

First Reading September 10, 2013
Second Reading September 17, 2013

2013-107
Alan Haniszewski
District No. 7
Planning Version

ORDINANCE NO. 12769

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 630 EAST 19TH STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL 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 630 East 19th Street, more particularly described herein:

Lot 5 in Block No. 8 of Boyce Amended Subdivision No. 2, Plat Book 5, Page 10, ROHC, being the property described as Tract 2 in Deed Book 9987, Page 867, ROHC. Tax Map No. 145M-U-007.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-3 Residential Zone to C-3 Central Business Zone.

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

For new construction, including additions to a building, the conditions below shall apply. Interior renovations to existing buildings are exempt from these conditions.

1) Review:

- Applicants are required to schedule a pre-submittal meeting with the City's Land Development Office prior to completion of schematic design.
- To promote compliance with the Downtown Plan, to help ensure that new development compliments 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, **prior to completion of construction drawings**, by the Community Design Group, a division of the Regional Planning Agency. **Applicants are responsible for scheduling this review meeting.** 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 and apartment buildings (Facade renovations are exempt from these conditions):

- For new buildings a zero building setback is required along the street frontage.
- 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.
- 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.
- 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:

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

For any activity requiring a land disturbing permit, the following conditions shall apply:

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:

- Parking shall be located to the rear of the building.
- 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.
- 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.
- 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:

- a. Proximity to transit stops
- b. Provision of bicycle facilities
- c. Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
- d. Type of uses and hours of operation
- e. Square footage of commercial uses or number of residential units
- f. 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 new construction of single-family, duplex, and townhome 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:

- Garages shall be located behind the primary building.
- 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.
- Additional curb cuts shall not be permitted on certain primary streets, as described above.
- At least one (1) pedestrian entrance shall front the street;

9) Setbacks:

Residential building setbacks should be consistent with the existing setbacks on the same side of the street.

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

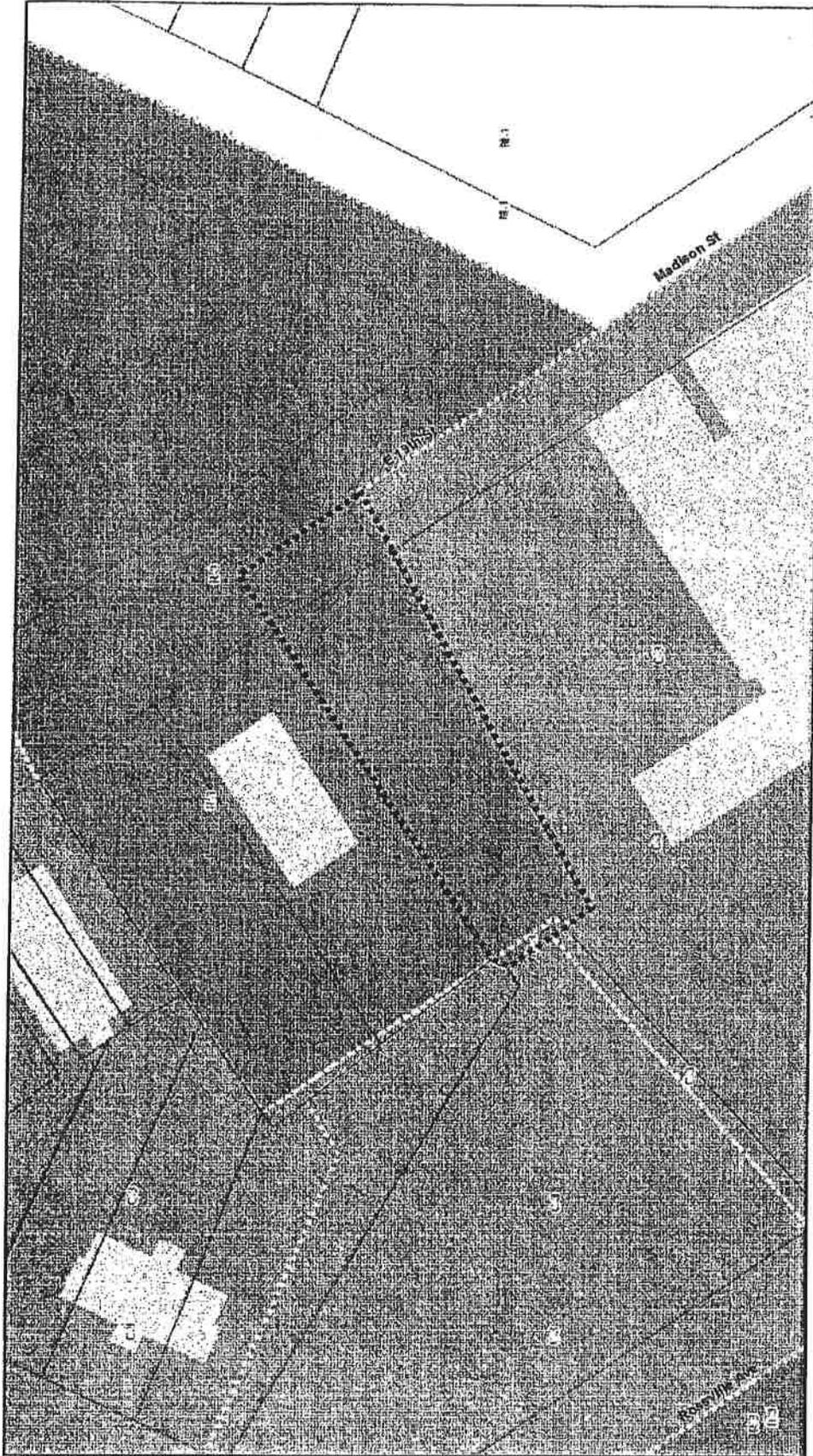
Passed on second and final reading September 17, 2013

