

First Reading: _____
Second Reading: _____

2015-149
City of Chattanooga/RPA
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 3000 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO M-2 LIGHT INDUSTRIAL 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 3000 Broad Street, more particularly described herein:

From M-1 to M-2 with conditions:

A portion of the tract, beginning at the property line on the east side of the 3000 block of Broad Street and extending in an easterly direction three hundred fifteen (315) feet parallel with Broad Street, being a portion of the properties described within Exhibit "A", Parcel Four (4), Tracts One through Six in Deed Book 6545, Page 608, ROHC. Tax Map No. 155F-C-001.07 (part) as shown on the attached map.

From M-1 to M-1 with conditions:

The remaining portion of the tract, beginning three hundred fifteen (315) feet from Broad Street and extending in an easterly direction to the west side of Williams Street, being a portion of the properties described within Exhibit "A", Parcel Four (4), Tracts One through Six in Deed Book 6545, Page 608, ROHC. Tax Map No. 155F-C-001.07 (part) as shown on the attached map.

and as shown on the maps attached hereto and made a part hereof by reference, and to be approved for M-1 Industrial Zone and approved for M-2 Light Industrial Zone.

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

M-2 Portion (first 315 feet from Broad Street ROW):

- (1) The following shall be screened from view from all public rights-of-way: the outdoor storage of equipment and products, apparatus related to vehicular repairs, and loading, and parking areas for large, heavy-use vehicles, dump trucks, repair vans and/or fleets.
 - (a) Screening shall be comprised of one (1) of the following:
 - (i) A greenbelt planting strip, not less than fifteen (15) feet in width. Such greenbelt shall be composed of at least:
 - (a) One (1) row of deciduous and evergreen trees, space not more than fifteen (15) feet apart, at least eight (8) feet tall, and with a minimum trunk diameter of one and one-half (1 ½) inches of planting; and
 - (b) One (1) row of shrubs, with a ration of two (2) deciduous to one (1) evergreen shrub, spaced an average of five (5) feet apart. Such shrubs shall be a minimum of thirty (30) inches in height at planting and expected to grow to a height of eight (8) feet in three (3) or four (4) growing seasons; or
 - (ii) Natural vegetation can be retained if it meets the intent of this section, or supplemented to meet the intent of this section; or
 - (iii) A sight obscuring screen (either solid or veil block, or some form of fence that is at least fifty percent (50%) opaque (excluding material made of fabric or synthetic fabrics) and at least six (6) feet high).

- (2) The display and/or sale of vehicles (excluding scooters bicycles and other non-motorized craft) requires a street edge treatment at the public right-of-way as described in Section 38-210 of the Chattanooga Zoning Ordinance.
- (3) Off-premise commercial billboards are not permitted.

M-1 Portion with conditions:

Following uses are prohibited – Blast furnace, Boiler works, Forge plants, Foundries, Planning mills, Processing of fish, poultry and meat, Rolling mills and Smelting.

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

RESOLUTION

WHEREAS, City of Chattanooga/RPA 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 M-2 Light Industrial Zone, property located at 3000 Broad Street.

From M-1 to M-2 with conditions:

A portion of the tract, beginning at the property line on the east side of the 3000 block of Broad Street and extending in an easterly direction three hundred fifteen (315) feet parallel with Broad Street, being a portion of the properties described within Exhibit A, Parcel Four (4), Tracts One through Six in Deed Book 6545, Page 608, ROHC Tax Map 155F-C-001-07 (part) as shown on the attached map.

From M-1 to M-1 with conditions:

The remaining portion of the tract beginning three hundred fifteen (315) feet from Broad Street and extending in an easterly direction to the west side of Williams Street, being a portion of the properties described within Exhibit A, Parcel Four (4), Tracts One through Six in Deed Book 6545, Page 608, ROHC Tax Map 155F-C-001-07 (part) 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,

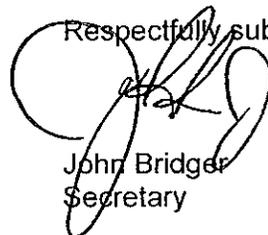
AND WHEREAS, the Planning Commission has determined that the proposal is consistent and compatible with surrounding uses.

