

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, April 13, 2015
TIME: 1:00 p.m.
PLACE: Hamilton County Courthouse

The Planning Commission minutes are digitally recorded and are located on our website www.chcrpa.org by going to the Development Services tab then Monthly Zoning Information and then under Planning Commission Meeting Minutes. This is an abbreviated version which show who made the motion, what the motion was and who seconded it. It also says if there was opposition or not.

Present:

County Commissioner Marty Haynes, Mr. Y. L. Coker, Mr. Jason Farmer, City Councilman Yusuf Hakeem, Ms. Mary Kay Hiatt, Mr. Todd Leamon, (representing County Mayor Jim Coppinger), Mr. David Mathews, Mr. Don Moon, Mr. Eric Myers, Mr. Jimmy Parks, Mr. Barry Payne, Mr. Adam Veron, Ms. Donna Williams (representing City Mayor Andy Berke), Ms. Velma Wilson and Chairman Ethan Collier

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Ms. Sandra Harrison, Mr. Bryan Shults, Ms. Karen Rennich, Ms. Akousa Cook, Ms. Karen Hundt, Ms. Sarah Robinson, Mr. Justin Tirsun and Mr. John Bridger

**Planning
Agency
Staff**

Public Hearing

The procedure followed in presenting each petition was as follows:

- 1) Presentation of maps and photos of the area showing zoning and land use.
- 2) Exceptions to this procedure come when the staff recommends approval, and no opposition is present.
- 3) The applicant will be given 7 minutes to present his case. Opposition, if any, will be given 9 minutes and the applicant will then have 2 minutes for rebuttal.

**Public
Hearing
Procedure**

Subdivision Plats & Variances

Mr. Greg Haynes presented the subdivision plats & variance requests to the Commission.

Variances

6913 Greenway Drive-Hickory Valley Park, Lot 11-Minimum Lot Frontage
(City of Chattanooga District 4, Hamilton County District 8)

**Hickory Valley
Park, Lot 11
Approved**

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

506, 508, 510 Rosewood Avenue-Northside Land Company’s Amended Subdivision,
Lots 43, 44, 45-Minimum Lot Frontage
(City of Chattanooga District 2, Hamilton County District 6)

**Northside Land
Lots 43-45
Approved**

Mr. Joseph Ingram of Ingram, Gore & Associates addressed the Commission regarding this request.

Mr. James Neal of 510 Tucker Street stated that he was not in opposition but would like to inform the Commission that this is a landfill and that it is not suitable to build.

Mr. Jason Farmer made motion to approve staff recommendation. Mr. Barry Payne seconded the motion and motion to approve staff recommendation carried.

Final plat

Black Creek, The Ridges PUD, Section 1-Lots 1 thru 63 and Woodlands Phase 5-Lot
349
(City of Chattanooga District 1, Hamilton County District 6)

**Black Creek
Ridges PUD
Woodlands 5
Approved**

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

New Business

Rezoning, Closures/Abandonments, Special Permits, Condition Amendments

Case No. MR-2015-045 – Passpointe Engineering, PLLC c/o Jan Pass & Chattanooga Church – 6188 Adamson Circle – City of Chattanooga – MR: Abandon Sewer Line & Easement

**MR-2015-045
Approved
City Dist #5**

Mr. Haynes gave the presentation and explained staff recommendation to **approve**.

The applicant was present.

There was no opposition present.

Mr. Yusuf Hakeem made motion to approve staff recommendation. Mr. Marty Haynes seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-046 – Amelia Roberts/Billie Lyles – 4115 North Terrace – City of Chattanooga – From R-1 to O-1

2015-046
App. w/conds.
City Dist #6

Mr. Haynes gave the presentation and explained staff recommendation to deny.

The applicant, Ms. Amelia Roberts with the Law Firm of Conner & Roberts at 1222 Tremont Street, was present and addressed the Commission regarding this request.

Ms. Donna King of 110 Asbury Drive, President of the Neighborhood Association, submitted to the Commission a copy of agreed upon conditions between Ms. Roberts & the Neighborhood Association. Ms. Carol Berz, City Council representative for District 6, spoke in support of this request.

Mr. Jason Farmer made motion to **approve, subject to conditions submitted as follows: 1) Off-street parking as required by the City of Chattanooga Zoning Ordinance and no on-street parking; 2) One monument sign per City of Chattanooga Sign Ordinance; 3) Landscape buffering as required by the Landscape Provisions of the City of Chattanooga Zoning Ordinance; 4) Exterior lighting directed away from all residential properties as required by Article IV, Section 38-33 of the City of Chattanooga Zoning Ordinance; 5) No dumpster service for trash pickup; and 6) subject to building maintaining a residential character/appearance.** Mr. Todd Leamon seconded the motion and motion to approve with submitted conditions carried.

