First Reading:_____
Second Reading:_____

2013-089
Jacob Becker/
PTC Properties
District No. 1
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE 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 503 Hamilton Avenue and 502 North Market Street, more particularly described herein:

> Lots 1 and 2, North Chattanooga Land Company Subdivision, Plat Book 1, Page 28, ROHC, Deed Book 9435, Page 13, ROHC. Tax Map No. 135D-C-010 & 011.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to restricting building height to a maximum of 42 feet, including parapet and/or other roof treatments fronting North Market 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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

First Reading:_____
Second Reading:_____

2013-089
Jacob Becker/
PTC Properties
District No. 1
Alternate Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE 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 503 Hamilton Avenue and 502 North Market Street, more particularly described herein:

> Lots 1 and 2, North Chattanooga Land Company Subdivision, Plat Book 1, Page 28, ROHC, Deed Book 9435, Page 13, ROHC. Tax Map No. 135D-C-010 & 011.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to restricting building height to a maximum of 36 feet or higher up to 42 feet only if approved by Northshore C-7 Review Committee, including parapet and/or other roof treatments fronting North Market 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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

First Reading:_____
Second Reading:_____

2013-089
Jacob Becker/
PTC Properties
District No. 1
Staff Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE 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 503 Hamilton Avenue and 502 North Market Street, more particularly described herein:

> Lots 1 and 2, North Chattanooga Land Company Subdivision, Plat Book 1, Page 28, ROHC, Deed Book 9435, Page 13, ROHC. Tax Map No. 135D-C-010 & 011.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to restricting building height to a maximum of 36 feet, including parapet and/or other roof treatments fronting North Market 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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

First Reading:_____
Second Reading:_____

2013-089
Jacob Becker/
PTC Properties
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 503 HAMILTON AVENUE AND 502 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE 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 503 Hamilton Avenue and 502 North Market Street, more particularly described herein:

> Lots 1 and 2, North Chattanooga Land Company Subdivision, Plat Book 1, Page 28, ROHC, Deed Book 9435, Page 13, ROHC. Tax Map No. 135D-C-010 & 011.

and as shown on the maps attached hereto and made a part hereof by reference, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use 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

/mms

2013-089 City of Chattanooga
July 8, 2013

RESOLUTION

WHEREAS, Jacob Becker/PTC Properties 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-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone, property located at 503 Hamilton Avenue and 502 North Market Street.

Lots 1 and 2, North Chattanooga Land Company Subdivision, Plat Book 1, Page 28, ROHC, Deed Book 9435, Page 13, ROHC. Tax Map 135D-C-010 & 011 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 8, 2013,

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 July 8, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to restricting building height to a maximum of 42 feet including parapet and/or other roof treatments fronting North Market Street.

Respectfully submitted,

John Bridger
Secretary

Planning Commission Recommendation:
Approve with change (see resolution)

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number:	2013-089 PC Meeting Date: 07-08-2013
STAFF RECOMMENDATION:	**APPROVE, SUBJECT TO CERTAIN CONDITIONS:** **1) Restrict building height to a maximum of 36 feet including parapet and/or other roof treatments fronting North Market Street.**
Land Use & Transportation Comments	
Planning Staff:	**Applicant Request Overview** The applicant is requesting to rezone 0.31 acres +/- located at 503 Hamilton Avenue and 502 North Market Street, Tax Map number 135D-C-010 from R-4 Special Zone to C-7 North Shore Commercial/ Mixed Use Zone for the development of a 13,800 square-foot mixed use building with retail and office uses on the first two stories and residential on the third story. There will be a two story parking structure to the rear of the development In order to provide a thorough and thoughtful review of this case, staff reviewed the proposal itself, adopted plans and policies for the area, the planning and zoning history of the site and surrounding community, relevant research and other applicable land use factors. **Site Description** The site topography is steep, there are no known floodplains or other environmentally sensitive areas associated with the site and has well-suited access to major highways and the interstate. It is less than one mile from Interstate 24 and State Route 27(SR-27). The property is currently vacant. Adjacent uses include single-family residential uses to the north and east. **Plans/Policies** The following is a synopsis of policies and plan recommendations for the portion of the North Chattanooga community in which the proposed rezoning is located: Comprehensive Plan Although there are no specific references to this site, the Hamilton County Comprehensive Plan 2030 provides general guidance on appropriate future development types, land use patterns, and physical form by Development Sectors. The Plan identifies this site as part of the Urban Infill Growth Sector. Well defined neighborhoods with identifiable edges are typical of urban neighborhood infill areas. Urban neighborhoods have a denser and primarily residential urban fabric. Mixed uses including offices and retail are usually confined to certain corner locations with housing density increasing adjacent to those commercial centers. The plan recommends that new development should follow urban patterns with smaller blocks, a connected street grid, alleys, smaller lots, and shallow building setbacks.

