

FORM-BASED CODE COMMITTEE **MINUTES**

January 10, 2019

The duly advertised meeting of the Form-Based Code Committee was held on January 10, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank (arrived late), William Smith, Matt Whitaker, Marcus Jones, David Hudson and Jim Williamson

Members Absent: None.

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and City Attorney Harolda Bryson

Applicants Present: Brian Geselbracht, Chad Moore and Don Sells.

Approval of Minutes: Jim Williamson made a motion to approve December 2018 meeting minutes. William Smith seconded the motion. The motion was unanimously approved.

Planner Emily Dixon explained the rules of procedures.

OLD BUSINESS:

Case #18-FB-00030 – 1419 Market Street – Parking lot bollards

Project Description:

The applicant, Brian Geselbracht, has applied for the following modification

1. Limiting of alley access from open City alley to parking lot.

Ms. Dixon presented the PowerPoint presentation. This case has been heard before the Committee a few times. The applicant made minor changes to the plan that was previously submitted. Ms. Dixon said she believed someone from CDOT would be present at the meeting to discuss the alley. She referenced the email that was submitted from CDOT in regards to this case. The email reads as written below. (*The email was added to the PowerPoint presentation*).

Also, per our conversation, CDOT's opinion is that access to the alley should be maintained. Kevin/Brandon/Blythe – for your information, this issue is due to the property owner applying for an FBC variance to block access to the alley. There may be legal issues that the property owner may wish to pursue outside of the FBC variance request at some future date, but as things stand today I feel that our position of maintaining alley access is appropriate as it relates to the broader picture of connectivity. Thanks, Mark Heinzer. (Kevin's comment) In following up with this request, Tommy

pulled the agreement we had for the signal modifications. It was nothing more than an agreement on payment for the modifications to the mast arm and cabinet relocation. We feel that the form based code or other ordinance would have precedence on the closure of access to the alley rather than over access to the signal.

Let it be on the record that Grace Frank joined the Committee. David Hudson has recused himself from the case.

Brian Geselbracht, of 1419 Market Street, addressed the Committee. Mr. Geselbracht said the traffic flow is a huge safety issue. He said the goal of the proposed plan is to stop the traffic of vehicles that do not belong to the parking lot. While still allowing parking access from the alley. He said he and the owners are trying to follow the rules.

Community Comments:

William C. Haisten Jr., of 1463 Market St Suite 104, addressed the Committee. Mr. Haisten is a Real Estate Appraiser. He has an office in the Clark Center. He said he uses the alley and the traffic light when making a left on Market Street. He said it is extremely hazardous. He said the proposed plan would restrict a safer access if the alley was blocked.

Cynthia, of 1431 Market Street, addressed the Committee. She stated that she is representing a lot of people in the area and is a resident of 1431 Market Street. She said she uses this alley to safely make a left turn onto Market Street. She said she is very concerned for Morgan Adams, who owns the private lot in question but there is new development on Williams Street and a proposed 64 bed Hotel next to the lot. She said the only way for business to get their goods in the site area is the alley connected to the lot in question. She said it is a real issue and asked for the Committee to review the project holistically. She said the alley was never designed to take all the heavy traffic. She said she had nothing against the development, but the safety for residents is a concern.

Ken Doyle, of CDOT, addressed the Committee. Mr. Doyle is a Traffic Signal Design Specialist. He was told yesterday that the area of his discussion should address the traffic signal. He stated he does not have personal expertise in terms of connectivity and flow of that specific alley. He said upon having a discussion within his department about the traffic signal, regardless of the project, the intersection needs to remain signalized.

Marcus Jones asked if the current traffic light could be placed at the 14th Street intersection so that people could exit the alley at 14th Street. Mr. Doyle said he think that was a discussion within his department but did not look into it himself. He said he would have to do further research and will get back with the Committee with an answer.

Ms. Dixon asked Mr. Doyle what was the likelihood of a traffic signal being added along the site area near the alley. Mr. Doyle said if the distance is within 300 feet of a current traffic signal then a new traffic signal is less likely to be added and it is very inadvisable to put a traffic light at 14th street.

