

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

2015-145  
Bristol Development Group and  
Scott Black  
District No. 1  
Planning Version

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 328 CHEROKEE BOULEVARD, 401, 403, 407, 409, 411, AND 413 SOMERVILLE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE AND C-2 CONVENIENCE COMMERCIAL ZONE TO C-7 NORTHSORE COMMERCIAL MIXED USE 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 properties located at 328 Cherokee Boulevard, 401, 403, 407, 409, 411, and 413 Somerville Avenue, more particularly described herein:

Lots 1 thru 7, Somerville Iron Company Addition, Plat Book 14, Page 138, ROHC and Tract 2, VIP Gifts Subdivision, Plat Book 81, Page 90, ROHC, being the properties described in Deed Book 10335, Page 637, Deed Book 9423, Page 937, Deed Book 10045, Page 426, Deed Book 10448, Page 315, Deed Book 4624, Page 59, Deed Book 7335, Page 788, and Deed Book 8137, Page 89, ROHC. Tax Map Nos. 135F-C-001 thru 008.

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to the following condition:

- (1) Structured parking shall not front the residential street of Somerville Avenue.

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: \_\_\_\_\_

2015-145  
Bristol Development Group and  
Scott Black  
District No. 1  
Applicant Version

ORDINANCE NO. \_\_\_\_\_

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

\_\_\_\_\_  
CHAIRPERSON

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

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

/mem

2015-145 City of Chattanooga  
November 9, 2015

RESOLUTION

WHEREAS, Bristol Development Group & Scott Black 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 and C-2 Convenience Commercial Zone to C-7 Northshore Commercial Mixed Use Zone, properties located at 328 Cherokee Boulevard, 401, 403, 407, 409, 411 and 413 Somerville Avenue.

Lots 1 thru 7, Somerville Iron Company Addition, Plat Book 14, Page 138, ROHC and Tract 2, VIP Gifts Subdivision, Plat Book 81, Page 90, ROHC, being the properties described in Deed Book 10335, Page 637, Deed Book 9423, Page 937, Deed Book 10045, Page 426, Deed Book 10448, Page 315, Deed Book 4624, Page 59, Deed Book 7335, Page 788, and Deed Book 8137, Page 89, ROHC. Tax Map 135F-C-001 thru 008 as shown on the attached map.

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

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

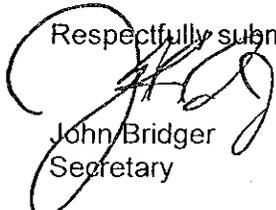
AND WHEREAS, no one was present in opposition to the petition,

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 supported by the recommendations of the adopted Land Use Plan for the area and is consistent and compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on November 9, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved with the following condition: 1) Structured parking shall not front the residential street of Somerville Avenue.

Respectfully submitted,

  
John Bridger  
Secretary

**ZONING APPLICATION FORM**

<b>CASE NUMBER:</b>	2015-145	<b>Date Submitted:</b>	9-30-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b>			
<b>Zoning</b>	From: M-1 & C-2	To: C-7	
Total Acres in request area: 2.34 + or -			
<b>2 Property Information</b>			
<b>Property Address:</b>	328 Cherokee Boulevard, 401, 403, 407, 409, 411, & 413 Somerville Avenue		
<b>Property Tax Map Number(s):</b>	135F-C-001, 003, 004, 005, 006, 007, & 008		
<b>3 Proposed Development</b>			
<b>Reason for Request and/or Proposed Use:</b>	Proposed Residential Apartment Development		
<b>4 Site Characteristics</b>			
<b>Current Zoning:</b>	M-1 & C-2		
<b>Current Use:</b>	Commercial & Residential		
<b>Adjacent Uses:</b>	Commercial & 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> Bristol Development Group, Scott Black		<b>Address:</b> 381 Mallory Station Road, Suite 204	
<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> Franklin	<b>State:</b> TN	<b>Zip Code:</b> 37067	<b>Email:</b> black@bristoldevelopment.com
<b>Phone 1:</b> 615-786-9708	<b>Phone 2:</b>	<b>Phone 3:</b>	<b>Fax:</b>
<b>6 Property Owner Information (if not applicant)</b>			
<b>Name:</b> See Attached List		<b>Phone:</b>	
<b>Address:</b>			
<b>Office Use Only:</b>			
<b>Planning District:</b> 8B		<b>Neighborhood:</b> CNAC, North Shore Neighborhood, Hill City, North Shore Merchants Collective, Northside Cherokee Community Association	
<b>Hamilton Co. Comm. District:</b> 6	<b>Chatt. Council District:</b> 1	<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"/>	
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Total Acres to be considered: 2.34
<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 10335-637, 8137-89, 7335-788, 4624-59, 10448-315, 10045-426, 9423-937			
<b>Plat Book/Page:</b> 81-90, 14-138		<input checked="" type="checkbox"/>	Notice Signs
		Number of Notice Signs: 4	
<input checked="" type="checkbox"/>	Filing Fee: 635.00	<input checked="" type="checkbox"/>	Cash
<input checked="" type="checkbox"/>	Check	Check Number: 5937	
<b>Planning Commission meeting date:</b> 11-9-2015		<b>Application processed by:</b> Marcia Parker	