Urban areas typically offer dense development of a variety of uses. The more compact form dictates an integration of land uses. Residential uses range from single-family dwellings to multi-family apartments. Overall density is generally high. Almost without exception, these areas receive full municipal services such as sewer, sidewalks, bike facilities, and public transit. Due to the high level of land use integration, careful attention and planning is necessary to ensure development compatibility in terms of scale and impact.

- Small lots (5,000-7,500 sq. ft.)
- High number of structures per acre
- Grid / Modified Grid street network
- Sidewalks prevalent
- Public transportation and bicycle networks
- Mix of residential and non-residential uses in close proximity
- Average Residential Density: 6.5 Dwelling Units / Acre

Adopted Plan: North Shore Plan (2007)

The 2007 North Shore Area Plan created with substantial public involvement provides more specific planning policies and land use recommendations for the area of this proposed development.

The North Shore Development Plan has specific, implementable urban design and development recommendations for the enhancement of Chattanooga's North Shore. The principles identified for land use are as follows:

- Promote development that demonstrates excellence in design and that enhances the character of the North Shore
- Encourage a harmonious mix of uses
- Protect existing residential areas from commercial encroachment
- Protect and promote the unique character and identity of the North Shore
- Provide a diversity of transportation options
- Provide intelligent parking solutions that balance the needs of automobile and pedestrian
- Expand the system of pedestrian and bicycle facilities
- Enhance connectivity within and between the North Shore, downtown, and Moccasin Bend
- Provide a public realm that is safe, vibrant, and evokes a sense of place
- Protect the natural assets and public viewsheds of the North Shore
- Respect the right of existing uses to continue operations.

Generally, a conventional land use plan provides a series of land use classifications that provide guidance for future development,

redevelopment, and preservation of an area. However, the North Shore Plan includes a development form plan which covers such factors as building height, setbacks, and massing; orientation; parking, curb cuts and driveway connections; landscaping; streetscaping and street furniture; and other factors.

The proposed rezoning falls within the Plan's Medium-Intensity Mixed-Use category. This development form is for medium-intensity mixed-uses with building footprints smaller than 10,000 square feet, and for buildings of less relative scale than those of the high-intensity form. Uses should be oriented towards the pedestrian rather than the automobile with the orientation of pedestrian entries to the primary streets with additional considerations for connections to adjacent residential areas. Parking should be placed to the rear when possible. This form can be located adjacent to low-density residential uses.

Long Range Transportation Plan

The Chattanooga-Hamilton County/North Georgia Transportation Planning Organization 2035 Long Range Transportation Plan identifies North Market Street as an Urban Minor Arterial. The street is currently operating under capacity.

Urban Overlay Zone

Added to the Chattanooga Zoning Ordinance in 2003, the Urban Overlay Zone alters certain underlying zoning requirements in order to help preserve the existing physical layout of the older urban portion of Downtown Chattanooga and surrounding neighborhoods. This physical layout generally includes the presence of sidewalks, public transit routes, available on-street parking and smaller lot sizes. Currently, under certain conditions, a reduction in required parking for both residential and commercial uses may be applied within the overlay zone.

