

First Reading: _____
Second Reading: _____

2015-019
Hometown Folks, LLC
c/o MAP Engineers/
Walter and Sharon Willis
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 13 SOUTH MOORE ROAD AND 4850 BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, 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, be and the same hereby is amended so as to rezone properties located at 13 South Moore Road and 4850 Brainerd Road, more particularly described herein:

Lots 1, 2, 3 and 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the properties described in Deed Book 8268, Page 302, ROHC and Deed Book 5390, Page 471, ROHC. Tax Map Nos. 157J-R-012 and 013.

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 rezoning shall be approved subject to the following conditions:

1. Site engineer to meet with Chattanooga Transportation Department and verify access points are acceptable to the City of Chattanooga.
2. "No Loitering" sign to be placed on property.
3. No predatory lending institutions, tattoo parlors, car lots, wrecker service, night clubs, adult oriented business, pawn stores, and liquor stores.
4. Construct and maintain a six (6) foot high vinyl coated chain-link fence (green) adjacent to the school property and the residential property.
5. Construct landscape buffers adjacent to the school and residential properties shall consist of a double row of evergreen hedges/shrubs planted at eight (8) feet on center and plantings staggered. The minimum height of the evergreen shrubs at the time of the planting shall be six (6) feet. In addition, there shall be a minimum two (2) inch caliper tree planted approximately every thirty-five (35) feet on center for the twenty (20) foot buffer adjacent to the residential property. The buffer to be fourteen (14) feet in width adjacent to the school and twenty (20) feet in width adjacent to the existing residential property to the south. The fourteen (14) foot buffer adjacent to the school shall consist of two rows of evergreen shrubs.
6. All exterior lighting shall be directed away from all residential properties.
7. Trash pickups to occur between the hours of 8:00 a.m. to 8:00 p.m.
8. No billboard to be allowed on the existing C-2 property or the R-1 property to be rezoned.
9. One pylon sign for the business onsite shall be limited to no more than twenty-four (24) feet in height.

SECTION 3. 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

First Reading: _____
Second Reading: _____

2015-019
Hometown Folks, LLC
c/o MAP Engineers/
Walter and Sharon Willis
District No. 6
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 13 SOUTH MOORE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, 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, be and the same hereby is amended so as to rezone property located at 13 South Moore Road, more particularly described herein:

Lot 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the property described in Deed Book 8268, Page 302, ROHC. Tax Map No. 157J-R-013.

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 rezoning shall be approved subject to the following conditions:

1. Site engineer to meet with Chattanooga Transportation Department and verify access points are acceptable to the City of Chattanooga.
2. "No Loitering" sign to be placed on property.
3. No predatory lending institutions, tattoo parlors, car lots, wrecker service, night clubs, adult oriented business, pawn stores, and liquor stores.
4. Installing an eight (8) foot high privacy fence twenty (20) feet north of the southern lot line in order to mitigate the impacts to the adjacent residential property. The fence shall be placed along the property line, with the landscaping placed to the interior side of the lot.
5. Construct landscape buffers adjacent to the school and residential properties shall consist of a double row of evergreen hedges/shrubs planted at eight (8) feet on center and plantings staggered. The minimum height of the evergreen shrubs at the time of the planting shall be six (6) feet. In addition, there shall be a minimum two (2) inch caliper tree planted approximately every thirty-five (35) feet on center for the twenty (20) foot buffer adjacent to the residential property. The buffer to be fourteen (14) feet in width adjacent to the school and twenty (20) feet in width adjacent to the existing residential property to the south. The fourteen (14) foot buffer adjacent to the school shall consist of two rows of evergreen shrubs.
6. All exterior lighting shall be directed away from all residential properties.
7. Trash pickups to occur between the hours of 8:00 a.m. to 8:00 p.m.
8. No billboard to be allowed on the existing C-2 property or the R-1 property to be rezoned.
9. One pylon sign for the business onsite shall be limited to no more than twenty-four (24) feet in height.

SECTION 3. 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

First Reading: _____
Second Reading: _____

2015-019
Hometown Folks, LLC
c/o MAP Engineers/
Walter and Sharon Willis
District No. 6
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 13 SOUTH 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 13 South Moore Road, more particularly described herein:

Staff Recommendation:

Lot 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the property described in Deed Book 8268, Page 302, ROHC. Tax Map No. 157J-R-013.

