First Reading:_____
Second Reading:_____

2013-061
Pryority Partnership
District No. 5
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT CONDITIONS OF SECTION 2, ORDINANCE NO. 9789, FROM CASE NO. 1992-157 ON PROPERTIES LOCATED AT 4976 AND 4980 HIGHWAY 58, 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 Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift all conditions of Section 2, Ordinance No. 9789, from Case No. 1992-157 on properties located at 4976 and 4980 Highway 58, being more particularly described herein.

> Part of Lot 1A, Corrective Plat of the Resubdivision of Lots 1A, 1B, & 2, Bruno's Subdivision, Plat Book 75, Page 180, ROHC and Revised Lot 5, Corrective Plat Revised Lot 4 and Revised Lot 5, Bruno's – 58 Subdivision, Plat Book 54, Page 173, ROHC, being part of the property described in Deed Book 9827, Page 123, ROHC. Tax Map Nos. 129B-F-013 and 013.04.

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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

2013-061 City of Chattanooga
May 13, 2013

RESOLUTION

WHEREAS, Pryority Partnership petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga to Lift Conditions of Section 2, Ordinance #9789 from Case #1992-157: Subject to the existing natural and planted buffer which shall be continuously maintained at its present width and density, along the east line of the larger of the two tracts; Subject to the access being from Highway 58 only, on properties located at 4976 & 4980 Highway 58.

Part of Lot 1A, Corrective Plat of the Resubdivision of Lots 1A, 1B, & 2, Bruno's Subdivision, Plat Book 75, Page 180, ROHC and Revised Lot 5, Corrective Plat Revised Lot 4 and Revised Lot 5, Bruno's – 58 Subdivision, Plat Book 54, Page 173, ROHC, being part of the property described in Deed Book 9827, Page 123, ROHC. Tax Map 129B-F-013 and 013.04 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 13, 2013,

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 May 13, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,

John Bridger
Secretary

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number:	2013-061	PC Meeting Date: 05-13-2013
STAFF RECOMMENDATION:	APPROVE	
Land Use & Transportation Comments		Planning Commission Recommendation: Approve Staff Recommendation
Planning Staff:	**Applicant Request Overview** Pryor Bacon of Pryority Partnership is requesting that conditions placed by Case No.1992-157 on a tract of land located at 4976 & 4980 Highway 58 be lifted. **Zoning History** Case No. 1992-157 amended conditions placed by previous Case No. 1988-137. Per the City Council meeting of September 8, 1992 the wording of the conditions were changed to read: "That this ordinance shall be subject to the existing natural and planted buffer, which shall be continuously maintained at its present width and density, along the east line of the larger of the two tracts. Also, subject to the access being from Hwy 58 only." **Plans/Policies** Development in this area is guided by the Highway 58 Community Plan adopted by Chattanooga City Council in 2002. The plan addresses a wide range of land use categories and recommends preferred land use patterns and policies to guide future development. The plan recommends that staff enforce the existing landscape ordinance and improve it by adding more buffering between residential and non-residential uses. **Staff Recommendation** The staff recommends approving this request contingent upon the approval of Case 2013-062. This new set of conditions will help ensure the development is compatible with the surrounding areas but allow for the extension of the existing storage business.	
Infrastructure & Operational Comments		
Public Works Staff:	All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.	

Chattanooga-Hamilton County Regional Planning Agency

LIFT/AMEND CONDITIONS APPLICATION FORM

CASE NUMBER: 2013-061	Date Submitted: 04-10-2013
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)	
1 Applicant Request	
Conditions	**Description: Subject to the existing natural and planted buffer which shall be continuously maintained at its present width and density, along the east line of the larger of the two tracts; Subject to the access being from Hwy 58 only**
Section 2	Resolution/Ordinance Number: 9789
	Previous Case Number: 1992-157
2 Property Information	
Property Address:	4976 and 4980 Hwy 58
Property Tax Map Number(s):	129B-F-013 and 013.04
3 Proposed Development	
Reason for Request and/or Proposed Use:	Commercial Property for use as storage expansion (to conform to new zoning)
4 Site Characteristics	
Current Zoning:	R-1
Current Use:	Undeveloped
Adjacent Uses:	C-2 and R-1

5 Applicant Information

All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.

