

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, March 12, 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:

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

**Planning
Commission
Members**

Others Present:

Mr. John Bridger, Mr. Greg Haynes, Mr. Hugh Failing, Ms. Sandra Harrison, Mr. Bryan Shults, Ms. Melissa Taylor and Ms. Sarah Weeks

**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**

Public Hearing and Action – Subdivision Plats

A motion was made by Ms. Mary Eastman and seconded by Mr. Ken Jordan to approve staff recommendations on the Subdivision Plats and Variances.

**S/D Plats
Approve
Staff Recs.**

Motion passed unanimously.

Old Business

Case No. 2007-008 – William E. McCallie – 6814 Conner Lane – City of Chattanooga -
From R-2 Residential Zone to R-4 Special Zone

2010-015
No Opposition
Denied

Mr. Haynes explained that this case was deferred from the January 8, 2007, Planning Commission meeting and that staff is trying to close cases that are outstanding in order to get the digital maps updated and current.

The applicant was not present.

Mr. Barry Payne made motion to deny this request and Ms. Beverly Johnson seconded the motion.

The motion to deny carried unanimously.

Case No. 2008-215 - Don Walker – 1100 blk Hurricane Creek Road – Hamilton County
– From A-1 Agricultural District & R-2 Rural Residential District to C-2 Local Business
Commercial District

2008-215
Opposition
Denied
Co. Dist. #7

Mr. Haynes explained that this also is an old case that needs action so that staff can close the case and update the digital maps.

The applicant was not present. There was opposition present.

Mr. Mark Brooks, 823 Brook Hollow Lane, one of the neighborhood representatives that was present when this rezoning for townhouses was first brought to the Commission, said that Hurricane Creek Subdivision has only one egress/ingress which is through Hurricane Creek Road where this proposed development is to be located. He asked that the neighborhood be given some type of notice as to when this would go before the County Commission in order that all opposing this request can be in attendance to voice opposition. Chairman Mabee said that proper notice of that hearing will be sent to the Neighborhood Association.

Mr. Jim Fields made motion to deny this request and Ms. Beverly Johnson seconded the motion.

The motion to deny carried unanimously.

Case No. 2012-014 – Gunbarrel Partners – 7342 McCutcheon Road and 2300 blk
Gunbarrel Road – City of Chattanooga – Special Permit: Amend Conditions 3, 5, 6, 8 &
9 of Ordinance No. 11989

2012-014
Opposition
App w/change
City Dist. #4

Mr. Haynes gave the presentation and explained the staff recommendation to approve removing existing conditions 3, 5, 6, 8 and 9 of Ordinance Number 11989 and replacing with the following: 1) Any transportation improvements as approved by the City Traffic Engineer; 2) Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future road widening; 3) No more than two ingress/egress drives onto Gunbarrel Road; 4) Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department; 5) A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council; 6) A

landscaping plan shall be required for the Gunbarrel Road frontage; and 7) Type C landscape tree buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous shall be planted along the western property line.

Mr. Ken DeFoor, the applicant, was in agreement with the conditions and said that after reading a letter from one of the neighboring residents that indicated he (Mr. DeFoor) would not build on the southern most portion of the property, he would like to withdraw that proposed building from the development site plan. He stated that he would be very happy with one curb cut along Shallowford and McCutcheon Roads.

There was opposition present.

Mr. Tom Lawson, 7417 Preston Circle, said that his main concern was watershed coming onto his property. He mentioned a heavy rain that carried a very heavy picnic table from the back of his house up to Preston Circle.

Mr. Lloyd Stanley, 7441 Preston Circle, said that he has met with Mr. DeFoor on several occasions in the past and said that he thinks he is one of the better developers in Hamilton County, however; in this instance there needs to be more work done concerning this development prior to action being taken on this request. He said he encourages deferral of this request.

Mr. Ken DeFoor asked that this request be approved with the condition that he agrees to a neighborhood meeting prior to the City Council hearing.

