

12/11/12

2012-153
J R Realty/James Vincent, Sr.
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 IN THE 6400 BLOCK OF 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 in the 6400 block of Hixson Pike, more particularly described herein:

An unplatted tract of land located in the 6400 block of Hixson Pike being the property described in Deed Book 8170, Page 306, ROHC. Tax Map No. 101-010.

and as shown on the maps 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 area labeled as "proposed fire hall" on the site plan to be used for a fire hall only.

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

2012-153
J R Realty/James Vincent, Sr.
District No. 3
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 6400 BLOCK OF HIXSON PIKE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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An unplatted tract of land located in the 6400 block of Hixson Pike being the property described in Deed Book 8170, Page 306, ROHC. Tax Map No. 101-010.

To be rezoned C-2: Proposed Lots 2, 3, and that portion of Lot 4 currently zoned R-1, Final Plat of the J. R. Realty Property, not yet recorded, being part of the property described in Deed Book 8170, Page 306, ROHC. Tax Map 101-010 (part).

To be rezoned C-2 with the conditions: Proposed Lot 1, Final Plat of the J. R. Realty Property, not yet recorded, being part of the property described in Deed Book 8170, Page 306, ROHC. Tax Map 101-010 (part)

and as shown on the maps 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 area labeled as "proposed fire hall" on the site plan to be used for a fire hall only.

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

2012-153
J R Realty/James Vincent, Sr.
District No. 3
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 6400 BLOCK OF HIXSON PIKE, 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 in the 6400 block of Hixson Pike, more particularly described herein:

An unplatted tract of land located in the 6400 block of Hixson Pike being the property described in Deed Book 8170, Page 306, ROHC. Tax Map No. 101-010.

and as shown on the maps 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.

/mms

MAYOR

2012-153 City of Chattanooga
November 12, 2012

RESOLUTION

WHEREAS, J R Realty/James Vincent, Sr. 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 in the 6400 block of Hixson Pike.

An unplatted tract of land located in the 6400 block of Hixson Pike being the property described in Deed Book 8170, Page 306, ROHC. Tax Map 101-010 as shown on the attached map.

Staff Recommendation:

To be rezoned C-2: Proposed Lots 2, 3, and that portion of Lot 4 currently zoned R-1, Final Plat of the J. R. Realty Property, not yet recorded, being part of the property described in Deed Book 8170, Page 306, ROHC. Tax Map 101-010 (part) as shown on the attached map.

To be rezoned C-2 with the conditions: Proposed Lot 1, Final Plat of the J. R. Realty Property, not yet recorded, being part of the property described in Deed Book 8170, Page 306, ROHC. Tax Map 101-010 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 12, 2012,

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

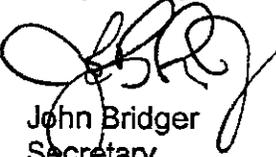
AND WHEREAS, no one was present in opposition to the petition,

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 November 12, 2012, recommended to the Members of the City Council of the City of

Chattanooga that this petition be approved, subject to the area labeled as "proposed fire hall" on the site plan to be used for a fire hall only.

Respectfully submitted,



John Bridger
Secretary

Zoning Request 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: 2012-151

Date Submitted: 10-16-2012

Planning District: 5

County District: 51

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: Fire Station for the City of Chattanooga/Commercial Businesses	

Address: (Street Number & Street Name) Part of the 6400 block of Hixson Pike	Tax Map No: 101-010
Current Use: Vacant	Plat Book/Page No. N/A
	Adjacent Uses: Commercial & RT-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	J R Realty/James Vincent Sr.
Address:	2610 Stonesage Drive
City	Soddy Daisy
State:	TN
Zip Code:	37379
Daytime Phone:	423-842-1196
Cell Phone:	423-605-2592
Other Phone:	
Email:	jvincsr@comcast.net
Fax:	423-710-3175

