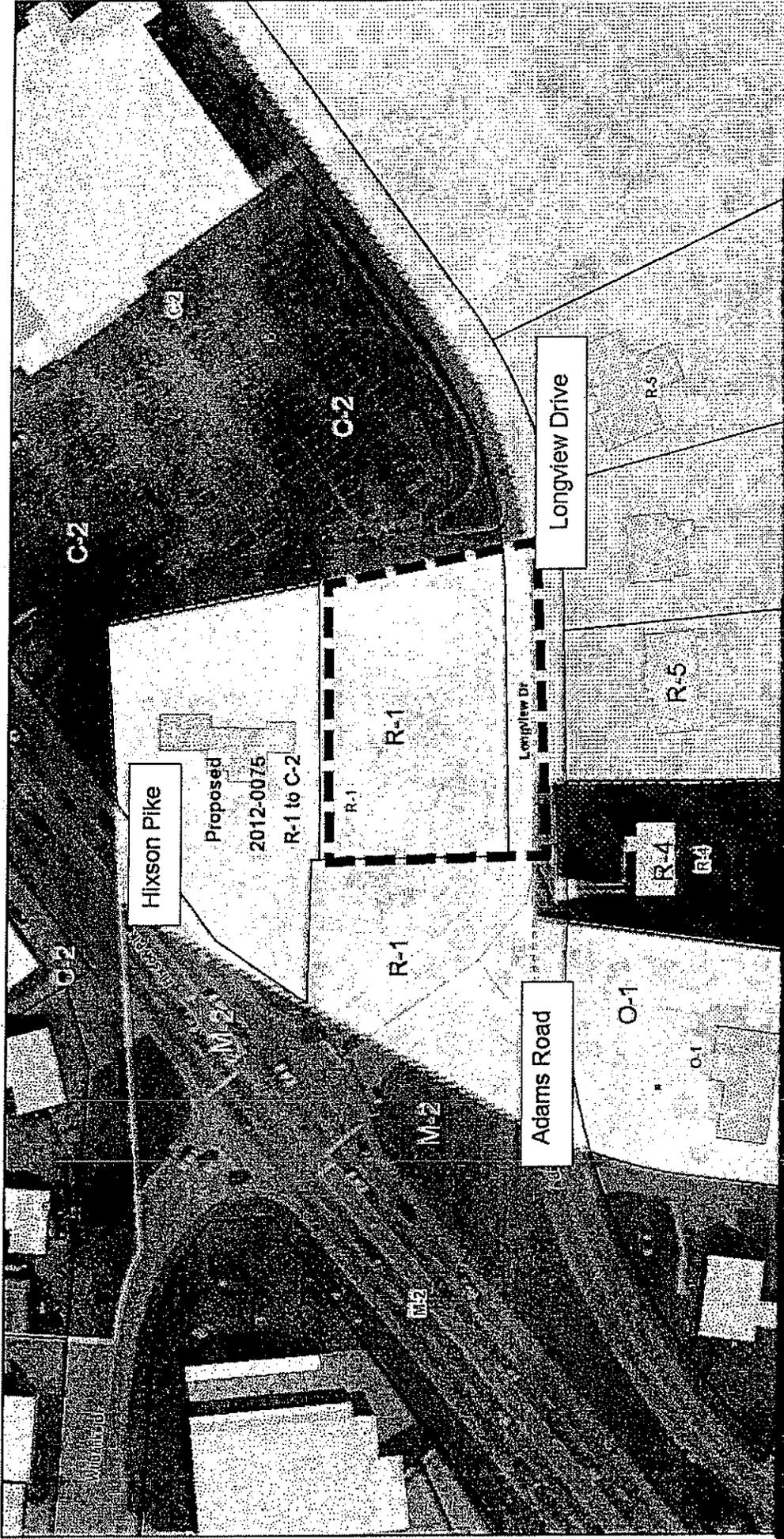
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on August 13, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the following conditions: 1) Restricting dumpster activity to the hours between 6:00 a.m. to 6:00 p.m. 2) Type C screening provided along the interior of the property line abutting Longview Drive.

