

First Reading: _____
Second Reading: _____

2015-108
Jim Richard and Bill Reason
District No. 1
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 405 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND M-2 LIGHT INDUSTRIAL ZONE TO C-7 NORTHSHORE COMMERCIAL MIXED USE 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 405 North Market Street, more particularly described herein:

Lot 2, Williams Addition Number 1 to Hill City, Plat Book 64, Page 230, and described in Deed Book 10198, Page 386, ROHC. Tax Map No. 135D-B-010.

and as shown on the maps attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone and M-2 Light Industrial Zone to C-7 Northshore Commercial Mixed Use 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

First Reading: _____
Second Reading: _____

2015-108
Jim Richard and Bill Reason
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 405 NORTH MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND M-2 LIGHT INDUSTRIAL 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 405 North Market Street, more particularly described herein:

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(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

RESOLUTION

WHEREAS, Jim Richards and Bill Reason petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from M-1 Manufacturing Zone and M-2 Light Industrial Zone to C-3 Central Business Zone, property located at 405 North Market Street.

Lot 2, Williams Addition Number 1 to Hill City, Plat Book 64, Page 230, and described in Deed Book 10198, Page 386, ROHC. Tax Map 135D-B-010 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 14, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, there was opposition present 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,

AND WHEREAS, the Planning Commission has determined that the proposal is consistent and compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 14, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for the C-3 Central Business Zone request and approved for a C-7 Northshore Commercial Mixed Use Zone.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-108		Date Submitted: 7-27-2015				
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)							
1 Applicant Request							
Zoning	From: M-1 & M-2		To: C-3				
Total Acres in request area: 0.46							
2 Property Information							
Property Address:	405 North Market Street						
Property Tax Map Number(s):	135D-B-010						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Change of Use/Restaurant						
4 Site Characteristics							
Current Zoning:	M-1 & M-2						
Current Use:	Light Manufacturing						
Adjacent Uses:	Retail, Fitness, Planned Retail						
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: Jim Richards		Address: 7663 Harrier Hill					
Check one:	<input checked="" type="checkbox"/>	I am the property owner	<input type="checkbox"/>	I am not the property owner			
City: Signal Mtn	State: TN	Zip Code: 37377	Email: jrichards5guys@epbfi.com				
Phone 1: 423-605-1253	Phone 2:	Phone 3:	Fax:				
6 Property Owner Information (if not applicant)							
Name: Bill Reason		Phone: 423-265-9675					
Address: PO Box 4232 Chattanooga, TN 37405							
Office Use Only:							
Planning District: 8B		Neighborhood: CNAC, North Shore Neighborhood, Hill City, North Shore Merchants Association, North Side, Cherokee Corner Association					
Hamilton Co. Comm. District: 6		Chatt. Council District: 1	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: 0.46	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 10198-386							
Plat Book/Page: 64-230		<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: 3233	
Planning Commission meeting date: 9-14-2015			Application processed by: Marcia Parker				

PLANNING COMMISSION CASE REPORT

Case Number: 2015-108

PC Meeting Date: 09-14-15

Applicant Request**Rezone M-1 Manufacturing & M-2 Light Industrial to C-3 Central Business Zone**

Property Location: 405 North Market Street

Property Owner: Bill Reason

Applicant: Jim Richards

Project Description

- Proposal: Use existing structure on a 0.46-acre site for a small-scale restaurant with outdoor seating and/or retail uses. The applicant also plans to create a more pedestrian-friendly façade.
- Proposed Access: Main entrance on North Market Street and secondary entrance at rear from West Manning Street.
- Proposed Development Form: Use existing 1-story building.

Site Analysis**Site Description**

- Location: The 0.46-acre North Chattanooga site is located on the west side of North Market Street across the street from the new Publix grocery store.
- Current Access: North Market Street and West Manning Street.
- Current Development form: There is a mixture of one and two-story buildings within a 500 foot radius of this site.
- Current Land Uses: All adjacent properties and properties across North Market Street and West Manning Street are currently used for a variety of non-residential/business uses.

