

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, November 11, 2013
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 shows who made the motion, what the motion was and who seconded it. It also says if there was opposition or not.

Present:

County Commissioner Chester Bankston, City Councilman Chip Henderson, Mr. Y. L. Coker, Ms. Mary Kay Hiatt, Mr. David Mathews, Mr. Don Moon, Mr. Jimmy Parks, Mr. Barry Payne, Mr. Adam Veron, Mr. Todd Leamon (representing County Mayor Jim Coppinger), Mr. Bert Kuyrkendall (representing City Mayor Andy Berke) and Chairman Dale Mabee

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Ms. Sandra Harrison, Mr. Bryan Shults, Ms. Cortney Mild, Ms. Akousa Cook, Ms. Sarah Weeks, Ms. Karen Hundt, Mr. Tim Moreland, Mr. Trevor Slayton, Ms. Jenny Park, Ms. Melissa Taylor and Ms. Karen Rennich

**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.

**S/D Plats &
Variances
Approved
Opposition**

Mr. Barry Payne made motion to approve staff recommendations of the Subdivision Plats and Variance Requests as submitted. Ms. Mary Kay Hiatt seconded the motion and the motion to approve Subdivision Plats and Variance Requests as submitted carried.

Item D, Montague's Subdivision did not have opposition but the applicant's representative, Mr. Mitch Holland of 912 Endicott Street, Chattanooga, TN 37405, requested **Condition #3 under Transportation Department Comments and Notes** which read: 'The existing 10' alleyway will need to be improved as part of this development. Improvement options include the following: a) Install 6" Stone Base and 2" Asphalt-City will maintain; and b) Install 10" Stone Base – City will not maintain' **be removed**.

Montague's Sub
App w/change

Mr. Chester Bankston made motion to approve staff recommendation subject to omitting Condition #3 under Transportation Department Comments and Notes as requested by Mr. Mitch Holland. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation omitting Condition #3 under Transportation Department Comments and Notes carried with Mr. David Mathews recusing himself.

Item F, Dartmouth Park Subdivision Variance request had opposition and was heard.

Dartmouth Park
Opposition
Approved

Mr. Haynes explained staff recommendation to **approve**. He also informed the Commission that a letter of opposition was submitted by Ms. Corrin Fulton who was in attendance.

Mr. Rick Harris of 8125 Savannah Hills Drive of Ooltewah, TN addressed the Commission regarding this request. Mr. Glen Craig, Landscape Architect with Craig Design Group at 412 Spears Avenue, Chattanooga, TN also spoke for this petition.

Speaking in opposition was Ms. Corrin Fulton of 1038 Dartmouth Street, Ms. Tammy Jackson of 1036 Dartmouth Street and Ms. Delores Stevens of 1032 Dartmouth Street.

Mr. Chester Bankston made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation carried with Mr. David Mathews recusing himself and Ms. Mary Kay Hiatt voting no.

New Business

Rezoning, Closures/Abandonments, Special Permits, Condition Amendments

Case No. MR-2013-131 – Marcus Jones – 1300 block Aubin Avenue - City of Chattanooga – MR: Street Closure

MR-2013-131
Denied
Opposition
City Dist #2

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

The applicant was **not** present.

Ms. Valerie Epstein of 1706 Carol Lane spoke in opposition to this request.

Mr. Chester Bankston made motion to approve staff recommendation to **deny**. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. 2013-134 – B & M Development – 1309 Panorama Dr. – City of Chattanooga - Special Request: Lift Condition #1 from Ordinance No. 12581 of Previous Case No. 2012-015

2013-134
Denied
Opposition
City Dist #6

Mr. Haynes gave the presentation and explained staff recommendation to amend Condition #1 of Ordinance 12581 of Previous Case No. 2012-015 as follows: 1) Sit-down restaurants (as defined by the Chattanooga Zoning Ordinance) under 5,000 square feet are allowed and may operate between the hours of 7:00 am to 11:00 pm. Outdoor seating may be allowed in front of the building but shall not have any sound amplification system. All non-restaurant uses shall operate between the hours of 7:00 am and 9:00 pm.

The applicant, Mr. Matt Hullander of 1000 London Lane in Apison, TN addressed the Commission regarding this request.

There was opposition present and a petition of opposition submitted for the record.

