

1ST READING 12-9-08
2ND READING 12-16-08
INDEX NO. _____

2008-195
Horvah Associates
c/o John Combs

ORDINANCE NO. 12200

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 300 BLOCKS OF CHESTNUT AND BROAD STREETS, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, 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 1 and 2, Resubdivision of Lots 1 thru 26, E. R. Howard & M.S. Woods Subdivision, Plat Book 34, Page 67, ROHC, Lots 27 and 28, E. R. Howard & M.S. Woods Subdivision, Plat Book 11, Page 8, and an unplatted tract of land Deed Book 7507, Page 606, Deed Book 6617, Page 93, ROHC. Tax Map 135NB-A-001, 001.01, 002 and 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:

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

- 1) Review:
 - (a) Applicants are encouraged to schedule a pre-submittal meeting with the City's Land Development Office prior to the completion of construction drawings.
 - (b) 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.

(c) 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.

3) 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 minimum height of new commercial buildings shall be 18 feet. Maximum building heights vary based on the location. See the attached map.

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:

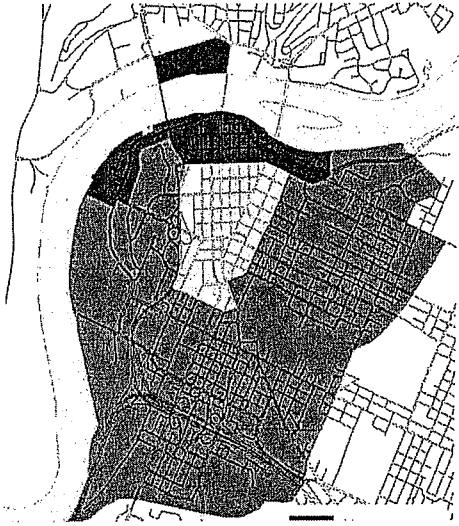
(a) Parking shall be located to the rear of the building.

- (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.
- (d) The following criteria should be considered in determining the amount and configuration of off-street parking:
 - (i) Fire Department access;
 - (ii) Type of use and hours of operation;
 - (iii) Square footage of commercial uses or number of residential units;
 - (iv) Availability of adjacent on-street parking, nearby public parking facilities, shared private parking, or leased off-site parking; and
 - (v) Location on a transit route.

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.

MAXIMUM BUILDING HEIGHTS



Core No height limit
Riverfront 75 feet
General Urban 50 feet

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

December 16, 2008.