Name:	Same														
Address:															
Phone:															
<p>CHECKLIST OFFICE USE ONLY</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Application Complete</td> <td><input checked="" type="checkbox"/> Design Review</td> </tr> <tr> <td><input checked="" type="checkbox"/> Ownership Verification</td> <td><input checked="" type="checkbox"/> Plat Book #11742310</td> </tr> <tr> <td><input checked="" type="checkbox"/> Existing Zoning</td> <td><input type="checkbox"/> City District</td> </tr> <tr> <td><input checked="" type="checkbox"/> Proposed Zoning</td> <td><input type="checkbox"/> Plat Book #11742310</td> </tr> <tr> <td><input checked="" type="checkbox"/> Neighbors Available</td> <td><input type="checkbox"/> Neighbors</td> </tr> <tr> <td><input checked="" type="checkbox"/> Neighbors # 237 Acres</td> <td><input checked="" type="checkbox"/> Neighbors # 1157</td> </tr> <tr> <td><input checked="" type="checkbox"/> Neighbors # 237 Acres</td> <td><input type="checkbox"/> Neighbors # 1157</td> </tr> </table>		<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Design Review	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Plat Book #11742310	<input checked="" type="checkbox"/> Existing Zoning	<input type="checkbox"/> City District	<input checked="" type="checkbox"/> Proposed Zoning	<input type="checkbox"/> Plat Book #11742310	<input checked="" type="checkbox"/> Neighbors Available	<input type="checkbox"/> Neighbors	<input checked="" type="checkbox"/> Neighbors # 237 Acres	<input checked="" type="checkbox"/> Neighbors # 1157	<input checked="" type="checkbox"/> Neighbors # 237 Acres	<input type="checkbox"/> Neighbors # 1157
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<input checked="" type="checkbox"/> Neighbors # 237 Acres	<input type="checkbox"/> Neighbors # 1157														
Approved by: Manda Parker	Date: 10-16-2012														

Case Number:	2012-153
Applicant Request:	C-2 Convenience Commercial Zone
Applicant:	J R Realty
Property Address:	Part of the 6400 block of Hixson Pike
Jurisdiction:	Chattanooga District 3/Hamilton County District 3
Neighborhood:	Hixson Neighborhood
Planning Commission Recommendation: Approve Staff Recommendation	
Proposed Development	
Site Plan Submitted:	Yes
Proposed Use:	Fire Station for the City of Chattanooga and Commercial Businesses
Site Characteristics	
Current Zoning:	R-1 Residential Zone
Current Use:	Vacant
Adjacent Uses:	Commercial, Vacant Land, Single-Family, Multi-Family, and Cemetery
Size of Tract :	2.37 Acres
STAFF RECOMMENDATION:	APPROVE C-2, subject to the area labeled as "proposed fire hall" on the site plan to be used for a fire hall only.

Analysis

Extension of Existing Zoning?	Yes
Community Land Use Plan:	Hixson-North River Community Plan (2005)
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting to rezone this area to C-2 Convenience Commercial Zone for the future construction of commercial buildings. One of the parcels four parcels will be acquired by the City of Chattanooga for the construction of a new fire hall. It should be noted that fire halls are permitted within the R-1 Residential Zone. The applicant has requested the C-2 Convenience Commercial Zone for this site so as to be able to construct commercial uses on the remaining three parcels of property abutting Hixson Pike.

In addition to the rezoning request the applicant has requested the abandonment of the existing right-of-way Old Hixson Pike (MR 2012-150) and the submittal of a preliminary plat for review. The proposed major subdivision submitted for review abandons existing lot lines and creates four (4) new lots with each of the lots fronting Hixson Pike including an extension of public sanitary sewer line.

Site Description

This area was annexed into the corporate limits of Chattanooga in 2009 by the adoption of Ordinance Number 12309. As part of the Plan of Service adopted by the Chattanooga City Council with regard to annexation area 4B, a fire hall will be constructed on one of the parcels.

The site is approximately 2.37 acre in size fronting a major highway corridor, Hixson Pike. It is a relatively flat site adjacent to existing commercial uses and vacant land. The property is currently zoned R-1 Residential; however, the adjoining properties located to the south and west of the site are zoned C-2 Convenience Commercial, as well as the properties across Hixson Pike. The properties located to the east of this site are zoned RT-1 Residential Townhouse, which is currently vacant. The property immediately to the north of the site is zoned R-1 Residential for one existing single-family dwelling and a cemetery.