**PLANNING COMMISSION CASE REPORT**

Case Number: 2015-145

PC Meeting Date: 11-09-15

**Applicant Request**

Rezone from M-1 Manufacturing & C-2 Convenience Commercial Zones to C-7 North Shore Commercial/Mixed Use Zone

Property Location:	328 Cherokee Boulevard , 401, 403, 407, 409, 411, & 413 Somerville Avenue
Property Owner:	Morgan, Meeks, Wallace, Coffelt, Smith, & Ward
Applicant:	Bristol Development Group

**Project Description**

- Proposal: Develop 2.34-acre site with 184 apartment units.
- Proposed Access: Parking entrance on Somerville Avenue.
- Proposed Development Form: 4-story building fronting West Manning Street, Cherokee Boulevard, and Somerville Avenue with structured parking fronting Stringer Street.
- Proposed Density: 78 dwelling units per acre.

**Site Analysis****Site Description**

- Location: The 2.34-acre site is located between West Manning Street and Somerville Avenue at the intersection with Cherokee Boulevard.
- Current Access: West Manning Street, Stringer Street, and Somerville Avenue.
- Current Development form: All buildings within a 500 foot radius of this North Chattanooga site are less than 2 stories. The existing homes on Somerville Avenue facing the proposed apartments are one story in height.
- Current Land Uses: Office and commercial uses are located north and east of the site. Single-family homes are located south of the site. Warehousing, offices, and single-family homes are located to the west.
- Current Density: The average residential density on Somerville Avenue is approximately 8.5 dwelling units per acre (12 lots on 1.4 acres).

**Zoning History**

- The site is currently zoned M-1 Manufacturing & C-2 Convenience Commercial Zones.
- Properties to the north are zoned C-2 Convenience Commercial. The properties to the east are zoned C-7 North Shore Commercial/Mixed Use Zone. The properties to the south and west are zoned M-1 Manufacturing.
- 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 for this property location.
  - **3.1 Development Forms Plan**  
**Medium-intensity mixed-use**  
*This development form is for medium-intensity mixed-uses with building footprints smaller than 10,000 square feet, and for buildings of less relative scale than those of the high-intensity form. Development in this classification should be constructed in line with urban design principles. Uses should be oriented towards the pedestrian rather than the automobile; automobile-oriented uses, such as gas stations, restaurants with drive-throughs, and the like, are strongly discouraged. Storefront retail & offices with 2nd floor office or residential uses are encouraged, as is the orientation of pedestrian entries to the primary streets. Parking should be placed to the rear when possible. Zero setbacks are encouraged; maximum building height should not exceed 42 feet, though this maximum may be lower in some areas. This form can be located adjacent to*

## PLANNING COMMISSION CASE REPORT

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*low-density residential uses.*

### **Urban medium/high-density residential**

*This development form is intended to promote urban residential development at urban densities of 12 units per acre and greater. Single-family and two, three, and four-family residential buildings are permitted in this form. Multi-family residential buildings of eight (8) units or less with a height not exceeding two (2) stories are also permitted in this form; larger multi-family residential and mixed-use buildings are appropriate in the medium- and high-intensity mixed-use forms. Townhouses may be permitted on a case-by-case basis: this is not intended to discourage townhouse development, but to recognize that townhouse developments often require additional care and guidance in their planning and construction to be compatible with adjacent development.*

- The North Shore Plan recommends extending the C-7 North Shore Commercial/Mixed Use Zone along Cherokee Boulevard to the tunnel.

