

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, January 9, 2012
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.

Present:

County Commissioner Warren Mackey, City Councilman Jack Benson, Mr. Y. L. Coker, Ms. Mary Eastman, Mr. Steve Leach (representing Mayor Ron Littlefield), Mr. Kenneth Jordan, Mr. Wanza Lee, Mr. Don Moon, Mr. Jimmy Parks, Mr. Barry Payne, Mr. Adam Veron, Mr. Alan Knowles (representing County Mayor Jim Coppinger) and Chairman Dale Mabee

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Mr. Hugh Failing, Ms. Sandra Harrison, Mr. Bryan Shults, Ms. Melissa Taylor, Ms. Karen Hundt 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**

Case No. MR-2012-005 – City of Chattanooga/General Services Department/Dan Thornton – 100 W. 45th Street – City of Chattanooga – MR: Declare Surplus

MR-2012-005
WITHDRAWN
City Dist.#7

Mr. Haynes announced that this case was withdrawn.

Public Hearing and Action - Subdivision Plats & Variances

S/D Plats &
Variances
App w/conds

Mr. Haynes explained the staff recommendation for the Justice Subdivision approval. He indicated that the Marcus Jones variance requests were originally recommended for denial; however, a new drawing was submitted combining the properties into one lot and all differences were worked out to the satisfaction of the engineering department and that the staff recommendation is to approve, subject to the plat being redrawn per the subdivision regulations.

A motion was made by Mr. Alan Knowles and seconded by Mr. Jimmy Parks to accept the staff recommendation on the subdivision plat and to accept the staff's revised recommendation on the variance requests.

Motion passed unanimously.

Old Business

Case No. MR-2011-101 – Ian Grant/Sartin & Grant, GP – 400 blk. W. 22nd and unopened alley – City of Chattanooga – MR: Street & Alley Closure

MR-2011-101
App w/conds.
City Dist.#7

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to: 1) Review of City Engineer and all public utilities; 2) Review by the Land Development Office, Traffic Engineering and Water Quality; and 3) A masonry wall, landscaping, or other near opaque screen shall be installed along the Broad Street right-of-way to screen the proposed truck parking area on the adjacent property to the south. Chain link fencing, with or without slats, and/or ornamental metal is not acceptable.

There was no opposition present.

A motion was made by Mr. Jack Benson to accept staff recommendation. Mr. Warren Mackey seconded the motion.

Motion passed unanimously.

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

Case No. 2012-001 – Terrence M. Major, DDS/Joe Proctor - City of Chattanooga - 6514 & 6518 Shallowford Road – Rezone from R-1 to R-4

2012-001
App. w/conds.
Opposition
CityDist.#6

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

approve, subject to: 1) A 50' undisturbed natural buffer along the southern property line with supplemental planting as required by the Land Development Office; 2) The front building setback shall be consistent with the front building setback of the existing nearest residences to the east and west; + or - 5 feet; 3) The building height shall not exceed 25 feet; 4) The building shall maintain a residential appearance as indicated in the front elevation drawing submitted by the applicant; 5) Signage to be less than 5 feet in height and less than 40 square feet in size; 6) Any signage lighting shall be indirect lighting; 7) Dumpsters shall be placed to the rear of building at least 30' from abutting property lines; and 8) No dumpster activity from 8 p.m. to 7 a.m. (Please note that conditions 5, 6, 7 & 8 were not part of the original recommendation. They were added by Planning Commission.)

Dr. Terrence M. Major, the applicant, business address at 1011 Spring Creek Road and residence at 4441 Webb Road, stated his intention of operating a dental office at the location and he is in agreement with the staff recommendation.

There was opposition present.

Mr. Ken Snyder, a resident on Mae Dell Road to the east of said properties up for consideration for rezoning, said that this property line is approximately twenty feet from the back of his house. He questioned whether buffering would be provided by way of privacy fence, trees or other type barrier and made it clear that he does not have a problem with a dental office operating on the property.

Mr. Steve Leach questioned if moving the building forward as noted in condition #2 indicates that parking would be eliminated in the front to which Mr. Haynes stated that the parking would have to be rearranged. Mr. Leach asked if that would make all parking be to the rear or the side and Mr. Haynes said yes.