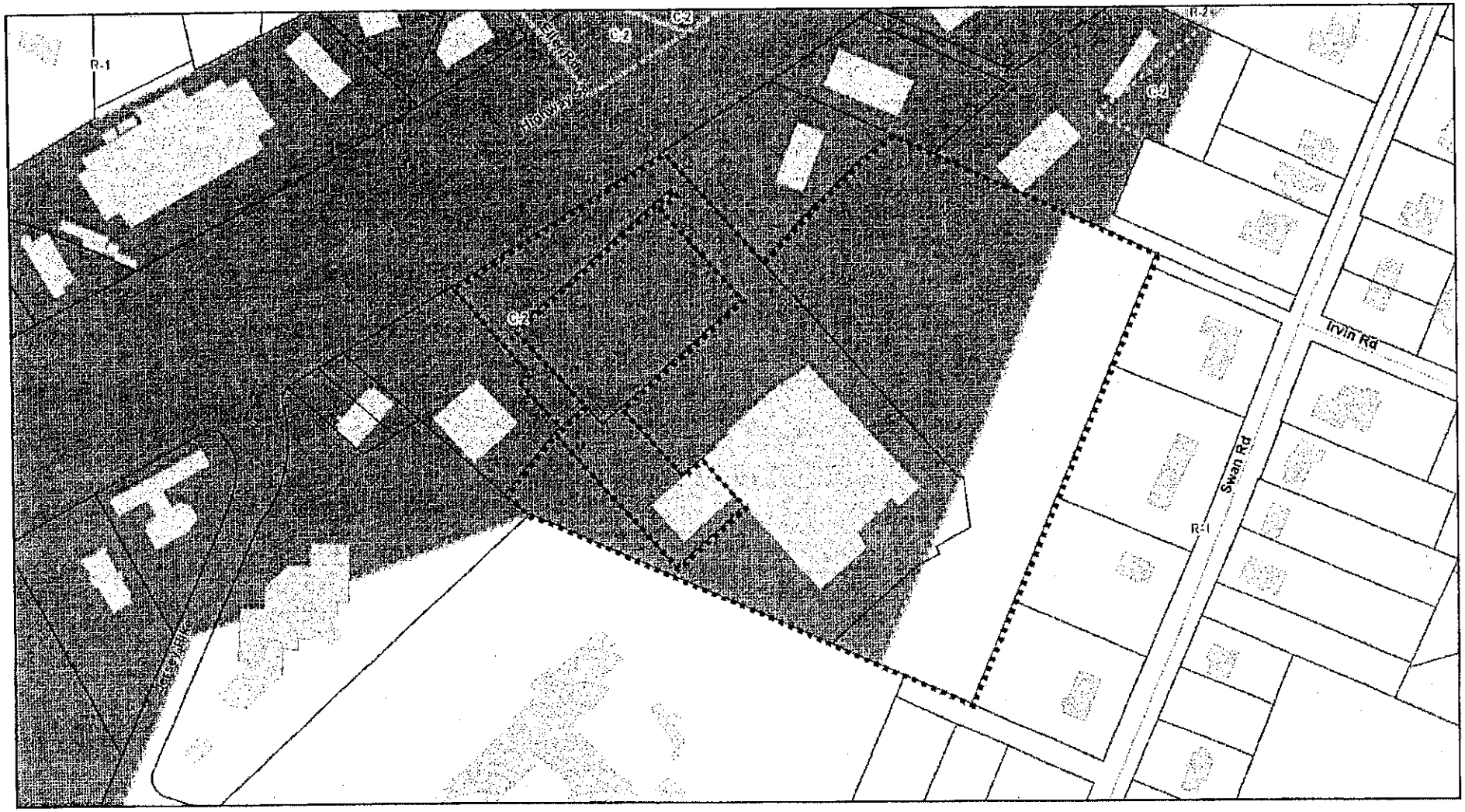
Name: Pryority Partnership		Address: 4895 Cromwell Rd Suite #311	
Check one:	x I am the property owner		I am **not** the property owner
City: Chattanooga	State: TN	Zip Code: 37421	Email:
Phone 1: 855-5555	Phone 2: 240-1800	Phone 3:	Fax:

6 Property Owner Information (if not applicant)

Name: Same	Phone:
Address:	