- **3.225 Cherokee Boulevard**

#### **Existing Conditions**

*Cherokee Boulevard is a commercial street with development resembling that of a suburban commercial street. Even though the right-of-way widths of Frazier Avenue and Cherokee Boulevard are similar, the two commercial streets offer contrasting atmospheres. Buildings along Frazier Avenue are mostly 2-3 stories in height and are built up to the right-of-way in most places. Cherokee Boulevard contains both older commercial buildings that are located along the sidewalk and buildings that are setback from the street with parking in front. Buildings along Cherokee Boulevard are mostly 1-2 stories in height. Unlike the other commercial streets in the North Shore, properties along Cherokee Boulevard generally house more non-retail commercial uses.*

#### **Future**

*Cherokee Boulevard will continue to experience redevelopment along its eastern portion near the intersection of North Market Street and Frazier Avenue. Other vacant and abandoned properties along Cherokee Boulevard will also see interest for redevelopment. Many properties along Cherokee Boulevard are relatively small and could not accommodate commercial uses with larger space needs without property consolidation, but would provide enough space for neighborhood commercial uses. Growth of adjacent residential neighborhoods will increase the desirability of properties along Cherokee Boulevard. More flexible urban standards (including parking and setback requirements) for this street would allow new buildings to build larger spaces. Due to the varied parcel sizes along Cherokee Boulevard, development will likely find a mix of larger footprint commercial buildings typically found along well-traveled arterial streets and smaller retail businesses typical of neighborhood businesses.*

#### **Recommendations**

*Extend C-7 zoning along Cherokee Boulevard to the tunnel to allow for development that is urban in nature.*

- The North Shore Plan recommends medium-high density residential uses to accompany property consolidation such as what is proposed.

- **3.4 Focus Areas 3.41**

#### **Stringer Street Residential Area Existing Conditions**

*The Stringer neighborhood is comprised of single-family dwellings and non-retail commercial land-uses. The commercial businesses are generally located along Manning Street and south of Manning Street, along a railroad R.O.W. The residential fabric of this neighborhood has eroded somewhat as commercial development from Cherokee Boulevard has crept into portions of the*

## PLANNING COMMISSION CASE REPORT

*residential neighborhood and housing conditions have declined. The residential area currently has larger parcels with some commercial development located within the areas of single-family residential development.*

### **Future**

*The expected growth of Manufacturers Road as a commercial street and the future redevelopment of Cherokee Boulevard will likely place pressure on the conversion of more properties in this area to allow commercial development, especially if connections to Manufacturers Road via Cherokee Boulevard or Manning Street are opened. At the same time, the expected closure of the Manning Street interchange on US 27 (in conjunction with US 27 widening) may work to lessen the demand for commercial development within the heart of this residential area. The area will most likely also see an increase in demand for higher-density residential development.*

### **Recommendations**

*Smaller lots which currently hold single-family dwellings should retain their current zoning unless property consolidation occurs. Medium-high density residential uses are encouraged; these uses should be sympathetic to existing uses and follow the guidelines of the Development Forms Plan. This neighborhood will ideally remain a cohesive residential development, but will allow for adjacent commercial uses on Manning Street or Cherokee Boulevard that will be compatible with the scale of a low-to-medium density residential neighborhood.*

- The current M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.
- The C-7 North Shore Commercial/Mixed Use Zone permits a mix of residential and non-residential uses, but site design approval is required by the North Shore Review Committee.

