

FORM-BASED CODE COMMITTEE

MINUTES

January 12, 2017

The duly advertised meeting of the Form-Based Code Committee was held on January 12, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedure and announced that the meeting is being recorded.

Members Present: David Barlew, Matthew Whitaker, Ladell Peoples, Jason Havron, William Smith, Grace Frank and John Straussberger

Members Absent: Heidi Hefferlin, Gabe Thomas

Staff Members Present: Karen Hundt, Angela Wallace and Phil Noblett

Applicants Present: David Barlew, Jr. and Michael Ramsey

Minutes not ready for review.

OLD BUSINESS

None

NEW BUSINESS

David Barlew recused himself from this case.

Case #16-FB-00005 – 615 W. Bell Avenue

PROJECT DESCRIPTION:

The applicant, David Barlew, Jr., has applied for the following modification:

- Set back variance due to parking relocation

Karen Hundt presented the PowerPoint presentation and staff report. Topography is an issue with this site.

No neighborhood association meeting has been done. They were on the agenda for a meeting last month and the meeting was canceled. Karen – Before a project can be reviewed the evidence of a neighborhood association meeting must be submitted. We told the applicant to schedule before submission. John – What is the distance that a neighborhood needs to be in? Karen – 300 feet. Technically, the code says the applicant is to meet prior to the submission of the project.

Discussion: David Barlew, Jr. addressed the Committee. The client wants to know if the plan will be acceptable before going any further so this is an intentional preliminary presentation. Putting the parking at the back is not feasible with the topography of the site. William – The purpose is to provide a safe, walking, urban environment. David – We have enough right-of-way to get the required parking, walkway, etc. in. We have landscaped that section also. We will have 3 stories with commercial on 1st and residential on 2nd and 3rd which would require 24 parking spaces. John – What percent of the building must be on the street to meet the lot frontage code? Karen – 60% of the primary street should be taken up by the building. John – Do you meet that requirement? David – No. Ladell – The minimum height is 2 stories and if you used that calculation what would it be? David - 17. Matthew - Has your landscaping plan changed with the requested variance of a 30' setback? David – Yes. It is just due to the topography. This plan would leave the site as it is now. Ladell - Is this a piece of property that is unbuildable except in an extreme case? Karen – Not necessarily.

Community Comments: Garnet Chapin – This is a site that is problematic. David did not meet the requirement of having a neighborhood association meeting. Why are you going ahead with this case? (John Bridger – We have relayed our thoughts on this to the chair.) West Bell is dangerous. There may be a toxic dump on this site. David has tried to get on the agenda for the association meeting. We are going to try to address them at our next meeting.

Frances Peacock – I live in area. I'm concerned about the access and the off street parking. I have tried to get the street closed. I'm concerned about the density. It is a blind curve.

John - I have been advised that the neighborhood association meeting is required. We can hear the case but cannot take action. Garnet, the third attempt of David getting on your agenda needs to happen. David, you need to have this meeting. If there are any other items that need to come before this Committee, try to bundle them together in one meeting.

William – I would also like to see what the building is going to look like and how it sits on the property. John – I think there needs to be a little more money put in the development portion of this case.

No motion was made.

David Barlew rejoined the Committee.

Case #16-FB-00008 – 1400 Market Street

PROJECT DESCRIPTION:

The applicant, Michael Ramsey of LIV Development, has applied for the following modification:

- Parking lot landscape island placement – increase from 1 for 5 to 1 for 9 spaces
- Lot frontage percentage – reduce frontage from 80% to 53%

Karen Hundt presented the PowerPoint presentation and staff report. Owner will keep the same number of trees as if it was 1 for 5 spaces. 227 residential units – Code requires 1 space per unit (227) minimum. Owner wants to provide 1 space per bedroom. There are 3 apartment buildings.

John – They are asking for 2 variances. William – Is there a neighborhood association here? Karen – Yes and they did meet with them. Jason – So with this proposed plan, they will have the same number of trees as if they did one island for 5 spaces? Karen - Yes.

Discussion: Michael Ramsey and Adam Kinsey, President, of Choo Choo Partners addressed the Committee: We started work on the Choo Choo site last year. The new height restriction is 8 stories. The proposal is 4 stories. We are asking for 2 variances. The FBC requirement is 80% for lot frontage. If we include the setback section it would be 71.26%. I would ask the Committee to look at this with that set back portion moved out even with the rest of the building. Karen – If you do that, it is within 72% and staff can grant the variance. John – Staff could do that but we can go ahead and act on that today.

Community Comments: Franklin McCallie for the Neighborhood Association – I was asked to report and act for the association. I have written my presentation so it can go into the record. The neighborhood has good feelings about this presentation. The FBC for apartment buildings require 1 parking space per unit and 1 island per 5 spaces. They want to create more parking spaces than required and plant the original number of trees. This is a plus for the neighborhood.

John – Is there a maximum for parking spaces allowed? Karen – No. Ladell – Is there no requirement for a landscape buffer. Karna – I do not think they will need a landscape buffer. Jason – Is there a requirement on spacing of trees? Karen – No. There is a minimum size of the island. William – The perimeter planting is 30' on center. Will the placement be able to meet that? Karna – The owner would submit that and we would make sure that everything is as it needs to be. David – What is the design intent for a tree every 5 spaces? Karen – National guidelines require 15% cover. It is to provide shade and decrease the heat buildup and also to reduce the amount of asphalt coverage. Matt - We are setting a precedent on the first tree spacing request for variance and the increase we would be allowing/setting precedent for is 80%/almost doubling the number of spaces allowed under FBC. The trees that will be planted elsewhere would be going into landscaped areas that would have been planted anyway (some of those plants being trees) and therefore not really maintaining the same number of trees. Ladell – I have a hard time supporting this, we are setting precedent by cutting the requirement in half. Anything would be an improvement but I think we want more than just an improvement. Michael – What we have seen over the southeast, this is the strictest parking island requirement. We feel the intent is to provide for shade. This is a variance that I think you may need to adjust the Code as you go along. David – Is the intent of the code to mitigate the heat effect? If the trees are spaced at 10 spaces are they still effective at reducing the heat effect? Karna – I can't answer that specifically. It is a matter of scale.

William made a motion to approve Case #16-FB-00008 – 1400 Market Street as submitted pursuant to the Chattanooga City Code, Chapter 38, Article XVI and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: the lot frontage to be reduced from 80% to 71%. Number of trees over 9 spaces would be equivalent to the number of trees used if the islands were spaced at every 5 spaces.

Jason seconded the motion. The motion was approved with 5 in favor and 2 opposed.

OTHER BUSINESS

If an applicant has more than one variance, I would like to see the applicant bring all the variances at once to the Committee.

David – I would like to clarify that I was not aware of the 60% requirement.

Linda – There is an issue to staff that applicants coming to this board prior to submitting for a building permit have things that may be found in that process that have not been taken to the board. John – The applications need to be complete and all materials submitted by the deadline. When there is a person on staff for this position it would help alleviate that problem happening. Linda – Without a full review, that is still possible. David – I think what Linda is proposing is viable. A lot of people do not want to invest in a full set of plans before they know they can do the project. John – I understand that issue. Dallas Rucker – We do not have a full time designee. But this gives us good guidance and it is true that people could spend thousands of dollars and then get denied. I think people need enough drawings when they come to the Board to present adequately. The applicant needs to schedule a meeting and if no one shows up, he has done his due diligence in scheduling a meeting. Grace – They need enough of a plan to see if there is FBC variance needs but not a full set of plans. Phil Noblett – Maybe you need to have 2 courses of plans review. Dallas – I'm hoping that will be taken care of with the hiring of an FBC person.

John – This would be another item for the 6 month review of the code – telling people what is required of them. That process needs to be more clearly defined.

Code Clarification/Recommended Edits

Roof decks – The Committee was not conformable about granting a full story for roof top decks. We probably need to clarify more what will constitute a roof top deck vs. a full story addition. David – At what point is it an enclosed area? Dallas – There is question as to whether it is a roof and/or walls. Karen – Do you want us to make revisions to the code or do you just want to look at it? Several members – Yes I would like to see something in the code. Dallas – The building code does not address structure but egress from the roof top. Jason – Need to look at square footage and setbacks.

William – When we approve an exemption that is not setting a precedent is it? Karen – It can be. It will depend on how you state your motions and approvals. John – Is relaxing the landscape island requirement something that you are looking at? Karen – Yes we are. LaDell – I think the intent of FBC is to get away from the parking lot area and increase the number of trees. Planting more trees in a small area does not increase the advantage of having more trees. Trees planted close together does not allow for those trees to grow to their potential. David – I think we need to be asking more questions and announce any concerns.

FBC Six Month Edits Review

Cases to FBC Committee – 5

FBC project to get building permits – applied 36 – approved 32

We sent an e-mail to various people in the community asking for feedback – didn't get a lot. We are having an open house on Thursday, January 26 from 1:00 to 7:00 p.m.

Karen went over a list of some of the items to edit - administrative solutions, housekeeping/cross references, clarification only, and content change.

We have already discussed the neighborhood meetings – we will watch that for the next 6 months and see where we are. It's encouraging to see a low number of applicants for variances. That means you are doing the job. Karen – Next Tuesday we will be briefing the City Council on these changes. It starts at 3 and if any of you could be there, that would be great

NEXT MEETING DATE: February 9, 2017

David made a motion to adjourn.

William seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 3:45 pm.

John Straussberger, Chair

Angela Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

February 9, 2017

The duly advertised meeting of the Form-Based Code Committee was held on February 9, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedure and announced that the meeting is being recorded.

Members Present: David Barlew, Matthew Whitaker, Jason Havron, William Smith, Grace Frank, Heidi Hefferlin, Gabe Thomas and John Straussberger

Members Absent: Ladell Peoples

Staff Members Present: Karen Hundt, Angela Wallace and Phil Noblett

Applicants Present: John Wise, Matt Winget and Ethan Collier

Jason made a motion to approve the Minutes from the December and January meetings. The motion was seconded by Matthew and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00001 – 710 Cherokee Boulevard

PROJECT DESCRIPTION:

The applicant, Matt Winget of Sergeant Properties, has applied for the following modification:

- Setback variance
 - Front from 15 feet maximum to existing (varies)
 - Rear from 15 feet minimum to 5 feet
- Parking variance from 30 feet to existing

Karen Hundt presented the PowerPoint presentation and staff report. Asked for a setback to 0 feet on the rear but that is not necessary because it is against Highway I-27. They will be demolishing the existing center building.

Discussion: John Wise addressed the Committee. This was one of the first apartments we built years ago. I have had trouble leasing this building mainly due to the fact that it doesn't have enough parking to survive. Now I want to tear the building down and add apartments. I want to make the entire development better.

Matt Winget – You see the existing sewer easement does not leave a developable footprint at the street edge. We are doing the best we can with what is there. We have done the best we feel with the lot.

William S. – What is the amount of parking spaces. Matt – 26 are required and we are providing 36 spaces. Heidi – Do you have street parking? Karen – No. Matt – We will add parking islands and add all trees we have been requested to have. There will be a heavy landscape edge to the street. We are adding about 16 trees to the plan.

Karna – This landscape plan has not been submitted for review by the City yet. When they apply for permitting we will review and make sure it meets all the codes for FBC. They have not asked for a modification for landscaping.

John – The applicant is only asking for a variance for setback and parking. William – How does your plan compare to the existing? Heidi – So you have enough room for the buffer zone with the existing plan? The existing buffer is about 5 feet. Karna – The existing trees are in the right of way. When their plans come in we will determine where they are and if they are outside the code they will have to come back to the FBCC. John Wise – There is a 4-6 foot island there now. I don't know if it is on the property line or in the right of way.

Community Comments: Dr. Paul Carico – I have the adjacent building on the side of the existing apartment building. I have had some issues with this building. We have been in our building since 2005 and I had an option on this land. At that time I was unable to put the building I wanted because of the sewer easement. The seller backed out of the deal. When we set our building on our property, I was assured that it would be difficult for anyone to build next to our building. The building next to our property should have never been built. It is over the building lines on several sides. The state told me all the buildings were not 25 feet from the state right of way. I have talked to Dallas Rucker twice about the building being over the right of way. My concern is if the variance is approved does he have to buy that land from the state. The drainage system runs right along that space. The state spent lots of money putting it in behind his building and my building. If it has to be replaced, who pays for it? I question Mr. Wise doing it because he built a wall next to us. I have a lot of concerns with this application. I do not want our drainage system behind us affected. I don't know if the state has to become involved with this. I am also concerned about the parking.

Garnet Chapin – There are 2 neighborhood associations in this area. To get on the agenda they have to request to be added to the agenda. John – Garnet your time is up.

Did the applicant meet with the neighborhood associations? Angela – Yes I have the sign in sheets.

Jason – I got a call from John and told him he needed to meet with the Northside/Cherokee Association. John and Eric tried to make connection with Mr. Chapin and that did not happen after several attempts. Mr. Chapin asked if we could do a joint meeting with Wise and Hill City to aid Mr. Wise in being able to present at this meeting. I agreed that we could do that.

Angela - The sign in sheets note that both the Hill City and the Northside/Cherokee Neighborhood Associations were in attendance.

Jason – Is there a requirement for ingress /egress in the code? Karen – It is limited about curb cuts but they have existing.

If we grant this variance the landscape buffer will still be required right? Karna – Yes. John – Yes. Karna – The intent of the code is to make the streets attractive. There was no landscape variance requested with this application. It would be cleaner if it was all done at the same time.

Matt - That is why we did not ask for a landscape variance, we plan to make it in compliance with the landscape requirements of the code. David – You said your number of spaces is discounted by your bicycle parking. Where is that located? Matt – It has not been determined yet but we will get it on the lot. Matthew – When do you bring your sidewalk plan? Karna – Typically CDOT makes that call. They make sure that there is a minimum of ADA compliance. William – Are we being asked to approve the parking variance? Karen – You may want to change the wording of the request in your motion. David – How wide is the sewer easement? Karen – 25 feet.

Gabe made a motion to approve Case #17-FB-00001 – 710 Cherokee Boulevard as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: as requested.

Heidi seconded the motion. The motion did not carry – 3 opposed; 4 approved and 1 abstained. The by-laws state that a majority of the body has to have an affirmative vote

A roll call was done

Jason – The FBC says quorum, do we still have a quorum? Yes a quorum is 5.

