

CHATTANOOGA-HAMILTON COUNTY
REGIONAL PLANNING COMMISSION
MINUTES

DATE: Monday, July 11, 2016
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 Chester Bankston, City Councilman Yusuf Hakeem, Mr. Y. L. Coker, Mr. Todd Leamon, (representing County Mayor Jim Coppinger), Mr. Jason Farmer, Ms. Mary Kay Hiatt, Mr. Chris Mabee, Mr. David Mathews, Mr. Eric Myers, Mr. Barry Payne, Ms. Velma Wilson, Mr. Adam Veron, Ms. Donna Williams (representing City Mayor Andy Berke), Mr. Jim Parks and Chairman Ethan Collier

**Planning
Commission
Members**

Others Present:

Mr. Greg Haynes, Ms. Sandra Harrison, Mr. Bryan Shults, Mr. Hobert Brabson, Mr. Justin Tirsun, Ms. Pattie Dodd, Ms. Karen Hundt 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**

Opening Comments & Announcements (Chairman)

Subdivision Plats & Variances

(Staff recommendations for subdivision plats & variances are attached and made part of these minutes)

Mr. Greg Haynes presented the subdivision plats & variance requests to the Commission.

Variance

SD-2016-035 Shauff Place Subdivision Lots 1 and 26-5421 Shauff Place-Min. Lot Frontage and Lot Size **Shauff Pl**
Approved
(City of Chattanooga District 7, Hamilton County District 6)

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

Preliminary Plats

SD-2016-034 The View at White Oaks Lots 14 thru 51-9100 Block Highway 58 **The View**
(Hamilton County District 9) **Approved**

Mr. Barry Payne made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried with Mr. David Mathews recusing.

SD-2016-030 Stonewall Farms a Planned Unit Development-Lots 595 thru 626-1196 Jackson Mill Lane **Stonewall**
(Hamilton County District 3) **App w/cond**

Mr. Barry Payne made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

SD-2016-039 The Highlands at Belleau Ridge Subdivision, Lots 144 thru 256, and **Highlands**
Lot 270-6708 Ooltewah-Ringgold Road **App w/cond**
(Hamilton County District 9)

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

Final Plats

SD-2016-035 Shauff Place Subdivision Lots 1 and 26-5421 Shauff Place
(City of Chattanooga District 7, Hamilton County District 6)

Shauff Pl
App w/cond

Mr. Barry Payne made motion to approve staff recommendation. Mr. David Mathews seconded the motion and motion to approve staff recommendation carried.

SD-2016-037 Headrick on Hamilton Avenue Lots 1 thru 4-1400 Hamilton Avenue
(City of Chattanooga District 2, Hamilton County District 6)

Headrick
Approved

Mr. Barry Payne made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

Old Business

Case No. 2016-064 – Henry Franklin – 276 West 21st Street – City of Chattanooga
– Lift Conditions from Ordinance No. 12989 of Previous Case No. 2015-094

2016-064
WITHDRAWN

The applicant, Mr. Henry Franklin was in attendance and indicated to the Commission his wish to **withdraw** his request.

Mr. Barry Payne made motion to accept request to withdraw. Mr. David Mathews seconded the motion and motion to withdraw carried.

New Business

Rezoning, Closures/Abandonments, Special Permits, Condition Amendments

Case No. MR-2016-096 – John H. Robinson – Unnumbered block of Scoggins Circle – Hamilton County – MR: Street Closure

MR-2016-096
Denied
Co Dist #9

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

The applicant, Mr. John Robinson and his daughter, Ms. Teresa Robinson of 5129 Ooltewah-Georgetown Road were in attendance and gave reasons for the closure request.

There was no one present in opposition.

Mr. Todd Leamon made motion to approve staff recommendation to deny. Mr. Jason Farmer seconded the motion and motion to approve staff recommendation to deny carried with Mr. Chester Bankston opposing.

Case No. MR-2016-098 – Michael G. McHale & David Roos of AMCA, LP – 736 Broad Street – City of Chattanooga – MR: Franchise Agreement

MR-2016-098
App & Deny
City Dist #7

Mr. Haynes gave the presentation and explained staff recommendation to **approve part of the Franchise Agreement request for use of the existing basement which extends into the public-right-of-way but deny the request for an awning along Broad Street.**

The applicant was present.

There was no one present in opposition to the petition.

Mr. Barry Payne made motion to approve staff recommendation. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried.

