

First Reading: _____
Second Reading: _____

2015-020
Thomas Palmer/Dan Rose
District No. 8
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1472 AND 1474 MARKET STREET, 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 properties located at 1472 and 1474 Market Street, more particularly described herein:

Lots 3 and 4, Block 8, J.C. Stanton, Deed Book H, Volume 2, Page 156, ROHC, being the properties described in Deed Book 10315, Page 719, ROHC. Tax Map Nos. 145LA-C-012 and 013.

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.

C. 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:

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- (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.

- D. 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.
- C. 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:
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 - (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.
- D. 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 five (5) stories.

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:
 - (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 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.

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: _____

2015-020
Thomas Palmer/Dan Rose
District No. 8
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 1472 AND 1474 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE.

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Lots 3 and 4, Block 8, J.C. Stanton, Deed Book H, Volume 2, Page 156, ROHC, being the properties described in Deed Book 10315, Page 719, ROHC. Tax Map Nos. 145LA-C-012 and 013.

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

/mem

RESOLUTION

WHEREAS, Thomas Palmer/Dan Rose 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, properties located at 1472 & 1474 Market Street.

Lots 3 and 4, Block 8, J.C. Stanton, Deed Book H, Volume 2, Page 156, ROHC., being the properties described in Deed Book 10315, Page 719, ROHC. Tax Maps 145LA-C-012 and 013 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 9, 2015,

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 February 9, 2015, 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.

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 five (5) stories.

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:

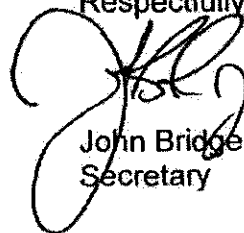
- (1) Proximity to transit stops
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- (3) Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
- (4) Type of uses and hours of operation
- (5) Square footage of commercial 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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- (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

PLANNING COMMISSION CASE REPORT

Case Number: 2015-020

PC Meeting Date: 02-09-15

Applicant Request**Rezone from M-1 Manufacturing Zone to C-3 Central Business Zone**

Property Location:	1472 & 1474 Market Street
Property Owner:	Dan Rose
Applicant:	Thomas Palmer

Project Description

- Three- to four-story mixed used building.
- Since the current zone only permits non-residential uses, it is assumed the C-3 Zone is desired to accommodate some residential uses and urban setbacks and parking.

Site Analysis**Site Description**

- The 7,840 square foot vacant site is located on the east side of Market Street adjacent to the Terminal Brewhouse and approximately 100 feet from the intersection with Main Street.
- Access: Currently vehicular access to the site is via the existing two open rights-of-way on the north and east sides of the site. There is no existing curb cut on Market Street.
- Development form: There is a mixture of one, two, three, and four story buildings within a 500-foot radius of this downtown urban site.
- Land uses: There is a mixture of retail, office, residential, hotel, and other mixed uses within this same 500-foot radius.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- All properties surrounding this site are zoned C-3 Central Business.
- There has been no recent zoning activity on this site.

Plans/Policies

- The Downtown Plan (adopted by City Council in 2004) recommends urban, mixed use development including residential, music venues, and restaurants.
- The Downtown Plan further recommends that "curb cuts should not be added to major downtown streets. Side streets and alleys should be used for vehicular access."
- The M-1 Manufacturing Zone only permits non-residential uses.

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve, subject to the following conditions:

1. Review.

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PLANNING COMMISSION CASE REPORT