Respectfully submitted,



John Bridger
Secretary



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-096: Approve, subject to conditions listed in the Planning Commission Resolution

2012-0096 R-1 to C-2

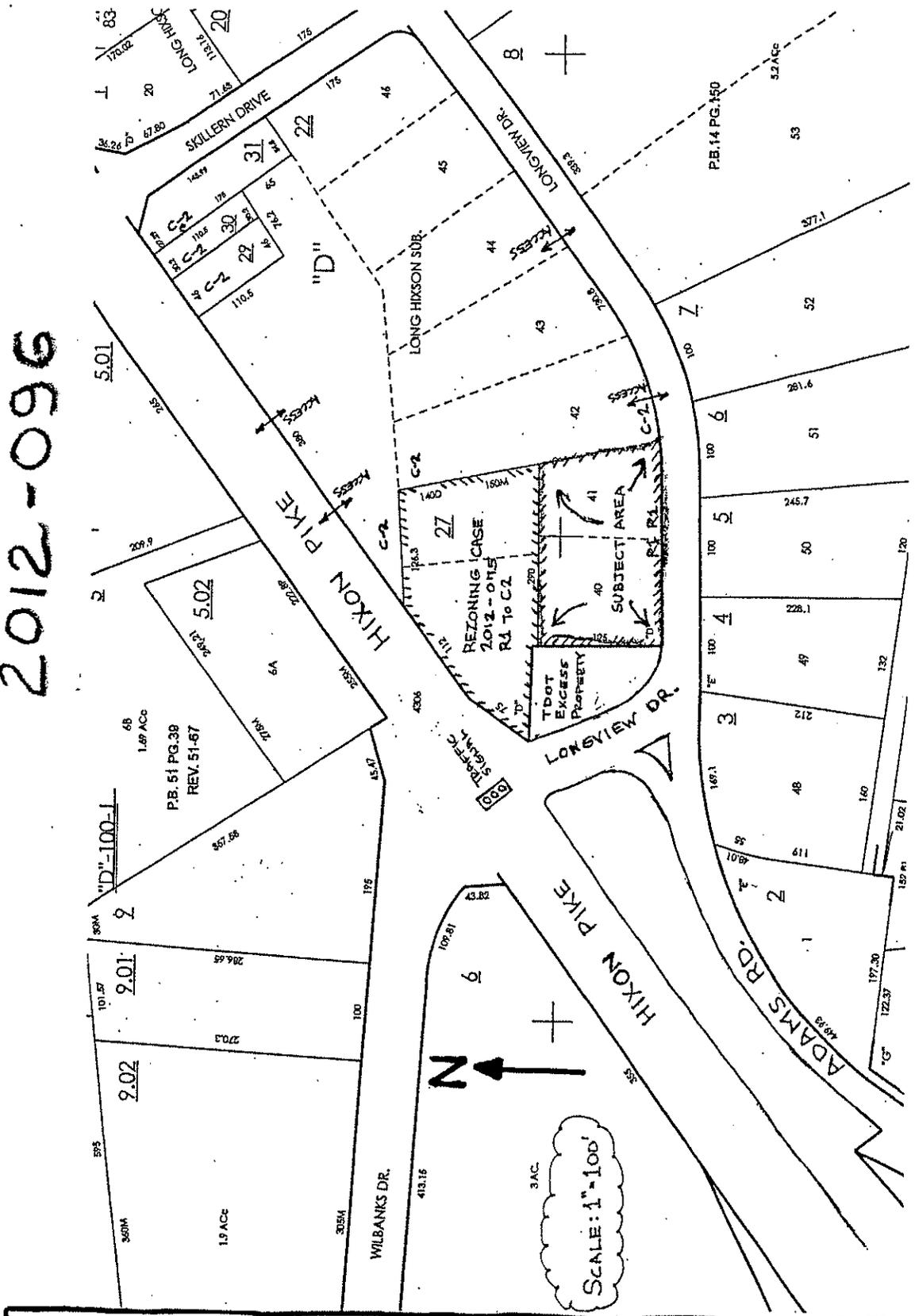


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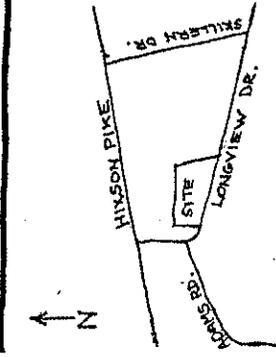


Chattanooga Hamilton County Regional Planning Agency

2012-096



Amia - 09/12



LOCATION MAP (NTS)

