

Arts & Cultural Overlay District: Proposal 1

Unless otherwise noted in the Crown Cotton Mill Arts & Cultural Overlay District regulations, the regulations of the underlying district shall apply.

Section 1.0 Overview

1.1 Purpose

The purpose of the Arts & Cultural Overlay District is to sustain established and to promote new arts and cultural uses. Included in the district would be a number of mixed use and business uses that are compatible with the nearby residential neighborhood. The Arts & Cultural Overlay District seeks to maintain and reinforce small-scale uses, a balance of daytime and night-time uses, and a ratio of no more than 20 percent bars and cocktail lounges.

1.2 Area of Applicability

This district is intended for application to lots generally facing North Hamilton Street and Chattanooga Avenue between Springdale Road and West Tyler Street and Chenille Drive and West Tyler Street in the B-1 Neighborhood Business District. Lots facing Chattanooga Avenue outside the B-1 Neighborhood Business District and lots that do not face North Hamilton Street and Chattanooga Avenue in the B-1 Neighborhood Business District are excluded.

1.3 Permitted Uses Authorized in District

The following uses of land are authorized as permitted uses in the Crown Mill Arts and Cultural Overlay District, subject to the standards of Section 10.14.7

1. Any use authorized as a permitted use in the base B-1A Neighborhood Business District, except that package liquor stores shall be prohibited.
2. Art galleries and art studios without limitation as to the size
3. Coffee Shops
4. Museums
5. Theaters for comedy acts, movies and/or theatrical productions up to 5,000 square feet in floor area which may sell alcohol for consumption on premises
6. Green Markets
7. Multi-discipline arts centers
8. Standard restaurants up to 5,000 square feet which may sell alcoholic beverages for consumption on premises in conjunction with meals.

1.4 Conditional Uses Authorized in the District

The following uses of land are authorized as conditional uses in the Crown Mill Arts and Cultural Overlay District upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

1. Any use authorized as a conditional use in the base district(s); and
2. Theaters for comedy acts, movies and/or theatrical productions over 5,000 and up to 10,000 square feet in floor area which may sell alcohol for consumption on premises.

1.5 Live Entertainment as an Accessory Use Authorized in the District

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Live entertainment is authorized as an accessory use to the following main uses within the Crown Mill Arts and Cultural Overlay District, subject to the standards in Section 10.14.7:

1. Cocktail Lounges
2. Theaters

1.5 General and Special Standards for Uses Authorized to Provide Live Entertainment

The standards set forth in this section apply to the designated uses whether such uses are authorized as permitted, conditional, or accessory uses in the underlying zoning district or Crown Mill Arts and Cultural Overlay District.

For Conditional uses, the City Council may impose standards on a particular use in addition to standards contained in this article as conditions to approval of a conditional use permit under the procedures of Section 16.6 of these zoning regulations. The City Council may also vary the standards contained in this section for a particular use according to such procedures, unless expressly prohibited by Article 16. When considering a conditional use application, the City Council shall consider the factors listed in Section 16.6.5, including consistency with the Master Plan and/ or Neighborhood Plan, general purpose statement of the Crown Mill Arts and Cultural Overlay District, and any Supplemental Regulations.

1. General Standards for All Uses Providing Live Entertainment:
 - a. All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayorality Permit)
 - b. All establishments providing live entertainment shall be subject to a closed door / window policy during any performance
 - c. All establishments providing live entertainment shall be subjected to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code
2. Special Standards for Cocktail Lounges:
 - a. A cocktail lounge may provide live entertainment, including a permanent area for dancing, but shall not provide live adult entertainment or music played solely by a disc jockey. All cocktail lounges shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment
 - b. Cocktail lounges shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area
 - c. The hours of operation shall be restricted to between 10:00 a.m. and 12:00 Midnight, Sunday through Thursday, and between 10:00 a.m. and 2:00 a.m. Friday and Saturday.
 - d. "To-go" cups shall be prohibited
3. Special Standards for Standard Restaurants
 - a. A licensed standard restaurant may provide non-amplified live entertainment, limited to a soloist or groups up to three (3) members
 - b. Restaurants providing live entertainment shall hold a Live Entertainment Without Admission Permit. No fee shall be charged for any performance or for entrance into the facility.
 - c. The full menu shall remain available during the performance
 - d. No performance shall continue after 11:00 p.m. Sunday through Thursday, or 12:00 a.m. Friday and Saturday
 - e. No permanent stage shall be constructed
 - f. A Special Event Permit shall temporarily relieve a restaurant from standards a,b,c,and d above. Special Event Permits shall be issued to a restaurant no more than ten (10) times per year for durations not to exceed a total of thirty (30) days per year
 - g. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits
 - h. Restaurants shall be closed by 12:00 a.m. on all days of operation

