

11/13/12

2012-129
John Wise
District No. 8
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1810 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS 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 1810 Chestnut Street, more particularly described herein:

Lot 1, Final Plan of Lot 1, Louisville & Nashville Railroad Subdivision, Plat Book 35, Page 292, ROHC, Deed Book 9652, Page 792, ROHC. Tax Map 146K-G-005.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following:

For all new construction and renovations:

- 1) Review:
 - a) Applicants are encouraged to schedule a pre-submittal meeting with the City's Land Development Office prior to the completion of construction drawings;

- b) To promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures, all site plans, landscaping, and building elevations shall be reviewed by the Planning and Design Studio. Some of the requirements below may be adjusted during this staff review based on the limitations of the specific site, as long as the general intent of the conditions is being met; and
 - c) Historically or architecturally significant structures should be preserved.
- 2) Setbacks and street frontage (for commercial buildings):
- a) For new commercial buildings a zero building setback is required along the street frontage;
 - b) To accommodate outdoor pedestrian activities such as a park, plaza, or outdoor dining, a greater setback may be permitted if an edge delineating the public and private space is provided; and
 - c) This edge shall have a minimum height of three feet and a maximum height of four feet above grade and shall consist of a) brick, stucco, or stone walls (concrete block can only be used when faced with said materials), or b) decorative metal fences, or c) an evergreen hedge, with a minimum height at maturity of three to four feet. When fences are used, evergreen hedges must also be included to provide a near opaque screen. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- 3) Building facades and access:
- a) The primary pedestrian entrance shall be provided from the primary street;
 - b) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new commercial buildings;
 - c) No security-type roll up metal doors shall be permitted to front streets other than interior block alleys; and
 - d) The minimum height of new commercial buildings shall be 18 feet. Maximum building height is 50 feet.

- 4) Placement of equipment:
 - a) All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.
- 5) Access and Parking:
 - a) Parking shall be located to the rear of the building;
 - b) For corner lots, or for cases where physical constraints such as topography do not allow for rear parking, any parking fronting a public street shall be screened along the public right-of-way as described under "Setbacks and Street Frontage" above;
 - c) Alleys, where they exist, shall be used for vehicular access. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie and M. L. King Boulevard; and
 - d) There are no minimum requirements for the amount of off-street spaces, but the amount and location of parking to be provided must be presented by the applicant and should include the following considerations:
 - 1. Proximity to transit stops
 - 2. Provision of bicycle facilities
 - 3. Availability of adjacent on-street parking, nearby public parking facilities, shared private parking, or leased off-site parking
 - 4. Type of uses and hours of operation
 - 5. Square footage of commercial uses or number of residential units
- 6) Landscaping:
 - a) To achieve the city's goal of a 15% tree canopy cover in the downtown, surface parking lots shall be landscaped with a minimum of one tree for every five parking spaces. Type I shade trees shall be used unless overhead utility lines necessitate smaller trees.

For Residential buildings:

- 7) Uses Not Permitted:
 - a) Factory manufactured mobile homes constructed as a single self-contained unit and mounted on a single chassis are not permitted in the C-3 Zone.
- 8) Access and Parking:

- a) Garages shall be located behind the primary building;
 - b) Alleys, where they exist, shall be used for vehicular access. In the absence of alleys, secondary streets should be used for vehicular access. Shared drives should be used wherever possible;
 - c) Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M. L. King Boulevard; and
 - d) At least one (1) pedestrian entrance shall front the street;
- 9) Setbacks:
- a) Residential building setbacks should be consistent with the existing setbacks on the same side of the street.

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

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

MAYOR

/meb

11/13/12

2012-129
John Wise
District No. 8
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1810 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS 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 1810 Chestnut Street, more particularly described herein:

Lot 1, Final Plan of Lot 1, Louisville & Nashville Railroad Subdivision, Plat Book 35, Page 292, ROHC, Deed Book 9652, Page 792, ROHC. Tax Map 146K-G-005.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business 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

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/meb

MAYOR

2012-129 City of Chattanooga
October 8, 2012

RESOLUTION

WHEREAS, John Wise 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 M-1 Manufacturing Zone to C-3 Central Business Zone, property located at 1810 Chestnut Street.