Staff Evaluation

In addition to reviewing and evaluating the applicant's proposal, staff thoroughly evaluated the above mentioned planning documents and recognized the following criteria essential in developing this staff recommendation.

1. *Consistency of planning policies for appropriateness and intensity of use relative to adjacent uses:*
   The proposed mixed use development does meet the intent of the *North Shore Area Plan.* As the plans' policies state vertical mixed use is appropriate for this site.

   It is important to note that the North Shore Area Plan places emphasis on the importance of directing higher intensity uses

to appropriate locations.

2. *Impact to the Community:*
While this development has potential to add to the overall quality of life of the area by providing additional housing, and employment opportunities it is important to recognize the potential negative consequences to the surrounding community. The Design Guidelines for the C-7 Commercial/ Mixed Use Zone give guidance on building heights in the North Shore; however, development has extended past height boundaries established in the 2007 guidelines. The recommended height maximum of 42 feet ends at Kent Street as shown on the height map in the C-7 Design Guidelines. RPA staff have surveyed several buildings along N. Market Street north of Kent Street and found an average building height of 33 feet with the tallest building opposite this site measuring 36 feet. Staff discussed these heights and the intent of height restrictions provided in the C-7 Design Guidelines with the City of Chattanooga Land Development Office relative to appropriateness of C-7 within this area. Building heights north of Kent should be carefully considered due to the change in topography relative to adjacent residential areas along Hamilton Avenue.

Staff Recommendation

The Regional Planning Agency recommends approval of this rezoning request with conditions as the applicant's proposed use was found to meet the intent of adopted area plans and policies. The conditions, maximum building height should not exceed 36 feet fronting N. Market Street and 30 feet fronting Hamilton Avenue, are to ensure the development is compatible with adjacent lower intensity residential uses.

Infrastructure & Operational Comments

Public Works Staff:

All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.

RPA STAFF RECOMMENDATION

	City Engineering The applicant needs to at minimum meet the residential parking requirements per table 1700. The site plan attached does that, but it does not show leaving the required space to provide streetscaping on all three street frontages.

Chattanooga-Hamilton County Regional Planning Agency

ZONING APPLICATION FORM

CASE NUMBER: 2013-089		Date Submitted: 05-23-2013
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	From: R-4 Special Zone	To: C-7 North Shore Commercial/Mixed use Zone
	Total Acres in request area: 0.31 plus or minus	
2 Property Information		
Property Address:	503 Hamilton Avenue & 502 North Market Street	
Property Tax Map Number(s):	135D-C-010 & 011	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Multi-Use Development	
4 Site Characteristics		
Current Zoning:	R-4 Special Zone	
Current Use:	Vacant Land	
Adjacent Uses:	C-7, M-1, R-2 & R-1	
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: Jacob Becker	Address: 766 Mauldeth Road	
Check one:	x I am the property owner	I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37415	Email: jbeckerdc@gmail.com
Phone 1: 423-432-4148	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)		
Name: PTC Properties	Phone: 423-432-4148	
Address:766 Mauldeth Road Chattanooga, TN 37415		
Office Use Only:		
Planning District: 88	Neighborhood: Hill City/N. Shore Neighborhood/N Shore Merchants	
Hamilton Co. Comm. District: 6	Chatt. Council District: 1	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:
Checklist:		
x Application Complete	x Ownership Verification	x Map of Proposed Zoning Area with dimensions
x Site Plan, if required	x Total Acres to be considered: 0.31	x Deeds	x Plats, if applicable
Deed Book(s): 9439, 13		
Plat Book/Page: 1-28	x Notice Signs	Number of Notice Signs: 3
x Filing Fee:	Cash	x Check	Check Number: 139
Planning Commission meeting date: July 8th, 2013	Application processed by: Marda Parker	