Matthew Whitaker made a motion to approve Case #17-FB-00001 – 710 Cherokee Boulevard as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: the setback for the parking will be defined as the minimum required providing full landscape buffer required by FBC.

Gabe seconded the motion. Motion carries with 7 yes and 1 opposed.

Case #17-FB-00002 – 729 N. Market Street

PROJECT DESCRIPTION:

The applicant, Ethan Collier, has applied for the following modification:

- Setback variance from 5' to 6' on one side
- Setback variance from 5' to .5' on other side
- Variance on lot size from 5,000 sf to 4,000 sf
- Variance of protected zone from 15' to 10'
- Variance of lot width from 50' to 28.5'

Karen Hundt presented the PowerPoint presentation and staff report. Initially the applicant asked for a reduction in the lot width but it has been determined that the FBCC does not have the authority to make that determination so that variance will not be considered today. They still have to provide landscape buffers.

Discussion: Ethan Collier addressed the Committee: FBC does not allow 0 foot lot lines for homes. We have had 0 foot lot lines in some other properties. There is a lot of neighborhood opposition to a 3 story development. We just built a house on the lot next to this proposal. We have seven 0 foot lot line homes on Harper. There is no protected zone between the houses. Here we are being required to have 7 foot landscape buffers between the homes. I don't think this makes sense. We want that 10 foot setback not be a protected zone but normal landscaping. We have met with the neighborhood. This property has been zoned several different things. They didn't take a formal vote but I explained it was zoned for townhomes but we want to do detached homes.

William – Is it clear that you want to drop the protected zones? Ethan – I don't know that it is clearly stated in the application. I asked it to be reduced from 15' to 10' and that it not be a protected zone. Heidi – If you maintain the 10 feet you will not be able to access your garage. Ethan – That would present a problem. We cannot put a driveway or sidewalk in this area. I understand the code was written that way but it just does not make sense. The neighborhood is detached and we are building detached. William – I think we are approving something that is not in the application and that is not fair to the neighborhood. Phil – If you vote on this you would be doing it without notice to the public. Ethan – The public did receive notice of the meeting so if they were interested, they would be here. Phil – The application states what you are requesting and if you modify the request at the meeting, they would not be aware that there is a difference in what they think you are asking for. Heidi – Karna what is the staff's opinion? Karna – There is no question to what they want. I understand not wanting to do the buffer. If the board feels that way I would ask that you at least clarify in the motion what is included. If you are looking at a protected zone the standards are in the landscape section so it would be preferable to staff that. . 2 elements, fence or wall and you cannot have pavement or structures in the protected zone.

Community Comments: Garnet Chapin – I am concerned about the transparency. Ethan has met with us several times. I want to go back to that Ms. Wallace would not give me a copy of the agenda. I want to talk about the procedures here. .

John – Do you have anything to speak to this case? Garnet – Yes I do. I am concerned about the neighborhood meetings. Ms. Wallace is lying and she should be the one under oath.

John – You have been asked to speak to this case and you are not. Last time, do you have anything about this case? Garnet I am concerned . . . (Garnet spoke on unrelated issues and continued discussion of previous case until his time was up.)

David – Staff concluded that we not address the lot size. Ethan – We have been told we have to go before Planning Commission with the lot width variance. David – If the piece of land that is zoned E CX 3, will he have to rezone that portion of the land? Ethan – We may run into that problem later. The language and the maps do not agree. Karen – When they go to Planning Commission to have it replated and reduce lot size, they have to come back to the FBC Committee. I don't think the request today will be impacted by that. Gabe – They are proposing

single family detached. Karen - This is one of those glitches we are coming across with the code. Ethan – I think staff is doing a good job with this code but we are going to have to add a detached home with protected zones and 0 foot lot lines. You can't do 0 foot lot lines in RD zones either. I would like to resolve all my problems today if possible.

Heidi – We want to help people do the right thing. You want to do away with the protected zone. Is that what you (Karen) want? Karen – Our thought was that if single family detached is next to attached there should be a protected zone. Ethan – I think asking for a variance for the protected zone here will be a good thing. John – Because of public notice we do not have the right to change the variance from what was on the initial application. David – Does it state on the application that they are changing to detached housing? Ethan - But notice was given that there was to be a reduction in the protected zone. But you will not change the application request because of the public notice. Public notice was given. John – We can set conditions to the request but we cannot change what you ask for. If the zoning was changed he would have the opportunity do this. He can apply to change the protected zone and we will be able to rule on that. Ethan – I disagree but I will ask for the variance on setback as in the application.

Heidi made a motion to approve Case #17-FB-00002 – 729 N. Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: it is a difficult lot and the applicant has made great effort with the neighborhood and we have had no opposition from the neighborhood; approve the setback to 6' and .5'; we are denying the protected area.

Grace seconded the motion. The motion was unanimously approved.

Gabe recused himself from the vote.

OTHER BUSINESS

Update on open house – We are offering people to come and see what had been happening and our proposed changes. Some comments were about the neighborhood meetings. Some thought we should not even require these meetings. Some said that letters should be sent even if no neighborhood associations. More information be provided at meeting with neighborhood associations.

John – What is the procedure to notify? Karen – The applicant contacts the president and requests a meeting. Phil – There should be something on file with the application. It's possible to have several requests. An application should be provided to the neighborhood association. Karen – I would love to get any feedback from the committee on how to handle it. John – I want to get this behind us somehow. William – All items should be noted on public notice. Phil – How many requests are you going to have at one time? You may want to limit the number of variance requests at one time. Heidi – I don't think we should be allowing people to hijack our meetings. Can we take some action when that occurs? Phil – I think that you may want someone to remove them (security). It is a public meeting. There is an obstruction of public business. On the other hand it is a civil right issue. I recommend that you have a security person and if you ask someone 2-3 times to leave then they be removed. John – We have to stay on the case. If staff says

neighborhood requirement has been made then that issue goes away. I don't want the neighborhood association thing become an obstruction. Karen – There are 12 associations and only 4 of those meet monthly. That may be a problem. Karen read code how it was worded. John – It might be something you need to look at. Jason – This today has been coming for quite some time. Mr. Chapin arranged for a dual meeting and we do not want to do that. He did because he wanted to get Wise in front of us. If he didn't want that he could have come to our meeting but he would not have fulfilled our requirements. Mr. Chapin's association meets on the internet not in person. I don't think it will happen again, it may. It was uncalled for and I apologize for it. He wanted to complain about it. John – Unless we can get a reasonable procedure, we are going to be fighting battles. We need to have it where if they don't meet it won't stop the review of the project. Karen – It would help if some of you could attend the City Council meeting and let them know some of the challenges.

Karen - Some didn't want the presubmittal meetings. Some wanted more parking and some felt parking requirements were too high for existing buildings. Building heights we are missing some categories. Some felt we didn't have any height requirements downtown. Some wanted more clarification. Some requested that the new zones be on the GIS maps. Post agendas and minutes on web. Some said good process.

Schedule has changed for presenting the proposed changes. City Council has asked for more detail and we are doing that next week. Will go to Planning Commission at March 13 meeting.

William – What about the special exemptions being turned over to us from BOZA? Karen – Some specific uses are allowed in these zones but only with special permits. The City Council wondered why it was not going to FBC. William – It seems like a lot of extra things to look at. Phil – You are going to get more when the code is actually put on the web.

NEXT MEETING DATE: March 9, 2017

Heidi made a motion to adjourn.

William seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 3:55 pm.

John Straussberger, Chair

Angela Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

March 9, 2017

The duly advertised meeting of the Form-Based Code Committee was held on March 9, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedure and announced that the meeting is being recorded.

Members Present: David Barlew, Jason Havron, William Smith, Grace Frank, Heidi Hefferlin, Gabe Thomas, Ladell Peoples and John Straussberger

Members Absent: Matthew Whitaker

Staff Members Present: Karen Hundt, Angela Wallace and Phil Noblet

Applicants Present: David Barlew, Ethan Collier and Tom Marshall

William made a motion to approve the Minutes from the February meeting. The motion was seconded by Jason and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

David Barlew recused himself from the Committee

Case #17-FB-00003 – 504 Spring Street

PROJECT DESCRIPTION:

The applicant, David Barlew, Jr., has applied for the following modifications:

- Building Height from 50' to 50'6"
- Transparency from 50% to 19%
- Parking variance from 30' to 0'

Karen Hundt presented the PowerPoint presentation and staff report.

Discussion: David Barlew, Jr. addressed the Committee. The site is so steep and we want to fit the building on the site so will not need large retaining walls and substantial earth work. We are trying to maintain the curb cut that is already there and that is what necessitates the extra 6". Since the ground floor will be parking, we thought less transparency would look better. William – What is the slope? David – The slope rises dramatically, I don't know the percentage off the top

of my head. Heidi – When you looked at the transparency what else is on the street? David – A mechanical contractors building and residential bungalow houses. There really isn't a lot of context in this area. John – When I have come across this situation, some people feel it is creepy to have little transparency in the parking garage. What amount of transparency could you reach if you opened it up more? Heidi – I think it would be better to have more transparency. David – At this point we really haven't explored that avenue. I was trying to match the higher floors. John – It seems to me that you could reach the 35% level fairly easily. William – The 30' setback isn't what is usual for a store type building. David – Yes but there are no plans for anything like that here. Jason – Are there any structures behind this building that will lose their view? David – No. That is where the trailers are.

Community Comments: None

John – What percentage of transparency are you comfortable with? Could you do 40%? David – I think so. I thought we would do some type of screened opening. I was trying to keep the look consistent with the other floors. The openings are the same size as the residential window openings. Neighborhood association meeting was held but no one showed up. Sign in sheet was turned in.

Heidi made a motion to approve Case #17-FB-00003 – 504 Spring Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: increase setback, increase building height to 50'6"; reduce transparency to 40% only.

Ladell seconded the motion. The motion was unanimously approved.

David Barlew rejoined the Committee

Case #17-FB-00004 – Peak and 729 N. Market Street

PROJECT DESCRIPTION:

The applicant, Ethan Collier, has applied for the following modification:

- Variance of protected zone from 10' to 0'

Karen Hundt presented the PowerPoint presentation and staff report. Please mention the landscape buffer in the motion. Property is zoned residential attached, applicant is building residential detached.

Discussion: Ethan Collier addressed the Committee: The primary issue is driven by the fact that we are zoned for a 3 story townhouse. We are building 2 story detached homes. We are moving the building closer. The protected zone I'm not sure what it entails. We are not putting a driveway but we are putting a sidewalk. The alley and the driveway would come into that protected zone. The protected zone requires landscaping and fence but no paving. These houses sit such that we would have paving (sidewalk, patio and driveway) that would come into the protected zone. There isn't a protected zone between single family houses in the neighboring area. Since we are building detached houses limited to 2 stories, I don't think they should be there. Jason – At the neighborhood meeting, there was a motion passed in support of Ethan's plan. We

would like to have single family dwellings in this area. John – The garages are at the bottom of the plan. This site is next to a R1 zone. Karen – The idea of the protected zone is that the people in the downtown area were afraid of large buildings coming next to them. So we created the protected zone so it would not be overshadowing the existing residents. Heidi – So instead of rezoning, he is requesting a variance. Ethan – The way FBC is written, we can't do this type of development. So we are forced in order to do this lot size to have detached homes. You can't build this in FBC. We are building the exact same thing under TRZ. Karen – The edits coming before the City Council would allow this type development.

Community Comments: None

John (asked Phil) - If a motion is made, is it tied to this development? Phil – Yes. Ethan – Some of these will have rooftop terraces. While there is no dwelling on a 3rd floor, there is a stair tower that penetrates the roof. Karen – If there is a roof over any part of it would constitute a 3rd floor.

David – If you are going to have roof top terraces, why not get rid of the patios and that part of the driveway? Ethan – Because we can't do the driveways if we do not have that portion. All the houses we have built in this neighborhood have the driveway right up to the property line.

Jason made a motion to approve Case #17-FB-00004 – Peak and 729 N. Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: buildings will be single family detached homes, elimination of the protected zone and the landscape buffer zone.

Grace seconded the motion. The motion was 7 approved. 1 opposed (David) 1 recused (Gabe) from vote

Case #17-FB-00005 – 801 Pine Street

PROJECT DESCRIPTION:

The applicant, Tom Marshall, has applied for the following modification:

- Setback variance for sign from 18' to 0'

Karen Hundt presented the PowerPoint presentation and staff report.

Discussion: Tom Marshall addressed the Committee: Traffic flow dictates where the sign is. This is where the entrance is for visitors and it will have a valet service here. There is about 10' of sidewalk and protected area between the sign and the road. There are no obstructions for traffic concerns.

Community Comments: None

Karen – I checked with the Department of Transportation and they did not have a problem with this. Tom – There are no neighborhood associations in this area. Gabe – The dashed line is the right-of-way line? Tom – Yes. Gabe – Is there any other location you could put the sign? Tom – Not really. Location is due to directing people from out of town and also the use of the valet parking. This will be the only parking service at this hotel.

David made a motion to approve Case #17-FB-00005 – 801 Pine Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: none

William seconded the motion. The motion was unanimously approved.

OTHER BUSINESS

6 month amendments – RPA will be presenting the edits to Planning Commission on Monday, March 13 at 1:00. The proposed amendments are on the RPA website. If Planning Commission approves, it will go to City Council.

NEXT MEETING DATE: April 13, 2017

Jason made a motion to adjourn.

David seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 2:55 pm.

John Straussberger, Chair

Angela Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

April 13, 2017

The duly advertised meeting of the Form-Based Code Committee was held on April 13, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Heidi Hefferlin called the meeting to order. Angela S. Wallace called the roll and swore in all those who would be addressing the Committee. Heidi Hefferlin explained the rules of procedures and announced that the meeting is being recorded.

Members Present: David Barlew, Jason Havron, William Smith, Grace Frank, Heidi Hefferlin, and Gabe Thomas

Members Absent: John Straussberger, Ladell Peoples and Matthew Whitaker

Staff Members Present: Karen Hundt, Angela Wallace

Applicants Present: David Barlew

Jason made a motion to approve the Minutes from the March meeting. The motion was seconded by Gabe and unanimously approved.

Staff asked members to state reason for motion and be more details in the motion items. Staff asked that you be as specific as possible in dimensions and descriptions in the motion. Staff needs to add that information to the motion sheet.

OLD BUSINESS

None

NEW BUSINESS

David Barlew, Jr. recused himself for this case.

