

**First Reading September 10, 2013
Second Reading September 17, 2013**

2013-101
Towson and Dede Engsberg
District No. 7
Planning Version

ORDINANCE NO. 12767

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 501 EAST 16TH 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 at 501 East 16th Street, more particularly described herein:

Lot 1, Sam Erwins Subdivision, Plat Book 5, Page 54, ROHC.
Deed Book 9825, Page 554, ROHC. Tax Map No. 145L-J-029.

and as shown on the maps and drawing 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 conditions:

- 1) Uses shall be restricted to office and residential; and
- 2) Vehicular access to the property shall be restricted to the north alley access and subject to the standard C-3 Central Business Zone conditions.

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For new construction, including additions to a building, the conditions below shall apply. Interior renovations to existing buildings are exempt from these conditions.

1) Review:

- Applicants are required to schedule a pre-submittal meeting with the City's Land Development Office prior to completion of schematic design.
- To promote compliance with the Downtown Plan, to help ensure that new development compliments 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, **prior to completion of construction drawings**, by the Community Design Group, a division of the Regional Planning Agency. **Applicants are responsible for scheduling this review meeting.** 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 and apartment buildings (Facade renovations are exempt from these conditions):

- For new 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 a) brick, stucco, or stone walls (concrete block can only be used when faced with said materials), or b) decorative metal fences, or c) an evergreen hedge, with a minimum height at maturity of 3 to 4 feet. When fences are used, evergreen 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.
- For properties fronting the Tennessee River, a 30 foot public easement shall be maintained along the river for the continuation of the riverwalk. (A wider temporary easement may be necessary during riverwalk construction.)

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 facade area for new 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.
- The maximum height of new buildings shall be 50 feet.

For any activity requiring a land disturbing permit, the following conditions shall apply:

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.
- Alleys, where they exist, shall be used for vehicular access.
- Additional curb cuts shall not be permitted on the primary streets of the downtown street grid, such as (but not limited to) Broad Street, Market Street, Riverfront Parkway, 4th Street, 6th Street, Vine Street, McCallie Avenue, M.L. King Boulevard, 11th Street, Main Street, and Georgia Avenue, and portions of Chestnut Street, Carter Street, Walnut Street, and 2nd Street.
- There are no minimum requirements for the amount of off-street spaces, but the amount and location of parking to be provided must be presented by the applicant and should include the following considerations:

- a. Proximity to transit stops
- b. Provision of bicycle facilities
- c. Availability of adjacent on-street parking, proximity to public parking facilities, shared private parking, or leased off-site parking
- d. Type of uses and hours of operation
- e. Square footage of commercial uses or number of residential units
- f. Fire Department access

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 new construction of single-family, duplex, and townhome 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 certain primary streets, as described above.
- 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.