Speaking in opposition was Ms. Carol Berz, City Council District 6 representative, Mr. Steve Clowdus of 1221 Panorama Drive, Annette Craig of 1331 N. Concord Road and Raymond Pirtle of 1219 King Arthur Road.

Mr. Chester Bankston made motion to accept staff recommendation. Mr. Barry Payne seconded the motion. There was discussion on the motion and the motion to accept staff recommendation failed by a vote of 5 to 6 and a new motion was called for.

Mr. Y. L. Coker made motion to **deny**. Ms. Mary Kay Hiatt seconded the motion and the motion to deny carried.

Case No. 2013-138 – Paula Buchner – 10925 Highway 58 – Hamilton County – From R-2A to A-1

2013-138
Approved
Co. Dist #9

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

The applicant was present.

Mr. David Mathews made motion to approve staff recommendation. Mr. Adam Veron seconded the motion and the motion to approve staff recommendation carried with Mr. Barry Payne recusing himself.

Case No. 2013-142 – Robert E. Bowers – 8801 Wandering Way – Hamilton County –
From R-3 to R-1

2013-142
Approved
Co. Dist #7

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

There was no opposition present.

Mr. Chester Bankston made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation carried with Mr. Barry Payne recusing himself.

Case No. 2013-143 – Pratt & Associates, LLC – 8315, 8417 Providence Road & 8200
block of Roy Lane – Hamilton County – Special Request: Amend Condition #1 from
Resolution No. 413-23B of Previous Case No. 2013-035

2013-143
WITHDRAWN
AFTER MTG.
Co. Dist #9

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

Mr. Mike Price of MAP Engineering addressed the Commission regarding his request.

There was no opposition present.

Mr. Barry Payne made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and the motion to approve staff recommendation carried with Mr. Todd Leamon and Mr. Chester Bankston voting no.

*****The applicant withdrew this petition after the meeting via email.*****

Case No. 2013-146 – John Anderson/James P. Little – 1418 O’Grady Drive – City of
Chattanooga – From R-1 to R-3

2013-146
App w/conds.
City Dist #1

Mr. Haynes gave the presentation and explained staff recommendation to **approve, subject to a single-family detached dwelling or Short-Term Vacation Rental only**.

The applicant was present and addressed the Commission regarding this request.

There was no opposition present.

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. 2013-147 – Bill Fine – 9113 & 9153 Highway 58 – Hamilton County – From A-
1 and R-2A to R-1

2013-147
Approved
Co Dist #9

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

The applicant, Mr. Bill Fine, addressed the Commission regarding this request.

There was no opposition present.

Mr. Barry Payne made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. 2013-148 – Thomas Palmer/Dan Rose – 1512 Market Street & 5 East 16th Street – City of Chattanooga – From M-1 to C-3

2013-148
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.

- 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 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 and addressed the Commission regarding this request.

There was no opposition present.

Mr. Chip Henderson made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. 2013-149 – Joseph Ingram/Leslie C. Fox – 1000 block of Dallas Road – City of Chattanooga – Special Exceptions Permit: Residential PUD

2013-149
Approved
City Dist #2

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

There was no opposition present.

Mr. David Mathews made motion to approve staff recommendation. Mr. Chip Henderson seconded the motion and the motion to approve staff recommendation carried with Mr. Adam Veron and Mr. Don Moon voting no.

Case No. MR-2013-150 – John McDonald – Intersection of Druid Lane & School Street between the 500 & 600 blocks of Druid Lane – City of Chattanooga – MR: Street Closure

MR-2013-150
Opposition
Denied
City Dist #2

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

Mr. Mathew McDonald of 6102 Wilder Road in Hixson, TN, addressed the Commission regarding this request.

Mr. Mike Price of MAP Engineering spoke in opposition to this request.

Mr. Chip Henderson made motion to approve staff recommendation. Ms. Mary Kay Hiatt seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. MR-2013-152 – City of Chattanooga/Real Property – Various back tax properties within Chattanooga – City of Chattanooga – MR: Declare Surplus

MR-2013-152
WITHDRAWN

Approval of Minutes of October 14, 2013

A motion was made by Mr. Todd Leamon and seconded by Mr. Y. L. Coker to approve the minutes as submitted and the motion to approve carried unanimously.

Minutes
Oct. 14, 2013
Approved

Adjournment:

There being no further business, the meeting adjourned at 3:15 p.m.

Adjourn

Respectfully submitted,

Dale Mabee, Chairman

John Bridger, Secretary

DM:JB:sh