4. Special Standards for Theaters

- a. A theater may provide live entertainment, including theatrical productions, but shall not provide live adult entertainment, music played solely by a disc jockey, or karaoke. All theaters shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment
- b. Theaters selling alcoholic beverages shall do so only one (1) hour prior to and during performances. Sales of alcoholic beverages after the end of a performance is strictly prohibited
- c. "To-go" cups shall be prohibited for those premises with alcoholic beverage permits
- d. Ticket sales shall not exceed the number of seats provided for the performance. Standing room only performances shall be prohibited.

2.0 Buildings

2.1 Mixed Use Zoning

The mixed use zoning shall take place throughout the overlay unless otherwise noted.

2.1.1 Height Limitations

Unless otherwise noted, the mixed use buildings shall not exceed forty-five (45) feet or three stories, whichever is lower.

2.1.2 Uses

Unless otherwise noted, mixed use buildings shall have either business or retail occupancies on the bottom floor and residential or business occupancies all floors above the bottom floor. Residential occupancies can be in any form, including but not limited to, apartments, condos, lofts, studios, etc.

2.1.3 Setbacks

Unless otherwise noted, mixed use buildings shall directly abut the edge of the sidewalk.

2.1.4 Parking

Mixed use buildings shall either utilize the on-street parking in the district or may have parking lots behind the building. Parking lots may not be visible from either North Hamilton Road or Chattanooga Road.

2.1.5 Materials

The mixed use buildings shall be constructed with either a brick or a concrete veneer or a combination of the two. Concrete veneer may have a faux stucco finish. Faux stucco and concrete veneers may have any color approved by the city.

2.1.6 Cornices

Unless otherwise noted, all mixed use buildings shall have cornices. Cornices shall be made of concrete or wood. All wood shall be treated. Cornice design shall be approved by the city before building. Cornices shall be no shallower than one (1) foot deep and no deeper than five (5) feet deep.

2.1.7 Useable Green Space

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Each mixed use lot shall have at least twenty (20) percent of the lot designated as useable green space. The green space can be in the form of a park, garden, courtyard, or rooftop garden.

2.2 Artist Gallery Lofts

Artist Gallery Lofts are live / work spaces to be rented out to local artists.

2.2.1 Location

Artist Gallery Lofts shall be evenly incorporated into the fabric of the overlay. A building may have a maximum of two Artist Gallery Lofts in it.

2.2.2 Number

No more than ten (10) Artist Gallery Lofts shall be present in the overlay district. If the district should be expanded, more Artist Gallery Lofts may be added in proportion with the overall expansion of the district.

2.2.3 Program

Artist Gallery Lofts shall have exhibition (assembly) occupancy on the bottom floor, working (business) occupancy on the second floor, and living (residential) occupancy on the top floor. The occupancy types prevent subleasing of space and allow the artist to create a professional working and exhibiting space.

2.2.4 Terms and Conditions

An artist leasing an Artist Gallery Loft is obligated to participate in community events and to display their work at every Gallery Hop Event (SECTION 5) and no less than 150 days per year including no less than 30 weekends per year. A weekend shall be defined for this purpose as Friday at open of business until Sunday at close of business. Displays shall be changed for each Gallery Hop. No minimum or maximum display changes beyond previously noted are required. Displaying work does not mean work must be up for sale. Commercial use of the displayed work is solely the discretion of the artist. Any artwork purchased during the Gallery Hop may not be removed from display until after the conclusion of the Gallery Hop.

2.3 Crown Mill Arts Center

The Crown Mill Arts Center shall provide a multi-use art center for neighborhood residents.

2.3.1 Location

The Crown Mill Arts Center shall be located on the lot on the corner east of North Hamilton Street and south of Duane Street.

2.3.2 Height

The Crown Mill Arts Center shall be three (3) stories regardless of overall height.

2.3.3 Setbacks

The Crown Mill Arts Center shall directly abut the sidewalk on both North Hamilton Road and Duane Street.