### **Key Findings**

- The proposal is supported by the adopted Land Use Plan for the area as it includes medium-intensity mixed-use and urban medium/high-density residential development forms.
- The proposed use is compatible with surrounding commercial and residential uses of the neighborhood.
- The proposal is not compatible with the development form of the area. The proposed structure does raise concerns regarding lighting and height. The southern side of the proposed 4-story structure is across the street from single-story residential structures. The majority of the development forms in the area are single story structures. The current development form of the area is not noted in the North Shore Plan as holding any historical significance.
- The proposed residential density of 78 units per acre is greater than the nearest average residential density in the area of approximately 8.5 dwelling units per acre (12 lots on 1.4 acres).
- The proposal is an extension of an existing zone. The properties to the east are zoned C-7.
- The proposal would set a precedent for future requests along Cherokee Boulevard. The extension of the C-7 North Shore Commercial/Mixed Use Zone along Cherokee Boulevard is recommended in the North Shore Plan.

### **Staff Recommendation**

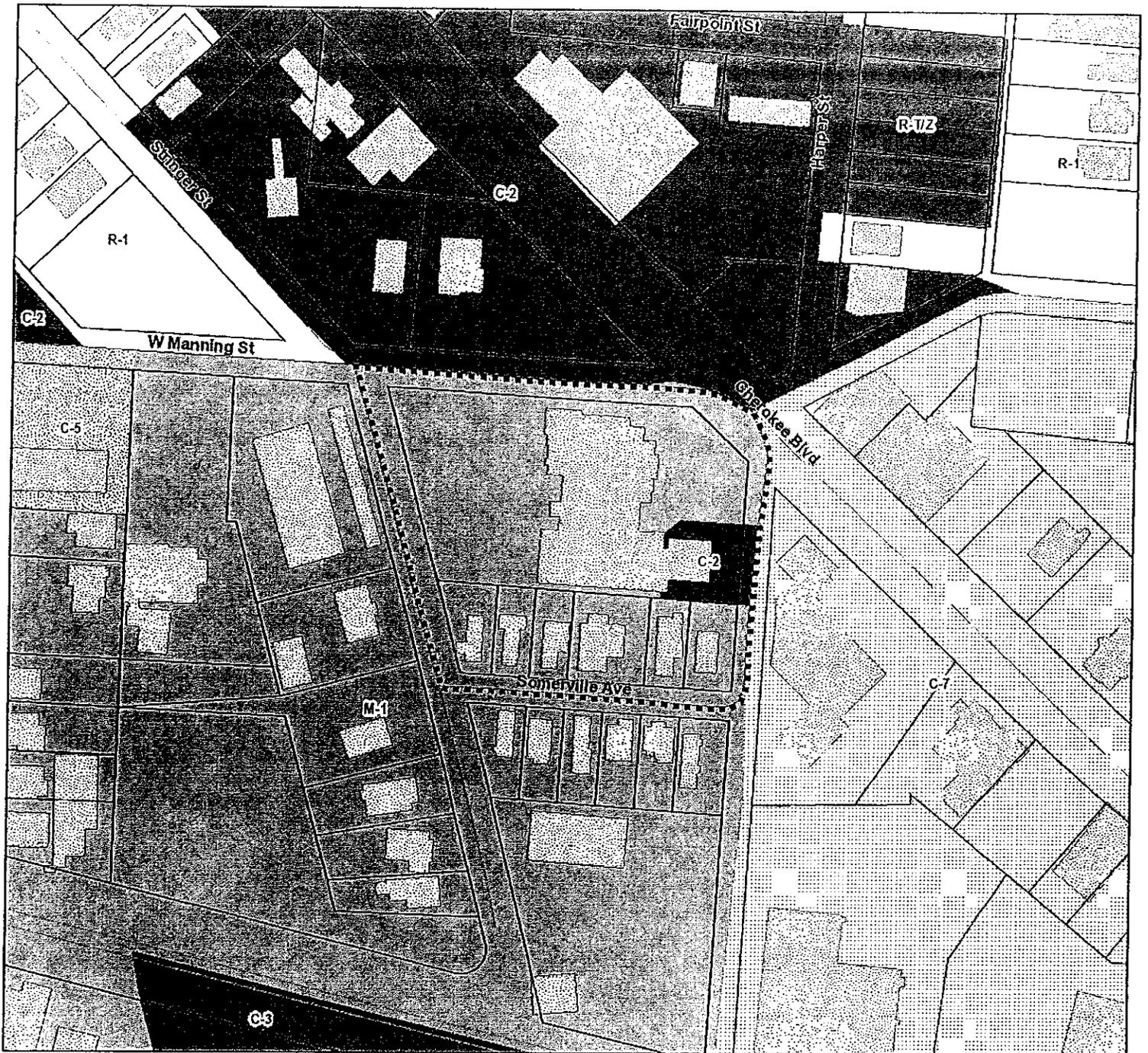
Approve subject to the following condition:

1. Structured parking shall not front the residential street of Somerville Avenue.

## PLANNING COMMISSION CASE REPORT

### Notes for North Shore Design Review Commission:

1. Review the percent of glass openings and potential for glare on the structure's south facing surface.
2. The north to south portion of Somerville Avenue could become a vehicular connection from Manufactures Road to Cherokee Boulevard.



## 2015-145 Rezoning from M-1 and C-2 to C-7

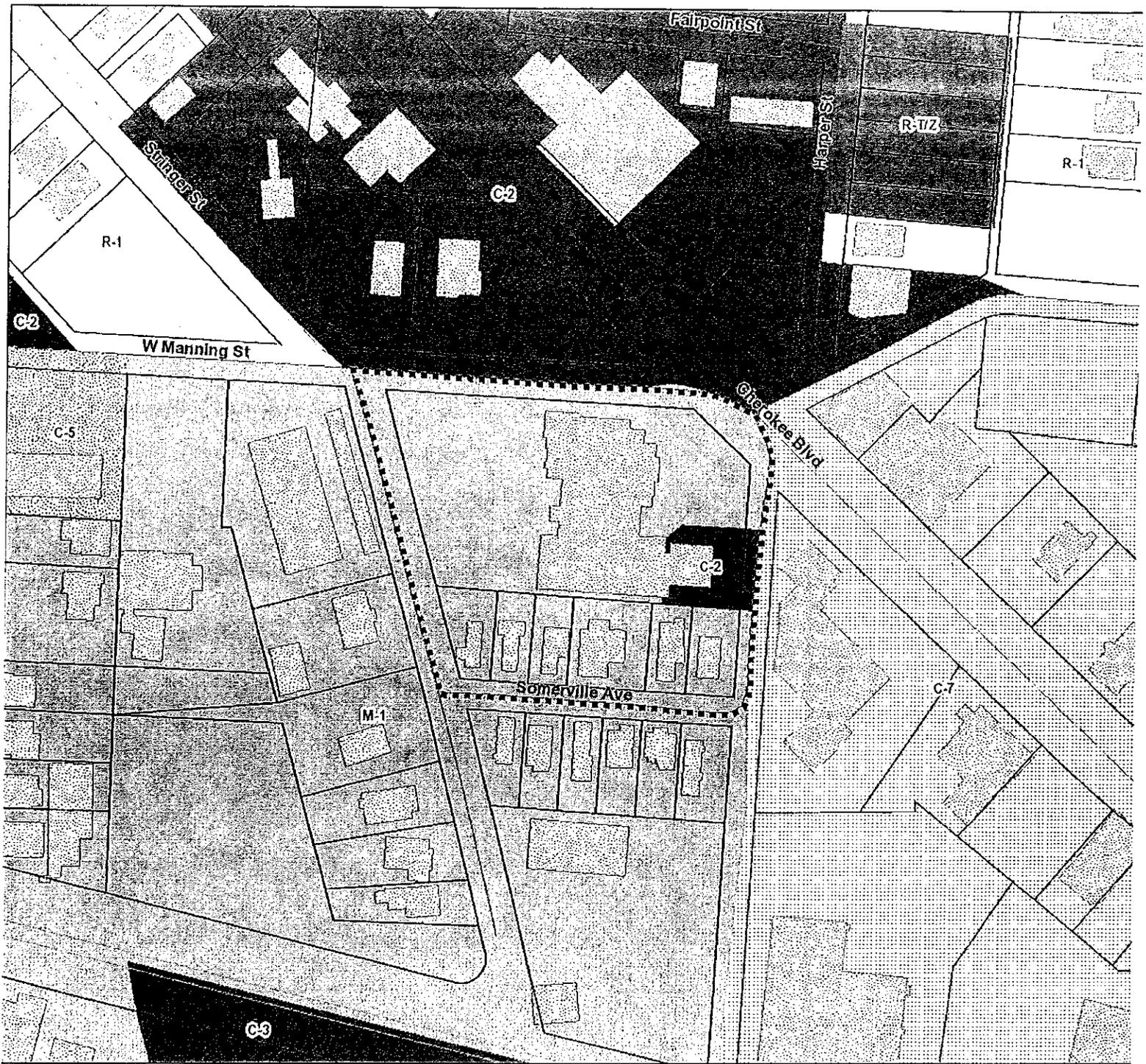


Chattanooga Hamilton County Regional Planning Agency



145 ft





## 2015-145 Rezoning from M-1 and C-2 to C-7

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-145:  
 Approve, subject to: 1) Structured parking shall not front the residential street of  
 Somerville Avenue.



