

First Reading: _____
Second Reading: _____

2015-049
John Straussberger/
Southside Centre, LLC
District No. 7
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1700 BROAD 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 1700 Broad Street, more particularly described herein:

An unplatted tract of land located at 1700 Broad Street, being the property described in Deed Book 10007, Page 836, ROHC. Tax Map No. 145K-L-001.

and as shown on the maps 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 approved

subject to the following:

1. Review.

The following review shall be required 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.

- A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than two (2) units, and excluding all interior renovations:
 - (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.
 - (2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.
 - (3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.
- B. For any activity requiring a residential building permit for new construction:
 - (1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

- A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.
 - (1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.
- B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

3. Height Requirements.

- A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
- B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be five (5) stories.

4. Access to sites and buildings.

- A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.
- B. Alleys, where they exist, shall be used as the principal vehicular access.
- C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.
- D. Shared drives should be used wherever possible.
- E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

- A. New off-street parking shall not be permitted between a building and the primary street frontage.
- B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:
 - (1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.
 - (2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

- C. Garages for new residential dwellings shall be located behind the primary building.
- D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:
 - (1) Proximity to transit stops
 - (2) Provision of bicycle facilities
 - (3) Availability of adjacent on-street parking, proximity to 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) Fire Department access

6. Street Frontage.

- A. Where a street edge is required, it shall be provided as follows:
 - (1) The street edge shall have a minimum height of three (3) feet and a maximum height of four (4) feet above grade and shall consist of:
 - (2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - (3) A decorative metal fence with landscaping a minimum of three (3) feet in height at maturity, providing a year-round near opaque screen; or
 - (4) An evergreen hedge, with a minimum height at maturity of three (3) feet.
 - (5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- B. Ground floor openings (doors and windows) shall constitute a minimum of fifty percent (50%) of the ground floor façade area for new non-residential buildings.
- C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.
- D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.

E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

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: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mem

First Reading: _____
Second Reading: _____

2015-049
John Straussberger/
Southside Centre, LLC
District No. 7
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1700 BROAD STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3 CENTRAL BUSINESS ZONE.

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 1700 Broad Street, more particularly described herein:

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and as shown on the maps 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 Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

RESOLUTION

WHEREAS, John Straussberger/Southside Centre, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from M-1 Manufacturing Zone to C-3 Central Business Zone, property located at 1700 Broad Street.

An unplatted tract of land located at 1700 Broad Street, being the property described in Deed Book 10007, Page 836, ROHC. Tax Map 145K-L-001 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 13, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on April 13, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the following conditions:

1. Review.

The following review shall be required 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.

A. For any activity requiring a land disturbing permit, non-residential building permit, or residential building permit for structures with more than 2 units, and excluding all interior renovations:

- (1) The Applicant is required to schedule a meeting with the Community Design Group during the concept development phase of site design.

(2) The Applicant is required to schedule a pre-submittal meeting with the City's Land Development Office.

(3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

B. For any activity requiring a residential building permit for new construction:

(1) The Applicant shall provide illustrations, such as specifications, photographs, or other images, to the Community Design Group for review of the work to be completed.

2. Setbacks.

A. For new multi-family buildings three (3) stories in height or greater, and for all new non-residential buildings, a zero building setback is required along the street frontage.

(1) To accommodate outdoor pedestrian activities including a park, plaza, or outdoor dining, a greater setback is permitted if a street edge delineating the public and private space is provided in accordance with Condition 6.A.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, building setbacks shall be consistent with the existing setbacks on the same side of the street.

3. Height Requirements.

A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.

B. The maximum height of all new nonresidential buildings and new multi-family buildings shall be five (5) stories.

4. Access to sites and buildings.

A. New curb cuts shall not be permitted on the primary, or highest order street, that a property fronts, except when there is no alley or secondary street to provide access. The permitting and location of curb cuts on primary streets shall be approved by the City Traffic Engineer based on vehicular and pedestrian safety concerns.