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2.3.4 *Uses*

The Crown Mill Arts Center shall provide a multi-use art center for neighborhood residents. The Crown Mill Arts Center's primary purpose is to exhibit and teach arts and crafts. The Crown Mill Arts Center shall have a large atrium space for exhibiting art. The Crown Mill Arts Center shall have at least enough classrooms for five classes at any one time. These art classes shall include, but not be limited to, painting, sculpture, drawing (all media), model building, dance, music, acting etc. The Crown Mill Arts Center shall also provide office space for the headquartering of the Dalton Arts Guild, as well as building managers and community arts directors.

2.4 *Crown Mill Museum*

The Crown Mill Museum shall provide a learning experience of the natural and built histories of the Crown Mill District.

2.4.1 *Purpose*

The purpose of the Crown Mill Museum is to provide an educational area for children and adults to learn about the history of the Crown Mill District.

2.4.2 *Location*

The Crown Mill Museum shall be located on the lot adjacent to the park, west of North Hamilton Street, east of Selvidge Road, north of Edgewood Street, and south of the vacant right-of-way.

2.4.3 *Height*

The height of the museum shall be no more than three (3) stories or fifty (50) feet, whichever is lower.

2.4.4 *Setbacks*

The Crown Mill Museum shall be set back at least twenty (20) feet from the lot boundary. Setbacks are to provide plaza space to serve as the transition between North Hamilton Road and the park.

2.4.5 *Uses*

The Crown Mill Museum shall provide at least 50,000 square feet for museum space, as well as 50,000 square feet of soil space for tree and plant growth. The Crown Mill Museum shall also provide spaces for a cafe / deli, as well as a gift shop.

2.5 *Butterfly House*

The Butterfly House shall provide an attraction in the park for children and adults.

2.5.1 *Purpose*

The purpose of the Butterfly House is to provide a draw for the park and give a reason for those outside the Crown Mill District for going to the park.

2.5.2 *Location*

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The Butterfly House shall be located on the vacant lot adjacent to the park between Julian Street and Liddell Street and south of Moore Street.

2.5.3 *Height*

The height of the Butterfly House shall be no more than fifty (50) feet.

2.6 *Crown Mill Brew Pub*

2.6.1 *Location*

The Crown Mill Brew Pub shall inhabit the old general store on the corner of Chattanooga Avenue and Matilda Street.

2.6.2 *Conditions*

The Crown Mill Brew Pub shall inhabit the existing building and only incur minor cosmetic changes to the exterior of the building. The interior shall be refitted for the new use to include:

1. A full kitchen
2. A permanent bar
3. Moveable tables and chairs
4. Storage closet
5. Men and Women's Toilets

The Crown Mill Brew Pub must comply with all city regulations including, but not limited to, the Building Code, City Code, Zoning Ordinance, District Underlay, Crown Mill Arts and Cultural Overlay, etc.

2.7 *Holy Spirits Martini Bar*

2.7.1 *Location*

The Holy Spirits Martini Bar shall inhabit the old school house on the corner of Chattanooga Avenue and West Tyler Street.

2.7.2 *Conditions*

The Holy Spirits Martini Bar shall inhabit the existing building and only incur minor cosmetic changes to the exterior of the building. The interior shall be refitted for the new use to include:

1. A permanent bar
2. Moveable tables and chairs
3. Storage closet
4. Men's and Women's Toilets
5. Live entertainment stage

The Holy Spirits Martini Bar must comply with all city regulations including, but not limited to, the Building Code, City Code, Zoning Ordinance, District Underlay, Crown Mill Arts and Cultural Overlay, etc.

2.8 *Park Restaurant*

2.8.1 *Location*

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The Park Restaurant shall be location on the lot on the corner north of Long Street and west of Luckie Street.

2.8.2 Purpose

The Park Restaurant is a venue to accommodate visitors to the park. The purpose is to give visitors a respite from the outdoors and the ability to have a meal without leaving the premises.

2.8.3 Height

The Park Restaurant shall be no more than thirty (30) feet tall.

2.8.4 Conditions

The Park Restaurant shall comply with all conditions for Standard Restaurants in Section 1.0. No conditions on genre of cuisine shall be implemented.

2.9 Park Amphitheater

2.9.1 Purpose

The Park Amphitheater is an outdoor entertainment venue that shall have live entertainment.

2.9.2 Location

The Park Amphitheater shall be located in the southeast corner of the Crown Mill Park

2.9.3 Conditions

The Park Amphitheater shall comply with the Noise Ordinance. All shows must end by 10 p.m. Sunday through Thursday and 12 a.m. Friday and Saturday. Any organization wishing to use the amphitheater shall acquire and Live Entertainment Permit prior to the event. No alcohol shall be sold at the amphitheater.

