

PLANNING COMMISSION CASE REPORT**Case Number: 2015-062****PC Meeting Date: 05-11-15****Applicant Request****M-1 Manufacturing Zone to C-3 Central Business Zone**

Property Location:	1518 Market Street
Property Owner:	Duane Carleo
Applicant:	Duane Carleo

Project Description

- Proposal: Use existing 1-story building for a restaurant with a bar.

Site Analysis**Site Description**

- Location: The ½-acre site contains a vacant 1-story building and is located on the east side of Market Street at the corner of Market and East 16th Street approximately 250 feet south of the intersection with Main Street.
- Current Access: Like many downtown businesses, there is no vehicular access or off-street parking to the site.
- Current Development Form: There is a mixture of one, two, three, and four story buildings within a 500 feet radius of this downtown urban site.
- Current Land Uses: West- Battle Academy Elementary School is across Market Street; North- vacant buildings; East- vacant property adjacent and to the rear of the site; South- woodworking school across East 16th Street. There are several existing establishments that have sold or currently sell alcoholic beverages in close proximity to Battle Academy Elementary.

Zoning History

- The site is currently zoned M-1 Manufacturing.
- The adjacent property on the north and the property to the south across East 16th Street are zoned M-1 Manufacturing. The school across Market street and the adjacent property to the rear are zoned C-3 Central Business Zone.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The C-3 Central Business Zone is exempt from the 500 foot distance requirement from schools and churches for on-premise consumption of alcohol (Chattanooga City Code, Chapter 5, Article III, Division 2, Section 5-75(b)).
- The site is not located within the Chattanooga Amplified Music District, therefore a maximum of 55 decibels is allowed.
- The Downtown Plan (adopted by City Council 2004) recommends, "Promote the development of the area near Main and Market as an entertainment district, including music venues and restaurants on the ground floor."

Key Findings

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area as it includes a restaurant.
- While the proposed use is across from an existing school, it is consistent with the precedent of other alcohol serving establishments in close proximity to this school. The proposed use is generally consistent with surrounding uses.
- The proposal is consistent with the existing development form of the area, however the Downtown Plan recommends a minimum height of two-stories for new construction.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.

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- The proposal would set a positive precedent for future requests.
- Because restaurants typically generate a significant demand for parking, the Chattanooga Department of Transportation (CDOT) requires a plan for shared parking.

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.

- 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.
 - (2) For multi-family buildings three (3) stories in height or greater, a greater setback is permitted if entrances to individual units front the street.
- 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.

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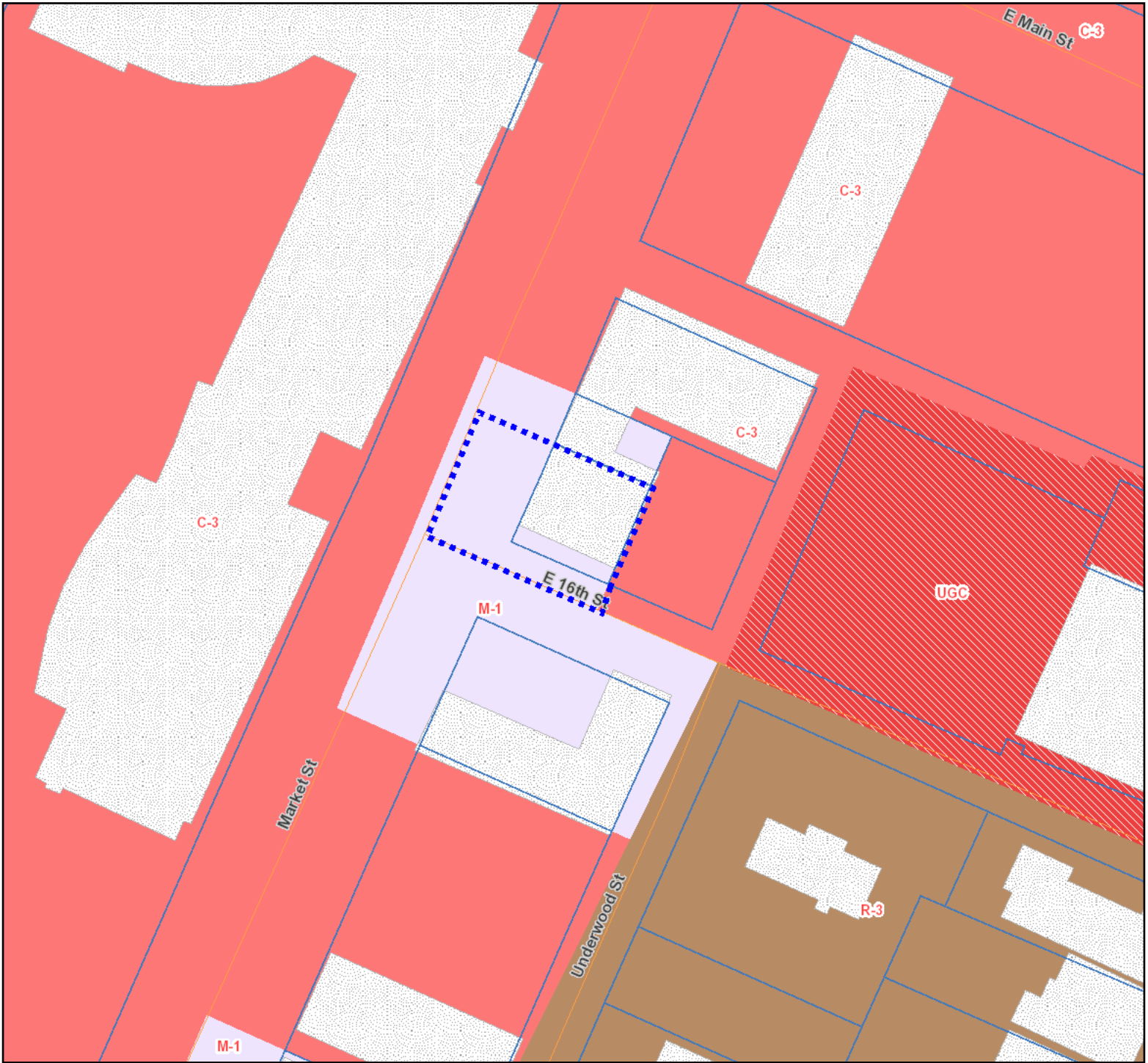
- C. In the absence of alleys, the secondary, or lower order street, shall be used as the principal vehicular access.
- D. Shared drives should be used wherever possible.
- E. The primary pedestrian entrance to new buildings shall be provided from the primary street.

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. A parking plan indicating the amount and location of the following, shall be submitted to the Chattanooga Department of Transportation for approval.
 - (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 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.
 - a. 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.



2015-062 Rezoning from M-1 to C-3



68 ft

Chattanooga Hamilton County Regional Planning Agency