2013-089 Rezoning from R-4 to C-7

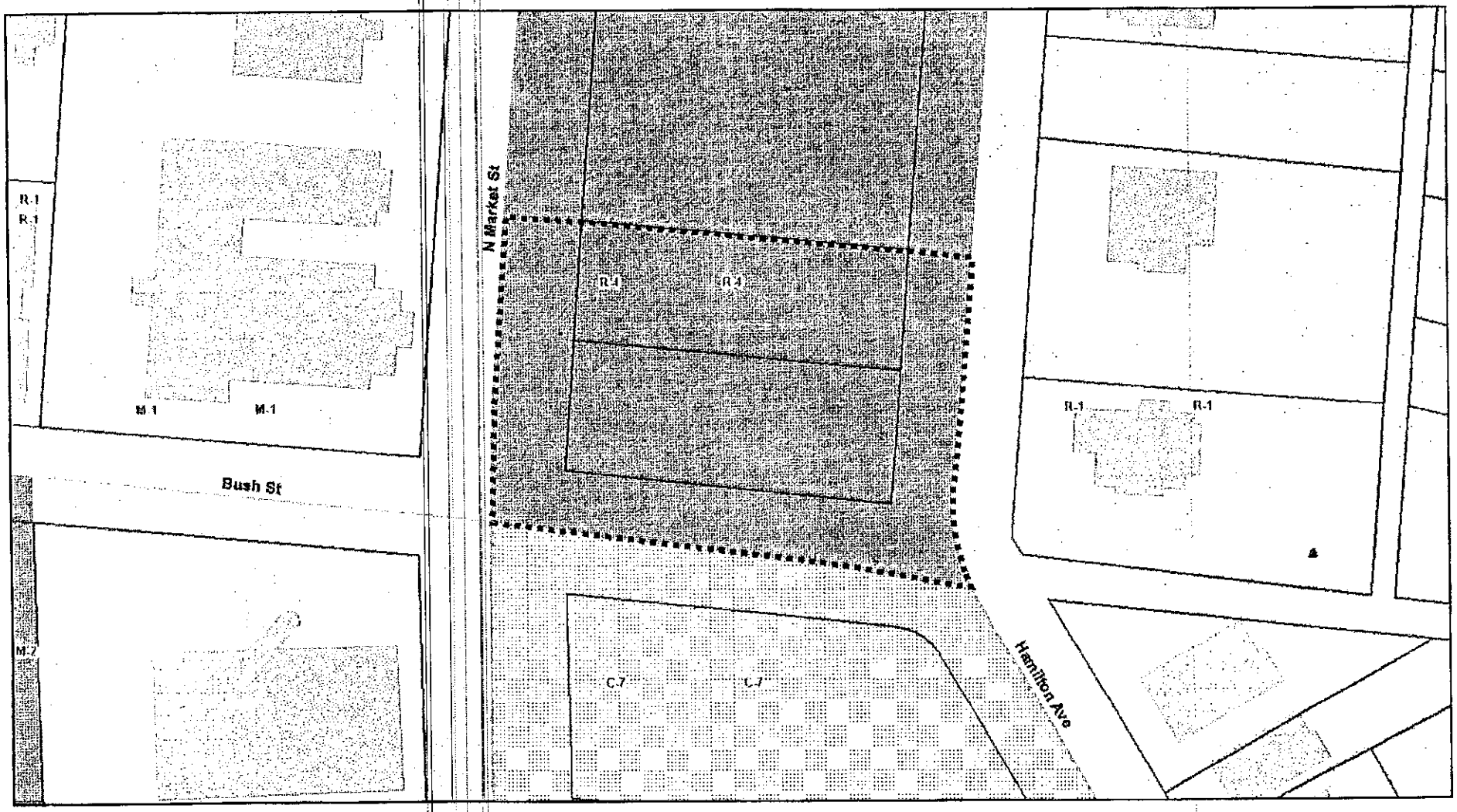
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-089: Approve, subject to restricting building height to a maximum of 42 feet including parapet and/or other roof treatments fronting North Market Street.