Planning Commission Recommendation: (includes property at 4850 Brainerd Road)

Lots 1, 2, 3 and 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the properties described in Deed Book 8268, Page 302, ROHC and Deed Book 5390, Page 471, ROHC. Tax Map Nos. 157J-R-012 and 013.

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

2015-019 City of Chattanooga
February 9, 2015

RESOLUTION

WHEREAS, Hometown Folks, LLC c/o MAP Engineers/Walter & Sharon Willis 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 13 South Moore Road.

Staff Recommendation:

Lot 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the property described in Deed Book 8268, Page 302, ROHC. Tax Map 157J-R-013 as shown on the attached map.

Planning Commission Recommendation: (includes property at 4850 Brainerd Road)

Lots 1, 2, 3 and 4, Block A, Hamilton Place, Plat Book 9, Page 46, ROHC, being the properties described in Deed Book 8268, Page 302, ROHC and Deed Book 5390, Page 471, ROHC. Tax Map 157J-R-012 and 013 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 9, 2015,

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

AND WHEREAS, no one was present in opposition to the petition,

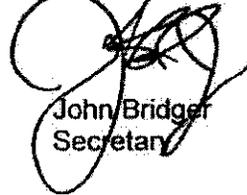
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 9, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to:

1. Site engineer to meet with Chattanooga Transportation Department and verify access points are acceptable to the City of Chattanooga.
2. "No Loitering" sign to be placed on property.
3. No predatory lending institutions, tattoo parlors, car lots, wrecker service, night clubs, adult oriented business, pawn stores and liquor stores.
4. Construct and maintain a 6' high vinyl coated chain-link fence (green) adjacent to the school property and the residential property.

5. Construct landscape buffers adjacent to the school and residential properties shall consist of a double row of evergreen hedges/shrubs plated at 8 feet on center and plantings staggered. The minimum height of the evergreen shrubs at the time of the planting shall be 6 feet. In addition, there shall be a minimum 2" caliper tree planted approximately every 35 feet on center for the 20 foot buffer adjacent to the residential property. The buffer to be 14 feet in width adjacent to the school and 20 feet in width adjacent to the existing residential property to the south. The 14 foot buffer adjacent to the school shall consist of two rows of evergreen shrubs.
6. All exterior lighting shall be directed away from all residential properties.
7. Trash pickups to occur between the hours of 8:00 a.m. to 8:00 p.m.
8. No billboard to be allowed on the existing C2 property or the R1 property to be rezoned.
9. One pylon sign for the business onsite shall be limited to no more than 24 feet in height.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2015-019

PC Meeting Date: 12-19-15

Applicant Request**Rezone from R-1 Residential Zone to C-2 Commercial Zone**

Property Location:	13 South Moore Road
Property Owner:	Walter and Sharon Willis
Applicant:	Hometown Folks LLC C/O MAP Engineers

Project Description

- The applicant is proposing to redevelop the southwest corner of Brainerd Road and South Moore Road with a fast-food restaurant.
- The zoning request is for an adjacent parcel proposed to be added to the project site.
- Access to the completed site is proposed to be from Brainerd Road and South Moore Road.

Site Analysis**Site Description**

- The 7,800 square foot lot has a single-family home on it and is adjacent to the property at the corner of Brainerd Road and South Moore Road.
- Access: Currently, access to the site is from South Moore Road.
- Development form: The site is adjacent to the Brainerd Road suburban commercial corridor.
- Land uses: North- commercial; South- single-family homes; East- commercial; West- Barger Academy of Fine Art.
- Density: Average residential density in the area is approximately 5 dwelling units per acre.

Zoning History

- The site is currently zoned R-1 Residential.
- All zones to the west, south, and east are R-1 Residential. The adjacent property to the north is zoned C-2 Convenience Commercial.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The R-1 Residential Zone only permits single-family homes.
- The site is covered by the North Moore Road/North Terrace Zoning Study created in 2000. The policy notes the following goals: retain neighborhood character of established residential areas; provide for orderly commercial and office uses in appropriate locations; encourage efficient utilization of currently zoned office and commercial properties; maintain an adequate transportation network to serve local and regional needs.

Key Findings

- The proposal is generally supported by the goals and principles of the North Moore Road/North Terrace Zoning Study since it encourages utilization of existing commercial lands along Brainerd Rd and does not substantially extend the commercial zoning into the residential neighborhoods along North Moore Road.
- The proposed use is consistent/compatible with surrounding uses, with the adequate provision of screening/buffering.
- The proposal is consistent with the development form of the area.
- The proposed structure does raise some concerns regarding location, lighting, or noise.
- The proposal would be an extension of an existing zone.