Yusef Hakeem
CHAIRPERSON

APPROVED: DISAPPROVED:

Aly Berk
MAYOR

/mms



2013-107 Rezoning from R-3 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-107: Approve, subject to the list of conditions in the Planning Commission Resolution.

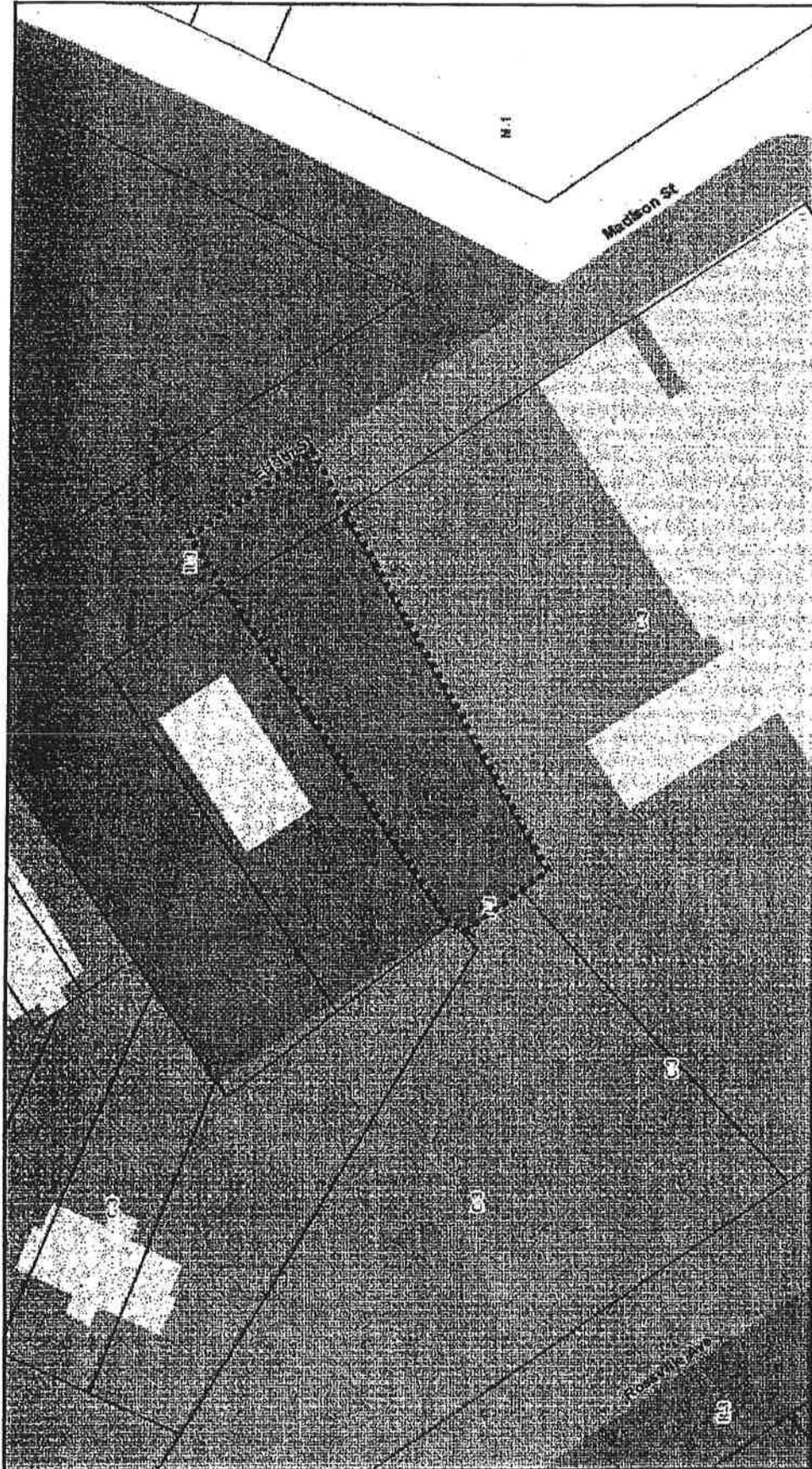


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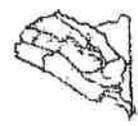