Mr. Jack Benson made motion to approve the staff recommendation with changes/additions as follows:

- 1) Any transportation improvements as approved by the City Traffic Engineer.
- 2) Twelve (12) feet of right-of-way along Gunbarrel Road necessary for future widening.
- 3) No more than **one** ingress/egress drive onto Gunbarrel Road.
- 4) Appropriate Drainage Impact Study to be provided by the developer to City Engineering Department.
- 5) A sidewalk to be constructed along Gunbarrel Road with trees planted appropriately and street lamps per the drawings presented to City Council.
- 6) A landscaping plan shall be required for the Gunbarrel Road frontage.
- 7) Type C landscape tree buffer as relates to tree separation and buffer width, except where road and/or pedestrian connectivity occurs, with up to 25% of the trees being deciduous shall be planted along the western property line.
- 8) Parcel 149H-G-018, the southernmost lot that fronts Gunbarrel Road, shall be dedicated to open/green space only.**
- 9) Community meeting to be held before this case goes before City Council.**

Mr. Alan Knowles seconded the motion and the motion to approve staff recommendation with changes/additions passed unanimously.

New Business

Rezoning, Closures, Abandonments and Special Permits, Condition Amendments

Case No. MR-2012-017 – Santek Waste Services, Inc./Tony Coco – 3300 blk Wood Avenue – City of Chattanooga – MR: Street Closure

MR2012-017
No Opposition
App.w/conds
City Dist. #9

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to: 1) Review and approval by City Engineer's Office; and 2) Retaining of any utility easements.

There was no opposition present.

Mr. Alan Knowles made a motion to approve staff recommendation. Mr. Barry Payne seconded the motion and the motion to approve staff recommendation carried unanimously.

Case No. 2012-021 – Ben Peppers – 3014 Dodds Avenue – City of Chattanooga -
– Conditional Permit: Recycling Processing Center

2012-021
Opposition
Denied
City Dist. #7

Mr. Haynes gave the presentation and explained the staff recommendation to defer 30 days in order that the Planning Commission may evaluate the effect of the proposed use on nearby uses and on the community at large, and the applicant shall (i) Furnish complete plans and method of operation Per. Ord. 38-301(3)(f); (ii) Have present at the hearing, for said permit, an Engineering Consultant in this particular phase of industry to fully evaluate all areas of control of vibration, dust, noxious odors fumes, nuisance factor, etc.

The applicant, Mr. Ben Peppers, agreed to defer to continue working with his engineers and get all civil plans together and have the engineers present to ask any questions.

There was opposition present.

Ms. Lara Salter, 3209 8th Avenue, representing the East Lake Neighborhood Association, said that in speaking with the surrounding neighbors of the property in question, there is a big problem with water runoff from vehicles and equipment brought on the site. They feel this is detrimental to the community.

Councilman Manuel Rico, District Representative of that area, stated that he has received a lot of calls and emails asking him to deny this request.

Deborah Woodruff, 3015 Dodds Avenue, says a lot of noise comes from the site and traffic on that corner is very bad. She stated that a lot of children and elderly, retired people live in the area. She said the windows are often shaken and foundations shake from all of the stuff that is being thrown around and is afraid a gas line might burst. She said the streets become backed up with dumpster activity.

Mr. Schovia Culvington, 3012 12th Avenue, said the possibility of increased noise and traffic would be bad for the neighborhood that they are trying to build up. He voiced concerns of break-ins and rise in crime rate and he asked the Commission to deny this request.

Ms. Linda Richards, President of East Lake Neighborhood Association, said they are in the process of beautifying the area and this is not a good fit.

Mr. Richard Hutsell, Zoning Official for the City of Chattanooga, said that recycling centers are allowed in the M-1 Manufacturing Zone, but all activity is done within an enclosed building and there is no building on this site only a lean-to shed. He further relayed to the Commission the activities he witnessed in doing his drive-by inspections.

Mr. Alan Knowles made the motion to deny this request. Mr. Jimmy Parks seconded the motion and the motion to deny carried with Mr. Jon Bell voting no and Mr. Jim Fields and Mr. Ken Jordan abstaining. (Final action for Special Permits is by the Planning Commission unless appealed to the City Council.)

