

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, January 12, 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 Joe Graham, 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. Pattie Dodd, Ms. Melissa Taylor, Ms. Akousa Cook, Ms. Pam Glaser, 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

Mike Jenkins 9448 Wedge Way-Lot Less than 5 Acres on Easement-
(Hamilton County District 1)

M. Jenkins
Approved

Mr. Jason Farmer made motion to approve staff recommendation. Mr. Joe Graham seconded the motion and the motion to approve staff recommendation carried with Mr. David Mathews recusing himself.

Tom McClellan 538 Cherokee Blvd-Setback from Public Right-of-Way-
(City of Chattanooga District 1/Hamilton County District 6)

T. McClellan
Approved

Mr. Y. L. Coker made motion to approve staff recommendation. Ms. May Kay Hiatt seconded the motion and the motion to approve staff recommendation carried.

Preliminary Plats

Rock Creek Estates, Lots 1 thru 29-Daughtery Ferry Road
(Hamilton County District 1)

Rock Creek
Approved

Mr. Todd Leamon made motion to approve staff recommendation. Mr. Joe Graham seconded the motion and the motion to approve staff recommendation carried.

Heritage Green Phase 3, Lots 74 thru 100-Rhodes Farm Way
(City of Chattanooga District 7/Hamilton County District 4)

Heritage Green
Approved

Mr. Joe Graham made motion to approve staff recommendation. Mr. Jason Farmer seconded the motion and the motion to approve staff recommendation carried with Mr. David Mathews recusing himself.

Final Plats

Luchi's Place, Lots 1 thru 5-2909 Ooltewah Ringgold Road
(Hamilton County District 7)

Luchi's Place
App w/cond.

Mr. Joe Graham made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation carried.

The Highlands at Belleau Ridge, Lots 131 thru 143 and Lots 270 thru 285
Belleau Ridge Road
(Hamilton County District 9)

**Highlands @
Belleau Rd
Approved**

Mr. Joe Graham made motion to approve staff recommendation. Mr. Jason Farmer seconded the motion and the motion to approve staff recommendation carried.

Raptors Roost/Falcon Bluffs, Lots 16, 18, 19, and 1-Sawyer Cemetery Road
(Hamilton County District 2)

**Raptors/
Falcon Bluffs
Approved**

Mr. Joe Graham made motion to approve staff recommendation. Mr. Jason Farmer seconded the motion and the motion to approve staff recommendation carried.

Old Business

Case No. 2014-139 – The Broadway Group, LLC/Joseph E. Proctor – 6514 & 6518 Shallowford Road – City of Chattanooga – From R-1 to C-2

**2014-139
Opposition
App w/conds
City Dist #2**

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

Ms. Melissa Ballard of 15007 Branscomb Road, SE of Huntsville, Alabama, representing The Broadway Group, addressed the Commission regarding this request. She submitted a list of conditions that were agreed upon between themselves and the community to the Commission.

Speaking in opposition was Ms. Georgia Eastman, P. O. Box 24381, Chattanooga, TN 37422, stated that she is a resident of Meadow Brook Heights and is head of their Neighborhood Association. Ms. Nan Zamata of 7309 Midfield Drive, expressed her views and opinions regarding this request.

Councilwoman Carol Berz was in attendance and answered questions from the Commission.

Mr. Yusuf Hakeem made motion to **approve with conditions submitted as follows:**

1) Except for the drive accessing the property, there shall be green space (no paving) to be planted with grass up to a minimum depth of 40 feet from the public right of way; 2) The property will provide the following landscape material that meets or exceeds the current City landscaping requirements: (a) Street yard – in addition to the street tree requirements, the applicant will provide a total of 32 shrubs. Any planted street locations will comply with the city landscape ordinance and located to avoid sight distance hazards as determined by City staff (b) Rear landscape buffer will include a total of 5 shade trees and 19 evergreen trees (c) West landscape buffer side yard will include a total of 9 shade trees and 35 evergreen trees (d) East landscape buffer side yard will include a total of 9 shade trees and 30