Zoning History

- The site is currently zoned M-1 Manufacturing. A small portion at the rear of the lot is zoned M-2 Light Industrial.
- The property to the north is zoned M-1 Manufacturing. The property to the east is zoned C-7 North Shore Commercial/Mixed Use. The property to the south is zoned M-1 Manufacturing. The property to the west is zoned M-2 Light Industrial.
- The nearest C-3 Central Business Zone (same as the request) is located at the corner of Cherokee Boulevard and Manufacturers Road approximately 930 feet (straight line distance) southwest of the site.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The North Shore Plan (adopted by City Council in 2007) recommends Medium-Intensity Mixed Use.
- The M-1 Manufacturing Zone requires 1 parking space for every 75 square feet of gross leasable area (GLA) for restaurants; 4 spaces for every 1,000 square feet (GLA) for retail under 25,000 square feet and 5 spaces for every 1,000 square feet (GLA) for retail over 25,000 square feet. The proposed site plan does not show enough parking to meet the current M-1 zoning parking requirements (Sec. 38-472 of the zoning code). The amount of off-street parking required based on a general estimate of the building size (roughly 3,000 square feet) is 40 spaces. The site plan only indicates 14-15 spaces within the property line. The proposed C-3 Central Business Zone has no requirement for providing off-street parking (Article V, Division 29, Section 38-473 (13)).
- The C-7 North Shore Commercial/Mixed Use Zone (recommended by Staff) does not have minimum requirement for the number of parking spaces to be provided. However, the amount of parking to be provided must be presented to the North Shore Review Committee who must then consider uses, hours of operation, availability of on-street, nearby public, shared, or leased off-site parking. The C-7 Guidelines further prescribe that parking should not dominate the site design, but should be

PLANNING COMMISSION CASE REPORT

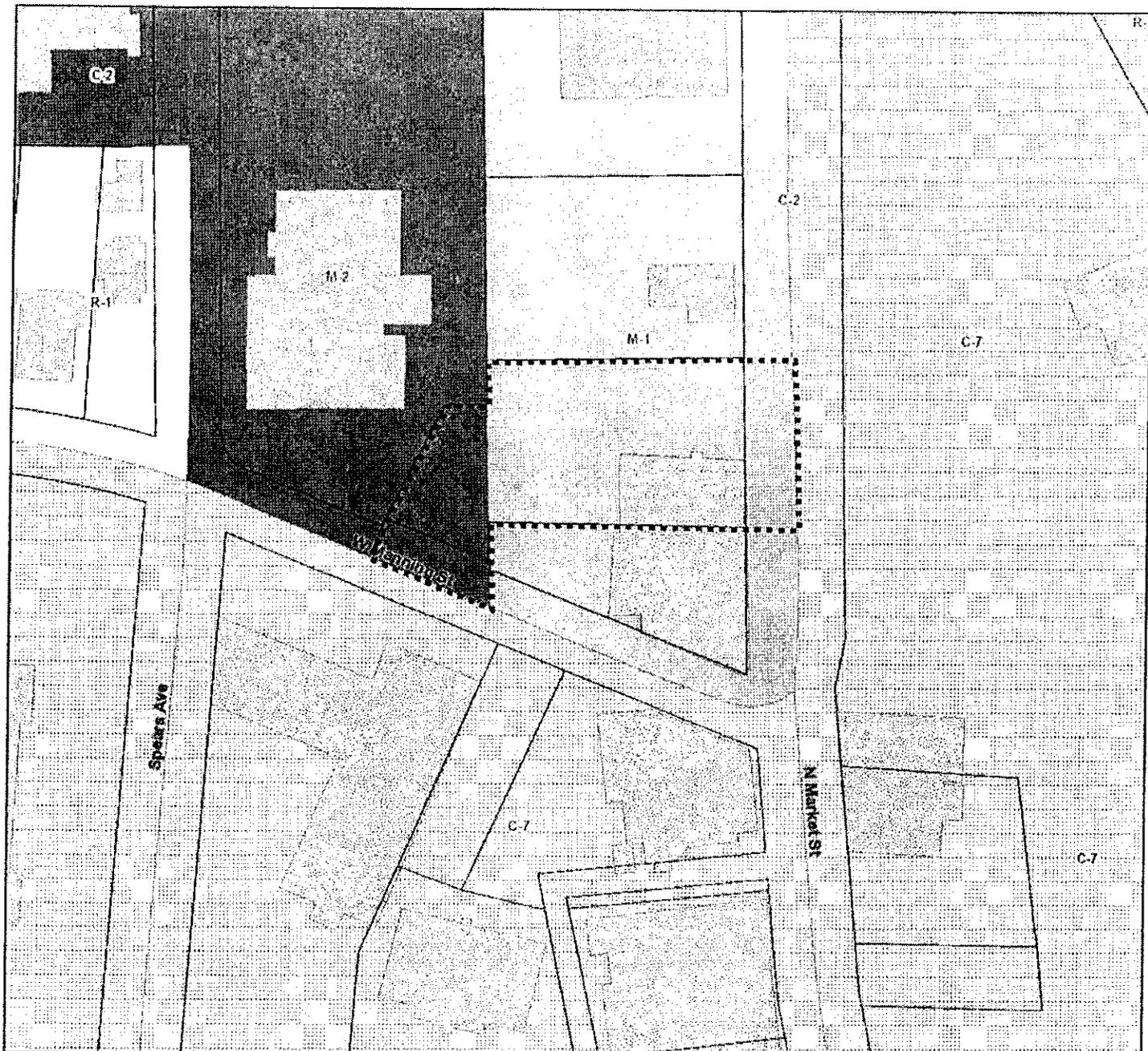
sensitive to pedestrian safety and urban character. This site's parking design is consistent with the C-7 Parking design recommendations as it shares an existing parking lot with the neighbor to the north at 415 Market Street.

