

First Reading: _____
Second Reading: _____

2015-113
ASA Engineering/Allen Jones/
Woodwork Realty Company
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 405 EAST MAIN 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 property located at 405 East Main Street, more particularly described herein:

An unplatted tract of land beginning on Main Street at the southeast corner of Lot 1, Re-sub of Lots 1 and 2 of the Signal Realty S/D, Plat Book 35, Page 222 and going in a northeasterly direction some 80.83 feet, thence westerly some 113.70 feet, thence northwardly some 113.68 feet, thence in an easterly direction some 645.15 feet, thence southeasterly some 192.19 feet, thence along Main Street some 532.24 feet to the point of beginning as described on the submitted site plan dated 8/6/15 by ASA Engineering & Consulting, Inc. The said unplatted tract being a portion of Lot 2, Final Plat of Lots 1 and 2, Division of Signal Realty Company Property, Plat Book 33, Page 135, ROHC and described in part in Deed Book 7429, Page 58, ROHC. Tax Map No. 145LC-A-001 (part).

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.

- (2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.
- 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.

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 four (4) 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. For large sites with a limited existing interior street network, the new development shall include a network of connected interior streets, with buildings fronting those streets, to be reviewed and approved by the Chattanooga Department of Transportation.
- F. 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 twenty-five percent (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 (5) 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

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- 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 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.
- B. Ground floor openings (doors and windows) shall constitute a minimum of fifty percent (50%) of the ground floor façade area for new non-residential buildings.
 - C. Eighty percent (80%) of the ground level building façade, facing primary shall be designed as leasable space and shall not include parking lots.
 - a. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.
 - 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: _____

2015-113
ASA Engineering/Allen Jones/
Woodwork Realty Company
District No. 8
Applicant Version

ORDINANCE NO. _____

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Passed on second and final reading: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mem

RESOLUTION

WHEREAS, ASA Engineering/Allen Jones/Woodwork Realty Company 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 to C-3 Central Business Zone, property located at 405 East Main Street.

An unplatted tract of land beginning on Main Street at the southeast corner of Lot 1, Re-sub of Lots 1 and 2 of the Signal Realty S/D, Plat Book 35, Page 222 and going in a northeasterly direction some 80.83 feet, thence westerly some 113.70 feet, thence northwardly some 113.68 feet, thence in an easterly direction some 645.15 feet, thence southeasterly some 192.19 feet, thence along Main Street some 532.24 feet to the point of beginning as described on the submitted site plan dated 8/6/15 by ASA Engineering & Consulting, Inc. The said unplatted tract being a portion of Lot 2, Final Plat of Lots 1 and 2, Division of Signal Realty Company Property, Plat Book 33, Page 135, ROHC and described in part in Deed Book 7429, Page 58, ROHC. Tax Map 145LC-A-001 (part) 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, 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,

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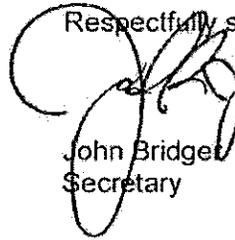
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C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

- D. Shared drives should be used wherever possible.
 - E. For large sites with a limited existing interior street network, the new development shall include a network of connected interior streets, with buildings fronting those streets, to be reviewed and approved by the Chattanooga Department of Transportation.
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 - 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.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-113	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	To: C-3	
Total Acres in request area: 2.61			
2 Property Information			
Property Address:	405 East Main Street		
Property Tax Map Number(s):	145LC- A-001 (part)		
3 Proposed Development			
Reason for Request and/or Proposed Use:	New Townhouse Development		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Parking lot for Manufacturing Facility		
Adjacent Uses:	M-1, UGC, & C-3		
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: Asa Engineering/Allen Jones		Address: 109 East Martin Luther King Boulevard	
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: 37402	Email: ajones@asaengineeringinc.com
Phone 1: 423-805-3700	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Woodwork Realty Company		Phone: 423-899-6233	
Address: 405 East Main Street Chattanooga, TN 37401			
Office Use Only:			
Planning District: 8A		Neighborhood: CNAC	
Hamilton Co. Comm. District: 6		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: 2.61	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Deed Book(s): 7429-58
<input checked="" type="checkbox"/>	Plat Book/Page: 35-222	<input checked="" type="checkbox"/>	Notice Signs
<input checked="" type="checkbox"/>	Number of Notice Signs: 1	<input checked="" type="checkbox"/>	Filing Fee: 635.00
<input checked="" type="checkbox"/>	Cash	<input checked="" type="checkbox"/>	Check
<input checked="" type="checkbox"/>	Check Number: 1635	Planning Commission meeting date: 9-14-2015	
Application processed by: Marcia Parker			