B. Alleys, where they exist, shall be used as the principal vehicular access.

C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

D. Shared drives should be used wherever possible.

E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

5. Off-street parking.

A. New off-street parking shall not be permitted between a building and the primary street frontage.

B. For new construction of a primary building, or improvements altering more than 25% of the parcel that is covered in pavement (including gravel, impervious surfaces, and pavers), the following is required:

(1) Off-street parking fronting a public street shall be screened from the right-of way with a street edge in accordance with Condition 6.A. Front end in or parallel parking along alleys is exempt from this requirement.

(2) Surface parking lots shall be landscaped with a minimum of one (1) Class I shade tree for every five parking spaces. Where conflicts with overhead utility lines exist, Class II shade trees may be used.

C. Garages for new residential dwellings shall be located behind the primary building.

D. There are no minimum requirements for the quantity of off-street parking spaces. However, site plans shall indicate the quantity and location of off-street parking provided, along with the following information:

(1) Proximity to transit stops

(2) Provision of bicycle facilities

(3) Availability of adjacent on-street parking, proximity to 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) Fire Department access

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A. Where a street edge is required, it shall be provided as follows:

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(2) Brick, stucco, or stone walls (concrete block is permitted if faced with said materials);

or

(3) A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or

(4) An evergreen hedge, with a minimum height at maturity of 3 feet.

(5) Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

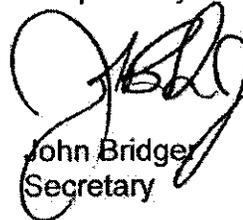
B. Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.

C. Eighty percent (80%) of the ground level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots. The remainder of the ground floor may be designed to incorporate parking, provided the parking is completely screened from public view.

D. No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.

E. All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2015-049

PC Meeting Date: 04-13-15

Applicant Request**M-1 Manufacturing Zone to C-3 Central Business Zone**

Property Location:	1700 Broad Street
Property Owner:	Southside Centre, LLC
Applicant:	John Straussberger

Project Description

- Redevelop an existing one/two-story building to accommodate 15 residential units and 20,000 square feet of retail and office uses) on a 1.65 acre site
- Building to front West 17th Street; parking lot entrances on Broad Street and Cowart Street.
- The primary commercial entrance will be off the existing parking lot, but individual residential entries will front West 17th Street.
- Most of the existing building is a tall one-story, but a portion of it is 2-story.

Site Analysis**Site Description**

- The 1.65-acre site occupies the entire block located between Broad and Cowart Streets and West 17th and West 18th Streets.
- Access: Currently, access to the site is only from Broad Street.
- Development form: There is a mixture of one, two, and three story buildings within a 500-foot radius of this downtown urban site.
- Land Uses: Warehouse and commercial uses to the west; non-residential uses to the north; a mix of residential and non-residential uses to the south and east.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- All adjacent zoning on the north, south, and east is C-3 Central Business Zone.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The M-1 Manufacturing Zone does not allow residential uses.
- The C-3 Central Business Zone permits residential and non-residential uses but with a required urban development form.
- The Downtown Plan (adopted by City Council in 2004) recommends:
 - A diverse mix of uses, including residential wherever possible;
 - A minimum density of 12 units per acre;
 - Curb cuts should not be added to major downtown streets. Side streets and alleys should be used for vehicular access; and
 - Parking that fronts a street should be screened.

Key Findings

- The proposal is supported by the adopted Land Use Plan which recommends a diverse mix of uses.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would set a positive precedent for future requests.

PLANNING COMMISSION CASE REPORT

Staff Recommendation

Approve C-3 Central Business Zone, with the following conditions:

1. Review.

The following review shall be required 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.

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(3) All site layout plans, landscaping plans, and building elevations required by the Land Development Office shall also be reviewed by the Community Design Group prior to approval.

D. For any activity requiring a residential building permit for new construction:

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G. Alleys, where they exist, shall be used as the principal vehicular access.

H. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.

