

First Reading: _____
Second Reading: _____

2014-085
Frank Goodwin
District No. 8
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 1400 BLOCK OF ADAMS 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 in the 1400 block of Adams Street, more particularly described herein:

Lot 33, Block 2 of Key and Richmond's Addition No. 2, Book P, Volume 2, Page 457, ROHC, being the property described in Deed Book 10200, Page 70 and Deed Book 10090, Page 136, ROHC. Tax Map Nos. 145L-G-016 and 017.

and as shown on the maps 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:

- 1) Uses shall be restricted to residential.
- 2) 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.

3) Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

4) Height Requirements.

- A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
 - B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be five (5) stories.
- 5) Access to sites and buildings.
- A. New curb cuts shall not be permitted on the primary, or highest order 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.
- 6) 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 6.A. 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 I shade tree for 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. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with 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; and
 - (6) Fire Department access.
- 7) Street Frontage.
- A. Where a street edge is required, it shall be provided as follows:
 - B. The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
 - 1) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials);
 - 2) A decorative metal fence with landscaping a minimum of three (3) feet in height at maturity, providing a year-round near opaque screen;
 - 3) An evergreen hedge, with a minimum height at maturity of three (3) feet; and
 - 4) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
 - C. Ground floor openings (doors and windows) shall constitute a minimum of fifty (50%) percent of the ground floor façade area for new non-residential buildings.
 - D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
 - E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

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: _____

2014-085
Frank Goodwin
District No. 8
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 1400 BLOCK OF ADAMS STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO C-3 CENTRAL BUSINESS ZONE.

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 in the 1400 block of Adams Street, more particularly described herein:

Lot 33, Block 2 of Key and Richmond's Addition No. 2, Book P, Volume 2, Page 457, ROHC, being the property described in Deed Book 10200, Page 70 and Deed Book 10090, Page 136, ROHC. Tax Map Nos. 145L-G-016 and 017.

and as shown on the maps 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 Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2014-085 City of Chattanooga
September 8, 2014

RESOLUTION

WHEREAS, Frank Goodwin petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-3 Residential Zone to C-3 Central Business Zone, properties in the 1400 Block of Adams Street.

Lot 33, Block 2 of Key and Richmond's Addition No. 2, Book P, Volume 2, Page 457, ROHC, being the property described in Deed Book 10200, Page 70 and Deed Book 10090, Page 136, ROHC. Tax Maps 145L-G-016 and 017 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 8, 2014,

AND WHEREAS, the Planning Commission heard and considered all statements favoring 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.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 8, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to:

- 1) Uses shall be restricted to residential.**
- 2) 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 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.

3) Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

- (1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

4) Height Requirements.

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

5) Access to sites and buildings.

- A. New curb cuts shall not be permitted on the primary, or highest order 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.

6) 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 6.A. 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 I shade tree for 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. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:
 - (1) Proximity to transit stops
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 - (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

7) Street Frontage.

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

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 - c. An evergreen hedge, with a minimum height at maturity of 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 percent 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.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2014-085		Date Submitted: 07/10/2014	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)				
1 Applicant Request				
Zoning	From: R-3		To: C-3	
Total Acres in request area: 0.12				
2 Property Information				
Property Address:	Properties in the 1400 Block of Adams St			
Property Tax Map Number(s):	145L-G-016 & 017			
3 Proposed Development				
Reason for Request and/or Proposed Use:	Build Single Family Homes			
4 Site Characteristics				
Current Zoning:	R-3			
Current Use:	Vacant Lots			
Adjacent Uses:	Townhouses, Single Family			
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: Frank Goodwin			Address: 3119 Mount Pisgah Rd	
Check one:	<input checked="" type="checkbox"/>	I am the property owner	<input type="checkbox"/>	I am not the property owner
City: Ringgold	State: GA	Zip Code: 30736	Email: goodwin1@catt.com	
Phone 1: 423-313-4886	Phone 2: 423-313-0595	Phone 3:	Fax:	
6 Property Owner Information (if not applicant)				
Name:			Phone:	
Address:				
Office Use Only:				
Planning District: 8a			Neighborhood: None	
Hamilton Co. Comm. District: 6		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"/>
<input checked="" type="checkbox"/>	Map of Proposed Zoning Area with dimensions	<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Total Acres to be considered: 0.12	<input checked="" type="checkbox"/>	Deeds	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Plats, if applicable:			
Deed Book(s): 10200/70, 10090/136				
Plat Book/Page: Book P, Volume 2, Page 457			<input checked="" type="checkbox"/>	Notice Signs
			<input checked="" type="checkbox"/>	Number of Notice Signs: 1
<input checked="" type="checkbox"/>	Filing Fee: 635.00	<input checked="" type="checkbox"/>	Cash	<input checked="" type="checkbox"/>
			<input checked="" type="checkbox"/>	Check
			<input checked="" type="checkbox"/>	Check Number: 3903
Planning Commission meeting date: 08/11/2014			Application processed by: Jennifer Ware	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-085	PC Meeting Date: 09-08-14
Applicant Request:	Rezone from R-3 Residential Zone to C-3 Central Business Zone	
Property Location:	1400 block Adams Street	
Property Owner:	Frank Goodwin	
Applicant:	Same	
Staff Recommendation:	APPROVE with Conditions	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing to build a single-family home.

