

1ST READING 7-13-04
2ND READING 7-20-04
3RD READING 7-20-04
INDEX NO. _____

2004-124
Tagner H. Bailey

ORDINANCE NO. 11587

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 110 DOUGLAS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-4 SPECIAL 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 Ordinance No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to rezone:

A tract of land located at 110 Douglas Street. Lot 2, Corrective Plat Resubdivision Lot #2 Battery Patten Subdivision Condominium Plan, Plat Book 56, Page 12, ROHC, and described as Tract Two (2) in Deed Book 6373, Page 714, ROHC. Tax Map 136P-A-006.

from R-4 Special Zone to C-3 Central Business Zone.

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

1. Residential use only;
2. All projects per the attached conditions; and
3. All existing easements are retained.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

July 20, 2004.

W. Jacob Benson
CHAIRPERSON

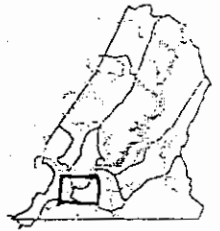
APPROVED: x DISAPPROVED: _____

DATE: 7/27, 2004

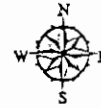
David Cohen
MAYOR

Reviewed By: David Eichenthal

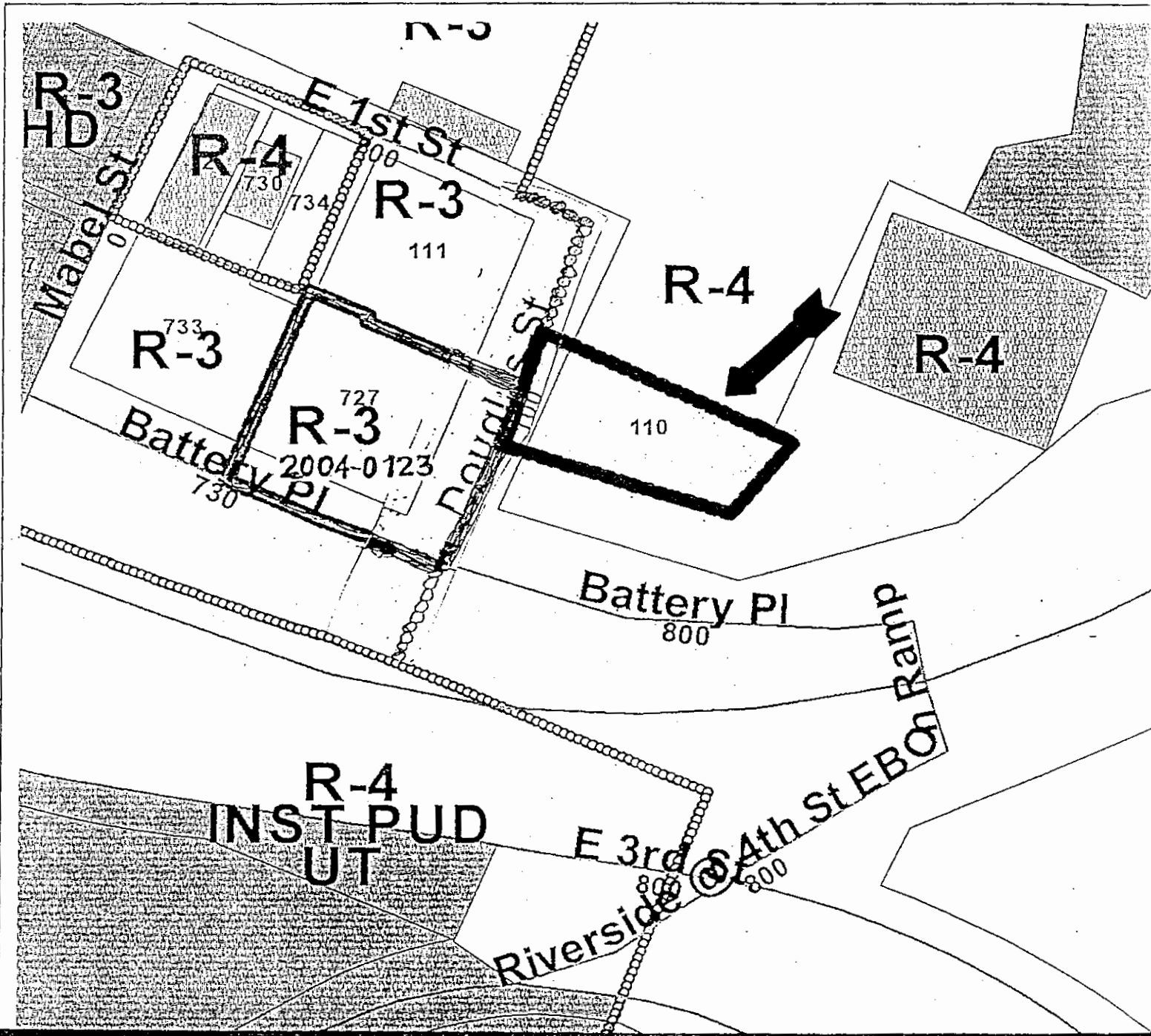
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CHATTANOOGA
CASE NO: 2004-0124
PC MEETING DATE: 6/14/2004
FROM: R-4
TO: C-3



1 in. = 100.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2004-124: Approve, subject to:

- 1) Residential use only; and
- 2) The Planning and Design Studio shall review all projects per conditions taken from the C-3 Central City Zone.