Case #17-FB-00006 – 615 W. Bell Avenue

PROJECT DESCRIPTION:

The applicant, David Barlew, Jr., has applied for the following modifications:

- Parking setback variance from 30 feet to 0 feet
- Curb Cuts from none to 2 (off W. Bell)
- Side Street Lot Frontage (Gurley) from 30% to less than 30%

Karen Hundt presented the PowerPoint presentation and staff report. Total elevation change on site of about 60 feet. The use around the site is an office/industrial mix and residential. The Gurley Street frontage is about 16%. CDOT recommends only one curb cut on W. Bell.

Discussion: David Barlew, Jr. addressed the Committee. The intent is to present a pedestrian environment. With the elevation of the land it would be better to put the building and the parking on the W. Bell side. The division between the building and the parking structure was planned to meet the requirements that one building could only be so long and that it would provide some pedestrian area between the buildings. Grace - If you can only get the one curb cut where would you put it? David – I would keep the one to the building and have the parking garage enter from that side.

Community Comments: Bud Peacock – The structure across the street is my office and my home is next to it. My concern is the parking. The back portion is very steep. They are stuck with the small area at the front. I just don't want to look at a parking garage. It is a very narrow street. There is a lot of pedestrian traffic. The corner intersection is busy. I would like the parking garage to be a nice looking building since it is at the residential side of the area.

David – The garage is one story and the idea is to repeat the look of the office/residential building. There will be no roof parking. There will be a sidewalk between the street and building and there will be 17 feet of pedestrian area there. There will be parallel parking and street trees along the area.

Janice Wilke – I own property next to the parking garage. Is the garage for tenants or customers? David – I don't know that has not been worked out yet. We are just providing the number of spaces required. Janice - Everything on our side of the street is residential. We would prefer not to have an entrance next to our property

Randall Addison – Because the associations are so loosely formed, the qualification of having a neighborhood association is not really consistent. I live in the neighborhood but knew nothing about the meeting for the presentation. It doesn't seem disclosure is there.

There are some very challenging aspects of the neighborhood association meetings. This is something that may need to be addressed at the next round of edits for the Code. Karen asked for any input or suggestions anyone has to make the process more efficient.

Heidi – I question your request for the reduction in the 30% lot frontage along Gurley? David – It's to do with the topography. Gabe – What do you need with the second curb cut at the parking garage? David – Ingress and egress to the garage. I can make the entrance at the other end and come off that curb cut. Gabe– There is no curb cuts allowed if there is an alley. Where is the alley? Karen – There is no alley and there are topography issues on the secondary street. William – So all ingress and egress would be on Bell. Gabe – If we approve this, you will be required to meet transparency requirements. If the garage goes away, you will continue the windows on? David – Yes.

Karen read e-mail from a resident. That e-mail has been attached and is a part of these minutes. Heidi – It sounds like she is concerned about a parking lot and we have addressed that issue.

Gabe made a motion to approve Case #17-FB-00006 – 615 W. Bell Avenue as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approved parking setback reduction from 30' to 0'; approved lot frontage reduction from 30% to less than 30%; approved one curb cut only (instead of the 2 requested) as recommended by CDOT (exact location to be determined by applicant and CDOT).

William seconded the motion. The motion was unanimously approved.

David Barlew, Jr. rejoined the Committee.

OTHER BUSINESS

The amendments we proposed will be before the City Council on April 18th at 6:00.

LDO staff is receiving a lot of comments from sign manufacturers wanting to be able to make more signs. They want to do skyline signs and the code says only if buildings are 4 stories or more. The Life Style building is going to have to get rid of the sign on the top but they can have several signs right above the first floor – could have 6 or 7 there. If we approve one of these, you could be opening the flood gates. Just be prepared.

William – You mentioned having the web site list the projects. Karen – We may be able to put information on the site that has the neighborhood associations.

Janis – Will you send letters to people about the neighborhood meetings like you do for this meeting? Karen – We have no way of knowing when those meetings are being held. Janis – Why doesn't the neighborhood associations have to send out the same letter? Dallas – There are some issues using open door to notify people of meetings. Neighborhood Services is who works with the neighborhood associations and they are working on it.

NEXT MEETING DATE: May 11, 2017

William made a motion to adjourn.

Gabe seconds the motion. The motion was unanimously approved.

The meeting was adjourned at 3:03 p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

May 11, 2017

The duly advertised meeting of the Form-Based Code Committee was held on May 11, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela S. Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: David Barlew, Jason Havron, William Smith, Grace Frank, Heidi Hefferlin, Matthew Whitaker and John Straussberger

Members Absent: Gabe Thomas, Ladell Peoples

Staff Members Present: Karen Hundt, Angela Wallace

Applicants Present: John Wise, Pat Neuhoff, and Phil Whitfield

Jason made a motion to approve the Minutes from the April meeting. The motion was seconded by David and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00008 – 13 W. Kent Street

PROJECT DESCRIPTION:

The applicant, John Wise, has applied for the following modifications:

- Sign Setback from 18 feet to 0 feet

Karen Hundt presented the PowerPoint presentation and staff report.

Discussion: Chris Blevins for John Wise addressed the Committee. We want to put a monument sign in the island. Matt – Where is the right of way line? Chris – I do not know. William – They are now asking to change to a monument sign? Karen – I talked to him and he said he would switch it. There is no modification needed for a monument sign. All we have to consider is the setback. Heidi – There is no diagram showing where the sign will be. John S. – It is not clear because it does not show the property line or the right of way.

Community Comments: None

William – We should not even look at this because there is not complete information. John – We can approve, deny or defer. Karen – I should have realized that he had not submitted a correct site plan.

Matt made a motion to defer Case #17-FB-00008 – 13 W. Kent Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: need information showing footprint of sign and right of way line.

Heidi seconded the motion. The motion was unanimously approved.

Case #17-FB-00009 – 513 W. Manning Street

PROJECT DESCRIPTION:

The applicant, Pat Neuhoff for John & Lauren Hollingsworth has applied for the following modifications:

- Parking variance from 30 feet to 0 feet
- Setbacks from 0-20 feet to 8-30 feet
- Primary street frontage from 60% to 12%
- Pedestrian entrance does not face the primary street
- Delete intentional public or pedestrian activity space in setback
- Curb cuts from 0 to 1 on primary street

Karen Hundt presented the PowerPoint presentation and staff report.

Sarah Cook w/CDOT - The alley is 12.5 feet wide and is not enough for a curb cut. We can work with the applicant to get the alley entrance to work and be within the code.

Discussion: Pat Neuhoff addressed the Committee. We have a lot that slopes almost 20 feet. The entrance we propose is the original entrance for the home that was there previously. This is where it fits the best. This is on the highest and flattest part of the lot. All the things we are requesting are dictated by the topography of the site. The alley is actually on the owner's property. I think the alley is more like 10 feet and there is a telephone pole there. To put the entrance where the alley is, we would have to move the alley to the right of way which is a steep drop off and move the telephone pole. The grade from where the alley is to the property is very steep. We have added some interior landscaping to offset the perimeter landscaping. On Winchester side there are steps existing and it is very steep.

Community Comments: Matthew Smith - I own the property behind this. There is not going to be a new curb cut in the alley? The sidewalk area at the front of the primary street will it still be there? John - There would be a sidewalk and a green space and then the parking. So the existing sidewalk will still be there. Matthew Smith – What will the scrubs be? Pat – The lot to the left is owned by the applicant so Matthew's lot is to the back of it.

Heidi – The intent of the code is to transition to a more densified property. It looks like you are asking for modifications to everything. Most of the city has an issue with topography. It appears to me you could have positioned your building differently. Pat – We looked at trying to put it in other locations but the topography is a problem. We would have ended up with a 15 foot retaining wall. I think this is a good alternative to the requirements of the code. Without these modifications the owner cannot

develop this. Heidi – I disagree. You could step the building or not put it all against that lot line. Pat – This building needs to be on one level. William – You identified 3 things and the staff then identified 6 things to modify. What is here is not in your application. When you change the application in the process, then it is not presented to the neighborhood association meetings. Pat – The site plan and the elevations shown to the neighborhood associations were the same as what is presented here today. John – I do not think the changes in the application are significant enough to make a difference. Matt – I agree with Heidi. I think you could have changed the location of the building and have a small retaining wall and minimize the work to be done and that would get you closer to the intent of the code. Pat – I think that would require a series of retaining walls. We have a new code and we did our best by adding more landscaping and orienting the building in the best place. We feel it is an acceptable solution. John – Your density is pretty large. You have a lot of asphalt. The building footprint would be about 3000 sq. ft. Then the total would be about 4500. So the total parking requirement would be 8 spaces. John – What is the upstairs use? Pat – Residential. John – Did you consider using the lot next to it? Pat – No. David – I agree with Heidi and Matt. Last month I presented a site very similar to this and designed a plan that was agreeable to FBC.

Heidi – I do disagree with the application and this is replacing a residential building with a commercial building and they are including more parking than is required. I cannot support it. Jason – the telephone pole is a major concern for access to this site. If the pole wasn't there he could use it easier.

Heidi made a motion to deny Case #17-FB-00009 – 513 W. Manning Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: lack of hardship and lack of intention to comply with FBC.

William seconded the motion. The motion was approved with 5 yes and 2 no (Jason & Grace).

Case #17-FB-00010 – 1823 Rossville Avenue

John S. recused himself from this case.

PROJECT DESCRIPTION:

The applicant, Phil Whitfield for 1823 Partners LLC has applied for the following modifications:

- Primary Street Setback from 15 feet to 25 feet
- Side Street Setback from 15 feet to 155 feet (existing parking lot)
- Decrease lot frontage on side street from 15 feet to 155 feet
- Building Height from 2 story to 1 story
- Landscape Parking Islands from every 5 spaces to every 10 spaces
- Decrease width of perimeter planting from 6 feet to 2 feet in 2 locations

Karen Hundt presented the PowerPoint presentation and staff report. This is an addition of 2 one-story buildings.

Karna Levitt – This seemed to be a good plan submittal. They did take out some islands but included the trees in the perimeter. Heidi – Are you ok with this? Karna – They have not paved every inch of this lot. They have left substantial coverage. Matt – The Council is looking at changing the code but this would still not meet that new requirement.

Discussion: Phil Whitfield addressed the Committee. Karen did an excellent job in describing the plan. This site has created some issues for us. Currently everything on the site is paved. There was an active railway east of this property and part of the existing building abuts that railway. They wanted to create some outdoor space for the office. There actually will be between 200-250 people working in this building. We are providing 80 spaces at this point. The owners have agreements with adjacent owners to share some parking spaces. That is why we eliminated the islands. We felt we could put some outdoor space at the entrance on Rossville Avenue. We have reused the existing parking areas and changed to landscaping. We wanted to have a separation between the hardscape area in the back and the railroad. We looked at a 2 story building and functionally it didn't work. We have a covered porch on the Rossville Avenue side of the building (the front). We have a small place on the front of the building that faces Washington. We have the 100 year flood area on the site facing Washington Street. We are planting about 70 trees on the site.

Community Comments: Longione – I live in this area. We are asking for more information to us in the adjacent community about these projects. Parking is a problem in the south side. Was this plan presented to the neighborhood associations earlier? Where is the parking going to be? I would like for the announcement of these meetings be put on the city calendar.

Phil – The project was well received at the neighborhood association meeting. We will have 250 people working but they will not be there all the time. This is Keller Williams and they have 25 offices across town. They may all be there at most once a month and they will use the shared parking they have with neighboring businesses.

Karen – We are trying to get the calendar on the city calendar. It just takes some time.

David – Where is the primary entrance? Karen – Right off Rossville Avenue. Phil – We also have an entrance on Washington Street. We do have bike parking. David – Can people walk to the entrance on Rossville? Phil – They can park on the street and walk in. Heidi – There are a lot of difficulties with this site. They are working with an existing building. David – I don't see why they have to do away with the landscape islands since they have additional parking. Matt – With the change from 5 to 10 spaces, I don't see why they have to lose all the parking islands. Following the new requirements they would only need 5 islands. Some of the trees they have proposed to use are not going to look good or live well in this plan. William – If you meet the islands every 10 spaces then you don't need to reduce the size of the islands. What is the reason for reducing the size of the islands? Phil – It was so they would work in the parking layout. The plant types are being changed. Karna – If you get the reduction from 13 to 9 feet, this plan would not change. The size of the islands relates to the root growth and the shade potential of the tree. The goal is also to get more soil use. Heidi – Can you provide those islands and still get your parking?

Matt made a motion to approve Case #17-FB-00010 – 1823 Rossville Avenue as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: that the landscape islands meet the new requirement set by City Council (1 island every 10 spaces);

1 Approved - because complexity of the site, added pedestrian space on street the building has 2 street lot frontages

2 Eliminated not needed

3 Approved - adding to and using an existing building

4 Approved - using an existing building

5 Approved - using an existing building

6 Approved - there were obstructions in the right of way and were moved inside the property line

7 Approved - there were obstructions in the right of way and were moved inside the property line

8 Approved - but applicant must meet updated tree island requirement (island every 10 parking spaces)

9 Approved - because of restraints on site and the landscape median will allow for soil integration with adjacent islands

10 Approved - same as 9

Grace seconded the motion. The motion was unanimously approved.

John S. rejoined the Committee.

OTHER BUSINESS

NEXT MEETING DATE: June 8, 2017

Heidi made a motion to adjourn.

Jason second the motion. The motion was unanimously approved.

The meeting was adjourned at 3:55 p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

June 8, 2017

The duly advertised meeting of the Form-Based Code Committee was held on June 8, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela S. Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, William Smith, Grace Frank, Heidi Hefferlin, Matthew Whitaker, Gabe Thomas, Ladell Peoples and John Straussberger

Members Absent: David Barlew

Staff Members Present: Karen Hundt, Emily Dixon, Sarah Cook, Karna Levitt and Linda York-Guest

Applicants Present: Jimmy Hudson, Chris Anderson, Matt Houts

Jason Havron made a motion to approve the Minutes from the May meeting. The motion was seconded by William Smith and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00007 – 345 Frazier Avenue

PROJECT DESCRIPTION:

The applicant, Jimmy Hudson, has applied for the following modifications:

- Sign Setback from 18 feet to 0 feet

Karen Hundt presented the PowerPoint presentation and staff report.

