

First Reading: _____
Second Reading: _____

2014-051
RTB Holdings, LLC/
Parks Properties, LLC
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 614 EAST MAIN STREET (AT REAR OF PARCEL), MORE PARTICULARLY DESCRIBED HEREIN, FROM M-3 WAREHOUSE AND WHOLESALE 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 614 East Main Street (at rear of parcel), more particularly described herein:

Lots 51 of Montague's Addition No. 1, Plat Book 52, Page 194, ROHC. being part of the property described in Deed Book 4841, Page 699, ROHC. Part of Tax Map No. 145L-J-017.

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

SECTION 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That this rezoning shall be subject to the following:

1. 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, non-residential building 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.
- (2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.
- (3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

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.

2. Land Use.

A. The use of this property shall be limited to residential. Single-family detached shall be allowed.

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. A maximum fifteen (15) foot front setback is allowed to accommodate porches, landscaping, stormwater solutions and street trees.

4. Height Requirements.
 - A. The maximum height of residential buildings shall be three (3) stories.
 - B. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
 - C. The maximum height of all new non-residential buildings and new multi-family buildings shall be five (5) stories.

5. 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.

6. 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.

7. Street Frontage.

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

B. 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:

- (1) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
- (2) A decorative metal fence with landscaping a minimum of three (3) feet in height at maturity, providing a year-round near opaque screen; or
- (3) An evergreen hedge, with a minimum height at maturity of three (3) feet.
- (4) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

C. Ground floor openings (doors and windows) shall constitute a minimum of 50% of the ground floor façade area for new non-residential buildings.

D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.

E. 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

/mem

First Reading: _____
Second Reading: _____

2014-051
RTB Holdings, LLC/
Parks Properties, LLC
District No. 8
Applicant Version

ORDINANCE NO. _____

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and as shown on the maps attached hereto and made a part hereof by reference, from M-3 Warehouse and Wholesale 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

/mem

RESOLUTION

WHEREAS, RTB Holdings, LLC/Parks Properties, LLC 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-3 Warehouse and Wholesale Zone to C-3 Central Business Zone, property located at 614 East Main Street (at rear of parcel).

Lots 51 of Montague's Addition No. 1, Plat Book 52, Page 194, ROHC, being part of the property described in Deed Book 4841, Page 699, ROHC. Part of Tax Map #145L-J-017 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 9, 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 June 9, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to:

1. 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, non-residential building 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.

(2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.

(3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

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.

2. Land Use.

A. The use of this property shall be limited to residential. Single-family detached shall be allowed.

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. A maximum 15-foot front setback is allowed to accommodate porches, landscaping, stormwater solutions and street trees.

4. Height Requirements.

A. The maximum height of residential buildings shall be three (3) stories.

B. The minimum height of new nonresidential buildings shall be eighteen (18) feet.

C. The maximum height of all new non-residential buildings and new multi-family buildings shall be five (5) stories.

5. 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.

6. 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

7. 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 3 feet.
 - d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- (2) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- (3) No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- (4) 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

ZONING APPLICATION FORM

CASE NUMBER:	2014-051		Date Submitted: 05/09/2014				
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)							
1 Applicant Request							
Zoning	From: M-3		To: C-3				
	Total Acres in request area: 1.25 +/-						
2 Property Information							
Property Address:	614 East Main St (at rear of parcel)						
Property Tax Map Number(s):	145L-J-017 (part)						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Residential Development						
4 Site Characteristics							
Current Zoning:	M-3						
Current Use:	Undeveloped, Container Storage						
Adjacent Uses:	Residential, Commercial, Undeveloped, Manufacturing						
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: RTB Holdings LLC			Address: 3721 Ringgold Rd				
Check one:	<input type="checkbox"/> I am the property owner		<input checked="" type="checkbox"/> I am not the property owner				
City: Chattanooga	State: TN	Zip Code: 37421	Email:				
Phone 1: 423-883-0410	Phone 2:	Phone 3:	Fax:				
6 Property Owner Information (if not applicant)							
Name: Parks Properties LLC			Phone: 423-643-3800				
Address: 711 East Main St, Chattanooga, TN 37408							
Office Use Only:							
Planning District: 8A		Neighborhood: Southside Historic District					
Hamilton Co. Comm. District: A		Chatt. Council District: 8		Other Municipality:			
Staff Rec:	PC Action/Date:		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: 1.25 +/-	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 4841/699							
Plat Book/Page: 52/194			<input checked="" type="checkbox"/>	Notice Signs	Number of Notice Signs: 3		
<input checked="" type="checkbox"/>	Filing Fee: \$635.00	<input type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check	Check Number: 5781	
Planning Commission meeting date: 06/09/2014			Application processed by: Jennifer Ware				