Councilwoman Carol Berz of Chattanooga City Council District 6, stated that she has heard from no one in the area and has spent a great amount of time talking to the staff of Planning and is in agreement with the staff recommendation and expressed the need for the signage condition.

Mr. Alan Knowles made a motion to approve the staff recommendation with conditions. Mr. Jack Benson seconded the motion and the motion to approve staff recommendation with conditions carried unanimously.

Case No. 2012-007 – Englewood Enterprises, c/o Kevin Condra/JDK Real Estate –6162 Enterprise Park Drive – City of Chattanooga – Special Exceptions Permit: Ethanol Transfer Facility

2012-007
App w/conds
CityDist.#6

Mr. Greg Haynes gave the presentation and explained the staff recommendation to approve this request, subject to the following conditions: 1) No more than two freight trucks per day except in the event of an officially declared governmental disaster; 2) No ethanol transfer to occur until all required safety plans have been approved by the applicable authorizing agencies; 3) No additional storage to be added other than shown on site plan; 4) Construction of sight obscuring screening; berms a minimum of 9 feet in height with evergreen landscape material at least 5' in height and spaced no farther than

15' on center, similar to the conceptual site plan so that the transfer is not visible from Enterprise Park Drive; and 5) A building and site plan review by the Bonny Oaks Industrial Park Development Review Committee.

There was no opposition present.

Mr. Warren Mackey made the motion to approve staff recommendation. Mr. Alan Knowles seconded the motion and the motion to approve staff recommendation carried on roll call with Mr. Don Moon, Mr. Kenneth Jordan, Mr. Y. L. Coker, Mr. Warren Mackey, Mr. Alan Knowles, Mr. Steve Leach, Mr. Wanza Lee and Mr. Barry Payne voting yes. Ms. Mary Eastman, Mr. Adam Veron and Mr. Jack Benson voted no.

MR-2012-002 – City of Chattanooga/Dan Thornton – 3732 Tennessee Avenue – City of Chattanooga – MR: Declare Surplus

MR-2012-002
App w/conds.
City Dist.#7

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to holding a community meeting to address potential uses and restrictions prior to review by City Council.

Mr. Alan Knowles made motion to approve the staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation with conditions carried unanimously.

MR-2012-003 – City of Chattanooga/ Dan Thornton – 3720 Tennessee Avenue & 11 W. 37th Street – City of Chattanooga – MR: Declare Surplus

MR-2012-003
App w/conds.
City Dist.#7

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to holding a community meeting to address potential uses and restrictions prior to review by City Council.

Mr. Alan Knowles made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation with conditions carried unanimously.

MR-2012-004 – City of Chattanooga/Dan Thornton – 3500 Dorris Street – City of Chattanooga – MR: Declare Surplus

MR-2012-004
App w/conds.
CityDist.#7

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to holding a community meeting to address potential uses and restrictions prior to review by City Council.

Mr. Alan Knowles made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and the motion to approve staff recommendation with conditions carried unanimously.

MR-2012-006 – City of Chattanooga/Dan Thornton – 959 Gateway Avenue – City of Chattanooga – MR: Declare Surplus

MR-2012-006
Approve
CityDist#8

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

Mr. Barry Payne made motion to approve staff recommendation. Mr. Adam Veron seconded the motion and the motion to approve carried unanimously.

A resolution to amend the Chattanooga, Hamilton County, Lakesite, Lookout Mountain, Ridgeside and Walden Subdivision Regulations Concerning Changing References to the Chattanooga-Hamilton County Health Department to Hamilton County Groundwater Protection

**Sub Regs.
Change
Approved**

Mr. Haynes explained the need for this amendment changing the name of the Chattanooga-Hamilton County Health Department to Hamilton County Groundwater Protection in the Subdivision Regulations.

Mr. Y. L. Coker made motion to approve this amendment. Mr. Steve Leach seconded the motion and the motion to approve carried unanimously.

Approval of Minutes of December 12, 2011

**Minutes
Dec.12, 2011
Approved**

A motion was made by Mr. Jack Benson and seconded by Mr. Steve Leach to approve the minutes as submitted and the motion to approve carried unanimously.

Adjournment:

Adjourn

There being no further business the meeting was adjourned at 2:21 p.m.

Respectfully submitted,

Dale Mabee, Chairman

John Bridger, Secretary

DM:JB:sh