

PLANNING SPECIAL EXCEPTIONS PERMIT CASE REPORT

Case Number: 2016-093

City Council Meeting: 05-24-16

Applicant Request

Special Exception Permit for Late Night Entertainment Facility

Property Location:	6925 Shallowford Road Suite 120
Property Owner:	Sapphire LLC
Applicant:	Travis Johnson

Project Description

- Proposal: Seeking permit to allow existing Sports Bar to remain open later than 10:00 PM while serving alcohol.
- Proposed Access: Entrances on both Shallowford Road and Lee Highway.

Site Analysis

Site Description

- Location: The establishment sits at the northern most portion of an existing multi-tenant building on a 1.7 acre site. This site is located on a parcel approximately 250' east of the Lee Highway and Shallowford Road intersection. The specific location on the site is on the third floor of the existing building.
- Current Land Uses: The site has multiple commercial uses within a single large building. The site is surrounded by commercial and retail uses except for a single vacant parcel to the north.

Zoning History

- The site is currently zoned C-2 Convenience Commercial Zone.
- The property to the north is zoned R-2 Residential Zone. The properties to the east, south, and west are zoned C-2 Convenience Commercial Zone.

Plans/Policies/Regulations

- Per Section 38-527 of the Chattanooga City Code, *"If a commercial establishment, which may or may not be held out to the public as a Bar or other social gathering place, with an occupancy capacity of more than one hundred (100) people, and which serves alcohol or allows alcohol on the premises and is operated as a place of entertainment at night for eating, drinking, dancing and provides live or recorded entertainment and engages in certain activities referenced under the nightclub definition at Chattanooga City Code 38-2, such commercial establishment shall require a special permit under Chattanooga City Code 38-527 before any certificate of occupancy can be issued by the Building Official."*
- Late Night Entertainment/Event Facilities are permitted only within the C-2 Convenience Commercial Zone by Special Exception Permit issued by the City Council.
- Any doorway entrance regularly used for ingress and egress or outdoor place of gathering shall be located more than 750 feet away from the nearest boundary of any residential zone. City Council has the option of decreasing this distance with additional conditions to protect residential properties from noise or other related nuisance issues.

Key Findings

- The Special Exception Permit may be revoked by the City Council.
- The site directly abuts a vacant R-2 Residential Zone and is therefore less than 750 feet away from nearest boundary of a residential zone.
- The Land Development Office notes that the site was previously a Late Night Entertainment Facility, but has been vacant long enough, over a year, to lose its grandfathering for a Special Exemption Permit.
- This site is located on the second floor of the existing structure with primary access from an open staircase. The site has an open balcony which wraps the building allowing amplification of sound to

