

First Reading: _____
Second Reading: _____

2013-107
Alan Haniszewski
District No. 7
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 630 EAST 19TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL 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 630 East 19th Street, more particularly described herein:

Lot 5 in Block No. 8 of Boyce Amended Subdivision No. 2, Plat Book 5, Page 10, ROHC, being the property described as Tract 2 in Deed Book 9987, Page 867, ROHC. Tax Map No. 145M-U-007.

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

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

For new construction, including additions to a building, the conditions below shall apply. Interior renovations to existing buildings are exempt from these conditions.

1) Review:

- Applicants are required to schedule a pre-submittal meeting with the City's Land Development Office prior to completion of schematic design.
- To promote compliance with the Downtown Plan, to help ensure that new development compliments 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, **prior to completion of construction drawings**, by the Community Design Group, a division of the Regional Planning Agency. **Applicants are responsible for scheduling this review meeting.** 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 and apartment buildings (Facade renovations are exempt from these conditions):

- For new 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.
- For properties fronting the Tennessee River, a 30 foot public easement shall be maintained along the river for the continuation of the riverwalk. (A wider temporary easement may be necessary during riverwalk construction.)

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 facade 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.
- The maximum height of new buildings shall be 50 feet.

For any activity requiring a land disturbing permit, the following conditions shall apply:

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 Street, Market Street, Riverfront Parkway, 4th Street, 6th Street, Vine Street, McCallie Avenue, M.L. King Boulevard, 11th Street, Main Street, and Georgia Avenue, and portions of Chestnut Street, Carter Street, Walnut Street, and 2nd Street.
- 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 new construction of single-family, duplex, and townhome 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 certain primary streets, as described above.
- 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.

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: _____

2013-107
Alan Haniszewski
District No. 7
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 630 EAST 19TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL 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 630 East 19th Street, more particularly described herein:

Lot 5 in Block No. 8 of Boyce Amended Subdivision No. 2, Plat Book 5, Page 10, ROHC, being the property described as Tract 2 in Deed Book 9987, Page 867, ROHC. Tax Map No. 145M-U-007.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-3 Residential 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: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mms

2013-107 City of Chattanooga
August 12, 2013

RESOLUTION

WHEREAS, Alan Haniszewski 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-3 Residential Zone to C-3 Central Business Zone, property located at 630 East 19th Street.

Lot 5 in Block No. 8 of Boyce Amended Subdivision No. 2, Plat Book 5, Page 10, ROHC, being the property described as Tract 2 in Deed Book 9987, Page 867, ROHC. Tax Map 145M-U-007 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 12, 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 August 12, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, with the following conditions:

For new construction, including additions to a building, the conditions below shall apply. Interior renovations to existing buildings are exempt from these conditions.

1) Review:

- Applicants are required to schedule a pre-submittal meeting with the City's Land Development Office prior to completion of schematic design.
- 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, **prior to completion of construction drawings**, by the Community Design Group, a division of the Regional Planning Agency. **Applicants are responsible for**

scheduling this review meeting. 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 and apartment buildings (Façade renovations are exempt from these conditions):
- For new 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.
 - For properties fronting the Tennessee River, a 30 foot public easement shall be maintained along the river for the continuation of the riverwalk. (A wider temporary easement may be necessary during riverwalk construction.)
- 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.
 - The maximum height of new buildings shall be 50 feet.

For any activity requiring a land disturbing permit, the following conditions shall apply:

- 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 Street, Market Street, Riverfront Parkway, 4th Street, 6th Street, Vine Street, McCallie Avenue, M.L. King Boulevard, 11th Street, Main Street, and Georgia Avenue, and portions of Chestnut Street, Carter Street, Walnut Street, and 2nd Street.
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 - 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 new construction of single-family, duplex, and townhome 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.