I. Shared drives should be used wherever possible.

J. The primary pedestrian entrance to new buildings shall be provided from the primary street.

PLANNING COMMISSION CASE REPORT

5. Off-street parking.

- E. New off-street parking shall not be permitted between a building and the primary street frontage.
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 - (10) Type of uses and hours of operation
 - (11) Square footage of commercial uses or number of residential units
 - (12) Fire Department access

6. Street Frontage.

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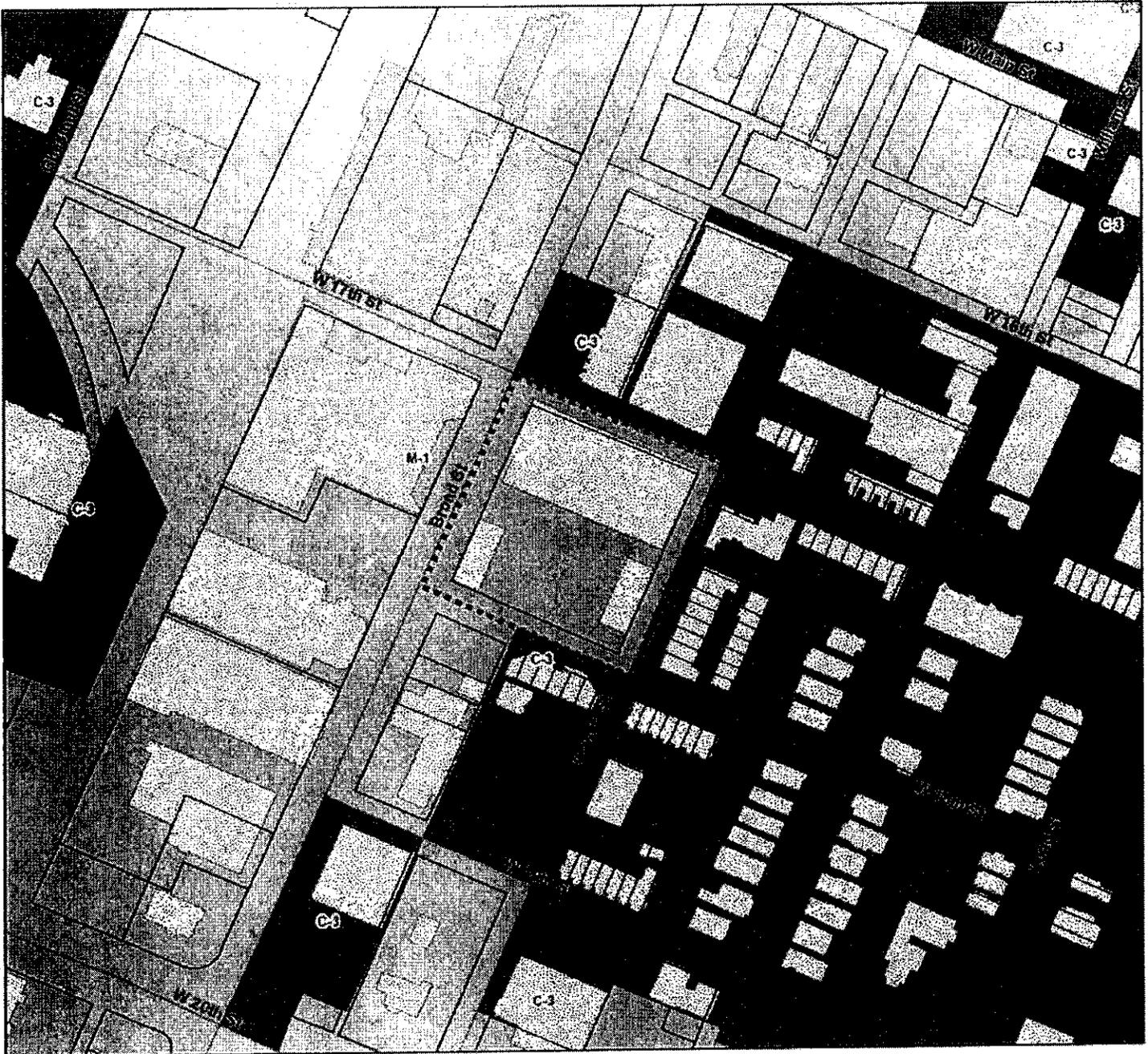
Planning Commission Recommendation

Approve, subject to the conditions listed in the Staff Recommendation.

Note: There was no opposition present at the Planning Commission meeting.

