

1ST READING

3-12-13

2ND READING

3-19-13

2013-024
BYD, LLC/Kevin C. Boehm/
GADG Leasing, Ltd.
District No. 8
Planning Version

ORDINANCE NO. 12705

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1616 BROAD 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 1616 Broad Street, more particularly described herein:

Unplatted tract of land located at 1616 Broad Street being described as Tracts 1 thru 3 in Deed Book 2888, Page 103, ROHC. Tax Map No. 145K-K-017.

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 subject to the following:

- a) Limit vehicular access to one curb cut on 17th Street and one existing curb cut on Broad Street.

For all new construction and renovations:

- 1) Review:

Applicants are encouraged to schedule a pre-submittal meeting with the City's Land Development Office prior to the completion of construction drawings.

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, all site plans, landscaping, and building elevations shall be reviewed by the Community Design Group, a division of the Regional Planning Agency. Some of the requirements below may be adjusted during this staff review based on the limitations of the specific site, as long as the general intent of the conditions is being met.

Historically or architecturally significant structures should be preserved.

- 2) Setbacks and street frontage (for commercial buildings):
 - a) For new commercial buildings a zero building setback is required along the street frontage;
 - b) To accommodate outdoor pedestrian activities such as a park, plaza, or outdoor dining, a greater setback may be permitted if an edge delineating the public and private space 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 a) brick, stucco, or stone walls (concrete block can only be used when faced with said materials), or b) decorative metal fences, or c) an evergreen hedge, with a minimum height at maturity of 3 to 4 feet. When fences are used, evergreen hedges must also be included to provide a near opaque screen. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted; and

d) For properties fronting the Tennessee River, a 30 foot public easement shall be maintained along the river for the continuation of the Riverwalk. (A wider temporary easement may be necessary during Riverwalk construction.)

3) Building facades and access:

- a) The primary pedestrian entrance shall be provided from the primary street;
- b) Ground flood openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor facade area for new commercial buildings;
- c) No security-type roll up metal doors shall be permitted to front streets other than interior block alleys; and
- d) The minimum height of new commercial buildings shall be 18 feet.

4) Placement of equipment:

All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

5) Access and Parking:

- a. Parking shall be located to the rear of the building;
- b. For corner lots, or for cases where physical constraints such as topography do not allow for rear parking, any parking fronting a public street shall be screened along the public right-of-way as described under "Setbacks and Street Frontage" above;
- c. Alleys, where they exist, shall be used for vehicular access. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad Street, Market Street, Riverfront Parkway, 4th Street, 6th Street, Vine Street, McCallie Avenue, M. L. King

Boulevard, 11th Street, Main Street, and Georgia Avenue, and portions of Chestnut Street, Carter Street, Walnut Street, and 2nd Street; and

d. There are no minimum requirements for the amount of off-street spaces, but the amount and location of parking to be provided must be presented by the applicant and should include the following considerations:

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; and
6. Fire Department access.

6) Landscaping:

To achieve the city's goal of a 15% tree canopy cover in the downtown, surface parking lots shall be landscaped with a minimum of one tree for every five parking spaces. Type I shade trees shall be used unless overhead utility lines necessitate smaller trees.

For Residential buildings:

7) Uses Not Permitted:

Factory manufactured mobile homes constructed as a single self-contained unit and mounted on a single chassis are not permitted in the C-3 Zone.

- 8) Access and Parking:
- a) Garages shall be located behind the primary building;
 - b) Alleys, where they exist, shall be used for vehicular access. In the absence of alleys, secondary streets should be used for vehicular access. Shared drives should be used wherever possible;
 - c) Additional curb cuts shall not be permitted on certain primary streets, as described above; and
 - d) At least one (1) pedestrian entrance shall front the street.
- 9) Setbacks:
- a) Residential building setbacks should be consistent with the existing setbacks on the same side of the street; and
 - b) For properties fronting the Tennessee River, a 30 foot public easement shall be maintained along the river for the continuation of the Riverwalk. (A wider temporary easement may be necessary during Riverwalk construction.)

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

March 19, 2013.