Hamilton County Regional Planning Agency





2013-107 Rezoning from R-3 to C-3



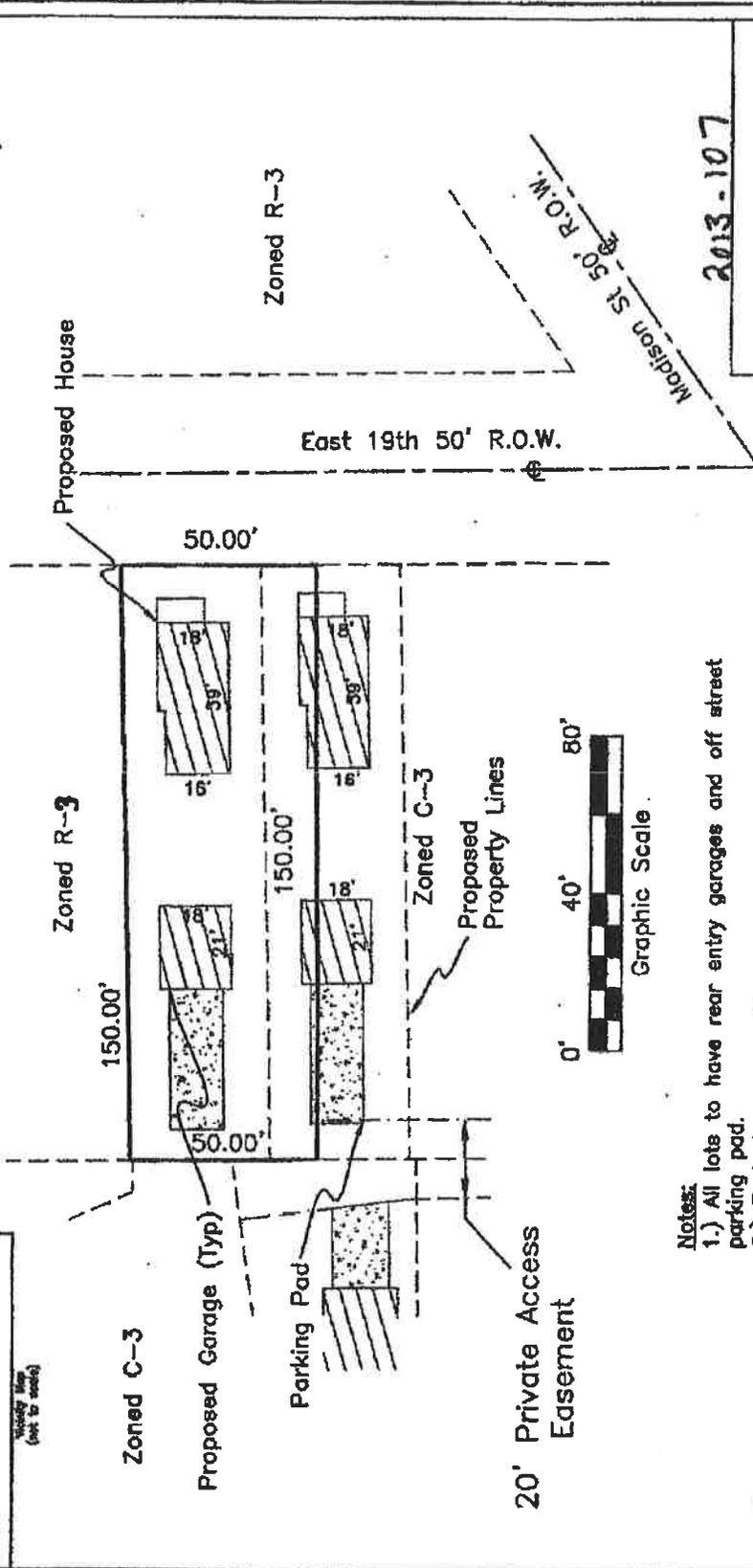
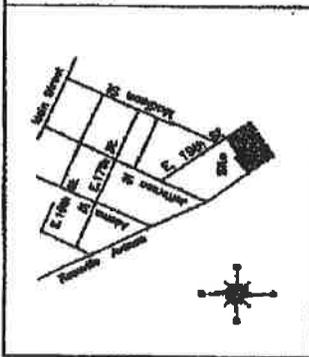
30 R

Charleston Area Council
RPA
 Regional Planning Agency

Chattahoochee Hamilton County Regional Planning Agency

Site Plan
Being A Portion Of The Property Recorded In Deed Book 5718, Page
119 R.O.H.C.
Chattanooga, Hamilton County, Tennessee

Scale: 1" = 50' March 7, 2013



- Notes:**
- 1.) All lots to have rear entry garages and off street parking pad.
 - 2.) Project area: 0.17± ac.
 - 3.) Tax Parcel #145M-U-007.00.
 - 4.) No landscape ordinance.
 - 5.) Currently Zoned R-1.

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 Tennessee PLS No. 2398
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 Signal Mountain, TN 37377
 423-384-6032

2013-107

File Name: Jeff Inuse Site
 Drawing No. 13-110-1