

First Reading: November 11, 2014
Second Reading: November 18, 2014

2014-112
Passpointe Engineering, PLLC/
Walnut Street Enterprises/
Marvin Berke/Claudette C. Braley
District No. 7
Alternate Version

ORDINANCE NO. 12877

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 102 WALNUT STREET AND 213 EAST AQUARIUM WAY, 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 Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 102 Walnut Street and 213 East Aquarium Way, more particularly described herein:

Two unplatted tracts of land located at 102 Walnut Street and 213 East Aquarium Way, beginning at the northeast corner of Tax Map 135L-C-005 and going west 113.76 feet, thence southwest 96.80 feet, thence south 9.74 feet, thence southeast 221.07 feet, thence east 72.96 feet, thence northeast 35.3117 feet, thence north 228.75 feet to the point of beginning, being the properties described in Deed Book 7607, Page 452, ROHC, and in Deed Book 7117, Page 252, ROHC. Tax Map Nos. 135L-C-001 and 005.

and as shown on the maps attached hereto and made a part hereof by reference, 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:

1. Review.

The following review shall be required 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.

A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than two (2) units, and excluding all interior renovations:

- (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.
- (2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.
- (3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

B. For any activity requiring a residential building permit for new construction:

- (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

A. A zero building setback is required along the street frontage.

- (1) To accommodate outdoor pedestrian activities including a small pocket park, plaza, outdoor dining, or widening of the public sidewalk, a greater setback is permitted.

3. Height Requirements.

- A. The minimum height of new buildings shall be eighteen (18) feet.
- B. The maximum height of all new buildings shall be five (5) stories.

4. Access to sites and buildings.

- A. New curb cuts shall not be permitted on the primary, or highest order street (Walnut Street), that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.
- B. Alleys, where they exist, shall be used as the principal vehicular access.
- C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.
- D. Shared drives should be used wherever possible.
- E. The primary pedestrian entrance to new buildings shall be provided from the primary street (Walnut Street).

5. Off-street parking.

- A. New off-street parking shall not be permitted between a building and the primary street frontage.
- B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:
 - (1) Off-street parking fronting a public street shall be screened from the right-of-way with a street edge in accordance with Condition 6A. Front end in or parallel parking along alleys is exempt from this requirement.
 - (2) Surface parking lots shall be landscaped with a minimum of one (1) Class 1 shade tree or every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.
- C. Garages for new residential dwellings shall be located behind the primary building.

D. The site plan shall include a minimum of 110 off-street parking spaces. The site plans shall also provide the following information:

- (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
- (6) Fire Department access

6. Street Frontage.

A. Where a street edge is required, it shall be provided as follows:

- (1) The street edge shall have a minimum height of three (3) feet and shall consist of:
 - a. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - b. A decorative metal fence with landscaping a minimum of three (3) feet in height at maturity, providing a year-round near opaque screen; or
 - c. An evergreen hedge, with a minimum height at maturity of three (3) feet.
 - d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- (2) Ground floor openings (doors and windows) shall constitute a minimum of 50% of the ground floor façade area for new non-residential buildings.
- (3) No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- (4) All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

7. Use.

The site shall only be used for a High End Boutique Hotel before the issuance of Certificate of Occupancy. The site shall be used as a hotel or residential use for a period of not less than twenty (20) years from the date of the Certificate of Occupancy. First floor retail use is permissible.

These conditions shall run with the property.