Key Findings

- The proposed use is supported by the recommendations of the adopted Land Use Plan for the area due to the intended use of small-scale commercial.
- The proposed use is consistent with surrounding uses.
- The proposed design is consistent with the development form of the area, and the proposal is planned to renovate the existing one-story structure and create a more inviting space that activates the street.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The requested C-3 Central Business Zone would not be an extension of an existing zone, but the recommended C-7 North Shore Commercial/Mixed Use Zone would be an extension an existing zone.
- The requested C-3 Central Business Zone would set a precedent for future requests on North Market Street. This zone is generally intended for the downtown core area to accommodate multi-story structures.
- The large grocery store across North Market Street and the other shops and small restaurants in the area have already established a pattern for this use in this area.

Staff Recommendation

Deny the C-3 Central Business Zone request and approve C-7 North Shore Commercial/Mixed Use Zone.



2015-108 Rezoning from M-1 and M-2 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-108: Deny C3; Approve C7

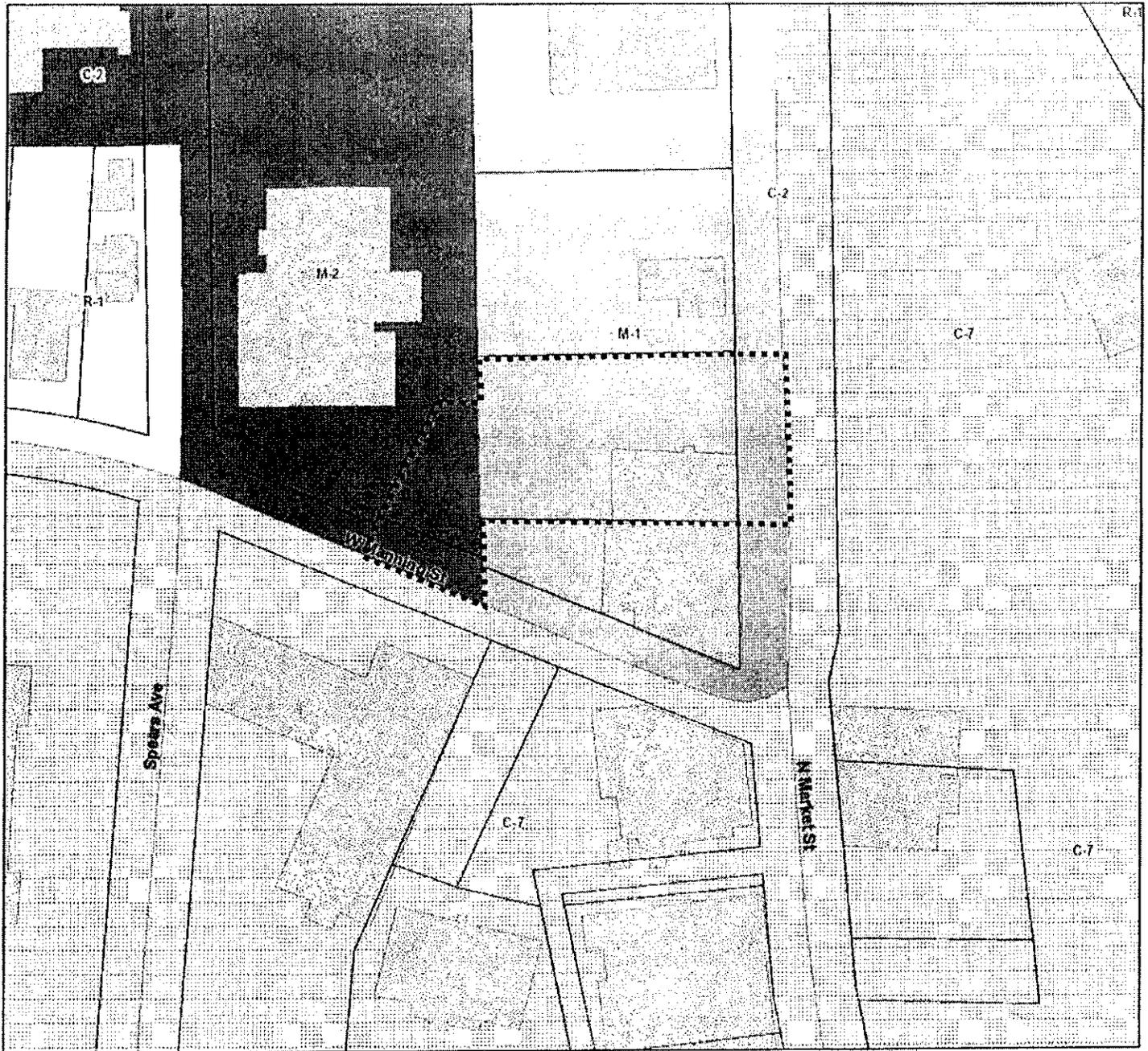


85 ft



Chattanooga Hamilton County Regional Planning Agency





2015-108 Rezoning from M-1 and M-2 to C-3



Chattanooga Hamilton County Regional Planning Agency



85 ft

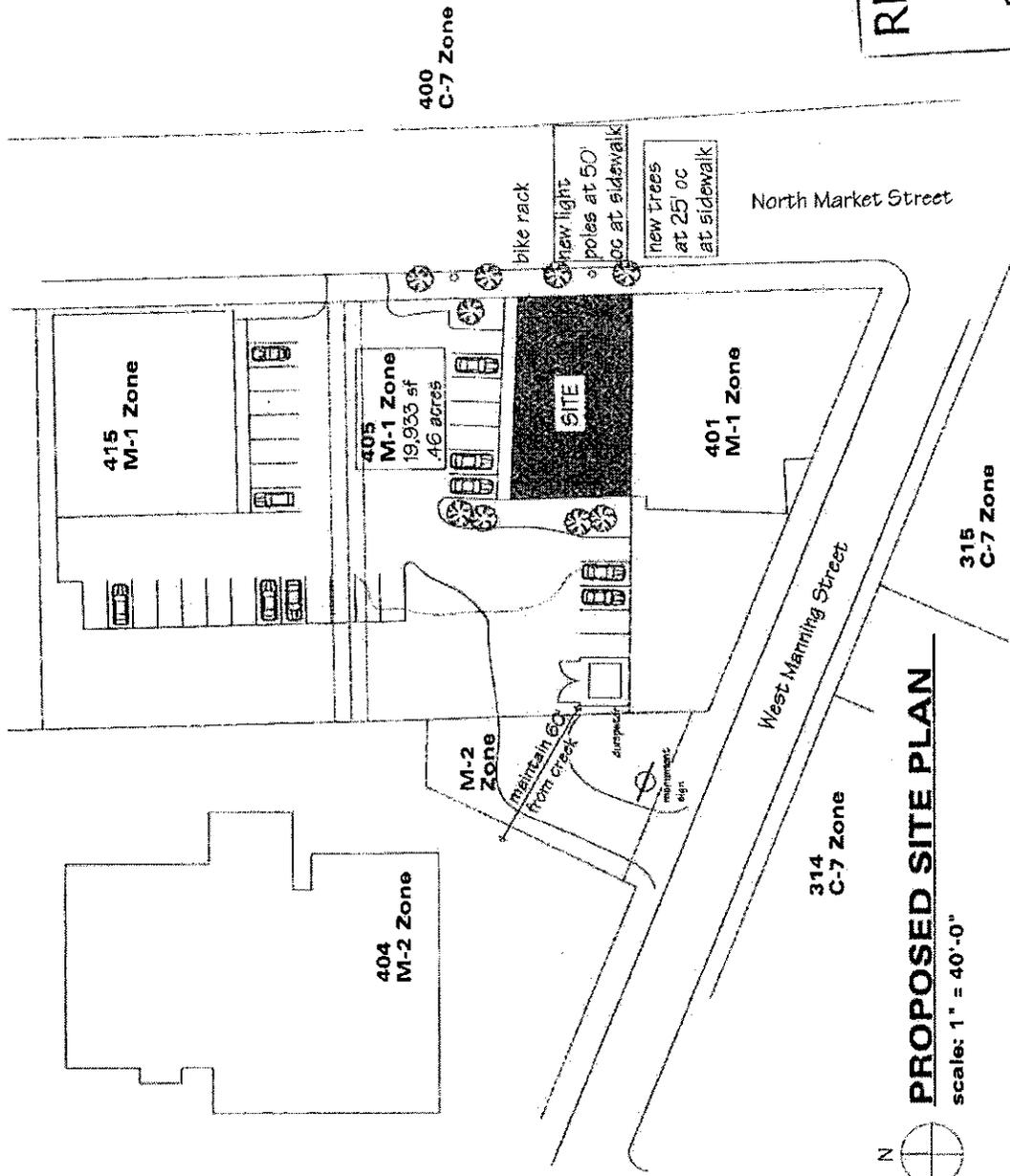


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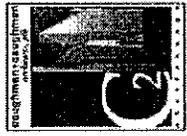
Chatham County Planning Agency
Development Services

RE: 2015-108



PROPOSED SITE PLAN

scale: 1" = 40'-0"



400
C-7 Zone

415
M-1 Zone

405
M-1 Zone
19,933 sf
.46 acres

401
M-1 Zone

315
C-7 Zone

314
C-7 Zone

404
M-2 Zone

M-2
Zone

West Manning Street

North Market Street

bike rack

new light
poles at 50'
oc at sidewalk

new trees
at 25' oc
at sidewalk

SITE

maintain 60'
from street

dumpster

manhole

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:

2015-100 Choo Choo Partners, LP/Jon Kinsey. 1400 Market Street, 1435 Rossville Avenue, and 13 East 14th Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-101 City of Chattanooga/Regional Planning Agency. Properties generally bounded on the north by the Norfolk Southern Railway, on the south by Cummings Highway, on the east by Williams Street, and on the west by Interstate 24, from M-1 Manufacturing Zone, M-2 Light Industrial Zone, C-2 Convenience Commercial Zone, and R-3 Residential Zone to UGC Urban General Commercial Zone.

2015-107 Rocky Chambers with Chattanooga Engineering Group and Mike Oswald. 6913, 6917, and 6921 Greenway Drive, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2015-113 ASA Engineering/Allen Jones/Woodwork Realty Company. 405 East Main Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the C-3 Central Business Zone request and approved for a C-7 Northshore Commercial Mixed Use Zone:

2015-108 Jim Richards and Bill Reason. 405 North Market Street, from M-1 Manufacturing Zone and M-2 Light Industrial Zone to C-3 Central Business 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) Amending Article IX, Landscaping Provisions, by removing Section 38-596, Stormwater Credits in its entirety.

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,

October 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 _____, 2015.

Nicole Gwyn
Clerk to the City Council