

First Reading: _____
Second Reading: _____

2016-012
Richard Zavala
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 1446 CENTRAL AVENUE AND 901, 911, AND 915 EAST MAIN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO UGC URBAN GENERAL COMMERCIAL 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 1446 Central Avenue and 901, 911, and 915 East Main Street, more particularly described herein:

Parts of Lots 23 thru 37, and Part of Lot 28, Chattanooga Investment Company's Resubdivision of Orange Grove, Plat Book 6, Page 22, ROHC, and Parts of Lots 368 and 369, Orange Grove Subdivision, Plat Book 3, Page 39, ROHC, being all the properties described in Deed Book 9984, Page 276, ROHC. Tax Map Nos. 146P-F-031 thru 034.

and as shown on the maps attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved

subject to the following conditions:

- 1) Require a pre-submittal meeting;
- 2) The Applicant shall submit a lighting plan to the Land Development Office to ensure no light spills onto adjacent parcels;
- 3) No additional curb-cuts off Main Street or Central Avenue; and
- 4) Gas station, drive-throughs, and auto dealerships are not permitted.

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: _____

2016-012
Richard Zavala
District No. 8
Applicant Version

ORDINANCE NO. _____

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(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2016-012 City of Chattanooga
February 8, 2016

RESOLUTION

WHEREAS, Richard Zavala 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 UGC Urban General Commercial Zone, properties located at 1446 Central Avenue & 901, 911, & 915 East Main Street.

Parts of Lots 23 thru 37, and Part of Lot 28, Chattanooga Investment Company's Resubdivision of Orange Grove, Plat Book 6, Page 22, ROHC, and Parts of Lots 368 and 369, Orange Grove Subdivision, Plat Book 3, Page 39, ROHC, being all the properties described in Deed Book 9984, Page 276, ROHC. Tax Map 146P-F-031 thru 034 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016,

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

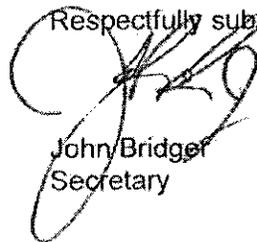
AND WHEREAS, no one was present in opposition to the petition,

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 with the development form of the area.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 8, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved with the following conditions: 1) Require a pre-submittal meeting; 2) The Applicant shall submit a lighting plan to the Land Development Office to ensure no light spills onto adjacent parcels; 3) No additional curb-cuts off Main Street or Central Avenue; and 4) Gas station, drive-throughs, and auto dealerships are not permitted.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2016-012	Date Submitted:	12-8-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: M-1	To: UGC	
Total Acres in request area: .55			
2 Property Information			
Property Address:	1446 Central Avenue & 901, 911, & 915 East Main Street		
Property Tax Map Number(s):	146P-F-031, 032, 033, & 034		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Mixed use Residential & Retail/Commercial		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Vacant		
Adjacent Uses:	Commercial & Residential		
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: Richard Zavala		Address: 1511 Jefferson Street Apt A	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37408	Email: tom_zavala@yahoo.com
Phone 1: 773-793-8660	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8B		Neighborhood: CNAC	
Hamilton Co. Comm. District: 4	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: .55	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9984-276			
Plat Book/Page: 6-22 & 3-39		<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: 4432
Planning Commission meeting date: 2-8-2016		Application processed by: Marcia Parker & Pattie Dodd	

PLANNING COMMISSION CASE REPORT

Case Number: 2016-012

PC Meeting Date: 02-08-16

Applicant Request**Rezone from M-1 Manufacturing Zone to UGC Urban Commercial Zone**

Property Location:	1446 Central Avenue, 901, 911 & 915 East Main Street
Property Owner:	Richard Zavala
Applicant:	Richard Zavala

Project Description

- Proposal: Develop 0.55-acre site with 8 second floor apartment units and 7,500 square feet of commercial/retail uses on the ground floor.
- Proposed Access: Main entrance on Cemetery Avenue and secondary access through alley.
- Proposed Development Form: 2-story buildings fronting Central Avenue and East Main Street. Parking located behind buildings.
- Proposed Density: Approximately 14.5 dwelling units per acre.