Site Description

The site is 5,000 square feet and currently vacant. Parcels to the north and east are vacant. To the south is a parking area for the adjacent martial arts studio, which fronts on Adams Street. Across the street is a single-family home with no access off of Adams Street, and which is not visible due to a metal stockade fence and dense vegetation.

Zoning History

This site has had no recent zone change. The R-3 Residential Zone is the designated zone that was established with the adoption of the zoning regulations in 1937. Surrounding properties have been rezoned to C-3 Central Business Zone in 1988, 2007 and 2010.

Plans/Policies

The 2004 Downtown Plan recommends single-family residential development for this area.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

RPA Summary

Since the Applicant's proposal is consistent with the recommendations of the Downtown Plan, and with the current development trends in the neighborhood, staff recommends approval of the request to rezone from R-3 Residential Zone to C-3 Central Business Zone for a single-family detached residence. In order to maintain consistency with the land uses and character of the neighborhood, staff recommends the following conditions:

1. Uses shall be restricted to residential.

STAFF CASE REPORT TO PLANNING COMMISSION

2. Review.

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STAFF CASE REPORT TO PLANNING COMMISSION

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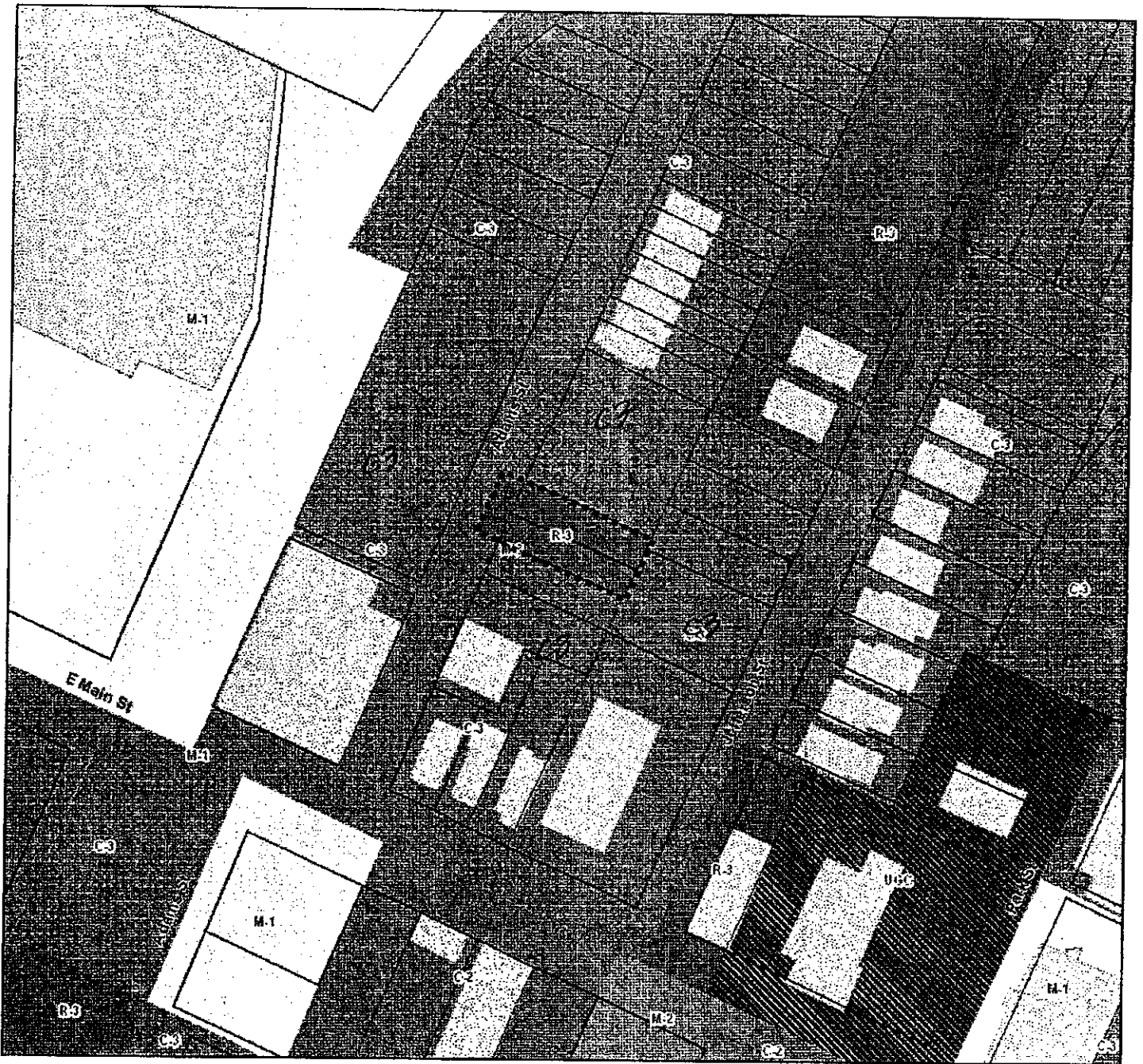
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STAFF CASE REPORT TO PLANNING COMMISSION

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2014-085 Rezoning from R-3 to C-3

