

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

2014-111  
Polestar Development, LLC/  
First Cumberland Presbyterian  
District No. 5  
Planning Version

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1505 NORTH MOORE 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 1505 North Moore Road, more particularly described herein:

An unplatted tract of land located at 1505 North Moore Road, beginning at the northwest corner of Tax Map No. 147F-F-006 and going northeast approximately 713 feet, thence southeast approximately 263 feet, thence southwest approximately 347 feet, thence northwest approximately 905 feet, thence northeast approximately 65 feet to the point of beginning, being a part of the property described in Deed Book 1379, Page 468, ROHC. Tax Map No. 147F-F-006.

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: \_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_ DISAPPROVED: \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
MAYOR

/mem

2014-111 City of Chattanooga  
October 13, 2014

RESOLUTION

WHEREAS, Polestar Development, LLC/First Cumberland Presbyterian 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 1505 North Moore Road.

An unplatted tract of land located at 1505 North Moore Road, beginning at the northwest corner of Tax Map 147F-F-006 and going northeast approximately 713 feet, thence southeast approximately 263 feet, thence southwest approximately 347 feet, thence northwest approximately 905 feet, thence northeast approximately 65 feet to the point of beginning, being a part of the property described in Deed Book 1379, Page 468, ROHC. Tax Map 147F-F-006 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 13, 2014,

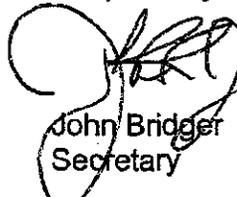
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 October 13, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary

# ZONING APPLICATION FORM

<b>CASE NUMBER:</b>	<b>2014-111</b>	<b>Date Submitted:</b> 8-25-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
<b>1 Applicant Request</b>		
<b>Zoning</b>	<b>From: R-1</b>	<b>To: C-2</b>
Total Acres in request area: 6.14 Acres		
<b>2 Property Information</b>		
<b>Property Address:</b>	1505 N. Moore Road	
<b>Property Tax Map Number(s):</b>	147F-F-006 (Part)	
<b>3 Proposed Development</b>		
<b>Reason for Request and/or Proposed Use:</b>	Proposed grocery store	
<b>4 Site Characteristics</b>		
<b>Current Zoning:</b>	R-1	
<b>Current Use:</b>	Vacant	
<b>Adjacent Uses:</b>	Church, school, gas station	
<b>5 Applicant Information</b>		
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.		
<b>Name:</b> Polestar Development, LLC.	<b>Address:</b> 736 Cherry Street	
<b>Check one:</b>	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner
<b>City:</b> Chattanooga	<b>State:</b> Tn.	<b>Zip Code:</b> 37402
<b>Phone 1:</b> 423-956-9267	<b>Phone 2:</b> 423-771-0304	<b>Phone 3:</b> _____
		<b>Fax:</b> _____
<b>6 Property Owner Information (if not applicant)</b>		
<b>Name:</b> First Cumberland Presbyterian	<b>Phone:</b> (423) 322-1203	
<b>Address:</b> 1505 N. Moore Road, Chattanooga, Tn. 37411		
<b>Office Use Only:</b>		
<b>Planning District:</b> 9	Neighborhood: Brainerd Unity Group, Menlo Park, and N. Brainerd Community Council	
<b>Hamilton Co. Comm. District:</b> 5	<b>Chatt. Council District:</b> 5	Other Municipality: _____
<b>Staff Rec:</b> _____	<b>PC Action/Date:</b> _____	<b>Legislative Action/Date/Ordinance:</b> _____
<b>Checklist</b>		
<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: 5.5	<input checked="" type="checkbox"/> Deeds <input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 1379-468		
<b>Plat Book/Page:</b> N/A	<input checked="" type="checkbox"/> Notice Signs	<b>Number of Notice Signs:</b> 2
<input checked="" type="checkbox"/> Filing Fee: \$705.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check <b>Check Number:</b> 3353
<b>Planning Commission meeting date:</b> 10-13-14		<b>Application processed by:</b> Trevor Slayton

## STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>2014-111</b>	<b>PC Meeting Date: 10-13-14</b>
<b>Applicant Request:</b>	<b>Rezone from R-1 Residential Zone to C-2 Convenience Commercial Zone</b>	
<b>Property Location:</b>	<b>1505 North Moore Road</b>	
<b>Property Owner:</b>	<b>Polestar Development, LLC</b>	
<b>Applicant:</b>	<b>First Cumberland Presbyterian</b>	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

### PROJECT ANALYSIS

#### RPA Land Use & Transportation Comments

##### Project Description

The applicant is proposing a grocery store with 42,311 square feet and parking for 178 spaces, along with a separate bay area for fuel sales. The site will be accessed from Shallowford Road and North Moore Road.

