



Hamilton County Board of Commissioners RESOLUTION

No. 817-17

(P.C. NO. 2017-092)

A RESOLUTION AMENDING EXISTING CONDITION TO "CONVENIENCE STORE SERVICE STATION, OIL CHANGE FACILITY, OR COMMERCIAL COMMUNICATION TOWER ONLY, AND PROVISION OF LANDSCAPING ALONG RIGHT-OF-WAY" TO RESOLUTION NO. 895-19C OF PREVIOUS CASE 1995-190 ON PROPERTY LOCATED AT 1870 HEISS MOUNTAIN ROAD

WHEREAS, Vogue Tower Partners petitioned the Chattanooga-Hamilton County Regional Planning Commission to amend existing condition to "convenience store service station, oil change facility, or commercial communication tower only, and provision of landscaping along right-of-way" to Resolution No. 895-19C of previous case 1995-190 on property located at 1870 Heiss Mountain Road, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, Vogue Tower Partners requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on August 16, 2017, concerning the passage of this Resolution as required by law, and such hearing having been held.

NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED: That the zoning regulations of Hamilton County be amended by amending existing condition to "convenience store service station, oil change facility, or commercial communication tower only, and provision of landscaping along right-of-way" to Resolution No. 895-19C of previous case 1995-190 on property located at 1870 Heiss Mountain Road. An unplatted tract of land located at 1870 Heiss Mountain Road at its intersection with Jones Gap Road. Said unplatted tract of land is described in Deed Book 10127, Page 280, ROHC. Tax Map 025, Parcel 23.02.

BE IT FURTHER RESOLVED, THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved:

Rejected:

County Clerk

Approved:

Vetoed:

County Mayor

August 16, 2017

Date

2017-092 Hamilton County
July 10, 2017

RESOLUTION

WHEREAS, Vogue Tower Partners petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission amending existing condition to "convenience store service station, oil change facility, or commercial communication tower only, and provision of landscaping along right-of-way to Resolution No. 895-19C of previous case 1995-190 on property located at 1870 Heiss Mountain Road.

An unplatted tract of land located at 1870 Heiss Mountain Road at its intersection with Jones Gap Road. Said unplatted tract of land is described in Deed Book 10127, Page 280, ROHC. Tax Map 025, Parcel 23.02.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 10, 2017,

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


AND WHEREAS, there was opposition present 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,