NOTES

- A. CURRENT ZONING: R-1
- B. PROPOSED ZONING: C-2
- C. 24,100 SQ. FT. .571 ACRE
- D. PROPOSED AREA TO BE USED FOR FUTURE PLACEMENT OF COMMERCIAL BUILDING AND PARKING
- E. SCALE: 1" = 100'
- F. LEGAL DESCRIPTION
S414 HIXSON PIKE
HIXSON, TN 37343
TRK PARCEL: 100 DD 022
BOOK 1021 PAGE 004B

PROPERTY PLAN

SCALE: 1" = 100'

FOR: MR. BILL RAMSEY
TWIN BROOK INVESTMENTS
731 PINEVILLE RD.
CHATTANOOGA, TN 37405
PHONE: 423-266-8297
CELL: 423-280-9054
E-MAIL: BFRAMSEY@MOTIVALL.COM
PROJECT CONTROL IS SAME AS ABOVE

Zoning Request Form

Print Form

Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street
Suite 2000

Development Resource Center
Chattanooga, Tennessee
37402

Phone: 423-668-2287

Fax: 423-668-2289

www.chcrpa.org

Office Use Only

Case Number: 2012-096

Date Submitted: 07-08-2012

Planning District: 5

County District: 3

City District: 3

Jurisdiction: Chattanooga

Neighborhood: Hixson Neighborhood

Staff Action:

PC Action/Date:

Legis. Action/Date:

From: R-1 Residential Zone	To: C-2 Convenience Commercial Zone
Proposed Development or Use: Placement of Commercial use building and parking	

Address: (Street Number & Street Name) 5414 Hixson Pike	Tax Map No: 1000-D-022 (Part of) Plat Book/Page No. 14-150
Current Use: Parking	Adjacent Uses: C-2, M-2, & R-1

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

- Property Owner
 Architect
 Engineer
 Optionee
 Purchaser of Property
 Trustee
 Other:

Name	Twin Brook Investments		
Address:	731 Pineville Road		
City	Chattanooga	State:	TN
Zip Code:	37405		
Daytime Phone:	423-266-8237		
Cell Phone:	423-280-9054		
Other Phone:			
Email:	brramsey1@hotmail.com/ckushman1@hotmail.com		
Fax:			

Name:	Same		
Address:			
Phone:			
CHECKLIST (OFFICE USE ONLY)			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Deeds for property to be rezoned	Deed Book: 9629-048	
<input checked="" type="checkbox"/> Ownership Verification (Tax Map Printout, Letter)	<input checked="" type="checkbox"/> Copy of Plats, if applicable	Plat Book/Page: 14-150	
<input checked="" type="checkbox"/> Map showing property to be rezoned	<input checked="" type="checkbox"/> Site Plan, if applicable	Total acres to be considered: .57	
<input checked="" type="checkbox"/> Filing fee: \$635.00	<input type="checkbox"/> Cash	Check No. 1012	<input checked="" type="checkbox"/> Notice Signs: How Many? 1
Accepted by: Margie Parker	Date:		07-09-2012

Case Number: 2012-096

Applicant Request: C-2 Convenience Commercial Zone

STAFF RECOMMENDATION: APPROVE, subject to the following conditions:
 1. Restricting dumpster activity to the hours between 6:00 a.m. to 6:00 p.m.
 2. Type C screening provided along the interior of the property line abutting Longview Drive.

Applicant: Twin Brook Investments
Property Address: 5414 Hixson Pike
Jurisdiction: City of Chattanooga District 3/Hamilton County District 3
Neighborhood: Hixson Neighborhood
Development Sector: Outer Suburban Growth

Planning Commission Recommendation:
 Approve Staff Recommendation

Proposed Development

Site Plan Submitted: No
Proposed Use: Commercial
Purpose: Commercial use building

Site Characteristics

Current Zoning: R-1 Residential Zone
Current Use: Vacant parking lot
Adjacent Uses: Commercial, office, vacant commercial building, vacant land
Access: Longview Drive

Analysis

Extension of Existing Zoning? Yes
Community Land Use Plan: Hixson-North River Community Plan (2005)
Proposed Use Supported by Community Land Use Plan? Requested commercial zone and use is in keeping with plan recommendations
Proposed Use Supported by Comprehensive Plan? Yes

Comments

Planning Staff: Request Overview
 The applicant is requesting a rezoning of this property from R-1 Residential to C-2 Convenience Commercial Zone. This property is currently a vacant parking lot that served as overflow parking for the former Bi-Lo grocery store. The owner of the Bi-Lo building has purchased the adjacent outparcels with the intention of redeveloping the overall site. The intention is to have the entire site rezoned to C-2 Convenience Commercial.

