

RESOLUTION NO. 32281

A RESOLUTION APPROVING A NEW SPECIAL  
EXCEPTIONS PERMIT FOR AN EXISTING LIQUOR STORE  
LOCATED AT 5940 HWY. 58.

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WHEREAS, Nana LLC d/b/a Harrison Wine and Spirits have applied to operate a liquor store as a lessee of property located at 5940 Hwy. 58, Suite 1, Chattanooga, Tennessee, owned by LAKOD G.P.

WHEREAS, the property located at 5940 Hwy. 58, Suite 1, is zoned C-2 Convenience Commercial Zone which allows the operation of a liquor store upon issuance of a Special Exceptions Permit, as more particularly described in the attached report by the Chattanooga-Hamilton County Regional Planning Agency.

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Nana LLC d/b/a 423 Liquor & Wine Harrison Wine and Spirits on property located at 5940 Hwy. 58, Tax Map No. 112N-C-001.03.

ADOPTED: October 22, 2024.

KCM/mem

**Chattanooga-Hamilton County Regional Planning Agency**  
**Proposed Liquor Store Site Review: 5940 Hwy 58 (Tax Map 112N-C-001.03) –**  
**8/19/2024**

Based on Chapter V, Sec. 5-109(b) of Chattanooga City Code:

- (b) The planning staff of the Chattanooga-Hamilton County Regional Planning Commission shall conduct an analysis of the proposed liquor store site which will include, but shall not be limited to, the following:
- (1) A land use survey of the surrounding development;
  - (2) Off-street parking and loading facilities;
  - (3) Proposed points of access and ease of ingress and egress;
  - (4) The lot, yard and open space requirements; and
  - (5) Whether a traffic hazard will be created.

Based on Chapter V, Sec. 5-109(c) of the Chattanooga City Code:

- (c) The Executive Director shall submit the findings of the staff of the Chattanooga-Hamilton County Regional Planning Commission to the City Council for consideration and action. This report is to include, but is not limited to, the following areas of concern:
- (1) The probable effect on the property adjacent to the site under consideration.
  - (2) The consistency of the proposal with the intent and purpose of this article to promote the public health, safety, morals and general welfare.
  - (3) Additional requirements which are needed in order to make the development more compatible with the surrounding land use.

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The following are the RPA's key findings for this site:

1. The proposed site for the liquor store is located at 5940 Hwy 58. The building is a multi-tenant commercial building.



The proposed site is pictured below:



2. The probable effect on the property adjacent to the site under consideration.

▪ RPA response:

- a. The applicant is leasing the building located at 3973 Hixson Pike. Adjacent land uses include the following:
  - North: Commercial & Vacant Land
  - South: Single-Unit Residential
  - East: Single-Unit Residential & Vacant Land
  - West: Commercial & Multi-Unit Residential
- b. Off-street parking and loading facilities: The site has an existing parking lot with approximately 22 parking spaces.
- c. Points of access and ingress/egress: The site has a parking lot with a curb cut off Deetwood Drive and Hwy 58 for ingress/egress.
- d. The lot, yard and open space requirements: There is no minimum lot size for commercial uses in the C-2 Convenience Commercial Zone.

- e. Whether a traffic hazard will be created: The site is an existing commercial building with curb cuts on Hixson Pike.
- f. Based on Sec. 5-108 Location and signs for liquor stores, distance requirements for parks, places of worship, schools, day care centers and other liquor stores apply to properties zoned C-2 Convenience Commercial:

Sec. 5-108. - Location and signs for liquor stores.

- a) **No lot proposed for a liquor store site may be located within five hundred (500) feet from the nearest property line of a site which is used for the purpose of a recreational park (ornamental parks are not to be considered in this requirement), place of worship, school (an academic learning center whether public or private, from the level of nursery through twelfth grade), day care center or other liquor store.** Measurement shall be made from the nearest property line of the applicant's premises to the nearest property line of the above-mentioned uses. Measurements for leased premises shall be measured from the property line of the applicant to the nearest property line of the above mentioned uses measured on a straight line basis. For purposes of this subsection, the applicants' property line on leased premises shall be construed to be the nearest point of a leasehold line.
- b) The distance prohibition set forth in Subsection (a) shall not apply to a retail license or permit for the sale of wine and/or high alcohol content beer as defined by T.C.A. § 57-3-101 within the area zoned C-3 Central Business Zone or within the area zoned pursuant to the Downtown Form-Based Code (City Code Chapter 38, Article XVI).