Lot 1, Final Plan of Lot 1, Louisville & Nashville Railroad Subdivision, Plat Book 35, Page 292, ROHC, Deed Book 9652, Page 792, ROHC. Tax Map 146K-G-005 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 8, 2012,

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 October 8, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to:

For all new construction and renovations:

1) Review:

- Applicants are encouraged to schedule a pre-submittal meeting with the City's Land Development Office prior to the completion of construction drawings.
- To promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures, all site plans, landscaping, and building elevations shall be reviewed by the Planning and Design Studio. Some of the requirements below may be adjusted during this staff review based on the limitations of the specific site, as long as the general intent of the conditions is being met.

- Historically or architecturally significant structures should be preserved.

2) Setbacks and street frontage (for commercial buildings):

- For new commercial buildings a zero building setback is required along the street frontage.
- To accommodate outdoor pedestrian activities such as a park, plaza, or outdoor dining, a greater setback may be permitted if an edge delineating the public and private space is provided.
- This edge shall have a minimum height of three feet and a maximum height of four feet above grade and shall consist of a) brick, stucco, or stone walls (concrete block can only be used when faced with said materials), or b) decorative metal fences, or c) an evergreen hedge, with a minimum height at maturity of 3 to 4 feet. When fences are used, evergreen hedges must also be included to provide a near opaque screen. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

3) Building facades and access:

- The primary pedestrian entrance shall be provided from the primary street.
- Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new commercial buildings.
- No security-type roll up metal doors shall be permitted to front streets other than interior block alleys.
- The minimum height of new commercial buildings shall be 18 feet. Maximum building height is 50 feet.

4) Placement of equipment:

- All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

5) Access and Parking:

- Parking shall be located to the rear of the building.
- For corner lots, or for cases where physical constraints such as topography do not allow for rear parking, any parking fronting a public street shall be screened along the public right-of-way as described under "Setbacks and Street Frontage" above.

- Alleys, where they exist, shall be used for vehicular access. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie and M. L. King Boulevard.
- There are no minimum requirements for the amount of off-street spaces, but the amount and location of parking to be provided must be presented by the applicant and should include the following considerations:
 - a. Proximity to transit stops
 - b. Provision of bicycle facilities
 - c. Availability of adjacent on-street parking, nearby public parking facilities, shared private parking, or leased off-site parking
 - d. Type of uses and hours of operation
 - e. Square footage of commercial uses or number of residential units

6) Landscaping:

- To achieve the city's goal of a 15% tree canopy cover in the downtown, surface parking lots shall be landscaped with a minimum of one tree for every five parking spaces. Type I shade trees shall be used unless overhead utility lines necessitate smaller trees.

For Residential buildings:

7) Uses Not Permitted:

- Factory manufactured mobile homes constructed as a single self-contained unit and mounted on a single chassis are not permitted in the C-3 Zone.

8) Access and Parking:

- Garages shall be located behind the primary building.
- Alleys, where they exist, shall be used for vehicular access. In the absence of alleys, secondary streets should be used for vehicular access. Shared drives should be used wherever possible.
- Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M. L. King Boulevard.
- At least one (1) pedestrian entrance shall front the street;

9) Setbacks:

- Residential building setbacks should be consistent with the existing setbacks on the same side of the street.