PLANNING COMMISSION CASE REPORT

Case Number: 2015-113

PC Meeting Date: 09-14-15

Applicant Request

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

Property Location:	405 East Main Street
Property Owner:	Woodwork Realty Company
Applicant:	ASA Engineering/Allen Jones

Project Description

- Proposal: Develop a 2.63-acre site with 44 townhouse units.
- Proposed Access: Main Street, and extensions of Washington Street and Johnson Street.
- Proposed Development Form: 2 and 3-story buildings are proposed to front Main Street and extensions of Johnson and Washington Streets. Parking will be accommodated at ground level, under the units and on-street. The site plan proposes a large open space area to be located at the east end of the site and to the rear of 14 proposed townhouse units.
- Proposed Density: 16.73 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 2.63-acre site is located on the north side of East Main Street approximately 1,200 feet east of Market Street.
- Current Access: East Main Street and Johnson Street.
- Current Development form: There is a mixture of one, two, three, and four story buildings within a 500 foot radius of this downtown urban site.
- Current Land Uses: The southern 2.63-acre portion of the 6-acre parcel is currently used for parking. The remainder of the parcel to the north is used for warehousing, distribution, and parking. A mixture of offices, restaurants, and other business are located to the west and south of the site. The Chattanooga Choo-Choo hotel is located at the northwest corner of the site. The eastern end of the site is bordered by an active rail line.
- Current Density: There is no residential development adjacent to the site.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- The property to the north is currently zoned M-1 Manufacturing, but that owner is also requesting rezoning to C-3 Central Business. The property to the east is zoned C-3 Central Business. The properties to the south are zoned M-1 Manufacturing and C-3 Central Business. The property to the west is zoned M-1 Manufacturing and UGC Urban General Commercial.
- The nearest C-3 Central Business Zone (same as the request) is across Main Street to the south.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Downtown Plan (adopted by City Council in 2004) recommends mixed use development for this site and a diversity of new housing types with a minimum density of 12 units per acre in the area. It also recommends new north-south street connections in this area and new buildings that "relate to and complement the public realm."
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The C-3 Central Business Zone *permits residential* and non-residential uses but with a required urban development form.
- The C-3 Central Business Zone has no requirement for providing off-street parking (Article V, Division 29, Section 38-473(13) of the Chattanooga Zoning Ordinance).

PLANNING COMMISSION CASE REPORT

- The UGC Urban General Commercial Zone also *permits residential* and non-residential uses with a required urban development form but *requires* minimum parking standards similar to other zones.
- The current Form-Based Code recommendation for this site is MX-4 (Mixed Use with a maximum height of four stories.)

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area which calls for mixed use development and new housing.
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is supported by the adopted Land Use Plan for 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 set a positive precedent for future requests.

Staff Recommendation

Approve C-3 Central Business, with the following conditions:

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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.