PLANNING COMMISSION CASE REPORT

- Staff generally would not recommend approval of additional commercial zoning along Moore Road; however, this particular property, if zoned commercial would line up with commercial zoning across the street, which would serve as a stopping point for other requests.

Staff Recommendation

Approve, subject to installing an 8 foot high privacy fence 20 feet north of the southern lot line in order to mitigate the impacts to the adjacent residential property. The fence shall be placed along the property line, with the landscaping placed to the interior side of the lot.

Planning Commission Recommendation

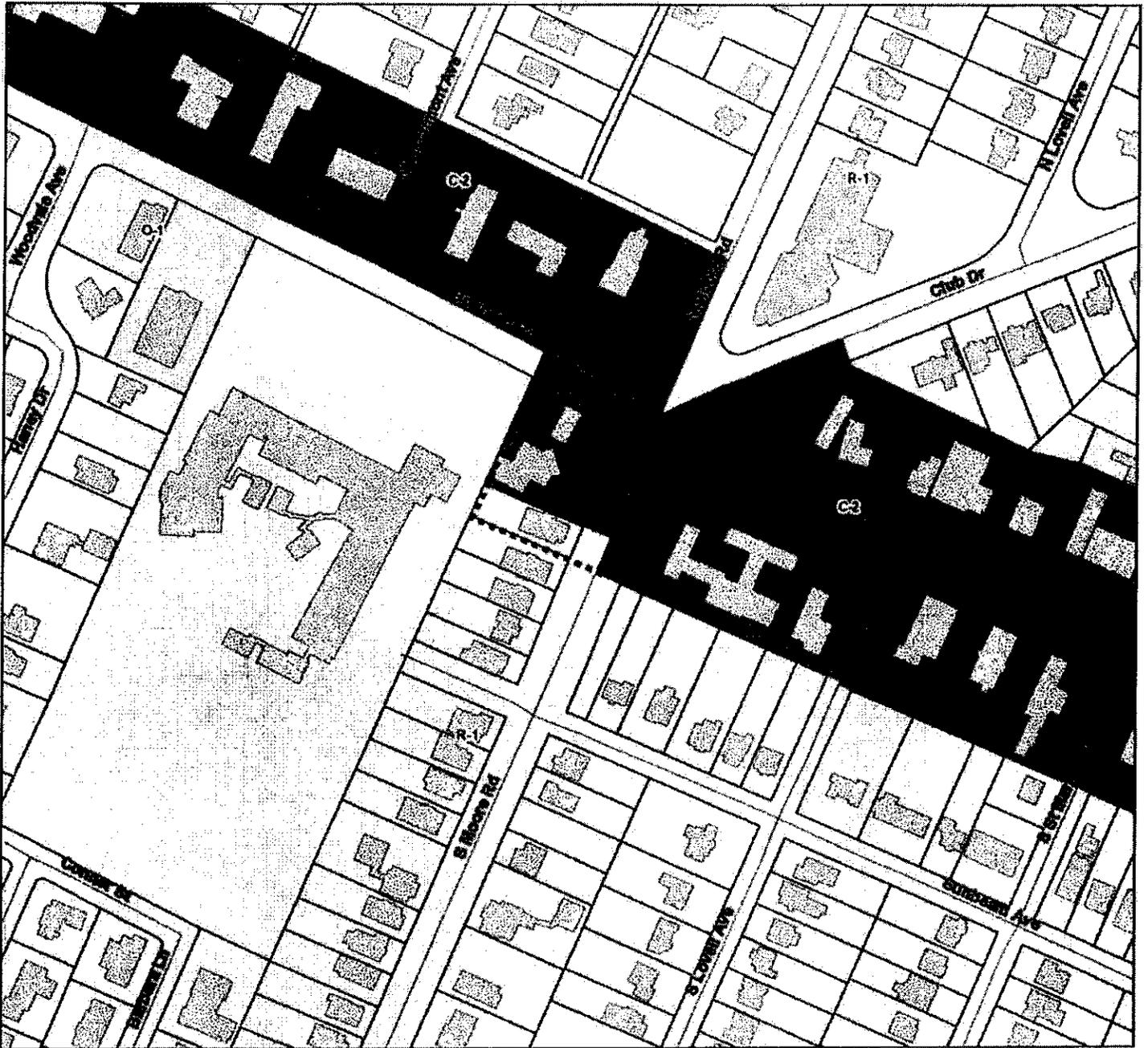
Approve the C-2 Convenience Commercial Zone for 13 South Moore Road (Parcel 157J-R-013) AND 4850 Brainerd Road (Parcel 157J-R-012), subject to the following conditions:

1. Site engineer to meet with Chattanooga Transportation Department and verify access points are acceptable to the City of Chattanooga.
2. "No Loitering" sign to be placed on property.
3. No predatory lending institutions, tattoo parlors, car lots, wrecker service, night clubs, adult oriented business, pawn stores and liquor stores.
4. Construct and maintain a 6' high vinyl coated chain-link fence (green) adjacent to the school property and the residential property.
5. Construct landscape buffers adjacent to the school and residential properties shall consist of a double row of evergreen hedges/shrubs planted at 8ft on center and the plantings staggered. The minimum height of the evergreen shrubs at the time of the planting shall be 6 feet. In addition, there shall be a minimum 2" caliper tree planted approximately every 35 feet on center for the 20 foot buffer adjacent to the residential property. The buffer to be 14 feet in width adjacent to the school and 20 feet in width adjacent to the existing residential property to the south. The 14 foot buffer adjacent to the school shall consist of two rows of evergreen shrubs.
6. All exterior lighting shall be directed away from all residential properties.
7. Trash pickups to occur between the hours of 8:00 a.m. to 8:00 p.m.
8. No billboard to be allowed on the existing C2 property or the R-1 property to be rezoned.
9. One pylon sign for the business onsite shall be limited to no more than 24 feet in height.

The above conditions are the result of the meetings between the applicant and neighborhood residents. There was no opposition present at the Planning Commission meeting.

ZONING APPLICATION FORM

CASE NUMBER:	2015-019		Date Submitted: 12-19-2014	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)				
1 Applicant Request				
Zoning	From: R-1		To: C-2	
Total Acres in request area: 0.18±				
2 Property Information				
Property Address:	13 South Moore Road			
Property Tax Map Number(s):	157J-R-013			
3 Proposed Development				
Reason for Request and/or Proposed Use:	Proposed fast food restaurant			
4 Site Characteristics				
Current Zoning:	R-1			
Current Use:	Residential			
Adjacent Uses:	Residential, Commercial, and School			
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: Hometown Folks LLC C/O Map Engineers		Address: 7380 Applegate Lane		
Check one:	<input checked="" type="checkbox"/> I am the property owner		<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: Tn.	Zip Code: 37421	Email: mapengr@epbfi.com	
Phone 1: 423-855-5554	Phone 2:	Phone 3:	Fax:	
6 Property Owner information (if not applicant)				
Name: Walter and Sharon Willis		Phone:		
Address: 2631 Churchill Downs Circle, Chattanooga, Tn. 37421				
Office Use Only:				
Planning District: 9		Neighborhood: CNAC, Brainerd Unity Group, Belvoir Neighborhood Association, and South Brainerd Neighborhood		
Hamilton Co. Comm. District: 8		Chart. 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: 0.18±	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable	
Deed Book(s): 8268-302				
Plat Book/Page: 9-46		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2	
<input checked="" type="checkbox"/> Filing Fee: \$635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 10421	
Planning Commission meeting date: 2-9-2015		Application processed by: Trevor Slayton		



2015-019 Rezoning R-1 and C-2 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE 2015-019: Approve, subject to the list of conditions in the Planning Commission Resolution.

