



Prof. Dr.(I) Elisabeth Merk
Stadtbaurätin

An die Stadtratsfraktion
Bündnis 90/DIE GRÜNEN/Rosa Liste
Rathaus

Rescue of the Tannengarten to be examined
Proposal No. 14-20 / A 00244 of the City Council Fraktion Bündnis 90/DIE GRÜNEN/Rosa Liste
from 18.09.2014

Very honored ladies,
very honored gentlemen,

According to § 60 Abs. 9 of the Municipal Code (GeschO), proposals of honorary members of the City Council may only relate to matters for which the City Council is responsible. The content of your proposal concerns, however, an ongoing matter, the handling of which according to Art. 37 Abs. 1 of the Municipal Code (GO) and § 22 of the Municipal Code (GeschO) is the responsibility of the Mayor, as your proposal concerns the examination of an application for a preliminary decision. A handling will therefore take place on this way.

In response to your proposal of 18.09.2014, the Referat für Stadtplanung und Bauordnung informs you of the following:

For the project „Demolition of ground-floor extension, facade renovation, DG extension, new building of residential and office building (as replacement for the ground-floor extension) with underground garage“ an application for a preliminary decision was submitted on 02.06.2014. The plot is within the scope of the development plan No. 37e, which has been in force since 28.01.1983. The planning-lawful admissibility of a project depends on the decisions of the City Council adopted in this development plan.

The development plan No. 37e regulates the type and extent of use and sets a building volume. The location proof must be carried out in an underground garage according to the development plan. In addition, trees in the western connection to the building volume as well as in the area of the beer garden must be preserved.

The property has not yet been entered in the monument list. The monument status was investigated on the basis of the attached preliminary decision application by the State Office for Monument Care. After the assessment on 30.10.2014, no monument is present.

The queried project corresponds to the applicable public-law provisions after examination. In this case, the owner has a legal claim for a preliminary decision issued on 14.11.2014. The decisive factor for the admissibility of the project is the compliance with the provisions of the development plan. This also includes the preservation of valuable trees. The location of the underground garage entrance queried in the preliminary decision

außerhalb des Bauraumes ist von daher kritisch. Die Tiefgaragenzufahrt ist aufgrund des Baumbestandes ins Gebäude zu integrieren oder es ist eine andere Lösung zu finden, die den Baumbestand nicht beeinträchtigt. Die Bäume im Bereich des Biergartens sind durch die geplante Baumaßnahme nicht berührt.

Um Kenntnisnahme von den vorstehenden Ausführungen wird gebeten.
Wir gehen davon aus, dass die Angelegenheit damit abgeschlossen ist.

Die im Stadtrat vertretenen Fraktionen, Gruppierung und Einzelstadträte haben einen Abdruck dieses Schreibens erhalten.

Mit freundlichen Grüßen

gez.
Prof. Dr.(I) Merk
Stadtbaurätin