In July, the Chattanooga City Council approved case 2012-075 rezoning the existing outparcel with a single-family dwelling to C-2 Convenience Commercial. The Chattanooga City Council restricted access to Hixson Pike only for case 2012-075. The property associated with case 2012-075 immediately abuts this request. The applicant did submit a site plan showing parking locations and a number of proposed parking spaces, and access to this site.

Staff Recommendation

This property fronts a major highway corridor (Hixson Pike) and is immediately adjacent to a big-box commercially zoned vacant building (former Bi-Lo). Adjacent uses also include a commercial strip center,

neighborhood bars, mini-warehouses, and office uses. In terms of zones the property abuts C-2 Convenience Commercial, M-2 Manufacturing, O-1 Office, R-4 Special Zone, and R-5 Residential Zoning. Based on adjacent uses, zones, and the Hixson-North River Community Plan, commercial uses and a commercial zone would be appropriate at this location.

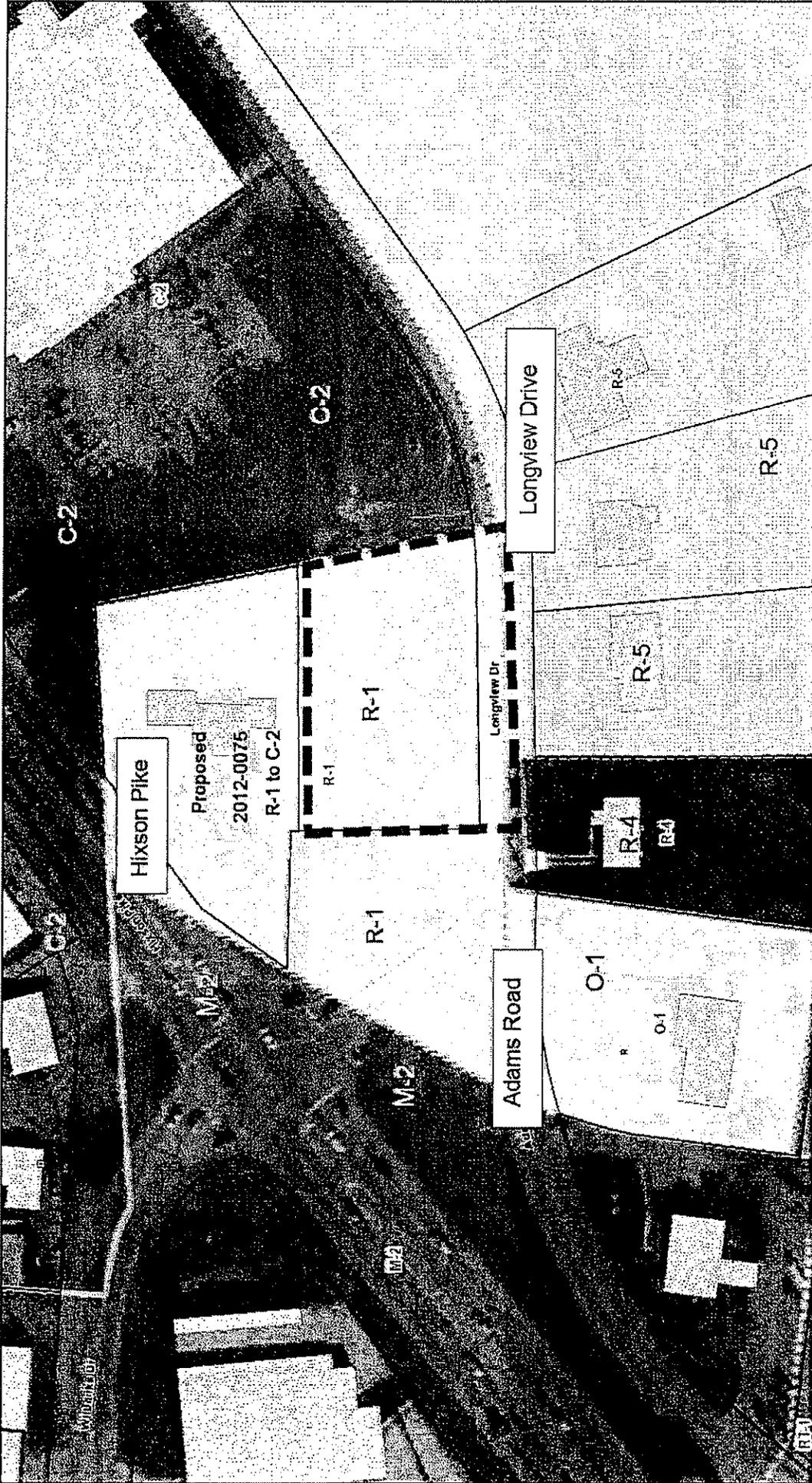
The request for commercial zoning and commercial uses is in keeping with the intent and recommendation of the Hixson-North River Community Plan. The Hixson-North River Community Plan recommends Medium-Business Mix for this area for those properties fronting Hixson Pike. The Medium-Business Mix land use classification includes the C-2 Convenience Commercial, C-5 Neighborhood Commercial, O-1 Office, and Residential Zones.