Case No. 2016-099 – Bradley M. Lipsey/Kinsey Probasco Hays, LLC & Medical Development Partners, LLC – 1301 Citico Avenue & 804 North Holtzclaw Avenue – City of Chattanooga – From O-1 to R-4

2016-099
App w/conds
City Dist #8

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to: subject to the following conditions:

1. A maximum building setback of 75' from Holtzclaw Avenue.
2. No parking or drive aisles located between building and Holtzclaw Avenue.
3. Primary pedestrian access shall be located from Holtzclaw Avenue.
4. Off-street parking fronting a public street shall be screened from the right-of-way with a street edge as follows:
 - a. 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:
 - b. Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or
 - c. A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or
 - d. An evergreen hedge, with a minimum height at maturity of 3 feet.
 - e. Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.

5. 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.

Mr. Joe Winnex, Vice President for Erlanger Hospital, responsible for planning addressed the Commission regarding this request.

Ms. Peggy Kilpatrick with the Bushtown Neighborhood Association was present and indicated to the Commission that the community is currently pleased with the plan as it is today.

Mr. Bill Truitt of Acadia Healthcare was present to discuss Conditions 1 & 2 as submitted by staff and indicated why they would not work in their plans.

Mr. Chris Mabee made motion to approve the staff recommendation, omitting Condition #1 & #2 so that the amended recommendation reads as follows:

Approve, subject to the following conditions:

1. **Primary pedestrian access shall be located from Holtzclaw Avenue.**
2. **Off-street parking fronting a public street shall be screened from the right-of-way with a street edge as follows:**
 - a. **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:**
 - b. **Brick, stucco, or stone walls (concrete block is permitted if faced with said materials); or**
 - c. **A decorative metal fence with landscaping a minimum of 3 feet in height at maturity, providing a year-round near opaque screen; or**
 - d. **An evergreen hedge, with a minimum height at maturity of 3 feet.**
 - e. **Highway-style guardrails or security fencing (e.g. chain link) shall not be permitted.**
3. **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.**

Mr. Barry Payne seconded the motion and motion to approve staff recommendation with amended conditions carried with Mr. Eric Myers voting no.

Case No. MR-2016-100 – Johnston Southern Company, LLC – Unopened alley off of the 1400 block of Adams Street – City of Chattanooga – MR: Alley Closure

MR-2016-100
Approved
City Dist #8

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

Mr. Derrick Blackwood of MAP Engineers and the applicant Mr. Johnston addressed the Commission regarding this request.

There was no opposition present.

Mr. David Mathews made motion to **approve** the applicant's request. Mr. Barry Payne seconded the motion and motion to approve carried with Mr. Eric Myers, Ms. Donna Williams, Mr. Yusuf Hakeem and Ms. Mary Kay Hiatt opposing.

Case No. 2016-101 – Callio Properties/George H. Ellis, Jr. – 5221 Old Hixson Pike – City of Chattanooga – From R-1 to R-3

2016-101
Approved
City Dist #3

The applicant was present.

There was no one present in opposition to the petition.

Mr. Jason Farmer made motion to **approve**. Mr. Todd Leamon seconded the motion and motion to approve carried.

Case No. MR-2016-102 – M & M Industries, Inc. – 6100 block of Enterprise Park Drive– City of Chattanooga – MR: Sewer Abandonment

MR-2016-102
Approved
City Dist #5

The applicant was present.

There was no one in opposition to the petition.

Mr. David Mathews made motion to **approve**. Mr. Todd Leamon seconded the motion and motion to approve carried.

Case No. 2016-103 – Asa Engineering c/o Allen Jones & Russel Bean C-O Executor–1105 Mountain Creek Road – City of Chattanooga – From R-1 to R-3

2016-103
Opposition
App w/conds
City Dist #1

Mr. Haynes gave the presentation and explained staff recommendation to approve, subject to the following conditions:

1. No grading above the 750-foot topo line as identified on the Hamilton County GIS map.
2. Maximum building height shall be four stories.
3. Maximum density shall be 10 dwelling units per acre.

4. The southernmost driveway shall be located a minimum of 150-feet from North Runyan Drive, and shall have restricted access to right-in right-out turns only.
5. An updated signal warrant analysis shall be conducted for the intersection of Mountain Creek Road at North Runyan Drive, with morning peak traffic conditions reviewed by the consultant.
6. Subject to the results, including Chattanooga Department of Transportation's review and approval, of an updated signal warrant analysis (as referenced in condition 5), the developer may be required to make necessary improvements to the existing intersection of Mountain Creek Road and North Runyan Drive.
7. Development shall include a sidewalk along Mountain Creek Road, with a crosswalk and pedestrian flasher at North Runyan Drive to accommodate safe pedestrian travel between the school and apartments.