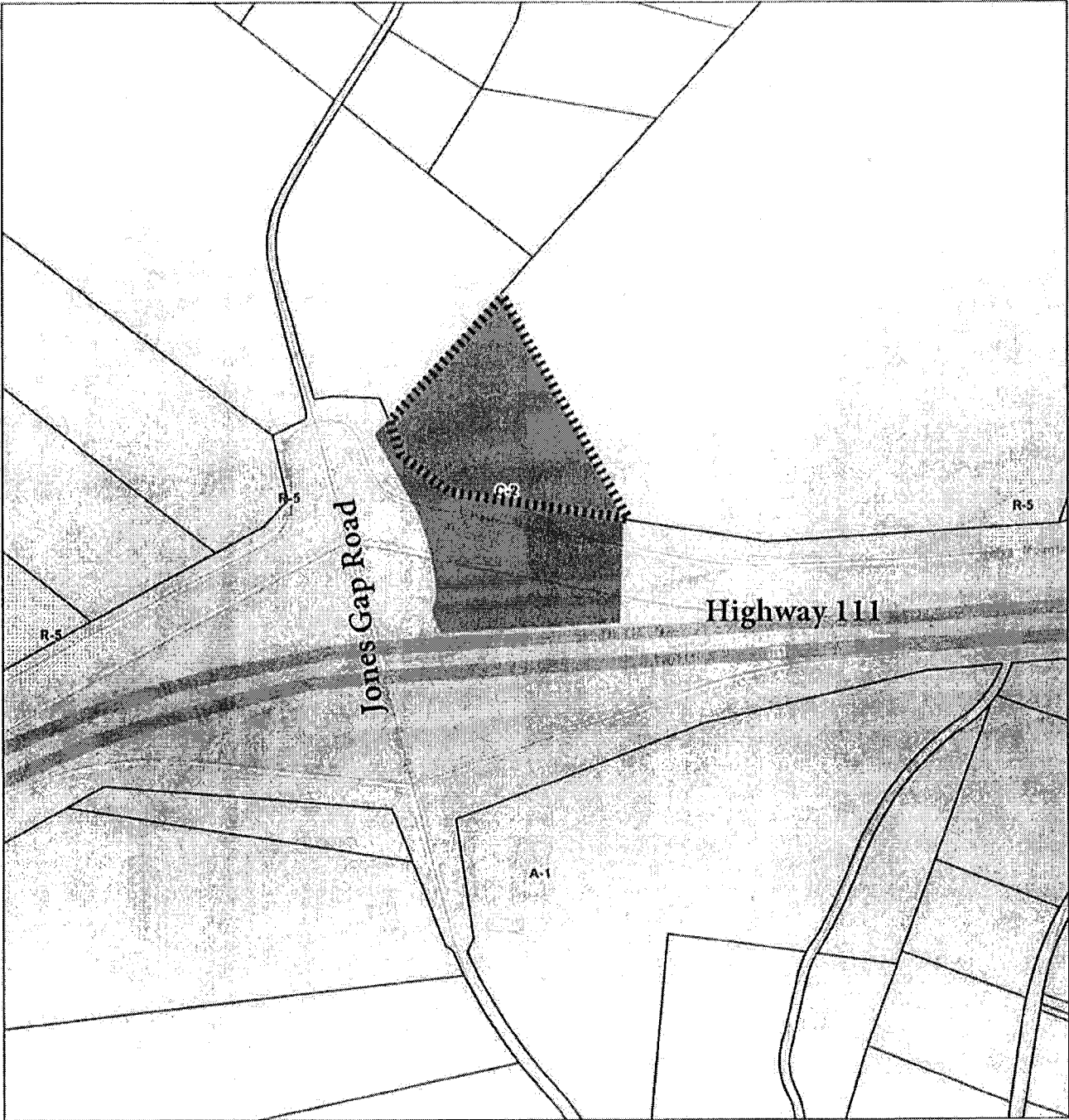
AND WHEREAS, the Planning Commission has determined that the proposal is compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on July 10, 2017, recommended to the County Mayor and Members of the County Commission that this petition be approved.

Respectfully submitted,


for
John Bridger
Secretary

2017-0092 Lift Conditions



1:4,514

PLANNING COMMISSION ACTION FOR CASE NO. 2017-092: Approve.



PLANNING COMMISSION CASE REPORT

Case Number: 2017-0092

PC Meeting Date: 07-10-17

Applicant Request

Amend Condition #1 of Resolution #895-19C

Property Location: 1870 Heiss Mountain Road

Property Owner: Jay Shakiti, Inc.

Applicant: Vogue Tower Partners

Project Description

- Proposal: Amend the existing condition to add commercial communication tower to allowed uses.
- Proposed Access: Entrance on Heiss Mountain Road.
- Proposed Development Form: To place a 195' monopole tower with a 4' lightning arrester within a 60' x 60' fenced compound on a 100' x 100' leased area. This tower will have provisions on the tower for multiple carriers.

Site Analysis

Site Description

- Location: The site is located on the eastern corner of the Heiss Mountain Road and Jones Gap Road intersection.
- Potential Access: Access from Heiss Mountain Road.
- Current Land Uses: The site currently has a convenience store with gas sales. To the south is Tennessee State Route 111. Surrounding lots to the west, north, and east have agricultural uses.

Zoning History

- The site is currently zoned C-2 Local Business Commercial District.
- The site was rezoned to C-2 Local Business Commercial District in 1995 (Resolution #895-19C) with a condition, "to convenience store service station or oil change facility only; and provision of landscaping along right-of-way."
- The properties which surround the site are zoned A-1 Agricultural District.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The Development Policy from the Comprehensive Plan 2030 update (Called the Renewing Our Vision and adopted by Planning Commission in 2016) identifies this site as being in intensity levels 1 and 2. Level 1 has the least potential for development, or future public services and facilities. However, they have high potential for protecting large natural areas through parks, greenways, working farms and conservation easements. Level 2 describes the development potential appropriate for low-intensity development based on the limited infrastructure.

Key Findings

- This case is in conjunction with case 2017-0085 requesting to allow a special permit for a Commercial Communication Tower.
- The proposal is supported by the recommendations of the Comprehensive Plan for the area which recommends a development intensity Level 1 and 2. Level 1 and 2 areas are encouraged to have limited development based on the rural nature of the area, limited road and infrastructure services, and preserve important environmental features.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the development form of the area.