Case No. 2015-047 – Highland Park, LLC (Chattanooga Neighborhood Enterprise) – 1704, 1706 & 1714 Kirby Avenue – City of Chattanooga – From R-4 to R-T/Z

2015-047
Opposition
& Support
App w/conds.
City Dist #9

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to: 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns; and 2) Shall be developed with single-family detached residences only.

Mr. Bob McNutt of CNE, addressed the Commission regarding this request.

Speaking for the request and submitting a petition in support with names of 41 residents was Mr. Emerson Burch of 1908 Chamberlain Avenue and Mr. David Brock of 1811 Duncan Avenue.

Speaking in opposition was Mr. Glenn Mauldin and his wife Mrs. Marty Mauldin of 1714 Union Avenue, Mr. Jack Money of 1712 Union Avenue. Mr. Steve Whiting of 1706 Union Avenue also spoke in support.

Mr. David Mathews made motion to approve staff recommendation. Mr. Barry Payne seconded the motion.

Mr. Yusuf Hakeem made motion **to amend the motion to approve subject to: 1) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns; 2) Shall be developed with single-family detached residences only; and 3) No more than nine (9) detached single-family dwellings.** Ms. Mary Kay Hiatt seconded the motion and the motion to approve with amended conditions carried with Mr. Eric Myers recusing.

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to:

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.

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 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:
 - 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.

Mr. Pat Neuhoff of Neuhoff Taylor Architects, representing the owners of the properties, addressed the Commission regarding this request.

Speaking in opposition was Dr. Anita Polk Conley of 1020 East 10th Street, (former President of MLK Neighborhood Association), Mr. Mark Heddon, certified general real estate appraiser and owner of property at 817 Flynn Street. Also speaking in opposition was Ms. Nancy Fullam owner of 863 Flynn Street, Ms. Lynn Riley, President of HOA of Palmetto 8 Condos and City Councilman District 8 representative Mr. Moses Freeman.

After further discussion and recommendation from Mr. Jason Farmer that the owners of properties in question be present to answer questions, Mr. Pat Neuhoff asked for a 60-day deferral.

Mr. Adam Veron made motion to **defer 60 days**. Mr. Jason Farmer seconded the motion and motion to defer 60 days carried with Mr. Yusuf Hakeem voting not.

Mr. Haynes gave the presentation and explained staff recommendation to **approve**,
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

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. 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.

The applicant was present.

There was no opposition present.

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and the motion to approve staff recommendation carried with Mr. Eric Myers recusing.

Case No. 2015-050 – Joseph Ingram/Salient Investments – 6801 Conner Lane & 2115 North Concord Road – City of Chattanooga – Special Exceptions Permit: Residential Planned Unit Development

2015-050
Opposition
Defer 30 days
City Dist #6

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to a 10' deep landscape buffer along the southern and northern property lines that abut a residential dwelling. The buffer shall maintain the existing tree canopy and be supplemented with evergreen trees spaced a maximum of 10 feet on-center (spacing and location as determined by the City Landscape Architect so as to accommodate existing trees).

The applicant, Mr. Joseph Ingram was in attendance and addressed the Commission regarding this request.

Speaking in opposition was Ms. Deede Gram of 6833 Longview Road. She informed the Commission that she was not totally in opposition but would like to have more information and be allowed to give input on what is to occur. Councilwoman Carol Berz noted that she has not heard anyone opposing but there needs to be a meeting between the applicant and the neighborhood. Mr. Mark Keylon of 6845 Longview Road, Mr. Stephen Babb of 6864 Babb Road, Mr. David Robinson of 6872 Longview Road and Ms. Robin Ledwell of 6818 Conner Lane also spoke in opposition.

Mr. Joseph Ingram asked for deferral to meet with the neighborhood.

Mr. Yusuf Hakeem made motion to **defer 30 days**. Mr. Jason Farmer seconded the motion and motion to defer 30 days carried with Mr. Adam Veron voting no.

Case No. 2015-051 – MAP Engineers for Austin Roberts/Freida Almond & Danny Allen – 6107 Ooltewah-Georgetown Road – Hamilton County – From A-1 to O-1

2015-051
Approved
Co Dist #9

Mr. Haynes gave the presentation and explained staff recommendation to **approve**.

The applicant was present.

There was no opposition present.

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-052 – Chattanooga Neighborhood Enterprise c/o Bob McNutt & Tennessee Temple – 1706, 1708, 1710, 1712, 1714 & 1716 Bailey Avenue – City of Chattanooga - From R-4 to UGC

2015-052
Opposition
& Support
App w/conds.
City Dist #9

Mr. Haynes gave the presentation and explained staff recommendation to **approve**, **subject to: 1) There shall be no auto-oriented uses and/or self-service storage facilities; and 2) Driveway access shall be from the alley unless approved by the City Department of Transportation based on vehicular and pedestrian safety concerns.**

Mr. Bob McNutt of CNE addressed the Commission regarding this request.

