

AMENDING 11-13-12  
2ND READING 11-20-12

2012-129  
John Wise  
District No. 8  
Planning Version

ORDINANCE NO. 12666

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1810 CHESTNUT STREET, MORE PARTICULARLY DESCRIBED HEREIN, 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 Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located at 1810 Chestnut Street, more particularly described herein:

Lot 1, Final Plan of Lot 1, Louisville & Nashville Railroad Subdivision, Plat Book 35, Page 292, ROHC, Deed Book 9652, Page 792, ROHC. Tax Map 146K-G-005.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from M-1 Manufacturing Zone to C-3 Central Business Zone.

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

For all new construction and renovations:

- 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. 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; and
  - c) Historically or architecturally significant structures should be preserved.
- 2) Setbacks and street frontage (for commercial buildings):
- a) For new 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; and
  - c) 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 three to four 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.
- 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 new commercial buildings;
  - c) No security-type roll up metal doors shall be permitted to front streets other than interior block alleys; and
  - d) The minimum height of new commercial buildings shall be 18 feet. Maximum building height is 50 feet.

- 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.
- 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) 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, Market, 4<sup>th</sup> Street, Main, McCallie and M. L. King Boulevard; and
  - d) 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:
    1. Proximity to transit stops
    2. Provision of bicycle facilities
    3. Availability of adjacent on-street parking, nearby public parking facilities, shared private parking, or leased off-site parking
    4. Type of uses and hours of operation
    5. Square footage of commercial uses or number of residential units
- 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. Type I shade trees shall be used unless overhead utility lines necessitate smaller trees.

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; and
  - 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

November 20, 2012.