ZONING APPLICATION FORM

CASE NUMBER:	2015-049	Date Submitted:	2-20-2015
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: M-1	To: C-3	
Total Acres in request area: 1.65			
2 Property Information			
Property Address:	1700 Broad Street		
Property Tax Map Number(s):	145K-L-001		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Commercial & Residential Development		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	5% Office/95% Vacant		
Adjacent Uses:	C-3, Residential, M-1 & Commercial		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: John Straussberger		Address: 415 Tremont Street	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37405	Email: johnstraussco.com
Phone 1: 423-505-9360	Phone 2: 423-265-3201	Phone 3:	Fax: 423-265-3202
6 Property Owner Information (if not applicant)			
Name: Southside Centre, LLC		Phone: 423-505-9360	
Address: 415 Tremont Street Chattanooga, Tn 37405			
Office Use Only:			
Planning District: 8A		Neighborhood: CNAC/Southside Historic District/Southside Cowart Place	
Hamilton Co. Comm. District: 6	Chatt. Council District: 7	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 1.65	<input checked="" type="checkbox"/> Deeds	<input type="checkbox"/> Plats, if applicable
Deed Book(s): 10007-836			
Plat Book/Page: N/A		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 4
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 2261
Planning Commission meeting date: 4-13-2015		Application processed by: Marcia Parker	



2015-049 Rezoning from M-1 to C-3

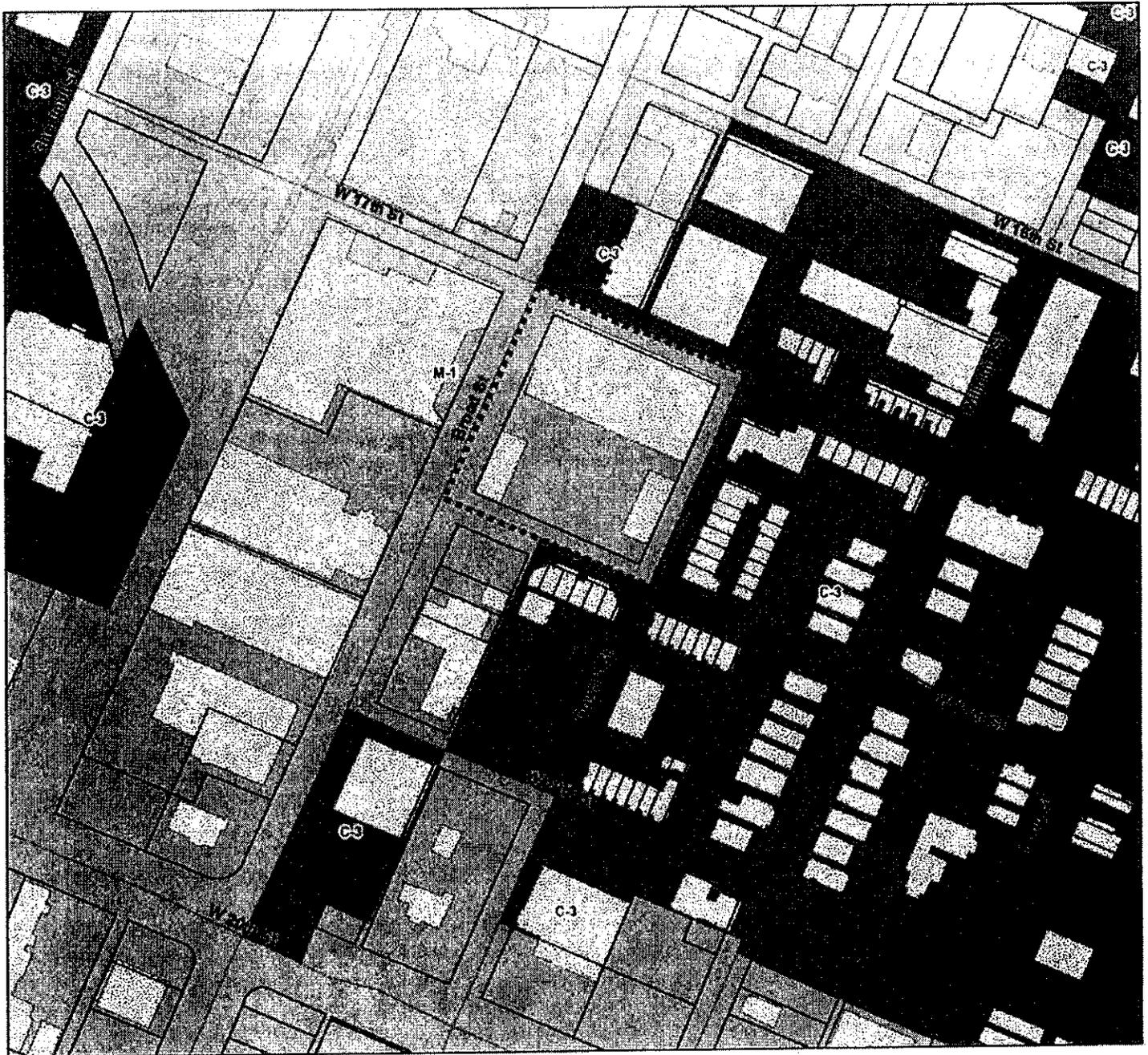
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2015-049:
Approve, subject to the list of conditions in the Planning Commission Resolution.