2.9.4 Ticketing

Ticketing for the amphitheater shall be at the information kiosk located on the lot at the corner north of Long Street and east of Gin Street. Ticketing shall be for seating only. Standing room space shall not be ticketed.

2.10 Townhouses

2.10.1 Purpose

Townhouses provide a transition between apartment life and single family homes. Townhouses shall also improve the density of the Crown Mill Arts District.

2.10.2 Height

Unless otherwise noted, townhouses shall not exceed two livable stories. If a townhouse has a garage on the lower floor, the townhouse may be three stories overall.

2.10.3 Green Space

The center of townhouse blocks shall be open green space with a playground for children. The maintenance of the green space shall be the responsibility of the Home Owners' Association.

3.0 Streetscapes

The streetscapes shall be in accordance with the "Compete Streets" movement and provide thoroughfares for multiple modes of transportation.

3.1 Overview

3.1.1 Types of Streets

The district will be divided into four different street typologies. The first typology is the Residential Street. The second typology is the Bicycle Street. The third typology is the Trolley Street, and the fourth typology is the Bike and Trolley Street. Each street may have one or several street typologies over the course of several blocks.

Example: North Hamilton Street south of Long Street is the Bike and Trolley Street typology. North of Long Street, however, North Hamilton Street is the Bicycle Street typology.

3.1.2 Bike and Trolley Streets

3.1.2.1 Modes of Transportation

The streets shall incorporate the following modes of transportation: pedestrian, automobile, bicycle, and trolley car.

3.1.2.2 Lane Widths

Each sidewalk shall be nine (9) feet wide allowing for a six (6) foot bioswale abutting the sidewalk and the curb. Adjacent to the sidewalk is a lane of parallel parking that shall be eight (8) feet wide. Adjacent to the parallel parking shall be a bicycle lane that shall be six (6) feet wide. A one (1) foot white stripe shall separate the bicycle lane from the automobile lane. The automobile lane shall be ten (10) feet wide. Separating the automobile lane with the trolley lane shall be a three (3) foot wide strip of pavers that cease at intersections. The trolley lane shall be twelve (12) feet wide. The total wide of the street shall be eighty-eight (88) feet from building face to building face.

3.1.3 Residential Streets

3.1.3.1 Modes of Transportation

The streets shall incorporate the following modes of transportation: pedestrian, automobile

3.1.3.2 Lane Widths

Each sidewalk shall be nine (9) feet wide allowing for a six (6) foot bioswale abutting the sidewalk and the curb. Adjacent to the curb shall be an eight (8) foot wide parallel parking lane. Each of the two (2) driving lanes shall be ten (10) feet wide.

3.1.4 Trolley Streets

3.1.4.1 Modes of Transportation

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The streets shall incorporate the following modes of transportation: pedestrian, automobile, and trolley.

3.1.4.2 Lane Widths

Each sidewalk shall be nine (9) feet wide allowing for a six (6) foot bioswale abutting the sidewalk and the curb. Adjacent to the curb shall be an eight (8) foot wide parallel parking lane. Adjacent to the parking lane is the driving lane consisting of ten (10) feet wide. Adjacent to the driving lane is the trolley lane that consists of the following parts: six (6) inch curb between the trolley lane and the automobile driving lane, eight (8) foot trolley driving lane, three and a half (3 1/2) foot wide landing lane.

3.1.5 Bicycle Streets

3.1.5.1 Modes of Transportation

The streets shall incorporate the following modes of transportation: pedestrian, automobile, and bicycle.

3.1.5.2 Lane Widths

Each sidewalk shall be nine (9) feet wide allowing for a six (6) foot bioswale abutting the sidewalk and the curb. Adjacent to the sidewalk is a lane of parallel parking that shall be eight (8) feet wide. Adjacent to the parallel parking shall be a bicycle lane that shall be six (6) feet wide. A one (1) foot white stripe shall separate the bicycle lane from the automobile lane. The automobile lane shall be ten (10) feet wide.

3.2 Street Components

3.2.1 Sidewalks

Sidewalks shall be comprised of one (1) foot by one (1) foot concrete squares. The concrete square edges shall run parallel to the building faces and the street.

3.2.2 Street Lights

Street lights shall be of an antique style. Bars to hang banners shall be attached to every second street light. Street lamps shall be spaced no more than forty-five (45) feet on-center.