Zoning History

There have been no previous zoning requests at this location. It should be noted that in 2006, seventeen acres of property located to the rear of this rezoning request was rezoned by the Hamilton County Commission from A-1 Agricultural District, R-2A Rural Residential District, R-3 Apartment-Townhouse District and C-2 Local Business Commercial District to RT-1 Residential Townhouse Zone for the construction of townhouses. At the present time this area remains vacant.

Applicable Plans/Policies

The Hixson-North River Community Plan recommends "*Medium Business Mix*" for this area. The Medium Business Mix category includes convenience commercial, neighborhood commercial, office, residential, or similar uses.

The request for C-2 Convenience Commercial Zone at this location would be in keeping with the intent and recommendations of the Hixson-North River Community Plan.

Staff Recommendation

Staff recommendation is to approve the C-2 Convenience Commercial Zone request with the area labeled as "proposed fire hall" on the site plan to be subject to the use as a fire hall only.

RPA staff reviewed the rezoning request for appropriateness based on a review of adjacent land use and zoning classifications. The uses permitted in a C-2 Convenience Commercial Zone at this location would be an appropriate request and would not have a negative impact on adjacent land uses, which include multi-family dwellings, commercial uses, and vacant land. The request would be an extension of an adjacent C-2 Convenience Commercial Zone.

Development of this property for land uses other than an R-1 permitted uses is appropriate based on adjacent land uses, existing zoning, and abutting a major highway corridor, Hixson Pike.

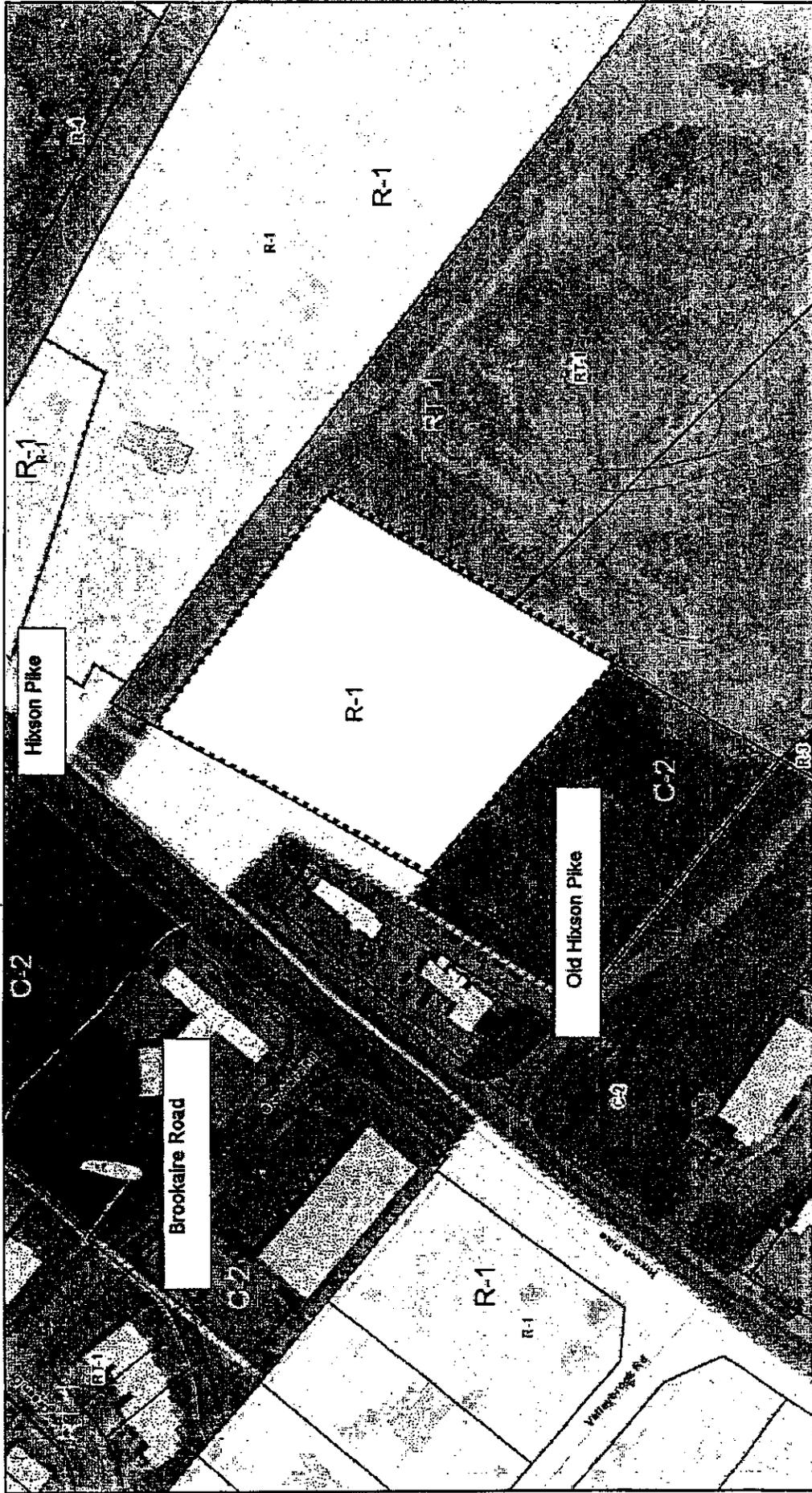
The purpose of conditioning a specific portion of the C-2 Convenience