Mr. Jones asked if there was a study analysis that would create a result on the basis of moving the traffic light from the private street to the public street. Mr. Doyle said there have been

studies to do that. However removing a signal would require a lower volume of traffic at the existing signal.

Mr. Havron asked if the traffic light could be moved. Mr. Doyle said moving the traffic signal from the Choo Choo to 14th Street would be removing the traffic signal from the Choo Choo. He said there is not enough traffic at the public street, 14th street, to move the traffic signal from Choo Choo.

Mr. Smith asked if the alley access was blocked off would there be a traffic light at the exit of the parking lot. Mr. Doyle said as long as there is a driveway access from Market Street to the parking lot then the traffic signal would be required to stay up. It could cause a lot of potential points of conflict if it were removed.

Ms. Frank asked if there were another solution. Mr. Doyle said he was only asked to speak to the traffic signal. Ms. Frank said the Committee had asked CDOT to do an extensive study. Ms. Dixon said she asked CDOT to conduct a study, however they do not answer to her. She said even if she asked CDOT to do an extensive study that does not warrant them to do so. Mr. Doyle said the person who does traffic studies has moved to another position and the new employee starts on Monday.

Mr. Smith said another solution is that the Committee could deny the request and the applicants can appeal to the City Council. Mr. Geselbracht said if the plan was approved it would create safety for the tenants of the building. He said it is very dangerous in the lot. Mr. Haisten said they would be putting the residents and customers in the area at risk as well. He said approving the case would be a total disaster.

Discussion: Mr. Whitaker said his motion will hit on all the points and comments heard by each party. He said there is a convenience issue. He said if the case is not approved there will still be safety issues. The issues will continue if there is not something set into stone. He said he had lived in that area before. He said there are safer routes, besides the signal, that may take a couple minutes longer, but are safer. He said the land owner should not be responsible for solving all the issues that are of inconvenience to the owner.

Mr. Williamson asked if the Committee truly had jurisdiction for the variance requested. He said people will still have access to the alley from the private lot. Ms. Dixon said the parking lot would not be completely blocked off but limited. Ms. Dixon said if the case was denied then the owners could appeal to the City Council. She said City Council might find a solution for the case but that would be for them to decide.

Matt Whitaker made a motion to approve Case #18-FB-00030 – 1419 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.

Marcus Jones seconded the motion. William Smith opposed. The motion carried to approve.

David Hudson came back onto the Committee

Case #18-FB-00059 – 700 Pine Street - Signage

Project Description:

The applicant, Chad Moore, has applied for the following modification

1. Allowance of ground floor signs to be located in the mid-level of the door on the first floor.

Ms. Dixon presented the PowerPoint presentation.

Chad Moore, of Professional Sign, addressed the Committee. Mr. Moore is the sign contractor and is representing Second Presbyterian Church. He brought a new rendering of the proposed signage. (*Included in the case folder*). The hardship is visibility if the sign is placed at the required level.

Community Comments: None.

Peter Steyn, of 700 Pine Street, addressed the Committee. Mr. Steyn is an Elder of Second Presbyterian Church. He said the current signage is outdated. He said the church is home to the Chattanooga Boys Choir. The Church host community kitchen activities for the homeless and visitors. He would like to advertise to the community some of the activities.

Mr. Moore said the sign size is the same as the original submission.

Discussion:

Mr. Hudson asked what the applicant is requesting. Ms. Dixon said since the new renderings have been presented, the request is only for placement. The applicant was no longer requesting two ground floor signs only one, the new renderings are for a message board sign and not necessarily to identify the church.

Mr. Smith asked if the proposed sign was placed at the required level would it interfere with the architectural elements. Ms. Dixon said if the location of the sign was placed at the required level between the first and second level then it would be hard to see. Ms. Frank said there is no other place to put the sign that would be better. Mr. Whitaker agreed that the proposed sign placement is the best place to put it.

Ms. Dixon said let it be on record that the variance request for Case #18-FB-00059 has changed to the allowance of a ground floor sign to be located in a position that is not between the upper and lower level, but at the mid-level of the door on the first floor.

