

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, February 13, 2012
TIME: 1:00 p.m.
PLACE: Hamilton County Courthouse

The Planning Commission minutes are digitally recorded and are located on our web site www.chcrpa.org by going to the Development Services tab then Monthly Zoning Information and then under Planning Commission Meeting Minutes.

Present:

County Commissioner Chester Bankston, Mr. Jon Bell, City Councilman Jack Benson, Mr. Y. L. Coker, Ms. Mary Eastman, Ms. Beverly Johnson (representing Mayor Ron Littlefield), Mr. Alan Knowles (representing County Mayor Jim Coppinger) Mr. Wanza Lee, Mr. Don Moon, Mr. Jimmy Parks, Mr. Barry Payne, Mr. Adam Veron, and Chairman Dale Mabee.

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Mr. John Bridger, Mr. Hugh Failing, Mr. Bryan Shults, Ms. Karen Rennich, Ms. Karen Hundt, Ms. Winsetta Ford, Ms. Melony Collins, Mr. Fred Brunker and Ms. Sandra Harrison.

**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**

Special Recognition of Mr. Fred Brunker

Special recognition was given to Mr. Fred Brunker, Subdivisions Coordinator for the Regional Planning Agency. Mr. Brunker will retire February 29, 2012, after 39 years of employment with the Regional Planning Agency.

**Fred Brunker
Recognition**

City of Chattanooga Mayor Ron Littlefield presented Mr. Brunner with a letter of proclamation and County Mayor Jim Coppinger presented him with a certificate of appreciation.

Subdivision Plats & Variances

**S/D Plats &
VarianceRequest
Approve**

Mr. Greg Haynes presented one variance request to the Commission.

Mr. Alan Knowles made motion to approve the variance request. Mr. Jimmy Parks seconded the motion and the motion to approve carried unanimously.

Old Business (Deferred Case)

Case No. 2010-155 – O. C. Johnson – 2701 Corral Road – Hamilton County - Rezone from A-1 to M-4

**2010-155
Defer 9 mos.
Co. Dist. #2**

Mr. Greg Haynes explained that this request first came to the Planning Commission about a year ago and was deferred until this meeting. He gave the staff presentation and noted the staff recommendation to deny. He stated that the applicant is not actively storing items on the property and that the property is currently being cleaned up. He said that the applicant's representative has asked deferral to allow more time to do the clean up because the representative does not want the M-4 zoning and does not want to pay any fines if the rezoning is denied.

Mr. Alan Knowles made a motion to defer for 6 months. Mr. Y. L. Coker seconded the motion and the motion to defer six months carried.

Ms. Beverly Johnson asked staff if pictures could be taken now and later for comparison. Mr. Greg Haynes responded yes.

Ms. Jamie Reed, 234 Palmer Firetower Road, Palmer TN, speaking for the applicant, stated that they have already made substantial progress in removing items on the property and that to complete it will take another 6 to 9 months.

Mr. Alan Knowles amended his motion to defer from 6 months to defer to 9 months. Mr. Y. L. Coker seconded this motion and the motion to defer for 9 months carried unanimously.

Case No. 2011-117 – Scenic Land Company, LLC/Duane Horton – 6300 blk Highway 153 and 100 blk Dodson Road – City of Chattanooga – Rezone from R-1 & C-2 to C-2 & R-3

**2011-117
Defer 60 days
CityDist.#3**

Mr. Greg Haynes gave the presentation and explained the staff recommendation to defer for 60 days for the submittal of additional information: 1) Applicant to attend meeting with the Hixson Community to discuss and receive input on the project proposal; 2) Submittal of Traffic Impact Study to Chattanooga Traffic Engineering Department. Traffic Impact Study should address access management to and from the site, as well as the impact of the proposed development on the existing interchange at Highway 153, Dayton Boulevard and Boy Scout Road; 3) Submittal of proposed grading plans, including drainage and stormwater methods; and 4) Detailed site plan as specified in the staff report.

The applicant was not present.

Mr. Alan Knowles made motion to defer this request for 60 days. Mr. Chester Bankston seconded the motion and the motion to defer for 60 days carried unanimously.

New Business (Rezoning, Closures/Abandonments, Special Permits, Condition Amendments, Mandatory Referrals, Regulation Amendments)

Case No. 2012-008 – Barton & Elizabeth B. Woodham – 1910 E. 31st Street – City of Chattanooga – From R-1 to M-1

2012-008
App. w/conds.
City Dist. #7

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve, subject to the use of storage (indoor and outdoor) only.

There was no opposition present.

The applicant, Mr. Bart Woodham, 3100 S. Orchard Knob Avenue, was in attendance and in agreement with the staff recommendation.

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

Case No. 2012-009 – Jana Lind – 13213 & 13217 Dayton Pike – Hamilton County - From A-1 & R-2A to R-3

2012-009
Defer 60 days
Co. Dist. #1

Mr. Greg Haynes gave the presentation and explained the staff recommendation to defer 60 days for additional information: 1) Application copy and status of state permit for aged facility, as required by Article VI Special Permit, Section 500 of Hamilton County Zoning Regulations for Case 2012-010 Special Permit; and 2) Submittal of detailed site plan to Chattanooga-Hamilton County Regional Planning Agency, Development Services. Detailed site plan elements were listed in staff comments.

