First Reading:_____
Second Reading:_____

2014-006
Alan Haniszewski/
RTB Holdings
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 1814 MADISON AVENUE, 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 1814 Madison Avenue, more particularly described herein:

> Part of Lot 6, Block 1 of the Boyce Amended Addition No. 2 to Chattanooga, Tennessee, Plat Book 5, Page 39, ROHC, being the property described in Deed Book 9556, Page 84, ROHC. Tax Map No. 145M-S-004.

and as shown on the maps 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:

1. The permitted use shall be restricted to residential.

2. Review.

   The following review shall be required 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.

   A. For any activity requiring a land disturbing permit or residential building permit for structures with more than two (2) units, and excluding all interior renovations:

      (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

   B. For any activity requiring a residential building permit for new construction:

      (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

3. Setbacks.

   A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

      (1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

   B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

A. New off-street parking shall not be permitted between a building and the primary street frontage.

B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

(1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

(2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

C. Garages for new residential dwellings shall be located behind the primary building.

D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:

1) Proximity to transit stops;

2) Provision of bicycle facilities;

3) Availability of adjacent on-street parking, proximity to 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; and

6) Fire Department access.

6. Street Frontage.

A. Where a street edge is required, it shall be provided as follows:

1. The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:

a) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or

b) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or

c) An evergreen hedge, with a minimum height at maturity of three (3) feet.

d) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

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

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:_____

2014-006
Alan Haniszewski/
RTB Holdings
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 1814 MADISON AVENUE, 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 1814 Madison Avenue, more particularly described herein:

> Part of Lot 6, Block 1 of the Boyce Amended Addition No. 2 to Chattanooga, Tennessee, Plat Book 5, Page 39, ROHC, being the property described in Deed Book 9556, Page 84, ROHC. Tax Map No. 145M-S-004.

and as shown on the maps 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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

2014-006 City of Chattanooga
January 13, 2014

RESOLUTION

WHEREAS, Alan Haniszewski/RTB Holdings 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 1814 Madison Avenue.

Part of Lot 6, Block 1 of the Boyce Amended Addition No. 2 to Chattanooga, Tennessee, Plat Book 5, Page 39, ROHC, being the property described in Deed Book 9556, Page 84, ROHC. Tax Map 145M-S-004 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 13, 2014,

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 January 13, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved subject to:

1. The permitted use shall be restricted to residential.

2. Review.

   The following review shall be required 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.

A. For any activity requiring a land disturbing permit or residential building permit for structures with more than 2 units, and excluding all interior renovations:

(1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

B. For any activity requiring a residential building permit for new construction:

(1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

3. Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.
   A. New off-street parking shall not be permitted between a building and the primary street frontage.

   B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

      (1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

      (2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

   C. Garages for new residential dwellings shall be located behind the primary building.

   D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:

      (1) Proximity to transit stops

      (2) Provision of bicycle facilities

      (3) Availability of adjacent on-street parking, proximity to 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) Fire Department access

6. Street Frontage.

A. Where a street edge is required, it shall be provided as follows:

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b. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
c. An evergreen hedge, with a minimum height at maturity of 3 feet.
d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