William Smith made a motion to approve Case #18-FB-00059 – 700 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.

Matthew Whitaker seconded the motion. The motion was unanimously approved.

Emily Dixon proposed a five (5) minute break at 2:40 p.m. and the meeting resumed at 2:46 p.m.

NEW BUSINESS:

Case #18-FB-00061 – 1802 Long Street – Parking location, Access and Stories

Project Description:

The applicant, Laura Constello / River Street Architecture, has applied for the following modification

1. Allowance of parking in the primary street yard.
2. Increase in stories from 2 to 3.
3. Allowance to exit a site in a rear facing motion.

Ms. Dixon presented the PowerPoint presentation. A neighborhood meeting was not required but the applicants held a meeting to keep the neighbors informed. The recording was paused for 3 minutes after the five (5) minute break and Secretary Rosetta Greer asked Ms. Dixon to restate the case number and address under review for the record.

Don Sells, addressed the Committee. Mr. Sells is an architect for River Street Architecture and is representing Laura Constello, the property owner. The lot is narrow and one of the last lots on the street. He said the street parking is on the west side of the block. It is a safety issue due to the narrow lot. He wanted to do an attic space for the proposed structure, however it would not fit. Lack of lot width prevents doing the allowed attic space, so a third floor is being requested. He said he held a neighborhood meeting but no one showed up

Community Comments:

Jimmy McGinnis, of 1801 Long Street, addressed the Committee. Mr. McGinnis owns property across the street from 1802 Long Street. He said there is a building that is caddy corner to the property in question that had a 3-story variance. Ms. Dixon said that was a C3 zoning and not a Form-Based Zoning review. Ms. Dixon said that property was reviewed at the Board of Zoning Appeals and asked for a height variance of about 3 inches. Mr. McGinnis then asked what the roof design would be. Mr. Sells said the roof is to be a partial flat roof with a slight slope, a shed roof.

Discussion: Mr. Jones asked Ms. Dixon to elaborate on the lot that Mr. McGinnis mentioned. He asked Ms. Dixon if there was a different zoning. Ms. Dixon said the lot was permitted prior to Form-Based Zoning in 2016. Mr. Jones stated there is a 3 story house in the neighborhood already. Ms. Dixon confirmed.

Mr. Whitaker said he wanted to provide some history to the new members. He said there has been approval for the rear facing motion. He said the Committee has yet to review a lot that has so many constraints on it as well. Ms. Dixon agreed.

Mr. Smith asked if the tenants parked in the direction requested will it create an issue for the sidewalk. Ms. Dixon said there is 20 feet available and there would not be a covering to the sidewalk. The applicant hopes to create a space for the pedestrian connectivity but the lot being narrower is a challenge. The request for more stories is to accommodate the narrowness of the lot. Ms. Dixon said not having an alley access for this type of site is hardship for the lot. Mr. Smith asked if the stories went from two (2) to three (3) stories if the building would still be under the 35' height maximum. Ms. Dixon confirmed, the applicant is requesting to increase stories and not overall building height.

Mr. Jones said it looked like the applicant has 30' plus feet for the setback and could get a large house with two floors if the dimensions were deeper. Ms. Dixon said deeper footprint was part of a conversation. She said one of the structures is that the owner wants windows and openings. One side of the house will be within the 3' setback range and would require limited openings and firing rating.

Ms. Frank asked Mr. Sells why a garage door could not be on the front to make the structure's style more traditional. Mr. Sells said the owner requested a carport and the intention is to do something that is more of a porch look because there are porches along the street.

Mr. Whitaker asked if the pedestrian entrance on the front will be brought out. Mr. Sells said the pedestrian connectivity is important but he and the owner want to get the height and other issues settled prior to the actual planning.

Mr. Hudson asked if Mr. Sells considered setting the third (3rd) floor back. Mr. Sells said the plan shows an open porch over a covered porch. Mr. Sells said he does not have a problem setting the third (3rd) floor back as well.