The applicants, Jana and Tim Lind, 13213 Dayton Pike, were present and answered questions from the Commission. They stated they have changed the intent of use from Residential Home for the Aged to an Independent Living Retirement Facility.

Ms. Beverly Johnson asked if the conditions of the staff recommendation would change since the intended use has changed to which Mr. Haynes stated that only Condition 2 would apply.

There was no one present in opposition.

Mr. Alan Knowles made the motion to approve the staff recommendation to defer 60 days. Ms. Beverly Johnson seconded the motion and the motion to defer 60 days carried.

Case No. 2012-010 – Jana Lind – 13213 & 13217 Dayton Pike – Hamilton County -

2012-010

SP: Residential Home for the Aged

Defer 60 days
Co. Dist. #1

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Ms. Beverly Johnson asked if the conditions of the staff recommendation would change since the intended use has changed to which Mr. Haynes stated that only Condition 2 would apply.

There was no one present in opposition.

Mr. Alan Knowles made the motion to approve the staff recommendation to defer 60 days. Ms. Beverly Johnson seconded the motion and the motion to defer 60 days carried.

Case No. 2012-012 – Kosygin Lameechee Jones – 8025, 8101, 8109, 8117 & 8119 Old Cleveland Pike – Hamilton County – From A-1, R-5 & R-2A to C-3

2012-012
Defer 12 months
Co. Dist. #5
Opposition

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve C-2 Local Business Commercial District, subject to the following conditions: 1) no tanks for commercial retail distribution of flammable liquids or gases and no automobile wrecker services; and 2) no access to Old Cleveland Pike.

There was opposition present. The applicant was not present.

Mr. David Bartow, 5220 Asher Lane, Ooltewah, Tennessee, chairman of Collegedale Tomorrow and a member of the Collegedale Planning Commission, requested postponing approval of this request and asked that no new zoning be done in that area until a zoning study is done.

Mr. Rocky Chambers, office at 400 E. Main Street, lives on the other side of Collegedale and is a member of Collegedale Tomorrow, said that his concern is not the commercial request but not knowing what is planned and would like to see this go through the normal process of providing a site plan and doing zoning studies.

Ms. Beverly Johnson made motion to deny the request. Mr. Jack Benson seconded the motion. There was discussion on the motion.

Mr. Barry Payne said denying this because there is not a land use plan for the area is not the applicant's fault and he suggested deferring until the applicant submits a site plan.

Mr. Alan Knowles suggested deferral for a site plan.

Ms. Beverly Johnson amended her motion to defer 12 months. Mr. Adam Veron seconded the motion and the motion to defer 12 months carried unanimously.

Case No. 2012-013 –Joseph Ingram – 1000 blk Dallas Road – City of Chattanooga -
Special Exceptions Permit: PUD

2012-013
App. w/conds.
City Dist. #1
Opposition

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve as a Preliminary Planned Unit Development (PUD), subject to: 1) A detailed concept of location and dimensions of retaining wall(s), landscaping, and open space characteristics/amenities; and 2) Additional requirements as noted in the staff recommendation. (attached to these minutes)

There was opposition present.

Mr. Rich Cluderman, 740 Westwood Avenue, said he was against the density, the lack of infrastructure in the area, no sidewalks, no street lights and the lack of police presence.

Mr. Joseph Ingram, representing the owners in this PUD, said that they are in agreement with all of the conditions.

Mr. Don Moon made the motion to accept the staff recommendation. Mr. Barry Payne seconded the motion and the motion to accept staff recommendation carried.

Case No. 2012-014 – Gunbarrel Partners – 7342 McCutcheon Road & 2300 blk
Gunbarrel Road – City of Chattanooga – Special Request: Amend Conditions on Case
No. 2007-059

2012-014
Defer 30 days
City Dist. #4

Mr. Mike Price, MAP Engineers, asked for a 30 day deferral.

Mr. Jack Benson made a motion to defer 30 days. Ms. Beverly Johnson seconded the motion and the motion to defer 30 days carried unanimously.

Case No. 2012-015 – Denis & Joy Bobosh/Matthew Hullander – 7120 & 7148 East
Brainerd Road – City of Chattanooga – From R-1 to C-2

2012-015
App w/change
Opposition
CityDist.#4

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve, subject to: 1) No restaurant drive-through facilities, late night special event facilities, or gasoline stations; 2) Revised site plan, to be approved by the City Traffic Engineer with the following elements: a) a channelized median island on East Brainerd Road to prevent left turn movements in or out of the main driveway on East Brainerd Road; and b) the elimination of the connecting drive between the two properties which was proposed to be behind the buildings at the rear of the lots. 3) No dumpster service between 9:00 p.m. and 7:00 a.m.; 4) If any mechanical equipment is to be located on the rooftop of the new "Proposed Retail" structure as shown on the Grading and Drainage Control Plan, it shall be screened for noise and appearance due to its location to and visibility from nearby residences; and 5) One story building only, with height not to exceed 15 feet. **(Note: Staff Recommendation was amended by Planning Commission for condition #1 to read: No restaurant. No late night special event facilities or gasoline stations).**

Mr. Mike Price of MAP Engineers, and Mr. Denis Dobosh, went into detail as to the usage and design for the proposed development and answered questions from the Commission.