Case No. 2012-024 – Gerdau c/o Brian McCuiston, Regional Manager – 2912 South Market Street – City of Chattanooga – Special Conditional Permit: Recycling Processing Center

2012-024
Opposition
Defer 60 days
City Dist. #7

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

The applicant, Mr. Brian McCuiston, General Manager for Gerdau, said that this property was acquired December 12, 2011, and when they contacted the City as to what type of fence was needed for screening, they were informed that the Industrial Conditional Permit was required to operate as a Recycling Processing Center. He said they then hired a local engineering firm to help in doing all that is required for this operation.

There was opposition present.

Mr. Otis Cantrell, owner of Chattanooga Wholesale Trucks that sits diagonally across the street from Gerdau, said the impact on them has been horrible because the big trucks pull mud, debris, and all kind of scraps of material onto the highway upon exiting this site. He said this causes buildup that keeps the drains clogged. He suggested they get a wheel washer to wash the wheels of the big trucks before they exit onto the street.

Mr. Mike Doubleday, owner of property on both sides within a block of the property in question, said he has seen what goes on in metal processing. He said they have called officials several times about this. He also suggested the usage of a wheel washer. He said there is also traffic congestion most of the time.

Ms. Donna Adams, of A D Engineering, representing Gerdau, said they have met with all officials in working to address all of these concerns but that it will take some time.

Ms. Beverly Johnson made motion to defer 60 days to allow the applicant to come back with a detailed plan of action and timeline. Mr. Jack Benson seconded the motion and the motion to defer 60 days passed with Mr. Jim Fields abstaining.

Case No. 2012-025 – Greg Nye/LBYD, Inc. – 2412 McCallie Avenue – City of Chattanooga – Special Request: Lift Condition #6 of Ord. 9217, Case No. 1989-145

2012-025
No Opposition
Approved
City Dist. #7

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

There was no opposition present.

Mr. Alan Knowles made the motion to accept the staff recommendation to approve this request. Mr. Jim Fields seconded the motion and the motion carried.

Case No. MR-2012-026 – Greg Nye/LBYD, Inc. – 2400 blk McCallie Avenue – City of Chattanooga – Mandatory Referral to Abandon Sewer Easement

MR-2012-026
No Opposition
Approve w/conds.
City Dist. #7

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to: 1) Review and approval of City Engineer’s Office; and 2) Only sewer connections 10981 and 10983 of this easement line as identified on maps from City Engineer’s Office and applicant’s submitted site plan.

There was no opposition present.

Mr. Alan Knowles made the motion to accept the staff recommendation. Mr. Jim Fields seconded the motion and the motion carried.

Case No. 2012-027 – Ann Najjar – 309 & 317 E. Main Street – City of Chattanooga - From M-1 Manufacturing Zone to UGC Urban General Commercial Zone

2012-027
No Opposition
Approved
City Dist. #8

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

There was no opposition present.

Mr. Alan Knowles made the motion to accept the staff recommendation to approve this request. Mr. Jim Fields seconded the motion and the motion to approve carried.

Case No. 2012-029 – Julian Bell – 7023 Hixson Pike – Hamilton County – Rezone from A-1 Agricultural District and R-2A Rural Residential District to RT-1 Residential Townhouse District

2012-029
No Opposition
Approved
Co. Dist. #3

(Mr. Jon Bell was not present for this.)

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to no back-out parking.

Mr. Julian Bell said they would not be able to do the “no back-out parking”. He said that they would end up with a concrete yard instead on grass.

There was no opposition present.

Mr. Jack Benson made a motion to approve this request and remove the “no back-out parking” condition. Mr. Alan Knowles seconded the motion and the motion to approve without the “no back-out parking” condition carried.

(Mr. Jon Bell returned to his seat.)

Case No. MR-2012-030 – Dan Cannon – 950 North Chamberlain Avenue and 1005 Glenwood Drive – City of Chattanooga – MR: Abandon Sewer Easement

MR-2012-030
No Opposition
Approve w/conds.
City Dist. #9

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to review and approval by City Engineer’s Office and all public utilities.

There was no opposition present.

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

Case No. MR-2012-031 – Stringer Ridge Associates/Michael Martin – Unopened Wayne Avenue – City of Chattanooga – MR: Street Closure

MR-2012-031
No Opposition
Approve w/conds.
City Dist. #1

Mr. Haynes gave the presentation and explained the staff recommendation to approve, subject to: 1) Review and approval by City Engineer’s Office; and 2) Retaining of any utility easements. Mr. Haynes said that the applicant amended the request to include the northern portion connecting to Stringer’s Ridge Road.