##### Site Description

Currently the 6.14 acre site is vacant and fairly flat, sloping to the west. At the western edge of the site is the greatest slope change. This area is also the most heavily forested part of the site. The Brainerd Levee parking area is across North Moore Road on the east, along with an existing gas station and residential uses. Dalewood Middle School and First Cumberland Presbyterian Church are adjacent to the south. There are commercial uses to the west and north. Warehouse/wholesale uses are also to the north.

##### Zoning History

This site has had no recent zone changes. The surrounding C-2 Convenience Commercial Zones along Wilcox Boulevard were established in 1961, 1963 and 2001. The M-3 Warehouse and Wholesale Zone across Wilcox Boulevard was approved in 2012.

##### Plans/Policies

The North Brainerd Area Plan calls for residential land use at the site and medium commercial uses on three of the four sides of the site. One of the land use goals is to "Contain commercial uses to existing nodes" and focus commercial development along Shallowford Road. More specifically the plan states, "The Medium Business Mix category does not allow Industrial uses and is more appropriate for the intersections of Shallowford, N. Moore and Wilcox Blvd. due to its close proximity to residential development." According to the plan, medium business mix includes: "Convenience Commercial, Neighborhood Commercial, Office, Residential, or similar uses."

The Comprehensive Plan 2035 states that business development within the Inner Suburban Development Sector should include "Neighborhood or Community Activity Centers that are encouraged to be mixed-use or multi-use and designed in accordance with the design principles of the Suburban Development models with modifications, Traditional Neighborhood Development model, or the Urban Infill Redevelopment model, as described within the Development Models section of the Development Plan."