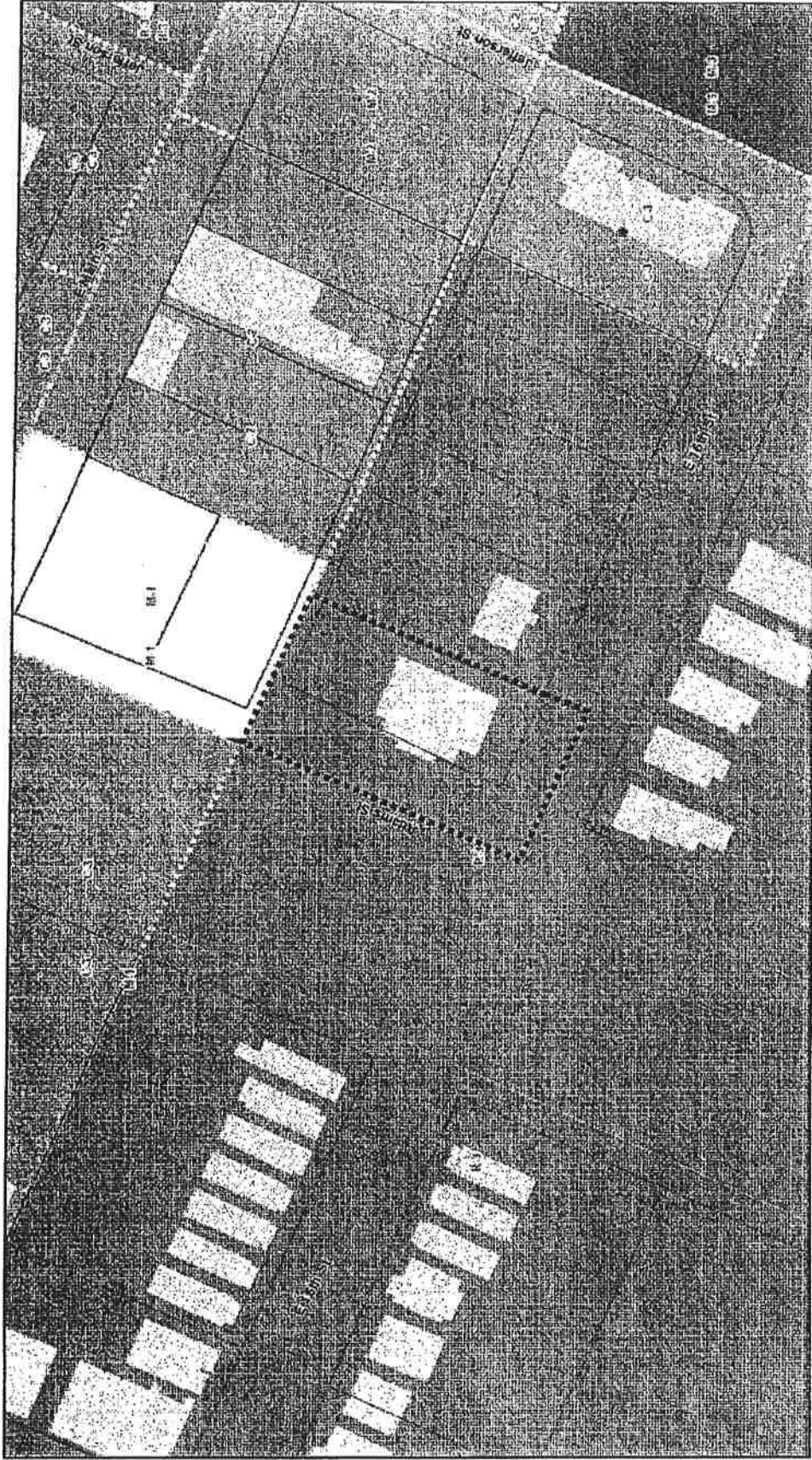
Passed on second and final reading September 17, 2013

Yusuf Hakeem
CHAIRPERSON

APPROVED: DISAPPROVED:

Nely Buel
MAYOR

/mms



2013-101 Rezoning from R-3 to C-3

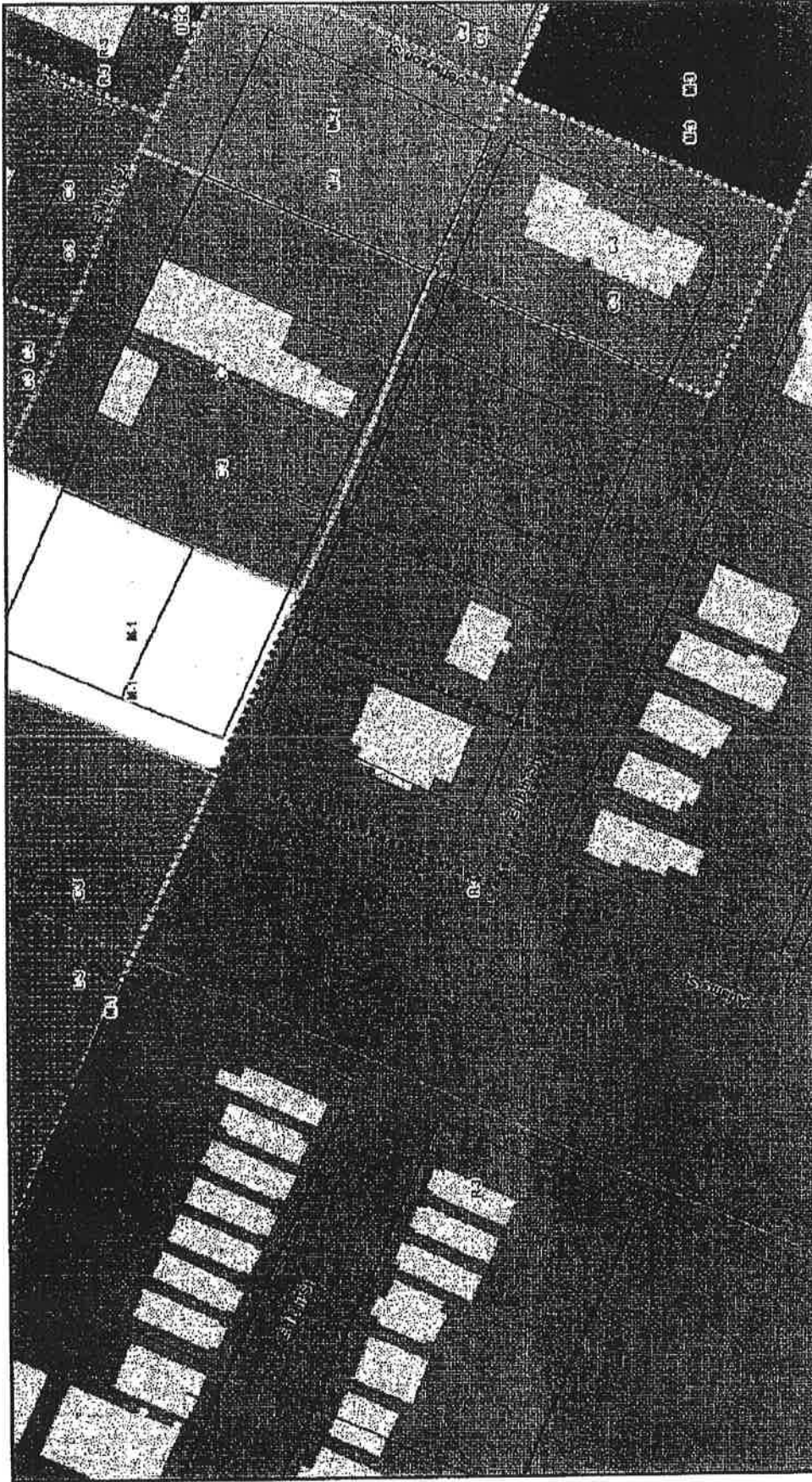
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-101: Approve, subject to the list of conditions in the Planning Commission Resolution.



75 ft



Chattanooga Hamilton County Regional Planning Agency



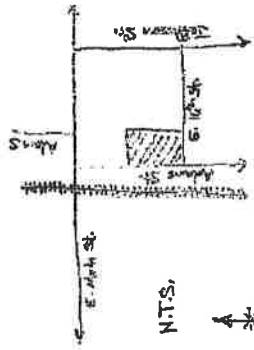
2013-101 Rezoning from R-3 to C-3



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Hamilton County
RPA
Regional Planning Agency