Commercial Zone for the proposed fire hall is prevent an undetermined C2 use from developing if the proposed fire hall is not built. Any future use of this portion of the property would require a public hearing process to lift or modify the condition.

Notes:

The site plan submitted with this application shows a proposed 10' landscape buffer where the proposed C-2 Convenience Commercial Zone abuts an R-1 Residential Zone and an RT-Residential Townhouse Zone.

The Chattanooga Landscape Ordinance requires Type B (20-feet deep) landscape buffer where the C-2 Convenience Commercial Zone abuts an R-1 Residential Zone and an RT-1 Residential Townhouse Zone.



2012-0153 R-1 to C-2

Chattanooga-Hamilton County
RPA
 Regional Planning Agency

150 ft

Chattanooga Hamilton County Regional Planning Agency

SITE ANALYSIS:
 ACRES= 2.70 ±
 PRESENT ZONING: R-1,A-1
 PROJECT CONTACT PERSON:
 Jim Vincent Sr.
 2610 Stonesage Road
 Soddy Daisy Tn 37379
 (423) 605-2592

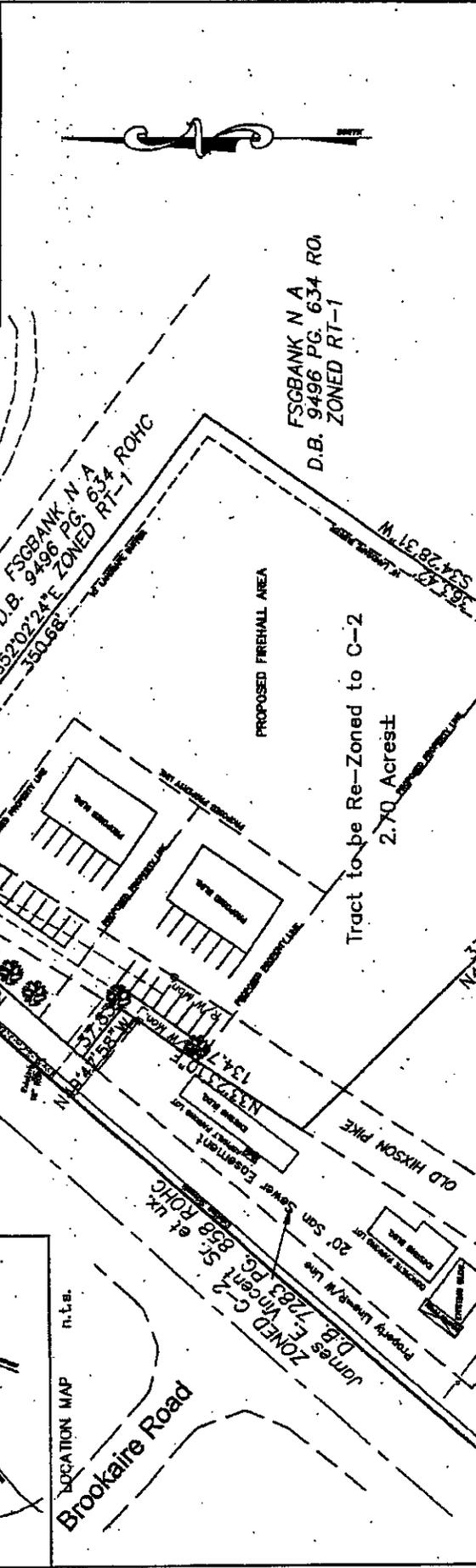
PATRICIA D. CONLEY
 D.B. 2983 PG. 261 ROHC
 ZONED R-1