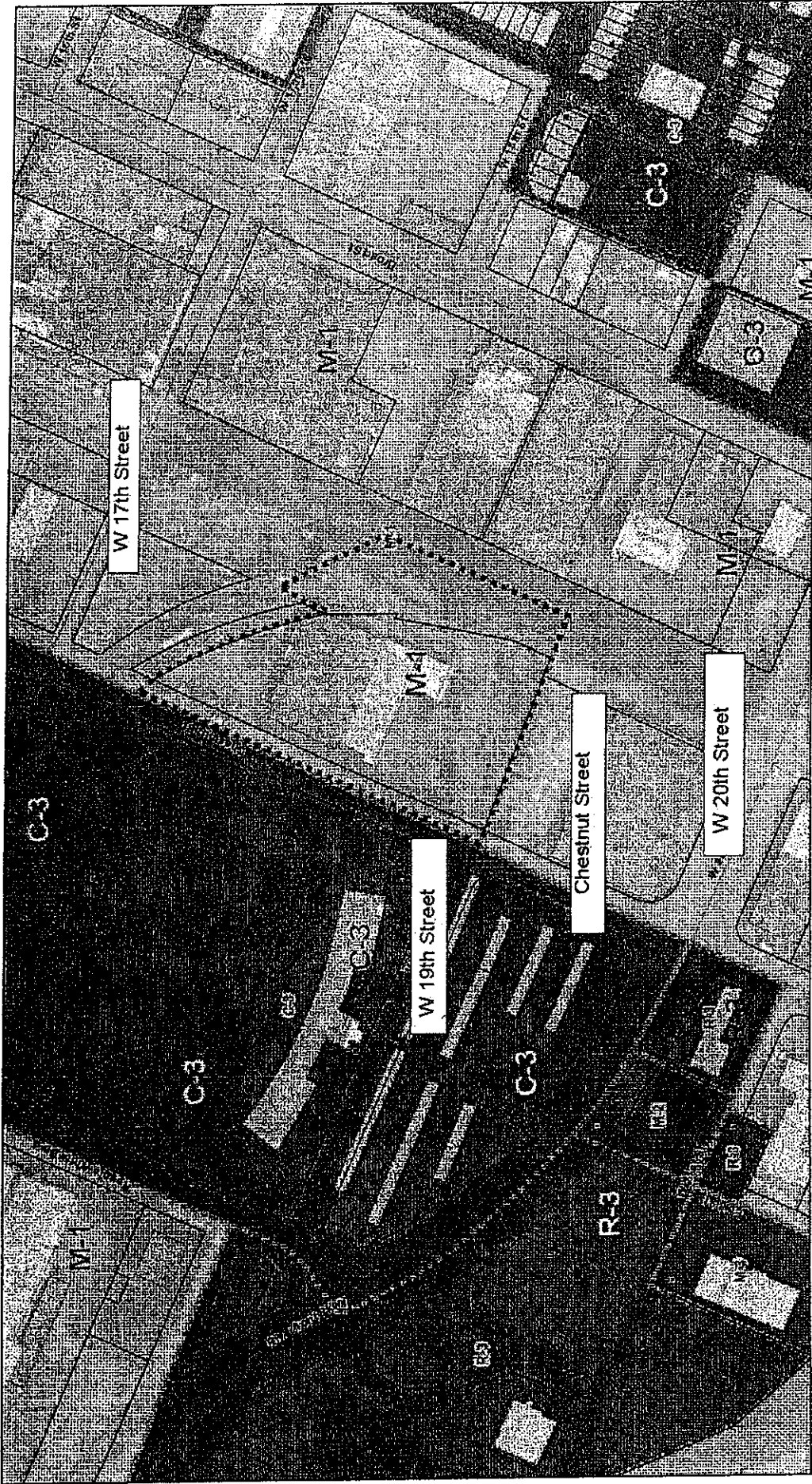
*Sam Ladd*  
CHAIRPERSON

APPROVED:   x   DISAPPROVED:       

DATE:   Nov 27  , 2012.

*[Signature]*  
MAYOR

/meb

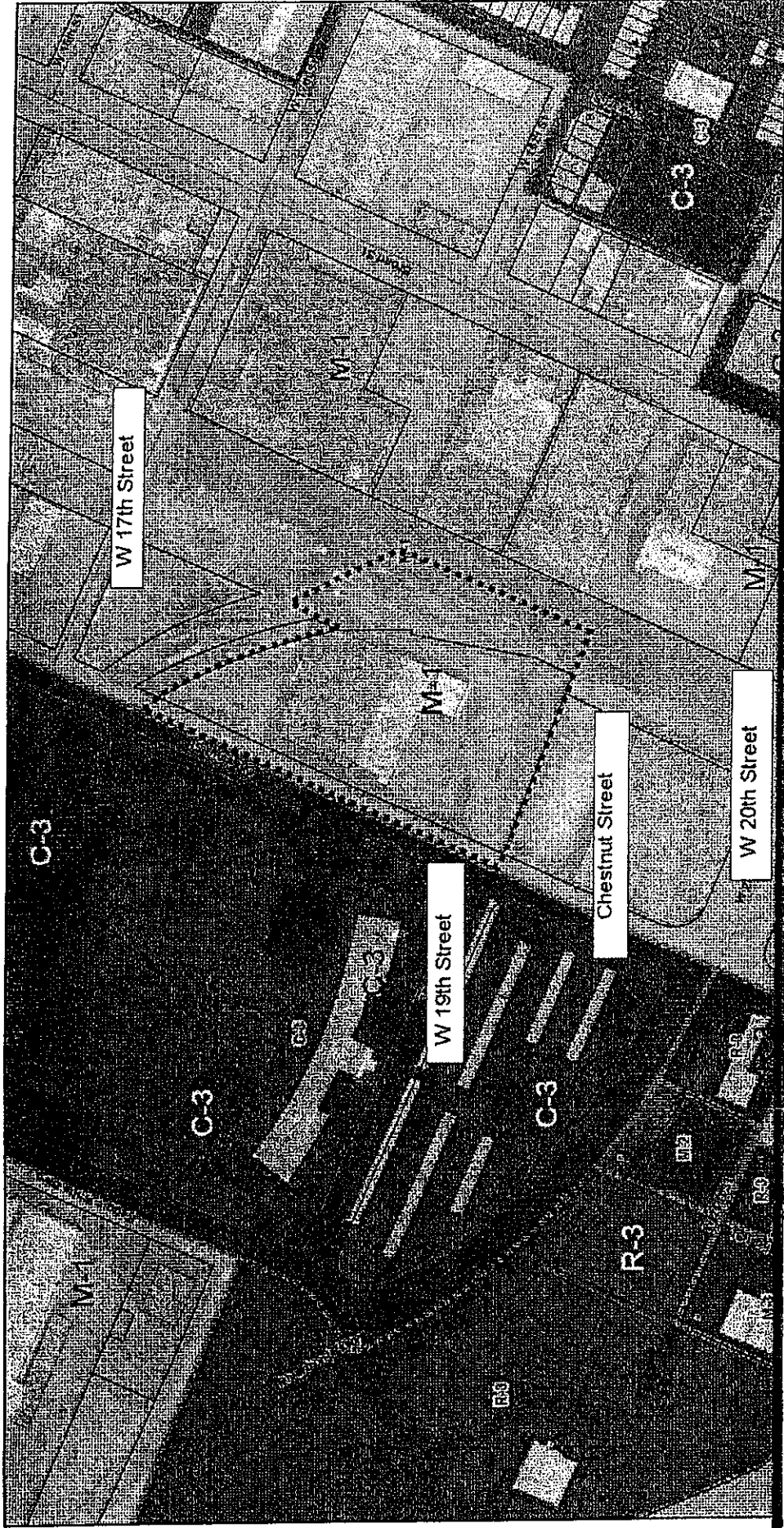


2012-0129 M-1 to C-3



200 ft





**PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-129: Approve, subject to the conditions in the Planning Commission Resolution.**