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PLANNING COMMISSION CASE REPORT

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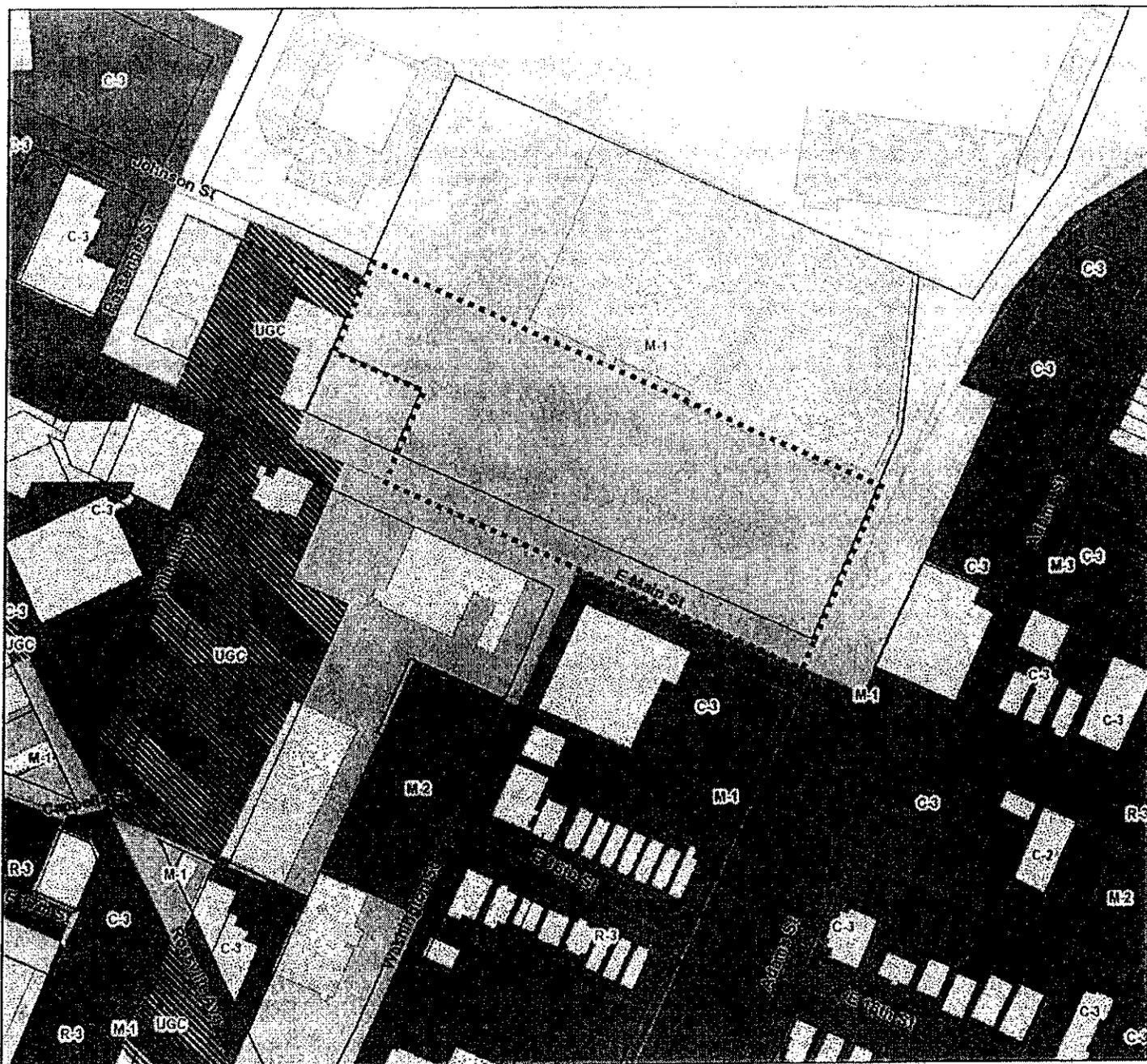
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PLANNING COMMISSION CASE REPORT

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2015-113 Rezoning from M-1 to C-3

