

First Reading: _____
Second Reading: _____

2013-091
Britt Goodson/
State of Tennessee
District No. 3
Planning/Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 5528 AND 5530 HIGHWAY 153, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 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 properties located at 5528 and 5530 Highway 153, more particularly described herein:

An unplatted tract of land located at 5528 & 5530 Highway 153 being the property described in Deed Book 1457, Page 267, ROHC. Tax Map No. 100I-F-016.

and as shown on the maps and drawings attached hereto and made a part hereof by reference, from R-2 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: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mms

2013-091 City of Chattanooga
July 8, 2013

RESOLUTION

WHEREAS, Britt Goodson/State of Tennessee 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-2 Residential Zone to C-2 Convenience Commercial Zone, properties located at 5528 & 5530 Hwy 153.

An unplatted tract of land located at 5528 & 5530 Highway 153 being the property described in Deed Book 1457, Page 267, ROHC. Tax Map 100I-F-016 as shown on attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 8, 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 July 8, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

RPA STAFF RECOMMENDATION

Case Number:	2013-091	PC Meeting Date: 07-08-2013
STAFF RECOMMENDATION:	APPROVE	
Land Use & Transportation		
Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant has requested a rezoning from R-2 Residential District to C-2 Convenience Commercial for commercial/retail use.</p> <p><u>Site Description</u> The site is approximately 2.03 acres in size. The property is presently vacant; however, it was formerly used as an office for the State of Tennessee Department of Agriculture. The property abuts a major highway corridor, Highway 153.</p> <p>Adjacent land uses on either side of the property include a car wash to the north, a smaller scale commercial shopping center to the south, and a vacant parcel to the east. To the west of the property and immediately across Highway 153 from the property is the Towne Center North shopping center development. The Towne Center Development includes Target, Best Buy, smaller scale retail shops, and restaurants.</p> <p><u>Zoning History</u> The site is presently zoned R-2 Residential. There have been no previous zoning requests for this site. Adjacent zoning is C-2 Convenience Commercial and R-4 Special Zone.</p> <p><u>Plans/Policies</u> The Hixson-North River Community Plan, adopted in 2005, recommends as a land use category Light Business Mix for this property. Light Business Mix includes neighborhood commercial uses, office, and limited residential, or similar uses.</p> <p><u>Staff Recommendation</u> Staff recommendation is to approve. RPA staff reviewed the rezoning request for appropriateness based on a review of adjacent land use and zoning classifications.</p> <p>The property fronts a major highway corridor, Highway 153. The C-2 Convenience Commercial Zone and the uses permitted in the C-2 Convenience Zone would be an appropriate request and would not have a negative impact on adjacent land uses.</p> <p>The development of this property as an R-2 Residential Zone property is not a realistic zoning designation based on adjacent land uses, zoning, and existing use of the property.</p>	