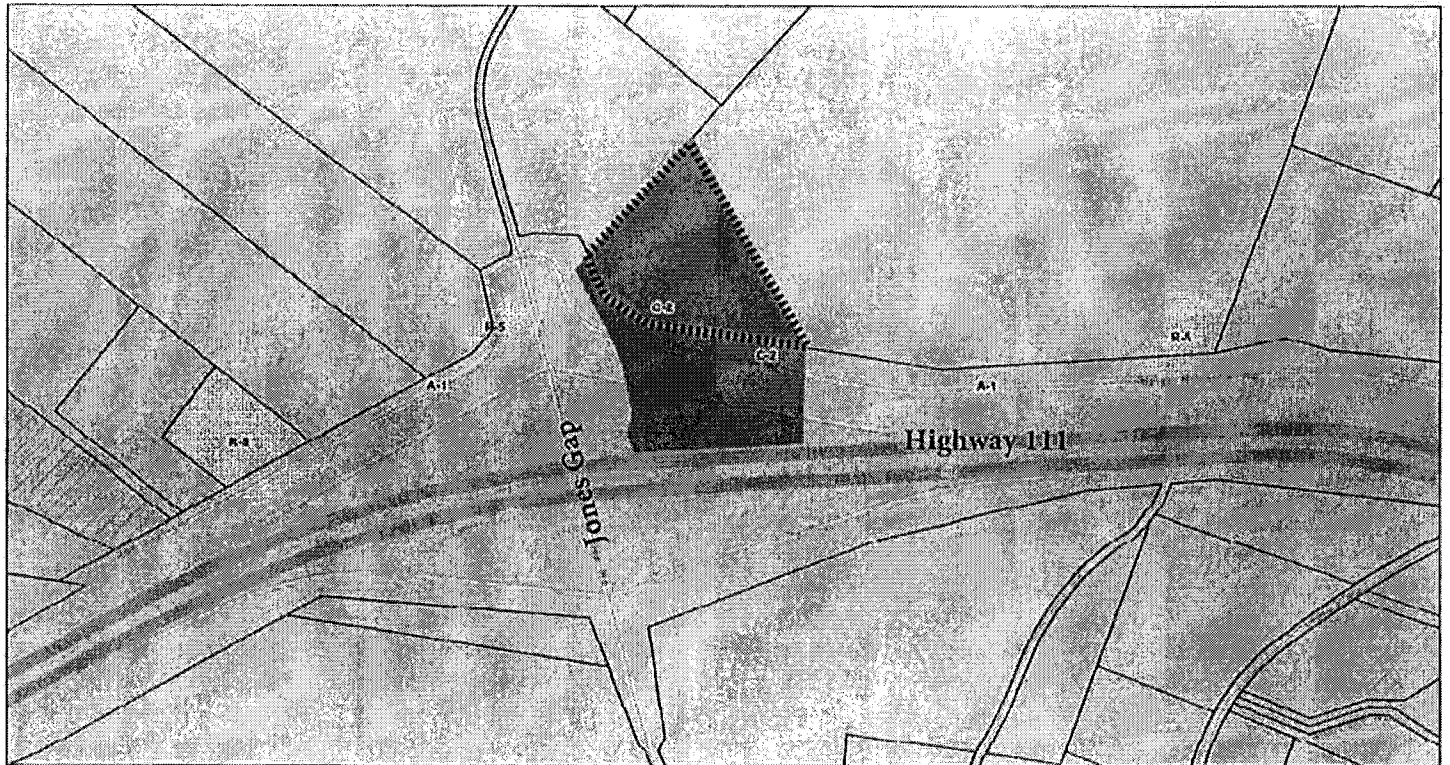
Other Departmental Comments

- Hamilton County Building and Zoning Department has stated there is no variance process to grant a cell tower's fall area to extend beyond the property lines of the site.