Respectfully submitted,



John Bridger
Secretary

Zoning Request Form

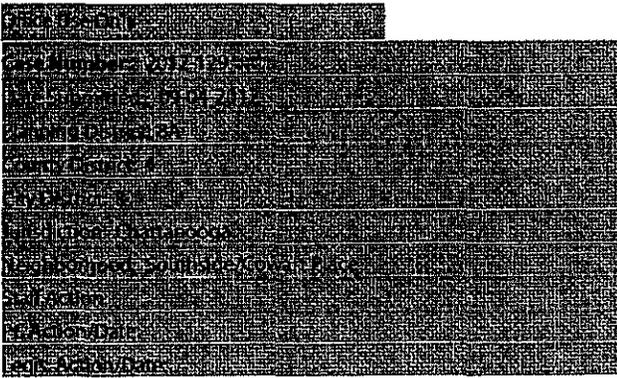


Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street
 Suite 2000
 Development Resource Center
 Chattanooga, Tennessee
 37402
 Phone: 423-668-2287
 Fax: 423-668-2289
 www.chcrpa.org



From: M-1 Manufacturing Zone	To: C-3 Central Business Zone
Proposed Development or Use: Apartments, Brewery, Restaurant	

Address: (Street Number & Street Name) 1810 Chestnut Street	Tax Map No: 145K-G-005
Current Use: Vacant existing building	Plat Book/Page No. 35-292
	Adjacent Uses: Manufacturing, Stadium

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

- Property Owner
 Architect
 Engineer
 Optionee
 Purchaser of Property
 Trustee
 Other:

Name	John Wise
Address:	1610 Carroll Lane
City	Chattanooga
State:	TN
Zip Code:	37405
Daytime Phone:	423-593-1040
Cell Phone:	Same
Other Phone:	
Email:	jwise@wiselivingonline.com
Fax:	423-634-1909

Name:	Same
Address:	
Phone:	

Case Number:	2012-129
Applicant Request:	C-3 Central Business Zone
Applicant:	John Wise
Property Address:	1810 Chestnut Street
Jurisdiction:	Chattanooga District 8/Hamilton County District 4
Neighborhood:	Southside

Proposed Development

Site Plan Submitted:	Yes
Proposed Use:	Apartments, Brewery, Restaurant

**Planning Commission Recommendation:
Approve Staff Recommendation**

Site Characteristics

Current Zoning:	M-1 Manufacturing Zone
Current Use:	Vacant Existing Building
Adjacent Uses:	Manufacturing and Stadium
Size of Tract:	2.2 Acres plus or minus

STAFF RECOMMENDATION: Approve C-3, with conditions as stated below

Analysis

Extension of Existing Zoning?	Yes
Community Land Use Plan:	Downtown Plan (2004)
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

Comments

Planning Staff:

Applicant Request Overview

The applicant proposes to renovate the front half of the existing building for a brewery and restaurant. The back half will be renovated for apartments. In addition, two new apartment buildings will be constructed on the site for a total of 40 units. Fifty-one surface parking spaces will be provided on site. New internal streets will provide access to Chestnut Street. If other parties are successful in negotiations with the railroad, additional access may be provided across the railroad right-of-way to Broad Street.

Site Description

The approximately 2.2-acre site is located directly across Chestnut Street from Max Finley Stadium. The existing vacant masonry building (approximately 30,000 square feet) will remain and be reused as described above. Other existing metal buildings will most likely be removed.

An inactive railroad right-of-way borders the eastern and northern edges of this site.

Applicable Plans/Policies

The Downtown Plan recommends mixed use development on this site and neighboring properties.

An "environmental corridor," that will serve as a public park, is also recommended between the stadium and the Chattanooga along the railroad right-of-way. This green corridor could eventually connect with the UTC Greenway and the Tennessee Riverpark via railroad rights-of-way. Conceptual designs have been developed for this green corridor.

Staff Recommendation

The proposed redevelopment of this site complements the stadium, supports the vision for the Southside as described in the Downtown Plan, and brings new activity to an underutilized portion of the Downtown.