Linda Bennett
CHAIRPERSON

APPROVED: X DISAPPROVED: _____

DATE: Dec 19, 2008

[Signature]
MAYOR

/add

PLANNING AGENCY



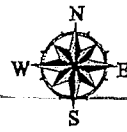
CHATTANOOGA

CASE NO: 2008-0195

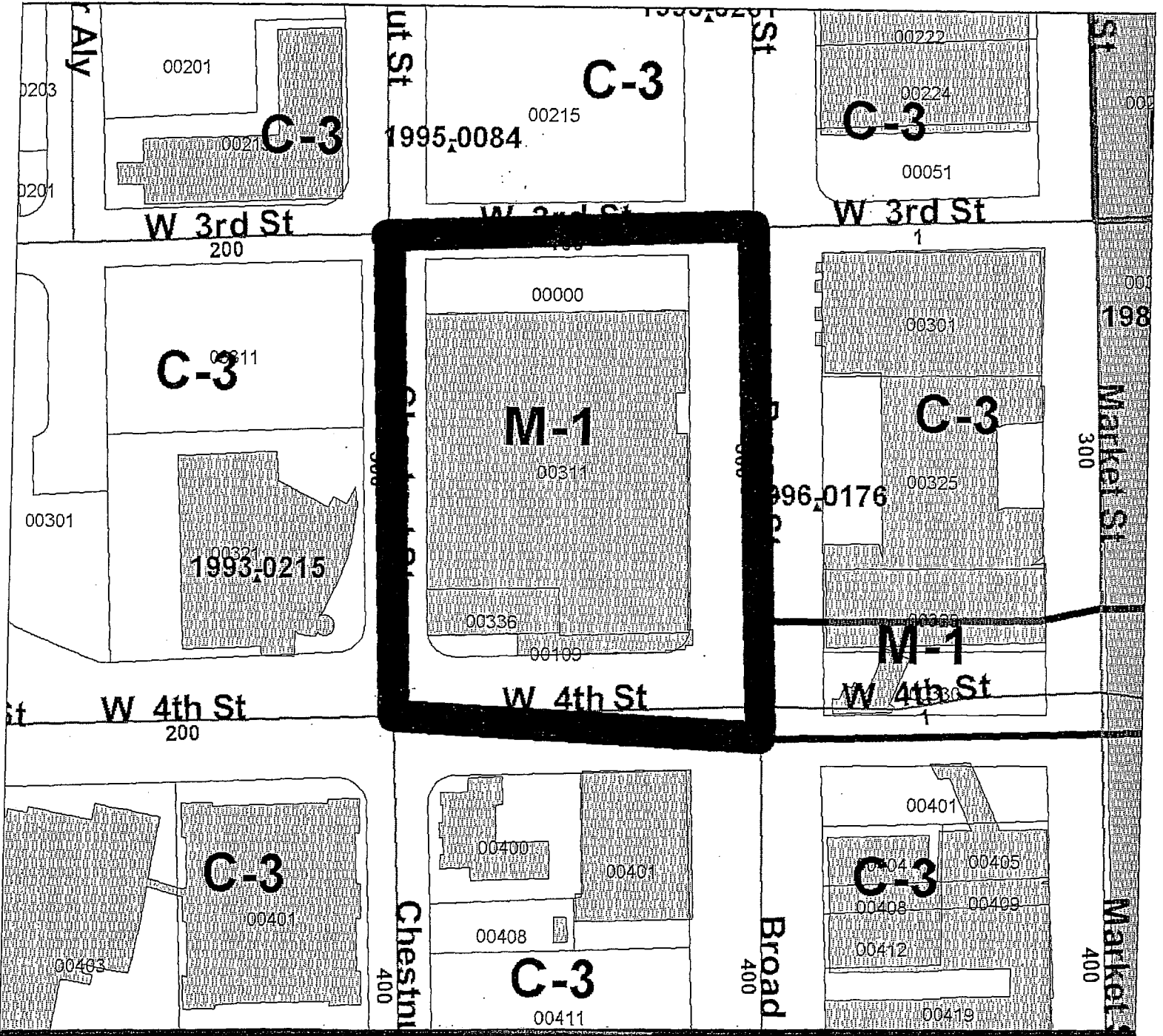
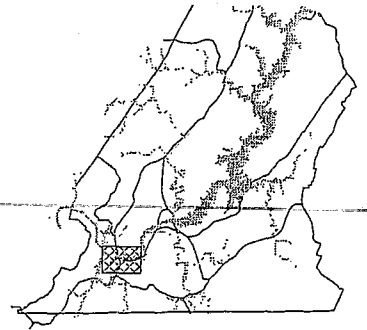
PC-MEETING DATE: 11/10/2008