evergreen trees; 3) Provide a six feet tall wooden, opaque privacy fence running parallel to all shared property lines, and located on the interior property side of the side and rear planted buffers; the fence will not extend past the front façade of the proposed building towards the street. In addition to the buffering plant material noted in Condition 1, 6 evergreen trees and 16 evergreen shrubs will be provided in the privacy fence area; 4) As required by City code, all exterior light fixtures will have full cut-offs. Applicant will submit a lighting plan to the LDO staff for review to ensure no light spillage onto adjoining properties; 5) Driveway entrance shall be located to align as closely as possible with Mark Lane; 6) Provide a monument sign that shall not exceed 6 feet in height or 10 feet in width. Maximum sign size is 60 square feet. Height is measured from the top of the sign to the lowest point of the ground upon which the proposed sign is to be located. Materials for the sign will match the materials of the associated building. Signs shall be illuminated by indirect lighting; 7) Dumpster pick-up shall be limited to the hours between 8am and 10pm sequentially; 8) The property shall maintain a “No Loitering” sign that is clearly visible in the parking area; and 9) Building shall have a brick exterior on all sides. Mr. Jason Farmer seconded the motion and the motion to approve with submitted conditions carried with Mr. Don Moon, Mr. Adam Veron and Ms. Donna Williams voting no.

New Business

Rezoning, Closures/Abandonments, Special Permits, Condition Amendments

**The following was moved forward on the Agenda by Chairman Collier.

Zoning Ordinance Amendment

A Resolution Recommending to Amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Section 38-2, Definitions and Article V, Division 13, Section 38-185; Division 14, Section 38-205; Division 15, Section 38-224; Division 16, Section 38-246, Uses Permitted as Special Exceptions by the City Council; Division 17, Section 38-266, Prohibited Uses and Structures; and Article V, Division 19, Section 38-303, Uses Permitted as Special Exceptions by the City Council; and Article V, Division R-4, Section 38-125, Prohibited Uses and Structures; and Article V, Division 10, Section 38-134, General Function (Permitted Uses); and Article VI, Division 2, Section 38-529, Special Exception Permit for Alternative Financial Services Establishment

Check Cash
Opposition
Approved

City of Chattanooga Assistant Attorney Keith Reisman addressed the Commission regarding this resolution. Councilwoman Carol Berz, District 6

representative and Councilman Russell Gilbert, District 5 representative expressed the need for the resolution.

Speaking in opposition was Ms. Meredith Broyles the Regional Manager of Government Relations for Check Into Cash. She gave her view on the concentration/spacing requirements addressed in the resolution and also asked action to be deferred.

Mr. Yusuf Hakeem made motion to approve. Mr. Joe Graham seconded the motion and the motion to approve carried.

**The following case was moved forward on the Agenda by Chairman Collier*

Case No. 2015-003 – Billy McCoy/Pam Edgemon – 10453 East Brainerd Road – Hamilton County – From A-1 to R-1

2015-003
Opposition
Approved
Co Dist #7

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

The applicant, Mr. Billy McCoy of 10694 Adler Court, was in attendance and addressed the Commission regarding his request.

Speaking in opposition were Mr. Paul Christopher of 9263 Rusty Maple Drive in Apison, Tennessee and President of Crystal Brook Homeowners Association and Mr. Chris Haley of 7550 East Brainerd Road.

Mr. Joe Graham made motion to approve staff recommendation. Mr. David Mathews seconded the motion and the motion to approve staff recommendation carried.

**The following case was moved forward on the Agenda by Chairman Collier*

Case No. 2015-006 – Belle Investment Company/Travis Fuller/Grider/GVH Shall Jen Association – 7810 & 7816 Shallowford Road; 2237 & 2241 Jenkins Road; 2306 & 2338 Grider Way – City of Chattanooga – From R-2 & C-2 to R-3

2015-006
Opposition
Denied
City Dist #4

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

Mr. Mike Price of MAP Engineers addressed the Commission regarding this request.

Speaking in opposition were Ms. Francesca Myer of 2004 Peterson Drive, Mr. Joe Shultz of 2535 Basket Way, Ms. Terry McDurmouth of 2313 Peterson Drive, Ms. Sue Shaw of 2314 Basket Way and Mr. Charles Stronoskes of 2257 Peterson Drive.

Mr. Yusuf Hakeem questioned the quality of the units and Mr. Travis Fuller, co-applicant on the request, of 2561 Willow Point Way in Knoxville, Tennessee addressed this issue.