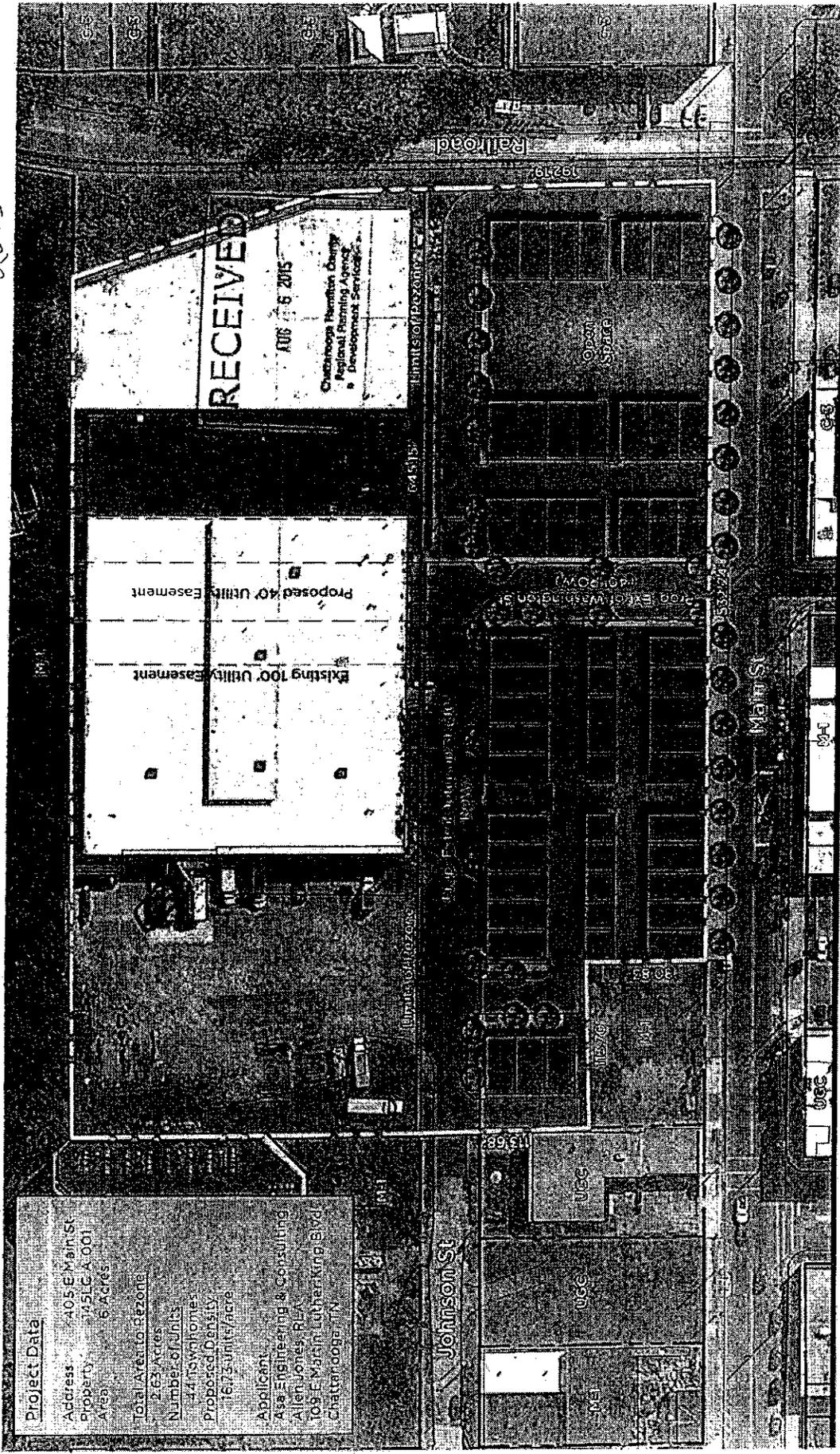


165 ft

Chattanooga Hamilton County Regional Planning Agency



2015-113

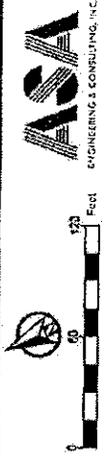


Project Data

Address: 405 E Main St
 Property: 151C A-001
 Area: 6 Acres

Total Area to Rezone: 2.63 Acres
 Number of Units: 44 townhomes
 Proposed Density: 16.75 units/acre

Applicant:
 ASA Engineering & Consulting
 Allen Jones, RPA
 108 E. Martin Luther King Blvd.
 Chattanooga, TN



405 E Main Street Townhouse Development

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