The Staff recommends approval of C-3 Zoning with the following conditions:

For all new construction and renovations:

1) Review:

- Applicants are encouraged to schedule a pre-submittal meeting with the City's Land Development Office prior to the completion of construction drawings.
- To promote compliance with the Downtown Plan, to help ensure that new development complements the existing urban fabric, and to promote the preservation of historically or architecturally significant structures, all site plans, landscaping, and building elevations shall be reviewed by the Regional Planning Agency's Community Design Group. Some of the requirements below may be adjusted during this staff review based on the limitations of the specific site, as long as the general intent of the conditions is being met.
- Historically or architecturally significant structures should be preserved.

2) Setbacks and street frontage (for commercial buildings):

- For new commercial buildings a zero building setback is required along the street frontage.
- To accommodate outdoor pedestrian activities such as a park, plaza, or outdoor dining, a greater setback may be permitted if an edge delineating the public and private space is provided.
- This edge shall have a minimum height of three feet and a maximum height of four feet above grade and shall consist of a) brick, stucco, or stone walls (concrete block can only be used when faced with said materials), or b) decorative metal fences, or c) an evergreen hedge, with a minimum height at maturity of 3 to 4 feet. When fences are used,

evergreen hedges must also be included to provide a near opaque screen. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

3) Building facades and access:

- The primary pedestrian entrance shall be provided from the primary street.
- Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new commercial buildings.
- No security-type roll up metal doors shall be permitted to front streets other than interior block alleys.
- The minimum height of new commercial buildings shall be 18 feet. Maximum building height is 50 feet.

4) Placement of equipment:

- All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

5) Access and Parking:

- Parking shall be located to the rear of the building.
- For corner lots, or for cases where physical constraints such as topography do not allow for rear parking, any parking fronting a public street shall be screened along the public right-of-way as described under "Setbacks and Street Frontage" above.
- Alleys, where they exist, shall be used for vehicular access. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M.L. King Boulevard.
- There are no minimum requirements for the amount of off-street spaces, but the amount and location of parking to be provided must be presented by the applicant and should include the following considerations:
 - a. Proximity to transit stops
 - b. Provision of bicycle facilities
 - c. Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
 - d. Type of uses and hours of operation
 - e. Square footage of commercial uses or number of residential units

f. Fire Department access

6) Landscaping

- To achieve the city's goal of a 15% tree canopy cover in the downtown, surface parking lots shall be landscaped with a minimum of one tree for every five parking spaces. Type I shade trees shall be used unless overhead utility lines necessitate smaller trees.

For Residential buildings:

7) Uses Not Permitted:

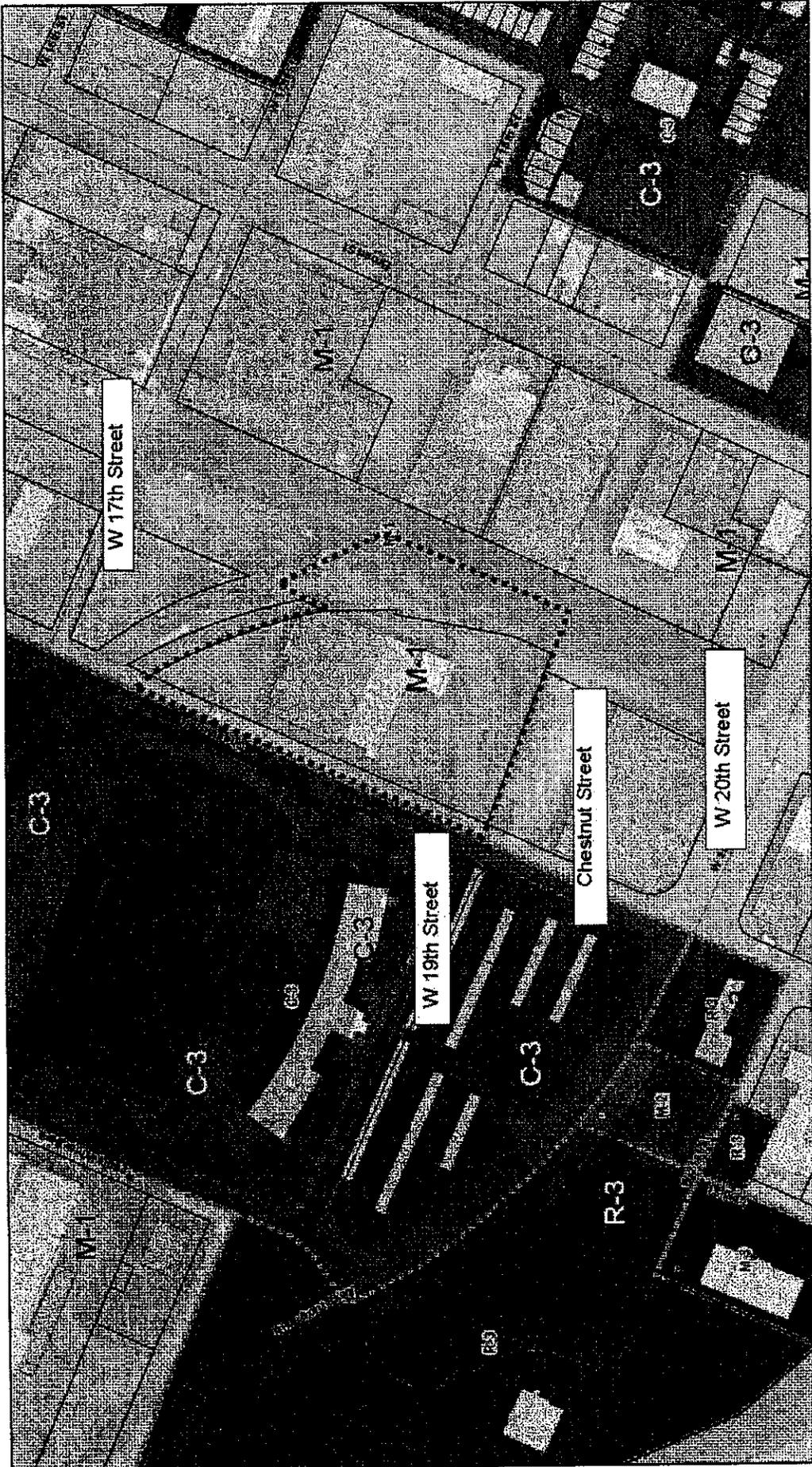
- Factory manufactured mobile homes constructed as a single self-contained unit and mounted on a single chassis are not permitted in the C-3 Zone.

8) Access and Parking:

- Garages shall be located behind the primary building.
- Alleys, where they exist, shall be used for vehicular access. In the absence of alleys, secondary streets should be used for vehicular access. Shared drives should be used wherever possible.
- Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M.L. King Boulevard.
- At least one (1) pedestrian entrance shall front the street;

9) Setbacks:

- Residential building setbacks should be consistent with the existing setbacks on the same side of the street.