Mr. Joe Graham made motion to deny. Mr. Jason Farmer seconded the motion and the motion to deny carried.

**The following case was moved forward on the Agenda by Chairman Collier*

Case No. 2015-007 – David Hudson - 1001 McCallie Avenue & 1019 McCallie Avenue – City of Chattanooga – From M-1, C-2 & R-4 to C-3

2015-007
Opposition
& Support
App w/conds
City Dist #7

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 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:

- 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.

The applicant, Mr. David Hudson of 1401 Cowart Street, Chattanooga, Tennessee, addressed the Commission regarding his request.

Speaking in opposition was Ms. Lisa Mack of 846 Oak Street.

Speaking in favor was Mr. Greg Denwith of 530 Central Avenue.

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

**The following case was moved forward on the Agenda by Chairman Collier*

Case No. 2015-015 – Polestar Development, LLC/Gray, Ledford & Ford, Sexton & Booher – 1704 & 1714 Thrasher Pike & 7636 & 7640 Middle Valley Road – Hamilton County – From R-2A, A-1 & C-2 to C-2

2015-015
Opposition
& Support
App w/conds.
Co Dist #3

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to submittal of a traffic study to the Hamilton County Engineer and provision of sidewalks on the property running parallel to the Middle Valley Road and Thrasher Pike right of ways to connecting each drive with the Middle Valley Road-Thrasher Pike intersection. Mr. Haynes indicated that since then revised conditions were submitted to read as follows:

approve, subject to submittal of a traffic study to the Hamilton County Engineer and provision of sidewalk from the proposed driveway on

Thrasher Pike to the intersection of Middle Valley Road and Thrasher Pike and sidewalk from the building entry to the driveway connection location on Middle Valley Road.

Mr. Chris Berry of Berry Engineers at 3555 Keith Street in Cleveland, Tennessee, addressed the Commission regarding this request.

Speaking in support was Pastor Mitch McClure of 1703 Thrasher Pike and Mr. Jim Vincent of 15039 Courtland Drive. There were persons in support in attendance that did not speak but raised their hands to show support when asked by the applicant.

Speaking in opposition was Mr. Edward Pastusic of 1726 Thrasher Pike, Ms. Susan Kile of Lennox Trace Drive representing the Lennox Trace Association, Ms. Heather Montgomery of 8003 Harper Road, Mr. Michael Dupree of 7622 Wimpton Lane and Ms. Wanda Sitters, owner of Daved's Deli at 7639 Middle Valley Road.

Mr. Joe Graham made motion to approve staff recommendation with the revised conditions submitted. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation with revised conditions carried with Mr. Adam Veron and Ms. Donna Williams voting no.

Case No. 2015-001 – Frank Goodwin/Hard Luck Land & Cattle Company – 500 Whitehall Road – City of Chattanooga – From R-3 to RZ-1

2015-001
App w/conds
City Dist #1

Mr. Haynes gave the presentation and explained staff recommendation to **approve, subject to: 1) One curb cut/access point only; and 2) Parking shall be located to the side or rear of each dwelling.**

There was no one present in opposition to the request.

Mr. Barry Payne made motion to approve staff recommendation. Mr. Joe Graham seconded the motion and the motion to approve staff recommendation carried with Mr. Jason Farmer abstaining and Mr. David Mathews recusing himself.

Case No. 2015-002 – Yun Tibbitts – 4411 13th Avenue – City of Chattanooga – From R-1 to R-2

2015-002
App w/conds
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to **approve, subject to: 1) Parking located to the rear of primary building and accessed from 45th Street only; 2) Retain existing building; and 3) Landscaping per the City Ordinance standards to include Streetscape and/or Street edge treatment for parking area and along sidewalks, and to include a “Type C”, or similar, buffer to screen the parking area along rear property lines.**

There was no one present in opposition to the request.

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

Case No. 2015-004 – Charles M. Rogers – 3913 6th Avenue – City of Chattanooga – From R-1 to R-2

2015-004
App w/cond
City Dist #7

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

The applicant, Mr. Murphy Rogers of 941 Cannon Road in Bryant, Alabama addressed the Commission regarding his request.

Lengthy discussion ensued regarding the grandfather law and parking.

There was no opposition present.