FSG BANK N.A
 D.B. 9496 PG. 634 ROHC
 ZONED RT-1

FSG BANK N.A
 D.B. 9496 PG. 634 ROHC
 ZONED RT-1

FSG BANK N.A
 D.B. 9496 PG. 634 ROHC
 ZONED RT-1

FSG BANK N.A
 D.B. 9496 PG. 634 ROHC
 ZONED RT-1



ZONING REQUEST

JR REALTY LLC
 6406,6408,6412 HIXSON PIKE
 D.B. 6672/543, 7355/121, 8170/306 ROHC
 HAMILTON COUNTY, TENNESSEE

Date: 10/06/12 Drawn: JGC
 Scale: 1"=60' Checked: JGC

Copp Engineering Group
 1961 NORTHPOINT BLVD. UNIT 120
 Hixson, Tn. 37343
 423-847-9100 Office

Dwg. No.
 1012-153

PROPOSED FIREHALL AREA

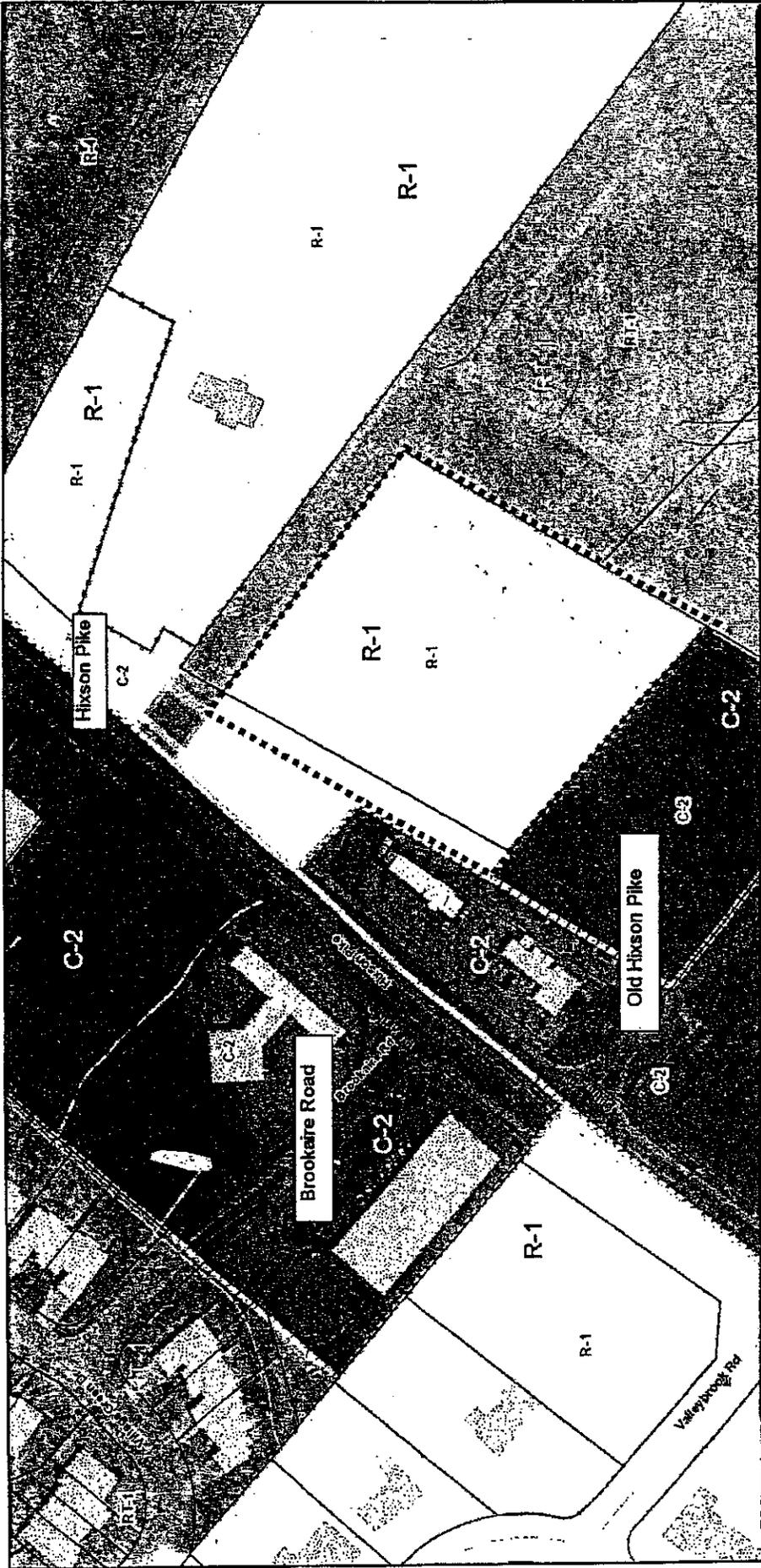
Tract to be Re-Zoned to C-2
 2.70 Acres±