**2012-0129 M-1 to C-3**



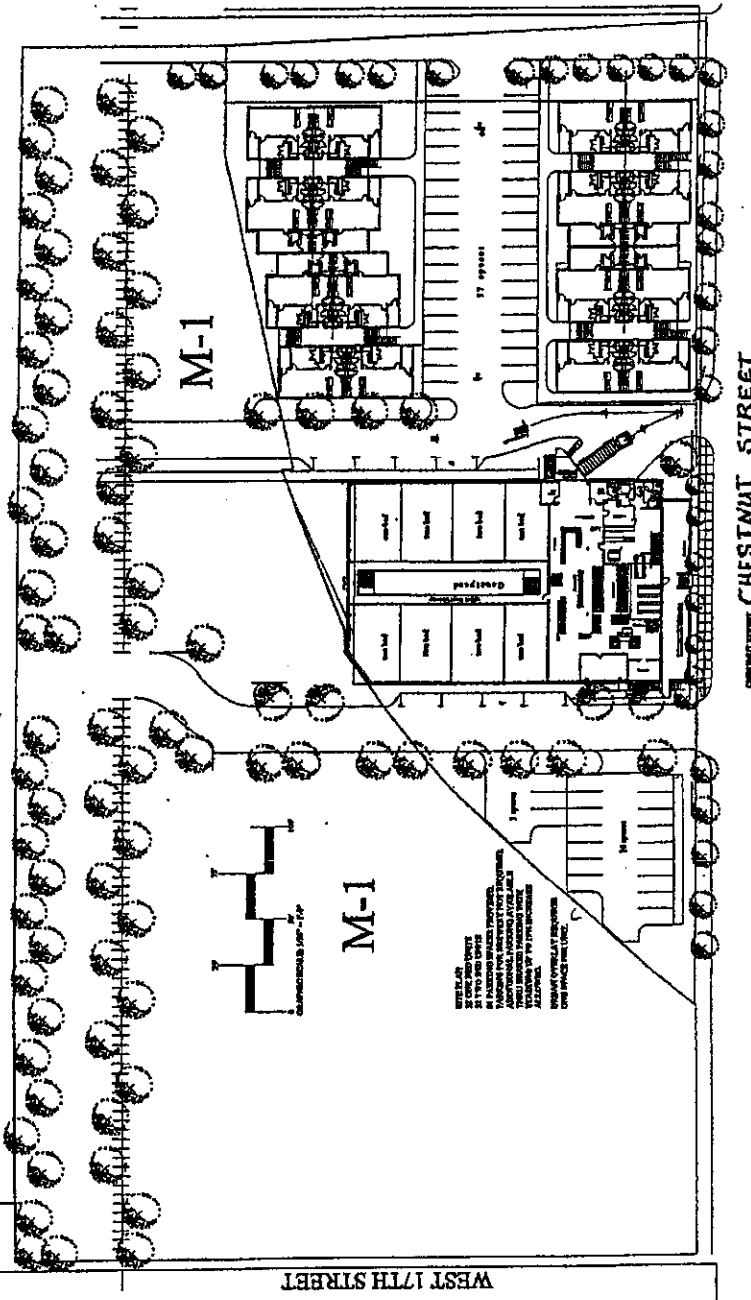
200 ft



Chattanooga Hamilton County Regional Planning Agency

2012-129

NORTH



1810 CHESTNUT STREET  
SITE LOCATION MAP  
AND ZONING

NORTH

M-1

OWNER: STADIUM APARTMENTS, LLC  
 JOHN S. WISE, III: 593-1040  
 ADDRESS: 1810 CHESTNUT  
 CURRENT ZONING: M-1,  
 REQUEST ZONING CHANGED TO C-3  
 LOCATED IN URBAN OVERLAY ZONE  
 64 RESIDENTIAL UNITS & A BREW HOUSE (8,000SF)  
 64 PARKING SPACES REQUIRED (AS PER PRE-SUBMITTAL MEETING)  
 65 SPACES PROVIDED ON SITE  
 NOTE: THIS AREA IS A PART OF THE CITY'S MASTER PLAN. PLAN RECOMMENDS C-3 ZONING

C-3  
 FOOTBALL STADIUM

sept. 4, 2012  
 2012-129