Mr. Smith mentioned the code modification that the Committee may grant up to 1 additional story with a maximum of 12'. He asked if the allowance of the variance would be meeting those parameters.

Ms. Dixon explained the plan details on the PowerPoint presentation.

Matthew Whitaker made a motion to approve Case #18-FB-00061 – 1802 Long 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: No conditions were made but it is noted by the Committee that all the variances were approved due to the hardships of the narrow lot, narrow alley access, and the parking access.

Jim Williamson seconded the motion. The motion was unanimously approved.

Case #18-FB-00062 – 1601 & 1063 Long Street – Interior Islands

The case was deferred via email. Ms. Dixon added the email to the PowerPoint presentation.

OTHER BUSINESS: Mr. Hudson asked about the requirement for neighborhood meetings for interior buildouts that are over 4000 square feet. Ms. Dixon said she will put something together for Other Business for the next meeting in regards to neighborhood meetings.

NEXT MEETING DATE: February 14, 2019 (application deadline is January 11, 2019 at 4 p.m.).

William Smith made a motion to adjourn. Jim Williamson seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 3:05 p.m.



Jason Havron, Chair



Rosetta Greer, Secretary



Date



Date

FORM-BASED CODE COMMITTEE **MINUTES**

February 14, 2019

The duly advertised meeting of the Form-Based Code Committee was held on February 14, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, William Smith, Matt Whitaker, David Hudson and Jim Williamson

Members Absent: Marcus Jones and Grace Frank

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and City Attorney Harolda Bryson

Applicants Present: Tiffany Farley, Cardon Smith, Chad Moore, Brad Eckland and Clayton Mazingo.

Approval of Minutes: Jim Williamson made a motion to approve February 2019 meeting minutes. David Hudson seconded the motion. The motion was unanimously approved.

Planner Emily Dixon explained the rules of procedures.

OLD BUSINESS:

Case #18-FB-00062 – 1601 & 1603 Long Street – Interior islands and perimeter plantings

Project Description:

The applicant, Broadspace Investors LLC / Cardon Smith, has applied for the following modifications:

1. Reduction of interior islands from 13.5' to 8.88', 9.71', 11.7' and 9.94'.
2. Reduction of rear perimeter plantings from 4' to 3.51'.
3. Substitution of the 3' masonry wall along the perimeter planting for a 6' fence.

Ms. Dixon presented the PowerPoint presentation. This case was deferred by the applicant from the January 2019 Agenda to this month. The zoning is U-CX-3 which is urban commercial mixed use.

Tiffany Farley, of 651 E 4th Street Suite 407, addressed the Committee. Ms. Farley is a Civil Engineer with AD Engineering. She said the drawing shows a six (6) inch standard curb instead of the extruded curb. She said having a six (6) inch curb will give an extra foot to put in landscape across the side. She said she is actually proposing a four (4) foot fence of decorative aluminum instead of a six (6) foot fence. There is a parking lot, building and sidewalk between the adjacent properties. She said the parking is not visible from the [East Main] street. She said the relief is a combination between the two perimeter planting options. She said she

is proposing a continuous row of shrubs with a decorative aluminum fence at four (4) feet. Mr. Whitaker asked what the proposed four (4) foot fence looked like. He asked if the proposed fence had any openings. Ms. Farley said it is a black decorative aluminum fence. Mr. Whitaker asked what would be planted in the area around the proposed four (4) foot tall fence. Ms. Farley said the proposed plantings would be glossy abelia shrubs and Chinese pistache trees.

Mr. Hudson asked why the applicant decided to not do a six (6) foot fence. Ms. Farley said proposing a six (6) foot fence would be too high between the parking lots. The fence is a security fence and secures the lot.

Ms. Dixon said the intent of having a block wall is not absolutely necessary because everything surrounding the lot is a parking lot. The applicant is offering an alternative to screen the parking lot. Mr. Whitaker said the intent is to screen the parking lot. Ms. Farley said that is why she proposed a continuous row of shrubs. Ms. Dixon said the parking lot is screened from the right of way.