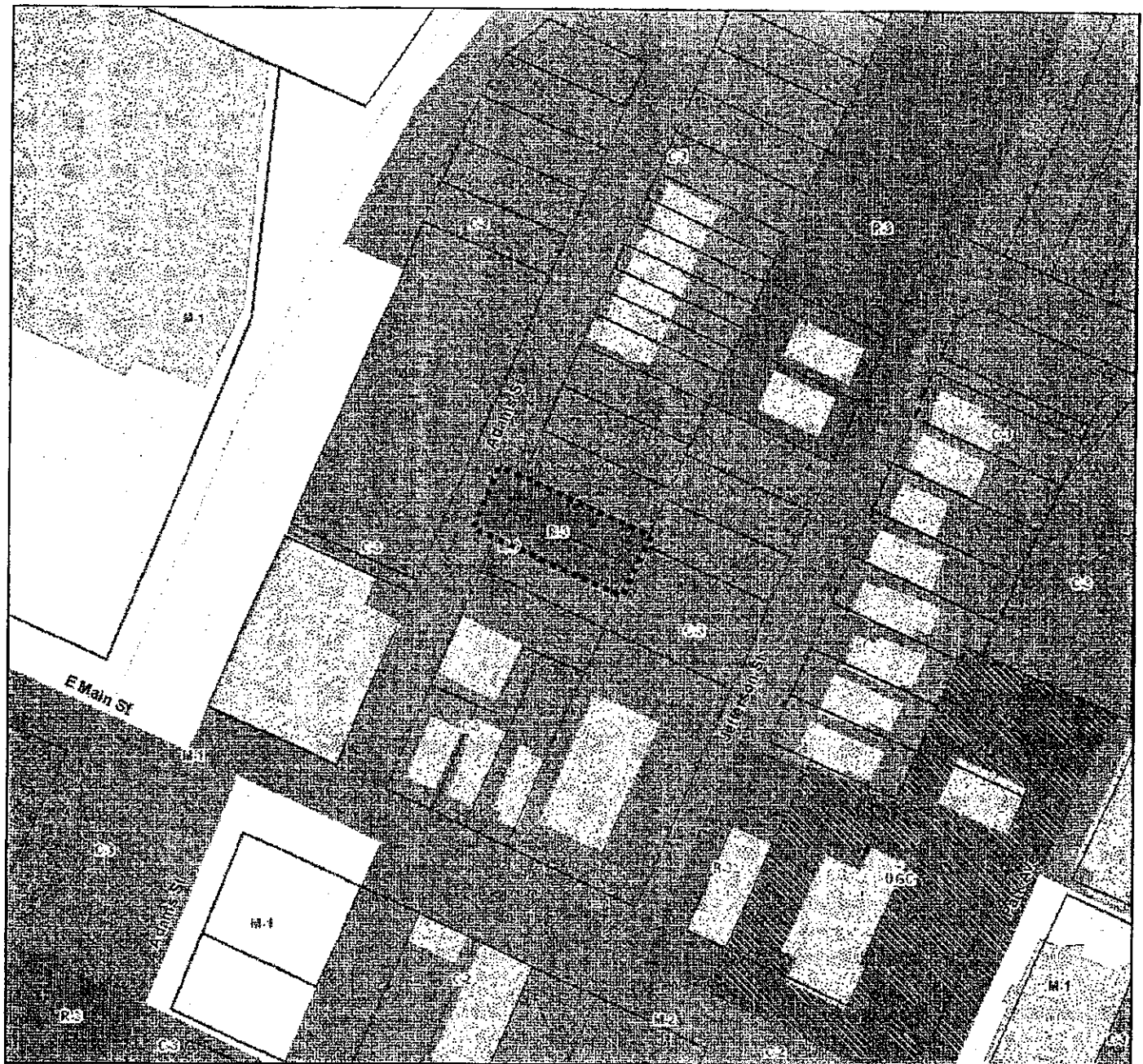


Chattanooga Hamilton County Regional Planning Agency



100 ft





2014-085 Rezoning from R-3 to C-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2014-085:
 Approve, subject to the list of conditions in the Planning Commission Resolution.



100 ft



Chattanooga Hamilton County Regional Planning Agency



