

**PLANNING COMMISSION CASE REPORT****Case Number: 2015-048****PC Meeting Date: 06-08-15****Applicant Request****Rezone from R-1 Residential to R-4 Special Zone**

<b>Property Location:</b>	<b>902, 904, 910, 914 &amp; 918 E. 8th Street</b>
<b>Property Owner:</b>	<b>The Salvation Army</b>
<b>Applicant:</b>	<b>Pat Neuhoff / Neuhoff Taylor Architects</b>

**Project Description**

- Develop the 0.62-acre site for a 2-story fraternity residence with 12 lodging rooms, one common area, and kitchen. Each lodging room may have 1 to 2 lodgers.
- Building would face East 8<sup>th</sup> Street with a dumpster at the rear near Flynn Street.
- Main entrance from East 8<sup>th</sup> Street; exits at Palmetto Street and Flynn Street; 33 parking spaces.

**Site Analysis****Site Description**

- The 0.62-acre vacant site is located on East 8th Street between Palmetto Street and Magnolia Street in the M.L. King Neighborhood.
- Access: Currently, vehicle access to the site is from East 8<sup>th</sup> Street.
- Development form: There is a mixture of one, two, three, and five story buildings within a 500-foot radius in this urban neighborhood.
- Land Uses: North- Salvation Army, offices, apartments; West- churches, offices, apartments; East- single-family homes; South- single-family homes and apartments.

**Zoning History**

- The site is currently zoned R-1 Residential.
- The zoning to the north and west is C-3 Central Business Zone and R-4 Special Zone. To the south is R-1 Residential, R-4 Special, and RTZ Residential Townhouse Zero Lot Line zoning. Zoning to the east is mostly R-1 Residential.
- There has been no recent zoning activity on this site.

**Plans/Policies/Regulations**

- The MLK Community Plan (adopted by City Council in 2008) recommends Multi-Unit residential for this site.
- The MLK Community Plan also recommended that “Design guidelines should be adopted as part of the zoning regulations to ensure the compatibility of any multi-family residential development with the existing single-family homes. Details such as the setback from the street, exterior materials, porches, location of parking, building height and roof pitches can be critical and should be carefully considered.”
- The MLK Community Plan recommends “urban housing forms” with parking provided to the rear.
- The proposed use (fraternity house) is only allowed in R-4 zones with a special permit from the City of Chattanooga Board of Zoning Appeals. It is not permitted in the C-3 Central Business District zone.

**Key Findings**

- The proposed use is supported by the adopted Land Use Plan for the area which recommends a diversity of housing types.
- The proposed use is consistent with surrounding uses.
- The proposed site plan is not consistent with the development form of the area. The surrounding single-family and multi-family residential development have shallow, “urban” setbacks with parking in the rear.
- The proposed residential density is compatible with the surrounding densities.

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- The proposed structure does not raise concerns regarding height.
- The proposed structure does raise concerns regarding its proposed location on the property (setbacks), the proposed location of parking, and potential lighting of the parking area.
- The proposal would be an extension of an existing zone.
- While staff would prefer to consider C-3 Central Business District zone for this site because it promotes urban development form, the proposed use is only permitted in R-4 Special Zone.
- The R-4 Special Zone has a minimum front yard setback of 25 feet. However, a front yard setback not to exceed 15 feet would be more consistent with the existing residential front yard setbacks on 8<sup>th</sup> Street.
- To achieve a 15 feet front yard setback, the applicant can request a variance from the Board of Zoning appeals to reduce the front yard setback.

### Staff Recommendation

Recommend R-4 Residential, 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 buildings three (3) stories in height, a maximum twenty-five (25) foot front yard setback is required along the street frontage.

B. For new single-family detached, duplex, townhome, and multi-family structures less than three (3) stories in height, a maximum twenty-five (25) foot front yard setback is required along the street frontage.

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### 3. Height Requirements.

- A. The minimum height of new nonresidential buildings shall be eighteen (18) feet.
- B. The maximum height of all new buildings shall be three (3) 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 8<sup>th</sup> Street or Palmetto Street.
- 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

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- (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:
  - a. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
  - b. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
  - c. An evergreen hedge, with a minimum height at maturity of 3 feet.
  - d. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.
- (2) Ground floor openings (doors and windows) shall constitute a minimum of 50 percent of the ground floor façade area for new non-residential buildings.
- (3) No security-type roll up metal doors shall be newly installed where they would front streets other than interior block alleys.
- (4) All dumpsters and mechanical equipment shall be placed to the rear of the property and shall be screened from all public rights-of-way.

### 7. Land Uses

- A. Residential uses and fraternal, professional or hobby clubs only