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- Garages shall be located behind the primary building.
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- 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 APPLICATION FORM

CASE NUMBER: 2013-107 **Date Submitted: 07-12-2013**

(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)

1 Applicant Request

Zoning	From: R-3 Residential Zone	To: C-3 Central Business Zone
Total Acres in request area: 0.17 Acres		

2 Property Information

Property Address:	630 East 19 th Street
Property Tax Map Number(s):	145M-U-007

3 Proposed Development

Reason for Request and/or Proposed Use:	Residential
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4 Site Characteristics

Current Zoning:	R-3 Residential Zone
Current Use:	Residential
Adjacent Uses:	Residential

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: Alan Haniszewski		Address: 3073 Baggett Trail	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Signal Mtn.	State: TN	Zip Code: 37377	Email: a_haniszewski@yahoo.com
Phone 1: 423-364-6032	Phone 2:	Phone 3:	Fax:

6 Property Owner Information (if not applicant)

Name: RTB Holdings LLC	Phone: 423-475-6915
Address: 1925 Rossville Avenue	

Office Use Only:

Planning District: EA	Neighborhood: Jefferson Heights Southside
Hamilton Co. Comm. District: 4	Chatt. Council District: 7
Staff Ref:	Legislative Action/Date/Ordinance:

Checklist:

<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan if required	<input checked="" type="checkbox"/> Total Acres to be considered: 0.17	<input checked="" type="checkbox"/> Deeds
<input checked="" type="checkbox"/> Plat Book/Page: 9987-867	<input checked="" type="checkbox"/> Notice Signs	<input checked="" type="checkbox"/> Plats, if applicable
<input checked="" type="checkbox"/> Plat Book/Page: 5-10	<input checked="" type="checkbox"/> Cash	<input checked="" type="checkbox"/> Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: \$35.00	<input checked="" type="checkbox"/> Check	<input checked="" type="checkbox"/> Check Number: 5111
Planning Commission meeting date: August 12 th , 2013		Application processed by: Mardia Parker

**Planning Commission Recommendation:
Approve Staff Recommendation**

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number:	2013-107	PC Meeting Date: 8-12-2013
STAFF RECOMMENDATION:	APPROVE, subject to the conditions specified below.	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting to re-zone the property at 630 East 19th Street from R-3 Residential Zone to C-3 Central Business Zone for the purpose of a single-family detached residential home.</p> <p><u>Site Description</u> The site is currently vacant. It is adjacent to a manufacturing facility to the east, and existing single-family detached residential homes to the west. Jefferson Heights Park is across the street to the north.</p> <p><u>Zoning History</u> The majority of the block where the property is located has been re-zoned C-3 Central Business for the purpose of single-family detached residential homes, including the site where the manufacturing facility is located.</p> <p><u>Plans/Policies</u> The Downtown Plan recommends new housing in the Jefferson Heights neighborhood, including single-family residential development.</p> <p><u>Staff Recommendation</u> Since the proposed use is consistent with the recommendations of the Downtown Plan, and with current development activity in the neighborhood, Staff recommends approval with the following standard C-3 Central Business Zone conditions:</p> <p><u>For new construction, including additions to a building, the conditions below shall apply. Interior renovations to existing buildings are exempt from these conditions.</u></p> <p>1) Review:</p> <ul style="list-style-type: none"> • Applicants are required to schedule a pre-submittal meeting with the City's Land Development Office prior to completion of schematic design. • 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, prior to completion of construction drawings, by the Community Design Group, a division of the Regional Planning Agency. Applicants are responsible for scheduling this review meeting. Some of the requirements below may 	

RPA STAFF RECOMMENDATION

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RPA STAFF RECOMMENDATION

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For new construction of single-family, duplex, and townhome buildings:

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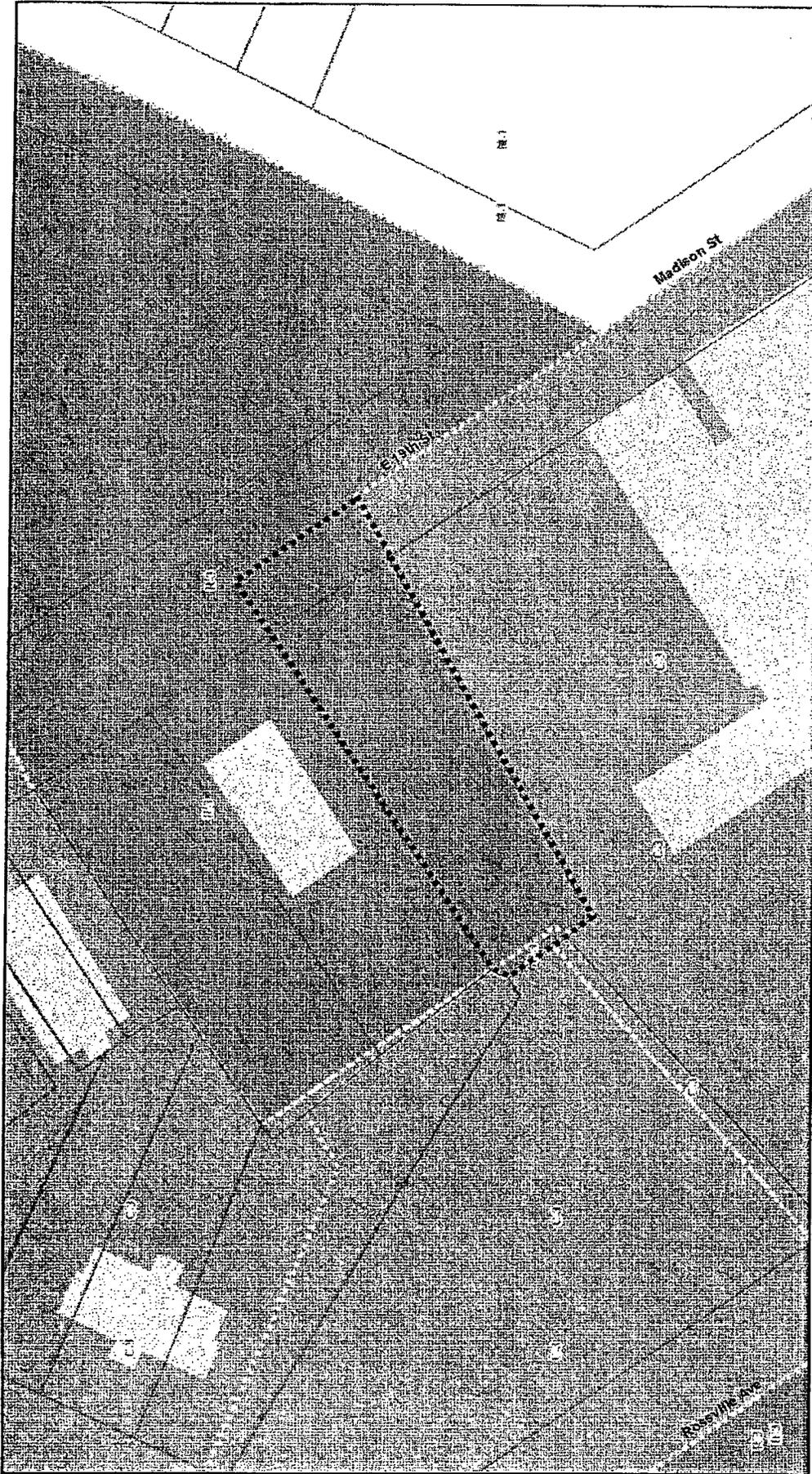
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RPA STAFF RECOMMENDATION

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Infrastructure & Operational Comments	
Public Works Staff:	<p>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.</p>



2013-107 Rezoning from R-3 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-107: Approve, subject to the list of conditions in the Planning Commission Resolution.

