

1ST READING 6-12-08
2ND READING 6-24-08
INDEX NO. _____

2008-079
Matt Brown

ORDINANCE NO. 12143

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO REZONE A TRACT OF LAND LOCATED IN THE 900 BLOCK OF EAST 8TH STREET, 710 PALMETTO STREET, AND 800 McCALLIE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, FROM R-4 SPECIAL 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 7 thru 11 and 18 thru 22, Map of A. C. Burns Subdivision as shown in Book H, Volume 2, Page 478, ROHC and Lot 17, Final Plat, Burns Addition to Chattanooga, Plat Book 83, Page 30, ROHC, being Tracts 1 and 2 of Deed Book 2246, Page 471, Deed Book 2459, Page 609, Deed Book 2505, Page 664, Deed Book 4557, Page 915, and Deed Book 4570, Page 501, ROHC. Tax Map 146H-C-005, 011 thru 013 and 023.

from R-4 Special Zone to C-3 Central Business Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to:

- 1) Buildable area along 8th Street shall only be used for residential use.
- 2) A fifteen foot (15') landscape buffer shall be required for new buildings along 8th Street and Palmetto Street (see Condition 3 for exceptions).
- 3) Architectural features such as porches, entrances, columns, piers, awnings, bay windows, and other projections which add neighborhood-friendly character to the main building mass shall be allowed to project into the fifteen foot (15') buffer required in Condition 2 above..

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

- 4) 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.
- 5) Setbacks and street frontage (for commercial buildings):
 - (a) Maintain appropriate corner site triangle as approved by the City Traffic Engineer.
 - (b) For commercial buildings a zero building setback is required along the street frontage.
 - (c) 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.
 - (d) 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.

6) Building facades and access:

- (a) The primary pedestrian entrance shall be provided from the primary street.
- (b) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for commercial buildings.
- (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 48 feet maximum.

7) 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.

8) 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, 4th Street, Main, McCallie, and M.L. King Boulevard.

9) 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:

10) 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.

11) 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, 4th Street, Main, McCallie, and M.L. King Boulevard.

(d) At least one (1) pedestrian entrance shall front the street;

12) 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.

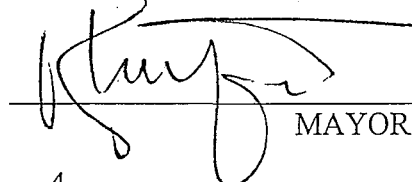
PASSED on Second and Final Reading

June 24, 2008.