Discussion: Jimmy Hudson addressed the Committee. Jimmy informed the committee that he is owner the building and is the manager of the site. He stated that the locations on the site to add a sign are slim to none, and that the Northwest corner is a streetscape and will not be conducive for a sign. However, the Northeast corner would a good place because he has had a sign in place on the corner (location of the proposed sign) since 2009. In regard to the exact location of the newly proposed sign he stated that the sign would be on the east, or right side of the traffic box. Thus, it would not interfere with the underground utilities, and would ensure that they would not be disrupted by his sign. He then reiterated that this was the only location to put a sign to serve the drive-in located in the back of the building.

William Smith inquired about how the modification met or exceeded the Form Based code, as that was not filled out on the application. He also voiced concerns about visibility for cars and interference with pedestrians

Jimmy Hudson ensured the committee that the existing sign is larger than the proposed sign and that there have never been complaints in the 8 years that it has been erected.

William Smith points out that there are multiple principles in the code and is concerned because they are not being addressed by the applicant.

It was decided not to bring up the principles and to continue with the meeting.

William Smith raised concern for the level of completion of the application. Due to the lack of information he worries that there is not enough information to make an informed decision.

John Straussberger stated that he would like to move forward with the case despite the inconsistencies and lack of completion of the application. He then inquires if the sign is to be a Regions Bank sign.

Jimmy Hudson stated that the current plan is for the sign to be a regions bank sign, but that it has not been confirmed yet.

Heidi Hefferlin inquired if the applicant has communicated with the City about any alternatives to this sign.

Jimmy Hudson answered by saying that the current signage on the building is not working or effective enough to direct attention to the drive through. The only options for this site is a sign at ground level or a sign up high, such as a banner. He believes that the monument line at street level is a better option. He also stated that the smaller sign on the ground (as shown in the presentation on the eastern side of the building) would be removed.

John Straussberger confirmed that the smaller sign would be removed.

Jimmy Hudson agreed that it would be.

Heidi Hefferlin asked about visibility out of the window as the new proposed sign would be blocking it.

Jimmy Hudson confirmed that some of the view out the window would be obstructed by the sign, but that it was not a concern or worry in putting the sign there.

William Smith inquired if the new sign would have any other signage on it (besides Regions).

Jimmy Hudson said that it would not.

Heidi Hefferlin made a broad inquiry about sign permits and the Form Based Committee's role to review sign cases. She stated she does not feel fully comfortable reviewing these cases because she does not feel that that receive all the necessary information in order to make a decision. (Directed

towards Karen Hundt) Heidi asks for further clarification on the signage guidelines and intent of the code.

Karen Hundt informed the Committee that the sign information was pulled from Code Council, however, the old North Shore guidelines were taken into account and that the monument signs were added after the fact because some Land Development Office Staff felt that there were certain locations in the downtown area that could potentially have a non-obstructive monument sign.

Heidi Hefferlin stated that zero lot lines for structures do not accommodate 18 foot setback for monument signs.

Matthew Whitaker confirmed with Karen Hundt that 18 foot is not required if the sign is on the building. He also voiced agreement with Heidi about that the 18 foot setbacks for monument signs does not lend itself in an Urban setting with 0ft lot lines.

Gabe requests to know if CDOT would be involved in the approval process.

John asks about the setback from the cabinet. Hudson says that on that side it would not interfere with the existing box and would not impede opening, but would be three to four feet away. Jason says that it is a replacement of a sign with a smaller sign. Says he doesn't think they need to make the developer jump through hoops to change a larger sign to a smaller sign.

Gabe Thomas pointed out that they are just approving the setback from the right of way.

John Straussberger inquired if the existing sign was a permitted sign.

Jimmy Hudson stated that it was not a permitted sign.

Heidi Hefferlin pointed out that if they would be reducing two signs to one that it would be an improvement.

Grace Frank commented on the present visibility of signage and not knowing that there was even a Regions drive-through in that location.

John Straussberger asked if a condition can be added to the motion.

Karen Hundt confirmed that conditions can be added to the motion.

Gabe Thomas pointed out that this decision is important because they are setting precedence for future buildings and that they should be mindful of that when making the decision to allow a monument sign a 0ft setback to right of way.

John Straussberger referenced a similar case.

Matthew Whitaker addressed William Smith's concerns and stated that a zero foot setback is only okay because it is not affecting vehicle line of sight or pedestrian foot traffic.

Gabe Thomas asked Sarah Cook if CDOT will have the authority to make decisions about where the sign was actually located.

Sarah Cook confirmed that they would have to work with CDOT for sign placement and coordination.

Community Comments: None

Jason Havron made a motion to approve Case #17-FB-00007 – 345 Frazier Avenue as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. The hardship for this case was considered physical hardship as there is not enough room to put the sign in the correct setback. Conditions: CDOT is to direct the location of the sign for its placement and the 2 existing signs (the pole sign on the corner and smaller sign to the right of it) are to be removed when the new sign is erected.

Gabe Thomas seconded the motion. The motion was unanimously approved.

Case #17-FB-00011 – 1601 and 1603 Madison Street

PROJECT DESCRIPTION:

The applicant, Chris Anderson for GreenTech has applied for the following modifications:

- Front Setback to 10 feet
- Side Setback from 10 feet to 7 feet on corner side
- Rear Setback from 25 feet to 10 feet on corner lot
- Side Common Lot Line Setback from 5 feet to 4 feet
- Rear Setback from 25 feet to 17 feet on interior lot
- Increase maximum driveway width from 10 feet to 29 feet 7 inches
- Garage door facing Madison Street is not located 8 feet behind front wall of house

Karen Hundt presented the PowerPoint presentation and staff report.

Staff Comments: Sarah stated that wider street cuts in an urban setting hurt the cyclists and pedestrians.

Discussion: Chris Anderson addressed the Committee: There are many of curb cuts in the Jefferson Heights area. Presently in this location there is a 17 foot curb cut. The alleys in this area are prevalent with curb cuts and the alleys are used more like streets. Vehicular traffic in the alleys is just as traveled as streets in the area. Pictures were shown of Zachary Alley and demonstrated houses with side loading garages. Chris Anderson reasoned that due to this, his proposed plan fits with his proposed plan and the overall character of the Jefferson heights neighborhood. He presented another map showing the location and measurements of other curb cuts in the general area.

Heidi Hefferlin pointed out that multiple large curb cuts and largely concreted areas are not good to have in one area. A smaller curb cut in this location would not make a difference except in the length of the house, as it becomes shorter. She acknowledged that there is precedence for curb cuts in the area but reasons this might be why there are curb cut limits in the FBC. As for the overall design of the house, it would look better and make more sense to have a smaller curb cut and have garages facing the back of the lot. She further inquired why they need it.

Chris Anderson stated that the present curb cut is at a weird angle and that it is a challenge to get into. Due to the lot size limitations the rear facing garage would not be feasible or work for their project.

Additionally, in order to maintain the character of the neighborhood they will be hiding the other driveway from the street view.

John Straussberger inquired what the applicant's hardship is.

Chris Anderson stated that they want to orient the garage as shown in their plans to keep with the character of the neighborhood.

Heidi Hefferlin related that one driveway would not hurt their project because the houses would be the same size.

Matthew Whitaker inquired why this project would not be benefited by rotating the garage, as much less of the garage would be visible from the street.

Heidi Hefferlin agreed that having a rear facing garage would be better.

William Smith stated concern over the pedestrians in this area.

Chris Anderson argued that the preservation of community character was a purpose of the Form Based Code. Further, he would be the only one living next to the large curb cuts, as his house is situated to the rear of these properties. Based on his experience in the area pedestrians would not be impeded by the curb cuts and also have a large strip of grass beside the sidewalk.

Dell Peoples asked how rotating the garage would change the total square footage of the house.

Chris Anderson responded that he was not sure of the exact square footage decrease but that it would decrease the home.

Heidi Hefferlin requested for Chris Anderson to explain the lot hardships and the request for setback relief.

Chris explained that the current precedence in the area are reduced lot lines. His request is for the lot line setbacks utilized in the rest of the neighborhood.

Heidi Hefferlin responded that due to the existing setbacks that she agrees with the setback reductions he is asking for, however, she wants the garage entry to be rotated towards the back of the property because it would look better and would fit better with the fabric of the neighborhood.

Gabe Thomas confirmed that the side setbacks are the same as the houses built across the street.

Heidi Hefferlin asked for the specific hardships.

Chris Anderson stated that the hardship is the size of the lot in relation to the size of house that they are trying to build.

John Straussberger pointed out that there are 2 parts to the modifications requested, setbacks and the curb cut/orientation of the garage.

Heidi Hefferlin reiterated that filling in the vacant lot would help to define the street. Due to this, she supports the setbacks but wants the garage to be rotated to the rear of the lot. Even with rotating the garage Chris Anderson's current residence (to the rear of the property to be built upon) will still be very saleable.

Community Comments: None

Heidi made a motion to approve Case #17-FB-00011 – 1601 and 1603 Madison Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. The reason this variance was granted is to assist in the development of property on an unusually shaped lot. Decisions: 1. Front setback reduction not needed. 2. Side setback from 10 feet to 7 feet on the corner lot was approved 3. Rear setback reduced from 25 feet to 17 feet on the corner lot. 4. The currently zoned setback allows as little as 3 feet, the modification was not needed. 5. Rear setback from 25 feet to 17 feet approved 6. Increase in maximum driveway width was denied 7. Garage door facing Madison Street was denied. Conditions: There is to be a shared driveway for these houses with a shared curb cut. Both garages shall face the (rear) south of the property.

Matthew Whitaker seconded the motion. The motion was 7 approved. 1 opposed (William Smith).

Case #17-FB-00012 – 418 E. 16th Street

PROJECT DESCRIPTION:

The applicant, Matt Houts for 1823 Partners LLC has applied for the following modifications:

- Side Street Setback from 10 feet to 7 feet
- Decrease lot frontage from 80% to 62%
- Increase Curb Cut Width from 10 feet to 32 feet
- Increase maximum habitable square foot of ADU from 700 square feet to 1048 square feet
- Parking Setback from 10 feet to 7 feet
- Garage door is not located 8 feet behind front wall of structure
- Pedestrian Entrance to rear garage does not face primary street (Washington Street)

Karen Hundt presented the PowerPoint presentation and staff report.

Staff Recommendation: Sarah Cook stated that this area is a redeveloping corridor. The property has two primary streets. To keep with character of neighborhood garage door should not face the street.

Discussion: Matt Houts addressed the committee: the primary reason behind seeking the major modifications listed by Karen Hundt is due to the lot size. As stated in the presentation, it is impossible to meet the 80% frontage as required. If the garage was rotated it would be hard to navigate cars in and out if it was facing the house. According to CDOT the standard turning radius is 24 feet. If this standard was utilized it would not be possible to have the breezeway that they are currently hoping to have.

William Smith asked if the garage orientation or location of the garage relative to the house could be changed.

Matt Houts confirms with Linda York-Guest (in the audience) that they would be required to have two exits off the second floor due to their fire safety needs. If the garage orientation or location of the garage was changed they would struggle to find room for both of them.

Grace Frank inquired if the garage/apartment and the house could be put it together.

Matt Houts explains that the reason behind wanting to have two separate structures is because the apartment is intended for the children of the owners that have hardships.

John Straussberger drew a parallel to the previous case stating that there should be more than enough room to make the house and garage work if they rotate the garage to face the rear of the lot. The previous case was able to have a functioning garage with only 17 feet available between the garage and the lot line. It would likely be tight, but it would still be workable.

Matt Houts again stated that rotating the garage would make the required fire escapes from the second floor impossible with their current plans.

John Straussberger responded that they would change their floorplan.

Heidi Hefferlin asked why two fire escapes are needed.

Matt Houts informed the Committee that the requirements for fire safety have changed and that they are now required to have two means of escape from the second floor living unit.

Heidi Hefferlin responded that building code requirements are not their responsibility or issue.

John Straussberger r reiterated that they should change their plans.

Heidi Hefferlin stated that it was the responsibility of the Committee to be consistent in their decisions. She does not believe that there is a real hardship due to the size or the configuration of the lot because there are multiple options for the lot.

John Straussberger pointed out that the requested variances are needed because of self-imposed hardship due to the owners wishing to max out the lot with a large house and garage/apartment.

Karen Hundt further explained that for the unit over the garage to be considered an Accessory Living Unit it would have to be under 700 square feet. Due to the size it is considered a second dwelling unit on the property. A second unit is allowed in this zone and the size of the unit is not a problem, it is not however considered or defined as an Accessory Living Unit due to the size.

Community Comments: None

Matthew Whitaker made a motion to approve Case #17-FB-00012 – 418 E. 16th Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. The hardship listed for this case was the narrow lot shape. Committee Decisions: 1. Side Street Setback from 10 feet to 7 feet were both approved 2. Decrease lot frontage from 80% to 62% was approved 3. Increase Curb Cut Width from 10 feet to 32 feet was denied (this was denied to maintain consistency and adhere to principles of pedestrian friendliness and prevent a garage door located on a primary street. 4. Increase

maximum habitable square foot of ADU from 700 square feet to 1048 square feet was not needed 5. Parking Setback from 10 feet to 7 feet was Approved 6. Garage door is not located 8 feet behind front wall of structure was Denied 7. Pedestrian Entrance to rear garage does not face primary street (Washington Street) was denied Conditions: No conditions listed for approval.

Heidi Hefferlin seconded the motion. The motion was unanimously approved.

OTHER BUSINESS

Heidi asked to clean up the application process so that there is not continued confusion due to continuity errors.

NEXT MEETING DATE: July 13, 2017

Gabe made a motion to adjourn.

Heidi Hefferlin seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 3:33 p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE
MINUTES
July 13, 2017

The duly advertised meeting of the Form-Based Code Committee was held on July 13, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank, Heidi Hefferlin, Matthew Whitaker, Gabe Thomas, David Barlew and John Straussberger

Members Absent: Ladell Peoples, William Smith

Staff Members Present: Karen Hundt, Angela Wallace, Phil Noblett

Applicants Present: Everett J. Fisher, Jr., Kathy Sok, John Neelands and Gabe Thomas

Jason made a motion to approve the Minutes from the June meeting. The motion was seconded by Matthew and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00013 – 1225 & 1215 Flynn Street & 1226, 1224, & 1220 E. 8th Street

PROJECT DESCRIPTION:

The applicant, Everett J. Fisher, Jr., has applied for the following modifications:

- Parking Setback (side street O’Neal) from 10 feet to 8 feet
- Parking Setback (primary street 8th) from 30 feet to 10 feet

Karen Hundt presented the PowerPoint presentation and staff report.