There was no opposition present.

Mr. Alan Knowles made a motion to approve staff recommendation, including the northern portion connecting to Stringer’s Ridge Road as requested. Mr. Y. L. Coker seconded the motion and the motion carried.

Case No. 2012-035 – City of Chattanooga/Real Property Office/Gail Hart – 4800 Central Avenue – City of Chattanooga – Rezone from M-1 Manufacturing Zone to M-4 Outdoor Industrial Zone

2012-035
Approved
Different
City Dist. #7

Mr. Haynes gave the presentation and explained that the RPA staff recommendation has changed to defer this for 30 days. The reason for this, he explained, is that the request for the Automobile Recycling Center does not meet the requirements of the M-4 Zone.

Mr. Dan Thornton, Director of General Services for the City of Chattanooga, was in attendance to answer questions from the Commission.

Mr. Haynes explained the timing on the conditional permit versus a rezoning request. He said that the Conditional permit does not need Council action because Planning Commission has the final say, whereas; the rezoning request would move forward to the City Council next month.

Mr. Alan Knowles made motion to approve an Industrial Conditional Permit. Mr. Y. L. Coker seconded the motion and the motion to approve an Industrial Conditional Permit carried.

(Final action for this conditional permit is by the Planning Commission unless appealed to the City Council.)

Case No. 2012-036 – LKQ Corporation/Bruce Barber – 310, 312 and 400 Workman Road – City of Chattanooga – Rezone from M-1 Manufacturing Zone to M-4 Outdoor Industrial Zone

2012-036
Approved
Different
City Dist. #7

Mr. Haynes gave the presentation and explained that the RPA staff recommendation has changed to defer this for 30 days. The reason for this, he explained, is that the request for the Automobile Recycling Center does not meet the requirements of the M-4 Zone.

Mr. Dan Thornton, Director of General Services for the City of Chattanooga, was in attendance to answer questions from the Commission.

Mr. Haynes explained the timing on the conditional permit versus a rezoning request. He said that the conditional permit does not need Council action because Planning Commission has the final say, whereas; the rezoning request would move forward to the City Council next month.

Mr. Alan Knowles made motion to approve an Industrial Conditional Permit. Mr. Y. L. Coker seconded the motion and the motion to approve an Industrial Conditional Permit carried.

(Final action for conditional permit is by the Planning Commission unless appealed to the City Council.)

Mandatory Referrals

Case No. MR-2012-023 – City of Chattanooga/Parks & Recreation Department/Larry Zehnder – 1151 E. 23rd Street – City of Chattanooga – MR: Lease Agreement

MR-2012-023
No Opposition
Approved
City Dist. #8

There was no opposition present.

Mr. Y. L. Coker made a motion to approve. Mr. Jack Benson seconded the motion and the motion to approve carried.

Case No. MR-2012-028 – City of Chattanooga/Parks & Recreation Department/Larry Zehnder – 150 River Street – City of Chattanooga – MR: Lease Agreement

MR-2012-028
No Opposition
Approved
City Dist. #1

There was no opposition present.

Mr. Y. L. Coker made a motion to approve. Mr. Jim Fields seconded the motion and the motion to approve carried.

Case No. MR-2012-032 – City of Chattanooga/Real Property Office/Gail Hart – Alley off 1500 blk Williams Street – City of Chattanooga – MR: Alley Closure

MR-20120-032
No Opposition
Approve w/conds
City Dist. #8

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to review by City Engineer and all public utilities.

There was no opposition present.

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

Approval of Minutes of February 13, 2012

Minutes
Feb. 13, 2012
Approved

A motion was made by Mr. Y. L. Coker and seconded by Mr. Alan Knowles to approve the minutes as submitted.

Motion passed unanimously.

Adjourn

Adjourn

There being no further business, motion was made by Mr. Dale Mabee to adjourn the meeting at 3:25 p.m.

Motion passed unanimously.

Respectfully submitted,

Dale Mabee, Chairman

John Bridger, Secretary

DM:JB:sh