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, subject to the following conditions:

A. M-2 Portion (first 315 feet from Broad Street ROW) (1) The following shall be screened from view from all public rights-of-way: the outdoor storage of equipment and products, apparatus related to vehicular repairs, and loading, and parking areas for large, heavy-use vehicles, dump trucks, repair vans and/or fleets. (a) Screening shall be comprised of one (1) of the following: (i)

A greenbelt planting strip, not less than fifteen (15) feet in width. Such greenbelt shall be composed of at least: a) One (1) row of deciduous and evergreen trees, space not more than fifteen (15) feet apart, at least eight (8) feet tall, and with a minimum trunk diameter of one and one-half (1 ½) inches of planting; and (b) One (1) row of shrubs, with a ration of two (2) deciduous to one (1) evergreen shrub, spaced an average of five (5) feet apart. Such shrubs shall be a minimum of thirty (30) inches in height at planting and expected to grow to a height of eight (8) feet in three (3) or four (4) growing seasons; or (ii) Natural vegetation can be retained if it meets the intent of this section, or supplemented to meet the intent of this section; or (iii) A sight obscuring screen (either solid or veil block, or some form of fence that is at least fifty percent (50%) opaque (excluding material made of fabric or synthetic fabrics) and at least six (6) feet high). (2) The display and/or sale of vehicles (excluding scooters bicycles and other non-motorized craft) requires a street edge treatment at the public right-of-way as described in Section 38-210 of the Chattanooga Zoning Ordinance. (3) Off-premise commercial billboards are not permitted.

B. M-1 Portion with conditions: Following uses are prohibited – Blast furnace, Boiler works, Forge plants, Foundries, Planning mills, Processing of fish, poultry and meat, Rolling mills and Smelting.

Respectfully submitted,

John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2015-149	Date Submitted: 10-20-2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: M-1	To: M-2	
	Total Acres in request area:		
2 Property Information			
Property Address:	3000 Broad Street		
Property Tax Map Number(s):	155F-C-001.07		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Zoning Study per City Council referral		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:			
Adjacent Uses:	M-1		
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: City of Chattanooga/RPA		Address: 1250 Market Street	
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: pglaser@chattanooga.gov
Phone 1: 423-643-5911	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Tammy Development Company LLC		Phone:	
Address: 5959 Shallowford Road Suite 433 Chattanooga, TN 37421			
Office Use Only:			
Planning District: 8A		Neighborhood: CNAC, South Broad Redevelopment, Alton Park	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist:			
<input checked="" type="checkbox"/>	Application Complete	<input checked="" type="checkbox"/>	Ownership Verification
	Map of Proposed Zoning Area with dimensions		
<input type="checkbox"/>	Site Plan, if required	<input type="checkbox"/>	Total Acres to be considered:
		<input checked="" type="checkbox"/>	Deeds
		<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 6545-608			
Plat Book/Page: 34-91, 8-46		<input checked="" type="checkbox"/>	Notice Signs
			Number of Notice Signs: 1
Filing Fee: N/C	Cash	Check	Check Number:
Planning Commission meeting date: 11-9-2015		Application processed by: P. Dodd & M. Parker	

SOUTH BROAD ZONING STUDY

UPDATE: November 2015

PC Meeting Date: 11-09-15

Case Number: 2015-149

3000 Broad Street

Background - In 2014, the South Broad Redevelopment Group requested the RPA to revisit the zoning for the area south of Chattanooga Creek. Changing the zoning along this corridor to promote pedestrian-friendly development that complements public infrastructure investments was recommended in the adopted South Broad Redevelopment Plan. The City Council passed Resolution No. 28339 in July 2015 to request RPA to conduct a zoning study. Multiple meetings with the community, along with individual one-on-one meetings, were held throughout the summer. The Chattanooga-Hamilton County Regional Planning Commission reviewed the recommendations in September 2015 and on October 20th the City Council approved the recommended zoning options with the exception of one property, 3000 Broad Street (Parcel #155F C 001.07). During review of the South Broad Zoning Study at City Council, and at the request of the property owner, staff recommended deferral of action to consider M-2 zoning for this site. The property owner is currently seeking to rezone his property from M-1 Industrial Zone to M-2 Light Industrial Zone.

3000 Broad Street - The applicant's property is located in the northern part of the study area and is accessed via either Broad Street or Williams Street. It is currently zoned M-1 Industrial Zone. The 6.5-acre property is located along Chattanooga Creek, near the viaduct crossing, and includes an existing "warehouse" style metal building with a masonry façade treatment. It features large bays plus paved parking and loading areas. The building currently houses two business tenants involved in stone countertop sales and production, including a showroom. Outdoor storage is located to the rear of the property and involves less than 20% of the property. The property owner's tenants frequently use outdoor storage as part of their business operations. Other aspects of the site include:

- The 43,560 sq/ft building has entries off of a privately owned road that runs between Williams Street and Broad Street.
- Nearly half of the 6.5-acre parcel is vacant and is covered by vegetation, with the most northern portion of the parcel abutting Chattanooga Creek. In the future, the currently vacant property may serve as an expansion area or for outdoor storage.
- The property is visible from Broad Street and features landscaping and street trees.
- The property is adjacent to a significantly sized vacant parcel (3.85 acres at 3008 Broad Street) that is targeted for urban mixed-use development and near the historic "Southern Saddlery" building. These sites form an important gateway into the South Broad district when traveling south over the creek.
- The existing privately owned street that runs from Broad Street to Williams Street is under consideration for designation as a City street. As a public street, future development could be affected, possibly changing applicability for properties fronting the new right-of-way regarding landscape requirements such as buffers, street edge and screening, or building aspects such as access, setbacks, etc.