Discussion: Bobby Patterson addressed the Committee. This was the old Cavalier building. We plan to have all our trucks there. We have many more customers than we planned on. We are packed out. I want to fix the property because it looks terrible. We want to put in pavement and the landscaping as requested.

Community Comments: None

Jason – What are you doing with the building? Bobby – We are going to try to sell it and if not we will take it down. In general, if you drive down that road it looks like some gravel was dumped there and people are parking on the property at all times. John – It appears that you are intending to do streetscape and landscaping is that correct? Bobby – Yes. Heidi – Do we know how far back the houses along 8th Street are? Karen – No. Matt – Do we require screening between this and neighboring property? Karen – Yes. Matt – I want to make sure there is a buffer between this and the neighboring single family housing. David – We have to have 6 feet for trees and then sidewalk? Karen – Yes, a 6 foot sidewalk and 6 foot tree zone. David – Are the houses across the street on 8th Street occupied? Heidi – They appear to be. Gabe – Reducing from 30 feet to 10 feet is what I am having a problem with. Bobby – It gets to the point that if you go by the offsets it is not worth doing the project. We would just keep parking on the gravel. We have a lot of big trucks. The houses across the street are all rentals. John – It would be an improved sidewalk and additional trees. Bobby – We would lose a row of parking without the variance. David – This does not meet the intentions of the FBC. However this would be an improvement over existing.

Jason made a motion to approve Case #17-FB-00013 – 1225 and 1215 Flynn Street & 1226, 1224, & 1220 E. 8th Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: none.

Grace seconded the motion.

Heidi – Why are people not being suggested to rezone? Karen – Off-site parking is allowed in this zone.

The motion was unanimously approved.

Case #17-FB-00014 – 1411 Fort Street

PROJECT DESCRIPTION:

The applicant, Kathy Sok has applied for the following modifications:

- Sign Placement – skyline on 4 story building
- Sign Placement – projecting sign above second story window
- Area for Projecting Sign from 16 sf to 28 sf

Karen Hundt presented the PowerPoint presentation and staff report. As part of the 12 month proposed amendments we are looking to tighten up the guides on monument signs and allowing the blade signs as proposed here.

Staff Comments: None

Discussion: Kathy Sok addressed the Committee: Both signs will be lit and on a timer. They want people to be able to see the sign from Highway 27. The skyline sign would face Highway 27 but it would be visible from Chestnut. The blade sign would be on the corner of Fort and 14th. It used to be the Terminal Ice Cream Company. We want to keep the name but let people know it is open since it has been closed for so long.

Community Comments: None

Heidi – I like what you are doing and paying attention to the history of the City and the building. Matt – I have no concerns really. I was wondering how it compares to other signs in the City. Karen – It is in line with others in the City. John – This building is a good distance from Broad Street and somewhat at a disadvantage. I think the applicant has done a good job with the signs.

Eric Myers – I would like to make a recommendation for the Committee. I was involved in this project as a disclosure. I would like to see approval be subject to letter specifics. As we move forward, consider the size of signs. John – The FBC does regulate sign types. Matt – I was thinking about setting precedence on the blade signs. David – The current Code does not address blade signs at all? Karen – It does not. Heidi – Is the skyline sign on the parapet or on the wall? Kathy – On the wall.

Heidi made a motion to approve Case #17-FB-00014 – 1411 Fort Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: blade signs are not addressed in the FBC and applicant is not able to utilize a monument sign; the sign facing the interstate will be individualized letters.

David seconded the motion. The motion was unanimously approved.

Case #17-FB-00015 – 601 Market Street

PROJECT DESCRIPTION:

The applicant, Josh Neelands has applied for the following modifications:

- Sign Setback from 18 feet to 0 feet
- Sign increase maximum height of sign from 6 feet to 12 feet
- Increase maximum Monument Sign Area from 60 sf to 197 sf
- Allow 2 Monument Signs on property

Karen Hundt presented the PowerPoint presentation and staff report. The two monument signs already exist and both have 3 sides. The total signage already on the tower is 84 sf each. The building also has 2 skyline signs and 2 street signs currently.

Staff Recommendation: None

Discussion: Jim Teal with Ortwein Signs addressed the Committee: With everything going on it is difficult to take your eyes to the top of the building to read the signs. Regions felt the placement of the signs on the clock towers would be safer and more effective. John – That tower stays as is but sign panels will be added to the tower. There would be 3 signs added to each tower. Jim – Yes. It will be added to the upper portion of the granite portion of the sign towers.

Community Comments: None

Matt – This is asking for everything in opposition to what is in the FBC. I am sure the intention is not to move away from the Code. This is on two of the most important streets downtown. Heidi – The intent of the FBC was to avoid clutter. Grace – Could the name be added to the horizontal band above the door? Karen – They could bring that to the Committee.

David made a motion to deny Case #17-FB-00015 – 601 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: although the monument signs already exist, the proposed additions would exceed the size, placement and intent of the code.

Grace seconded the motion. The motion was unanimously approved.

Case #17-FB-00016 – 422 Harper Street

PROJECT DESCRIPTION:

The applicant, Gabe Thomas has applied for the following modifications:

- Setback (side common lot line) from 5 feet to 0 feet
- Parking interior island size from 13.5 feet wide (200 sf) to 10 feet (170 sf)
- Lot width from 50 feet to 40 feet (Ziegler) & 28.25 feet (Harper)
- Lot area from 5000 sf to 2882 sf (Ziegler) & 4309 sf (Harper)

Karen Hundt presented the PowerPoint presentation and staff report. The property has an 18 foot elevation change on the south end of the site. The Code does not require a certain amount of parking spaces for single family housing. They are proposing to subdivide this property.

Staff Recommendation: None

Gabe Thomas recused himself from the Committee for this case.

Discussion: Donna Shephard addressed the Committee: We did make some revisions based on the 6 month edits. We had several edits on the site plan as developing. We do not have alley access any more. Our new access would be along the lot on Ziegler. All of these lots will have a garage on the rear. We will have 2 parking spaces at the end for the Ziegler property house. With the change in the lot areas the variance for the parking setback and the parking island size will go away.

Community Comments: Fransie Cook – I own property around this property. If you put a 3 story house on that lot on Zeigler, it boxes in my lot. You put one behind me and one beside me it will box it in. I'm not opposed to development but this is not within keeping with the area. I have already had flooding at my house and this will only make it worse.

Randal Allison – We have concerns with this. We have asked for single family housing. We find that the Code is not good enough and we keep getting smaller and smaller. I don't think it is fair to the community. This is not in spirit of the Code to condense the property just for the economic gain of the developer.

Ethan Collier – We did meet with the neighborhood. The storm water requirements will have a look at the plans. There will be no additional runoff due to the development. The property is zoned for residential 3 story attached. When we attended the neighborhood meeting, they do not desire to have attached housing. We are asking for a decrease in lot width. I hear where the neighbors are coming from; we could limit the height on Zeigler to 2 stories. As far as density, we could put 5 townhomes there.

Matt – You are only asking for variance for lot width and area now? Ethan – Yes. Heidi – You could build fewer houses. Instead of one townhome building you have split it to 6 individual houses. If we attach them we would comply with FBC. John – The parking in the back is going away except the last two places. The rest of them will have garages. Ethan – We build a good product. Heidi – I did hear objection to the multi-unit building. Ethan – The original owner was going to build quadplexes and that is when we decided to buy it and build as we have proposed. David – The 12 month edit is 3,000 sq. ft. and you still won't meet it. Donna – No. Ethan – If we did we could do townhomes and get 7-8 units. If this is not approved we won't lose a lot. We would put 3 story townhomes and a single home on Zeigler. Matt – I don't like if we don't do what you want you will build the townhomes and a worse case than we are looking at. Ethan – I'm not threatening you. Matt – I'm searching for a way to allow you to do what you want. Ethan – Across the street is 4 stories. I am giving by saying I would only build a 2 story on Zeigler. John – Assuming the 12 month proposals go forward, then this would be acceptable and then they would only have to ask for the width variance. The 4 lots on Harper would be 2,800 sf. or so. Ethan – The first lot would meet the future edits and it is bigger because of the topo of the lot. The topo is what makes the lots a little smaller.

Heidi asked Jason if they met with the neighborhood. Jason – Yes and the response was favorable.

John – There are a lot of differences in the presentation from the application. Karen – They could still have some parking in the back but would have to meet the landscaping and setbacks. Heidi – How do we feel about the applicant changing the house on Zeigler from 3 to 2? John – That becomes a really narrow lot. Ethan will limit the height on Zeigler to 2 stories. We have to provide access to the other homes.

John – I walked the areas and it seems FBC is going toward smaller lots. I understand the opposition to it. We need to make a motion that answers the application.

Angela asked Donna & Ethan to please submit up-dated application and drawings to reflect what they have presented today. John - This motion needs to be made on the application that was made if there are parts of this that are not in the application it needs to be noted. Phil – The application is a good deal different. Anything that was in the application that is no longer needed you will need to deny. Jason – We could defer this until we receive updated drawings. Phil – Yes give them time to refine their drawings.

Donna – I would like to require the Board to vote on the lot widths on the application. John – I would like the Board to talk about voting on plans that were not accurate. Matt – What is on the application that does not match what they are asking for now? John – I think that is a legitimate concern.

Jason made a motion to defer Case #17-FB-00016 – 422 Harper Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: the conditions of the project have changed considerably from the original application; we need an application with accurate information.

Matt seconded the motion. The motion was unanimously approved.

Gabe Thomas rejoined the Committee.

OTHER BUSINESS

John – We seem to be fighting a battle about application deadlines and changes. A final request is nailed down. Gabe – Just to be helpful, from the process I just witnessed, we submitted this application and then recommendations were made by staff. Why didn't staff bring the updated material? John – There are sometimes additional requests after the application is submitted. Gabe - I expected the changes to be included in the staff presentation.

Karen – We don't have a person on staff. John – I understand this but it is happening a lot. We have got to get to a certain point and stop taking changes. Gabe – We should tell the applicant if they are changing what is on the application they need to pull their application.

John – To be fair – to come up with a substantially different site plan you are creating issues. If it is a minor change ok but to come up with a totally different plan, you should have told them to forget it and come back next month. We just have to make it clear to the applicant and the Board needs to say only the application submitted will be considered. We really need to emphasize that hardships need to be presented and justified. If we continue to say what is the hardship we end up with determining what that hardship is. We need to be stricter with our applicants. Karen – The Code says a case on the basis of a hardship or the applicant has a better idea that would meet the intent of the Code. John – Very few of the applicants say here is my intent. I think setting hard and fast deadlines and making sure the applicant knows no changes will be entertained at the meeting will work. Karen – Maybe we need to do a checklist as we have talked about. John – That's ok but it is incumbent on the applicant that they become familiar with the Code. David – Maybe if there is a checklist it would help find the items you need to look at. Gabe – I think staff did a great job there is just a lot to look at.

Phil – Normally things get worked out as you go along the process. It is on the application why is your variance needed. Then you determine if that hardship is allowed. That would make the meeting shorter. Heidi – We need to be careful to let people make smaller and smaller lot size just to make money.

NEXT MEETING DATE: August 10, 2017

Heidi made a motion to adjourn.

Jason second the motion. The motion was unanimously approved.

The meeting was adjourned at **4:00** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

August 10, 2017

The duly advertised meeting of the Form-Based Code Committee was held on August 10, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Heidi Hefferlin called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. Heidi Hefferlin explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank, Heidi Hefferlin, Matthew Whitaker, William Smith, David Barlew

Members Absent: Gabe Thomas, Ladell Peoples and John Straussberger

Staff Members Present: Angela Wallace, Dallas Rucker

Applicants Present: Glen Craig, Bob Elliott, Chris Anderson, Wayne Gregory

Matt made a motion to approve the Minutes from the July meeting. The motion was seconded by William and unanimously approved.

OLD BUSINESS

Case #17-FB-00016 – 422 Harper Street WITHDRAWN

NEW BUSINESS

Case #17-FB-00017 – 1257 Market Street

PROJECT DESCRIPTION:

The applicant, Craig Design Group, has applied for the following modifications:

- Parking spaces from 0 to 3
- Curb Cuts from 0 to 1

Dallas presented the PowerPoint presentation.

Staff Comments: Sarah – Very close to another curb cut; is there a shared egress agreement? They will have to back out of that site – required to do so in a forward motion.

Discussion: Glen Craig addressed the Committee. We are seeking relief from the head-in head-out requirement. Gene Hyde has no problem with removing the tree. The neighbor is planning on selling and therefore, there will be no sharing of that property. Our only option is to pull in and back out into the street. David – This is to be a driveway with 2-3 spaces? Glen – Yes. The building is going to be an attorney's office.

Community Comments: Thomas Johnson – I own both lots on either side of this. I have no objection to them using this place and pulling in and backing out. It is parking for the hair salon and the fitness place. They need a curb cut like the others. Glen – There is no other access and there is no granted easement.

Matt – No setback requirements? Sarah – Coward would be their secondary street so the setback requirement would be 10 feet. Heidi – Everyone else has the opportunity for a curb cut. There is not a lot of fast moving traffic in that area. William – Does that remove a parking meter? Sarah – Yes, and one on street parking space. Matt – I don't have a problem. Everyone should be entitled to a parking space at their business.

Jason made a motion to approve Case #17-FB-00017 – 1257 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: None.

Heidi – Dallas, you mentioned the hardship was the narrow lot and no other access. Dallas - Yes.

Grace seconded the motion. The motion was unanimously approved.

Case #17-FB-00018 – 325 Market Street

PROJECT DESCRIPTION:

The applicant, Bob Elliott has applied for the following modifications:

- Sign Placement – from 1st story to 2nd and 3rd stories

Dallas presented the PowerPoint presentation.

Staff Comments: Randy – We have had a lot of requests and concerns that they are limited to first floor only. The number of signs is not limited. You are limited to number of skyline signs but he doesn't qualify for skyline signs. There is no limit on the first floor except for size.