There was opposition present.

Mr. Art Rahm, a resident of the subdivision on Sylvia Trail near the proposed development, said that the neighborhood is in 100% opposition to this proposal and presented a petition of opposition with over 100 signatures to the Commission. He read a list of objections to the proposed rezoning and narrated a PowerPoint presentation.

Ms. Tina Palatere, 1303 Panorama Drive, said that her biggest concerns are a restaurant being there, no sidewalks, traffic increase and hours of operation if there is a restaurant.

Ms. Betty Johnson, 1113 Panorama Drive, said she was not opposed to progress but what progress looks like and that this proposed strip mall is unacceptable.

Ms. Lana Sutton, 7203 Sylvia Trail, voiced her concerns to the cheapening affect this would have on the neighborhood.

Mr. Chester Bankston made motion to approve staff recommendation with amended condition to indicate "no restaurant". Mr. Barry Payne seconded the motion. The motion to approve staff recommendation with amendment carried with Mr. Jon Bell, Mr. Wanza Lee, Mr. Barry Payne, Mr. Alan Knowles, Mr. Chester Bankston, Mr. Adam Veron and Mr. Don Moon voting yes. Ms. Mary Eastman, Mr. Jack Benson and Ms. Beverly Johnson voted no.

Case No. MR-2012-016– Thomas J. Snow, Jr. – Part of 6200 blk Jim Snow Way – City of Chattanooga – MR: Street Closure

MR-2011-016
WITHDRAWN
Opposition
City Dist. #6

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

There was opposition present.

Dr. Les Reynolds, President of Reynolds Enterprises, owner of several rental properties and owner of Rustic Village 1 and Rustic Village Phase 2, both of which backs Jim Snow Way, stated that the cul-de-sac was needed for fire trucks to access. He read from a letter from his insurance company which stated that there must be an adequate entrance to accommodate fire trucks to stay insured.

Mr. Mike Price, representing Thomas J. Snow, Jr. asked that this petition be withdrawn.

Mandatory Referrals

Case No. MR-2012-011– City of Chattanooga/Bill Payne – 800 blk (part) of Davis Road - City of Chattanooga – MR: Street Closure

MR-2012-011
App.w/conds.
City Dist. #9

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to approval of City Engineer's Office and retaining of any utility easements.

There was no opposition present.

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

Case No. MR-2012-019 – City of Chattanooga/Bill Payne, City Engineering – 4200 & 4300 blk Jersey Pike – City of Chattanooga – MR: Franchise for ethanol pipeline

MR-2012-019
Approved
City Dist. #6

There was no opposition present.

Mr. Alan Knowles made the motion to approve. Mr. Chester Bankston seconded the motion and the motion to approve carried.

Case No. MR-2012-020 – City of Chattanooga/Dan Thornton – 401 Workman Road – City of Chattanooga – MR: Acquisition of property for Greenway Development

MR-2012-020
Approved
City Dist. #7

There was no opposition present.

Mr. Y. L. Coker made a motion to approve. Mr. Alan Knowles seconded the motion and the motion to approve carried.

Case No. MR-2012-022 – City of Chattanooga/Bill Payne – 5100 blk. Old Hixson Pike - City of Chattanooga – MR: Street Closure

MR-2012-022
App.w/conds.
City Dist. #3

There was no opposition present.

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve, subject to the following conditions: 1) Review and approval of City Engineer's Office; and 2) Retaining a drainage and utility easement within the right-of-way.

Mr. Y. L. Coker made motion to approve staff recommendation. Mr. Don Moon seconded the motion and the motion to approve staff recommendation carried.

A resolution to amend the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance by Amending Article VIII, Section 38-564 (1) Regarding Application To the Board of Appeals

City Zone Ord.
Board of Appeals
Application
Approved

A motion was made by Mr. Y. L. Coker and seconded by Mr. Alan Knowles to approve this amendment.

Motion carried.

Approval of Minutes of January 9, 2012

Minutes
Jan. 9, 2012
Approved

A motion was made by Mr. Y. L. Coker and seconded by Ms. Mary Eastman to approve the minutes as submitted.

Adjournment:

Adjourn

There being no further business, a motion was made by Mr. Dale Mabee and seconded by Mr. Jack Benson to adjourn the meeting at 3:20 p.m.

The motion passed unanimously.

Respectfully submitted,

Dale Mabee, Chairman

John Bridger, Secretary

DM:JB:sh