Office Use Only:

Planning District: 6		Neighborhood: None	
Hamilton Co. Comm. District: 5	Chatt. Council District: 5	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
x Application Complete	x Ownership Verification	x Map of Proposed Zoning Area with dimensions	
x Site Plan, if required	x Total Acres to be considered: 1.427	x Deeds	x Plats, if applicable
Deed Book(s): 9827/123			
Plat Book/Page: 54/173, 75/180		x Notice Signs	Number of Notice Signs: 1
x Filing Fee: $150.00	Cash	x Check	Check Number: 156
Planning Commission meeting date: 05/13/2013		Application processed by: Marcia Parker	



2013-061 Lift Conditions

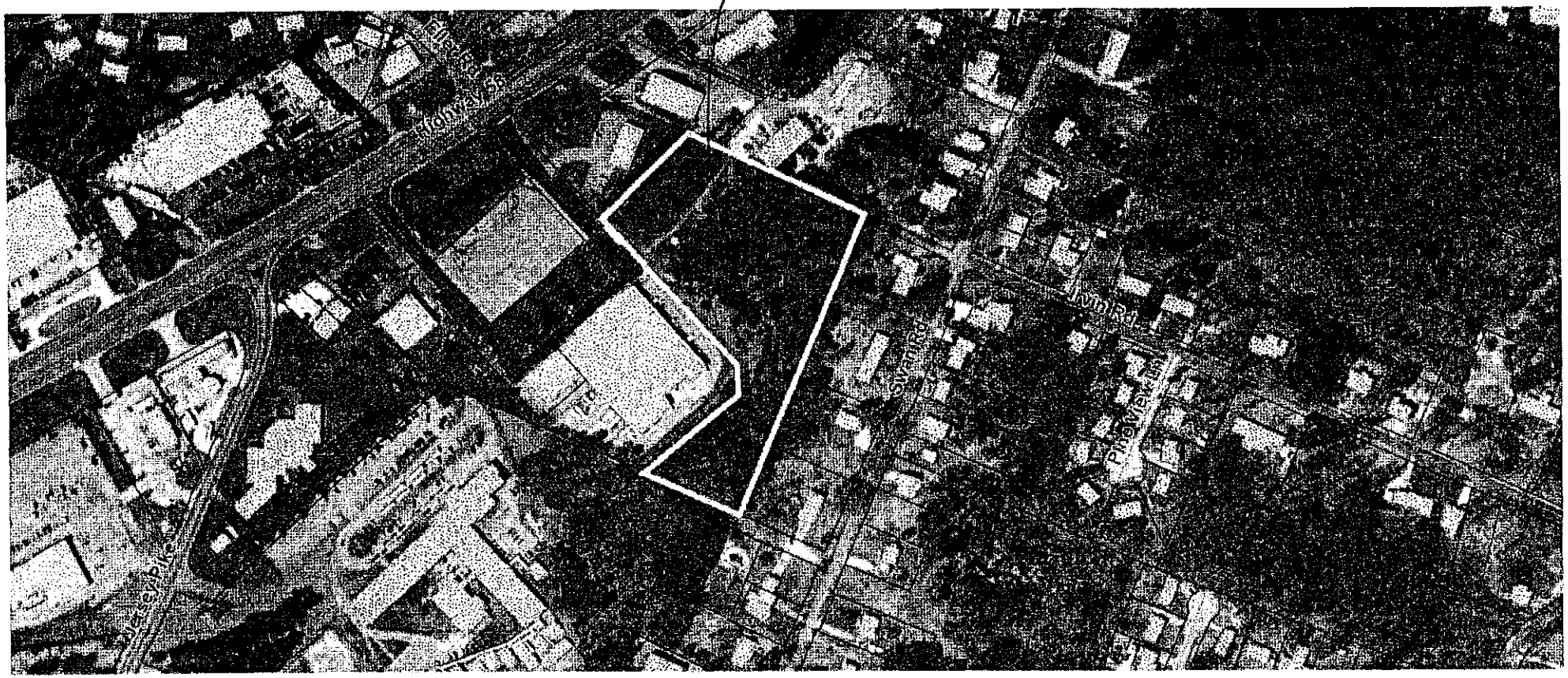
North

200 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County RPA Regional Planning Agency