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

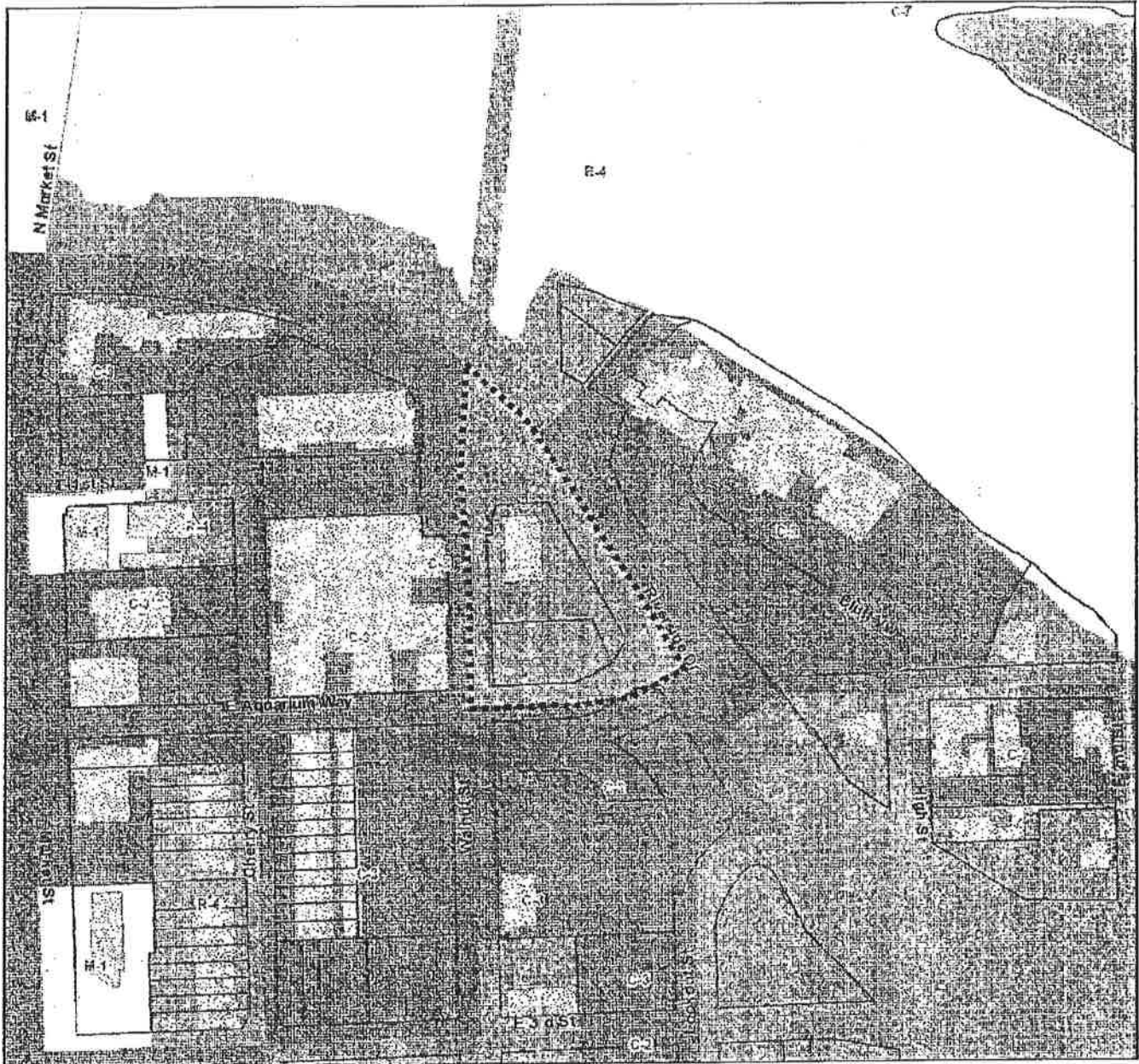
APPROVED: _____ DISAPPROVED: _____

MAYOR ABSTAINS (by TRM)

EFFECTIVE PURSUANT TO H.1

MAYOR

/mem



2014-112 Rezoning from R-4 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-112:
 Approve, subject to the list of conditions in the Planning Commission Resolution.