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

Respectfully submitted,

John Bridger
Secretary

Planning Commission Recommendation:
Approve Staff Recommendation

Chattanooga-Hamilton County Regional Planning Agency

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-006 PC Meeting Date: 01-13-2014
STAFF RECOMMENDATION:	**APPROVE, with Conditions as noted below**
Land Use & Transportation Comments	
Planning Staff:	**Applicant Request Overview** The applicant is requesting to rezone a .05 acre parcel from M-1 Manufacturing to C-3 Central Business District for the purpose of a single family detached residence. **Site Description** The currently vacant property is located on Madison Avenue across from Jefferson Heights Park. Single family detached residences previously constructed by the applicant are located to the north of the site. Vacant lots are located to the south. East of the site is the railroad line. **Zoning History** The site and lots to the south are currently zoned M-1 Manufacturing. Except for lots along this stretch of Madison Avenue, most of the lots around the park and in this neighborhood have been rezoned to C-3 Central Business District for the purpose of single family detached residences. The Jefferson Heights neighborhood has nearly completed transitioning to a single family detached residential neighborhood using the C-3 Central Business District zoning. Conditions restricting the use to residential were added to the properties in this neighborhood. **Plans/Policies** The Downtown Plan recommends single family detached residential for this area. The applicant's proposal is consistent with the Downtown Plan.