Discussion: Bob Elliott addressed the Committee. When we rehabbed the building we went to great lengths to keep the historic aspect of the building. The way this building is designed, the wall is recessed 50+ feet from the sidewalk so visibility is challenged. There are some preexisting signs there. Due to the nature of the building first floor signs would not have any effect. Jason – How many signs are there now? Bob – The Lifestyle Center on both sides of the building on the top of the building. William – So the signs on the 2nd and 3rd floor would go by the code on size for the ground floor? Bob – Yes we are not asking for bigger signs just the placement. Randy - The code only addresses the first floor and skyline signs. If we apply the skyline size, it would keep the size less than 50%. So if we allow this there would have to be conditions. Bob – The signs we are proposing would be less than 100 sq. ft. David – (read code). It states that "a" skyline sign is allowed. Randy – If you apply that to this proposal, yes. But if you allow him what he is asking, it would be whatever you want to make it. Matt – They do not have any criteria to meet the skyline signs. I would say they would have to meet the first floor criteria for the signs.

Community Comments: None

Matt made a motion to approve Case #17-FB-00018 – 325 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: we consider these signs to be first floor signs but allow them to be placed on the second floor.

William seconded the motion. The motion was approved, 5 in favor and one opposed (David)

Case #17-FB-00019 – 626 & 612 E. 16th Street

PROJECT DESCRIPTION:

The applicant, Chris Anderson of GreenTech has applied for the following modifications:

- Lot Size reduce from 3,000 to 2,975 and 2,550

Dallas presented the PowerPoint presentation.

Staff Comments: None

Discussion: Chris Anderson addressed the Committee. This same design was approved 2 months ago but we missed asking to reduce the lot size. There are several lots along this street that are the same size as these and smaller. There is no way to get two 3,000 sq. ft. lots here. Neighborhood response was favorable.

Community Comments: None

Heidi – There are several smaller lots on that street. I would rather see houses on that lot than it remain vacant. David – The houses will face the road right? Chris – Yes. Grace – How many curb cuts? Chris – Only one, it will be shared. Jason – We hate to make lots smaller but in this neighborhood they would work. It would be consistent with the rest of the houses.

Grace made a motion to approve Case #19-FB-00019 – 626 & 612 E. 16th Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: None

Jason seconded the motion. The motion was unanimously approved.

Case #17-FB-00020 – 736 Market Street

PROJECT DESCRIPTION:

The applicant, Wayne Gregory has applied for the following modifications:

- Transparency from 80% to 35% on floors 1 - 24

Dallas presented the PowerPoint presentation.

Staff Comments: None

Discussion: Wayne Gregory addressed the Committee. It has old glass in the building that lets a significant amount of heat through the glass. There are a significant number of windows in the building (730+). It has made it difficult to keep the building leased. We propose to install film on the glass to reduce the heat going through the glass. There will also be less glare. There will be a canopy placed on the Market Street side as we work at the building. They want to upgrade the building instead of replacing all the glass. (showed examples) There is no solar efficiency on the building now. Heidi – There is a lot of reflectivity. Matt – What are the percentages? Wayne – The darker is 20% and the other is 35%. We will be sealing the windows as we go to take care of leakage. In order for a film to be effective, it has to be able to block the sun. There is no film that will be less than 80% transparency. Heidi – The code was written to provide transparency not provide reflection. Angela Clemons (SunTrust representative) – We did consider replacing the glass. We did all kinds of studies. We hit a megawatt this year in power usage. If we replaced, we would have a large impact on the city in several ways. Transparency is affected for advertisements being put in the windows. This would also provide security for the bank and their customers. Wayne – Based on what I have read I understand why the code was written that way. The bank is dealing with heat and cooling issues. The bank now has heavy curtains on the first floor which would provide no transparency

Community Comments: None

William – Where the code talks about transparency, how does that apply here? David – That is the percentage of façade. William – The application says 2nd floor up. Angela – The application also mentions the first floor on page 2. Jason – If you are walking downtown the windows look black anyway. You cannot see through the windows. Heidi – I have no problem with the 2nd floor up but I do not think it should be on the ground floor. David – I think the transparency is more about the glare than seeing inside the building. Heidi – I disagree. It was about interacting with the business going on inside. Wayne – Any piece of glass has reflectivity. This film has a lower reflectivity than most windows. David – I think when you use the film people tend to use more lights so your energy uses changes very little. Dallas – We look at glazing as glass but can you see through it. Item 3 in the code is a definition of what transparency is. If you put smoke on the glass it really not what the code asked. Matt – My concern is does the reflection affect the building next door. David – Where they put the mirrors it blasts light and heat into our office. Wayne – The reflectivity will be about 22% and the code states 15%. Heidi – You have now pointed out that you also exceed the reflectivity requirement of the code and that is not on your application. Heidi – They would have to come back and ask for a variance on the reflectivity.

David – I don't think we can grant a variance on an entire section. William – He did ask for Section 38-698(5)3 so that does narrow it down. Heidi – So we feel this addresses the reflectivity and the transparency? David – The application actually only asked for half of the code section. Matt – I would be ok with the 2 to top floor but not ok with the first floor. David – What I am worried about is the reflection to other people's property. Heidi – I think we have a problem in the code that it is not clear. I think we request the city to stipulate what is the intent. We could stipulate on the approval

Dallas – There is no commentary with this code. 15% is 15% - why they put it in there I don't know but it is what they put in there. Wayne – 80% and 15% does not exist in any type of energy film. Jason – If we defer, they can come by and ask for the reflectivity and maybe we can get an answer to some of the questions we have

Jason made a motion to defer Case #17-FB-00020 – 736 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: asking for revised application requesting difference in reflectivity increase from 15% to around 22% in addition to transparency.

Matt seconded the motion. The motion was unanimously approved.

We need to talk with the staff to clarify the intent of the code on the reflectivity issue.

Angela Colman – Would that be cumulative? Dallas – I don't know.

Case #17-FB-00022 – 1220 King Street

PROJECT DESCRIPTION:

The applicant, Craig Design Group has applied for the following modifications:

- Parking interior islands from every 10 spaces to every 30 spaces
- Landscape perimeter along southern and northeastern property lines from 6' to 0'
- Curb cuts from 20' wide to 22' wide
- Building Frontage from 80% to 60% on primary street

Dallas presented the PowerPoint presentation.

Staff Comments: Karna left her comments on the landscape items and is attached hereto and made a part thereof.

Sarah – No concerns.

Dallas – The frontage, they do have presence on the street.

Discussion: Glen Craig and Joseph Parks addressed the Committee. We have accomplished the 5 spaces and then an island on most of the lot. In the center we have 13 spaces then an island and on the one property line on the railroad right of way, we have a tree every 25 feet in the right of way.

A 6 foot landscape buffer around perimeter – the lot has been subdivided and there is common lot line. It doesn't make sense to have a buffer on the shared line. The other would be the railroad right of way. There is a landscape line along one edge. We have a shared parking agreement for the whole lot. We envision the railroad right of way to eventually be a greenway.

We consider King as the primary street for a reduction in 80% lot frontage to 60%. The lot gets really skinny so it is not useful for a building. There will be a large patio there with a retaining wall. It is the focal point of the development.

Curb cuts 20 to 22 feet – They are concerned about getting trucks in and out. We want to go to 22 feet to accommodate the fire department. The code says 20 feet but the minimum drive out is 22 feet for a fire truck so we are asking for 22 feet.

Dallas – They have the right amount of trees they are just not in islands. Joseph – We have done a good job with the parking lot. We are a little under one space per key but we do not see a problem with overflow.

Community Comments: Thomas Johnson – I own the building across the street. How wide is the sidewalk? Joseph – 6 feet and at some places wider up to 14 feet. Thomas - What are the bump outs? Joseph – Trees. We worked with CDOT. Thomas – I hate to see the little building torn down but am happy they are going to bury the power lines.

Matt – I wonder about the rest of the project, will the other parcel come before this Committee? Sarah – The brewery will come before the Committee because they do not have a 30 foot setback for the parking lot. Matt – What about lot frontage? Sarah – Probably. Heidi – It is an improvement. Matt – Because the other lot will have other issues and will come before us, I am good with this plan. Glen- The line along the railroad right of way has about 27 spaces and would lose about 8 spaces if we put an island in. That’s why we are doing the trees along the right of way. Matt – I would rather see you put at least one smaller island in the middle of that stretch. David – The intent was to have trees to eliminate the heat effect. The trees on the edge would not accomplish that. Joseph – If the requirement is 10 I could do the 10 on the back and use 7 in other places. Matt – I have no problem with not sticking to the 10 but more than the 27. Glen – The parking on that side is in a right of way, it leased property where those parking spaces and trees are. It is included in the lease with the railroad.

Matt made a motion to approve Case #17-FB-00022 – 1220 King Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: Approved – parking interior islands every 15 spaces instead of every 10 spaces while keeping the total number of trees the same; 20 to 22 foot curb; 80% to 60% lot frontage; 6 foot landscape perimeter along the property lines because of shared use.

David seconded the motion. The motion was unanimously approved.

OTHER BUSINESS

NEXT MEETING DATE: September 14, 2017

Jason made a motion to adjourn.

David second the motion. The motion was unanimously approved.

The meeting was adjourned at **4:05** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

September 14, 2017

The duly advertised meeting of the Form-Based Code Committee was held on September 14, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Emily Dixon called the roll and Dottie McKinney swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank, Matthew Whitaker, William Smith, John Straussberger, Ladell Peoples and David Barlew

Members Absent: Heidi Hefferlin, Gabe Thomas,

Staff Members Present: Emily Dixon

Applicants Present: Wayne Gregory, Reggie Walls for TVFCU

John Straussberger made a motion to approve the Minutes from the August meeting. The motion was seconded and unanimously approved.

OLD BUSINESS

Case #17-FB-00020 – 736 Market Street

PROJECT DESCRIPTION:

The applicant, Wayne Gregory has applied for the following modifications:

- Transparency from 80% to 35% on floors 2 – 24
- Transparency from 80% to 35% on first floor
- Reflectivity from 15% to 22% on floors 2-24
- Reflectivity from 15% to 22% on first floor

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Angela Coleman, representative of the building at 736 Market Street addressed the Committee. She presented her own presentation demonstrating shop fronts in New York City making the point that shop fronts are a vital part of the community and local downtown economy. Due to this they wished to withdraw Case #17-FB-00020(B) for the bottom floor window film. She demonstrated a window on the building and what it would look like with the window film. Ms. Coleman also provided pictures of other buildings in the downtown area with highly reflective film.

The Committee requested to review the pictures presented in the presentation and in the presentation provided by Angela Coleman. The Committee asked if Code Studio had been able to provide any

more information on why the specific values in the code had been incorporated. Emily informed the Committee that no further information was provided and shared what information was provided by Green Spaces. David Barlew and Ladell Peoples expressed concern over the reflectivity of the film on buildings in close proximity. He argued that although there are many reflective buildings downtown, we should not repeat the mistakes of the past or promote more non-conformity. John Straussberger pointed out that the age of the building and existing building systems are old and that the building needs better energy efficiency.

Community Comments: None

Jason Havron made a motion to approve Case #17-FB-00020(A) – 736 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approve decrease in transparency and increase the reflectivity for floors 2 to 24; DENIED any changes to 1st floor

Grace Frank seconded the motion. The motion was approved with 5 in favor and 2 opposed (Ladell Peoples and David Barlew).

NEW BUSINESS

Case #17-FB-00023 – 535 Chestnut Street

PROJECT DESCRIPTION:

The applicant, Reggie Wells for TVFCU, has applied for the following modifications:

- Logo signage as a skyline sign on the front of the building
- Logo signage to be located lower than the top ⅓ portion of the building
- TVFCU signage as a skyline sign on the front of the building
- Two skyline signs on the front of the building
- TVFCU signage as a skyline sign on the left side of the building
- TVFCU signage to be located lower than the top ⅓ portion of the building

Emily Dixon presented the PowerPoint presentation.

Staff Comments: None.

Discussion: Reggie Walls addressed the Committee and briefly explained that the trees in the front of the building and offset of the building made signage challenging. The Committee first discussed the classification of the signage on the building and asked for the reason staff considered these signs ‘skyline signs’ as opposed to ‘ground floor signs’. Emily Dixon explained that the proposed sizes would classify the signs as skyline signs. William Smith pointed out that the proposed signage did not seem to fit into either classification. For the sake of the request the signs were to be considered skyline signs. In discussion of the side signage for TVFCU it was agreed that the placement and design of the sign was more fitting for a suburban setting, not a downtown one. Due to this it was determined that moving the signage up to the 3rd floor would better fit with the intent of FBC. The signage on the front of the building was then reviewed. The Committee discussed the logo sign by the entrance door. John Straussberger and Grace Frank stated that it was not a contributing sign and would not benefit customers trying to locate the building. The signage on the front of the building at the top was then discussed and all agreed this was an appropriate and helpful sign to have located in that location.

Community Comments:

Matthew Whitaker made a motion to approve Case #17-FB-00023 – 535 Chestnut Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approved the TVFCU sign as a skyline sign on front of building; approved the full name signage as a skyline sign on the side of the building; DENIED logo signage and placement of signs lower than the top 1/3 of the building.

David Barlew seconded the motion. The motion was unanimously approved.

OTHER BUSINESS

NEXT MEETING DATE: October 12, 2017

John Straussberger made a motion to adjourn.

David Barlew seconded the motion. The motion was unanimously approved.

The meeting was adjourned at **3:10** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

October 12, 2017

The duly advertised meeting of the Form-Based Code Committee was held on October 12, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank, Heidi Hefferlin, Matthew Whitaker, William Smith, Gabe Thomas, Ladell Peoples, John Straussberger and David Barlew

Members Absent: None

Staff Members Present: Angela Wallace, Emily Dixon

Applicants Present: Craig Allison and Ethan Collier

No minutes available.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00024 – 1111 E. 11th Street *DEFERRED: no neighborhood meeting*

PROJECT DESCRIPTION:

The applicant Justin Dumsday with Riverstreet Architecture has applied for the following modifications:

- Landscape island from 13.5' wide to 8' wide
- Verge and Sidewalk from 6' to 5'
- Ground floor sign moved from 1st floor to 3rd floor
- Landscape island from 1 to 0 on right side of parking area
- Landscape island from 1 to 0 on left side of parking area

Case #17-FB-00025 – 609 Houston Street

PROJECT DESCRIPTION:

The applicant, Craig Allison for the Central Church of Christ, has applied for the following modifications:

- Sign to be placed above lintel
- Sign to be placed on architectural elements

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Craig Allison addressed the Committee. This summer we have gutted the building and refurbished some of the original architectural elements. We have exposed some of the original brick. The sign that is now in the yard was done some time ago. The sign we are proposing is more visible so people can identify who we are and it will match the inside of the building more accurately.