Speaking in favor of the request was Mr. Emerson Burch of 1908 Chamberlain Avenue, Mr. Matt Stephens of 1807 Chamberlain Avenue and Ms. Alice Odea of 1700 Duncan Avenue.

Speaking in opposition was Ms. Olga Keklein of 1305 Bailey Avenue, Ms. Stephanie Whiting of 1539 Kirby Avenue, Mr. Jack Money of 1712 Union Avenue, Mr. Steve Whiting of 1706 Union Avenue, Ms. Marty Mauldin of 1714 Union Avenue and Mr. Glen Mauldin of 1714 Union Avenue.

Mr. Matt Winchett of Elemi Architecture at 1700 Broad Street, addressed the parking issues that were raised.

Mr. Yusuf Hakeem made motion to approve staff recommendation. Mr. Marty Haynes seconded the motion and motion to approve staff recommendation carried with Mr. Eric Myers recusing.

Case No. 2015-053 – Lindsey Miller – 947 Up The Creek Trail – Hamilton County – Revocable Special Permit: Permanent Amusement Resort Facility

2015-053
Defer 30 days
Co Dist #2

Mr. Haynes gave the presentation and explained staff recommendation to deny.

Ms. Dixie Brackett with Earthworx, LLC at 4510 Turntable Road, asked for deferral so that the applicant can have time to prepare plat and other drawings to submit to RPA staff in order to address every issue concerning the proposed development. The applicant, Ms. Lindsey Miller, along with Mr. Rick Miller, confirmed that a deferral is desired.

Mr. Yusuf Hakeem made motion to **defer 30 days**. Mr. Eric Myers seconded the motion and motion to defer 30 days carried.

Case No. 2015-054 – Tower Construction Company/Calvin Ball – 2408, 2410 & 2414 Chamberlain Avenue – City of Chattanooga – From R-2 to R-T/Z

2015-054
Opposition
App w/conds.

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to a maximum of four (4) detached single-family residential units.

Mr. Calvin Ball addressed the Commission regarding this request. He submitted a revised drawing showing a 20' x 20' house on the last lot to line up with the other four houses.

Speaking in opposition was Mr. David Rose of 2405 Chamberlain Avenue and questioned if the applicant would be allowed to build 4 houses or 5 houses and if there would be adequate parking.

Mr. Yusuf Hakeem made motion to **approve, subject to the following conditions: 1) Maximum of five (5) detached single-family residential units; and 2) The easternmost single family residential structure shall be no larger than 400 square feet in size.** Mr. Eric Myers seconded the motion and the motion to approve with conditions carried.

Case No. 2015-055 – ASA Engineering/Allen Jones & Marshall Berry – 1400 Chestnut Street – City of Chattanooga – From M-1 to C-3

2015-055
App w/conds.
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to the standard conditions in the C-3 Central Business Zone.

Mr. Allen Jones of ASA Engineering at 832 Georgia Avenue, addressed the Commission regarding this request. He asked that condition 6C "Eighty percent (80%) of the ground

level building façade, facing primary streets, shall be designed as leasable space and shall not include parking lots” be lifted. Mr. Jim Nevins, the developer of the property, with Kore Group, LLC at 3221 Brookwood Road, Birmingham, Alabama 35223, addressed affordable housing and parking.

Mr. Jason Farmer made motion to **approve staff recommendation as amended altering condition 6C and to have the conditions read as follows:**

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.

C. For properties fronting the Tennessee River, a public easement a minimum of thirty-five (35) feet in width shall be provided along the river for the continuation of the Riverwalk.

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 six (6) 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 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. 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.

Mr. Yusuf Hakeem seconded the motion and the motion to approve staff recommendation as amended carried with Ms. Mary Kay Hiatt, Ms. Donna Williams and Mr. Eric Myers voting no.

Case No. MR-2015-056 - MAP Engineers c/o Mike Price & Valor G.P. – 7518 Standifer Gap Road – City of Chattanooga – MR: Sewer Abandonment

MR-2015-056
Approved
City Dist #4

Mr. Haynes gave the presentation and explained staff recommendation to **approve**.

The applicant was present.

There was no opposition present.

Mr. Barry Payne made motion to approve staff recommendation. Mr. Mary Haynes seconded the motion and motion to approve staff recommendation carried.

Case No. 2015-057 – Becky Lockwood/Diantha Swift – 2211 & 2217 Hickory Valley Road – City of Chattanooga – From R-1 to R-4

2015-057
Opposition
App O-1 w/c
City Dist #6

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to use of existing buildings only.