Site Analysis**Site Description**

- Location: The 0.55 acre vacant site is located on the northeast corner of the intersection of Central Avenue and East Main Street.
- Current Access: Access is available from Central Avenue, East Main Street, Cemetery Avenue, and a public alley to the rear of site.
- Tennessee Department of Transportation Functional Classification: Both Central Avenue and East Main Street are designated Urban Minor Arterials.
- Current Development form: There is a mixture of one and two story buildings adjacent to the site.
- Current Land Uses: To the west and south of the site are commercial uses. To the north are commercial and religious uses. The adjacent site to the east is a parking lot. To the north east is a single-family residential use.
- Current Density: Not applicable due to the mix of non-residential and residential uses within proximity to the site.

Zoning History

- The site is currently zoned M-1 Manufacturing Zone.
- The properties to the north are zoned C-2 Convenience Commercial and R-3 Residential. The property to the east is zoned R-3 Residential. The property to the south is zoned C-2 Convenience Commercial. The properties to the west are zoned C-2 Convenience Commercial.
- The nearest UGC Urban General Commercial zone (same as the request) is approximately 1,600 feet to the east and another one 2,300 feet to the west.
- There has been no recent zoning activity on this site.
- 1402 Cemetery Avenue north of the site applied to rezone in 2015. The applicant requested to rezone from R-3 Residential Zone to C-2 Convenience Commercial Zone. This case (2015-119) was denied at City Council (Ordinance# 13015) based on opposition by neighbors to expansion of use into their neighborhood.

Plans/Policies/Regulations

- The Comprehensive Plan places this site in the Urban Development Sector. This development sector recommends mixed uses to corner locations with housing density increasing adjacent to those commercial centers.
- There is no current adopted neighborhood land use plan for this area.
- The UGC Urban Commercial Zone permits residential and non-residential uses while requiring an urban development form and off-street parking.