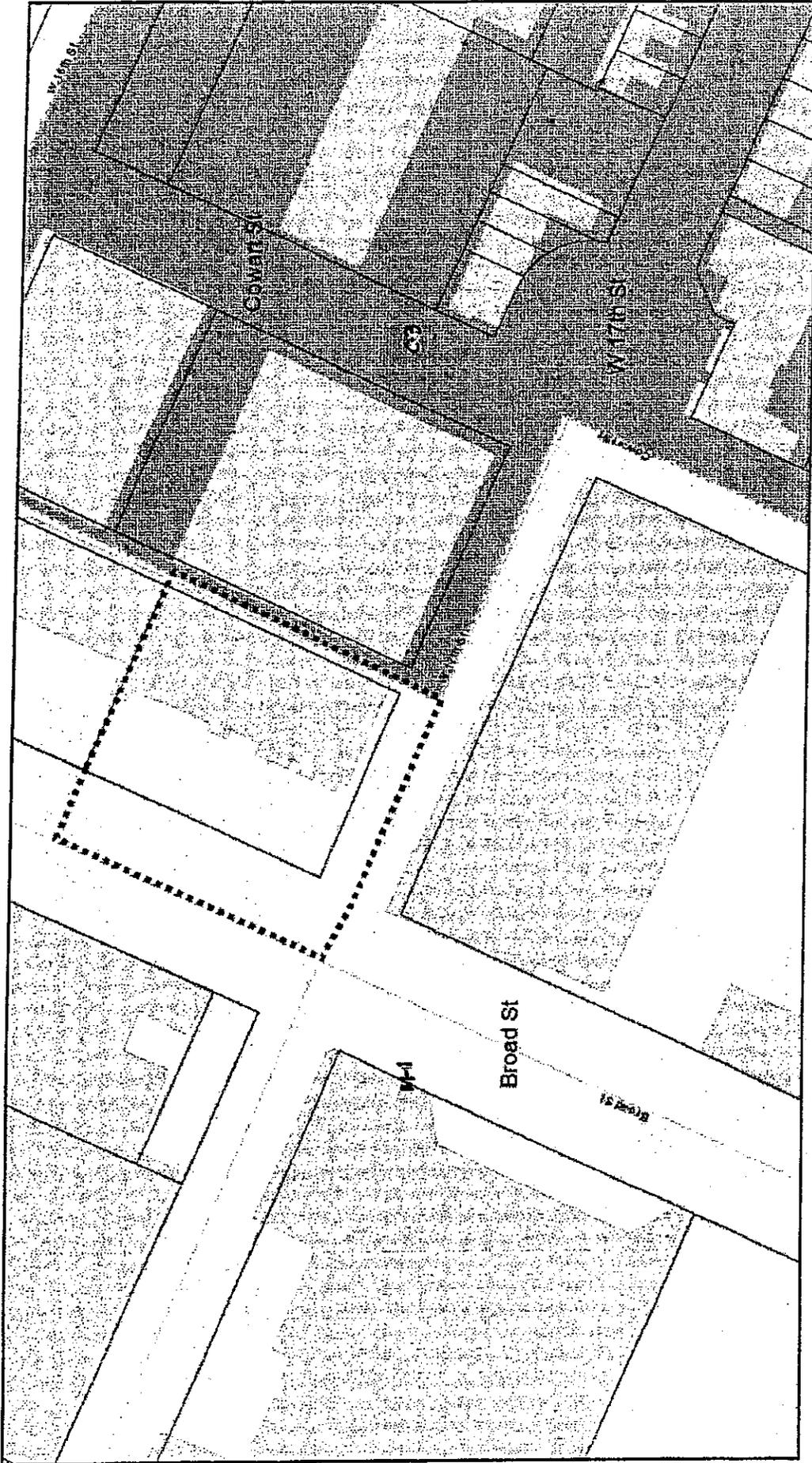
Sam Kadd
CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