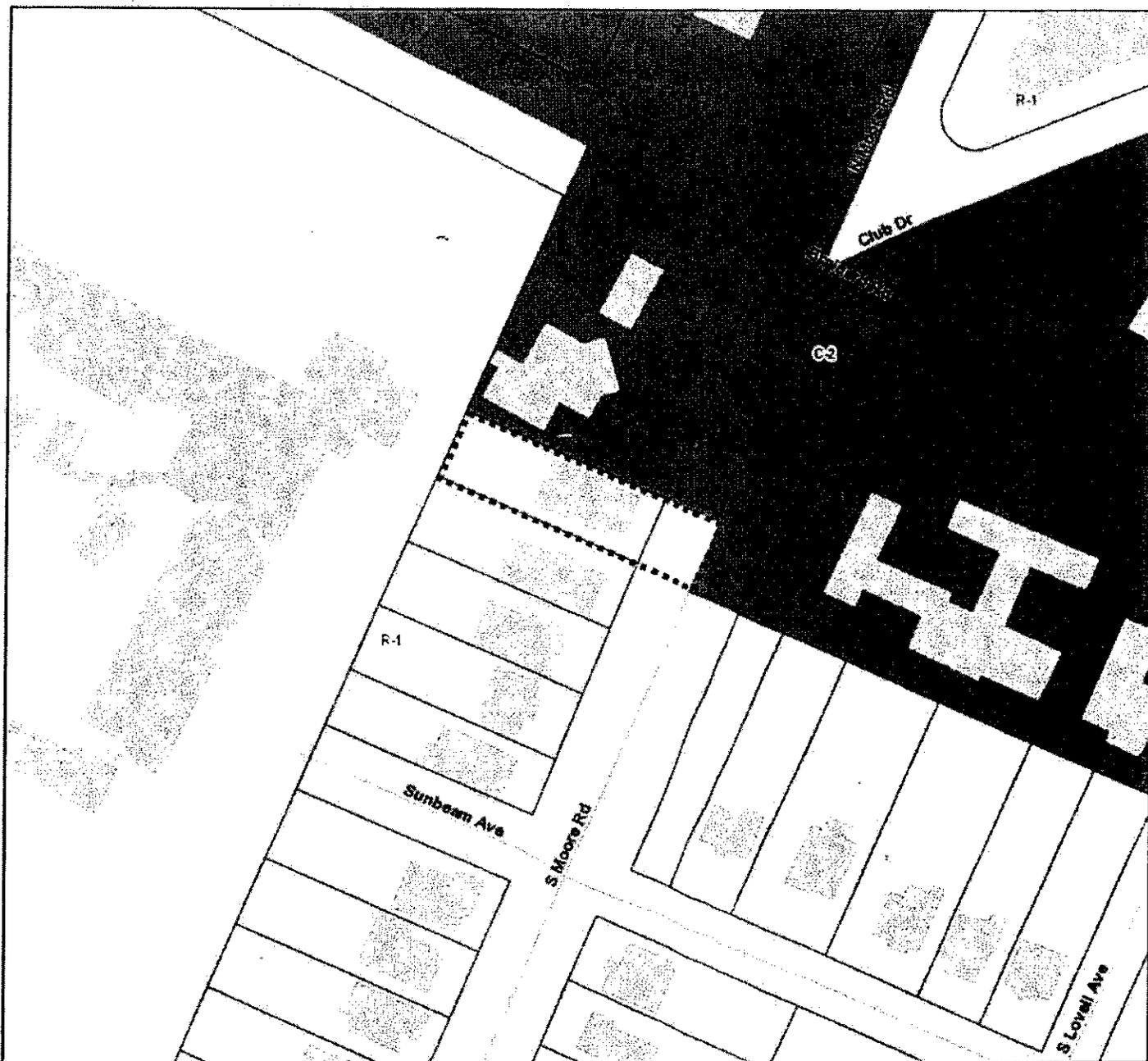


200 ft



Chattanooga Hamilton County Regional Planning Agency





2015-019 Rezoning from R-1 to C-2



100 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:

2015-016 Wesley Johnson, Jr./Dawghouse Holdings, LLC. 2847 Calhoun Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone.

2015-018 University Housing Group/Westview Drive, LP. 1428 Riverside Drive, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-019 Hometown Folks, LLC c/o MAP Engineers/Walter & Sharon Willis. 13 South Moore Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2015-020 Thomas Palmer/Dan Rose. 1472 and 1474 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-022 Mike Doucoumes. 1428 Crawford Street, from R-1 Residential Zone to R-4 Special Zone.

2015-026 John Parrish/Carlson Consulting Engineers/Suntrust Bank, Alvin Cannon, William Voiles, Cornerstone Auto Broker, LLC. 8607, 8613, and 8619 North Hickory Valley Road and 5317, 5321, 5323, 5325, 5327, 5329, and 5331 Highway 58, from R-3 Residential Zone and C-2 Convenience Commercial Zone to C-2 Convenience Commercial 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) Deleting Article IV, Section 38-23 in its entirety and substituting in lieu thereof.

- (b) Deleting Article VI, Sections 38-502 through 38-512 in their entirety and substituting in lieu thereof.
- (c) Replacing in Article VIII, Section 38-568(23), the “38-507” reference in the second paragraph with “38-502(8).”
- (d) Deleting Article IV, Section 38-32 in its entirety and substituting in lieu thereof.
- (e) Adding a new item (6) to Article V, Section 38-104.

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 10, 2015

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 _____, 2015.

Nicole Gwyn
Clerk to the City Council