Area of proposed storage units



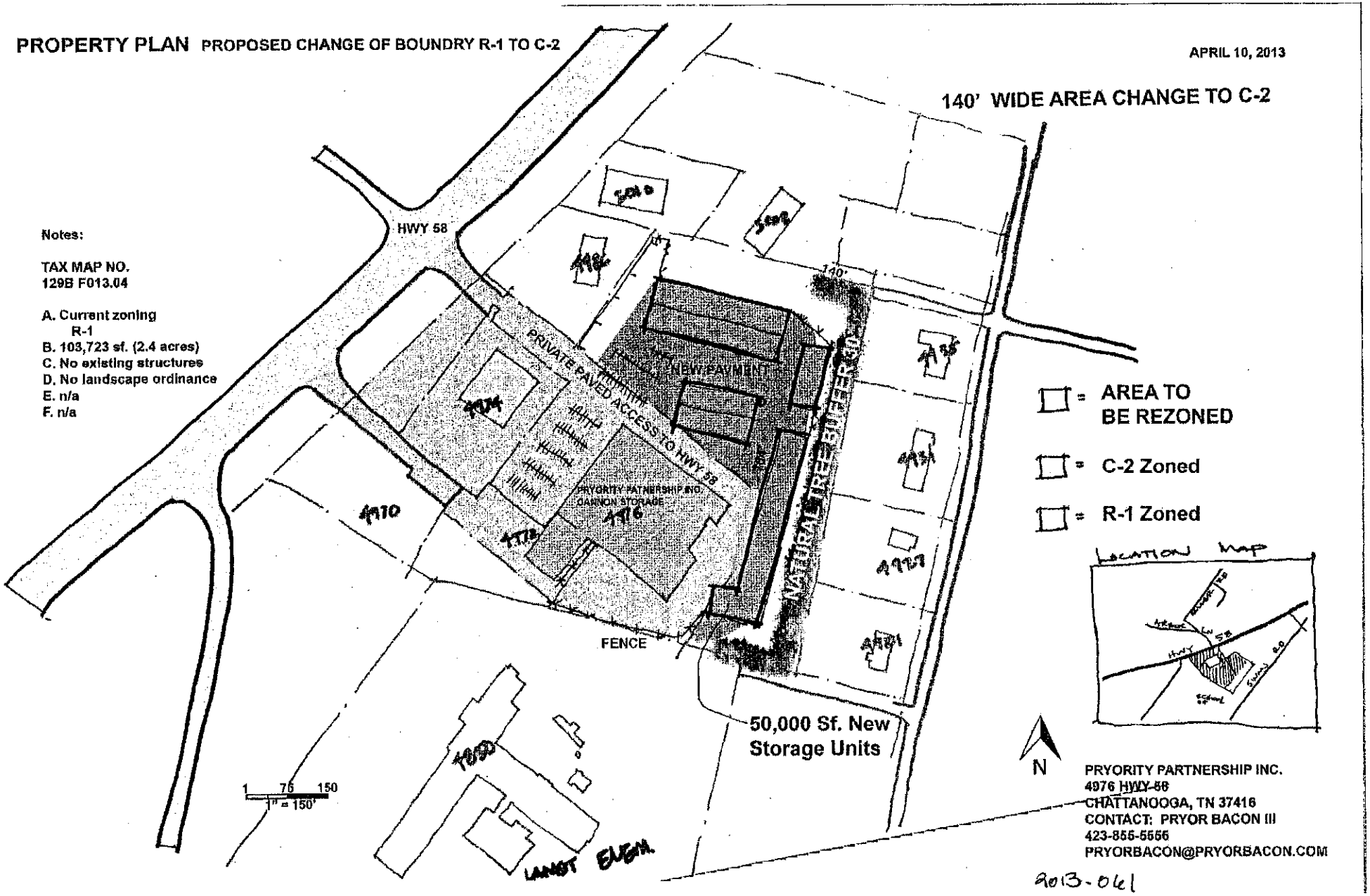
PROPERTY PLAN PROPOSED CHANGE OF BOUNDRY R-1 TO C-2

APRIL 10, 2013

Notes:

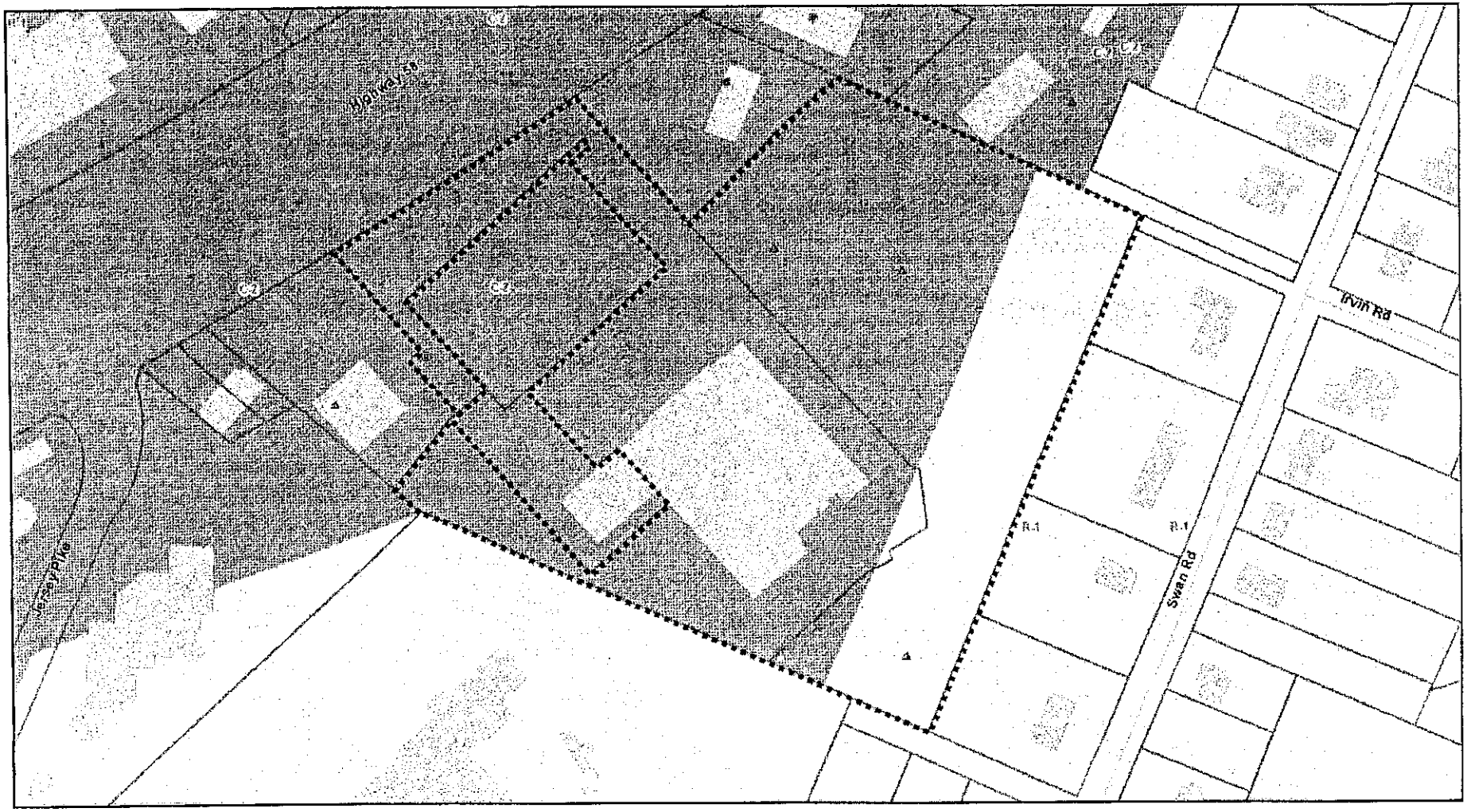
TAX MAP NO.
129B F013.04

A. Current zoning
R-1
B. 103,723 sf. (2.4 acres)
C. No existing structures
D. No landscape ordinance
E. n/a
F. n/a



PRYORITY PARTNERSHIP INC.
4976 HWY 58
CHATTANOOGA, TN 37416
CONTACT: PRYOR BACON III
423-855-5555
PRYORBACON@PRYORBACON.COM

