

11/13/12

2012-121
The Broadway Group, LLC/
Lee McCay/Tiftonia Church of Christ
District No. 1
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 151 BROWNS FERRY ROAD, 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 151 Browns Ferry Road, more particularly described herein:

Lot 14, Revised Plat Lots 13 and 14 and part of 15, Block 1, Plan of Section 2, Tiftonia, Plat Book 95, Page 153, ROHC, being part of the property described as Tract 1 in Deed Book 4595, Page 450, ROHC. Tax Map 154C-A-003.04.

and as shown on the maps and drawings 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) One curb cut only on Browns Ferry Road; and
- 2) No vehicular access via Centro Street.

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.

/meb

MAYOR

11/13/12

2012-121
The Broadway Group, LLC/
Lee McCay/Tiftonia Church of Christ
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 151 BROWNS FERRY ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE.

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 151 Browns Ferry Road, more particularly described herein:

Lot 14, Revised Plat Lots 13 and 14 and part of 15, Block 1, Plan of Section 2, Tiftonia, Plat Book 95, Page 153, ROHC, being part of the property described as Tract 1 in Deed Book 4595, Page 450, ROHC. Tax Map 154C-A-003.04.

and as shown on the maps and drawings 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 Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/meb

MAYOR

2012-121 City of Chattanooga
October 8, 2012

RESOLUTION

WHEREAS, The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ 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 151 Browns Ferry Road.

Lot 14, Revised Plat Lots 13 and 14 and part of 15, Block 1, Plan of Section 2, Tiftonia, Plat Book 95, Page 153, ROHC, being part of the property described as Tract 1 in Deed Book 4595, Page 450, ROHC. Tax Map 154C-A-003.04 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 8, 2012,

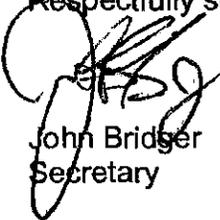
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, there was 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 October 8, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: 1) One curb cut only on Browns Ferry Road and 2) No vehicular access via Centro Street.

Respectfully submitted,



John Bridger
Secretary

Case Number:	2012-121
Applicant Request:	C-2 Convenience Commercial Zone
Applicant:	The Broadway Group, LLC Attn: Lee McCay
Property Address:	151 Browns Ferry Rd
Jurisdiction:	Chattanooga District 1/ Hamilton County District 6
Neighborhood:	Lookout Valley Neighborhood Association

Proposed Development

Site Plan Submitted:	Yes
Proposed Use:	12,480 Sq. Ft. Retail Store

Site Characteristics

Current Zoning:	R-1 Residential Zone
Current Use:	Vacant
Adjacent Uses:	Church/Residential/Office/Beauty Salon
Size of Tract or Length of Right-of-Way:	2.45 acres +/-

**Planning Commission Recommendation:
Approve Staff Recommendation**

STAFF RECOMMENDATION:	Approve with Conditions: <ul style="list-style-type: none">• One curb cut only on Browns Ferry Road• No vehicular access via Centro Street
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Analysis

Extension of Existing Zoning?	Yes
Community Land Use Plan:	Lookout Valley Area Plan (2003)
Proposed Use Supported by Community Land Use Plan?	No
Proposed Use Supported by Comprehensive Plan?	No

Comments

Planning Staff: Applicant Request Overview
The Broadway Group, LLC wants to rezone property at 151 Browns Ferry Road from R-1 Residential Zone to C-2 Convenience Commercial Zone for construction of a 12,480 square foot retail building.

Site Description

This 2.45 acre property is located along Browns Ferry Road, south of Interstate 24 and north of Cummings Highway. The property was recently subdivided from the adjacent church property to the north. This church property is in the southwest quadrant of the Parker Lane/ Browns Ferry Road intersection with the remaining three quadrants zoned C-2 Convenience Commercial. The properties to the south of the subject property are zoned R-1 Residential, containing a municipal pump station, and R-4 Residential Zone, containing a beauty salon. These bordering properties to the south provide transitional zones and uses between the proposed C-2 Convenience Commercial Zone and the existing adjacent R-1 Residential Zone of the neighborhood properties.