2012-0129 M-1 to C-3

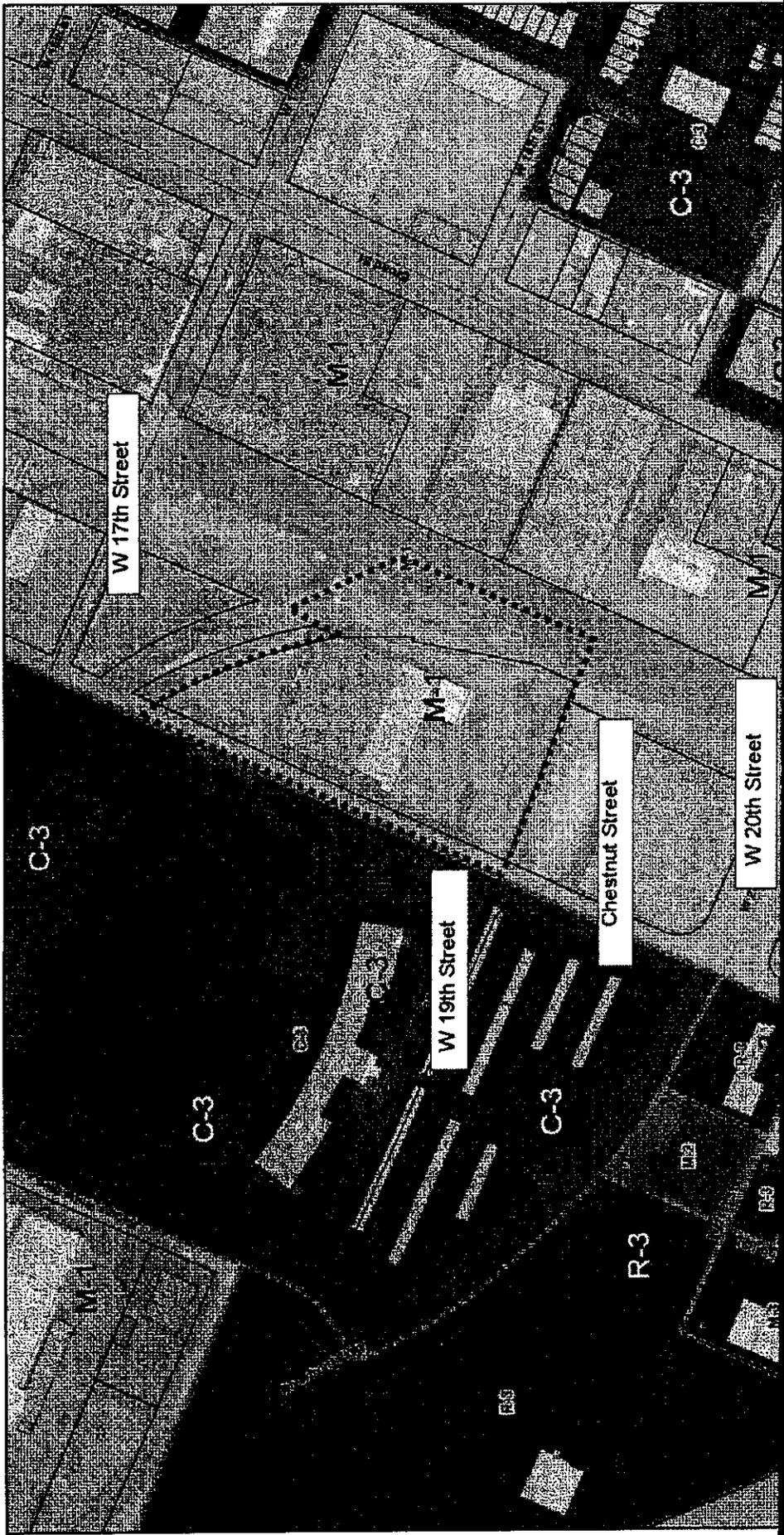
North

200 ft

Chattanooga-Hamilton County
MRPA
Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency





PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-129: Approve, subject to the conditions in the Planning Commission Resolution.