2013-061



2013-061 Lift Conditions

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-061: Approve

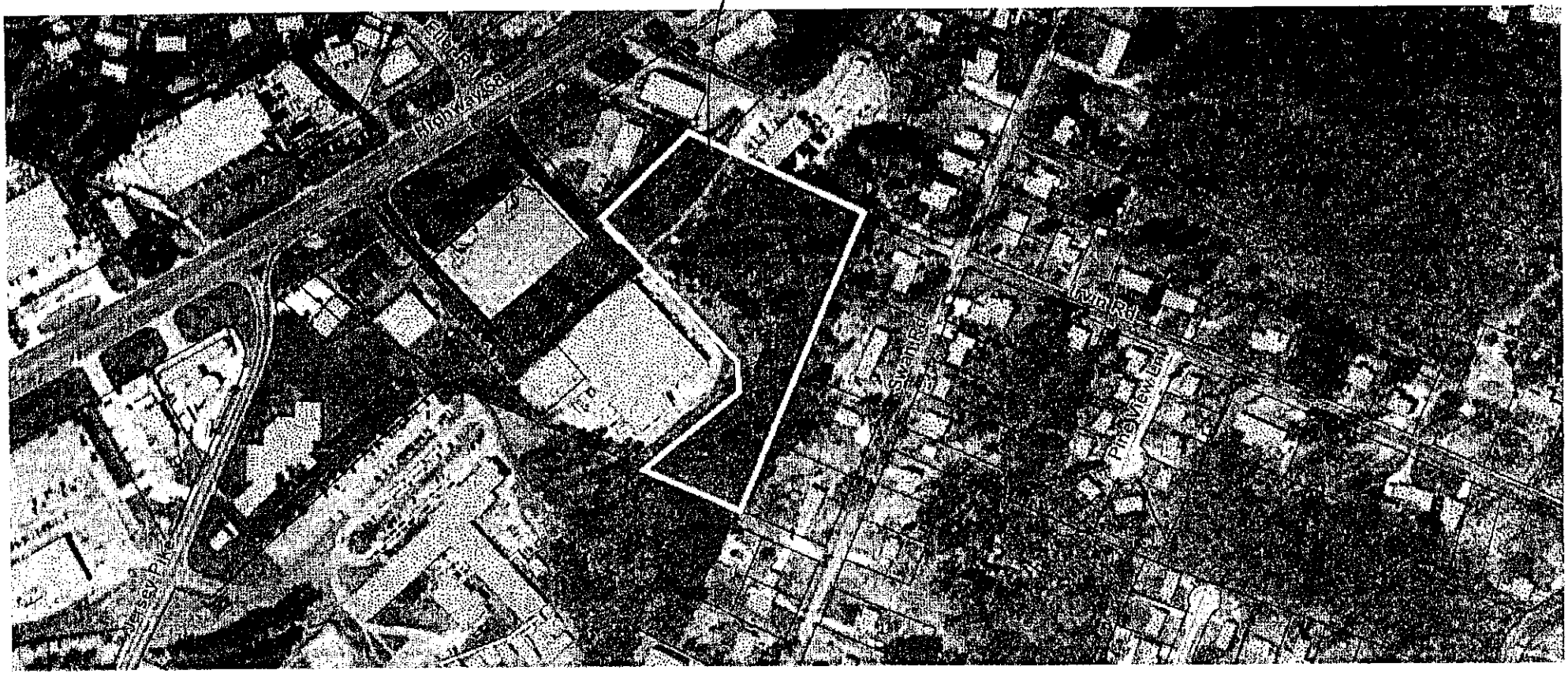
North

175 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County RPA Regional Planning Agency