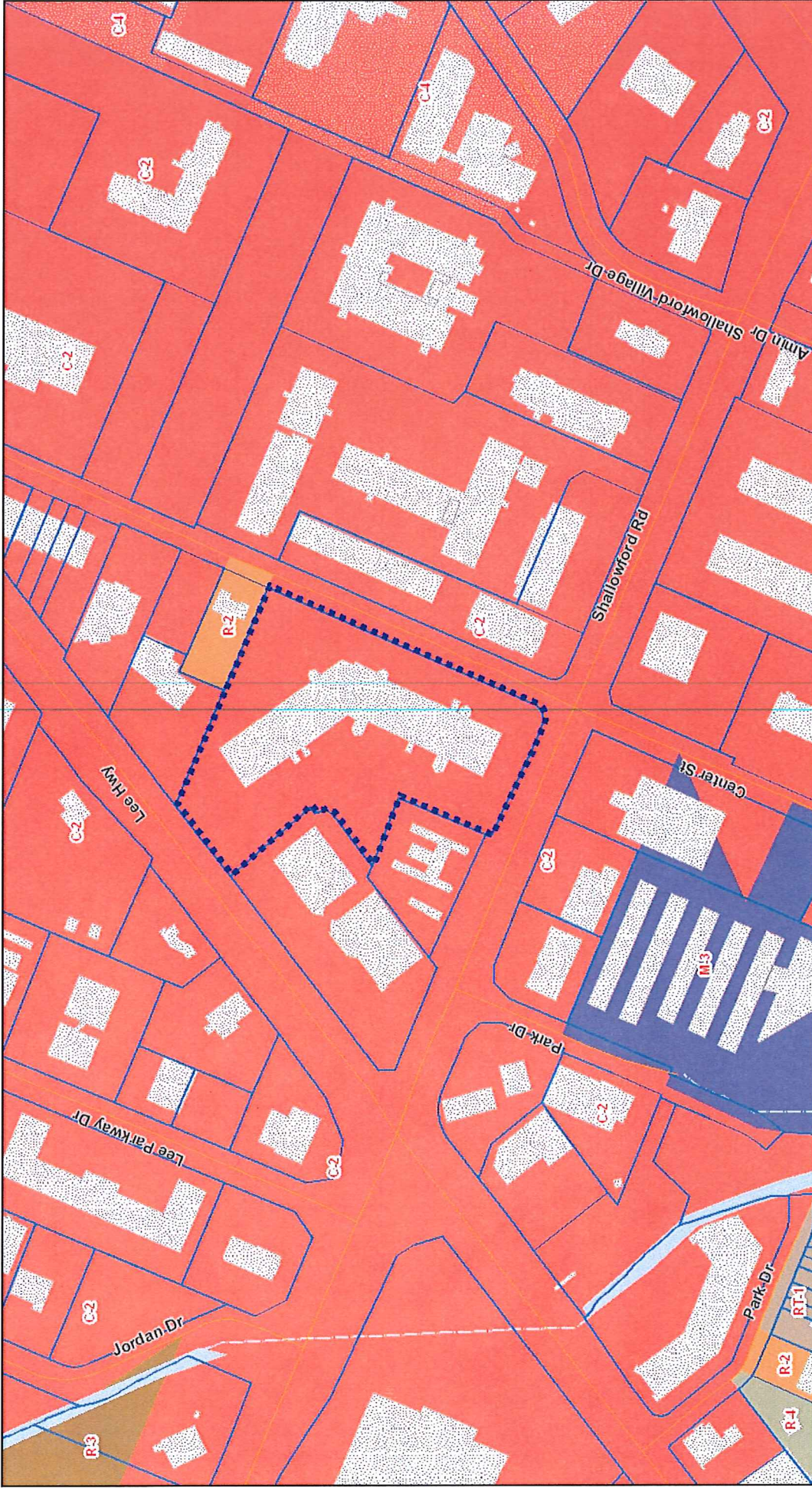
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have an unobstructed route to the neighboring residential zone and existing hotels. The Chattanooga Police Department has concerns, safety on stair access and noise traveling beyond the site, with the site.


- The Chattanooga Fire Department did not provide any comments on this case.
- The purpose of this report is to not make a recommendation, but to note the facts as it relates to the request.

SPECIAL PERMIT APPLICATION FORM


CASE NUMBER:	2016-093	Date Submitted: 4-22-2016			
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)					
1 Applicant Request					
Special Permit	Type: Special Exceptions Permit for Late Night Entertainment Facility				
2 Property Information					
Property Address:	6925 Shallowford Road Suite 220				
Property Tax Map Number(s):	148D-F-004.05				
3 Proposed Development					
Reason for Request and/or Proposed Use:	To have Sports Bar open later than 10:00 P.M.				
4 Site Characteristics					
Current Zoning:	C-2				
Current Use:	Restaurant				
Adjacent Uses:	Office & Retail				
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: Travis Johnson		Address: 7010 Lee Highway Suite 118			
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner			
City: Chattanooga	State: TN	Zip Code: 37421			
Phone 1: 423-838-2680	Phone 2: 423-208-1265	Phone 3: 423-713-5977			
		Fax:			
6 Property Owner Information (if not applicant)					
Name: Sapphire LLC		Phone: 423-400-4887			
Address: PO Box 25315 Chattanooga, TN 37422					
Office Use Only:					
Planning District: 10		Neighborhood: CNAC, BEBC			
Hamilton Co. Comm. District: 8	Chatt. Council District: 6	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: 1.7	<input checked="" type="checkbox"/>	Deeds
		<input checked="" type="checkbox"/>	Plats, if applicable		
Deed Book(s): 9620-10					
Plat Book/Page: 41-3		<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 1	
<input checked="" type="checkbox"/>	Filing Fee: 250.00	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check
					Check Number: 2016093
Planning Commission meeting date: 5-24-2016			Application processed by: Marcia Parker		




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225 ft



RPA



Chattanooga Hamilton County Regional Planning Agency