FROM: M-1

TO: C-3

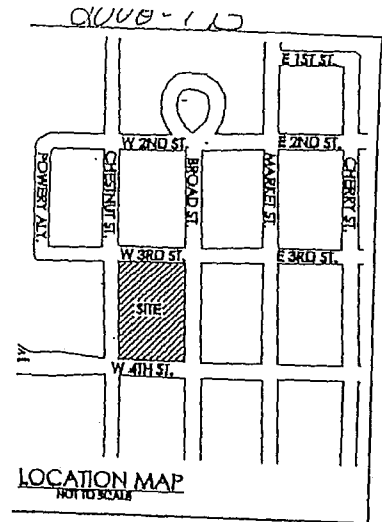


1 in. = 130.0 feet



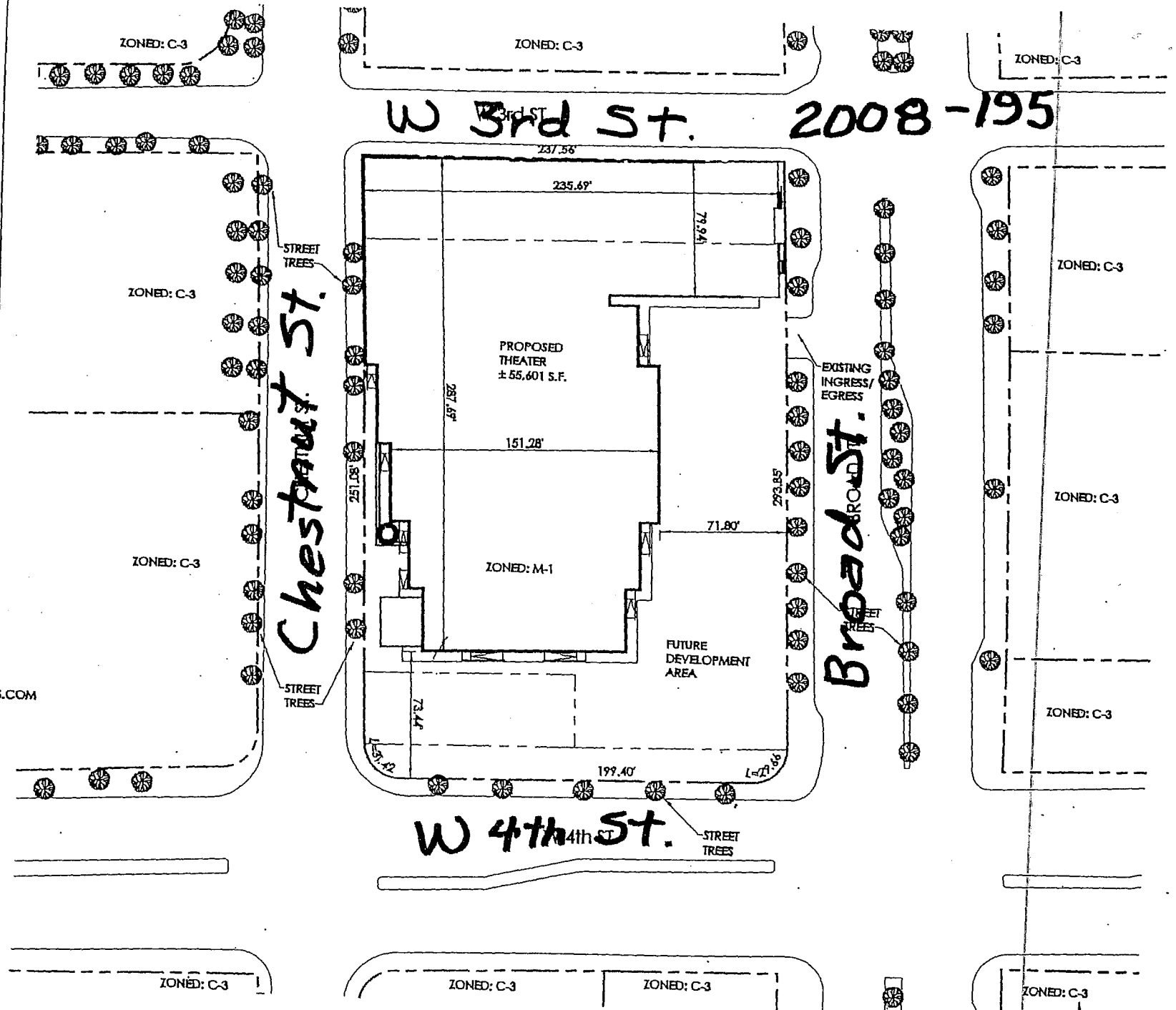
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2008-195: Approve, subject to certain conditions as listed in the Planning Commission Resolution.





PROJECT SUMMARY

- OWNER:**
RIVER CITY COMPANY
JEFF PFITZER
2ND FLOOR MILLER PLAZA
850 MARKET STREET
CHATTANOOGA, TN 37402
(P) 423.265.3700
(F) 423.265.6952
JPFITZER@RIVERCITYCOMPANY.COM
- ARCHITECT:**
HORVATH ASSOCIATES
JOHN COMBS
537 MARKET STREET
CHATTANOOGA, TN 37402
(P) 423.266.4990
(F) 423.266.5700
JOHN.COMBS@HORVATHASSOCIATES.COM
- PARCELS:**
135NB-A-001; 135NB-A-001.01
135NB-A-002; 135NB-A-003
± 1.97 ACRES **LOT**
- USE:**
M-1
MOVIE THEATER
PUBLIC PARKING
 INSIDE OUTSIDE
± 55,601 S.F.
- NOTES:**
NONE
NONE
NONE (TRASH COLLECTION WILL BE IN THE INTERIOR OF THE BUILDING)



1
RP-1 **REZONING PLAN**
SCALE: 1"=60'