Area of proposed storage units



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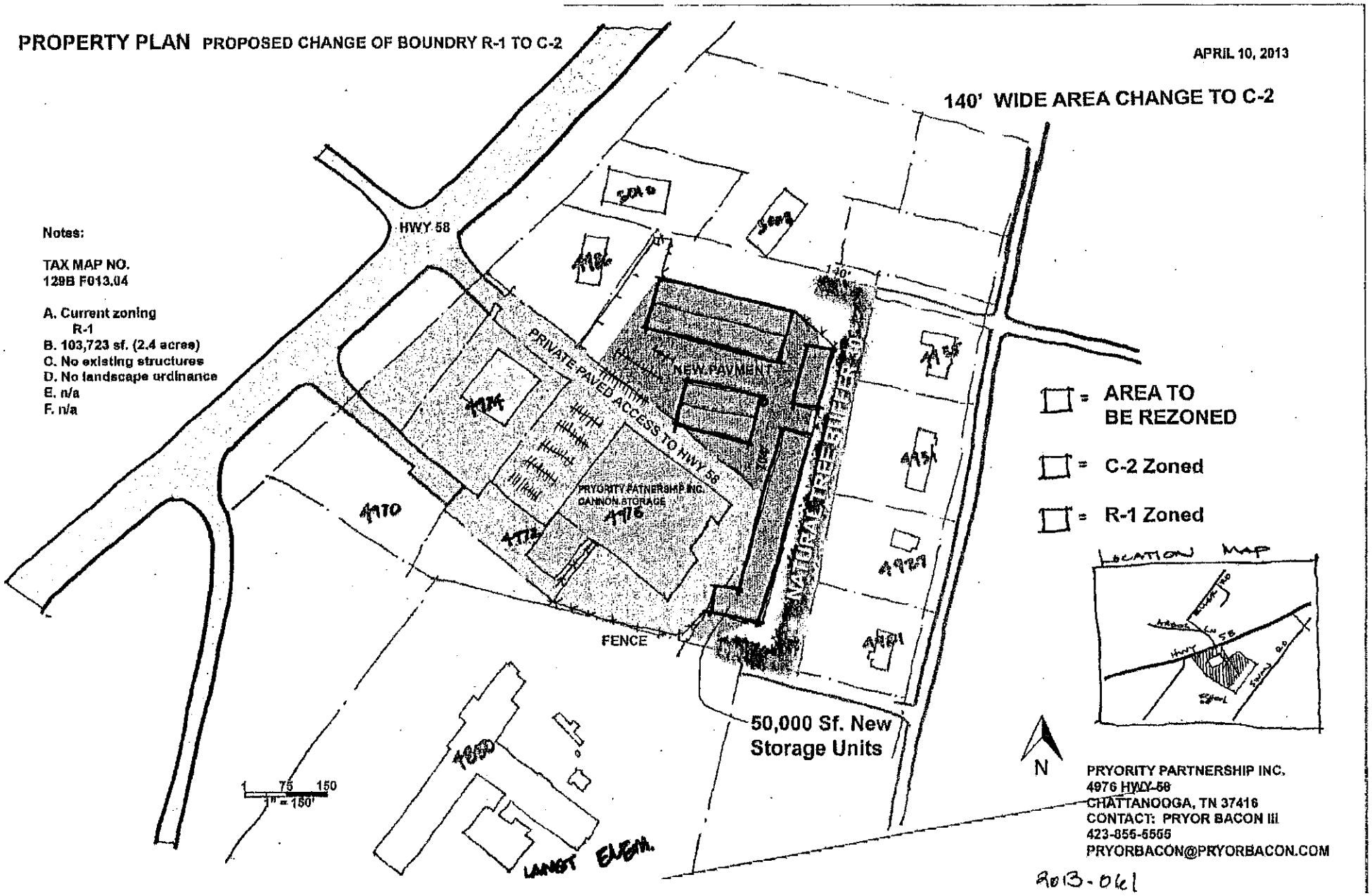

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2013-061

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:

> 2012-042 Jay M. Simpson. 5461 Hixson Pike, from O-1 Office Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
>
> 2013-062 Pryority Partnership. 4976 and 4980 Highway 58, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.
>
> 2013-064 Ben O'Daniel/Country Oaks GP. 5681 Highway 153, from R-3 Residential Zone to C-2 Convenience Commercial Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to lift conditions be approved:

> 2013-061 Pryority Partnership. 4976 and 4980 Highway 58, to lift conditions of Section 2, Ordinance No. 9789, from Case No. 1992-157, subject to certain conditions.
>
> 2013-063 Ben O'Daniel/Country Oaks GP. 5681 Highway 153, to lift conditions 1-3 of Ordinance No. 10201, from Case No. 1995-059, 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,

June 11, 2013

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 _____, 2013.

_____

Sandra Freeman
Clerk to the City Council