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: June 26, 2008


MAYOR

CHATTANOOGA - HAMILTON COUNTY REGIONAL
PLANNING AGENCY



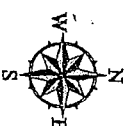
CHATTANOOGA

CASE NO: 2008-0079

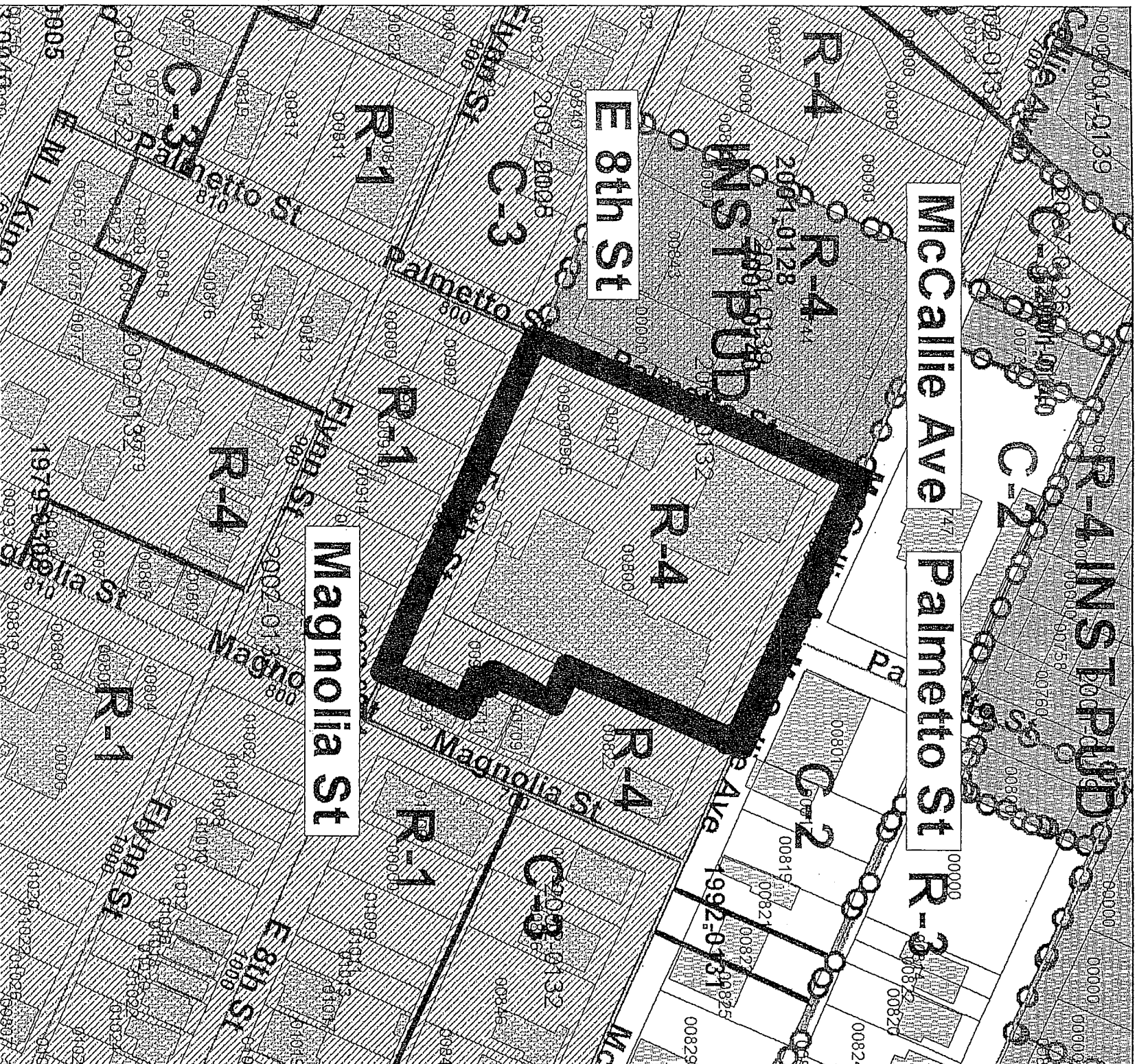
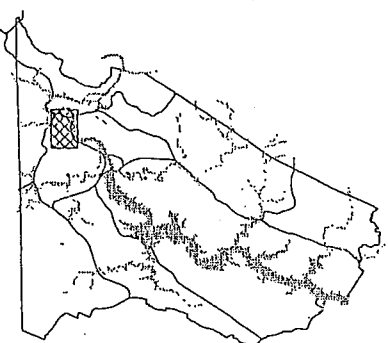
PC MEETING DATE: 4/14/2008