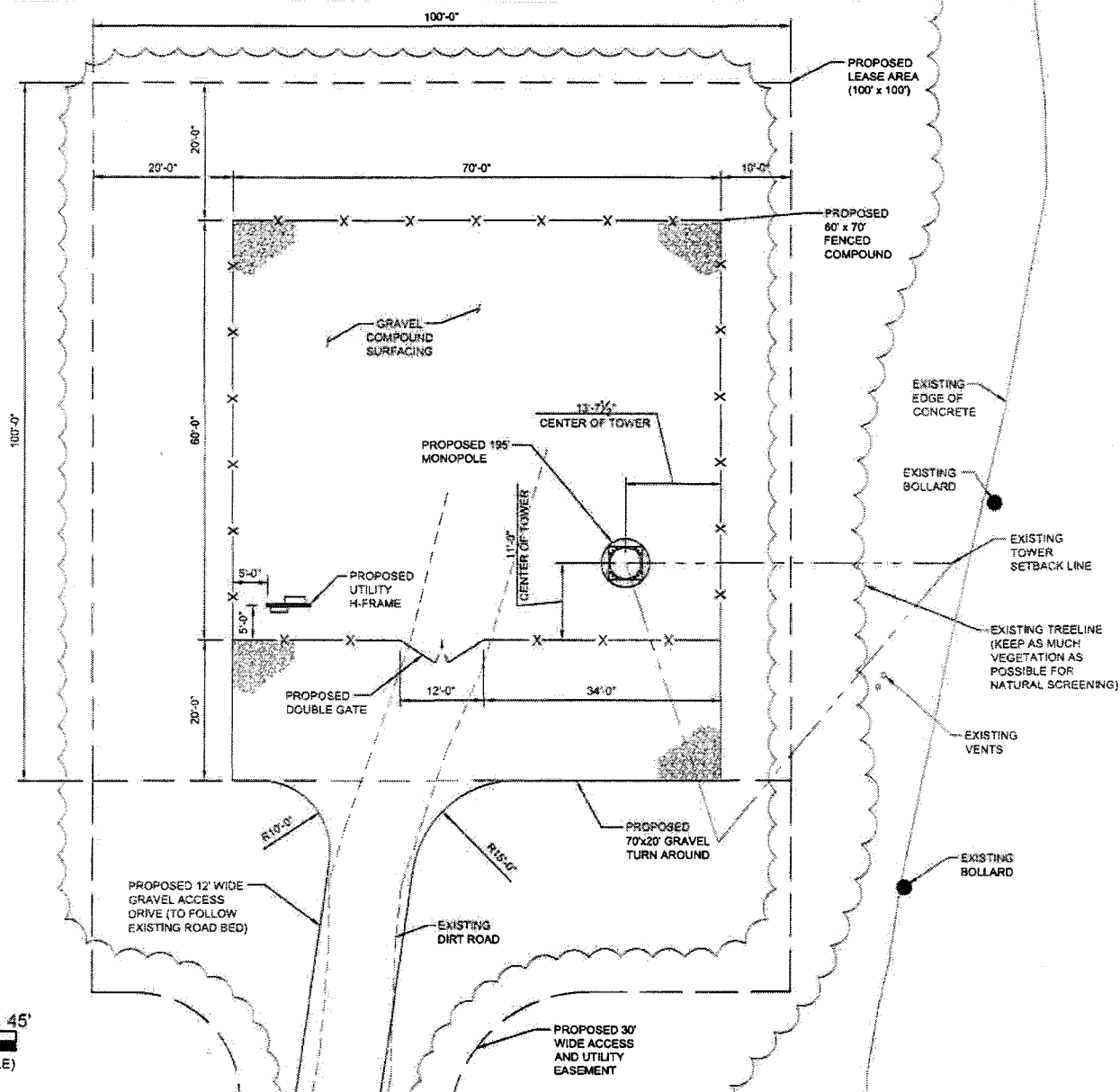
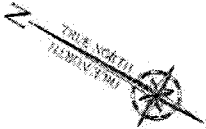
Staff Recommendation

Approve

2017-0092 Lift Conditions



1:4 514



430 CHESTNUT STREET,
SUITE 100-18
CHATTANOOGA, TN 37402



REV	DATE	RECORD OF ISSUE	BY
1	01/18/17	PRELIMINARY ISSUE	JAE
2	02/27/17	FINAL ISSUE	DWS
3	03/16/17	ZONING ISSUE	DWS

SITE NAME:
JONES GAP ROAD

SITE NUMBER:
TN-019

SITE ADDRESS:
12840 JONES GAP RD
SODDY DAISY, TN 37379

COMPOUND LAYOUT

DRAWN BY: JAE

CHECKED BY: DWS

PROJECT MANAGER: DWS

SHEET NUMBER: C-2