North

56 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County RPA Regional Planning Agency



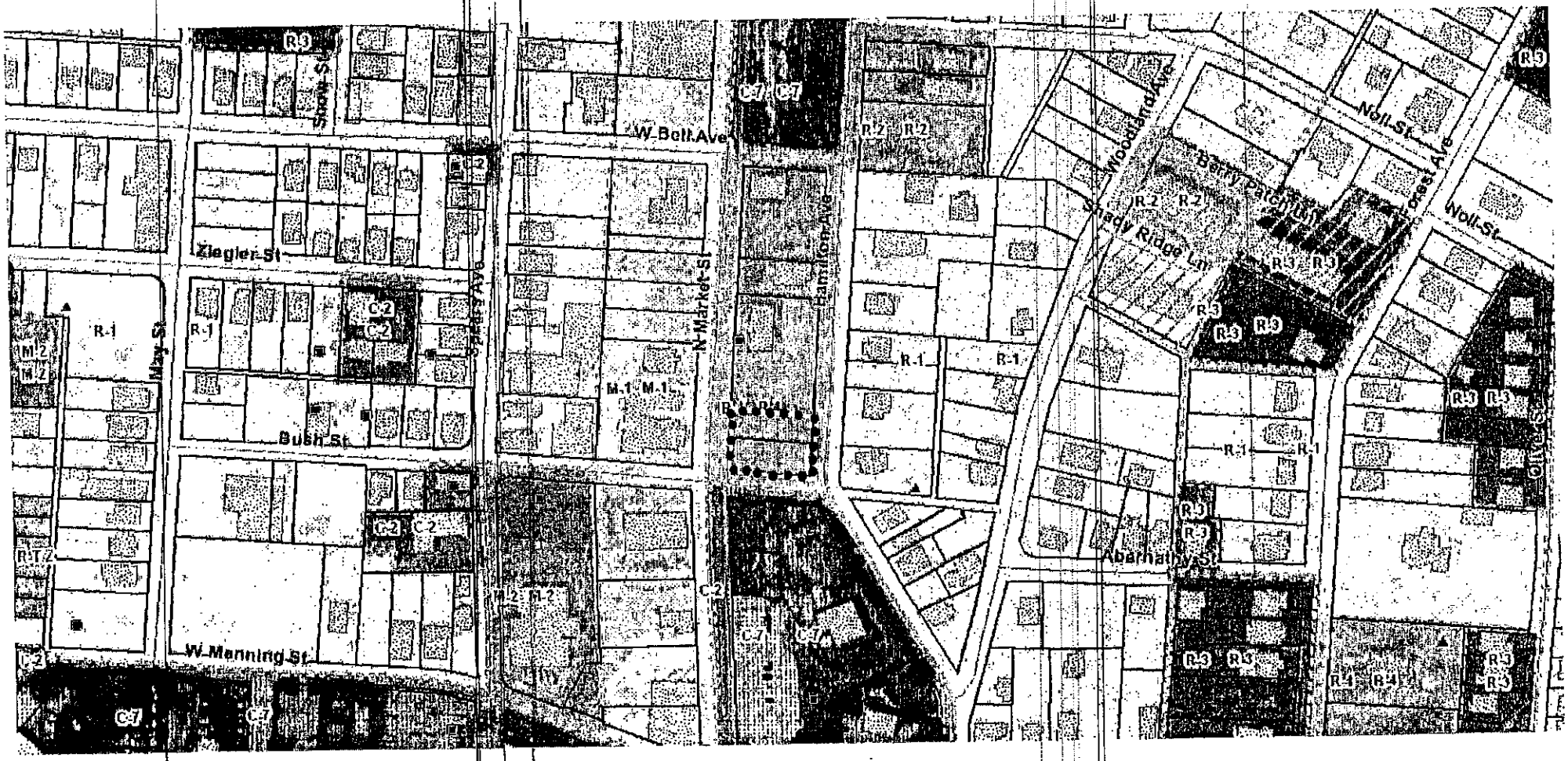
2013-089 Rezoning from R-4 to C-7

Chattanooga Hamilton County Regional Planning Agency

North

56 ft

Chattanooga-Hamilton County
RPA
Regional Planning Agency


W Bell Ave
Ziegler St
Bush St
W Manning St
N Market St
Hamilton Ave
Woodland Ave
Berry Patch Ln
Shady Ridge Ln
Noll St
Forest Ave
Abernathy St
