

**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

2014-134  
Aaron White/MC Holdings, LLC  
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 751 RIVERFRONT PARKWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

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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 751 Riverfront Parkway, more particularly described herein:

Lot 2 of the Jones Blair Paint Company Subdivision, Plat Book 76, Page 88, ROHC, being part of the property described in Deed Book 7415, Page 569, ROHC. Tax Map No. 135N-A-001.

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 approved subject to the following conditions:

**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. 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.
- C. For properties fronting the Tennessee River, a public easement a minimum of thirty-five (35) feet in width shall be provided along the river for the continuation of the Riverwalk.

**3. Height Requirements.**

- A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
- B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be 75 feet.

**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 Chattanooga Department of Transportation 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.
- F. Vehicular circulation and new streets shall be approved by the Chattanooga Department of Transportation.
- G. The owner shall provide a minimum of six (6) feet between the proposed condominium cottage units, instead of the minimum distance of ten (10) feet specified in Section 38-228(1) of the Chattanooga City Code.

**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:
- (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 three (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) Ground floor openings (doors and windows) shall constitute a minimum of 50% 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.

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: \_\_\_\_\_

2014-134  
Aaron White/MC Holdings, LLC  
District No. 7  
Applicant Version

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Passed on second and final reading: \_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_ DISAPPROVED: \_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

/mem

2014-134 City of Chattanooga  
December 8, 2014

## RESOLUTION

WHEREAS, Aaron White/MC Holdings, 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-1 Manufacturing Zone to C-3 Central Business Zone, property located at 751 Riverfront Parkway.

Lot 2 of the Jones Blair Paint Company Subdivision, Plat Book 76, Page 88, ROHC, being part of the property described in Deed Book 7415, Page 569, ROHC. Tax Map 135N-A-001 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on December 8, 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 December 8, 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. 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.

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B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be 75 feet.

4. Access to sites and buildings.

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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.

F. Vehicular circulation and new streets shall be approved by the Chattanooga Department of Transportation.

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:

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  - (5) Square footage of commercial uses or number of residential units
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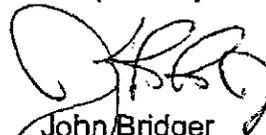
- a. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
- b. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
- c. An evergreen hedge, with a minimum height at maturity of 3 feet.
- 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 facade 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**

<b>CASE NUMBER:</b>	<b>2014-134</b>	<b>Date Submitted:</b>	<b>10-23-14</b>
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b>			
<b>Zoning</b>	<b>From: M-1</b>	<b>To: C-3</b>	
Total Acres in request area: 3.16 Acres			
<b>2 Property Information</b>			
<b>Property Address:</b>	751 Riverfront Parkway		
<b>Property Tax Map Number(s):</b>	135N-A-001		
<b>3 Proposed Development</b>			
<b>Reason for Request and/or Proposed Use:</b>	To Convert Abandoned Brownfield Site to High-Density Mixed-Use Development		
<b>4 Site Characteristics</b>			
<b>Current Zoning:</b>	M-1		
<b>Current Use:</b>	Abandoned Buildings / Brownfield Site		
<b>Adjacent Uses:</b>	Office, Manufacturing, Auto Showroom, and High Density Residential		
<b>5 Applicant Information</b>			
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.			
<b>Name:</b> Aaron White		<b>Address:</b> 310 Jefferson Street, Suite 3	
<b>Check one:</b>	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner
<b>City:</b> Chattanooga	<b>State:</b> Tn.	<b>Zip Code:</b> 37208	<b>Email:</b> Aaron@evergreenrealestate.com
<b>Phone 1:</b> (615) 498-7168	<b>Phone 2:</b>	<b>Phone 3:</b>	<b>Fax:</b>
<b>6 Property Owner Information (if not applicant)</b>			
<b>Name:</b> MC Holdings, LLC		<b>Phone:</b> 423-605-6980	
<b>Address:</b> 1658 Hillcrest Rd. Chattanooga, TN. 37405			
<b>Office Use Only:</b>			
<b>Planning District:</b> 8A		<b>Neighborhood:</b> CWAC	
<b>Hamilton Co. Comm. District:</b> 6		<b>Chatt. Council District:</b> 7	<b>Other Municipality:</b>
<b>Staff Rec:</b>	<b>PC Action/Date:</b>	<b>Legislative Action/Date/Ordinance:</b>	
<b>Checklist</b>			
<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:	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Deed Book(s): 7415-569
<input checked="" type="checkbox"/>	Plat Book/Page: 76-88	<input checked="" type="checkbox"/>	Notice Signs
<input checked="" type="checkbox"/>	Number of Notice Signs: 2	<input checked="" type="checkbox"/>	Filing Fee: 635.00
<input checked="" type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check
<input checked="" type="checkbox"/>	Check Number: 20626	<input checked="" type="checkbox"/>	Planning Commission meeting date: 12-8-14
<input checked="" type="checkbox"/>	Application processed by: Trevor Slayton	<input checked="" type="checkbox"/>	

## STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>2014-134</b>	<b>PC Meeting Date: 12-8-14</b>
<b>Applicant Request:</b>	<b>Rezone from M-1 Manufacturing Zone to C-3 Central Business Zone</b>	
<b>Property Location:</b>	<b>751 Riverfront Parkway</b>	
<b>Property Owner:</b>	<b>MC Holding, LLC</b>	
<b>Applicant:</b>	<b>Aaron White</b>	
<b>Staff Recommendation:</b>	<b>APPROVE, subject to conditions as stated below.</b>	

### PROJECT ANALYSIS

#### RPA Land Use & Transportation Comments

##### Project Description

The applicant plans to convert this abandoned riverfront site to a high-density, mixed use development. The residential density proposed for this development is 24.4 dwelling units per acre. The proposed development would include 9 new townhomes, 19 new cottages, 5 loft apartments and 20 studio apartments in renovated existing buildings, and 10,000 square feet of retail with 79 on-site parking spaces.

Vehicular access will be provided from Riverfront Parkway and Molly Lane.

The same developer is also building a mixed use development immediately south of this site that fronts the Tennessee River.

##### Site Description

This 3.16-acre site located along Riverfront Parkway contains some existing buildings on its southern half. Some of these buildings will be retained and renovated for residential uses; other existing buildings will be demolished. The northern half of the site is vacant land.

Nearby uses include offices, manufacturing, a hotel, and new mixed use development (under construction.) The newest segment of the Riverwalk is also currently under construction west of this site.

The site is not located in the 100-year or 500-year floodplain.

##### Zoning History

Adjacent zones include the C-3 Central Business Zone and the M-1 Manufacturing Zone. Several lots, previously zone M-1 Manufacturing, have been rezoned to C-3 Central Business Zone in recent years to accommodate new mixed-use, urban development.

##### Plans/Policies

The property is located within the boundary of the 2004 Downtown Plan, which recommends "a diverse mix of uses" and "a diversity of housing types" with residential densities of 12 units per acre, or more, throughout the downtown. The Downtown Plan also recommends the reuse of existing buildings.

## STAFF CASE REPORT TO PLANNING COMMISSION

### 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

Mixed-use development with higher residential densities and a diversity of housing types is supported by the 2004 Downtown Plan and the requested zoning is consistent with nearby zoning. It should be noted that the townhomes indicated in the submitted site plan will need to be recorded on their own lots and have direct frontage on a dedicated public right-of-way.

The RPA recommends approval of the applicant's request to rezone from M-1 Manufacturing Zone to C-3 Central Business Zone with the following conditions:

#### 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:

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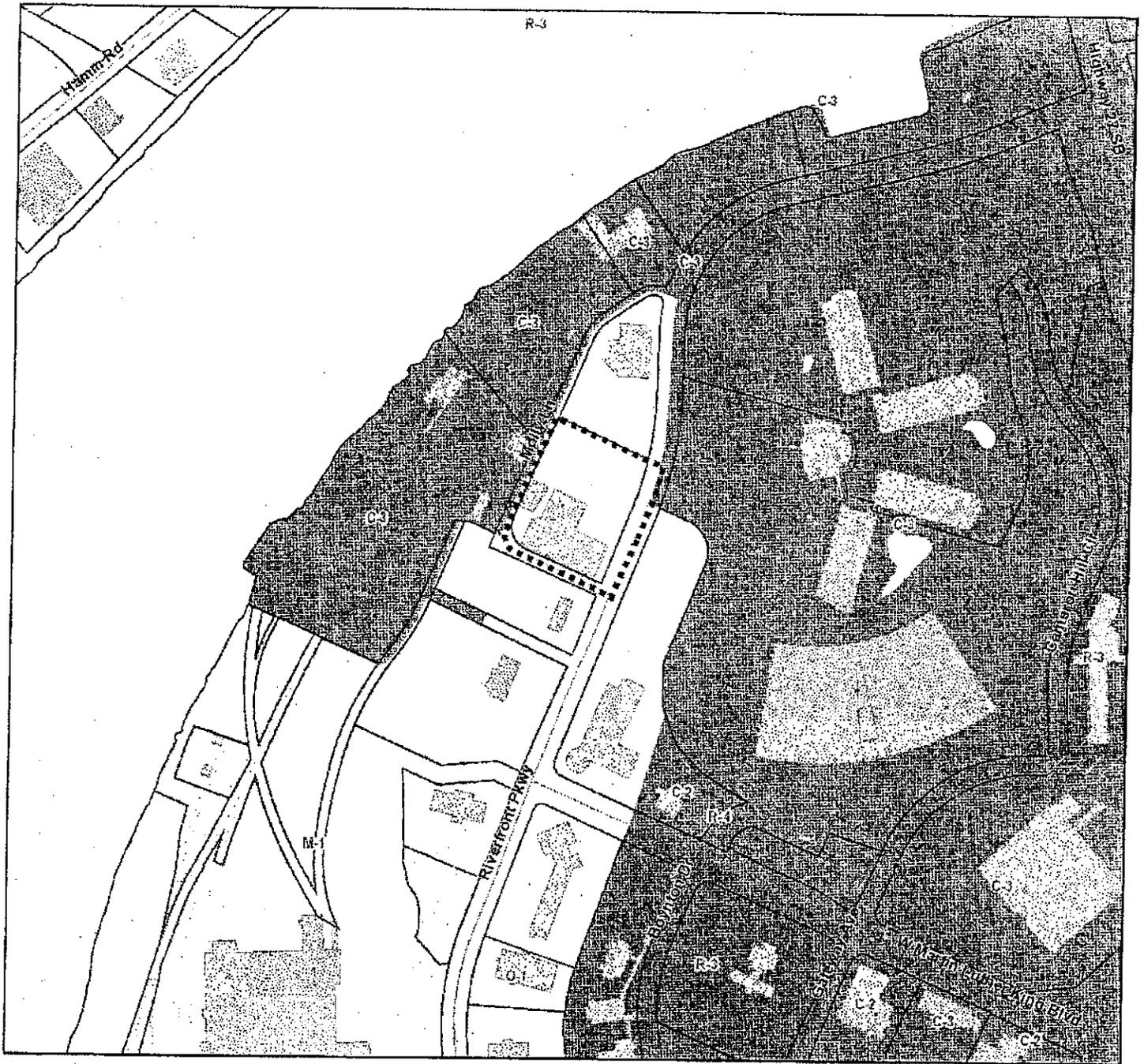
## STAFF CASE REPORT TO PLANNING COMMISSION

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## STAFF CASE REPORT TO PLANNING COMMISSION