3.2.3 Bioswales

Bioswales shall be concave with drought resistant plants throughout. Concrete pavers shall provide access between the street and the sidewalk. The concrete pavers shall be connected in a series at least four (4) feet wide. The series of pavers shall be no more than sixty (60) feet apart.

3.2.4 Parking Lanes

Parking lanes shall be eight (8) feet wide. Parking spaces shall be no less than twenty (20) feet long. Each parking space shall be clearly marked with a number on the concrete and on the curb.

3.2.5 Parking Payment

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Automated parking payment booths shall be installed every block. The user shall receive a ticket indicating payment that shall be placed on the dashboard of the vehicle. All those failing to pay shall be subject to fines or towing.

3.2.6 *Crosswalks*

Crosswalks shall be placed at each intersection on all four sides of the intersection. Each crosswalk shall be clearly marked with white paint. Each crosswalk shall have a pedestrian sign with a visual and audible countdown.

3.2.7 *Trolley Lanes*

Trolley lanes shall accommodate one of the following two scenarios:

1. Rail Trolley
2. Trolley Bus

For each scenario, the trolley shall have a designated lane in the center of each street.

3.2.8 *Traffic Signals*

Traffic signals shall comply to all city and state codes. All traffic signals shall indicate:

1. Stop
2. Yield
3. Go
4. Left-Turn Arrow
5. Right-Turn Arrow

Trolley lanes shall have a designated traffic signal that indicates:

1. Stop
2. Yield
3. Go

Bicycle lanes shall have a designated traffic signal that indicates:

1. Stop
2. Yield
3. Go
4. Right-Turn Arrow
5. Left-Turn Arrow

Bicycle lane traffic signals shall be mounted no more than six feet from the bottom of the signal to the lane elevation.

4.0 **Community Events**

Community Events are designed to create a sense of community within the residents of the Crown Mill District.

4.1 *Gallery Hop*

The Gallery Hop is a seasonal event to take place four (4) times a year.

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4.1.1 *Purpose*

The purpose of the Gallery Hop is to bring art to the forefront of the neighborhood mindset.

4.1.2 *Calender*

The Gallery Hop will take place on the Friday during or immediately following the 21st of the following months:

1. January
2. April
3. July
4. October

4.1.3 *Exhibition Spaces*

Each of the Artist Gallery spaces will have an exhibition open during the Gallery Hop. In addition, the Crown Mill Art Center shall have free exhibition space for the public not renting an Artist Gallery space to rent for the duration of the Gallery Hop. Space shall be available for sculpture pieces exceeding the dimensions of three (3) feet wide by three (3) feet deep by six (6) feet tall on the Crown Mill Museum Plaza or in Crown Mill Park.

4.1.4 *Content*

The art displayed at the gallery will not be censored. However, if a Gallery is presenting material that may be deemed inappropriate, the Gallery will be required to post a sign stating "GRAPHIC MATERIAL INAPPROPRIATE FOR CHILDREN. NO ONE UNDER 18 PERMITTED." If Gallery fails to post sign, the tenant will be subject to penalties and/or eviction. Any content on display at the Art Center deemed inappropriate for children shall be sequestered in a teaching room, where they will be displayed for the appropriate audiences.

4.2 *Sidewalk Arts Festival*

The Sidewalk Arts Festival allows the public to draw chalk art in the park for prizes.

4.2.1 *Purpose*

The purpose of the Sidewalk Arts Festival is to get the community active in art.

4.2.2 *Calender*

The Sidewalk Arts Festival will take place the Saturday before the Saturday of Memorial Day weekend.

4.2.3 *Rules*

All participants get a square of concrete on the sidewalk in the park and a box of chalk. The participants get two hours (from 9 a.m. to 11 a.m.) to draw their art on the sidewalk. At 11 a.m. the drawing is considered finished. At 11 a.m., the judging will start. At 12 p.m., the winners will be announced and the festivities will commence until dark. The sidewalks shall not be cleaned under the Tuesday following Memorial Day unless a storm has rendered the sidewalks unviewable or hazardous.

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4.2.4 *Registration*

Registration will take place at the Crown Mill Arts Center up to a month prior to the start of the competition and proceed until 10 a.m. the morning of the competition. The entry is free.

4.2.5 *Categories*

The art will be judged on three categories, all subjected according to the judges' preferences.

1. Most Creative
2. Most Realistic
3. Most Fun