The applicant has submitted a proposed sketch plan showing proposed building location, size of building, and curb-cuts. The applicant did state that they are in the process of having an architect prepare a site plan for this site positioning the building on the site. The applicant has stated that they will provide RPA with the revised site plan when finalized.

If this outparcel is under a different ownership, cross access easements and parking easements may need to be established to permit access to existing curb-cuts and to provide additional on-site parking in compliance with city code. Staff had a concern with the future development of this site and how the development of the outparcel may or may not impact on-site parking requirements for any future reuse of the former Bi-Lo building. The applicant indicated that this would not be a problem.

Single-family residential dwellings are located along Longview Drive and across from the proposed site. These single-family residential dwellings could be impacted by the future reuse of this site. The Chattanooga Landscape Ordinance will help to mitigate this impact by requiring an 8-foot deep street yard where the proposed development site adjoins the street right-of-way. In addition to the required street yard, a type "C" 10' landscape buffer shall be provided as measured towards the interior of the property. The type "C" landscape buffer shall be planted in compliance with the requirements of the Landscape Ordinance. The 8' required street yard and type "C" landscape buffer will provide a transition between incompatible land uses and protect the integrity of less intensive uses from more intensive uses.

Note: Vehicle access will have to be approved by the City Traffic Engineer's office.



2012-0096 R-1 to C-2



100 ft

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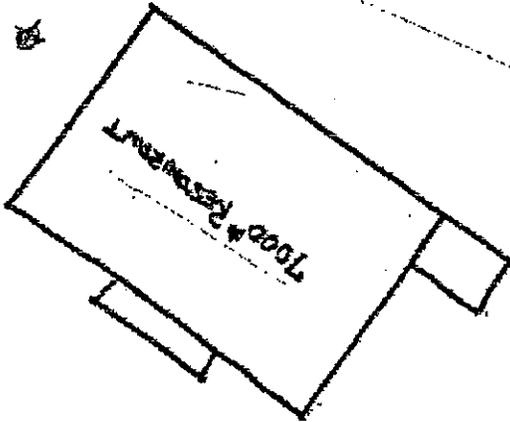
FORMER BI-LO