PLANNING COMMISSION CASE REPORT

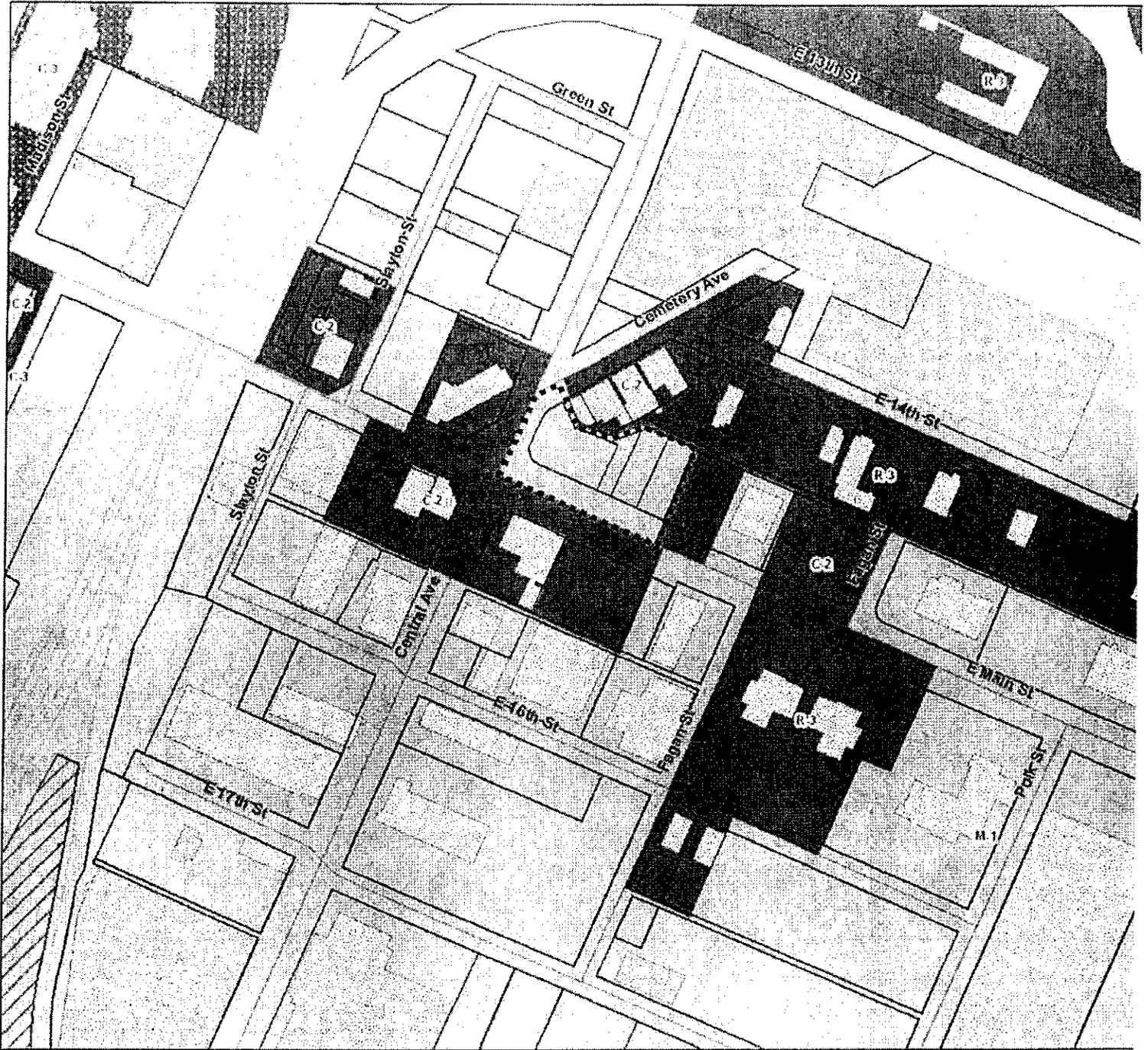
Key Findings

- The proposal is supported by the recommendations of the adopted Comprehensive Plan for mixed-use development on this corner site.
- The proposed use is compatible with surrounding uses. There is a mix of residential and non-residential uses adjacent to the site.
- The proposal is consistent with the development form of the area. The proposal reflects the majority of the non-residential developments with a zero setback.
- The proposed residential density is compatible with the surrounding densities based on the mix of uses and predominately vacant R-3 Residential Zone lots within proximity to the site.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would not be an extension of an existing zone.
- The proposal would not set a precedent for future requests. The proposal would introduce a new zone within the area but the Comprehensive Plan constricts such development to corner lots.
- Transportation will need to review parking calculations at time of permitting, including any agreements necessary for off-site shared parking.

Staff Recommendation

Approve with the following conditions:

1. Require a pre-submittal meeting.
2. The Applicant shall submit a lighting plan to the Land Development Office to ensure no light spills onto adjacent parcels.
3. No additional curb-cuts off Main Street or Central Avenue.
4. Gas station, drive-throughs, and auto dealerships are not permitted.



2016-012 Rezoning from M-1 to UGC

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-012: Approve, subject to the conditions in the Planning Commission Resolution.