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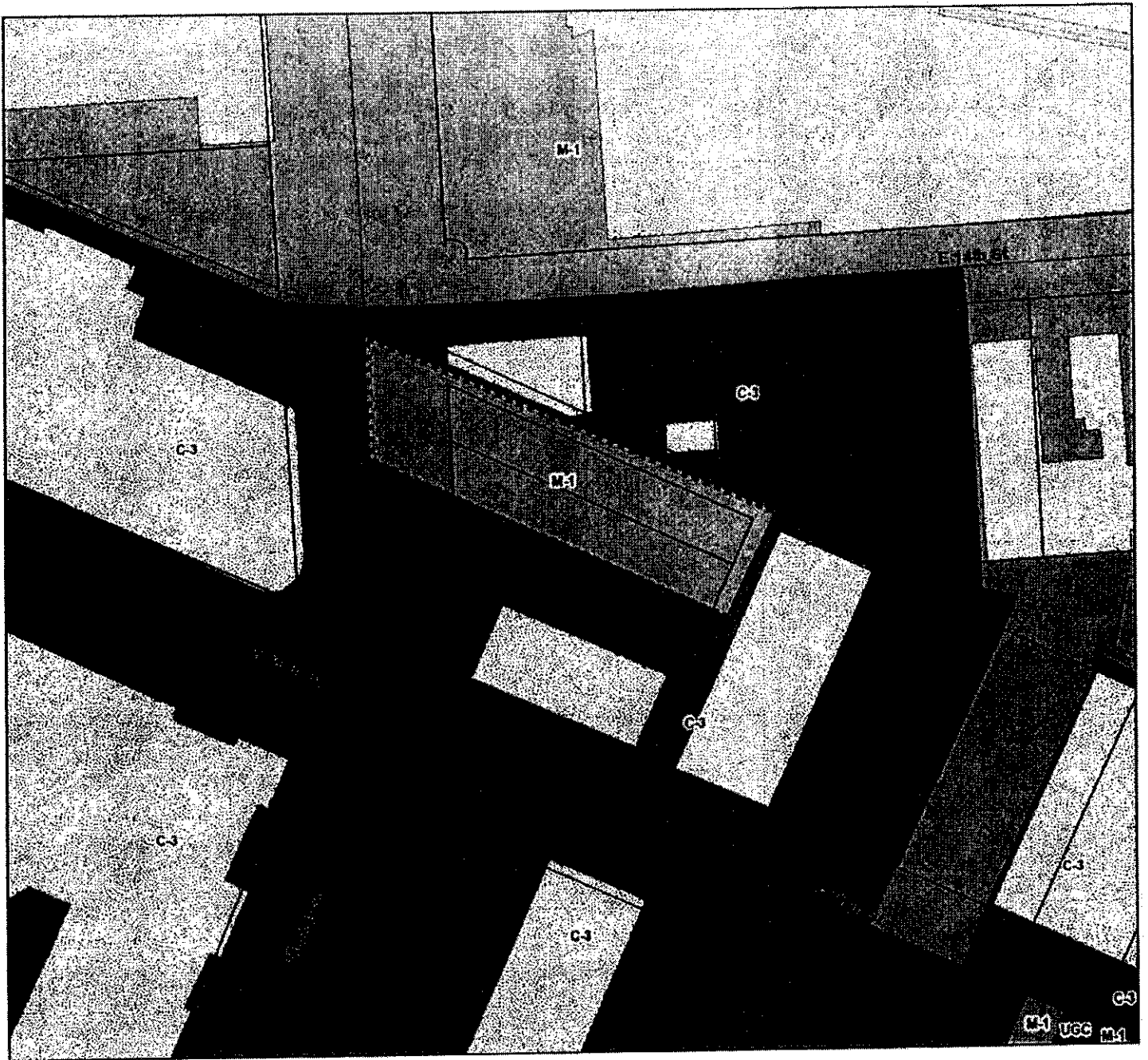
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PLANNING COMMISSION CASE REPORT

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ZONING APPLICATION FORM

CASE NUMBER:	2015-020	Date Submitted:	12-19-2014
(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: 0.18			
2 Property Information			
Property Address:	1472 & 1474 Market Street		
Property Tax Map Number(s):	145LA-C-012 & 013		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Parcels to be combined for 3-4 story mixed use building		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Vacant		
Adjacent Uses:	C-3, Art Gallery, Restaurants		
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: Thomas Palmer		Address: 1426 Williams Street Suite 11	
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: 37408	Email: thomas@palmerbe.com
Phone 1: 423-903-7050	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Dan Rose		Phone: 781-752-5890	
Address: 29 Johnson Street Chattanooga, TN 37408			
Office Use Only:			
Planning District: 8A		Neighborhood: CNAC	
Hamilton Co. Comm. District: 6		Chatt. Council District: B	
Staff Rec:		Other Municipality:	
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: 0.18	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10315-719			
Plat Book/Page: H2-156		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 1728
Planning Commission meeting date: February 9 th , 2015		Application processed by: Marcia Parker	



2015-020 Rezoning from M-1 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE 2015-020: Approve,
 subject to the list of conditions in the Planning Commission Resolution.