## STAFF CASE REPORT TO PLANNING COMMISSION

### City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

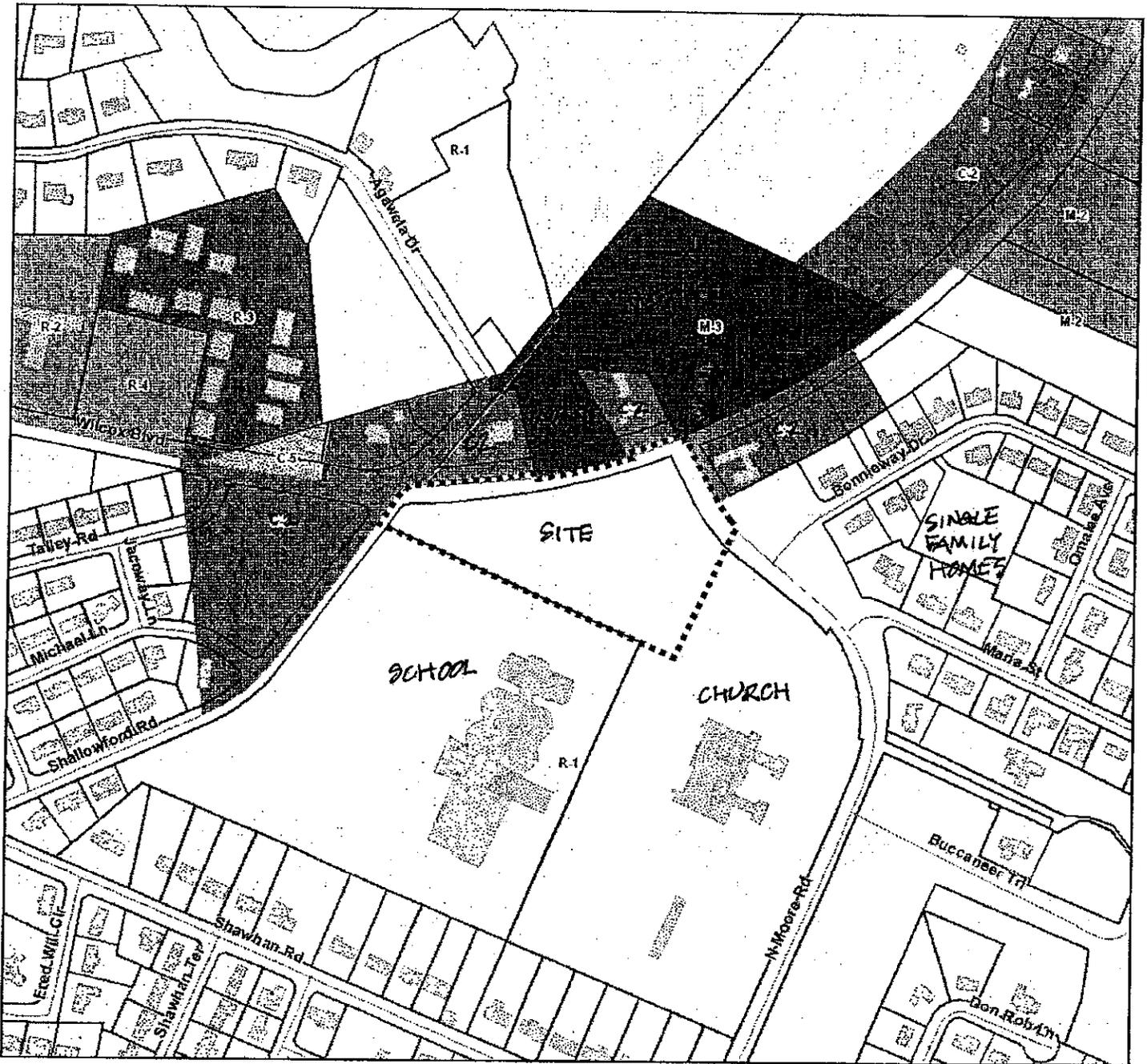
### RPA Summary

The primary objective of the North Brainerd Area Plan was to limit commercial development to Shallowford Road around existing commercial nodes and to discourage commercial development southward along Moore Road. While the North Brainerd Area Plan calls for residential uses for the site, it also states that the intersection of Shallowford Road and North Moore Road, where the site is located, is more appropriate for a Medium Business Mix due to its proximity to residential land uses as it does not allow for industrial development.

The proposed use of a grocery store and fueling station is consistent with the list of Medium Business Mix uses called for in the plan. Commercial development at this location will complete the existing commercial node between the Moore Road intersection and Shallowford Road, supporting the plan's vision for encouraging commercial development at existing commercial nodes. Since the property is located at the intersection of Moore and Shallowford Road, and has its primary access off of Shallowford Road, approval of this request continues to support the policy of discouraging commercial development along Moore Road. Finally, from a land use compatibility perspective, the proposed grocery store is bordered by institutional uses (Church and School) and does not immediately abut any residential uses. As a result, staff considers the proposal to meet the intent of the North Brainerd Area Plan.

The site should consider more direct pedestrian connections to the residential neighborhood to the East and school to the south to increase walking and bicycling access to the proposed grocery store.

Staff recommends approving the rezoning request.