[Signature]
MAYOR

/mms



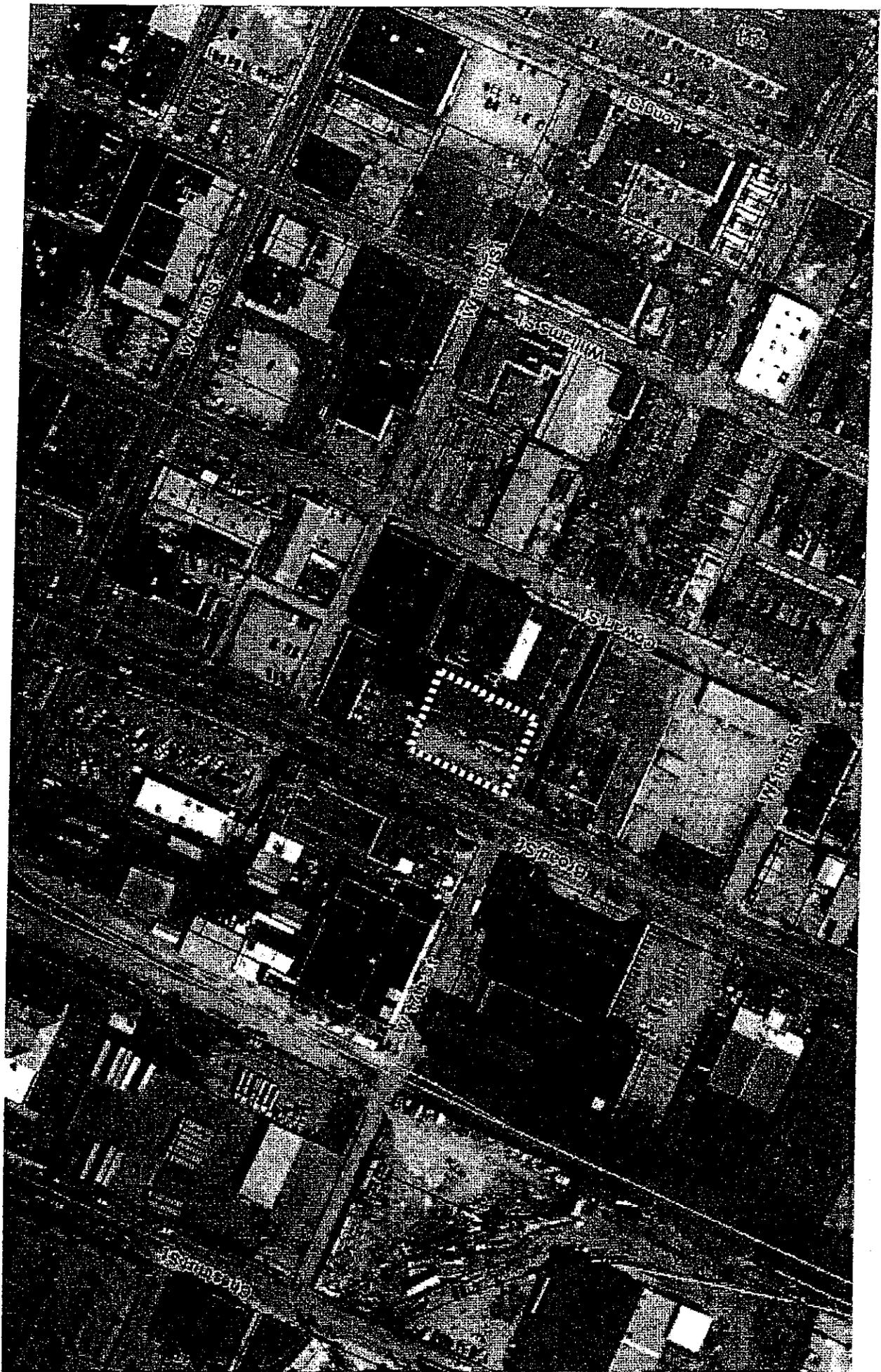
2013-024 Rezoning M-1 to C-3



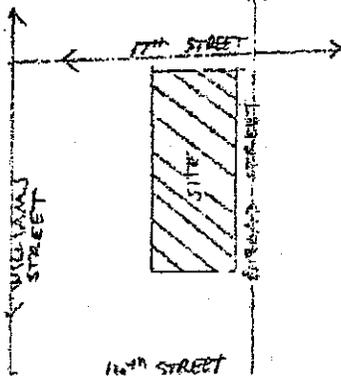
75 ft

Chattanooga-Hamilton County
RIPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency



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TAX MAP NUMBER
145K K 017

NOTES

- A. Current zoning M-1
- B. 8540 sq. ft.
- C. USE EXISTING STRUCTURE
- D. LAND SCARE BUFFER NOT REQUIRED
- E. ZONING RE-CLASSIFICATION FOR EXISTING LOT REQUIRED

PROPOSED ZONE REQUEST

C-3

PROPERTY PLAN
JANUARY 8, 2013

CHATTANOOGA, TN

FOR: BYD, LLC ATTN: KEVIN BOEHM
735 BROAD STREET, SUITE 305
CHATTANOOGA, TENNESSEE
37402

PHONE: 423-402-9799

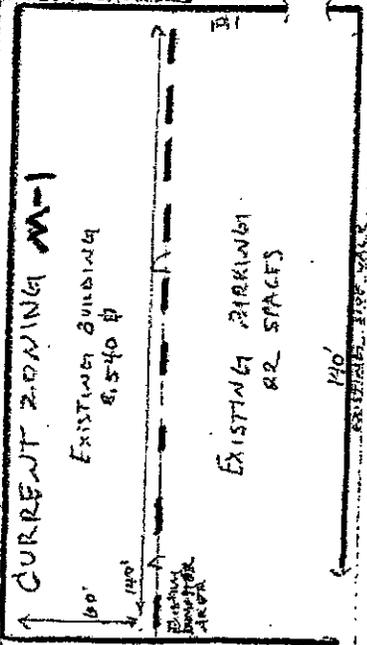
PROJECT CONTACT - SAME AS ABOVE

KEVIN@BOEHMRE.COM

ZONED **C-3**
SIGNAL INDUSTRIAL PROPERTIES

ZONED **C-3**
BREAD FACTORY LOFTS

PEDESTRIAN ALLEY



CURRENT ZONING **M-1**

EXISTING BUILDING
8,540 sq. ft.

EXISTING PARKING
RR SPACES

140'

PARKING FIRE WALK

BROAD STREET

PARKING FIRE WALK

17th STREET

ZONED **M-1**
SOUTH SIDE CENTRE PARTNERS

PARKING FIRE WALK

PARKING FIRE WALK

ZONED **M-1**
WAREHOUSE SPACE

2013-024