- o The proposed liquor store is located in an existing building with a liquor store, and the property is zoned C-2 Convenience Commercial Zone with conditions; therefore, the distance prohibition applies. **An RPA field review indicates the site meets the distance requirements.**

3. The consistency of the proposal with the intent and purpose of this article to promote public health, safety, morals and general welfare.

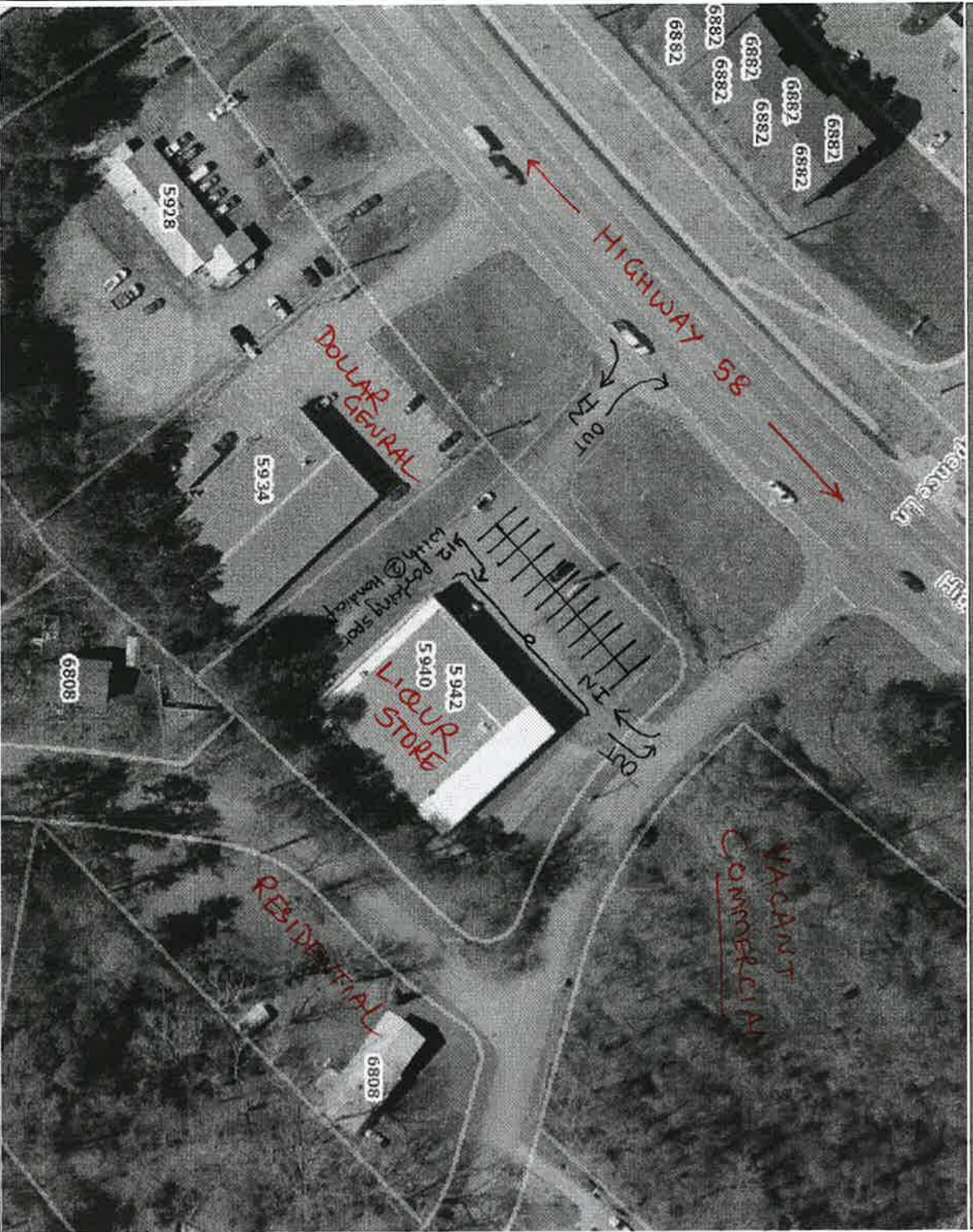
▪ RPA response:

- a. The site is zoned C-2 Convenience Commercial Zone with no conditions.
- b. Liquor stores are listed as a use permitted as Special Exceptions by the City Council.



4. There are no additional requirements that are recommended to make the development more compatible with the surrounding land use.

# GISMO 5



0 100.00 200.0Feet

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### Legend

- Address Labels
- Parcels