Community Comments: None

John – If the new sign is approved, will the old sign be removed? Craig – Yes. It will tie in the elements right inside the door. The sign will be metal with the letters punched in. Heidi – I understand you want to move the sign for visibility. This new sign is over the railing. If we drop the sign under the railing, it blocks the entrance. It seems it would be more appropriate to put it on the cornice above the door and not on an architectural element.

Matthew – I agree it should be moved up. Heidi – Do you have any objection to placing it on the top piece? Craig – I question the structural integrity. Emily – If they move the sign to the top the size requirements would be different. They would need a variance to put in a skyline sign. John – This proposed location is more for a special event sign. If the cornice didn't hold the sign there are more problems than where to put the sign. David – It would be more in keeping with architectural design to put it on the top.

David made a motion to approve Case #17-FB-00025 – 609 Houston Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: (1) approved with condition the sign be located on the cornice above second floor (2) meet all other requirements of a ground floor sign; CONDITION, the existing sign in the yard be removed

Heidi seconds the motion. The motion was unanimously approved.

Case #17-FB-00026 – 1400 Williams Street

PROJECT DESCRIPTION:

The applicant, Ethan Collier, has applied for the following modifications:

- Lot width from 25' to 23'
- Lot size reduction to provide for a sidewalk

Gabe Thomas recused himself from this case.

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Ethan Collier addressed the Committee. This zone has a 25' lot minimum which doesn't really make sense for townhomes. In order to develop this lot into townhomes that are not 25' wide, we need this variance. Most zones in FBC allow for a smaller lot size for townhomes.

Community Comments: None

Heidi – Where is the parking? Ethan – We are doing away with the curb cut and using the alley. I think we have 16 + 2 handicapped + 2 on Williams Street. It is a small increase in the number of spaces. We meet the minimum parking requirements. Emily – The lot size is one of the things we are looking at changing in the 12 month edits. Heidi – How was the neighborhood meeting? Ethan – The questions that came up in the meeting were more about other items in the neighborhoods. They are more concerned about looks than about the actual variance. They asked about things that are not governed by FBC.

David made a motion to approve Case #17-FB-00026 – 1400 Williams Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions: lot width – approved

Ladell seconds the motion. The motion was unanimously approved.

Gabe Thomas rejoined the Committee.

Case #17-FB-00028 – 138 Market Street *THIS PROJECT WITHDRAWN BY THE APPLICANT.*

PROJECT DESCRIPTION:

The applicant, George W. Walls, Jr., Trustee, has applied for the following modifications:

- Parking setback from 30' to 2' / 0' (varies) on Aquarium Way (A street)
- Parking setback from 30' to 2' / 6' (varies) on Market Street (A street)
- Parking setback from 30' to 10' on Cherry Street (B street)
- Parking buffer from 4' / 6' to 2' on Market Street w/no buffer on remaining sides
- Landscape islands required to 0 islands
- Requested trees from 12 to 6
- Sidewalk & verge on Cherry Street to no sidewalk or verge
- Sidewalk size from 10' to existing on Aquarium Way

OTHER BUSINESS

Application form has been revised.

12 month edits:

Emily went over the list of proposed 12 month edits to the FBC. (A copy of which is attached hereto and made a part hereof.)

Comments:

Assembly – define what this would apply to – a definite definition.

Structural screening

The term transparency should be clearly defined.

Specific streets not designated as streets and new maps will be done

Neighborhood review – It is proposed to delete this section. William – This is something that the neighborhoods and City Council stressed having. Heidi – They are hard to arrange and they are not very useful. William – People think they have input in the design of the building. People need to be educated about what they have the right to do. Currently it says neighborhood meeting are required for any application for a permit or variance. The first case today did not have a neighborhood meeting because no one with the association would set a meeting. John – What if we change the wording that if an applicant makes a good faith effort to set a meeting that is acceptable. Heidi – This proposal is what we want, that if they are coming to the committee they have to have a meeting. John – Notification is a weak point to the surrounding neighbors. David - The requirements of what is to be shown at neighborhood meetings need to be modified to say applicable documentation.

The Board has the first end of terms coming up.

NEXT MEETING DATE: November 9, 2017

William made a motion to adjourn.

David seconds the motion. The motion was unanimously approved.

The meeting was adjourned at **3:50** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

November 9, 2017

The duly advertised meeting of the Form-Based Code Committee was held on November 9, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Grace Frank, Heidi Hefferlin, Matthew Whitaker, Gabe Thomas, David Barlew, John Straussberger and Jason Havron (arrived late).

Members Absent: William Smith, Ladell Peoples,

Staff Members Present: Angela Wallace, Emily Dixon, Karna Levitt

Applicants Present: Bill Harrison, Mike Croxall, Thomas Palmer, Justin Dumsday

Gabe made a motion to approve the Minutes from the last meeting. The motion was seconded by Matt and unanimously approved.

NEW BUSINESS

Case #17-FB-00029 – 108 Baker Street

PROJECT DESCRIPTION:

The applicant, Bill Harrison, has applied for the following modifications:

- Curb cut on Tampa Street

Emily presented the PowerPoint presentation. Notice signs were placed on Tampa and Baker Streets.

Staff Comments: None

Discussion: Bill addressed the Committee. We are adding on 1000 sq. ft. Baker is such a busy street. We want to park our car in a garage. This should be an easy fix.

Community Comments: Bill Matthews – I own 102 Baker Street. I am not in opposition but I want it to be on his lot. If the lot size on Tampa is 50' it is a straight shot and there is already runoff. I just want to be sure it stays on his property.

Bill – I had a survey a couple of weeks ago so the lines are accurate and it will be on my property. Gabe – Where is the alley and where is the actual driveway? It looks like it is not open. Emily – No it is not. Matt – The other side of the alley is Baker Street right? Emily – Yes but it actually parallels

Baker Street. Matt – If it wasn't for that alley, they would be allowed one curb cut. Emily - That is correct. The hardship is they cannot place a garage on the front of their lot.

Gabe made a motion to approve Case #17-FB-00029 – 108 Baker Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approved due to the weirdness of the alley.

Heidi seconds the motion. The motion was unanimously approved.

Case #17-FB-00030 – 601 Cherokee Boulevard

PROJECT DESCRIPTION:

The applicant, Mike Croxall, has applied for the following modifications:

- Reduction in awning size from 6' to 3'
- Reduction in parking setback for a handicapped space

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Mike Croxall addressed the Committee. I don't really have anything to add to what has been stated. Emily pretty well covered it.

Community Comments: Randall Addison – I live in the area. This is a bad corner. The area is congested. To have a business there and have on street parking is going to accelerate the problem on that corner. I would love to see a business go in there.

Mike – This is not a sit down restaurant. They prepare meals for people to pick up on their way home. They do not anticipate people coming in and being there any length of time. Cos – 90% of this business is pick-up and delivery. There will not be a large amount of traffic there at a time. 90% of the building will be a kitchen. Mike – We are adding street parking. Currently there is no street parking.

Gabe – Are you going to bring up the sidewalk? Mike – Yes it will be a 5' sidewalk with a curb and some streetscape. Heidi – There is no street parking there. Is CDOT going to add any street parking? Emily – They have approved this and there is plenty of room for it and I think they want to develop some additional spaces. John – It looks like one long curb cut now. Mike – Yes and we will define that with a sidewalk and curb. Gabe – We are not here to approve the on street parking. I think the streetscape is going to be an improvement.

Matt made a motion to approve Case #17-FB-00030 – 601 Cherokee Boulevard as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions: approve parking setback and awning size.

Gabe seconds the motion. The motion was unanimously approved.

OLD BUSINESS

Case #17-FB-00024 – 1111 E. 11th Street

PROJECT DESCRIPTION:

The applicant Justin Dumsday of Riverstreet Architecture has applied for the following modifications:

- Reduction in size of 2 landscape islands
- Ground level signage moved to top of house

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Justin Dumsday addressed the Committee. The two items we are looking at is the signage. It is a small sign. We are trying to save the Willow Oak. We have talked with Gene Hyde and the tree is in great shape and worth saving. We are adding the Silvacells to help save the tree also.

Community Comments: None

Heidi – I'm glad you are trying to save the tree. Just because the other houses have the sign high is it critical that your sign be high. Justin – We want it higher so it is visible to people going down the street. It is much smaller than the signs on the other houses. Mat – What is the material at the edge of the parking? Justin – We have shortened spots to go around the tree. The tree is about 24". Matt – That tree will not live. When you tear down the house you will disturb more than 20% of the roots of that tree. Justin – The house is already gone. Gabe – Will you lose parking spaces? Justin – Yes. David – If we allow the number of trees to be lessened with the reduction in the islands, how much will that affect the Willow Oak? Matt – The possibility of that tree to survive is 0 – none. But that is not part of this proposal.

Heidi – This issue with these trees are throughout the City. That should be a separate discussion with Gene Hyde. Emily – That is something that was discussed with Gene. John – I looked at this and what they are proposing will improve this property greatly. Heidi – The application doesn't state anything with the trees. Gabe – Except that is being used as a hardship. Heidi – This is a vast improvement. Matt – I have no issue with what they are proposing to do.

Gabe – While it is better, that is not what we are tasked with. They want to deviate from the code just because. What is around it changes. That is the tricky thing. There is not a real hardship in either one of these requests. Emily – As far as the intent of the code the Silvacells is meeting the code. Heidi – As far as the sign, just because the other buildings have a sign in the gable doesn't really mean that is a hardship for this building. There is a location where the signage should and could be. Grace – It would not be visible though from Bailey and Central. John – How many parking spaces would they lose if they did the islands the size required? Emily – I think they actually have more parking spaces than they need. They would lose 2 spaces. Matt – I think this is the more expensive solution. Grace – You will not see the signage if it is not on the gable.

Heidi made a motion to approve Case #17-FB-00024 – 1111 E. 11th Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approve reduction in landscape islands using Silvacells; deny first floor sign moved to gable.

Gabe seconds the motion. The motion was unanimously approved.

Case #17-FB-00027 – 202 Frazier Avenue

PROJECT DESCRIPTION:

The applicant, Thomas Palmer, has applied for the following modifications:

- Height from 40' to 50'
- Number of floors from 3 to 4

Emily presented the PowerPoint presentation. The lot is very small (5,582 sq. ft.)

Staff Comments: None

Discussion: Thomas Palmer addressed the Committee. We have been looking at this site for several years. It is a tight site made even tighter by the utility easements. We were excited at this small boutique hotel of 21 rooms. To make this project work, we need to get to a certain number of rooms to make it happen. We need a 4th floor to do that. Putting parking under the building is not an option. We will use valet parking. We are early in the project because of this variance. We have talked with CARTA about parking options and they are willing to work with us on the parking. This is an opportunity to have something unique in Chattanooga. There is no hotel on the North Shore. We want it to be as transparent as possible. It would be interesting to look at across the bridge. We will have a small café for use by the residents of the hotel and people in the area. The FBC requires 15' on the first floor. The other floors are 10'8" which is typical of hotels. The top of the building is a parapet wall also acting as a railing.

Community Comments: Chuck McGahee – I own the building next door. My building was built in 1900 and it and the lunch building were the only buildings on the street. When I added to my building I jumped through 4000 hoops to get that building done. I was told that everything I did that we are going to maintain the design of Frazier Avenue. There was one who wanted to build a 5 story hotel off River Street and there was huge opposition. This is an amazing design but does not fit in with the design of the north shore. This building is going to be 2 floors above my building. How are they going to do that construction with my 100 year old building there? There is a 0 lot line. The design does not fit with North Shore. Everyone was very specific about the design.

Garnet Chapen – There are 3 areas of concern – First is parking they have not met the requirement. They have said it would be offsite but not where. The height of the building is too tall. Third – it's impact on the historic aspect of the Walnut Street Bridge. We feel this will set a bad precedent for the neighborhood. They need handicap access. Not being able to do this without the extra floor is a common excuse.

Dr. Bob Kay – I live in the area. I was part of the resistance to the hotel presented last year. We came to SH3 for a good reason – the site lines are very important. If we start building higher we are opening a can of worms for a developer to keep going. I cannot support a 4 story building. We are going to destroy the site lines for the North Shore.

Ros – 250 Forest Avenue - I purchased this property because of the view. The view in the area will be destroyed. This is also going to be a sore thumb. How are you going to load and unload? This

property will decrease value of property in the area it will also be harmful for growth. The traffic will change tremendously. This will also encourage additional variances on code.

Dennis Murphy – I am happy to see something going in this space but I think it is out of character of the neighborhood. I would rather see something a little less glass and glitzy.

Randal Addison – At the meeting held for the neighborhood, there was little to no opposition to this project. The people on that list asked me to come here and support this project. This site is an ugly eyesore. The museum is a mixed architecture. The neighborhood meeting did not have this type of opposition.

Beth van Deusen – We are here for the modification of an extra story. Going from 40' to 50' is a 25% addition in height. If this is approved you might as well let the entire neighborhood go to SH4.

Palmer – The drop off is on River Street. There will be no additional traffic issues on Frazier. We applied for 50' because it is the typical height associated with 4 stories. We are currently at 47'4" with our design. We feel the 40' is too restrictive. I think we can get down to 45' but we need to get further into our design.

Gabe – You said you could get to 45'. How? Thomas – We could shrink the first floor height to 13'. We can shave a little on the height of the room maybe by 2" on each floor so that would give us 6" more. David – You are at 4 floors with 21 rooms, what if you went to 3 floors? Thomas – 14 rooms. We want to have a welcome area on the right street side. Frazier Street side will be the café and river view. The check in area would be on River Street. We felt we were matching the building across the river. John – You mentioned reducing the floors of the hotel. The 15' on ground is a FBC requirement so that would have to be a variance. What is the height of the first floor you are seeing? Thomas – I feel 13' would give us what we need. I could take 2" off each floor so that would add 6". We might be able to get a little more, maybe 4'. Heidi – I think that would give you the 42'. Thomas - We would like to maintain 8'6" on our ceilings. Matt – Can you do this without the rooftop deck? Thomas – We can but I'm not sure we would want to. Gabe – It's not just about the amount of money it is about making the numbers work. What if you really can't do anything here and we are stuck with this hole. Is there a middle ground here at all? This is an important part of our city. Thomas – It is a minimum 2 story. With the requirements on a building it really limits the amount of useable area you have for 2 stories. It is crazy challenging to work on this site. A hotel with 21 rooms it requires less than a restaurant or an office building. John – Given the location and nature of it, the quantity of rooms is what makes it work or not work. Thomas – You will see the building from Forest but I think from the street we have worked to hide it. David – Is it conceivable that you could push occupancy in the ground. Thomas – With the topography of the area we are underground at Frazier. I could do with 45' I think that is the least number reasonably.