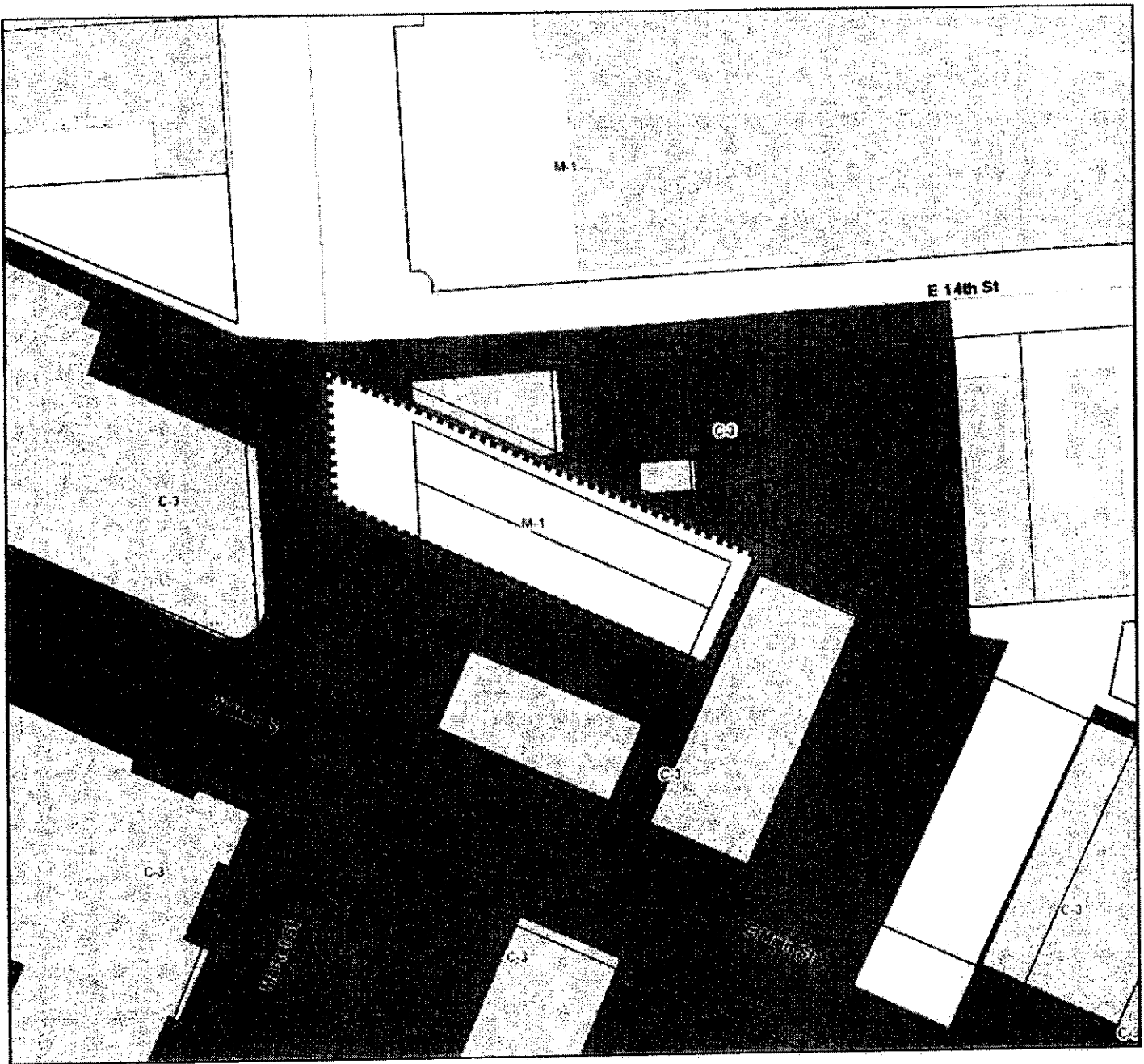


70 ft



Chattanooga Hamilton County Regional Planning Agency





2015-020 Rezoning from M-1 to C-3



Chattanooga Hamilton County Regional Planning Agency



67 R



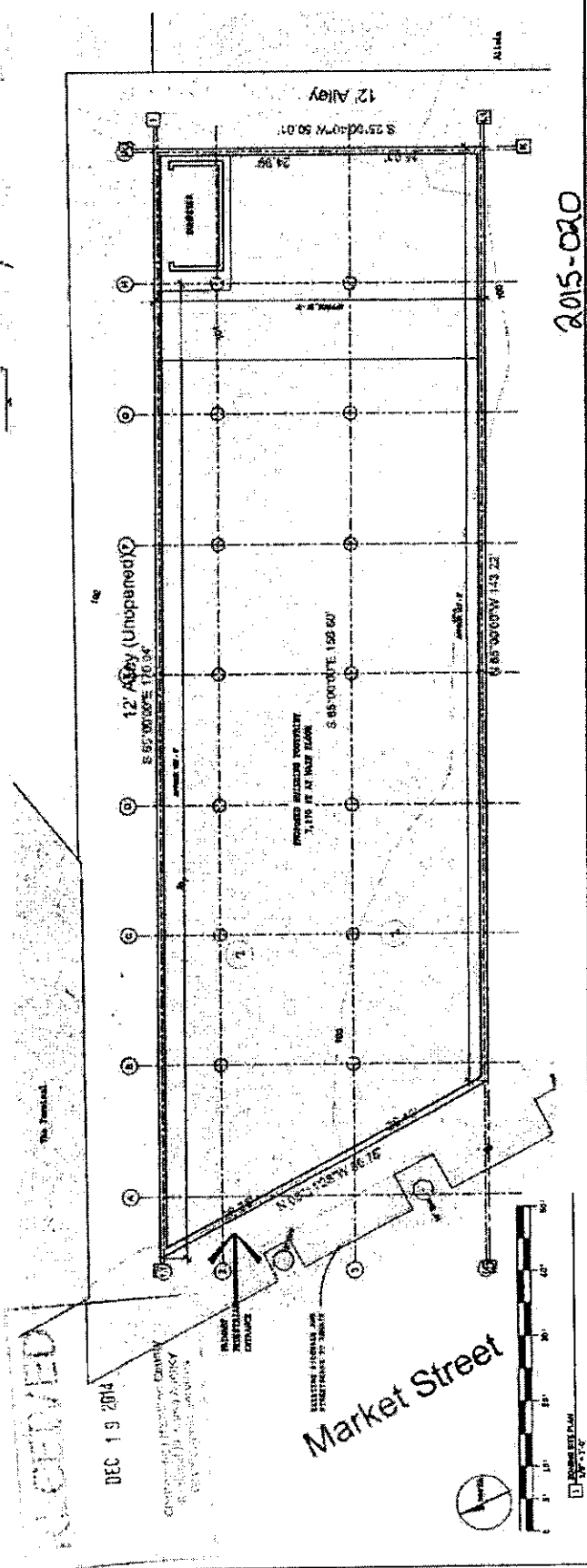


PROJECT ASSOCIATION
 1472 & 1474 MARKET ST
 CHATT, TN 37408
 TEL: 615-726-4644
 WWW.PAASSOCIATION.COM

1472 MARKET
 1472 & 1474 MARKET ST
 CHATT, TN 37408



NO. 1	1472 MARKET
NO. 2	1472 MARKET
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NO. 29	1472 MARKET
NO. 30	1472 MARKET



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 petitions to rezone be approved:

2015-016 Wesley Johnson, Jr./Dawghouse Holdings, LLC. 2847 Calhoun Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone.

2015-018 University Housing Group/Westview Drive, LP. 1428 Riverside Drive, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-019 Hometown Folks, LLC c/o MAP Engineers/Walter & Sharon Willis. 13 South Moore Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2015-020 Thomas Palmer/Dan Rose. 1472 and 1474 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-022 Mike Doucoumes. 1428 Crawford Street, from R-1 Residential Zone to R-4 Special Zone.

2015-026 John Parrish/Carlson Consulting Engineers/Suntrust Bank, Alvin Cannon, William Voiles, Cornerstone Auto Broker, LLC. 8607, 8613, and 8619 North Hickory Valley Road and 5317, 5321, 5323, 5325, 5327, 5329, and 5331 Highway 58, from R-3 Residential Zone and C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2. 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 Article IV, Section 38-23 in its entirety and substituting in lieu thereof.

- (b) Deleting Article VI, Sections 38-502 through 38-512 in their entirety and substituting in lieu thereof.
- (c) Replacing in Article VIII, Section 38-568(23), the “38-507” reference in the second paragraph with “38-502(8).”
- (d) Deleting Article IV, Section 38-32 in its entirety and substituting in lieu thereof.
- (e) Adding a new item (6) to Article V, Section 38-104.

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,

March 10, 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 _____, 2015.

Nicole Gwyn
Clerk to the City Council