

First Reading: April 18, 2017
Second Reading: April 25, 2017

2017-039
Bobby Fairbanks
District No. 4
Alternate Version

ORDINANCE NO. 13175

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO LIFT AND AMEND CONDITIONS OF ORDINANCE NO. 11313 OF PREVIOUS CASE NO. 2002-113 ON TEN (10) PROPERTIES LOCATED IN THE 7300 BLOCK OF APPLGATE LANE, MORE PARTICULARLY DESCRIBED HEREIN, 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 lift and amend conditions of Ordinance No. 11313 of previous Case No. 2002-113 on ten (10) properties located in the 7300 block of Applegate Lane, more particularly described herein:

Lots 3 through 10 and Lots 20 and 21 Corrective Plat Applegate Subdivision, Plat Book 42, Page 324, ROHC; and being the properties described in Deed Book 4419, Page 548, Deed Book 4453, Page 401, Deed Book 6053, Page 597, Deed Book 8925, Page 256, Deed Book 9454, page 67, Deed Book 9514, page 127, Deed Book 9843, Page 878, Deed Book 10539, Page 685, and Deed Book 10918, Page 837, ROHC. Tax Map Nos. 158E-C-003.02, 003.03, and 003.011 through 003.018.

and as shown on the maps attached hereto and made a part hereof by reference.

SECTION 2. BE IT FURTHER ORDAINED, That the current conditions be lifted and

replaced with the following conditions:

1. Limited to professional offices, medical or dental offices, clinics and single-family dwellings only, with the understanding that the single-family dwellings may be combined with the other permitted uses.
2. Any new buildings or structures shall be no taller than two (2) stories in height.
3. Existing buildings shall be retained.
4. Signs shall be ground mounted, be no more than 3 feet in height above grade and have a maximum square footage of twelve (12) square feet or a sign may be placed on the office as long as said sign consists of no more than eight (8) square feet in area and shall not have backlighting.
5. Lots 5, 6, 7, 8, 9 and 10 of the Applegate Subdivision shall maintain a minimum twenty (20) feet natural buffer where they abut Lots 40, 41 and 42 of the Concord Highlands Subdivision Unit 2 (known as the Concord Highlands Neighborhood). No grading, paving or removal of trees in this buffer is allowed. Lot 10 shall also consist of a ten (10) foot landscape buffer, approximately one hundred ten (110) feet in length as shown on the plans and consisting of evergreen trees as shown on the attached zoning plan, adjacent to the twenty (20) foot natural buffer. Lots 5 and 6 shall install a ten (10) foot "Type C" buffer, approximately one hundred twenty (120) feet in length and consisting of one row of evergreen trees, adjacent to the twenty (20) foot natural buffer (buffers shown on attached site plan). **Lot 8 shall plant three evergreen trees within the natural buffer as generally depicted on the attached zoning plan dated April 4, 2017, when this property is converted from residential to office use.**

Loss of any existing trees within the natural buffer exceeding four (4) inches in caliper shall be replaced with evergreen trees with a minimum height of eight (8) feet on a one to one basis. Selection and installation of screening trees shall be according to the Plant Installation Specifications section (Section 155.07) of the Chattanooga Landscape Ordinance.

6. Parking.
 - a. Excluding Lots 9, 20 and 21, no more than four (4) off-street parking spaces shall be located within the front yard of each building. Handicap parking shall be provided as required.

- b. A portion of Lot 20 of the Applegate Subdivision shall be reserved for shared parking to meet the off-site parking needs of Lots 6, 7, 8, 9, and 21 of the Applegate Subdivision. The rear portion of Lot 5 of the Applegate Subdivision shall be reserved for shared parking to meet the off-site parking needs of Lots 4 and 6.
- c. No more than one (1) off-street parking space within the side yard of each building, except Lot 10.
- d. No parking permitted in the rear yard of Lots 6, 7, 8, 9, and 10.
- e. Parking shall be setback at least thirty (30) feet from the rear property line of Lots 5 and 10 where they abut Lots 40 and 42 of the Concord Highlands Subdivision Unit 2.