Mr. Hudson said he did not understand the change in the height of the proposed fence. Mr. Whitaker said the minimum height allowed is for three (3) foot wall. Mr. Hudson said a four (4) foot wall is not creating security and asked why the applicant could not build the wall per the Code. Ms. Farley said if the wall is done as required it would reduce the landscaping out of the area.

Mr. Smith asked if the material was a concern. Ms. Dixon said the material is not an issue in this case and if the proposed fence is built, there would be more soil area than there would be if a wall was built. Ms. Dixon said ultimately there would be more soil volume and the Committee needs to consider what the ultimate goal is. Mr. Whitaker asked if the variance request is to not have a wall. In response to Mr. Whitaker, Ms. Dixon said that was correct. Mr. Williamson asked if the applicants really wanted a fence.

Cardon Smith, Developer for 1601 & 1603 Long Street, addressed the Committee. Mr. Cardon Smith said a fence is desired and that it is a nice decorative aluminum fence. He said having a fence does not provide security but it is nice to have.

Mr. William Smith asked about the height requirements and material of the fence. He asked if the applicants were allowed to have a decorative aluminum fence. Ms. Dixon said the material is not a problem. Mr. William Smith asked if the minimum fence height was three (3) feet. Ms. Dixon said the three (3) feet height minimum requirement is for a wall and not the fence. Mr. Whitaker said the fence is not the order of discussion. Ms. Dixon also stated that the proposed aluminum material is fine.

Mr. Hudson asked if the applicant's request is to have a wall be replaced with planted shrubs to provide a screen. Ms. Dixon said yes. Mr. Hudson asked if the other request was to have smaller islands. Ms. Farley said the islands are two hundred (200) square feet in soil surface which is required by code. Mr. Whitaker asked if the islands are narrow in its overall dimensions. Mr. Hudson asked if it were two hundred (200) square feet because of the standard curb. Ms. Farley said yes. Mr. Cardon Smith said the site is tight and the goal is to offer the purchasers a parking spot per unit thus eliminating street parking.

Community Comments: None.

Discussion: The discussion took place as written above.

Matt Whitaker made a motion to approve Case #18-FB-00062 – 1601 & 1603 Long 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: For variance request three (3), the approval is to not have a three (3) feet wall required along the perimeter planting areas.

William Smith seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Case #19-FB-00005 – 802 Central Avenue – Parking Reduction

Project Description:

The applicant, Edwin Frank Chobot III, has applied for the following modification:

1. Replacement of required 6 vehicle parking spaces with bike parking.

Ms. Dixon said this case has been deferred by City Staff due to the applicant not having the required Neighborhood Association Meeting.

Case #19-FB-00006 – 625 E Main Street – Monument Sign

Project Description:

The applicant, Purple Sky Healing Arts, LLC / Certified Lighting LLC, has applied for the following modifications:

1. Increase in monument sign height from 6' to 8'8".
2. Allowance of sign in the 25' sight triangle.
3. Increase in maximum monument sign width from 10' to 10'7".

Ms. Dixon presented the PowerPoint presentation. She said this case has been heard before the Committee before but has had new developments since then. This is an enforcement case. A variance was previously heard for this site in July 2018. She said a setback variance was granted and the pole sign request was denied at that time. She stated that there is approximately twenty-seven (27) feet between the ROW (right of way) and the face of the building. The ROW is approximately twenty-two (22) feet. The current sign location is nineteen (19) foot nine (9) inches. This current sign is located within the ROW. She said if the current sign is approved it will be subject to acquire a Temporary Use Permit through CDOT (Chattanooga Department of Transportation). She read from the Form-Based Code *Section 38-753. Applicability (4) Monument Sign (Ground) Signs* and *Section 32-34. – Obstructions to visibility at intersections.*