Olive St
R-1
R-2
R-3
R-4
M-1
M-2
C-2
C-7
N

SITE LOCATION

MAP

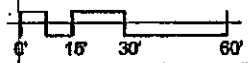
NOTES:

A. CURRENT ZONING R-1
B. 13,800 SF.
C. NO EXISTING STRUCTURES
D. LANDSCAPE ORDINANCE/ NORTH CHATTANOOGA OVERLAY
E. EXISTING FENCE
F. FIRE DISTRICT

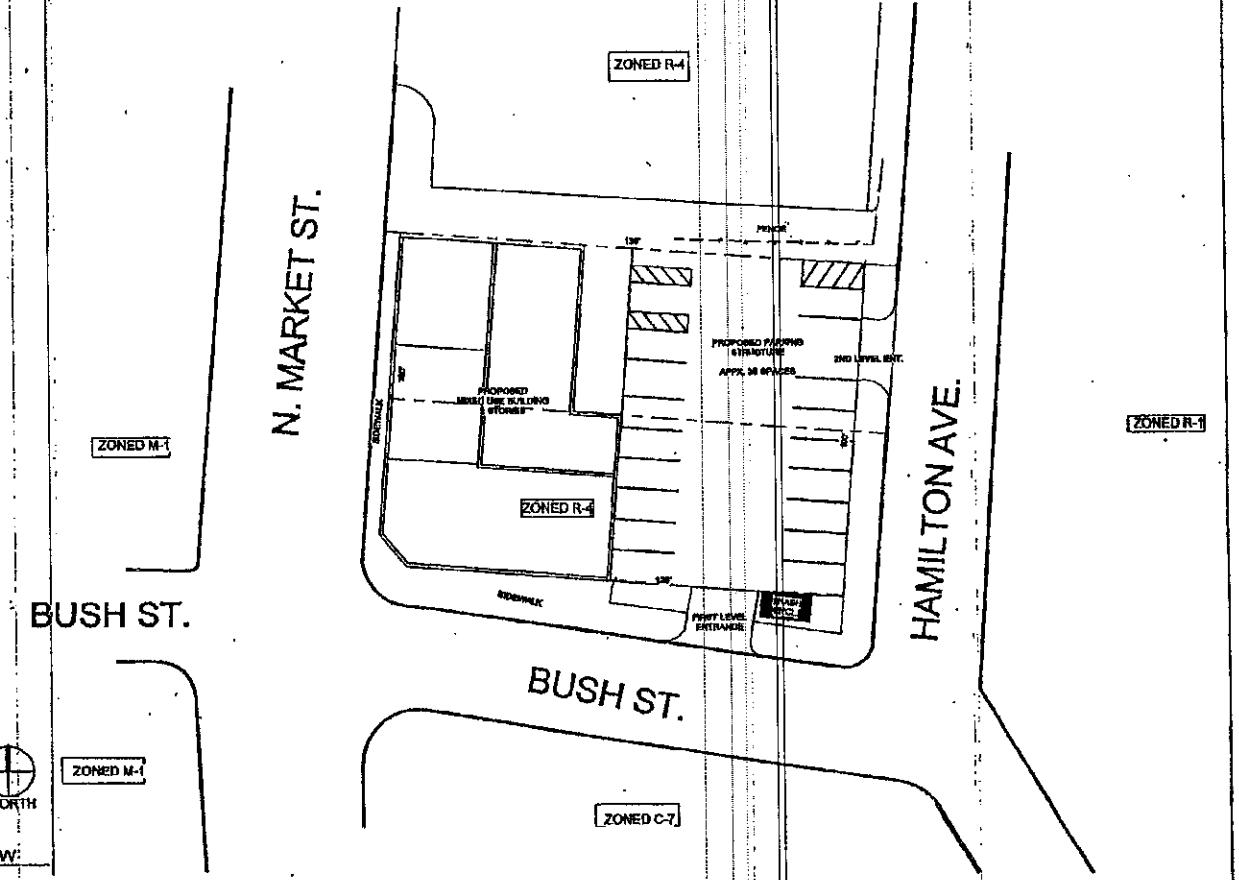
Owner/Contact Info:
P.T.C. Properties
Jacob Becker
766 Mauldeth Road
Chattanooga, Tn 37416 ph- 423.432.4148
Email - jbeckerdc@gmail.com