Gabe made a motion to approve Case #17-FB-00027 – 202 Frazier Avenue as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approve 3 to 4 floors – consistent with building across the river; approve building height from 40'-50' with the condition that it be 45' maximum.

Grace seconds the motion. The motion was unanimously approved.

OTHER BUSINESS

Clarification of “gross square footage” for outdoor dining space - per building code is floor area of building now covered with surrounding exterior wall. If there is an outdoor space covered. Building code is gross floor area we have to look at as addition to the building. Do we want to count areas under pavilions as gross floor area? David – If that is what the building code says, then we should.

Election of Chair and Vice-Chair

Chair – Nominations: John Straussberger Vote - unanimous yes

Vice – Nominations: Heidi Vote - unanimous yes

Secretary – Nominations: Jason Vote - unanimous yes

NEXT MEETING DATE: December 14, 2017

David made a motion to adjourn.

Gabe seconds the motion. The motion was unanimously approved.

The meeting was adjourned at **4:10** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary

FORM-BASED CODE COMMITTEE

MINUTES

December 14, 2017

The duly advertised meeting of the Form-Based Code Committee was held on December 14, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Heidi Hefferlin, Matthew Whitaker, Gabe Thomas, David Barlew, William Smith, John Straussberger and Jason Havron.

Members Absent: Ladell Peoples, Grace Frank,

Staff Members Present: Angela Wallace, Emily Dixon,

Applicants Present: Geoffrey Tarr; Ethan Collier; Allen Jones; R. Steve Hunt; Jill Allen

Gabe made a motion to approve the Minutes from the last meeting. The motion was seconded by Jason and unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

Case #17-FB-00031 – 334 Market Street

PROJECT DESCRIPTION:

The applicant, Kathy Wilton & Geoffrey Tarr, has applied for the following modifications:

- Transparency from 80% to 72%

Emily presented the PowerPoint presentation.

Discussion: Joey Tubbs addressed the Committee. Replaced storefront in building and put in a bi-fold window. I did not know I had to pull a permit for the replacement. We are 72% now. I apologize for coming forth before. We did get an engineering report.

Community Comments: None

Heidi – You said it had 2 coats of low-e? Joey – Yes, No. 2 and No. 4. William – Is there a need to ask for reflectivity? Emily – No they are at 11% and that is within the guidelines. Heidi – What they have done is the best you can do with transparency using any heat shield. Emily – A 12 month edit is

proposed for 60%. There are problems with meeting the 80% and have any type of coating. I think we are going to have a lot of these. We should stipulate that they are meeting the 12 month edit.

David made a motion to approve Case #17-FB-00031 – 334 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: it adheres to the 12 month edit.

Heidi seconds the motion. The motion was unanimously approved.

Case #17-FB-00032 – 1400 Williams Street

PROJECT DESCRIPTION:

The applicant, Ethan Collier, has applied for the following modifications:

- Screening – none
- Landscape island width from 13.5' to 8.93' and 9.5'
- Soil volume from 100 sf to 159 sf
- Parking trees from 1:5 to 4:2
- Parking perimeter shrubs – 6' strip to less than 6' and none at transformer

Emily presented the PowerPoint presentation.

Discussion: Ethan Collier addressed the Committee. On screening for wall mounted equipment. I cannot imagine how that can be relocated. We do not own that building. At present there is a parking lot next to that equipment. There will only be one view of this equipment and that will be a pedestrian alleyway. The FBC treats every parking lot the same. It makes the same requirement of us as if our lot fronted a main road. We are putting the building right on the street and putting the parking lot out of the public view. I do not think that is the way it should be. There are some existing trees and we would like to work around as many of those as possible. We are mounting all our electric and gas meters on the dumpster enclosure. We have worked hard to make this work. We are sharing parking between the 5 townhomes and the existing building.

Community Comments: None

Jason – The trees in the island, they are going to be gone anyway aren't they? Ethan – I'm sorry the 2 trees in the easement are not existing, we will be planting those. William – I don't think we should consider the No. 1 request because it is on the Evergreen building and he can't control that. Emily – They are doing work on the Evergreen property so we have to include it in this project. Ethan – The main reason we can't screen the equipment is that it will be a pedestrian access. If it has to be screened, the pedestrian walkway will go away. John – What about the cars next to the dumpster? Ethan – These are tandem parking spots. They can come in through the parking lot and they can pull out via the alley. This came out of our meeting with CDOT.

Matt – We should see what the qualifications of using soil cells are. There is a requirement of a width and a requirement for soil. I thought we went to 1:10 with the edits. Emily – That is only with the spacing. Matt – The equipment is not facing the pedestrian street so I do not think it needs to be screened. I would like to see some ways to get more trees on the property. Ethan – The class of tree is too large to use in this area. David – I agree with Ethan about the 2 trees next to the other property. Maybe we could specify a smaller tree at this location.

David made a motion to approve Case #17-FB-00032 – 1400 Williams Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions: 1) approved - no screening for equipment; 2) approved - reduction 13.5 to 8.93 and 9.5 approved with sufficient soil condition for tree survival; 3) denied; 4) denied - reduction from 4 to 2, the two trees by the house can be reduced to smaller trees; 5) approved - utility equipment landscaping on the alley.

Heidi seconds the motion. The motion was unanimously approved.

Gabe – recuses himself from this case.

Case #17-FB-00033 – 1201 & 1203 Carter Street

PROJECT DESCRIPTION:

The applicant Allen Jones for ASA Engineering has applied for the following modifications:

- Lot frontage – from 80% to 61.9%
- Parking setback – from 30’ to 4’
- Parking setback – 10’ side street to 4’ (rear and side)
- Perimeter planting – 4’ landscape strip w/wall to 3’ and no wall in rear
- Parking lot islands – every 10 spaces to 11 spaces (2 areas)
- Parking lot islands – 13.5’ to 8’ (2 islands, use soil cells)

Emily presented the PowerPoint presentation. Matt – Can you go back over the wall requirements?

Discussion: Allen Jones addressed the Committee. (Holiday Inn Express) There were a couple of typos on the application. We are only asking for 1 area for the 11 spaces. Adding 800 cubic feet of soil cells for each tree. We are providing 114 rooms for the site and we need 91 parking spaces. We have looked at a number of options for parking. The requisition from 4 to 3 is because we are donating space to the city for parking and a potential drop off zone. We already have a wall at the interstate. We are still doing a plant buffer for that back wall. We are doing compact spaces also about 19%. The 10’ setback variance is because we are surrounded on 4 sides for right-of-way. Along the front we are going to carry the same materials across the front and we will have pedestrian access and parking access with columns.

Community Comments: None

David – The 6’ wall with breaks, will there be any vegetation? Allen – Yes there will be landscaping along all the walls. David – Front coverage reduction, what is the coverage percentage for the existing buildings? Emily - About 40-50%, certainly not in compliance with FBC. There is a large amount of right-of-way right now by the state that will be reduced when the interstate is complete. Then the owner wants to development more of that space. Heidi – Are we prepared to approve the amount of parking they want in the future? Allen – There are two separate lots here. We will have to do a subdivision here. But for simplicity sake we want to leave it as one lot. We would have to split that lot in half and look at the building. We can subdivide it and so 100% front coverage. Gabe - The make-up of this Committee is diverse. I understand having to have a certain amount of parking. This is a good application and it is trying really hard to meet the code here. When someone is trying to do

that, it is a reasonable request. David – We need to be clear on the motion about the reason for the setback and the frontage.

David made a motion to approve Case #17-FB-00033 – 1201 & 1203 Carter Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: 1) approved - to meet the frontage requirement would exceed the maximum length; 2) approved ; 3) approved; 4) approved – one area was removed from application; 5) approved - has sufficient soil volume for tree; 6) approved.

William seconds the motion. The motion was unanimously approved.

Case #17-FB-00034 – 605 Chestnut Street

PROJECT DESCRIPTION:

The applicant, R. Steve Hunt, has applied for the following modifications:

- Glazing – from 80% transparency to 40%

Emily presented the PowerPoint presentation. Existing transparency on the building is 40%.

Discussion: R. Steve Hunt addressed the Committee. Steve Billingsley – The building has been renovated in the last 5-7 years. We have replaced single pane glass with insulated glass. This is a lower reflectivity than Republic Center. The subject area faces due east. Steve Hunt – There are 1180 windows in Liberty Tower that are all the same and it would be a shame to have these not match.

Community Comments: None

Heidi – I agree with this all they are replacing are 2 doors/windows, it would be silly to have these windows be different. Matt – We would not allow SunTrust to do this on the first floor of their building. David – SunTrust was proposing all the windows. Matt – I just feel we should be consistent.

William made a motion to approve Case #17-FB-00034 – 605 Chestnut Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: approved – to be consistent with rest of building windows.

Gabe seconds the motion. The motion was unanimously approved. (Matt abstained)

Case #17-FB-00035 – 615 Chestnut Street

PROJECT DESCRIPTION:

The applicant R. Steve Hunt has applied for the following modifications:

- Glazing – from 80% transparency to 33%
- Awning size – from 6' depth to 5'3"

Emily presented the PowerPoint presentation. This is all across the entire front of the building.

Discussion: R. Steve Hunt addressed the Committee. Steve Billingsley – It is a gray tinted glass. – This is the same glass used in the Republic Center and Mueller across the street. It previously had blinds that were always closed. The reflectivity is within the limits. The canopy match canopies across the street at Mueller, same dimensions. Steve Hunt – There will be plenty of visitors to this building. The window materials are very important to Mueller because they did not want to use blinds or shades. You can clearly see all the equipment in their existing building with the same windows as proposed.

Community Comments: None

Heidi – How old is the glass on the rest of the building. Steve Billingsley – I assume the 70's, I think it is the original glass. Heidi – Did you investigate glare reducing shades? Steve – No. they wanted this type glass on the research and development center. Heidi – I think they could do a different glass. They will eventually change out the glass in the entire building. Emily – On SunTrust we approved 35% on the upper floors. The proposed change to the code will be 60%. Heidi – I would like to see them comply with the 60%. Steve – You cannot see through the existing glass at all. Emily – There is an edit proposed to be 5 feet. Steve Hunt – This is a product showcase so they want people to see what is there.

Heidi made a motion to approve Case #17-FB-00035 – 615 Chestnut Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: 1) approved - reduction from 80 to 60% only to match the edit proposal; 2) approved – canopy to 5' to match edits.

Matt seconds the motion. The motion was unanimously approved.

Case #17-FB-00036 – 1100 Market Street

PROJECT DESCRIPTION:

The applicant Jill Allen and James White, III has applied for the following modifications:

- Signage – from 300 sf to 656 sf (skyline)
- Signage – from 1 skyline to 2
- Signage – from 300 sf to 585 sf (projection)

Emily presented the PowerPoint presentation. The skyline sign was installed prior to application.

Discussion: Jill Allen addressed the Committee. We assumed the sign company pulled permits. I think it looks good. You have to be in a specific place to see the sign. I can see it from the top of the warehouse parking lot. If you are walking you cannot see it. We don't think it is that offensive. We don't want to get equipment to paint over it.

Community Comments: None

Heidi – I don't understand the second sign. Jill – This is like a projector sign – light shown on the building. What we are trying to do is tie the properties we own together. This covers all the buildings we own downtown. They are temporary projection signs and we would keep them up for 6-9 months and then do something different. It would be clean white light with that writing. John – So this message could be changed? Jill – Yes but we are not proposing that. John – The skyline was installed

and no application was made prior to the installation. Emily – It is more than 2 times what the code allows.

Gabe – We have been really tough on signage. This is too major. Heidi – I am on the Innovation group. These are being done all over. It has been discussed that Miller Park will project things. Matt – I don't understand why it is considered temporary. Six months seems to be a long time. I think that needs to be defined more. The code says 105 days during a calendar year. So it doesn't meet the criteria there either. David – I think technology has gotten ahead of regulations. John – Given the size of the sign and the definition of temporary, if you allow this you will find more people coming in with this and greater proposals. There is not anything in place to regulate this. William – This is something that is not addressed in the code at all. I do not think the projection is a sign. Matt – There is concern with glare and light projection. Matt – It is cool – innovative - but it puts us on a slippery slope. John – Whether it is cool or not, it is a different magnitude in the city. I am not comfortable taking this on. Matt – It does not fit the code. Gabe – There is nothing that regulates this. David – The other instances were centered on events and covered a very short time. The people of Patton Towers should have a voice in this. Emily – we are really just looking at the light and if we will allow a second skyline sign that exceeds the size requirement. John – It is very limited where you can see the skyline sign that is painted. David – I think it would be unfair to allow this sign. John – How big is the EDNEY part of the sign? Matt – Guessing, about 60% or about 595 sf.

Emily - If you deny this it will be an enforcement issue.

Jill – I am not the owner but I represent the owner. What are we doing is bringing this new development to the city. We thought the people we hired had done their job. We have tried to bring life to this building. The sign is big but it is hard to find the building. John – I don't know if we will get another case like this. The proportion to the building is not that out of sorts to me. Heidi – I would like to approve it if we can do it without opening the floodgates. William – I don't think the other one is a sign and we don't have anything as a basis to it. Matt – I could see us approving this one skyline sign but not 2 skyline signs with one of them being this size. John – If we can present a hardship that puts in a narrow corridor, we could justify it in the future.

William made a motion to approve Case #17-FB-00036 – 1100 Market Street as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to any and all conditions. Conditions: 1) approved in consideration of the building and it is part of the innovation district and this approval applies only to the existing sign; 2) denied because the square footage of one allowed is more than double what is allowed in code; 3) denied - not clearly addressed in code.

Gabe seconds the motion. The motion was unanimously approved.

OTHER BUSINESS

NEXT MEETING DATE: January 11, 2018

John made a motion to adjourn.

Heidi seconds the motion. The motion was unanimously approved.

The meeting was adjourned at **4:40** p.m.

John Straussberger, Chair

Angela S. Wallace, Secretary