

**PLANNING COMMISSION CASE REPORT****Case Number: 2016-043****PC Meeting Date: 03-14-16****Applicant Request****Rezone From R-2 Residential Zone to C-2 Convenience Commercial Zone**

<b>Property Location:</b>	All of 5933 Hixson Pike & a portion of 6001 Hixson Pike
<b>Property Owner:</b>	Estate of George Rogers c/o David Kesler & Valleybrook Church Inc.
<b>Applicant:</b>	BCS Land Company, LLC

**Project Description**

- Proposal: Develop 6.7-acre site with convenience store with fuel station.
- Proposed Access: Main entrance on Hixson Pike.
- Proposed Development Form: 1-story building behind fuel pumps and parking.

**Site Analysis****Site Description**

- Location: The site is located on the north side of Hixson Pike at the corner of Hixson Pike and Cassandra Smith Road.
- Current Access: From Hixson Pike
- Tennessee Department of Transportation Functional Classification: Hixson Pike is designated an Urban Principal Arterial.
- Current Development form: The site has several small buildings fronting along Hixson Pike, but the majority of the site is undeveloped. To the west and north are small-lot single family detached residential subdivisions. Property to the east is a one story building with a parking field fronting Hixson Pike. The properties to the south are small outparcels with a 50,000 square foot grocer anchoring in the rear.
- Current Land Uses: To the west and north are single-family residential uses. To the east is a religious use. To the south are commercial uses including a large grocery store.

**Zoning History**

- The site is currently zoned R-2 Residential Zone.
- The properties to the west and north are zoned R-1 Residential Zone. The property to the east is zoned R-2 Residential Zone. The properties to the south are zoned C-2 Convenience Commercial Zone and R-4 Special Zone.
- The nearest C-2 Convenience Commercial Zone (same as the request) is directly across Hixson Pike from the site.

**Plans/Policies/Regulations**

- The Hixson North River Community Plan (adopted in 2004) recommends medium density residential.
- 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 proposed commercial use is not supported by the recommendations of the Hixson North River Community Plan.
- The large commercial site south of the site, anchored by a Publix Grocer, was rezoned after the creation of the 2004 Hixson North River Community Plan.
- The proposed use could be compatible with surrounding uses depending on the area and size of zoned portion of the lot.
- The proposal is not consistent with the development form of the residential subdivision adjacent to the site.

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- The proposal is consistent with the development form of the commercial area across Hixson Pike from the site.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests by allowing commercial uses on this portion of the north side of Hixson Pike.

### Staff Recommendation

Approve a portion of parcel 100E-A-024 and a portion of parcel 100E-B-001 as described below, subject to the following conditions:

Description of the portion of parcel 100E-B-001 recommended for rezoning above:

*Beginning at the southeast corner of parcel 100E-B-001 on the north side of the Hixson Pike right-of-way, then northward 290 feet, then westward 270 feet and parallel to the Hixson Pike right-of-way, then southward approximately 294 feet and parallel to the eastern property line to a point at the Hixson Pike right-of-way, then eastward to the point of beginning.*

Conditions:

1. Dumpsters not to be located within 50' of western property line of parcel 100E-A-024
2. Subject to convenience store with fuel sales only.
3. Exterior spot lighting or other illumination on non-residential uses or structures shall be directed away from any residential zones or uses.