Gross Acreage:	.32
4 Residential Units:	.11
Net Acreage:	0

No Tree Buffer required for R-4



1 SITE PLAN VIEW
1" = 30'-0"



the PRYOR BACON company

4295 CROMWELL ROAD STE. 311
CHATTANOOGA, TN 37421

501 N. MARKET STREET

TAX MAP NO. 136D C 11 AND C 10

MULTI-USE DEVELOPMENT

No.	Description	Date

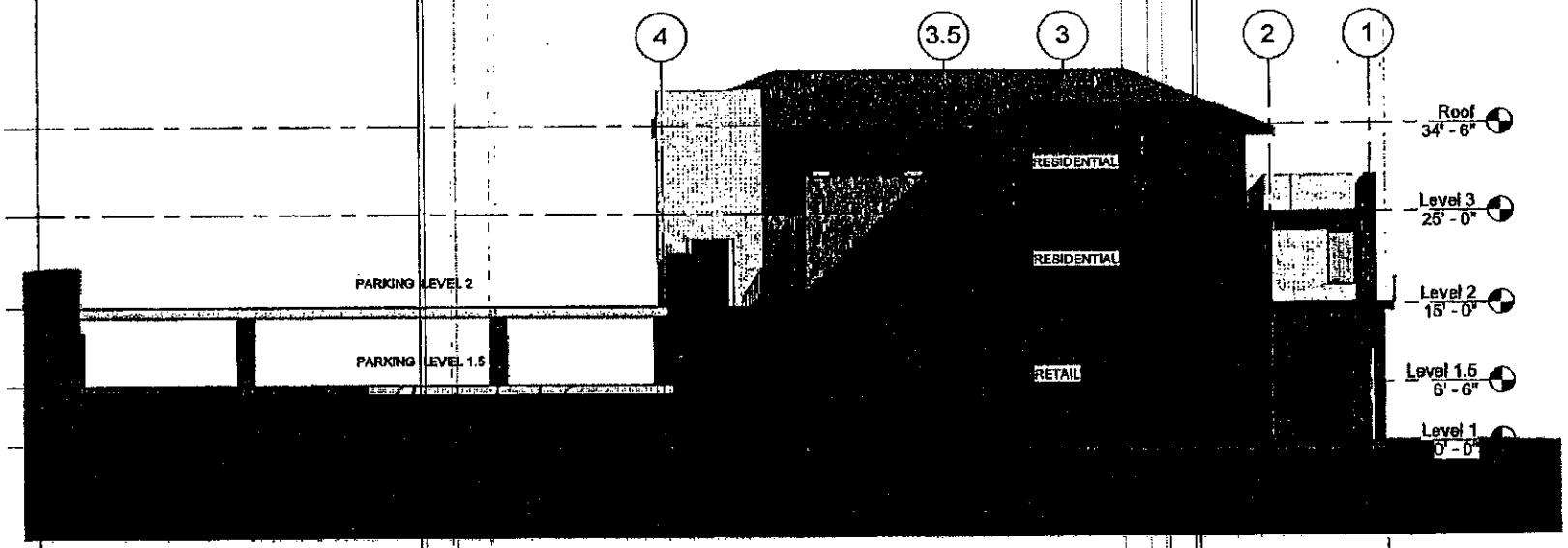
SITE PLAN

Project number	Project Number	C 1.1
Date	4/23/13	
Drawn by	Author	
Checked by	Checker	Scale 1" = 30'-0"

4/23/2013 2:46:44 PM

SITE PLAN SUBMITTED WITH ZONING APPLICATION

2013-089



1 Section 1
3/32" = 1'-0"

the PRYOR BACON company

502 N. Market Street
Chattanooga, Tennessee

No.	Description	Date

BUILDING SECTION

Project number	Project Number	A1.5
Date	6/13/2013	
Drawn by	Author	
Checked by	Checker	Scale 3/32" = 1'-0"

6/13/2013 2:01:19 PM

DRAWING SUBMITTED FOR DESIGN REVIEW STAFF

The PRYOR BACON company

502 N. Market Street

Chattanooga, Tennessee

No.	Description	Date

Perspective View

Project number	Project Number	A1.09
Date	6/13/2013	
Drawn by	Author	
Checked by	Checker	Scale

6/13/2013 2:01:20 PM

DRWG. SUBMITTED FOR DESIGN REVIEW STAFF

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:

> 2013-073 John R. Anderson/Dallas and Beverly Bunton. 2910 Silverdale Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.
>
> 2013-089 Jacob Becker/PTC Properties. 503 Hamilton Avenue and 502 North Market Street, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.
>
> 2013-091 Britt Goodson/State of Tennessee. 5528 and 5530 Hwy. 153, from R-2 Residential Zone to C-2 Convenience Commercial Zone.
>
> 2013-096 Jody Shea/Shea Properties, LLC. 1800 E. 25th Street, from R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.
>
> 2013-097 David Jones/Hamilton Avenue Properties. 677 Hamilton Avenue, from RT-1 Residential Townhouse Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