Infrastructure & Operational Comments	
	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.
Summary	
	Since the applicant's proposal is consistent with the recommendations of the Downtown Plan, and with current development trends in the area, Staff recommends approval of the request to rezone the property

from M-1 Manufacturing to C-3 Central Business District. In addition, to ensure that proposed development is consistent with the character of the neighborhood, Staff recommends the following conditions be attached to the property, consistent with other properties in the neighborhood:

1. The permitted use shall be restricted to residential.

2. Review.

   The following review shall be required 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.

   A. For any activity requiring a land disturbing permit or residential building permit for structures with more than 2 units, and excluding all interior renovations:

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      (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

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quantity and location of off-street parking provided, along with the following information:

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(2) Provision of bicycle facilities
(3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
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(5) Square footage of commercial uses or number of residential units
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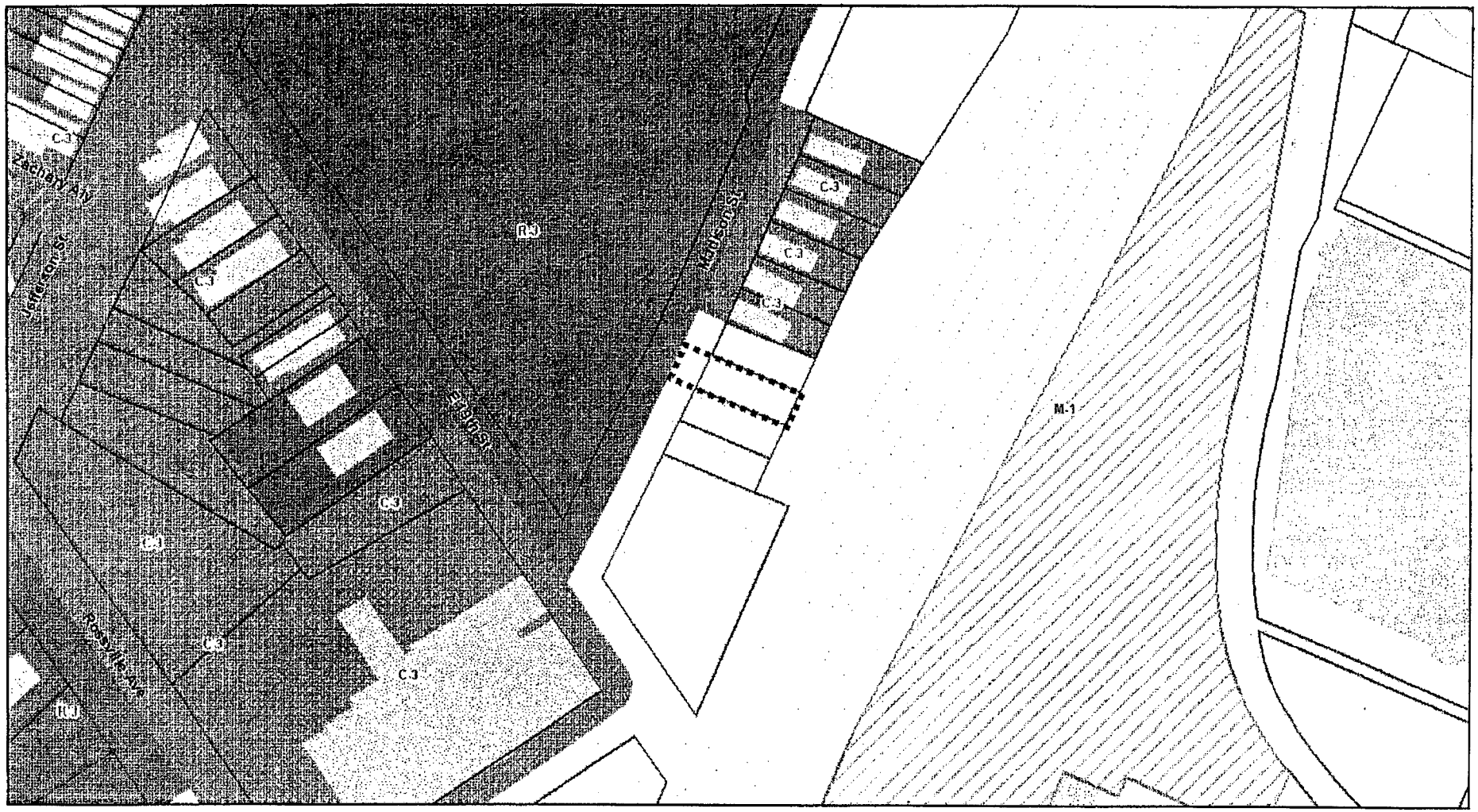
c. An evergreen hedge, with a minimum height at maturity of 3 feet.
d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