General Standards:

Planning and Design Studio Staff Review shall be guided by all City of Chattanooga adopted plans and policies including the Downtown Plan, any subsequent plans, and by the following set of standards which shall be applicable in this zone:

A. Land Use:

- (1) **Principle:**
A diverse mix of uses is necessary to support transportation systems and pedestrian activities, to balance the natural and built environment, and to promote an energetic live, work, play, business, or shopping experience.
- (2) **Principle Uses Permitted:**
Any use that does not create a hazard to the health, safety, morals, and general wellfare of the general public shall be permitted.
- (5) **Prohibited Uses and Structures:**
The following uses and structures are found to be not in keeping with the intent of the C-3 Central City Zone and are therefore specifically prohibited within any approved C-3 Central City Zone.

- (a) Any use, which produces or stores noxious fumes, hazardous materials or impacts adjacent properties with excessive noise, lights, traffic, or is a hazard to the safety, morals and wellfare of the general public.
- (b) Factory manufactured homes constructed as a single self-contained unit and mounted on a single chassis.

C. Streetscape and the Public Realm:

- (2) **Standards:**
The type and placement of sidewalks, street trees, lighting, benches, waste receptacles, and street furniture shall be consistent with City of Chattanooga standards and reviewed with the Public Works Department and the Planning and Design Studio.

D. Setbacks and Street Frontage:

- (2) **Standards:**
 - (a) At least 80% of the street frontage of any lot shall be occupied by buildings;
 - (b) For commercial buildings, a zero setback is required, or to accommodate outdoor activities such as outdoor dining, a deeper setback may be permitted if an edge delineating the public right-of-way and private property is provided;
 - (c) This edge shall have a minimum height of three feet and a maximum height of four feet above grade and shall consist of brick, stucco, or stone walls (concrete block and cast-in-place concrete can only be used when faced with said materials), decorative metal fences, cast iron, or composite material, or landscaped hedges;
 - I. Hedges shall consist of evergreen trees or shrubs planted in a landscaped area and shall conform to the Landscape Ordinance.
 - II. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
 - (d) No additional front, rear, or side yards are required, but where buildings are separated, the distance between them shall be at least ten (10) feet;

E. Building Facades and Massing:

(2) **Standards:**

- (a) The minimum height of all buildings, excluding single-family residential, shall be two stories.
- (b) In the riverfront district height restrictions are designed in respect to important civic structures and to protect natural views.
- (c) Elevator shafts, stairwells and other vertical elements may project beyond these height maximums.
- (d) At least one pedestrian entrance shall be provided from the primary street.
- (e) Ground floor openings (doors and windows) shall constitute a minimum 80 percent of the ground floor facade area fronting the public right-of-way for commercial buildings.
- (f) Upper story windows for new construction shall have a vertical or square orientation; windows in existing structures may be replaced with comparable windows.
- (g) Buildings with ground level residential uses shall be raised a minimum of 2 feet above average sidewalk grade to provide residents privacy from sidewalk traffic. Exceptions may be granted for handicapped access where necessary.

F. Access and Parking:

(2) **Standards:**

- (a) Additional curb cuts shall not be incorporated on major streets, except to access multi-level public parking structures. In all other cases side streets and alleys shall be used for vehicular access.
- (b) Off-street parking shall be provided to the rear of the building.
- (c) If physical constraints prohibit rear-lot parking, any parking that fronts a primary street shall be screened from the street along the public right-of-way with a combination of a wall or fence and landscaping as described under Setbacks and Street Frontage above.
- (d) The ground floor area of any parking structure shall be occupied by a use other than parking (i.e. retail, office, housing) along the street frontage.
- (e) The use of pervious materials for parking lot surfaces is encouraged.
- (f) Auto-oriented uses requiring a drive-through or frequent large truck deliveries shall be placed behind the primary building and shall not be visible from the public right-of-way.

G. Landscaping and Screening:

(2) **Standards:**

- (a) Landscaping of off-street parking areas shall, at a minimum, consist of a ratio of one tree per five(5) parking spaces or a minimum of fifteen percent (15%) canopy coverage (at tree maturity) of the parking lot. Consideration may be given to alternate planting locations to meet this standard if physical constraints preclude planting within the parking lot. Credit may be given for existing healthy trees.
- H. Placement of Equipment:
- (2) Standards:
- (a) All mechanical equipment, whether on the ground or rooftop, shall be screened from all public rights-of-way.
- (b) All dumpsters and garbage collection areas shall be placed to the rear of the property and must be enclosed by screening at least 2 feet taller than the container or equipment.