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

> 2013-099 Caressa Martin. 3820 Montview Drive, from R-1 Residential Zone to R-3MD Moderate Density Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be lifted:

> 2013-079 Continental 171 Fund, LLC/Ken Liem, Fenella Pinewood, LLC, K&L Enterprises, Inc. 7400 block of Pinewood Drive, lifting Condition #1 of Ordinance No. 12305 from previous Case No. 2009-129 and upon Staff Determination possibly Condition #2 and Condition #5, subject to certain conditions.

4. 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) Amending Section 38-2, Definitions, by adding "Kennel";

(b) Amending Section 38-394, Height and area regulations, by deleting items (2) and (3) in their entirety and substituting in lieu thereof;

(c) Amending Section 38-395, General provisions, by deleting item (1) in its entirety and substituting in lieu thereof;

(d) Amending Section 38-400, Staging, by adding item (3);

(e) Amending Section 38-401, Changes and modifications, by deleting same in its entirety and substituting in lieu thereof;

(f) Amending Section 38-402, Application procedure for planned unit development, by deleting same in its entirety and substituting in lieu thereof;

(g) Amending Section 38-419, Staging, by deleting same in its entirety and substituting in lieu thereof;

(h) Amending Section 38-420, Major Changes, by deleting same in its entirety and substituting in lieu thereof; and

(i) Amending Section 38-421, Application procedure for institutional planned unit development, by deleting same in its entirety and substituting in lieu thereof;

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,

August 13, 2013

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 _____, 2013.

_____
Sandra Freeman
Clerk to the City Council