Richard L. Pollard & Marie M. Marshall
 D.B. 3706 PG. 424 ROHC
 ZONED C-2

James E. Vincent Sr. et al.
 D.B. 1283 PG. 858 ROHC
 ZONED C-2



1 inch = 60 ft.
 (IN FEET)



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-153: Approve C-2, subject to the area labeled as "proposed fire hall" on the site plan to be used for a fire hall only.

2012-0153 R-1 to C-2



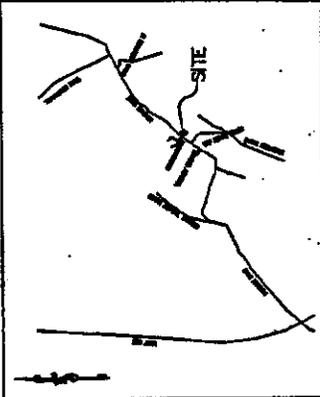
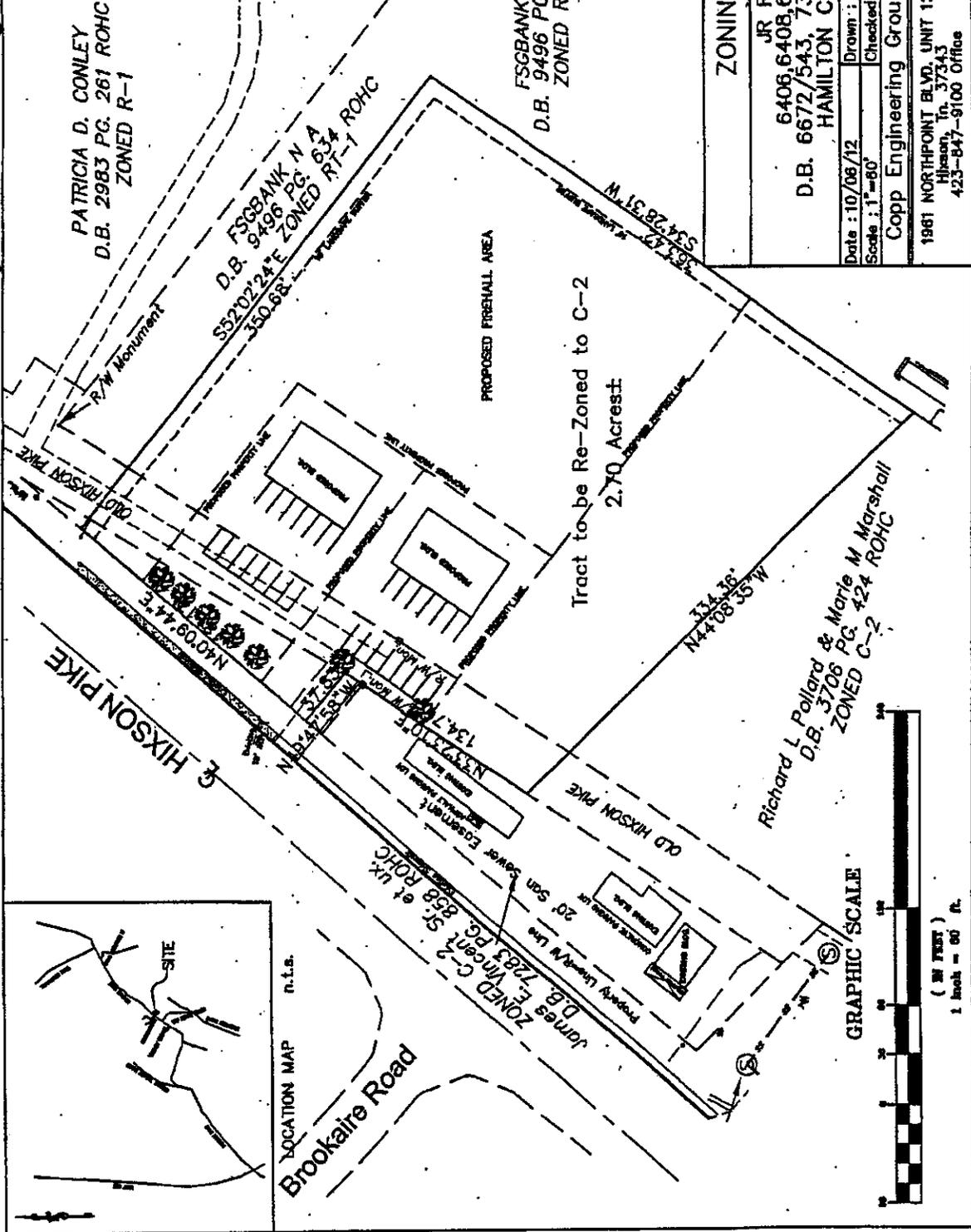
150 ft



Chattanooga Hamilton County Regional Planning Agency

2012-153

SITE ANALYSIS:
 ACRES= 2.70 ±
 PRESENT ZONING: R-1,A-1
 PROJECT CONTACT PERSON:
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ZONING REQUEST	
JR REALTY LLC 6406,6408,6412 HIXSON PIKE D.B. 6672/543, 7355/121, 8170/306 ROHC HAMILTON COUNTY, TENNESSEE	
Date: 10/06/12	Drawn: DGC
Scale: 1"=60'	Checked: JGC
Copp Engineering Group 1961 NORTHPOINT BLVD. UNIT 120 Hixson, Tn. 37343 423-847-9100 Office	
Dwg. No. 2012-153 By: [Signature]	



2012-153

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:

2012-148 Young Properties, LLC. 3906 10th Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.

2012-152 Napier & Associates, GP/Ken Defoor/Wayne Upchurch/John & Vivienne Reeser. 7329, 7331, and 7335 McCutcheon Road and 2405 Gunbarrel Road, from R-1 Residential Zone to MXU Zone, subject to certain conditions.

2012-153 J R Realty/James Vincent, Sr. 6400 block of Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

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

2012-108 Yerbey Concrete Construction/Mark L. Settles. 4121, 4123, and 4215 Shallowford Road, from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone, subject to certain conditions.

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

2012-149 Peter E. Johnson, Esquire/Energy Way Corporation. 110 Gardner Street, to allow a duplex.

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,

December 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