Applicable Plans/Policies

The Lookout Valley Area Plan recommends institutional land use for

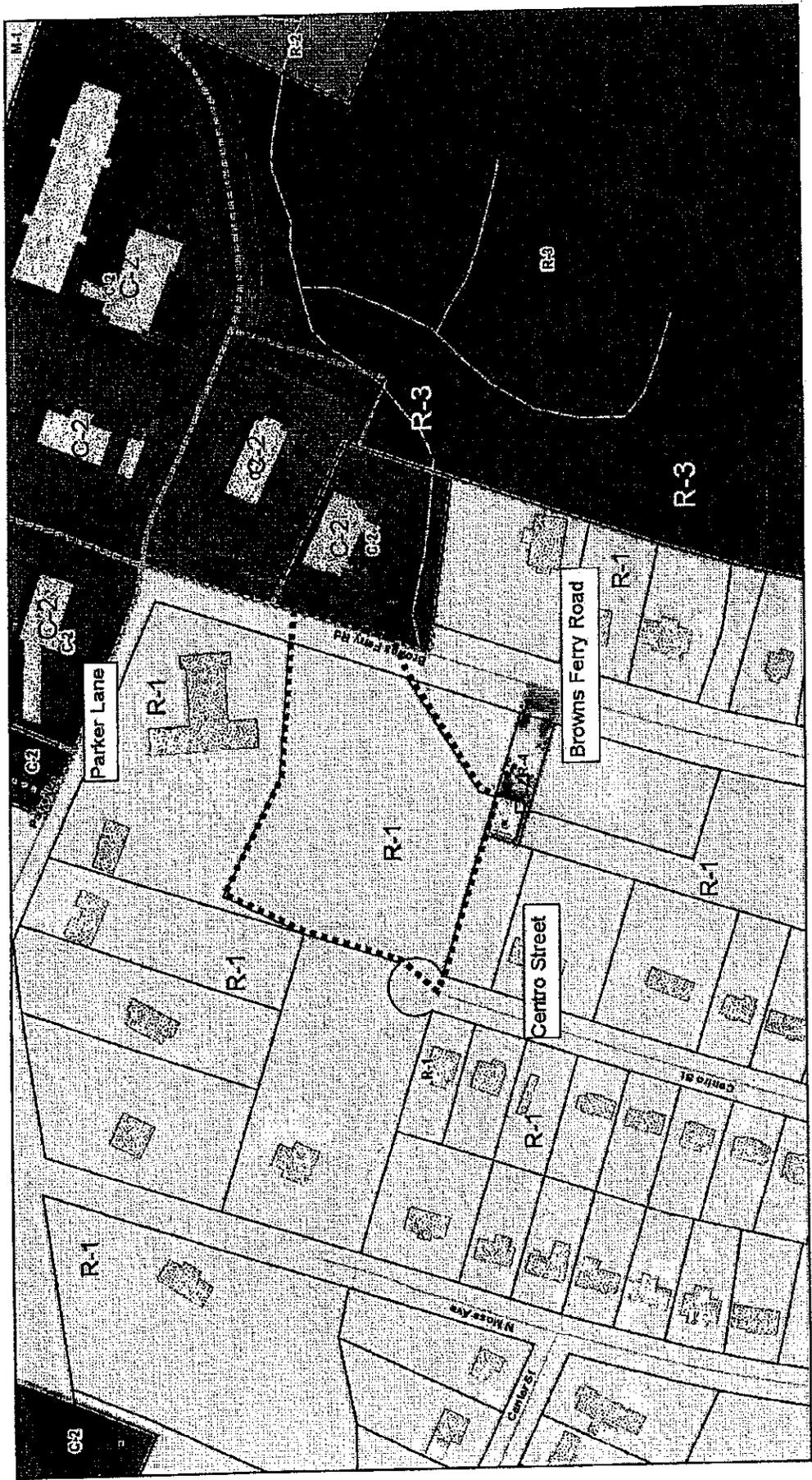
this property. The "Institutional" category in that plan simply reflects the current ownership by the adjoining church. The Lookout Valley Area Plan's goal for commercial development is to "support the growth of existing businesses and establish new businesses in designated commercial areas." The Plan also recommends to "concentrate commercial development in existing commercial areas and along major arteries, rather than expanding commercial uses into residential areas."

Staff Recommendation

Approve, with Conditions:

- One curb cut only on Browns Ferry Road
- No vehicular access via Centro Street

This property is part of a commercial node and is located near other commercially zoned properties. The desired zoning change to C-2 Convenience Commercial will address the Lookout Valley Area Plan's goals for commercial growth.