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-051	PC Meeting Date: 6-9-2014
PC RECOMMENDATION:	APPROVE, subject to conditions	
Reason(s) for Recommendation	<ul style="list-style-type: none">❖ Proposal is consistent with the Downtown Plan.❖ Proposal is consistent with development patterns in the surrounding neighborhood.❖ Conditions are needed to encourage development that is consistent with the character of the neighborhood.	
Applicant Present at PC Meeting?	Yes	
Opposition Present at PC Meeting?	No	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-051	PC Meeting Date: 06-09-14
Applicant Request:	Rezoning from M-3 Warehouse and Wholesale Zone to C-3 Central Business Zone	
Property Location:	614 East Main Street	
Property Owner:	Parks Properties	
Applicant:	RTB Holdings, LLC	
Staff Recommendation:	APPROVE, with Conditions as noted below	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing to develop the southern portion of the property with 12 residential lots ranging in size from 4,000 to 6,000 square feet. The proposal is for single-family detached units that will front on East 16th Street. The units are proposed to have vehicular access from a rear alley, with garages behind the houses on the alley.

Site Description

The 1.25 acre site is currently used for container storage. Adjacent properties are a mix of residential uses to the south and west, commercial and manufacturing uses to the north along East Main Street, and vacant land to the east across Madison Street.

Zoning History

This site has had no recent zoning activity. To the west of the site is a multi-family residential building, rezoned C-3 Central Business Zone in 1985. Properties to the south are zoned R-3 Residential Zone, though much of the Jefferson Park neighborhood to the south is zoned R-3 Residential Zone and C-3 Central Business Zone. Much of the recent development in this neighborhood has been rezoned to C-3 Central Business Zone for residential purposes over the past several years. Two properties to the north, across East Main Street, were rezoned to C-3 Central Business Zone in 2007 and 2013. Properties immediately to the north, including the northern portion of the subject property, are zoned C-2 Convenience Commercial Zone.

Plans/Policies

This site is within the 2004 Downtown Plan and the 1997 Southside Plan, both of which recommend residential development for this location and the use of alleys for vehicular access.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

RPA Summary

Since the Applicant's proposal is consistent with the Downtown Plan, and with development patterns in the surrounding neighborhood, RPA staff recommends approval. To encourage development that is consistent with the character of the neighborhood both in the present and in the future, staff

STAFF CASE REPORT TO PLANNING COMMISSION

recommends that the following C-3 Central Business Zone conditions be attached:

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STAFF CASE REPORT TO PLANNING COMMISSION

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STAFF CASE REPORT TO PLANNING COMMISSION