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

Chattanooga-Hamilton County Regional Planning Agency

ZONINGAPPLICATION FORM

CASE NUMBER: 2014-006			Date Submitted: 12-09-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	**From: M-1**	**To: C-3**	
	Total Acres in request area: 0.05		
2 Property Information			
Property Address:	1814 Madison Avenue		
Property Tax Map Number(s):	145M-S-004		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Residential		
4 Site Characteristics			
Current Zoning:	M-1 Manufacturing Zone		
Current Use:	Vacant		
Adjacent Uses:	Vacant		
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:		I **am** the property owner	x I am **not** the property owner
City: Signal Mountain	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		Phone: 423-505-5187	
Address: 3712 Ringgold Road Chattanooga, TN 37412			
Office Use Only:			
Planning District: 8A		Neighborhood: Jefferson Heights, Southside Historic District	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	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: 0.05	x Deeds	x Plats, if applicable
Deed Book(s): 9556-84			
Plat Book/Page: 5-39		Notice Signs	Number of Notice Signs: 1
x Filing Fee: $635.00	x Cash	Check	Check Number:
Planning Commission meeting date: 1-13-2014		Application processed by: Marcia Parker	



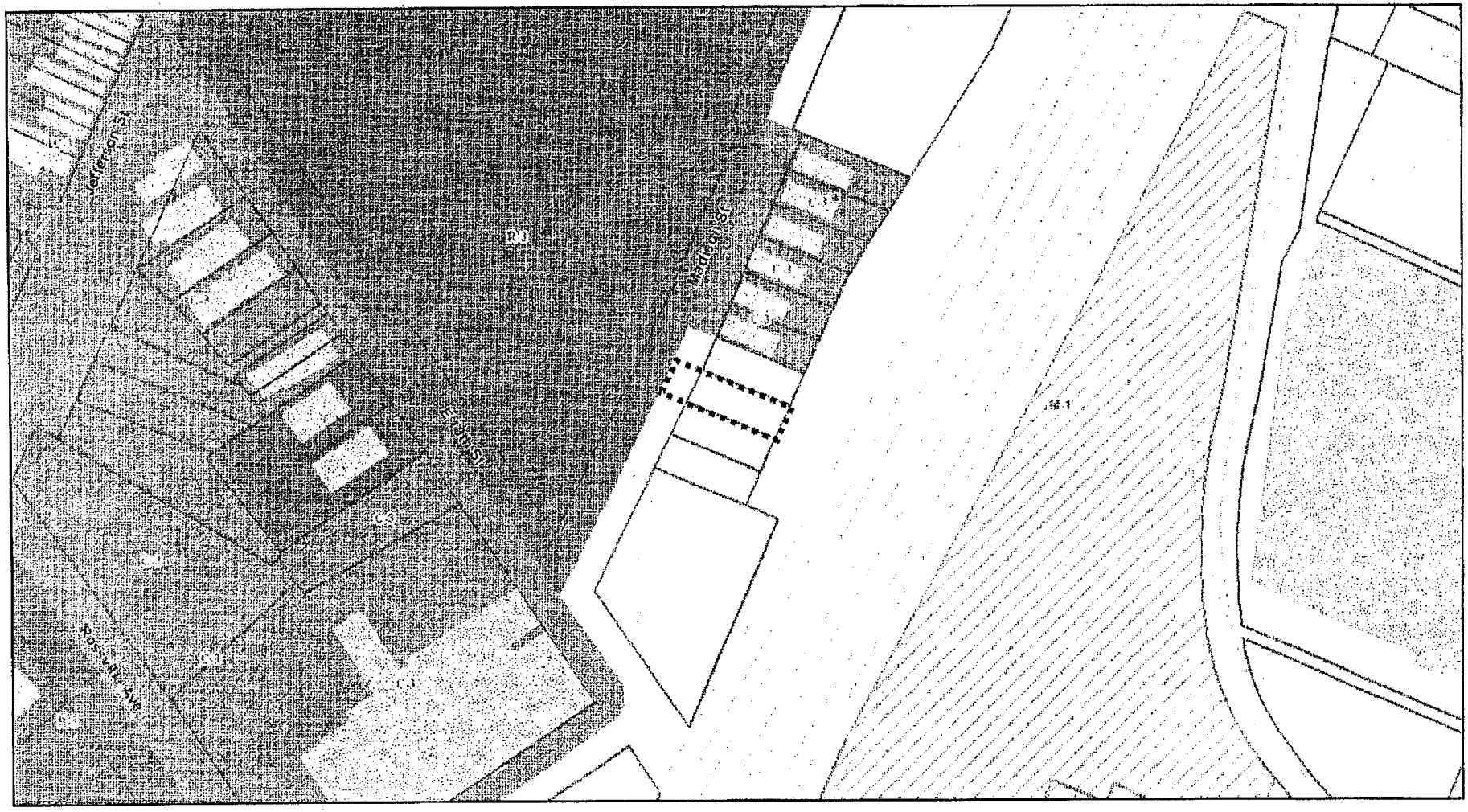
2014-006 Rezoning from M-1 to C-3

Chattanooga Hamilton County Regional Planning Agency

North

114 ft

Chattanooga-Hamilton County RPA Regional Planning Agency



2014-006 Rezoning from M-1 to C-3

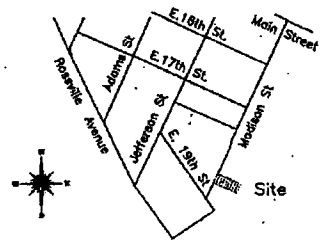
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-006: Approve, subject to the conditions listed in the Planning Commission Resolution.

North

114 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County RPA Regional Planning Agency