Current Zoning and Land Use - An analysis of the study area confirmed that the land uses have changed considerably from the heavy industry of years past. Commercial uses (retail, fast food restaurants, services, and offices) account for the majority of the properties fronting Broad Street, with exceptions being Chattem (industrial), WDEF (utility), and Calvary Chapel (institutional).

Along St. Elmo Avenue and south of 33rd Street, some active industrial uses remain. There are also several industrial uses along Williams Street and to the east of the study area. The 3000 Broad Street property (the property for this zoning case) also features a recycling processor at the southern end of the parcel that fronts Williams Street.

As the primary corridor connecting downtown with St. Elmo, Alton Park, and Lookout Mountain attractions, Broad Street carries a high volume of traffic (over 20,000 Average Annual Daily Traffic at the intersection of Broad Street and Charger Drive), making this area desirable for commercial businesses. St. Elmo Avenue (which has much lower traffic volumes than Broad Street) is designated as a bikeway. There are plans underway for the first segment of the proposed Riverwalk section that will connect South Broad to the downtown and area neighborhoods.

Plans / Policies - The *South Broad Redevelopment Plan* (adopted by the City Council in 2003) recommends:

"The South Broad Community will continue to serve as an important link between downtown and local tourist attractions. In addition, South Broad will become a major commercial destination supported by a full range of desirable housing and a visually appealing economic center."

Visual enhancements for new and existing businesses, such as a reduction of over-scaled signage, pedestrian-oriented building facades, and landscaping are needed. Requirements in the UGC Zone promote these enhancements.

New infill residential development in the corridor is needed. (The current M-1 Manufacturing Zoning does not allow residential uses.) A zone is needed that promotes residential uses other than single-family and two-family dwellings to encourage urban densities that will support transit.

Staff Recommendation

The September 2015 South Broad Zoning Study report revealed the need to change many of the properties in the South Broad area to the Urban General Commercial Zone (UGC). The recommendation to rezone 3000 Broad Street from M-1 Industrial Zone to M-2 light Industrial Zone is based on the following reasons:

- The more intensive manufacturing uses allowed under the M-1 Industrial Zone would not be appropriate for this site since it is directly related to Broad Street and is part of the area targeted for transformation as a more urban, walkable, community. Heavy truck traffic or noxious uses that could bring potential negative impacts should be avoided.
- Although many workshop, service industry and/or light manufacturing uses such as a cabinet worker or repair shop is allowed under the UGC Zone, the current uses found at 3000 Broad Street, and the existing buildings, are more suitable to a light industrial zone that allows outdoor storage on a much larger scale than is allowed in the UGC Zone.
- To ensure compatibility with future developments that may occur along Broad Street in the UGC Zone, it is recommended that landscaping and screening be added for any outdoor storage that is visible from the street.

APPROVE M-2 Light Industrial Zone with the following conditions:

(1) The following shall be screened from view from all public rights-of-way: the outdoor storage of equipment and products, apparatus related to vehicular repairs, and loading, and parking areas for large, heavy-use vehicles, dump trucks, repair vans and/or fleets.

(a) Screening shall be comprised of one (1) of the following:

- (i) A greenbelt planting strip, not less than fifteen (15) feet in width. Such greenbelt shall be composed of at least:
 - a. One (1) row of deciduous and evergreen trees, spaced not more than fifteen (15) feet apart, at least eight (8) feet tall, and with a minimum trunk diameter of one and one-half (1½) inches at planting, and
 - b. One (1) row of shrubs, with a ratio of two (2) deciduous to one (1) evergreen shrub, spaced an average of five (5) feet apart. Such shrubs shall be a minimum of thirty (30) inches in height at planting and expected to grow to a height of eight (8) feet in three (3) or four (4) full growing seasons; or
- (ii) Natural vegetation can be retained if it meets the intent of this section, or supplemented to meet the intent of this section; or
- (iii) A sight obscuring screen (either solid or veil block, or some form of fence that is at least fifty percent (50%) opaque (excluding material made of fabric or synthetic fabrics) and at least six (6) feet high).

(2) The display and/or sale of vehicles (excluding scooters, bicycles and other non-motorized craft) requires a street edge treatment at the public right-of-way as described in Section 38-210 of the Chattanooga Zoning Ordinance.

(3) Off-premise commercial billboards are not permitted.



2015-149 Rezoning from M-1 to M-1 and M-2 with Conditions

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-149:
 Approve, subject to the conditions in the Planning Commission Resolution.



286 ft



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 20th 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.

Nicole Gwyn
Clerk to the City Council