FROM: R-4

TO: C-3

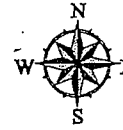


1 in. = 130.0 feet

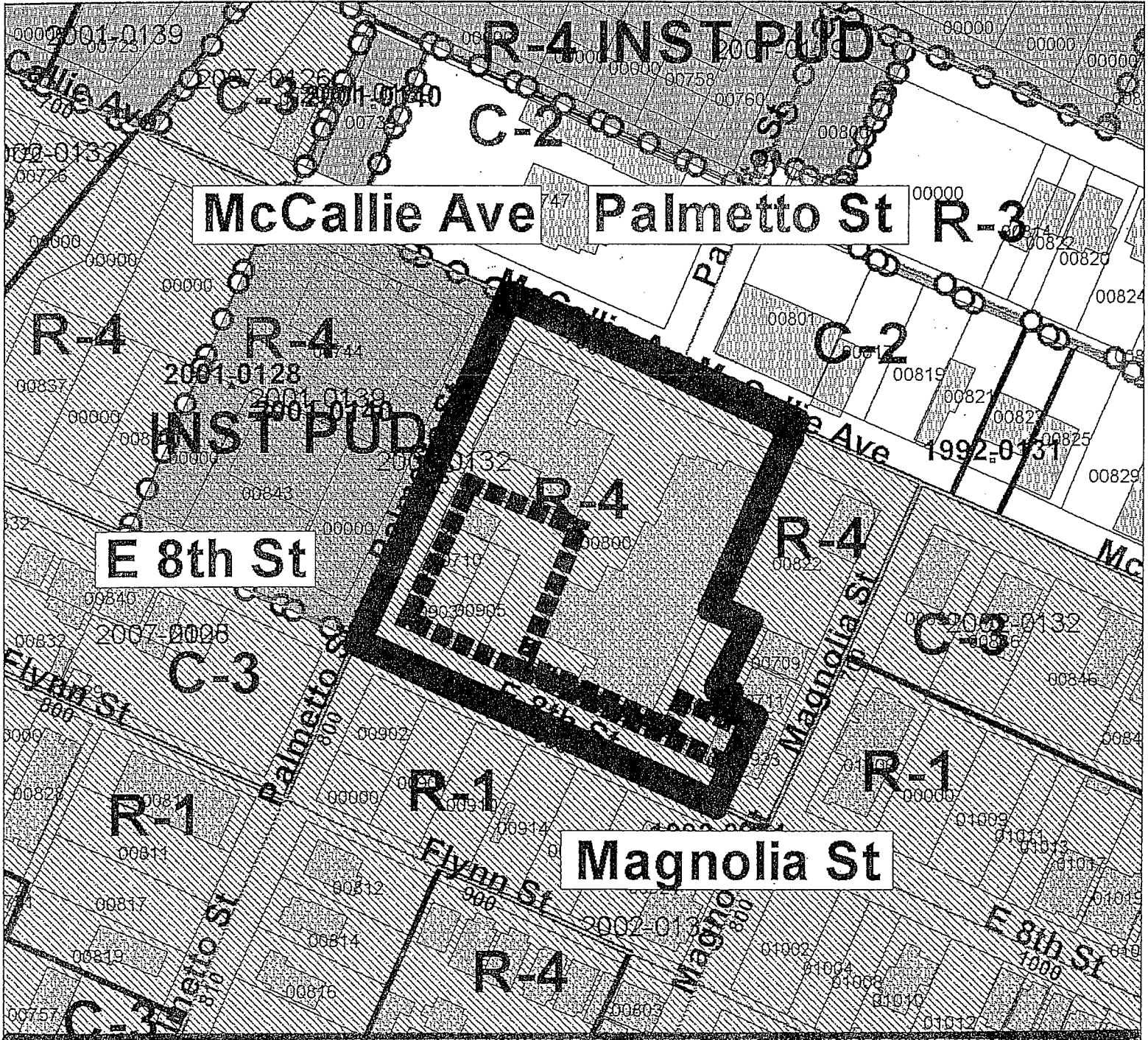
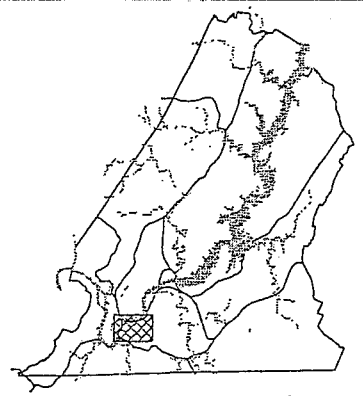




CHATTANOOGA
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1 in. = 130.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2008-079: Approve, subject to certain conditions as listed in the Planning Commission Resolution.

Planning Commission Recommendation ■■■■■■■■■■