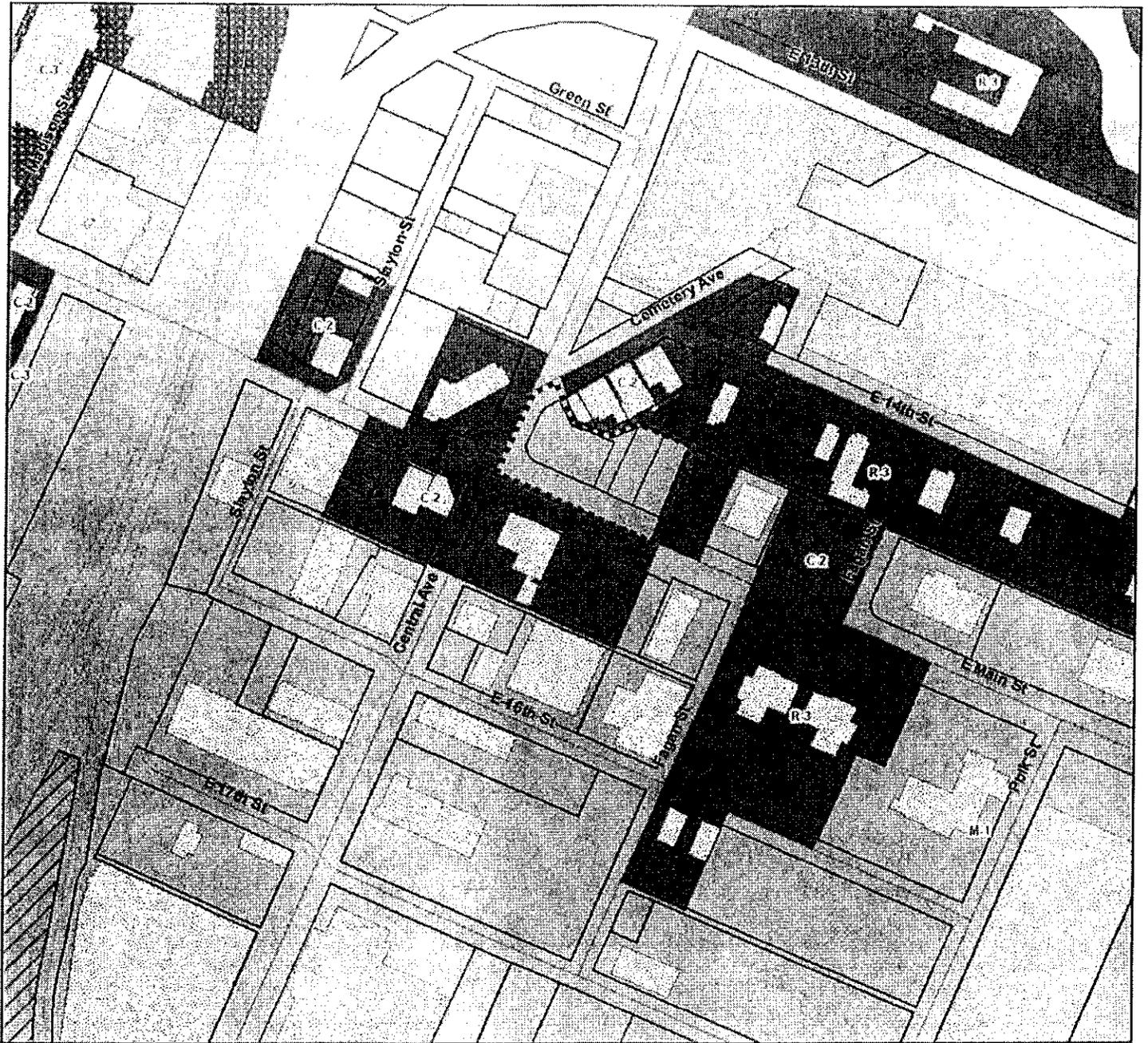


225 ft



Chattanooga Hamilton County Regional Planning Agency





2016-012 Rezoning from M-1 to UGC



225 ft

Chattanooga Hamilton County Regional Planning Agency



For the purpose of Rezoning, per Chattanooga City Ordinance Requirements

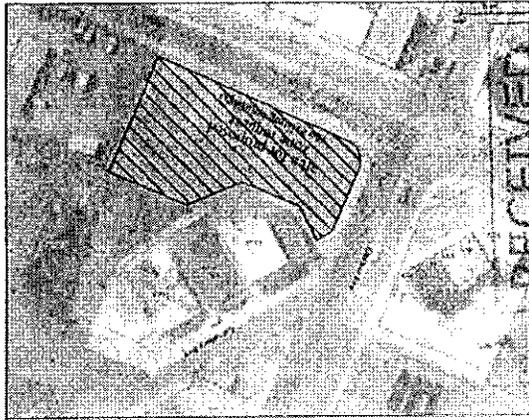
Mixed-Use Development at corner of Main Street & Central Avenue

drawn by: kylehastan@aol.com 12-07-15

contact info:

Name: Tom Zavala
 Address: 1511 Jefferson Street, Apartment A
 City, State: Chattanooga, TN 37408
 Phone: (773) 793-8660
 Email: tom_zavala@yahoo.com

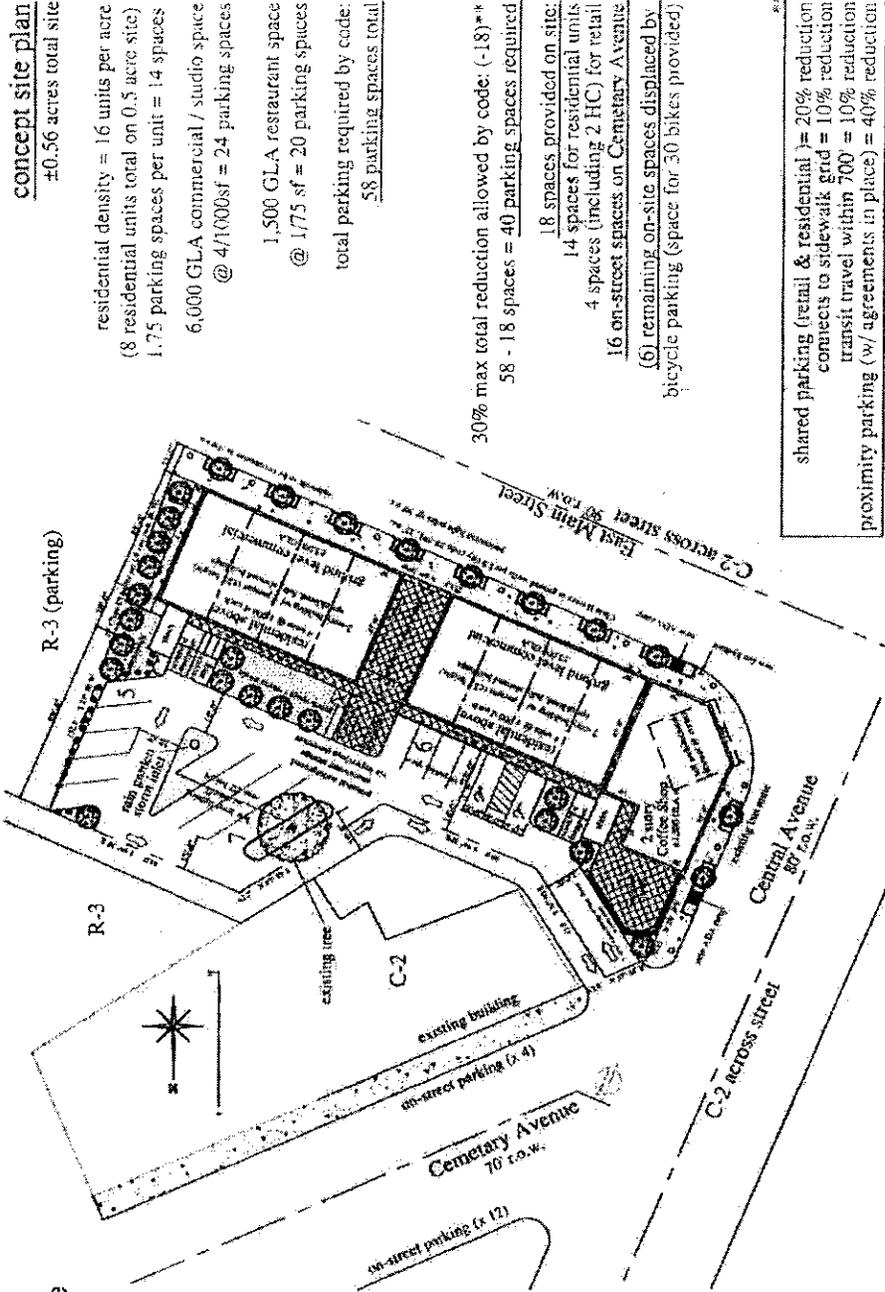
current zoning: M-1 desired zoning: UGC



location map
(not to scale)

DEC 9 2015

Chattanooga Planning Commission
 1000 Market Street, Suite 200
 Chattanooga, TN 37402

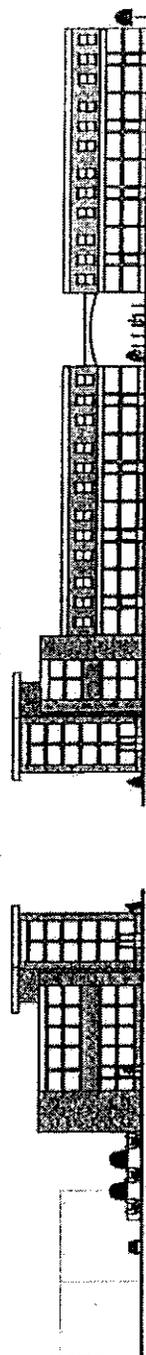


concept site plan
 ±0.56 acres total site

- residential density = 16 units per acre
 (8 residential units total on 0.5 acre site)
- 1.75 parking spaces per unit = 14 spaces
- 6,000 GLA commercial / studio space
 @ 4/1000sf = 24 parking spaces
- 1,500 GLA restaurant space
 @ 1/75 sf = 20 parking spaces
- total parking required by code:
 58 parking spaces total

- 30% max total reduction allowed by code: (-18)**
- 58 - 18 spaces = 40 parking spaces required
- 18 spaces provided on site:
- 14 spaces for residential units
- 4 spaces (including 2 HC) for retail
- 16 on-street spaces on Cemetery Avenue
- (6) remaining on-site spaces displaced by
 bicycle parking (space for 30 bikes provided)

shared parking (retail & residential) = 20% reduction
 connects to sidewalk grid = 10% reduction
 transit travel within 700' = 10% reduction
 proximity parking (w/ agreements in place) = 40% reduction



E. Main Street Elevation Concept

Central Avenue Elevation Concept

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:

