

1ST READING 4-13-10
2ND READING 4-20-10
INDEX NO. _____

2010-033
Daniel Rose

ORDINANCE NO. 12388

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE TRACTS OF LAND LOCATED AT 15, 17, AND 29 JOHNSON STREET AND THE 100 BLOCK OF EAST 14TH 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 Ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone:

Lots 5, 7, 9, 11, 13, and 15, Fort's Addition #2, as shown in Book W, Volume 1, Page 193, ROHC, being the properties described in Deed Book 5137, Page 755, Tracts 1 and 2 of Deed Book 5137, Page 758, Deed Book 5350, Pages 274 and 276, being described as 29 Johnson Street and 134 E 14th Street in Deed Book 8009, Page 864, Deed Book 8092, Page 794, and Tracts 1 and 2 in Deed Book 8116, Page 214, ROHC. Tax Map 145LA-E-003 thru 012.

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:

- 1) Plans drawn to scale;
- 2) Showing parking areas prior to City Council; and also the following:

For all new construction and major renovations affecting the building exteriors:

- 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 Planning and Design Studio. 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):

- For commercial 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 brick, stucco, or stone walls (concrete block can only be used when faced with said materials), decorative metal fences, cast iron, or composite material. When fences are used, landscaped 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.

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 façade area for 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. Maximum building heights vary based on the location. See the attached map.

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.
- Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M. L. King Boulevard.
- The following criteria should be considered in determining the amount and configuration of off-street parking:
 - a. Fire Department access
 - b. Type of use and hours of operation
 - c. Square footage of commercial uses or number of residential units
 - d. Availability of adjacent on-street parking, nearby public parking facilities, shared private parking, or leased off-site parking
 - e. Location on a transit route

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:

- 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 the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4th Street, Main, McCallie, and M. L. King Boulevard.

- 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

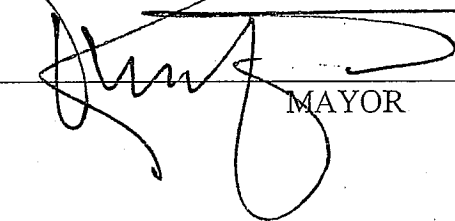
April 20, 2010.



CHAIRPERSON

APPROVED: DISAPPROVED:

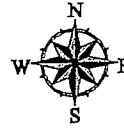
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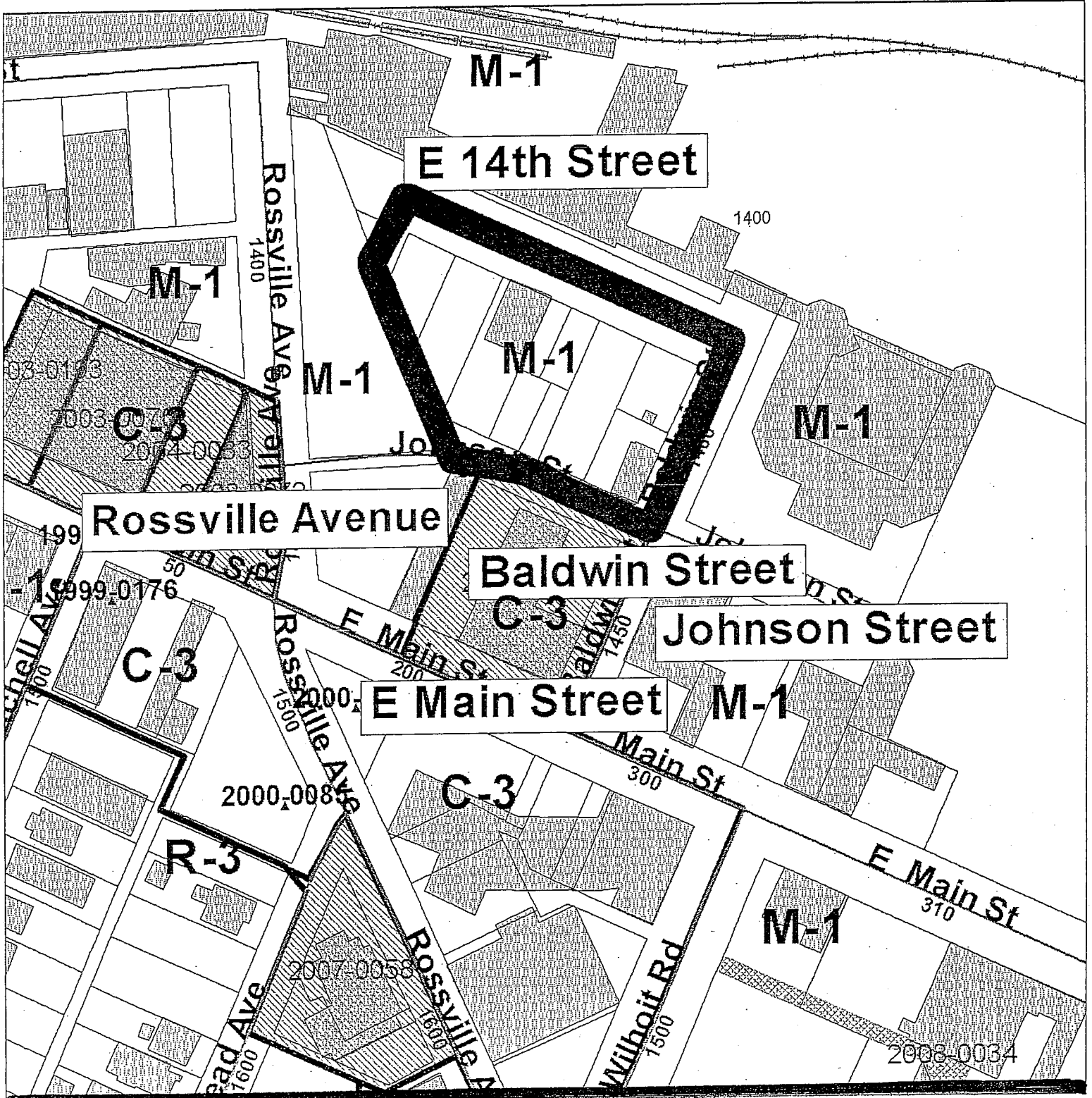
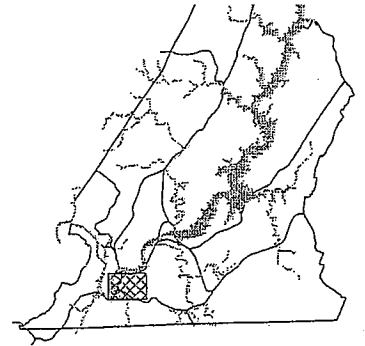
MAYOR

/mms

CHATTANOOGA
CASE NO: 2010-0033
PC MEETING DATE: 3/8/2010
FROM: M-1
TO: C-3



1 in. = 130.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2010-033: Approve, subject to certain conditions listed in the Planning Commission Resolution.

2-10-2010
2010-033

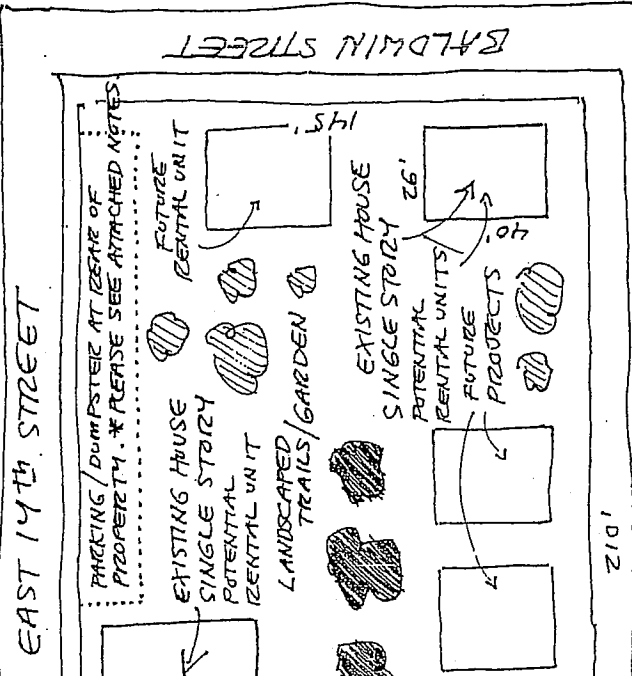
DIMENSIONS ARE APPROXIMATE

CH00-CH00
ZONED M-1

CH00 -
ZONED

STAT
CONF
ZONE

* PLEASE SEE ATTACHED
NOTES REGARDING LEGAL
AND PHYSICAL STATUS OF
E. 14th STREET.
300'



EAST 14th STREET

BALDWIN STREET

125' BIKE RACK
JOHNSON STREET

DIMENSIONS ARE APPROXIMATE

* SIDEWALKS WILL BE INSTALLED
IF NECESSARY.

