

First Reading: _____
Second Reading: _____

2016-025
Roger Radpoir and Kaihan Strain
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 AT 6708 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 at 6708 Hixson Pike, more particularly described herein:

All of the front portion within 400 feet of the Hixson Pike right-of-way of an unplatted tract of land located at 6708 Hixson Pike being the property described in Deed Book 10301, Page 491, ROHC. Tax Map No. 092-050.

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

2016-025 City of Chattanooga
February 8, 2016

RESOLUTION

WHEREAS, Roger Radpoir and Kaihan Strain petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from R-1 Residential Zone to C-2 Convenience Commercial Zone, property located at 6708 Hixson Pike.

All of the front portion within 400 feet of the Hixson Pike right-of-way of an unplatted tract of land located at 6708 Hixson Pike being the property described in Deed Book 10301, Page 491, ROHC. Tax Map 092-050 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding 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,

AND WHEREAS, the Planning Commission has determined that the proposal as submitted on the amended site plan is supported by the adopted Land Use Plan which protects hillsides as a principle.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 8, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Brieger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2016-025	Date Submitted: 12-28-2015
1 Applicant Request		
Zoning	From: R-1	To: C-2
Total Acres in request area: 4.5		
2 Property Information		
Property Address:	6708 Hixson Pike	
Property Tax Map Number(s):	092-050	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Mini Warehouse/Storage (5 Buildings)	
4 Site Characteristics		
Current Zoning:	R-1	
Current Use:	Vacant	
Adjacent Uses:	C-2 & O-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: Roger Radpour		Address: 9013 Old Hixson Pike
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner
City: Soddy Daisy	State: TN	Zip Code: 37379
Phone 1: 423-842-8998	Phone 2: 423-595-7282	Phone 3:
		Fax:
6 Property Owner Information (if not applicant)		
Name: Kaihan Strain		Phone: 423-842-1750
Address: 5449 Mandarin Circle Hixson, TN 37343		
Office Use Only:		
Planning District: 5	Neighborhood: CNAC, Friends of Hixson, Hidden Harbor	
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: 4.5	<input checked="" type="checkbox"/> Deeds
		<input type="checkbox"/> Plats, if applicable
Deed Book(s): 10301-491		
Plat Book/Page: N/A	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
		Check Number: 4097
Planning Commission meeting date: 2-8-2016		Application processed by: Pattie Dodd

PLANNING COMMISSION CASE REPORT

Case Number: 2016-025

PC Meeting Date: 02-08-16

Applicant Request

Rezone from R-1 Residential Zone and C-2 Convenience Commercial Zone

Property Location:	6708 Hixson Pike
Property Owner:	Kaihan Strain
Applicant:	Roger Radpour

Project Description

- Proposal: Develop 4.5-acre site with mini warehouses.
- Proposed Access: Main entrance on Hixson.
- Proposed Development Form: The site plan illustrates five one-story mini warehouse buildings and three outdoor storage areas.

Site Analysis**Site Description**

- Location: The 4.5 acre vacant site is located on the southeast side of Hixson Pike approximately 100 feet from the intersection Hixson Pike and East Boy Scout Road.
- Current Access: Access from Hixson Pike.
- Tennessee Department of Transportation Functional Classification: Hixson Pike is classified as an Urban Principal Arterial.
- Current Development form: The site contain topography with a gentle slope for approximately 350' away from the Hixson Pike entrance. The slope increases upwards at the rear of the property.
- Current Land Uses: The current site is vacant. North of the site fronting Hixson Pike are several 1 story commercial centers. North, east, and south of the site are large heavily vegetated lots. The northern large lot has a single-family dwelling on the site.
- Current Natural Features: The site has steep slopes with the lowest point being at the entrance on Hixson Pike.

Zoning History

- The site is currently zoned R-1 Residential Zone.
- The property to the north is zoned C-2 Convenience Commercial Zone and R-1 Residential Zone. The property to the east is zoned A-1 Urban Agricultural Zone. The property to the south is zoned R-1 Residential Zone. The property to the west is zoned C-2 Convenience Commercial Zone and R-1 Residential Zone.
- The nearest C-2 Convenience Commercial (same as the request) is adjacent to the site to the north.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Hixson-North River Community Plan (adopted by City Council and Hamilton County Commission in 2003 revised in 2005) recommends Medium Business Mix fronting Hixson Pike and continuing Low-Density Residential immediately behind the fronting commercial.
- The C-2 Convenience Commercial Zone permits most commercial uses and would require a 20-foot wide landscape buffer where adjacent to a residential zone.

Key Findings

- The proposal is not supported by the recommendations of the adopted Land Use Plan for the area due to the depth of the proposed commercial zone into the residential zone.
- The proposal is not supported by the recommendations of the adopted Land Use Plan which recommends protection of hillsides as a principle.
- The proposed use is compatible with surrounding uses.

PLANNING COMMISSION CASE REPORT

- The proposal is not consistent with the development form of the area based on the expansion of development up the hillside.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would set a precedent for future requests by expanding the depth of C-2 convenience commercial zone along Hixson Pike.

Staff Recommendation

Deny



2016-025 Rezoning from R-1 to C-2

Planning Commission Recommendation: Approve, 400 feet from the Hixson Pike right-of-way



400 ft



Chattanooga Hamilton County Regional Planning Agency





2016-025 Rezoning from R-1 to C-2

404 ft

Chattanooga Hamilton County Regional Planning Agency

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:

2016-012 Richard Zavala. 1446 Central Avenue and 901, 911, and 915 East Main Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2016-013 Chestnut Holdings, LLC/Matt Hullander, Jonathan Frost, and John Clark. 1413 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-015 Asa Engineering c/o Allen Jones and John Pregulman/Rober Partners. 551 West 21st Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-018 Joseph Parks and James Rogers. 7504 Old Lee Highway, from C-2 Convenience Commercial Zone to R-4 Special Zone.

2016-025 Roger Radpoiur and Kaihan Strain. 6708 Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-026 Ben Peppers of Peppers Construction Company and Nancy Miller. 1813 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. 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 38-402, Application procedure for planned unit development** by amending subsection (2)(b); removing "active" from the last sentence of subsection (5)(a); deleting subsection 6(a) in its entirety and re-letter the remaining items alphabetically; and removing "expires or" from the first sentence in subsection 6(c).

- (b) **Deleting Article V, Zone Regulations, Division 26, Planned Unit Development: Institutional** in its entirety and substituting in lieu thereof new Sections 38-411 through 38-419.
- (c) **Deleting Section 38-482(1)&(2), Process** and substituting in lieu thereof, and adding subsection (3) and renumbering subsection (3) to subsection (4).

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,

March 8, 2016

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 _____, 2016.

Nicole Gwyn
Clerk to the City Council