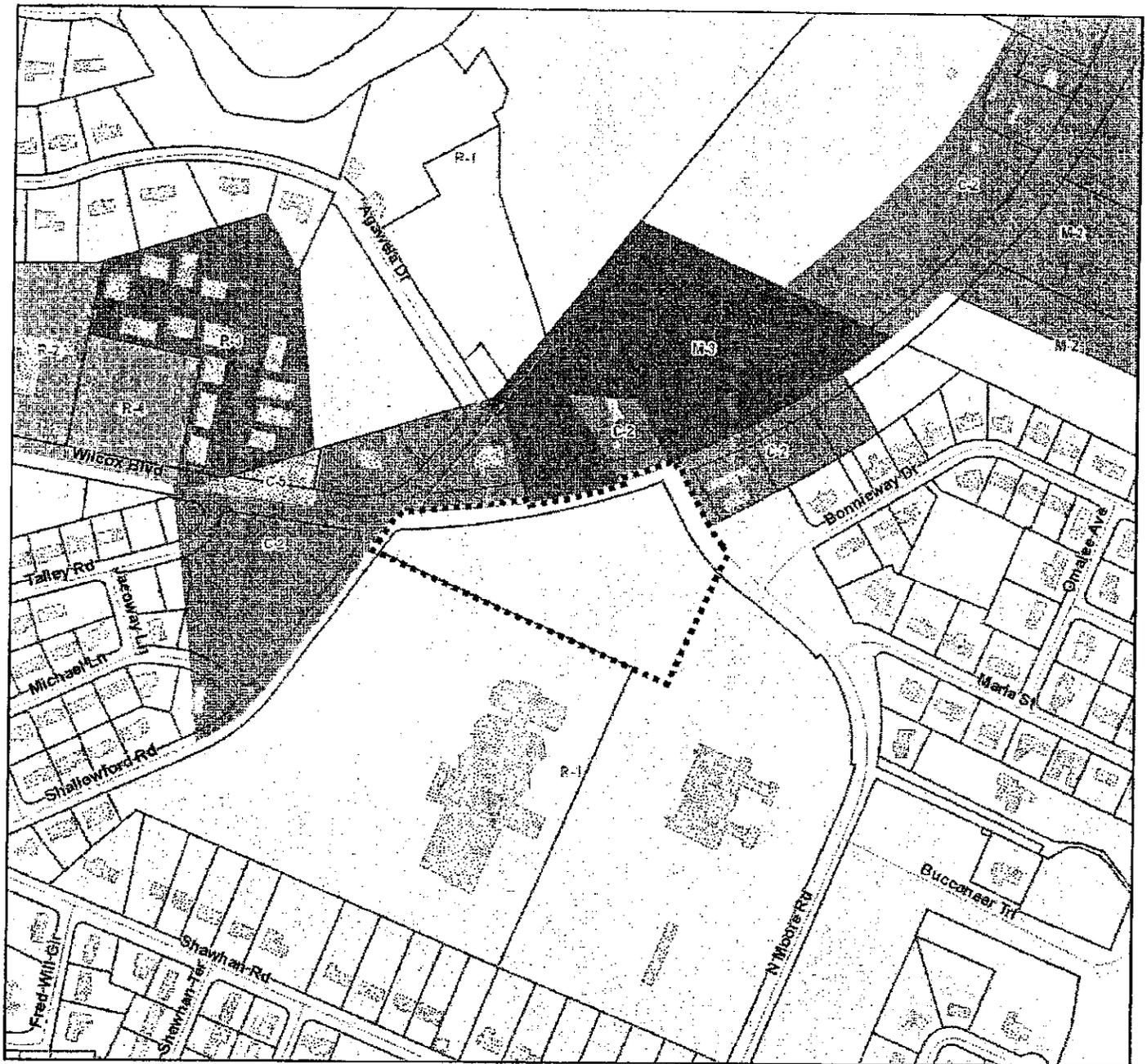
## 2014-111 Rezoning from R-1 to C-2



400 ft

Chattanooga Hamilton County Regional Planning Agency





## 2014-111 Rezoning from R-1 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-111:

Approve

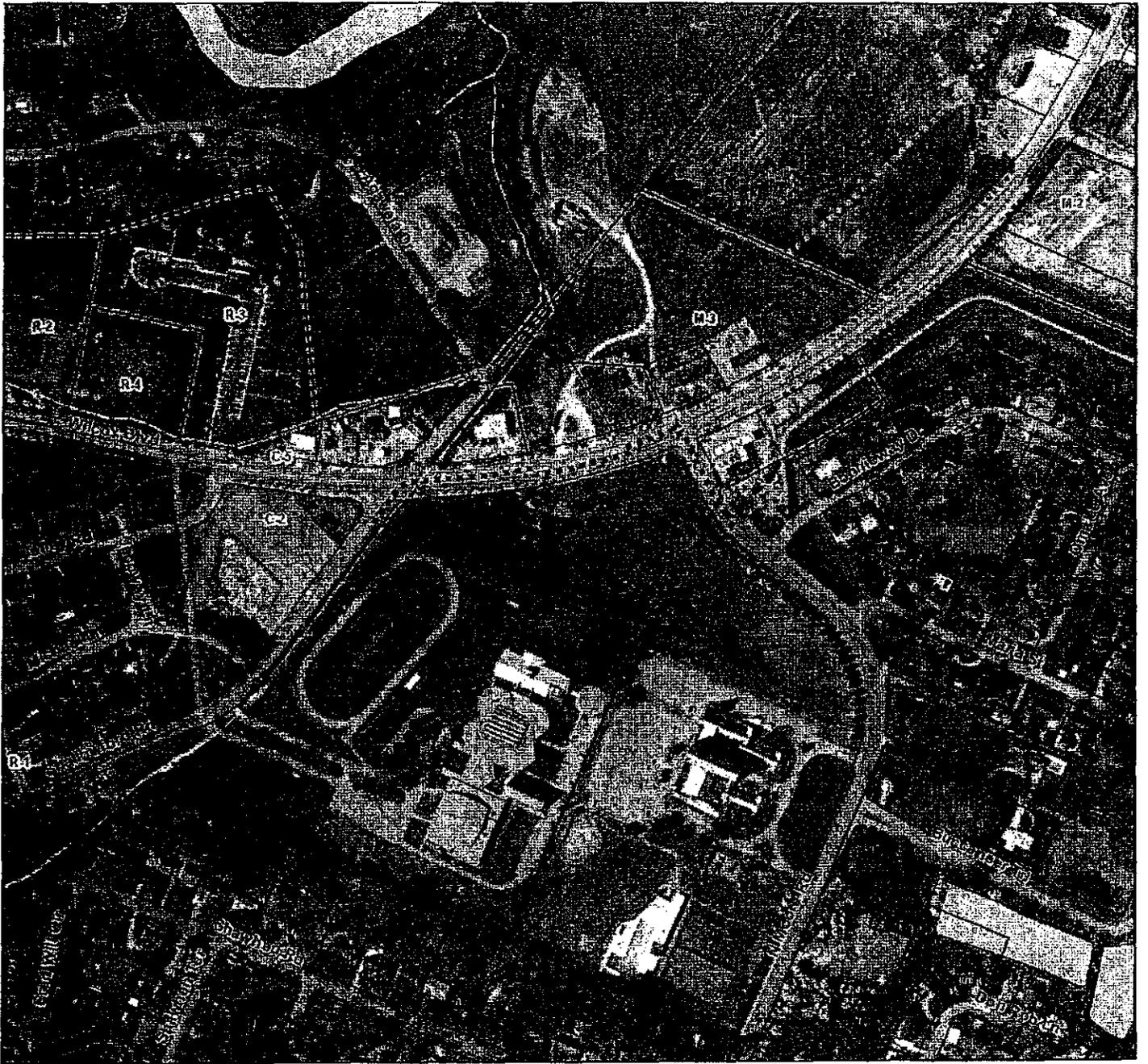


400 ft



Chattanooga Hamilton County Regional Planning Agency





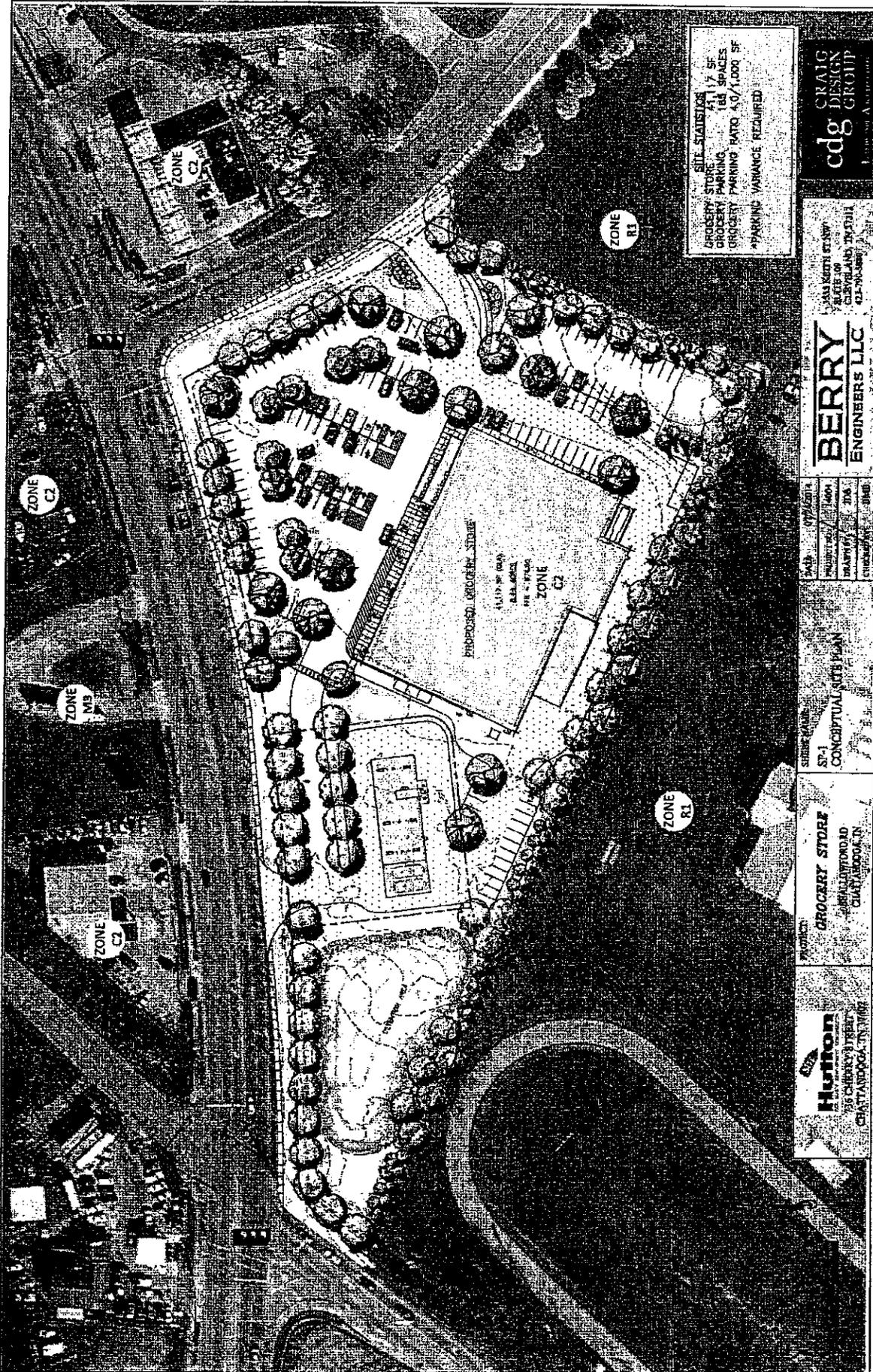
# 2014-111 Rezoning from R-1 to C-2



**Chattanooga Hamilton County Regional Planning Agency**

  
400 ft

  
**RPA**



**SITE STATISTICS**  
 GROCERY STORE 17,500 SF  
 GROCERY PARKING 184 SPACES  
 GROCERY PARKING RATIO 4.0/1,000 SF  
 PARKING VARIANCE REQUIRED

**cdg** CRAIG DESIGN GROUP

ALL RIGHTS RESERVED  
 1000 W. MAIN, TR-0111  
 371-3448

**BERRY**  
 ENGINEERS, LLC

DATE	07/2/2014
PROJECT	1000 W. MAIN
DRYING	TR-0111
CHECKED BY	BBB

SR-1  
 CONCEPTUAL SITE PLAN

**GROCERY STORE**  
 1000 W. MAIN  
 CHATTANOOGA, TN

**Hutton**  
 ENGINEERS & ARCHITECTS  
 CHATTANOOGA, TN

## NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2014-105 Charles Ankar/Joyce Douglas. 1812, 1816, and 1818 Madison Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2014-108 Alan Haniszewski/HP Partners. 1200 South Watkins Street, 1206 Lyerly Street, and 2308 East 12<sup>th</sup> Street, from M-1 Manufacturing Zone and R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.

2014-110 Polestar Development, LLC/Sarah Henshall Rutherford. 7911 East Brainerd Road, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-111 Polestar Development, LLC/First Cumberland Presbyterian. 1505 North Moore Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2014-112 Passpointe Engineering, PLLC/Walnut Street Enterprises/Marvin Berke/Claudette C. Braley. 102 Walnut Street and 213 East Aquarium Way, from R-4 Special Zone to C-3 Central Business Zone, subject to certain conditions.

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

2014-107 Southern Land Company/Obar Investments, LLC. 900 block of River Gorge Drive, for a Residential Planned Unit Development, subject to certain conditions.

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

2014-109 Hixson Investors, LLC/Mary Eastman. 6300, 6302, and 6306 Grubb Road and part of 5800 block of Highway 153, lifting conditions 1 through 9 from Ordinance No. 11827 of previous Case No. 2006-028, 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) Adding a new sub-section (23) to Article VIII, Section 38-568 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (b) Adding a new definition in alphabetical order to Article II, Section 38-2 entitled, "Lot of Record."
- (c) Amending definition in Article II, Section 38-2 by changing the definition name entitled, "Dwelling, Multiple to Dwelling, Multi-family."
- (d) Adding a new sub-section (5) to Article V, Section 38-92 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (e) Adding a new sub-section (4) to Article V, Section 38-102 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (f) Adding a new sub-section (7) to Article V, Section 38-112 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."
- (g) Adding a new sub-section (15) to Article V, Section 38-122 entitled, "Special Permit for Two-family or Multi-family Dwellings on Lots of Record."

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 11, 2014**

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 \_\_\_\_\_, 2014.

---

Sandra Freeman  
Clerk to the City Council