The applicant, Mr. Allen Jones of Asa Engineering at 109 East MLK Boulevard addressed the Commission regarding the conditions in the staff recommendation. He discussed the possibility of raising the topo line in condition #1 and increasing total dwelling units in condition #3.

Speaking in opposition was Mr. Brendan Brosnan who lives at 889 Hillcrest Drive and Mr. Roger Thomas of 1151 Saddlebrook Drive

Mr. Jason Farmer made motion to approve staff recommendation with the amended conditions as requested by the applicant so that staff recommendation reads as follows: **Approve, subject to the following conditions:**

1. **No mass grading or clearing above the 780-foot topo line as identified on the Hamilton County GIS map.**
2. **Maximum building height shall be four stories.**
3. **Maximum density shall be 14 dwelling units per acre.**
4. **The southernmost driveway shall be located a minimum of 150-feet from North Runyan Drive, and shall have restricted access to right-in right-out turns only.**
5. **An updated signal warrant analysis shall be conducted for the intersection of Mountain Creek Road at North Runyan Drive, with morning peak traffic conditions reviewed by the consultant.**
6. **Subject to the results, including Chattanooga Department of Transportation's review and approval, of an updated signal warrant analysis (as referenced in condition 5), the developer may be required to make necessary improvements to the existing intersection of Mountain Creek Road and North Runyan Drive.**

7. Development shall include a sidewalk along Mountain Creek Road, with a crosswalk and pedestrian flasher at North Runyan Drive to accommodate safe pedestrian travel between the school and apartments.

Mr. Barry Payne seconded the motion and motion to approve staff recommendation as amended carried with Ms. Velma Wilson voting no.

Case No. 2016-104 – Tennessee River Place – 1335 O’Grady Drive – City of Chattanooga – From R-1 to R-3

2016-104
Opposition
App w/cond
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, Ms. Rebecca Little of 412 Thompson Street, was in attendance and addressed the Commission regarding this request.

Speaking in opposition was Mr. Barry Fox of 3332 O’Rear Drive. Mr. Fox stated that the use was not the problem but that changing the zone would be and he submitted a petition with thirty-six (36) signatures opposing the R-3 zone change.

Mr. Jason Farmer made motion to approve staff recommendation. Mr. Y. L. Coker seconded the motion and motion to approve staff recommendation carried with Mr. Yusuf Hakeem voting no and Ms. Donna Williams abstaining.

Case No. 2016-105 – Calvin Ball – 2442 Chamberlain Avenue – City of Chattanooga – Special Exceptions Permit: Lift Condition #2 of Ordinance #12949 from Previous Case #2015-054

2016-105
App w/cond
City Dist #9

Mr. Haynes gave the presentation and explained staff recommendation to **Approve Condition #2 to allow a maximum building size of 650 square feet for parcel 146N-E-022.01.**

The applicant was present.

There was no one in opposition present.

Mr. David Mathews made motion to approve staff recommendation. Mr. Barry Payne seconded the motion and motion to approve staff recommendation carried.

Case No. MR-2016-107 – Gabe Collier of Collier Construction & Astir, LLC – A portion of the 1400 block of Sinclair Avenue – City of Chattanooga – MR: Street Closure

MR-2016-107
Approved
City Dist #7

The applicant was present.

There was no one in opposition present.

Mr. Barry Payne made motion to approve staff recommendation to **approve**. Mr. Todd Leamon seconded the motion and motion to approve staff recommendation carried with Mr. Eric Myers recusing.

Public Comments on Non-Agenda Items

Mr. Gabe Thomas of Homebuilders Association addressed the Commission regarding reducing residential side yard setbacks to five feet.

Discussion ensued regarding current residential side yard setbacks.

Mr. David Mathews made motion that staff do a study regarding reducing side yard setbacks to five feet. Mr. Eric Myers seconded the motion and the motion carried.

Approval of Minutes of June 13, 2016

Minutes
Jun 2016
Approved

Mr. David Mathews made motion to approve the minutes. Mr. Todd Leamon seconded the motion and the motion to approve carried.

Adjournment:

Adjourn

There being no further business, the meeting adjourned at 3:27 p.m.

Respectfully submitted,



Ethan Collier, Chairman



John Bridger, Secretary

EC:JB:sh