

1ST READING
2ND READING
INDEX NO.

5-22-07
5-29-07

2007-058
Gregg Juster
c/o Elder Healy & Company

ORDINANCE NO. 11974

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 1601 ROSSVILLE AVENUE, 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 No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to rezone:

Lots 20 thru 27, Fort Negley Addition, Plat Book 1, Page 26, ROHC, being described at Tracts 1 thru 3, Deed Book 7556, Page 620, ROHC. Tax Map 145LD-H-001 thru 003.

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. The following uses shall be prohibited:

- a. No convenience stores;
- b. No liquor stores;
- c. No alcohol package stores;
- d. No adult oriented establishments;
- e. No pawn shops;
- f. No payday lending establishments;
- g. No car wash facilities;
- h. No day care facilities;
- i. No communications towers;

- j. No self storage facilities;
- k. No wineries;
- l. No commercial establishments open after 12:00 midnight;
- m. No billiard halls/bowling alleys;
- n. No medical facilities;
- o. No auto repair shops;
- p. No animal hospital/grooming facilities;
- q. No funeral home/crematories; and
- r. No more than 30% of building shall be used for commercial use without special exception.

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

a. Review:

- (i) 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.
- (ii) Historically or architecturally significant structures should be preserved.

b. Setbacks and street frontage (for commercial buildings):

- (i) For commercial buildings a zero building setback is required along the street frontage.

(ii) 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.

(iii) 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. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

c. Building facades and access:

(i) The primary pedestrian entrance shall be provided from the primary street.

(ii) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for commercial buildings.

(iii) No security-type roll up metal doors shall be permitted to front streets other than interior block alleys.

(iv) The height of new buildings shall be 18 feet minimum and 48 feet maximum.

d. 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.

e. Access and Parking:

- (i) Parking shall be located to the rear of the building.
- (ii) 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.
- (iii) 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.

f. 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.

For residential buildings:

g. 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.

h. Access and Parking:

- (i) Garages shall be located behind the primary building.
- (ii) 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.

(iii) 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.

(iv) At least one (1) pedestrian entrance shall front the primary street.

i. 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

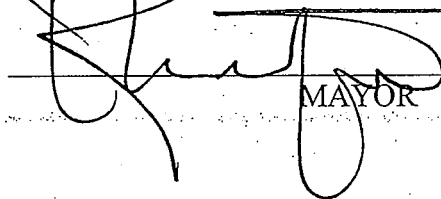
May 29, 2007.



CHAIRPERSON

APPROVED: DISAPPROVED:

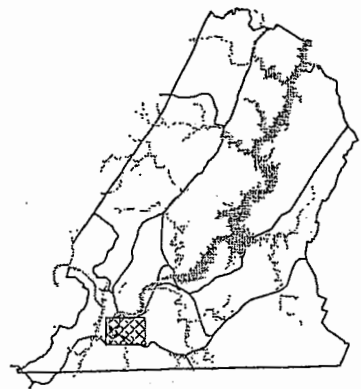
DATE: 6/4, 2007



MAYOR

DML/add

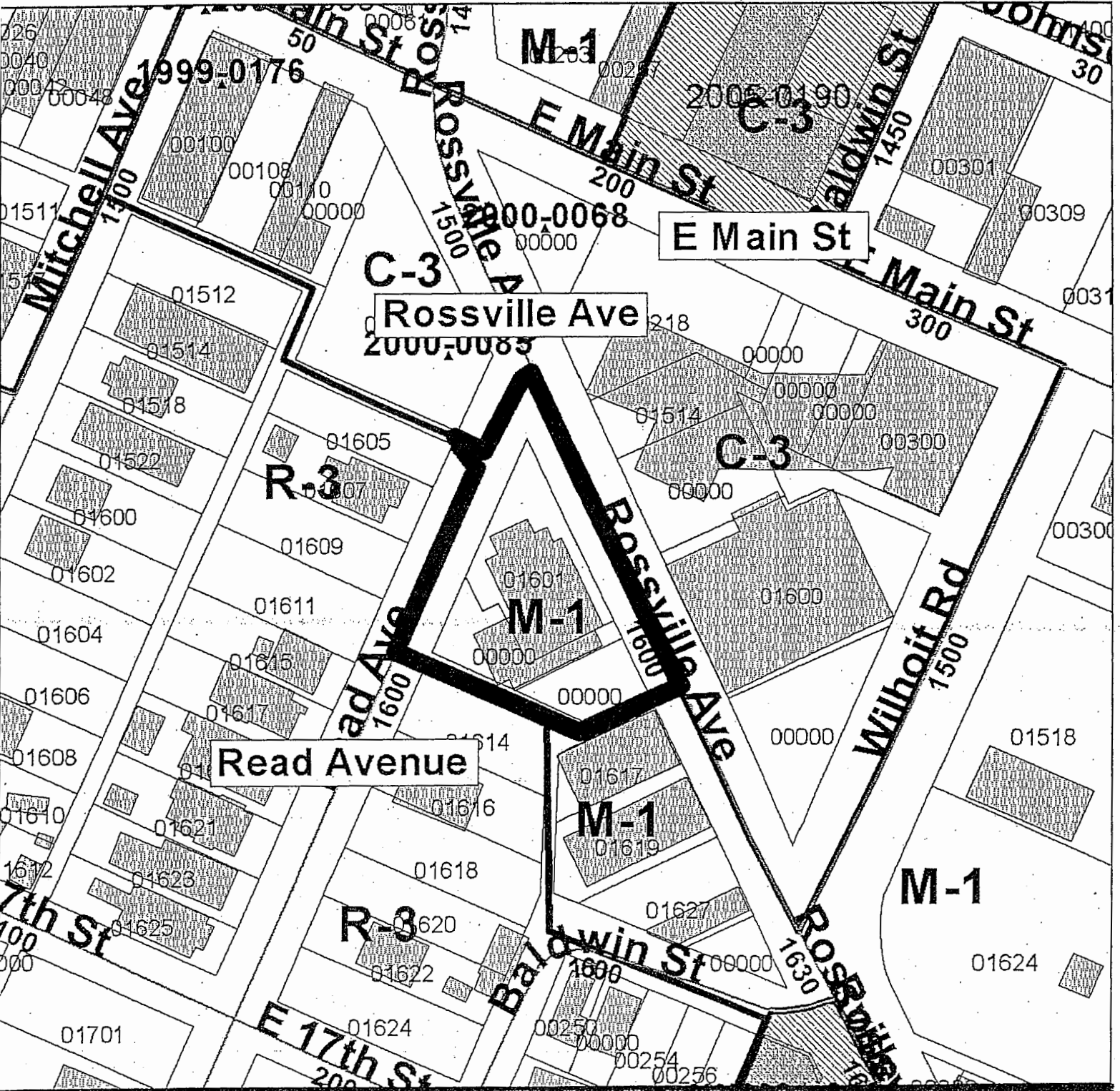
CHATTANOOGA - HAMILTON COUNTY REGIONAL
PLANNING AGENCY



CHATTANOOGA
CASE NO: 2007-0058
PC MEETING DATE: 4/9/2007
FROM: M-1
TO: C-3



1 in. = 100.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2007-058: Approve, subject to certain conditions as listed in the Planning Commission Resolution.