Mr. Joe Graham made motion to **approve, subject to providing two driveway areas for off-street parking.** Mr. Y. L. Coker seconded the motion and the motion carried with Ms. Donna Williams, Mr. Yusuf Hakeem and Mr. Eric Myers voting no.

Case No. 2015-005 – Allen Jones/Alton Properties, LLC – 510 East Main Street – City of Chattanooga – From C-2 & M-1 to C-3

2015-005
App w/conds
City Dist #7

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

The applicant Mr. Allen Jones was present and asked the Commission that Item 4 – Access to sites and buildings – that conditions B & C be combined.

There was no opposition present.

Mr. Barry Payne made motion to approve staff recommendation with changes of combining conditions B & C to 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.

1. 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.

2. 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.

3. 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 Chattanooga Department of Transportation based on vehicular and pedestrian safety concerns.

B. Alleys, and/or the secondary, or lower order street, shall be used as the principal vehicular access.

C. The primary pedestrian entrance to new buildings shall be provided from the primary street.

4. 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

5. 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.

Mr. Eric Myers seconded the motion and the motion to approve staff recommendation with indicated change carried.

Case No. 2015-008- Joseph Ingram/Chris Paty – 1000 block of Dallas Road – City of Chattanooga – Special Request: Lift Condition from Resolution #27748 of Previous Case No. 2013-149

2015-008
Denied
City Dist #2

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

The applicant, Mr. Joseph Ingram of 115 South Hawthorne, addressed the Commission and explained the dangers of installing sidewalks which was required in Resolution #27748.

There was no opposition present.

Mr. Joe Graham made motion to approve staff recommendation to deny. Mr. Jason Farmer seconded the motion and the motion to approve staff recommendation to deny carried.

Case No. 2015-009 – Choo Choo Partners, LP – 1400 Market Street – City of Chattanooga – From M-1 to C-3

2015-009
App w/conds
City Dist # 8

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 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:
 - 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.

The applicant was present.

There was no opposition present.

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

Case No. 2015-010 – Phil Whitfield/Capitol Toyota – 211 & 301 Chickamauga Road – City of Chattanooga – From R-1 to C-2

2015-010
Approved
City Dist #6

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. Joe Graham seconded the motion and the motion to approve staff recommendation carried.

Case No. 2015-011 – Blake Conklin/Faulk & Foster/Ronald Stansell – 9838 Snow Hill Road – Hamilton County – Special Permit: Cell Tower

2015-011
WITHDRAWN
Co Dist #9

Mr. Haynes informed the Commission that this request was withdrawn before the meeting.

Government Mandatory Referrals

Case No. MR-2015-012 – City of Chattanooga/Real Property/Gail Hart – 5612 Hixson Pike – City of Chattanooga – MR: Amend & Establish Conservation Easement

MR-2015-012
Approved
City Dist #3

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

The applicant was present.

There was no opposition present.

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

Case No. MR-2015-013 – City of Chattanooga/Real Property/Gail Hart – 5161 Ooltewah-Ringgold Road – City of Chattanooga – MR: Property Acquisition

MR-2015-013
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. Eric Myers made motion to approve staff recommendation. Mr. Barry Payne seconded the motion and the motion to approve staff recommendation carried.

Case No. MR-2015-014 – City of Chattanooga/Real Property/Gail Hart – 125 East 25th Street at South Market Street – City of Chattanooga – Mandatory Referral: Declare Surplus

MR-2015-014
Approved
City Dist #7

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

The applicant was present.

There was no opposition present.

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

Public Comments on Non-Agenda Items

Ms. Lisa Floden of 3916 Sunbeam Avenue addressed the Commission regarding backyard cottages and the concept of the ADU Accessory Dwelling Unit.

Mr. Ron Morris of 564 South Crest, representing Missionary Ridge Neighborhood Association, addressed the Commission regarding funding for road infrastructure and improvement.

Chairman Collier thanked them for their input.

Approval of Minutes of December 8, 2014

Mr. Barry Payne made motion to approve the minutes. Ms. Marry Kay Hiatt seconded the motion and the motion to approve carried.

Minutes
Dec 8, 2014
Approved

Adjournment:

Adjourn

There being no further business, the meeting adjourned at 4:58 p.m.

Respectfully submitted,

Ethan Collier, Chairman

John Bridger, Secretary

EC:JB:sh