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-



## 2014-134 Rezoning from M-1 to C-3



434 ft

Chattanooga Hamilton County Regional Planning Agency

RPA



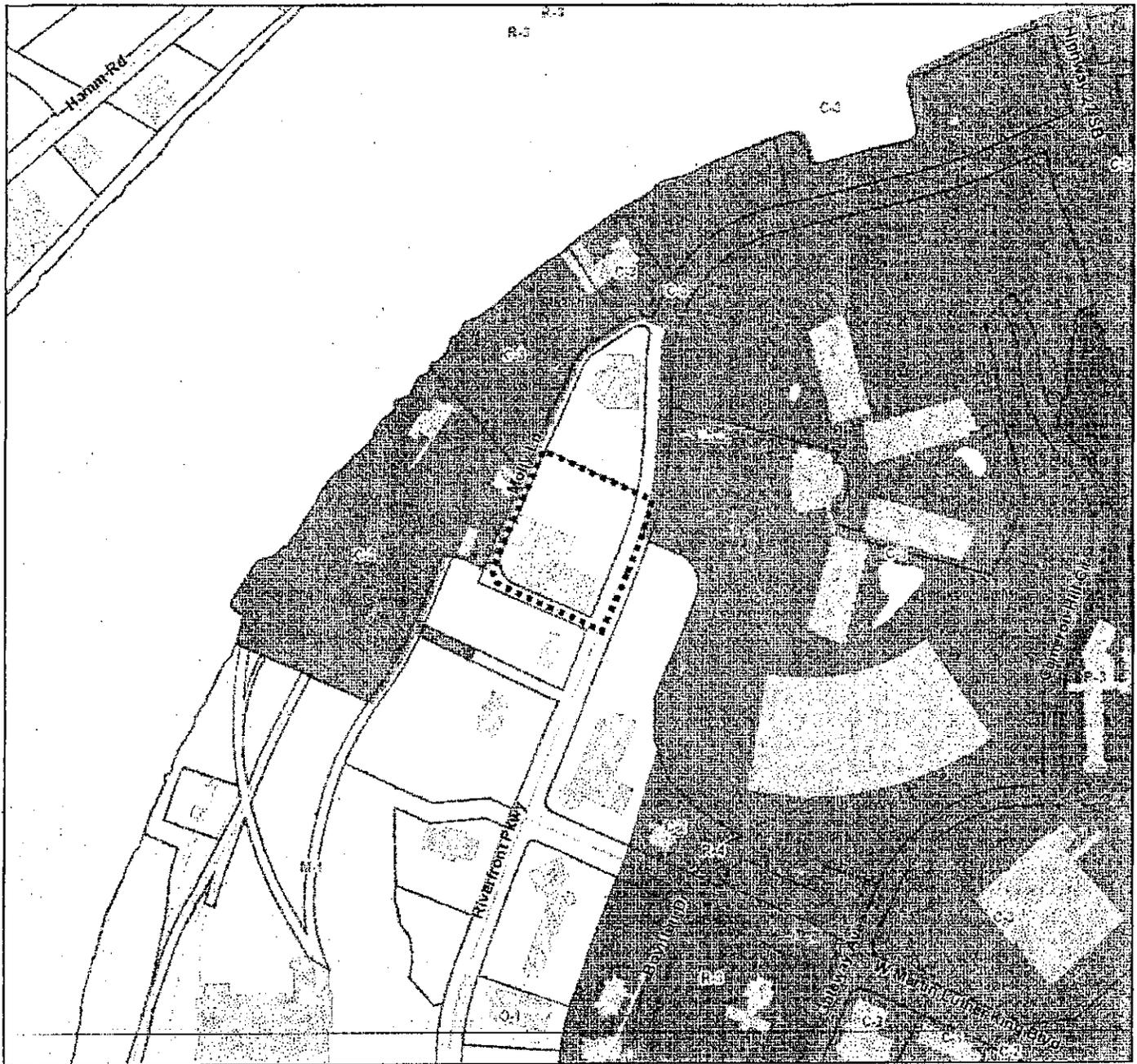
## 2014-134 Rezoning from M-1 to C-3



434 ft

Chattanooga Hamilton County Regional Planning Agency





## 2014-134 Rezoning from M-1 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-134:  
 Approve, subject to the list of conditions in the Planning Commission Resolution.