NIEDLOV'S
ZONED C-3

TACO RICO /
FITNESS CENTER
ZONED C-3

CH00-CH00
PARKING
(PRIVATE)

CH00-CH00
PARKING
(PUBLIC)

ROSSVILLE AVENUE

GREEN
SPACES
ZONED C-3

DAD

7405
108

5890
IVE

405

BALDWIN ST.

3

M-1
20274

202

T, 1

5000

D

100'

E

ETC.

REGARDING PARKING LOT / DUMPSTER
ALONG EAST 14TH STREET:

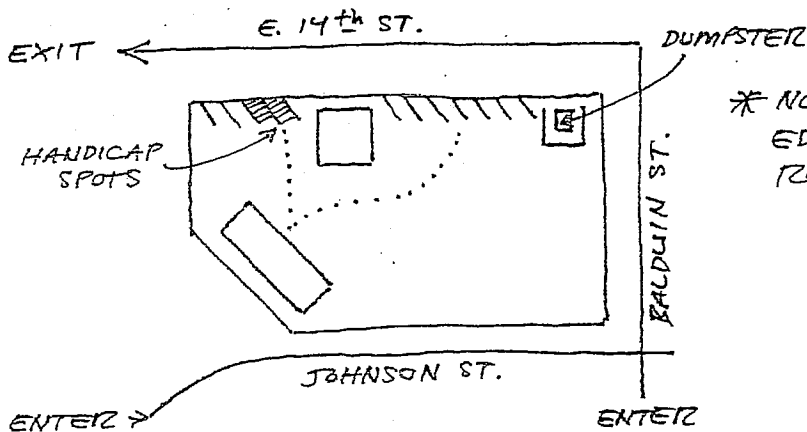
2010-033

EAST 14TH STREET PHYSICALLY ENDS, BUT WE HAVE NOT FOUND ANYTHING TO INDICATE THAT IT IS LEGALLY CLOSED. THEREFORE, TWO OPTIONS EXIST:

- ① NEGOTIATE WITH THE CHOO-CHOO. THE PROPERTY EDGE THAT ABUTS THEIRS COULD BE USEFUL AS ADDITIONAL PARKING FOR THEM, WHILE PHYSICALLY EXTENDING THE ROAD TO EXIT THROUGH SAID LOT. WOULD GREATLY IMPROVE OUR CIRCULATION OF TRAFFIC.

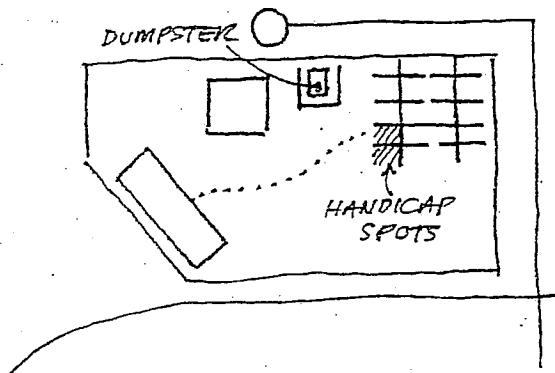
IN THIS CASE, WE WOULD LIKE TO INSTALL BACK-IN SPOTS ALONG THE SOUTH EDGE OF E. 14TH STREET ONTO OUR PROPERTY, AS IN THE NEW PARKING IN FRONT OF BIG RIVER AND MELLOW MUSHROOMS.

20 SPOTS, INCLUDING 2 HANDICAPPED-ACCESSIBLE, EACH MEASURING 9' x 19':



- ② APPLY TO LEGALLY CLOSE ROAD, SPLITTING THE LAND BETWEEN US AND THE CHOO-CHOO, AND ALLOWING E. 14TH STREET TO BE USED AS A CUL-DE-SAC "ALLEY."

IN THIS CASE, WE PROPOSE TO BUILD A STANDARD LOT ON THE CORNER, WITH THE SAME NUMBER OF SPACES, COMPLYING WITH ALL GUIDELINES REGARDING DIMENSIONS, SHADE TREES, ETC



* NOT TO SCALE

* IN EITHER CASE, WE PLAN ON PAVING / WIDENING INVOLVED STREETS TO CITY REQUIREMENTS AT OUR OWN EXPENSE.