OWNERS: GOODWIN SOUTHERN PROPERTY, LLC.
FRANK GOODWIN
3119 MT. FISGAH ROAD
RINGGOLD, GEORGIA 30736
PHONE: (423) 313-4886

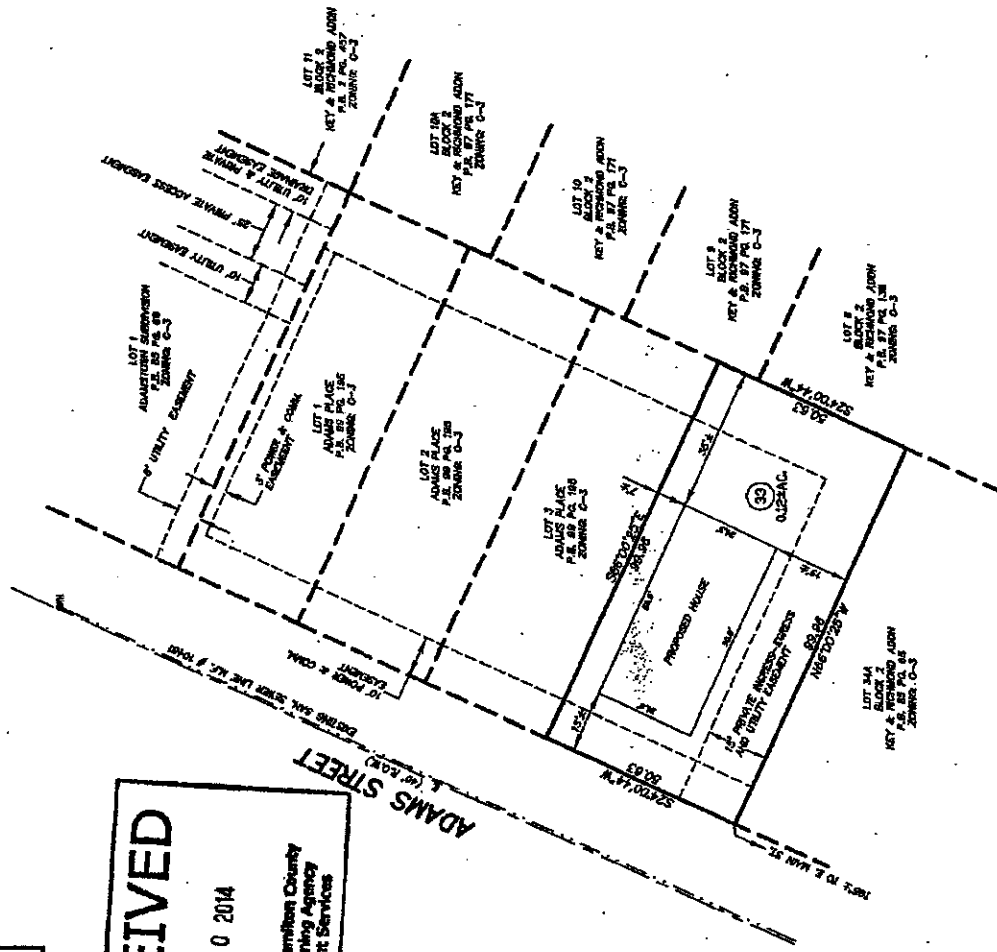
TAX MAP NO. 145 L-G-016 & 017
ACREAGE: 0.12± ACRES
ADDRESS: ADAMS STREET
ZONING: R-3, REQUESTED C-3
PROPOSED UNITS: 1 UNIT (SINGLE FAMILY)
DENSITY: 0.12 UNITS PER ACRE