434 ft



Chattanooga Hamilton County Regional Planning Agency

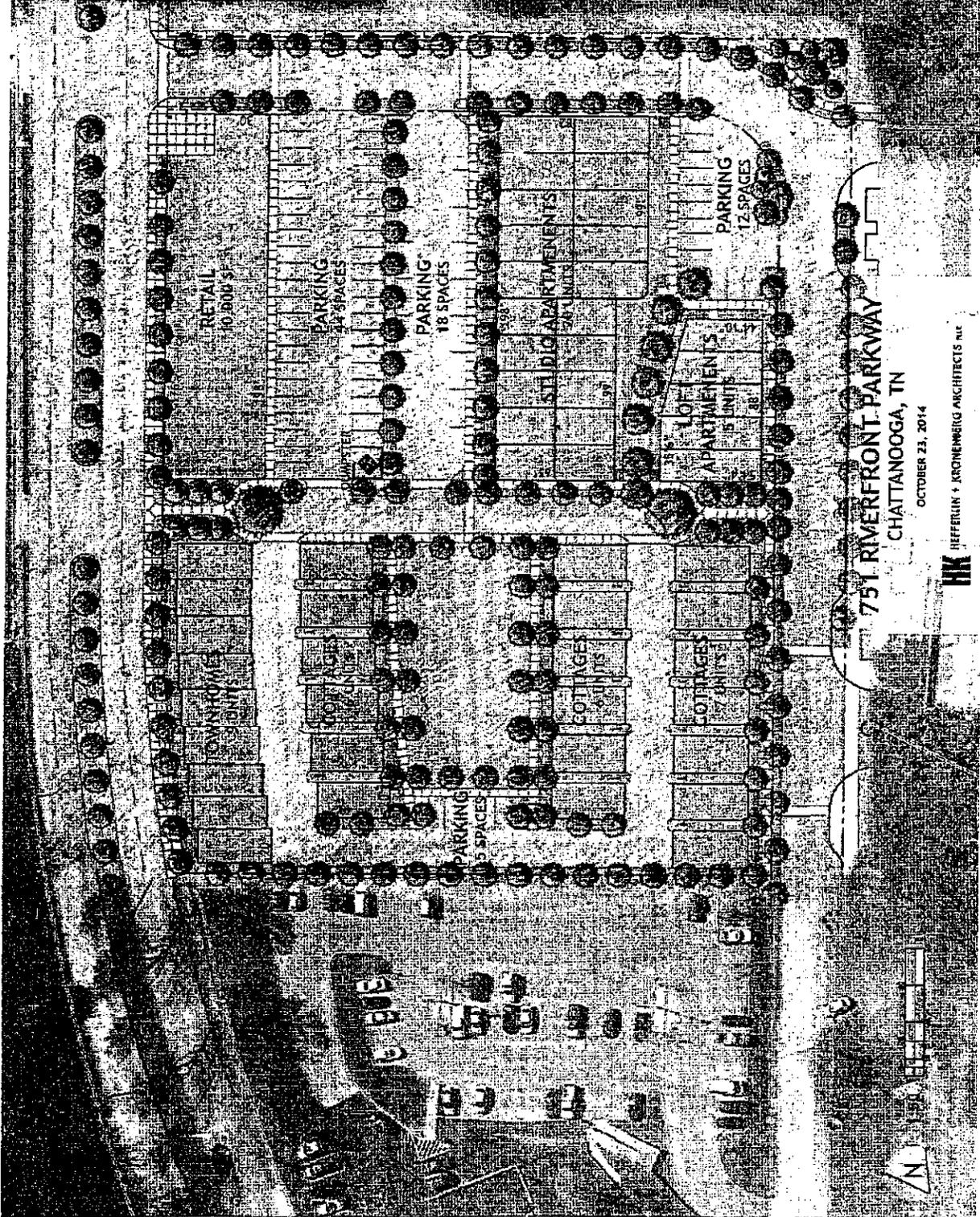


**PROJECT INFORMATION**

**OWNERSHIP:**  
MC HOLDINGS LLC  
1658 HILLCREST RD.  
CHATTANOOGA, TN 37405

**CONTACT:**  
AARON WHITE  
310 JEFFERSON STREET SUITE 411  
NASHVILLE, TN 37208  
615.488.7168  
AARON@EVERGREENREALESTATE.COM

**PROJECT AREA:** 3.16 ACS  
**RESIDENTIAL DENSITY:** 24-4 DU/AC



**751 RIVERFRONT PARKWAY**  
CHATTANOOGA, TN

OCTOBER 23, 2014  
JEFFERLIN + KRONENBERG ARCHITECTS INC.  
**JK**



## 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 denied:

2014-127 Charles Campbell Construction/Rajesh Chaudhari. 630 Shallowford Road, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone.

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

2014-130 Thomas Johnson. 1437 and 1439 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2014-134 Aaron White/MC Holdings, LLC. 751 Riverfront Parkway, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2014-136 GreenSpaces NextGen, LLC/Jim Wilson and Hamilton Avenue Partners. 677 and 703 Hamilton Avenue, from C-7 Northshore Commercial Mixed Use Zone and R-2 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

3. 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 38-43, Uses Permitted as Special Exceptions by the City Council, Item 4.
- (b) Deleting in its entirety Section 38-524, Special Permit for a Two-Family Dwelling in the R-1 Residential 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,

**January 13, 2015**

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.

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Nicole Gwyn  
Clerk to the City Council