145 ft



**CONCEPT DESIGN  
TYPICAL FLOOR**

**LOT AREA**  
2.34 acres

**BUILDING AREA**  
4 Floors  
Gross - 703,335 SF  
Net Lease - 10,840 SF

**UNIT MIX**  
184 Units (-4 amenity)  
1 BR - 120 Units (65%)  
2 BR - 64 Units (35%)

**STRUCTURED GARAGE**  
220 Spaces - 4 Floors  
Garage - 90,424 SF

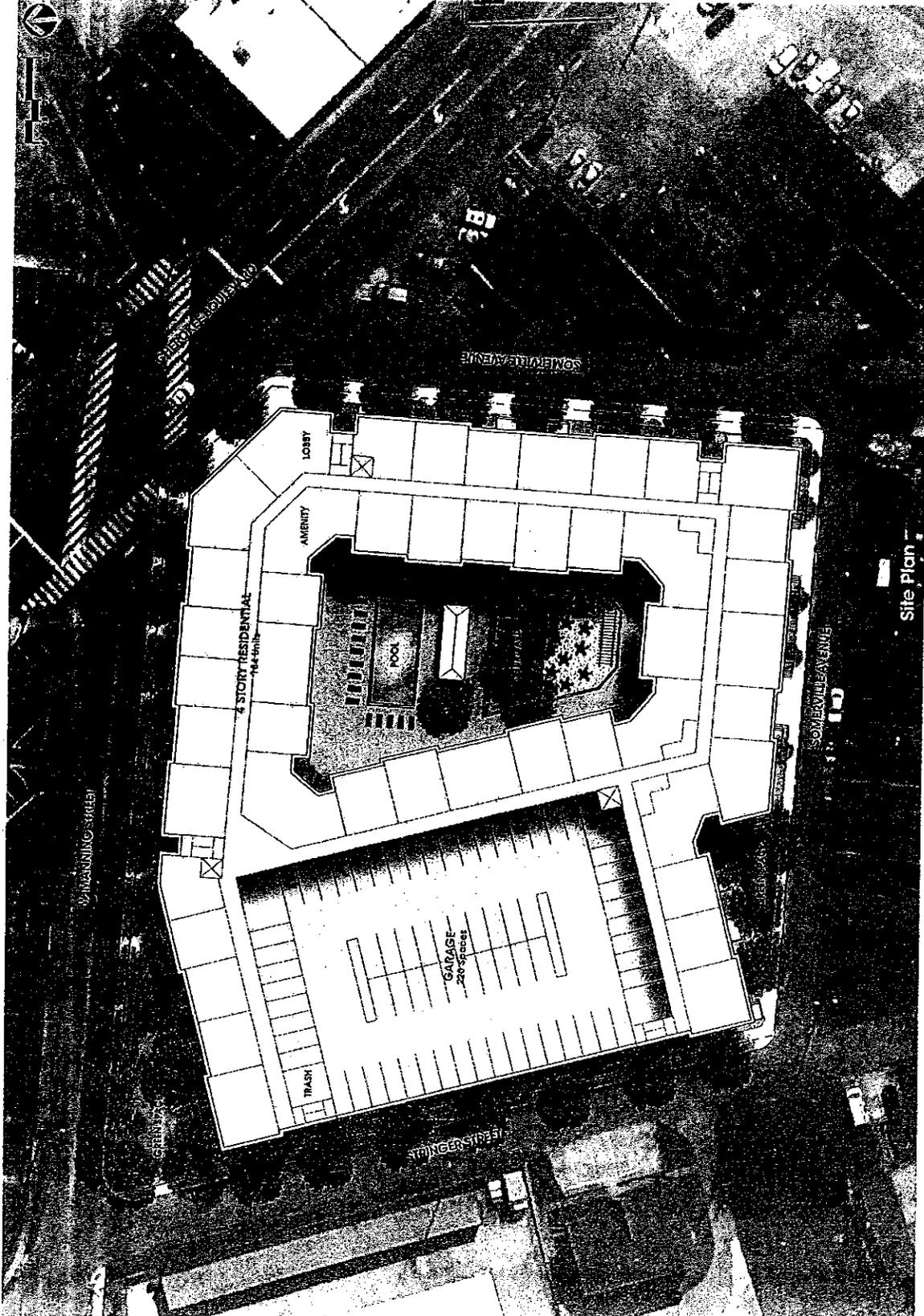
**RECEIVED**

SEP 30 2015

Chatanooga Hamilton County  
Regional Planning Agency  
Development Services



**MAP ENGINEERS  
L.L.C.**



**bristol**  
development group

August 24, 2015  
SGS #: 1,4058.00

2015-145

Site Plan

**CHEROKEE BOULEVARD**  
CHATANOOGA

## 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:

2015-119 Matthew W. Thacker and Jean M. Thacker. 1402 Cemetery Avenue, from R-3 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2015-136 James Hixson. 2700 and 2708 Walker Road, from R-2 Residential Zone to R-4 Special Zone.

2015-138 Peter C. Cory and Miles D. Raborn. 8407 and 8575 Petty Road, from R-5 Residential Zone to R-1 Residential Zone.

2015-140 Owen Trepanier and Richard Puente. 3120 Dodson Avenue, from M-1 Manufacturing Zone to R-3 Residential Zone, subject to certain conditions.

2015-141 Wise Properties, LLC. 1920 Chestnut Street, 1817 Broad Street, and 423 West 20<sup>th</sup> Street, from M-1 Manufacturing Zone to C-2 Central Business Zone, subject to certain conditions.

2015-144 Nick Adams and Christy Clark/Adams Masonry. Part of 2833 Calhoun Avenue and all of 2902 Morgan Avenue, from R-2 Residential Zone to M-1 Manufacturing Zone.

2015-145 Bristol Development Group and Scott Black. 401, 403, 407, 409, 411, and 413 Somerville Avenue, from M-1 Manufacturing Zone and C-2 Convenience Commercial Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2015-149 City of Chattanooga/RPA. 3000 Broad Street, from M-1 Manufacturing Zone to M-2 Light Industrial Zone, subject to certain conditions.

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

2015-135 Jason McGlohon/SBI Engineers. 6501 Shallowford Road, from R-1 Residential Zone to R-4 Special Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permits be approved as follows:

2015-123 Dreamtech Homes, LLC/Sherman Smith and First Bank/Jim McKenzie. 1091 Mackey Avenue, for a Residential Planned Unit Development, subject to certain conditions.

2015-139 Peter C. Cory and Miles D. Raborn. 1813 Morris Hill Road and 8407 and 8575 Petty Road, for a Residential Planned Unit Development, subject to certain conditions.

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) Amending Section 38-563, Jurisdiction of the Board, by adding subsection (6).
- (b) Amending Section 38-2, Definitions, by deleting the definition "Alternative Financial Services" and adding in lieu thereof a new definition in alphabetical order.

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,

**December 8, 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.

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Nicole Gwyn  
Clerk to the City Council