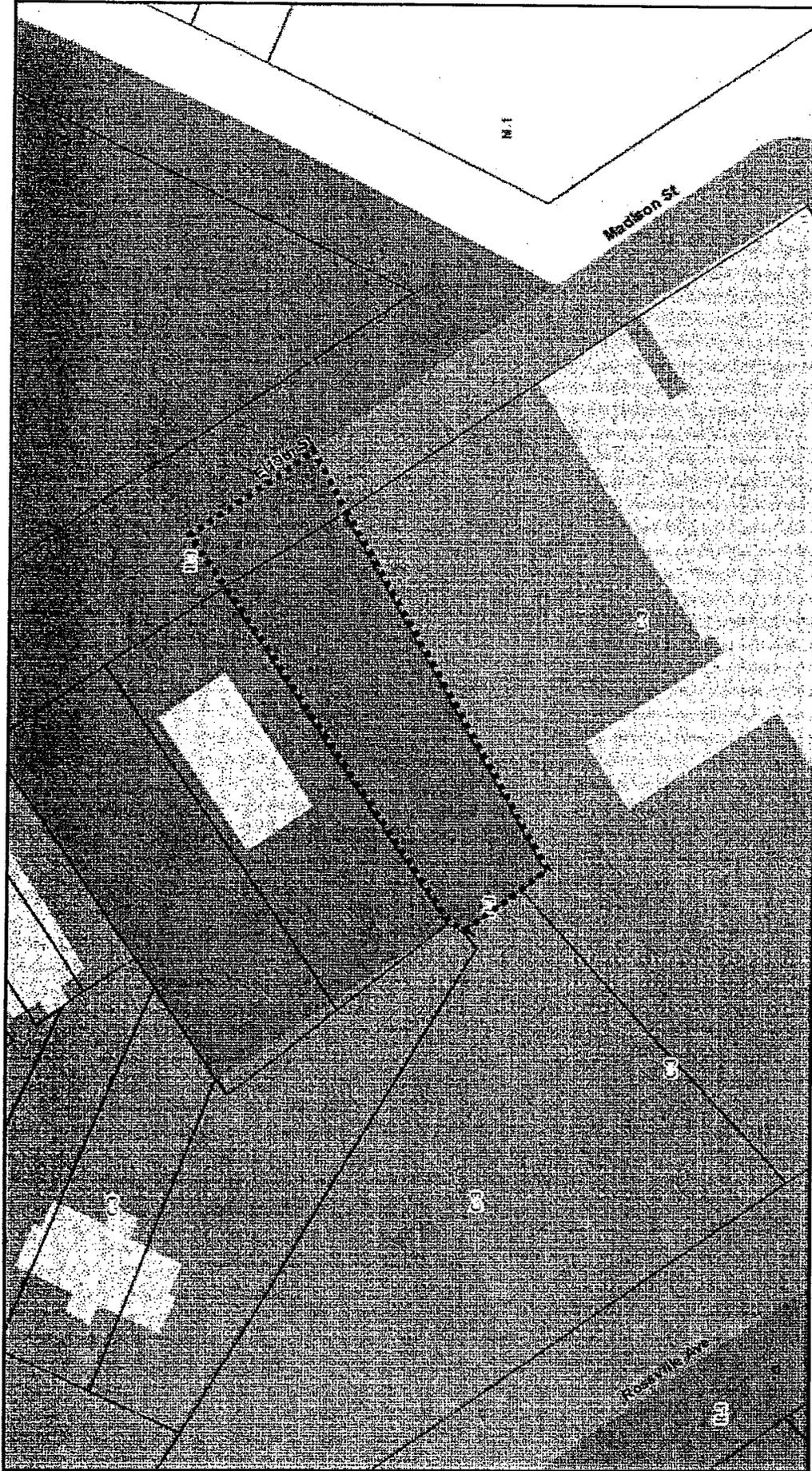


50 ft



Chatanooga Hamilton County Regional Planning Agency





2013-107 Rezoning from R-3 to C-3



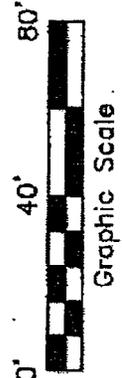
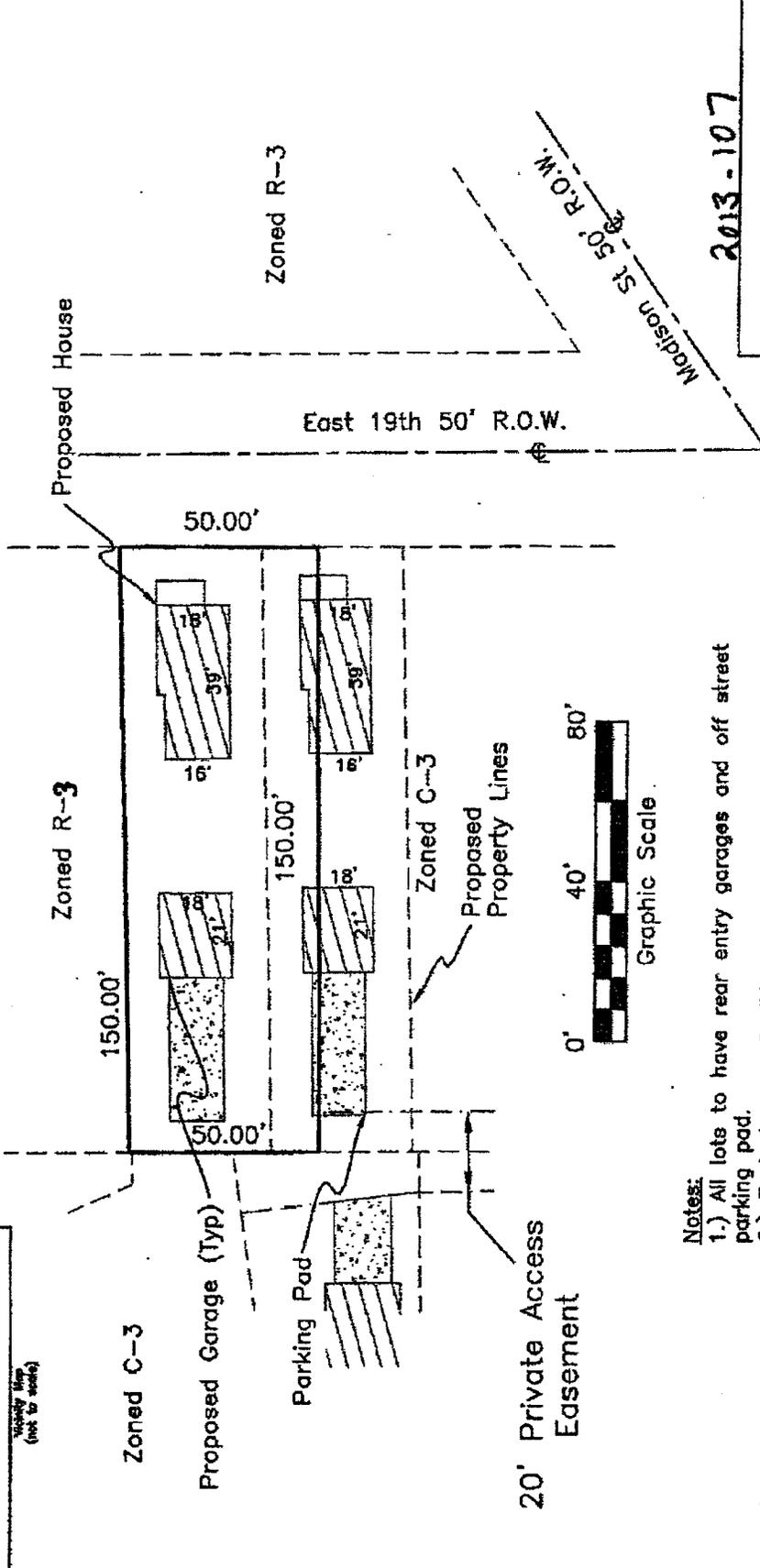
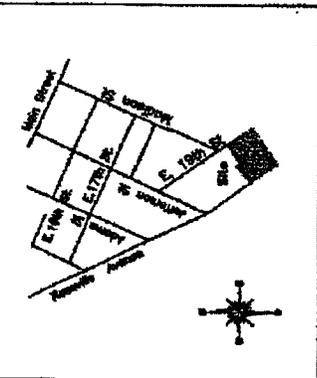
50 ft



Chattanooga Hamilton County Regional Planning Agency

Site Plan
 Being A Portion Of The Property Recorded In Deed Book 5718, Page
 119 R.O.H.C.
 Chattanooga, Hamilton County, Tennessee

Scale: 1" = 50' March 7, 2013



- Notes:**
- 1.) All lots to have rear entry garages and off street parking pad.
 - 2.) Project area; 0.17± ac.
 - 3.) Tax Parcel #145M-U-007.00.
 - 4.) No landscape ordinance.
 - 5.) Currently Zoned R-1.

File Name Jeff Trace Site
 Drawing No. 13-110-1

Alan Haniszewski
 Tennessee PLS No. 2398
 3073 Baggett Trail
 Signal Mountain, TN 37377
 423-364-6032

2013-107

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:

2013-083 Joseph Ingram/Glen Meadows and Brett Sexton. 8599, 8601, 8603, 8605, and 8607 Petty Road, from R-5 Residential Zone to R-3MD Moderate Density Zone.

2013-101 Towson and Dede Engsberg. 501 East 16th Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2013-105 Henrietta Morris/Johnella Morris. 515 Spruce Street, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2013-107 Alan Haniszewski. 630 East 19th Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

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

2013-102 Tim McClure/J.R. Barker. 4815 Hixson Pike, from R-1 Residential Zone to R-3 Residential Zone.

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

2013-082 Joseph Ingram/Glen Meadows and Brett Sexton. 8600 block of Petty Road for a Residential Planned Unit Development.

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,

September 10, 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