200 ft

Chattanooga Hamilton County Regional Planning Agency





2015-049 Rezoning from M-1 to C-3



Chattanooga Hamilton County Regional Planning Agency



200 ft





March Associates, Inc.
 310 Decker Ave.
 Charlotte, NC 28203
 Phone: (704) 366-0575
 Fax: (704) 366-0575

**BUILDING RENOVATION
 AT
 1700 BROAD STREET**

REVISION	DATE	BY	NO.

SHEET NUMBER
C-1.0

TOTAL PROJECT AREA: 1.65 AC ±
EX. BUILDING AREA: 33,100 SF
CURRENT ZONING: M-1
PROPOSED ZONING: M-1
CURRENT USE: 50% VACANT; 5% OFFICE
PROPOSED COMMERCIAL AREA: 20,000 SF
PROPOSED RESIDENTIAL UNITS: 18 UNITS
COMMERCIAL HOURS OF OPERATION: 7am-11pm

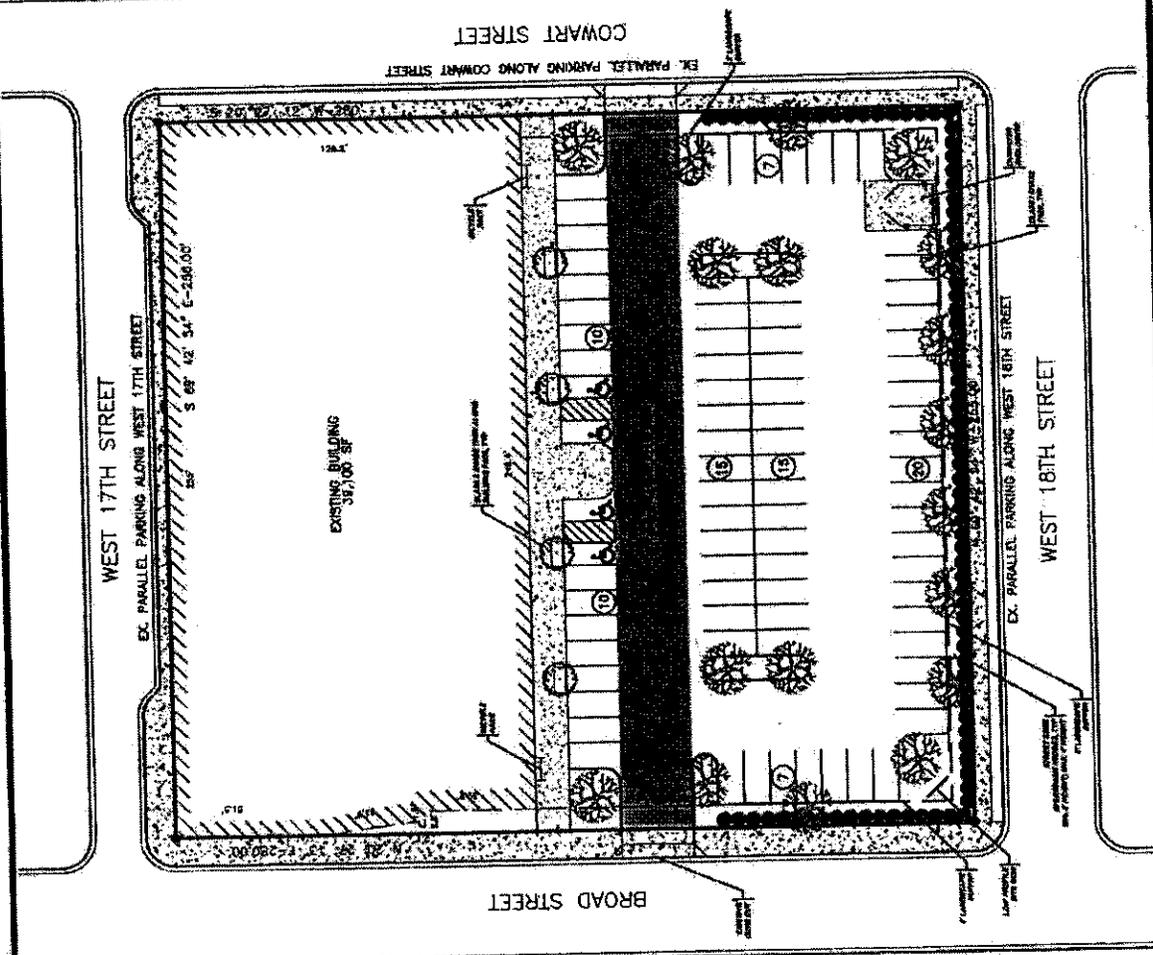
NUMBER OF ADA PARKING SPACES: 4
NUMBER OF REGULAR PARKING SPACES: 40
TOTAL PARKING SPACES: 44 SPACES
TOTAL TREES: 18 TREES
PARKING SPACE TO TREE RATIO REQUIRED:
 1 CLASS I TREE / 8 PARKING SPACES
PARKING SPACE TO TREE RATIO PROVIDED:
 18 CLASS I TREES / 58 PARKING SPACES
 1 CLASS I TREE / 4.87 PARKING SPACES

PUBLIC TRANSIT STOPS LOCATED AT THE INTERSECTIONS OF BROAD ST. & W. 18TH ST. AND BROAD ST. & W. 19TH ST. NO PUBLIC PARKING LOTS IN VICINITY OF SITE.

RECEIVED
 FEB 20 2015
 Charlotte's Hamilton County
 Regional Planning Agency
 Development Services



2015-049



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2015-046 Amelia Roberts and Billie Lyles. 4115 North Terrace, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

2015-047 Highland Park, LLC (Chattanooga Neighborhood Enterprise). 1704, 1706, and 1714 Kirby Avenue, from R-4 Special Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions.

2015-049 John Straussberger/Southside Centre, LLC. 1700 Broad Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-052 Chattanooga Neighborhood Enterprise/Bob McNutt and Tennessee Temple. 1706, 1708, 1710, 1712, 1714, and 1716 Bailey Avenue, from R-4 Special Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2015-054 Tower Construction Company/Calvin Ball. 2408, 2410, and 2412 Chamberlain Avenue, from R-2 Residential Zone to R-T/Z Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2015-055 ASA Engineering c/o Allen Jones and Marshall Berry. 1400 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2015-058 Elemi Architecture and Jim Lee. 1705 Market Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the R-4 Special Zone request and recommend an O-1 Office Zone as follows:

2015-057 Becky Lockwood and Diantha Swift. 2211 and 2217 Hickory Valley Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Deleting in its entirety Article XIII, Changes and Amendments, Section 38-672, Method of Procedure, and replacing in lieu thereof.
- (b) Deleting in its entirety Article VIII, Board of Appeals for Variances and Special Permits, Section 38-565, Notices, and replacing in lieu thereof.
- (c) Adding item (6) to Article VIII, Board of Appeals for Variances and Special Permits, Section 38-566, Hearings.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

May 12, 2015

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2015.

Nicole Gwyn
Clerk to the City Council