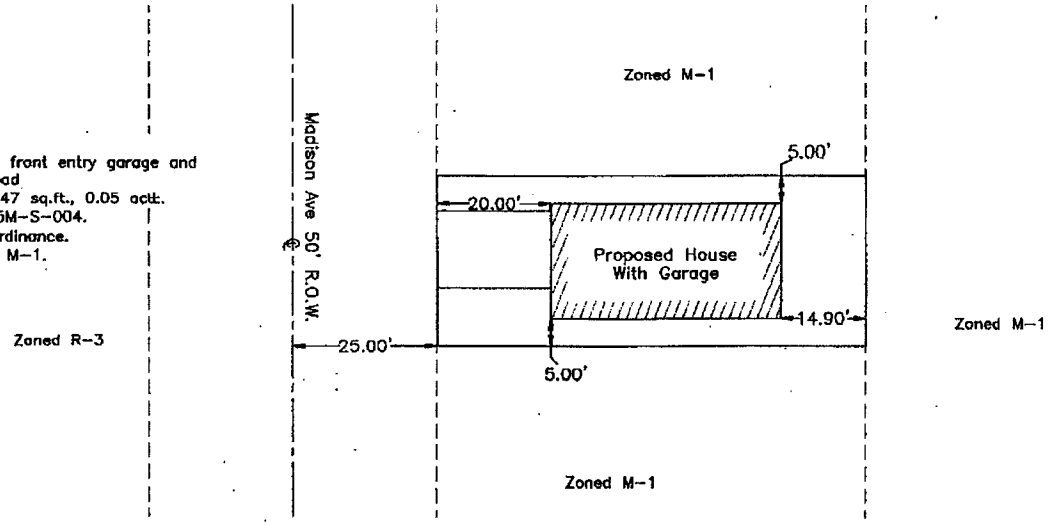


Site Plan
Being Part Of Lot 6, Block 1
Boyce's Amended Addition No. 2
Recorded In Plat Book 5, Page 39 R.O.H.C.
Chattanooga, Hamilton County, Tennessee

Scale: 1" = 20' *November 26, 2013*

Tennessee Grid (By GPS)

Notes:
1.) This lot to have front entry garage and off street parking pad
2.) Project area 2247 sq.ft., 0.05 actt.
3.) Tax Parcel #145M-S-004.
4.) No landscape ordinance.
5.) Currently Zoned M-1.



For:
RTB Holdings, LLC
3712 Ringgold Road
P.O. Box 319
Chattanooga, TN 37412
423-505-5187

0' 20' 40' 60'
Graphic Scale

File Name Boyce's Lot 6, Block 1 Site
Drawing No. 13-197-1

Alan Haniszewski
Tennessee PLS #2398
3073 Baggett Trail
Signal Mountain, TN 37377
423-364-6032
a_haniszewski@yahoo.com

2014-006

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:

> 2013-156 Yuriy Liashevskiy. 7700 block of Shallowford Road, from R-1 Residential Zone to RT-1 Residential Townhouse Zone, subject to certain conditions.
>
> 2014-002 City of Chattanooga/Regional Planning Agency. 6400 block of Fairview Road and the 6700 block of Big Ridge Road, from Temporary R-1 Residential Zone to Zoning Plan for Permanent R-1 Residential Zone for Annexed "Area 4C" in Ordinance Nos. 12293 and 12597.
>
> 2014-003 City of Chattanooga/Regional Planning Agency. 39 streets between the 6600 to 7000 blocks of Middle Valley Road and the 6500 to 7000 blocks of Hixson Pike, from Temporary R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-2 Residential Zone, R-5 Residential Zone and C-2 Convenience Commercial Zone to Zoning Plan for Permanent Zones R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-2 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zone for Annexed "Area 4A" in Ordinance Nos. 12292 and 12596.
>
> 2014-006 Alan Haniszewski/RTB Holdings. 1814 Madison Avenue, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.
>
> 2014-007 Alan Haniszewski/ALC Holdings. 2000 block of Rossville Avenue, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.
>
> 2014-008 Scenic Land Company, LLC/Jack Lonas. 6300 block of Highway 153 and the 100 block of Dodson Road, from R-1 Residential Zone to R-3 Residential Zone, R-4 Special Zone, and C-2 Convenience Commercial Zone, subject to certain conditions.
>
> 2014-009 Andrew Stone. 2701 South Broad Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone.

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,

February 11, 2014

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 _____, 2014.

_____
Sandra Freeman
Clerk to the City Council