ZONING MAP

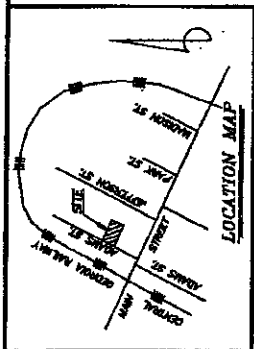
LOT 33, BLOCK 2, KEY & RICHMOND ADDITION
PLAT BOOK P2 PAGE 467

CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

<p>DMS 400 MARSH ROAD CHATTANOOGA, TENN. 37405 423-263-1111</p>	<p>DAVID MATHEWS SURVEYING 14-02514</p>
<p>Drawn: BOON Checked: BUE Date: 12-18</p>	<p>Scale: 1" = 50'</p>



RECEIVED
JUL 10 2014
 Chattanooga Hamilton County
 Regional Planning Agency
 Development Services



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:

2014-064 MAP Engineers c/o Mike Price/Valor. 7518 Standifer Gap Road, from R-4 Special Zone to M-3 Warehouse and Wholesale Zone.

2014-066 Chris Senn/IMI Merchandising Holding, Inc. 950 Riverside Drive, from M-1 Manufacturing Zone to R-4 Special Zone, subject to certain conditions.

2014-085 Frank Goodwin. 1400 block of Adams Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2014-094 Global Southern Realty Holdings, LLC/Roy & Vivian Thomas c/o Lorrie Dorsey. 7408 and 7414 Bonny Oaks Drive, from R-1 Residential Zone and R-3 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-097 MAP Engineers, LLC/MPL Construction/Gold Bond, Inc. 5485 Old Hixson Pike and 5519 Hixson Pike, from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone.

2014-099 David Harris. 3326 Jenkins Road, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2014-100 Travis L. Hulsey/William J. Hulsey. 6115 Mountain View Road, from M-2 Light Industrial Zone to C-2 Convenience Commercial Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be denied:

2014-078 Ivan Mousaw/James Cunningham. 4501 Jersey Pike, from R-2 Residential Zone to R-3 Residential Zone.

2014-080 RSN Group, LLC/Vanessa Knight. 1809 Gunbarrel Road, from O-1 Office Zone to C-2 Convenience Commercial Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied and recommends approval of a Special Exceptions Permit:

2014-093 Carol Page Wnuk, 304 Gillespie Road, from R-1 Residential Zone to R-2 Residential Zone, petition to be denied and recommends approval of a Special Exceptions Permit for a duplex in the R-1 Residential Zone.

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,

October 14, 2014

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 _____, 2014.

Sandra Freeman
Clerk to the City Council