Chad Moore, of 165 Hamm Road, addressed the Committee. Mr. Moore is with Certified Lighting LLC. He passed out renderings to each committee member and staff. (*The renderings have been filed*). He said this was his first major project in the Form-Based Code area. He said this project began in April of 2018. He then asked if the Committee could find a solution for his client. He said April 3, 2018 is when he met with the client and May of 2018 is when the Committee approved him to do the project. He went before this Committee in June of 2018 to have his case heard but the meeting was cancelled due to the lack of Committee quorum. He

said there was an interim meeting held and he missed it. He is aware that the pole sign was denied at that interim meeting and a ten (10) foot setback was granted. He said the initial reason for the design was to have planters placed around the current sign. He said the sign was installed at the end of October of 2018 and was informed in November 2018 that the sign was not conforming to the Code. He said upon discussion with Ms. Dixon the current sign is considered a pole sign because of the poles located on either side of the sign. He said he is proposing to lower the overall height of the sign to be closer to the proposed planters around the current sign base. He said the current sign is eight (8) feet eight (8) inches tall by ten (10) foot seven (7) inches wide. He said he is far off on the sign height requirements and only seven (7) inches off for the width. Ms. Dixon said the current sign is in the ROW. Mr. Moore said he is confused on the sight triangle requirements.

Mr. Hudson asked if the Form-Based Code violations made by the applicant. Ms. Dixon said the requested variances are listing all the violations. She said the current sign is in violation of the Form-Based Code sign code. The monument sign requirements have not changed since the code was established.

Mr. Smith asked if there would still be an issue with the line of sight. Ms. Dixon said the rule is if you place something over three (3) feet in height within twenty-five (25) feet of an intersection then the sight triangle has been compromised. She said because there is a side street adjacent to the side of the property the visibility down East Main Street is impeded. Thus, the sight triangle has been compromised. Mr. Whitaker said based upon the images, the stop sign location and the current sign location, there would be a visible sight issue. Mr. Moore said the building behind the current sign location is closer to the street than the current sign itself. Ms. Dixon said the building is a legal non-conforming issue and is irrelevant to the current sign case. Mr. Whitaker said the building is not in the sight triangle. Mr. Moore said he is willing to move the current sign back. Ms. Dixon said that either way the current sign would need a variance because it has to be setback a total of twenty-five (25) feet from the edge of the curb and that would make the sign location unusually close to the building.

Community Comments:

An email was sent in opposition by Vicki Armor (*in PowerPoint presentation*).

Rebuttal:

Chad Moore addressed the Committee. Mr. Moore said his rebuttal is similar to his previous statements. He said a six (6) feet tall by ten (10) feet wide sign is a large sign and what is another foot. He said another foot is larger but the actual signage is thirty-two (32) square feet. He said he wants to find a solution where the sign can remain as is but be moved around on the site location.

Discussion: Mr. Smith said the Committee does not have proposed plans for what the applicant would do but only what has been done already. Ms. Dixon agreed. Mr. Smith said he is confused on the timeline of the previous case about the pole sign. He asked about the previous denial for this property. Ms. Dixon said the pole sign was denied and the applicants were allowed to do a smaller setback. She said the applicant placed the sign without proper permitting and had a sign application been submitted she could have advised this on this matter

earlier. Mr. Smith asked if the applicant was knowledgeable of the requirements and steps needed prior to sign installation. Ms. Dixon said that he was knowledgeable of the process.

Mr. Hudson asked if the applicant had a ten (10) foot setback granted. Ms. Dixon said a ten (10) foot setback had been granted from the property line. She said if the current sign were moved to an approvable location it would need to be moved back twelve (12) feet and would be about one to two feet away from the building. Mr. Whitaker asked if the Committee could change the ten (10) foot setback to something smaller even though the applicant is not asking for a change in setback allowance. Mr. Whitaker said the sign must be moved out of the sight triangle. Mr. Smith asked if the Committee could ask for the current sign to be moved. Mr. Dixon said a condition could be made that the sign be moved. Mr. Smith asked if the applicant still need to check with CDOT. Ms. Dixon said if the sign is moved out of the ROW then the applicants would not need to consult with CDOT.

Mr. Hudson said the variance requests listed cannot be supported by him. He asked about the setback not being listed as a request today. Ms. Dixon said the greatest concern is the sight triangle due to the safety issue. She said the sign is okay to be within the eighteen (18) feet but it must be verified for safety.