HIXSON PIKE

CURB CUTS

CURB CUTS

CURB CUTS



CURB CUTS

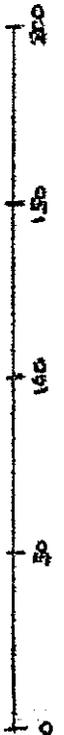
TDOT
PROPERTY
RIGHT OF WAY

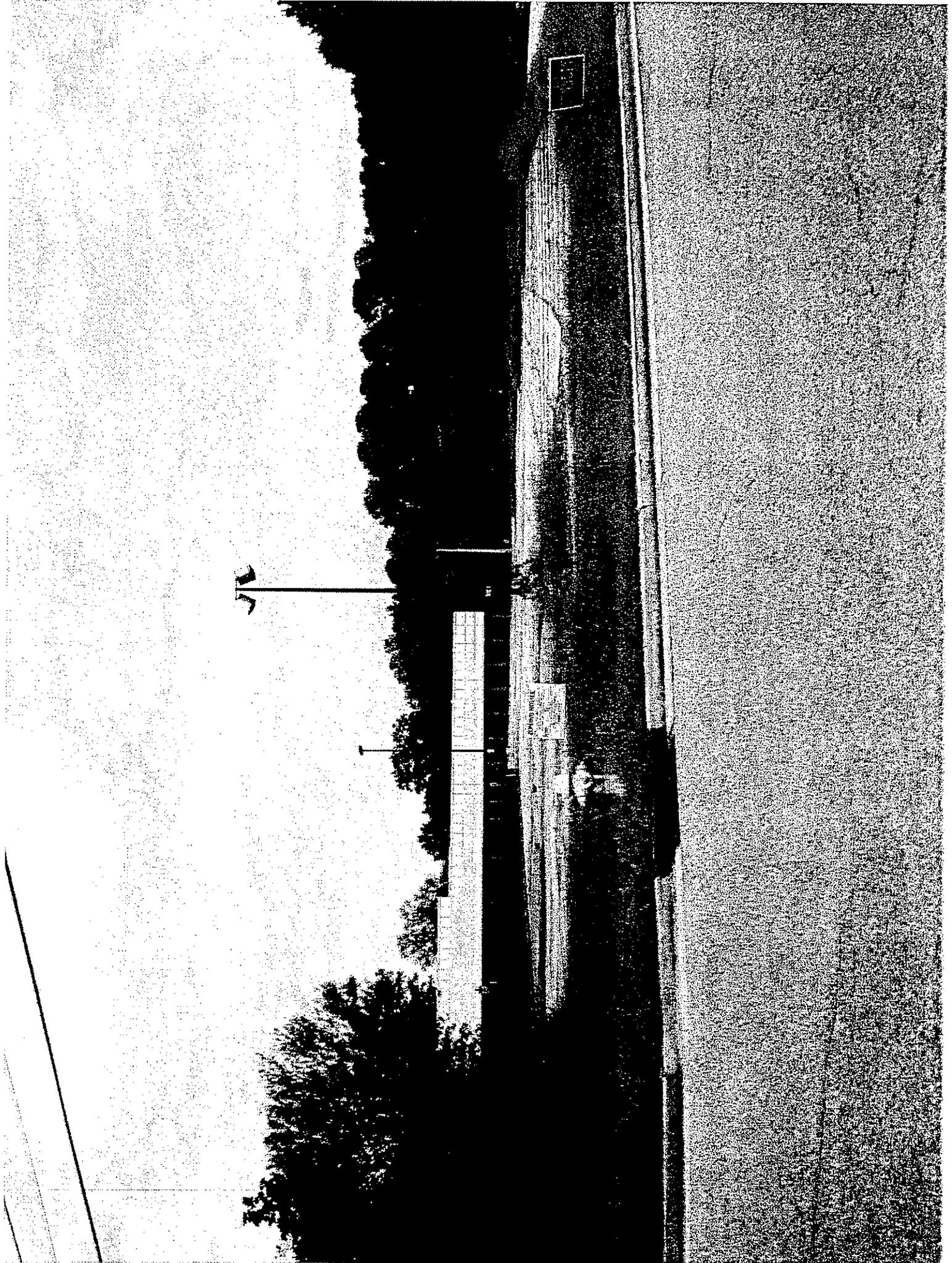
LONGVIEW DR.

LONGVIEW DR.

SCALE: 1"=50'

- LEGEND
- TAX PARCEL LINES
 - ROAD CURB LINE
 - ... SANITARY SEWER
 - STORM SEWER
 - ⊕ LARGE TREE





NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-096 Twin Brook Investments. 5414 Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-097 MAP Engineers c/o Mike Price/Wilkins Partners. 1735 Joiner Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

2012-102 ARS Venture, LLC. 400 blocks of both North Market Street and Hamilton Avenue and 17 East Manning Street, from R-1 Residential Zone, C-2 Convenience Commercial Zone, and M-1 Manufacturing Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2012-104 Flagship Group, Inc./Gordy Germany. Part of property located at 2910 East 49th Street, from M-2 Light Industrial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

September 11, 2012

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council