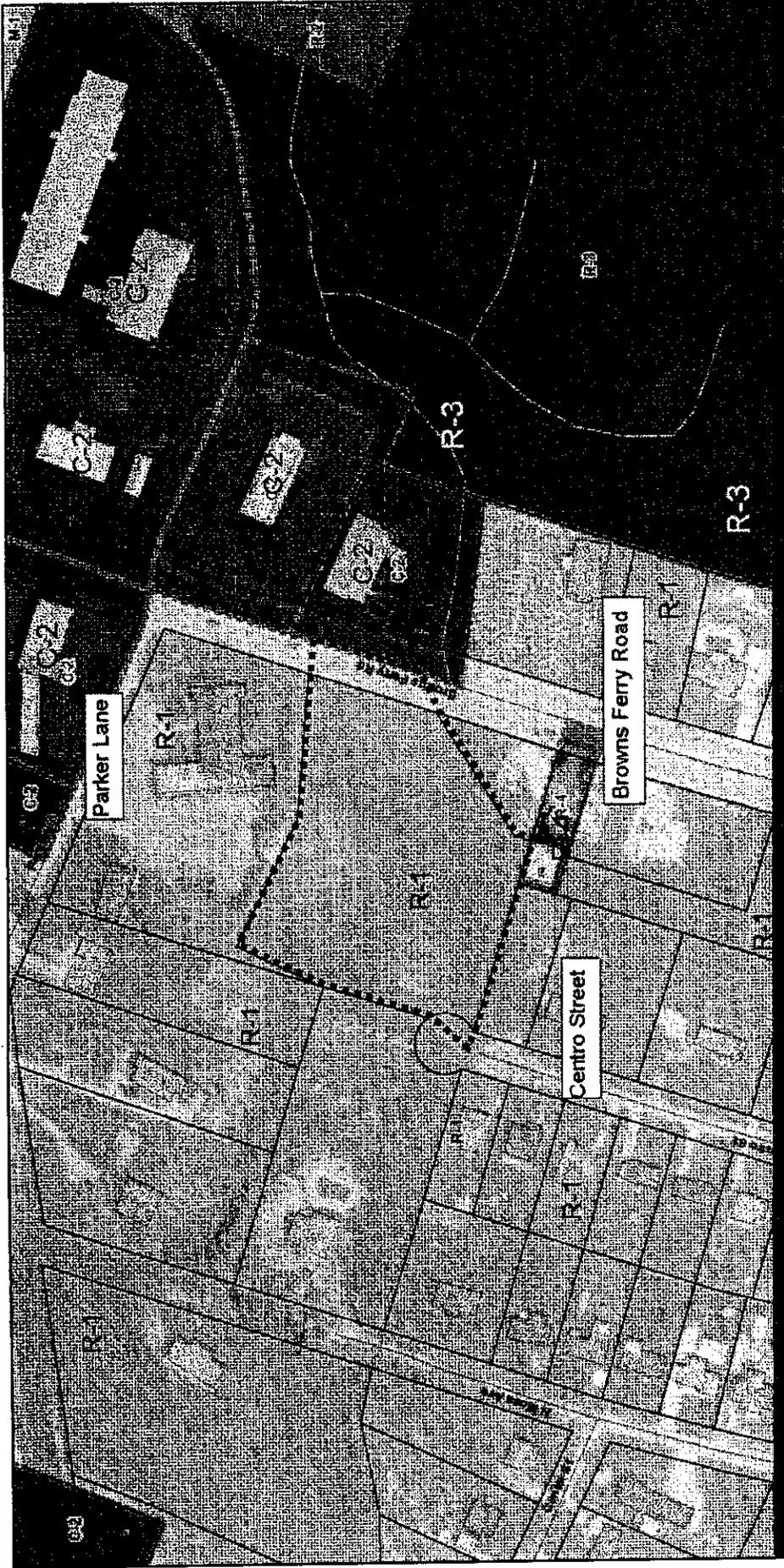
2012-0121 R-1 to C-2



190 ft



Chattanooga Hamilton County Regional Planning Agency



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-121: Approve, subject to one curb cut only on Browns Ferry Road and no vehicular access via Centro Street.

2012-0121 R-1 to C-2



190 ft



Chattanooga Hamilton County Regional Planning Agency



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:

2012-121 The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ. 151 Browns Ferry Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-129 John Wise. 1810 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2012-131 Don Skiles. 6811 McCutcheon Road, from R-1 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions.

2012-137 Homebuilders Association/Teresa Groves. 3215, 3219, and 3221 Harrison Pike, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-140 Barry Evans/James Pratt. 402 Forest Avenue, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-143 James D. Lee. 8203 East Brainerd Road, from R-1 Residential Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2012-117 Ericka Stearns. 906 East 10th Street, from R-1 Residential Zone to R-3 Residential Zone.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-144 Chattanooga Construction Company, LLC. 100 thru 200 blocks of Templeton Lane, for a Residential Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Section 38-672, Method of procedure, to include special permit petition acceptance.

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,

November 13, 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