Hamilton County Regional Planning Agency



LOCATION MAP

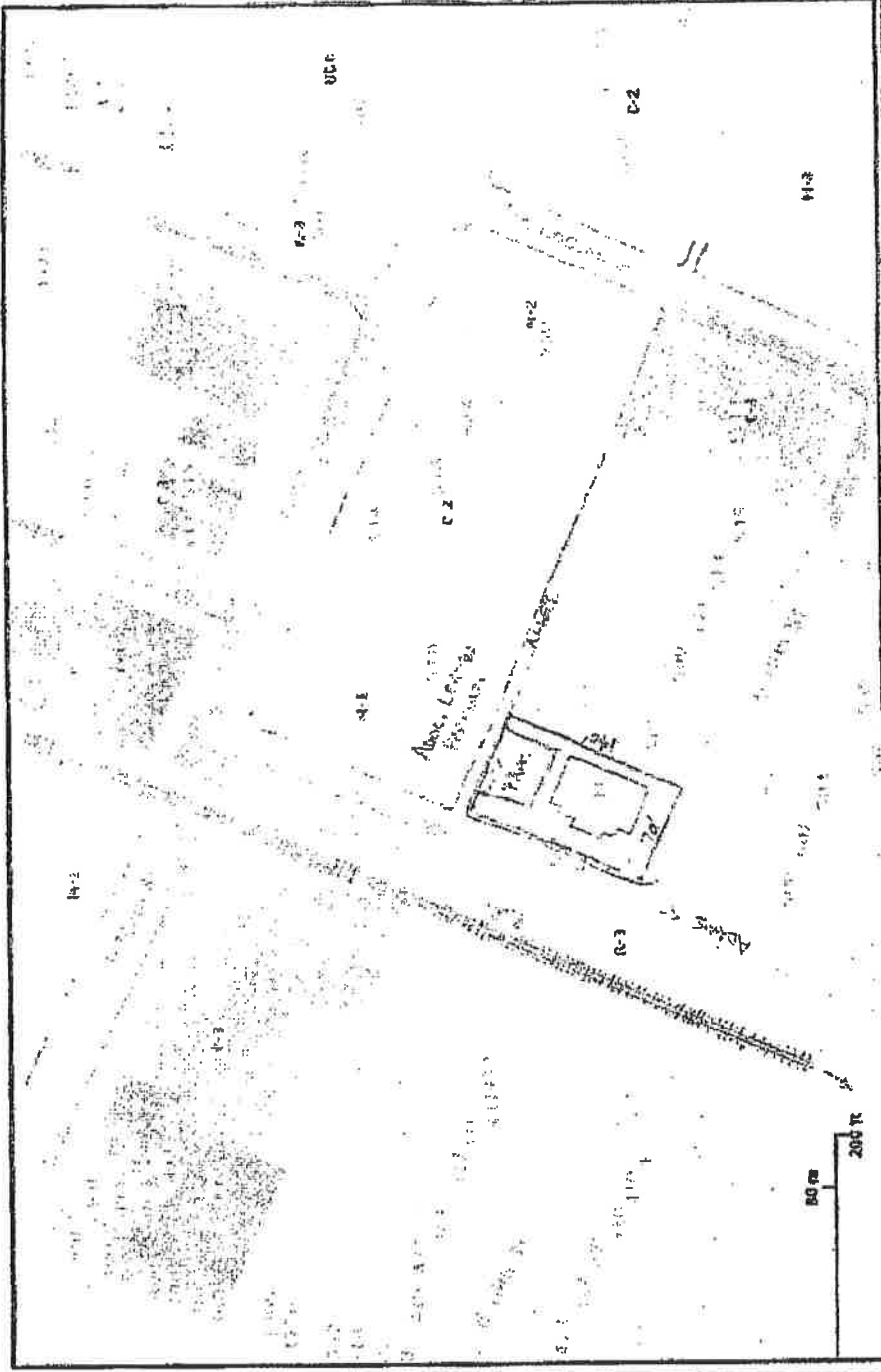
- NOTES:**
- 1) Existing setbacks to Adams St.
 - 2) Current zoning is R-3
 - 3) Former commercial church site. See tax assessor notes.
 - 4) County utility service, only no expansion allowed.
 - 5) 4,330 sq ft, 72 sq.
 - 6) No landscape ordinance
 - 7) Trash stored on garage pit-up days. (Dunwoody, VA)

PROPERTY PLAN

For Map # 145L J 029
 Plat Book: 5 Page Nos 54

PROPERTY OWNERS

Tolson & Dale Engstrom
 509 E. Main St.
 Unionville, TN 37180
 TN-428-8577
 tosonengstrom@midway.com



501 E 16th St
Zoning Map

Published: Jan 28, 2013

FIGURES

2013-101

Disclaimer: This map is for informational purposes only and is not intended to be used for any other purpose. It is not a guarantee of any kind and is not intended to be used for any other purpose. It is not a guarantee of any kind and is not intended to be used for any other purpose.