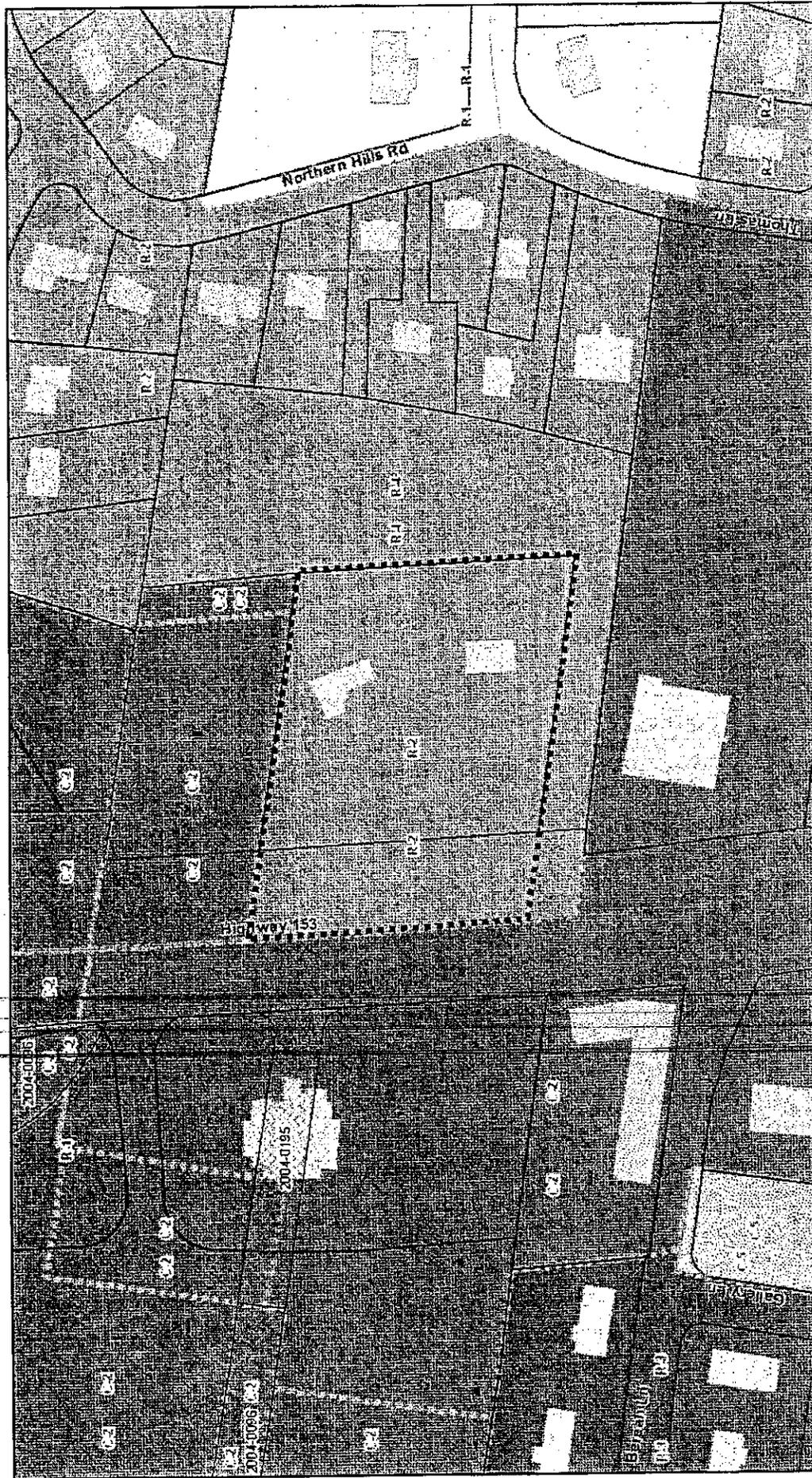
RPA STAFF RECOMMENDATION

	<p>The Hixson-North River Community Plan supports a commercial zone and the uses in the commercial zone at this location. The adjacent R-4 Special Zone located to the east and south of the property is currently vacant and serves as a transition area between the commercial uses along Highway 153 and the existing single-family residential neighborhood located to the east of the property along Northern Hills Road.</p>
Infrastructure & Operational Comments	
Public Works Staff:	<p>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.</p>

ZONING APPLICATION FORM**CASE NUMBER: 2013-091** Date Submitted: 06-07-2013

(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)

1 Applicant Request			
Zoning	From: R-2 Residential Zone	To: C-2 Convenience Commercial Zone	
Total Acres in request area: 2.03			
2 Property Information			
Property Address:	5528 & 5530 Hwy 153		
Property Tax Map Number(s):	100I-F-016		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Allow for Commercial/Retail Use		
4 Site Characteristics			
Current Zoning:	R-2 Residential		
Current Use:	Tennessee Department of Agriculture Office/Storage Facility		
Adjacent Uses:	Car Wash, Furniture Gallery, Restaurant, Residential & Shopping Center		
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: Britt Goodson		Address: 40 West Broad Street	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner
City: Greenville	State: S.C.	Zip Code: 29601	Email: britt.goodson@choldings.com
Phone 1: 800-763-8088	Phone 2: 864-272-0088	Phone 3: 864-430-5571	Fax: 864-272-0078
6 Property Owner Information (if not applicant)			
Name: State of Tennessee C/o Frank Baugh		Phone: 615-741-5821	
Address: Stream, 312 Rosa L. Parks Avenue, 12 th Floor, Nashville, TN 37243-1102			
Office Use Only:			
Planning District: 5		Neighborhood: Hixson Neighborhood	
Hamilton Co. Comm. District: 3	Chatt. Council District: 3	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/>	Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 2.03	<input checked="" type="checkbox"/>	Deeds
Deed Book(s): 1457-267			
Plat Book/Page: N/A		<input checked="" type="checkbox"/>	Notice Signs
Number of Notice Signs: 1		<input checked="" type="checkbox"/>	Check
<input checked="" type="checkbox"/> Filing Fee: 635.00	Cash	<input checked="" type="checkbox"/>	Check Number: 19337
Planning Commission meeting date: July 8 th , 2013		Application processed by: Marcia Parker	