Mr. Whitaker asked the City Attorney if the Committee could deny the variances and still place conditions after the fact. Attorney Bryson said no, once a variance is denied then it is denied. Mr. Hudson asked if the applicant had a variance for ten (10) foot setback. Ms. Dixon said yes.

Mr. Hudson asked if the applicant could comply with code and build the current sign. Ms. Dixon said if the current sign was moved to the other side of the building and out of the ROW then that would work with the variance granted in July of 2018. Mr. Whitaker agreed with Mr. Hudson about complying with the previously granted ten (10) foot setback variance. Mr. Whitaker said he is not in favor of granting any variances not presented before the Committee. Mr. Moore asked if he could defer his case. Mr. Whitaker said if the applicant is not changing the requests then he is still not in support of the current sign placement. Mr. Whitaker said the neighborhood has fully expressed their opposition of the current sign placement as well. He told Mr. Moore that he was well aware of the Form-Based process after having the old case granted and denied. He said Mr. Moore should have checked with Ms. Dixon and gone through the proper permitting process prior to placing the current sign.

William Smith made a motion to deny Case #19-FB-00006 – 625 E Main 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.

Jim Williamson seconded the motion. The motion was unanimously approved.

Case #19-FB-00007 – 430 Manufacturers Road –

Project Description:

The applicant, American River Development LLC / Chad Lorentz, has applied for the following modifications:

1. Increase in story height from 4 to 5 stories in the E-CX-4 area of the property.
2. Increase in height from 50' to 60' in the E-CX-4 areas of the property.
3. Reduction in parking stalls from 137 to 87. (36% reduction).

Ms. Dixon presented the PowerPoint presentation.

Brad Eckland, of Urbal Architecture, addressed the Committee. Mr. Eckland presented renderings to the Committee and staff. [*The renderings have been filed*]. Mr. Eckland said there are other 5 story buildings in the zone, right up the street. He said if the building mass was to be maxed out in the river view zone there would be more view limitations than what is currently being proposed. He said the parking designations are for seventy percent (70%) of his residents. He said shuttle services would be provided which is why the number of parking spaces have been asked to be reduced.

Mr. Hudson asked if the parking lot would have limited with access barriers. Mr. Eckland said sharing or leasing parking spaces to adjacent businesses would be okay, if that is something that was needed. He said the question of access barriers could not be answered now but could be discussed later.

Mr. Smith asked if the building could be used as an apartment building with the current design. Mr. Eckland said there are amenity spaces designed at the lower level that you would not find in a multifamily building. Mr. Smith asked if the applicant has a special permit from Board of Zoning Appeals. Mr. Eckland said a special permit was granted pending the purchase of the property.

Mr. Havron asked how many employees the facility anticipates having. Mr. Eckland said there is to be on site staff and nursing care, on site management and activity directors. He said there would be approximately twenty-five (25) max employees. Mr. Havron asked if the building would have twenty-five (25) employees taking care of one hundred sixty (160) people. Mr. Eckland said there are a total of one hundred fifty-one (151) units. Of those units, one hundred thirty-six (136) are for assisted living units and fifteen (15) memory care units. He said if it were to be absolutely maxed out then there could be up to two hundred fifty (250) residents in the building. He said typically their buildings are not maxed out. Mr. Havron said he had an issue with the parking that the applicant was asking to reduce. He said parking in the North Shore area is horrific. He stated he cannot imagine eighty-six (86) parking stalls being sufficient enough for assisted living and staff. He asked what the projected parking stall numbers for an assisted living facility would be. Ms. Dixon said this project type is not the applicant's first rodeo and with the research the applicants have done they would be better to answer to the parking stall to residents' concerns.