Mr. Steven Leach of 515 Donaldson Road, along with Ms. Becky Lockwood of Caldwell Bankers at 2125 Hickory Valley Road, stated they would like to amend their request to an O-1 Office Zone to eliminate the issue with the multi-family. Councilwoman Carol Berz stated the neighborhood was fine with this subject to adding conditions that were agreed upon.

Speaking in opposition was Mr. Gary Wolfe of 6778 Executive Oak Lane.

Mr. Y. L. Coker made motion to **deny the request for R-4 Special Zone and approve O-1 Office Zone, subject to buildings maintaining a residential character/appearance**. Mr. Marty Haynes seconded the motion and the motion to deny R-4 Special Zone and approve O-1 Office Zone with condition carried.

Case No. 2015-058 – Elemi Architecture/Jim Lee – 1705 Market Street – City of Chattanooga – From M-1 to C-3

2015-058
App w/conds.
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to **approve C-3 Central Business Zone, 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

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.

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Barry Payne seconded the motion and the motion to approve staff recommendation carried with Mr. Eric Myers recusing.

Government Mandatory Referrals

Case No. MR-2015-041 – Hamilton County Engineering/Todd Leamon, Public Works Director – 2200 block of Standing Rock Road – Hamilton County – MR: Street Closure

MR-2015-041
Opposition
Defer 30 days
Co Dist #2

Mr. Haynes presented the request to the Commission and explained staff recommendation to **defer**.

Mr. Todd Leamon addressed the Commission regarding the request and the reason for deferral.

Speaking in opposition was Mr. Bobby Skinner of 2230 Standing Rock Road.

Mr. Marty Haynes made motion to **defer 30 days**. Mr. Y. L. Coker seconded the motion and motion to defer 30 days carried.

Case No. MR-2015-042 – Hamilton Engineering/Todd Leamon, Public Works Director – 3700 block of Grandview Place – Hamilton County – MR: Street Closure

MR-2015-042
Opposition
Defer 30 days
Co Dist #6

Mr. Haynes presented the request to the Commission and explained staff recommendation to **defer**.

Mr. Todd Leamon addressed the Commission regarding the request and the reason for deferral.

Speaking in opposition was Ms. Faye Duffy of 504 Notre Dame Avenue and Mr. Harold Sayne. Mr. Steve Evans of 2159 Old Wauhatchie Pike, said he was not against or for the closure but his concern was who was responsible for keeping property this up.

Mr. Marty Haynes made motion to **defer 30 days**. Mr. Barry Payne seconded the motion and motion to defer 30 days carried.

Case No. MR-2015-043 – Hamilton County Engineering/Todd Leamon, Public Works Director – 10,000 block of Bauxite Road – Hamilton County – MR: Street Closure

MR-2015-043
WITHDRAWN
Co. Dist #7

Chairman Collier announced at the beginning of the meeting that this request had been withdrawn.

Case No. MR-2015-044 – City of Chattanooga Real Property Office/Gail Hart – 301 North Holtzclaw Avenue – City of Chattanooga – MR: Lease Agreement

MR-2015-044
Approved
City Dist #8

Mr. Barry Payne made motion to approve. Mr. Eric Myers seconded the motion and motion to approve carried.

Case No. MR-2015-060 – City of Chattanooga Real Property Office/Gail Hart – 4327 Oakland Avenue – City of Chattanooga – MR: Lease Agreement

MR-2015-060
Approved
City Dist #7

Mr. Yusuf Hakeem made motion to approve. Ms. Mary Kay Hiatt seconded the motion and motion to approve carried.

Resolution Amendment

A Resolution to Amend the Chattanooga City Code, Part II, Chapter 38 Zoning Ordinance, Article XIII, Changes and Amendments, Section 38-672 Method of Procedure, Relative to Posting Notices and Article VIII, Board of Appeals for Variances and Special Permits, Section 38-565, Notices, Relative to Posting Notices

**Chatt Zone
Ord Amend
Posting of
Notices
Opposition
Approved**

Mr. Haynes presented the resolution amendment to the Commission.

Mr. Mike Price of MAP Engineers spoke in opposition to the resolution amendment.

Mr. Barry Payne made motion to approve the amendment. Mr. Jason Farmer seconded the motion and the motion to approve the amendment carried.

Public Comments on Non-Agenda Items

There was nothing up for comment.

Approval of Minutes of March 9, 2015

**Minutes
Mar 9, 2015
Approved**

Mr. Eric Myers made motion to approve the minutes. Ms. Mary Kay Hiatt seconded the motion and the motion to approve carried.

Adjournment:

Adjourn

There being no further business, the meeting adjourned at 5:26 p.m.

Respectfully submitted,

Ethan Collier, Chairman

John Bridger, Secretary

EC:JB:sh