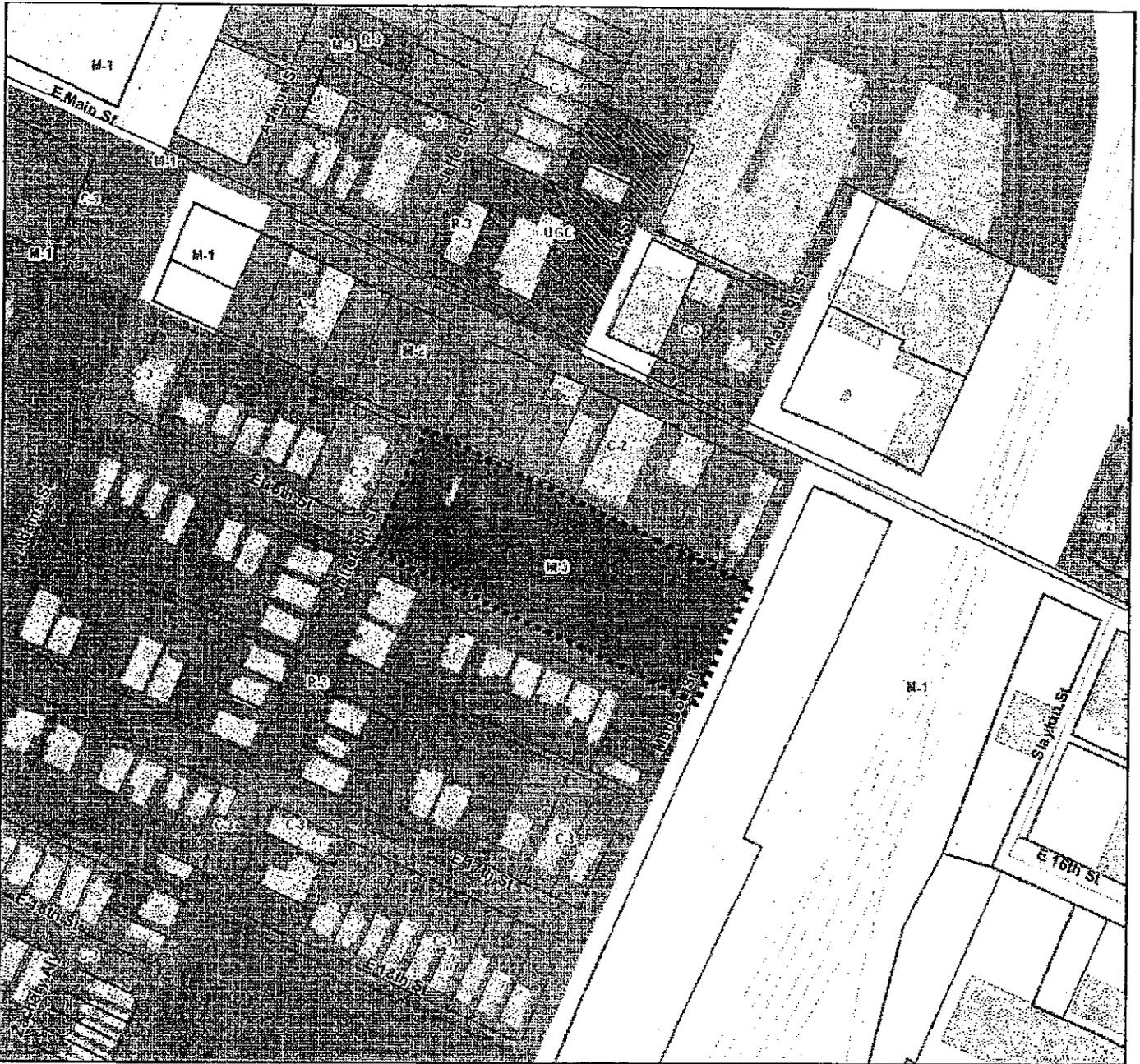
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2014-051 Rezoning from M-3 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-051:
 Approve, subject to the conditions listed in the Planning Commission Resolution.



180 ft



Chattanooga Hamilton County Regional Planning Agency



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

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

2014-046 Wallace and Nancy Braud. 1329 and 1349 Gunbarrel Road, from R-1 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions.

2014-050 Patrick Johnson. 5209 St. Elmo Avenue, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2014-051 RTB Holdings, LLC/Parks Properties, LLC. 614 East Main Street (at rear of parcel), from M-3 Warehouse and Wholesale Zone to C-3 Central Business Zone, subject to certain conditions.

2014-054 Hixson Investors, LLC/Wells Fargo Bank and Raymond L. Hassler. 6308, 6338, 6348, 6352 Grubb Road and 5851 Highway 153, from C-2 Convenience Commercial Zone to R-4 Special Zone, subject to certain conditions.

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

2014-043 Chattanooga Construction Company/Lighthouse Enterprises, LLC. 5336, 5344, and 5050 Hunter Road, for a proposed Residential Planned Unit Development (PUD), subject to certain conditions.

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

2014-055 Hixson Investors, LLC/Wells Fargo Bank and Raymond Hassler. 6308 Grubb Road and 5851, 5861, and 5857 Highway 153, so as to lift conditions from Ordinance No. 11827 of previous Case No. 2006-028 and to lift conditions from Ordinance No. 11946 of previous Case No. 2007-022.

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) Deleting in its entirety Section 38-25, Lots to front street; exceptions, and substituting in lieu thereof; and
- (b) Adding a new Division 4 to Article III, Zones and boundaries, Brainerd Road Streetscape Overlay Zone (BR-SO).

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,

July 8, 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