200 ft



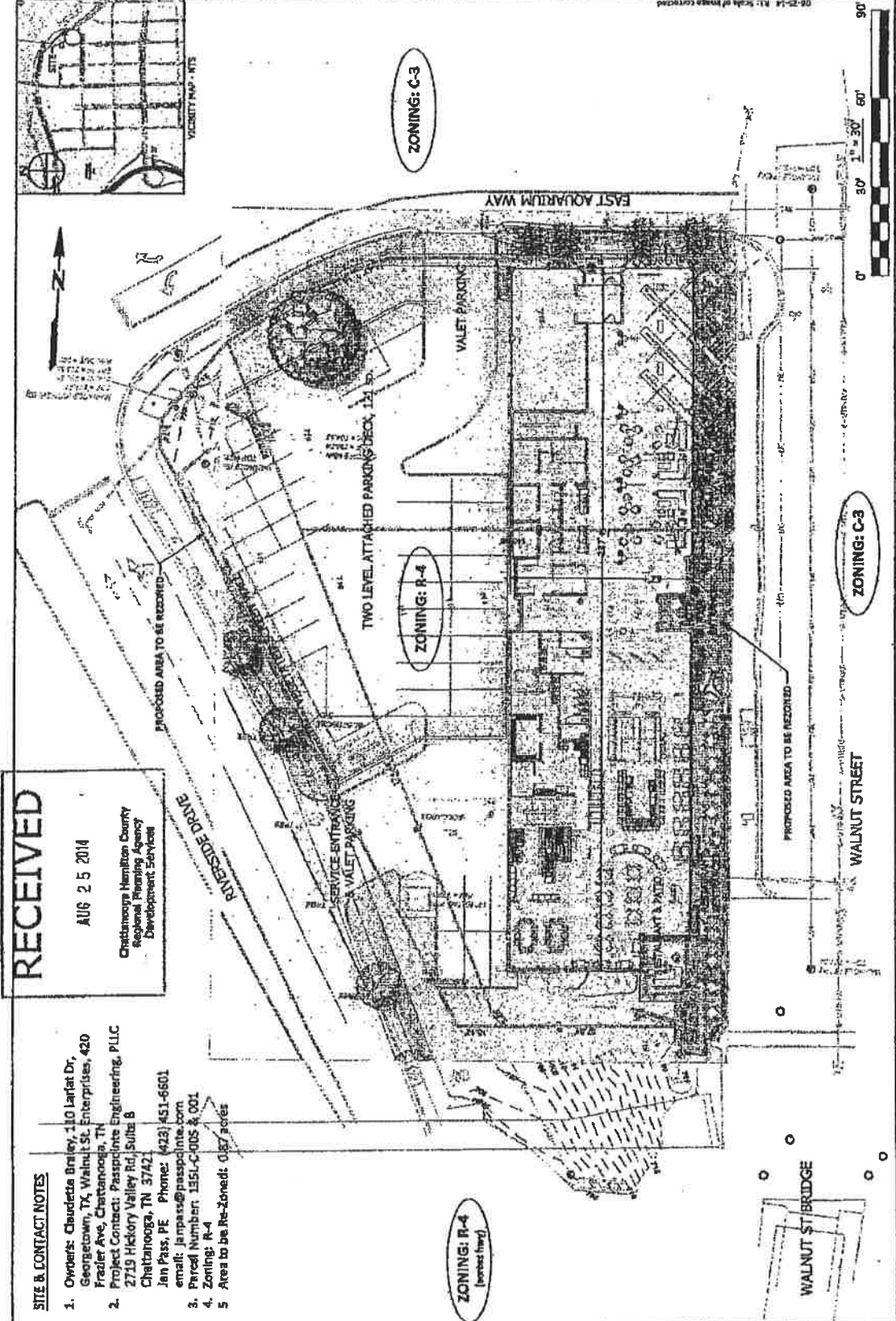
Chattanooga Hamilton County Regional Planning Agency



RECEIVED
 AUG 25 2014
 Chattanooga Hamilton County
 Regional Planning Agency
 Development Services

- SITE & CONTACT NOTES**
1. Owners: Claudette Briley, 110 Larfat Dr, Georgetown, TX, Walnut St. Enterprises, 420 Frazier Ave, Chattanooga, TN
 2. Project Contact: Passpointe Engineering, PLLC 2719 Hickory Valley Rd, Suite B Chattanooga, TN 37421
 Jan Pass, PE Phone: (423) 451-6601 email: janpass@passpointe.com
 3. Parcel Number: 135L-C-005 & 001
 4. Zoning: R-4
 5. Area to be Re-Zoned: 0.857 acres

CONCEPT SITE PLAN
 DATE: 08-25-14 SCALE: 1"=30'
 DWG NO. 14048.dwg
 Passpointe Engineering, PLLC
 2719 Hickory Valley Rd, Suite B
 Chattanooga, Tennessee 37421



2014-112