2016-012 Richard Zavala. 1446 Central Avenue and 901, 911, and 915 East Main Street, from M-1 Manufacturing Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2016-013 Chestnut Holdings, LLC/Matt Hullander, Jonathan Frost, and John Clark. 1413 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2016-015 Asa Engineering c/o Allen Jones and John Pregulman/Rober Partners. 551 West 21st Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-018 Joseph Parks and James Rogers. 7504 Old Lee Highway, from C-2 Convenience Commercial Zone to R-4 Special Zone.

2016-025 Roger Radpoir and Kaihan Strain. 6708 Hixson Pike, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-026 Ben Peppers of Peppers Construction Company and Nancy Miller. 1813 Market 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 amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) **Amending Section 38-402, Application procedure for planned unit development** by amending subsection (2)(b); removing "active" from the last sentence of subsection (5)(a); deleting subsection 6(a) in its entirety and re-letter the remaining items alphabetically; and removing "expires or" from the first sentence in subsection 6(c).

- (b) **Deleting Article V, Zone Regulations, Division 26, Planned Unit Development: Institutional** in its entirety and substituting in lieu thereof new Sections 38-411 through 38-419.
- (c) **Deleting Section 38-482(1)&(2), Process** and substituting in lieu thereof, and adding subsection (3) and renumbering subsection (3) to subsection (4).

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 8, 2016

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 _____, 2016.

Nicole Gwyn
Clerk to the City Council