

1ST READING

572-09

2ND READING

579-09

INDEX NO.

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2008-116

William W. Wise

c/o Ronald Feldman

ORDINANCE NO. 12244

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, SECTION 38, ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED AT 120 MARKET STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM M-1 MANUFACTURING ZONE AND R-4 SPECIAL ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Section 38, Zoning Ordinance, be and the same is hereby amended so as to rezone:

An unplatted tract of land located at 120 Market Street, being the property described in Deed Book 4731, Page 723, ROHC. Tax Map 135L-B-008.

from M-1 Manufacturing Zone and 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 conditions:

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

1) Review:

- a. 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.
- b. Historically or architecturally significant structures should be preserved.

2) Setbacks and street frontage (for commercial buildings):

- a. For commercial buildings a zero building setback is required along the street frontage.
- b. 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.
- c. 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 nearly opaque screen. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

3) Building facades and access:

- a. The primary pedestrian entrance shall be provided from the primary street.
- b. Ground floor openings (doors and windows) should constitute a minimum of 50 percent of the ground floor façade area for commercial buildings. Lower percentages of openings may be allowed for some uses upon staff review of building elevations.
- c. No security-type roll up metal doors shall be permitted to front streets other than interior block alleys.
- d. The height of new commercial buildings shall be 18 feet minimum and 75 feet maximum.

4) Placement of equipment:

- a. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.
- b. No dumpster pickup from 7:00 pm until 7:00 am.

5) Access and Parking:

- a. Parking shall be located to the rear of the building.
- b. 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.

- c. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4<sup>th</sup> Street, Main, McCallie, and M.L. King Boulevard.

6) Landscaping:

- a. 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.
- b. Leyland Cypress or appropriate species as determined by City Landscape Coordinator to be placed along rear property line along Cherry Street planted at an interval of five foot on center or at a distance approved by the City Landscape Coordinator and to be maintained by property owner.

For residential buildings:

7) Uses Not Permitted:

- a. 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:

- a. Garages shall be located behind the primary building.
- b. 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.
- c. Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad, Market, 4<sup>th</sup> Street, Main, McCallie, and M.L. King Boulevard.
- d. At least one (1) pedestrian entrance shall front the street;

9) Setbacks:

- a. 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.

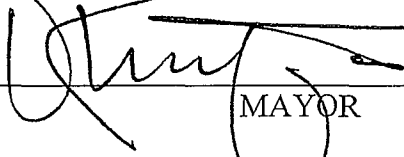
PASSED on Second and Final Reading

\_\_\_\_\_ May 19 \_\_\_\_\_, 2009.

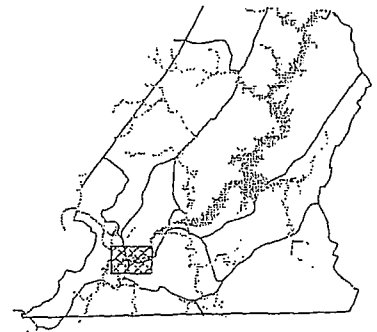
  
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CHAIRPERSON

APPROVED:  DISAPPROVED:

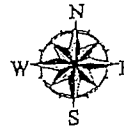
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MAYOR

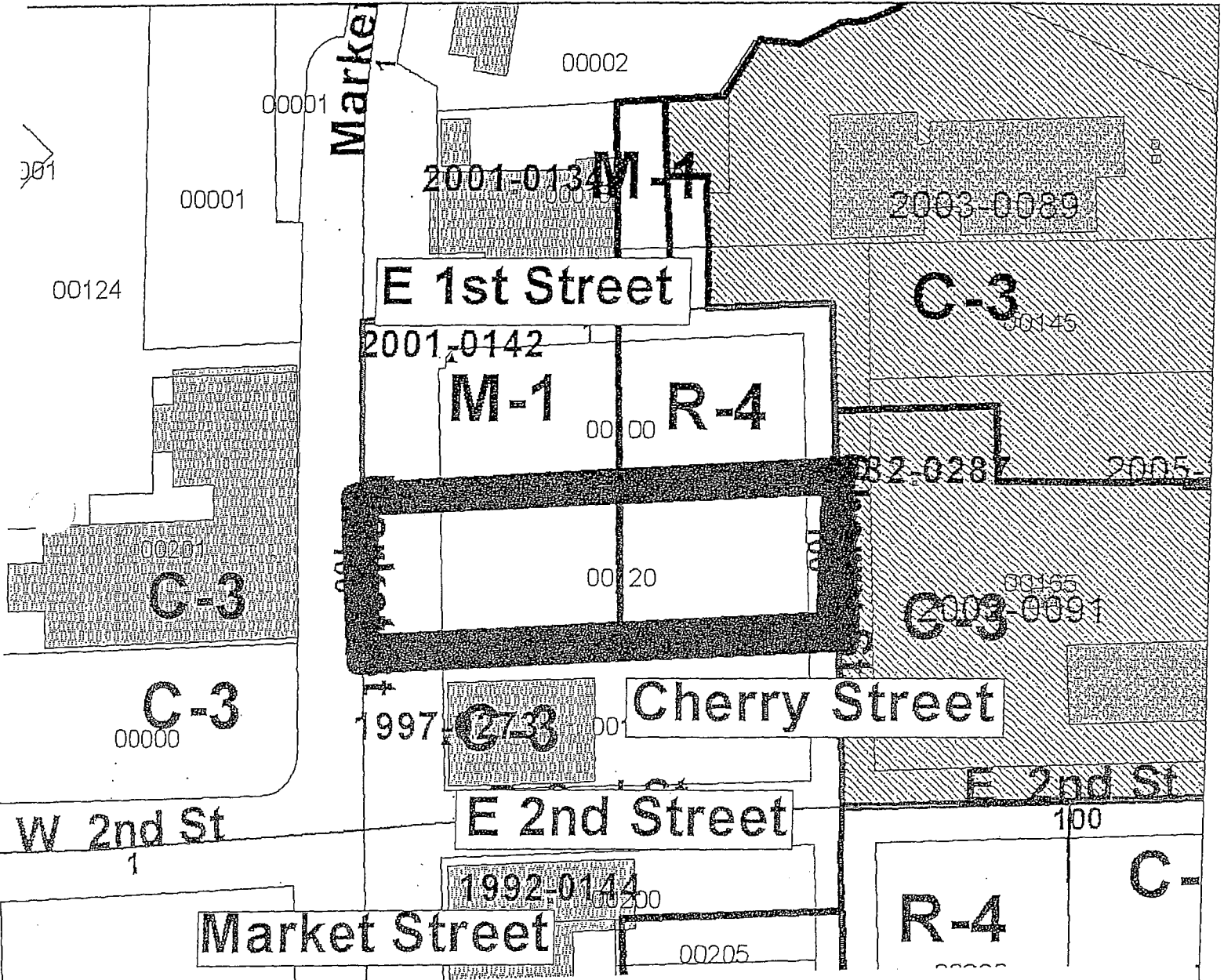
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CHATTANOOGA  
CASE NO: 2008-0116  
PC MEETING DATE: 7/14/2008 04/13/2009  
FROM: R-4 & M-1  
TO: C-3



1 in. = 100.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2008-116: Approve, subject to certain conditions as listed in the Planning Commission Resolution.