2012-0129 M-1 to C-3



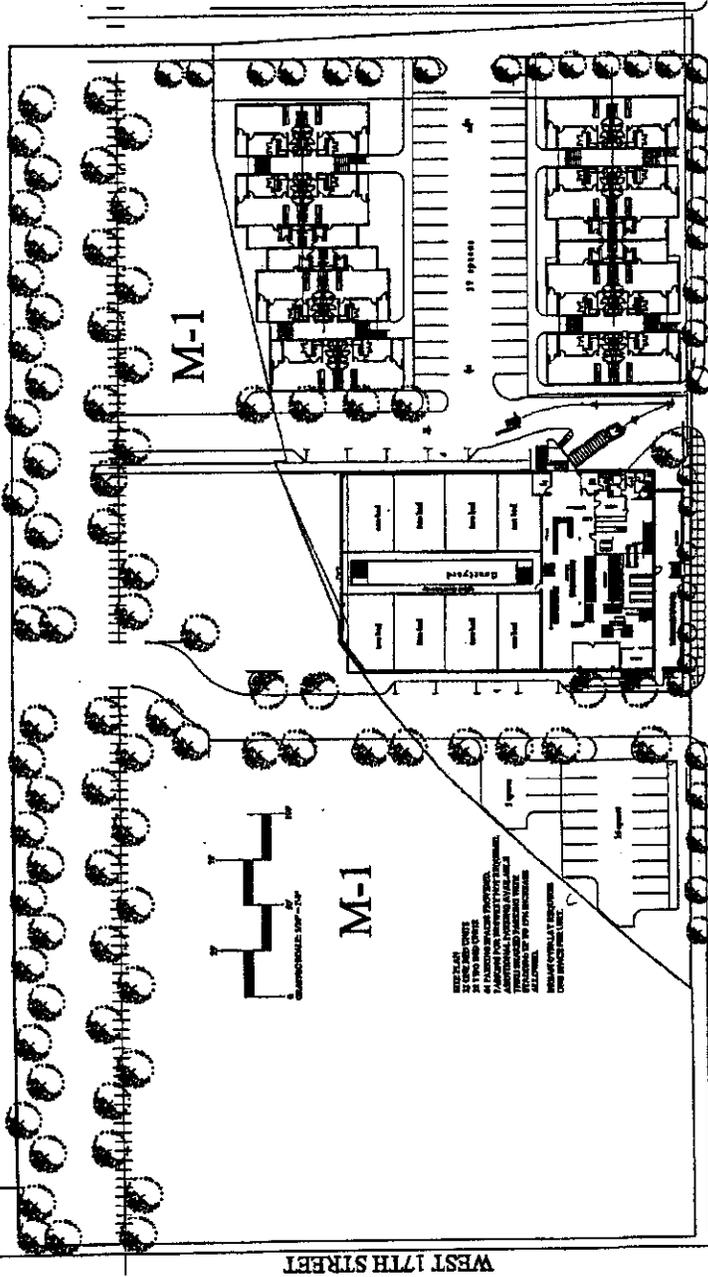
200 ft



Chattanooga Hamilton County Regional Planning Agency

2012-129

NORTH



WEST 17TH STREET

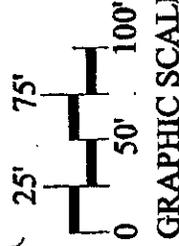
CHESTNUT STREET



1810 CHESTNUT STREET
SITE LOCATION MAP
AND ZONING

NORTH

M-1



C-3
FOOTBALL STADIUM

OWNER: STADIUM APARTMENTS, LLC
 JOHN S. WISE, III: 593-1040
 ADDRESS: 1810 CHESTNUT
 CURRENT ZONING: M-1,
 REQUEST ZONING CHANGED TO C-3
 LOCATED IN URBAN OVERLAY ZONE
 64 RESIDENTIAL UNITS & A BREW HOUSE (8,000SF)
 64 PARKING SPACES REQUIRED (AS PER PRE-SUBMITTAL MEETING)
 65 SPACES PROVIDED ON SITE

NOTE: THIS AREA IS A PART OF THE CITY'S MASTER PLAN. PLAN RECOMMENDS C-3 ZONING

sept. 4, 2012

2012-129

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have 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:

2012-121 The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ. 151 Browns Ferry Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-129 John Wise. 1810 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2012-131 Don Skiles. 6811 McCutcheon Road, from R-1 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions.

2012-137 Homebuilders Association/Teresa Groves. 3215, 3219, and 3221 Harrison Pike, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-140 Barry Evans/James Pratt. 402 Forest Avenue, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-143 James D. Lee. 8203 East Brainerd Road, from R-1 Residential Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2012-117 Ericka Stearns. 906 East 10th Street, from R-1 Residential Zone to R-3 Residential Zone.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-144 Chattanooga Construction Company, LLC, 100 thru 200 blocks of Templeton Lane, for a Residential Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Section 38-672, Method of procedure, to include special permit petition acceptance.

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,

November 13, 2012

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 _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council