The following conditions apply to Lot 10:

- a. No more than nine (9) off-street parking spaces within the side yard.
 - b. All surface parking lots shall be landscaped with a minimum of one (1) tree for every four (4) parking spaces. All required landscaping should be planted within twenty (20) feet of the parking area. Existing trees within twenty (20) feet of the parking area may count towards the planting requirements. Trees may be any of the Class I or II Shade Tree specimens as listed in the Chattanooga Landscape Ordinance. All installed landscaping shall comply with the installation and planting area requirements of the Chattanooga Landscape Ordinance.
 - c. Lot-20 of the Applegate Subdivision shall provide a minimum twelve (12) shared parking spaces (or such other minimum as may be determined by the City Traffic Engineer) to meet the off-site parking needs of Lots 6, 7, 8, 9 and 21 of the Applegate Subdivision.
- 7. No dumpsters or outside storage of materials are permitted.
 - 8. Lot Access shall have a maximum of one curb cut per lot with a building, except Lot 3 shall have two (2).
 - 9. Exterior lighting shall be directed away from the Concord Highlands neighborhood to the rear and shall be shielded to direct light downward.
 - 10. All existing easements are retained.

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 25, 2017



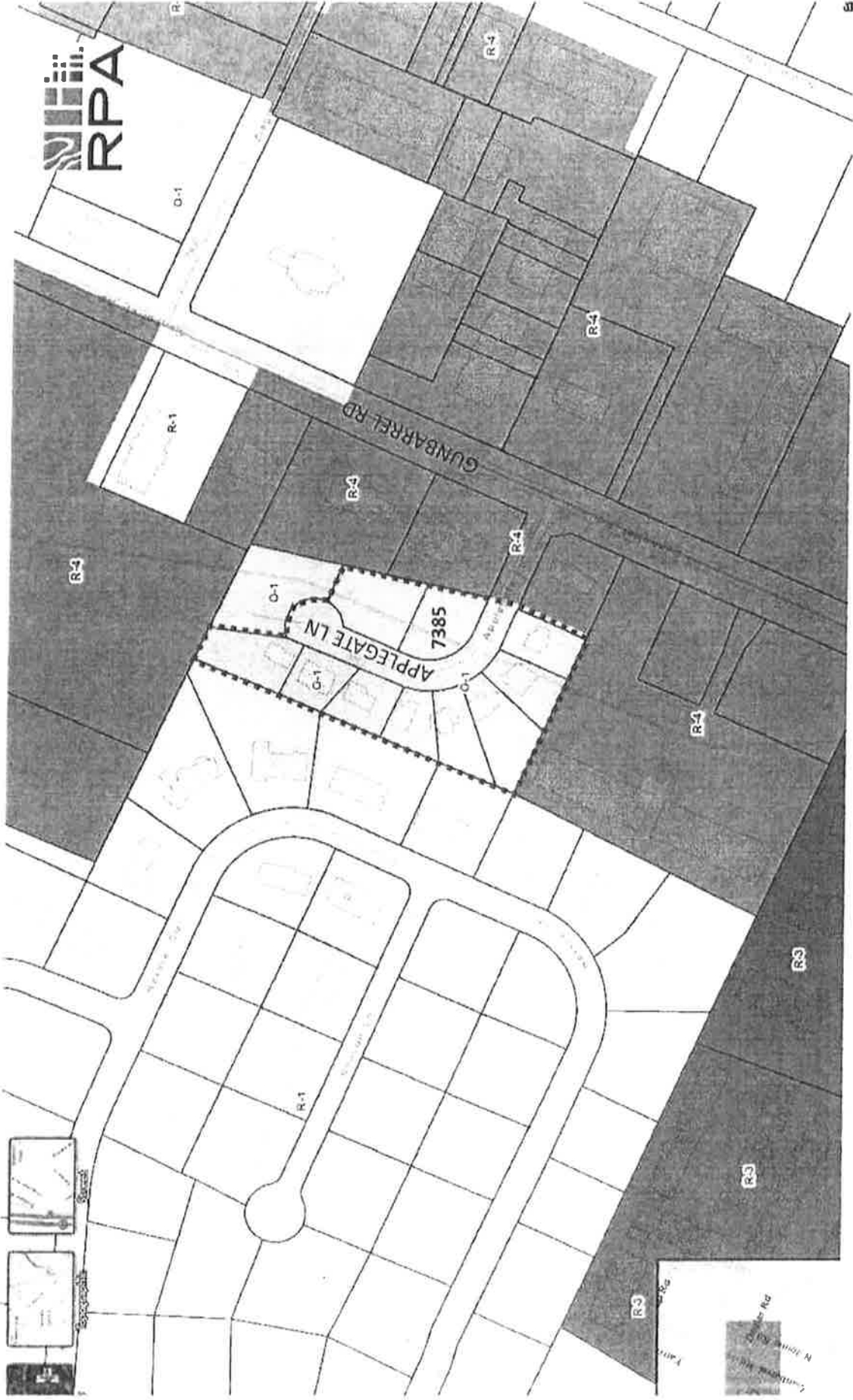
CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

/mem



Replace existing conditions with proposed conditions.

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