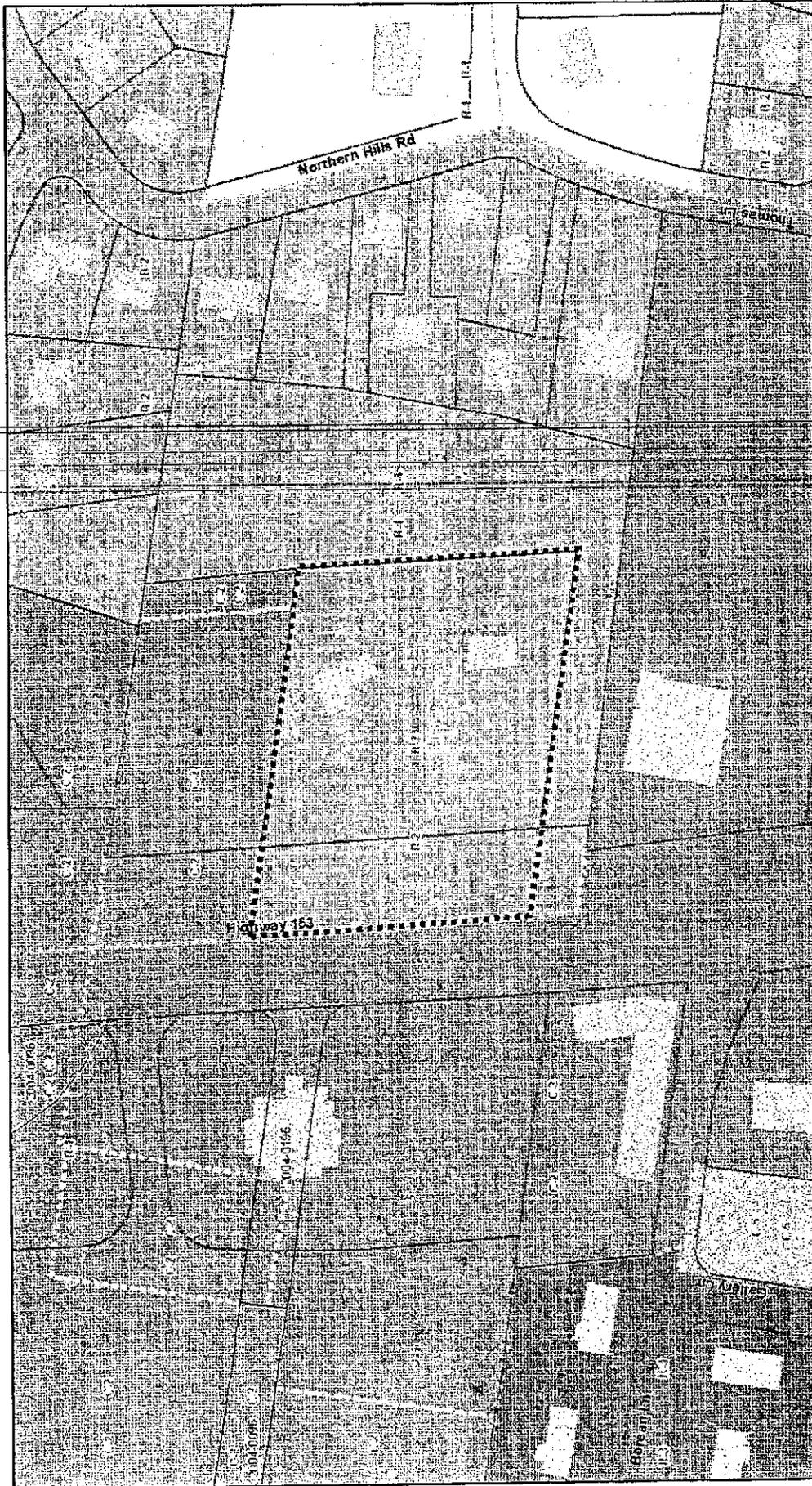
2013-091 Rezoning from R-2 to C-2



150 ft

Chattanooga-Hamilton County
RPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency



2013-091 Rezoning from R-2 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-091: Approve

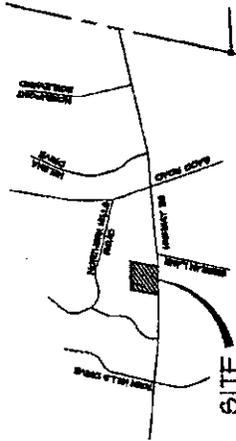


150 ft

CHATTANOOGA-HAMILTON COUNTY
RPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency

2013-091



LOCATION MAP

R-4 ZONING

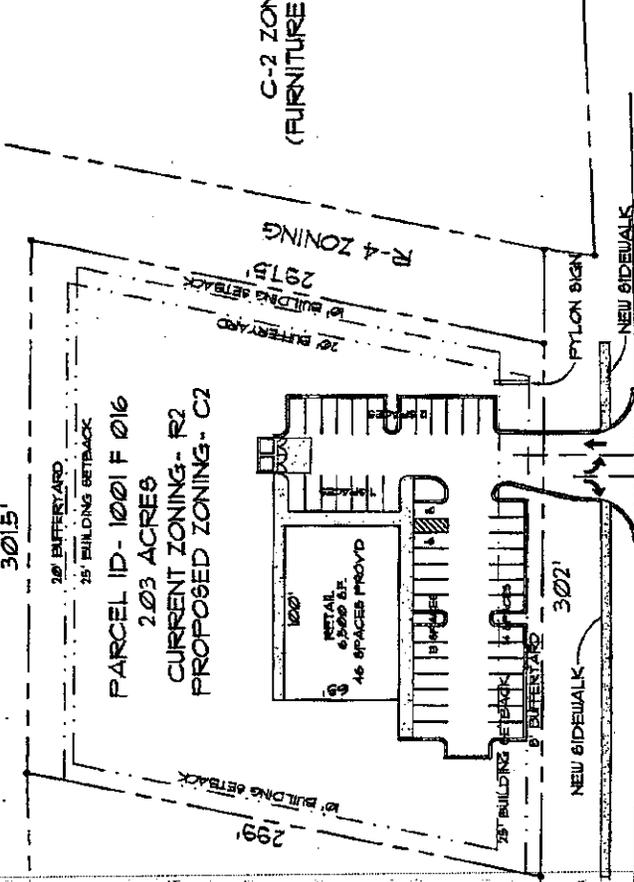
3015'

20' BUFFERYARD
25' BUILDING SETBACK
PARCEL ID- 1001 F 016
2.03 ACRES
CURRENT ZONING- R2
PROPOSED ZONING- C2

C-2 ZONING
(CAR WASH)

C-2 ZONING

C-2 ZONING
(FURNITURE GALLERY)



100' METAL GARAGE
16 SPACES PROVIDED

EXISTING SIDEWALK

NEW SIDEWALK

302'

PYLON SIGN

NEW SIDEWALK

HIGHWAY 153

OWNER
STATE OF TENNESSEE
(ATTN. FRANK BAUGH)
STREAM
312 ROGA L PARKS AVE.
NASHVILLE, TN. 37243
615-741-5821

CONTACT
CAROLINA HOLDINGS, INC.
(ATTN. BRITT GOODSON)
40 WEST BROAD STREET
SUITE 410
GREENVILLE, S.C. 29601
864-272-0088

BEREAN LANE

C-2 ZONING
LONGHORN
STEAKHOUSE

C-2 ZONING
OLIVE GARDEN





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:

2013-073 John R. Anderson/Dallas and Beverly Bunton. 2910 Silverdale Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

2013-089 Jacob Becker/PTC Properties. 503 Hamilton Avenue and 502 North Market Street, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2013-091 Britt Goodson/State of Tennessee. 5528 and 5530 Hwy. 153, from R-2 Residential Zone to C-2 Convenience Commercial Zone.

2013-096 Jody Shea/Shea Properties, LLC. 1800 E. 25th Street, from R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.

2013-097 David Jones/Hamilton Avenue Properties. 677 Hamilton Avenue, from RT-1 Residential Townhouse Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

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

2013-099 Caressa Martin. 3820 Montview Drive, from R-1 Residential Zone to R-3MD Moderate Density Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be lifted:

2013-079 Continental 171 Fund, LLC/Ken Liem, Fenella Pinewood, LLC, K&L Enterprises, Inc. 7400 block of Pinewood Drive, lifting Condition #1 of Ordinance No. 12305 from previous Case No. 2009-129 and upon Staff Determination possibly Condition #2 and Condition #5, subject to certain conditions.

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

- (a) Amending Section 38-2, Definitions, by adding “Kennel”;
- (b) Amending Section 38-394, Height and area regulations, by deleting items (2) and (3) in their entirety and substituting in lieu thereof;
- (c) Amending Section 38-395, General provisions, by deleting item (1) in its entirety and substituting in lieu thereof;
- (d) Amending Section 38-400, Staging, by adding item (3);
- (e) Amending Section 38-401, Changes and modifications, by deleting same in its entirety and substituting in lieu thereof;
- (f) Amending Section 38-402, Application procedure for planned unit development, by deleting same in its entirety and substituting in lieu thereof;
- (g) Amending Section 38-419, Staging, by deleting same in its entirety and substituting in lieu thereof;
- (h) Amending Section 38-420, Major Changes, by deleting same in its entirety and substituting in lieu thereof; and
- (i) Amending Section 38-421, Application procedure for institutional planned unit development, by deleting same in its entirety and substituting in lieu thereof;

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,

August 13, 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