Clayton Mazingo, Owner and Developer, addressed the Committee. Mr. Mazingo said he has thirty-five (35) other properties across the country. He said the parking ratios they come up with are typical. He said building and parking for assisted living is determined by acuity. He

said he has never had a one to one parking situation because they usually get a parking reduction especially since the memory care residents are unable to drive. He said typically [*his facilities*] have two (2) bedrooms, one (1) bedrooms and studios assisted living units. He said typically with the age [of the residents] and place concept the average person might stay in the facility for three (3) years but probably would lose their car or not want to drive it within those three (3) years. He said so the concept is active and to put people in a community where they do not have to use a car. He said they encourage walkability within the community the facilities are placed. He addressed the concerns the Committee had about the parking being open to the public. He said the public is typically not allowed to the parking lot because the residents will need to be within close proximity of the building. Mr. Hudson said his question was directed towards how they propose to keep the public out. Mr. Mazingo said he presumed that a towing service or such would be used to maintain the privacy of the parking lot.

Community Comments: None.

Discussion: Mr. Smith said lowering the parking requirement makes sense. Mr. Williamson said he is in favor of parking reduction. Mr. Havron said he had no objection to the parking reduction but he did have to ask the questions about parking. He said I am not saying I am not for the parking reduction but it was determined by the knowledge of the statements the applicants provided.

Mr. Hudson asked why the piece of property [*the case in review*] was split into two zones. Ms. Dixon said Regional Planning Agency (RPA) could speak to that. She believed when RPA was doing the rezoning for the site area their intention was to have commercial zoning along Manufacturers Road while ignoring the property lines. She reinstated that the question should be directed to RPA. She mentioned that the developers are wanting to not have a lot of blank space along that are of the building with a different zone.

Mr. Williamson said the future usage of this property could allow flexibility. He said the applicant is meeting fenestration and everything else beyond the variances requested. Mr. Whitaker said there are no views across the street and the Committee granted an additional story for view for a previous case.

Jim Williamson made a motion to approve Case #19-FB-00007 – 430 Manufacturers Road, 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.

Matt Whitaker seconded the motion. The motion was unanimously approved.

Case #19-FB-00008 – 10 W. MLK boulevard – Signage / window coverage

Project Description:

The applicant, Electric Power Board (EPB) / Certified Lighting LLC, has applied for the following modification:

1. Increase in the allowance of window coverage by signage from 20% max to 40%.

Ms. Dixon PowerPoint presentation. She said vinyl signage is asked to be used for the windows when the space is not being used for EPB's annual Christmas visuals. She said the

vinyl signage was granted previously but were taken down to put up décor for the annual Christmas visuals.

Mr. Smith asked if the proposed window coverage percentage was the same as it was previously. Ms. Dixon said the applicant told her it is. Mr. Hudson asked if the signage was approved previously. Ms. Dixon said yes it was granted a while ago and when it came time for re-permitting her supervisor told her either the Mayor would have to give approval or EPB would have to go before the Form-Based Code Committee. Mr. Williamson said the signage is not for advertising and that it serves as a community message. Mr. Whitaker said Rock Creek was turned down for a request similar to the request for this case. Ms. Dixon said the window area for the proposed signage does not peer into the lobby of EPB. She said the area was specifically built for the Christmas *[windows]* and the rest of the time it is *[an empty space, similar to the Synovus case]*.

Chad Moore, of 165 Hamm Road, addressed the Committee. Mr. Moore said this is the third year putting up graphics. He said the signage is vinyl and will be placed on the outside *[of the glass]* and not on the inside. He said this is more of a permanent aspect until the removal for the annual Christmas display. He said all the signage is for community outreach and no advertising.

Community Comments: None.

Discussion: Mr. Hudson said he appreciated that the signage was not for advertising and is more for community outreach. He said his main concern is that the Code requires a certain amount of window visibility and allowing variances such as these are constantly going against it. Mr. Whitaker said Rock Creek asked for a similar variance and was denied. He said the Committee allowed Rock Creek to keep the window signage up temporarily. Mr. Havron said the Committee also *[required]* Rock Creek to take down the signage. Ms. Dixon said Rock Creek also put another sign up after that enforcement and she had to call them to ask that it be taken down. She said Rock Creek had active open commercial space to look into. She said like Synovus, the EPB space is not active or open for commercial usage. Mr. Whitaker said he would be inclined to give them a temporary approval while the applicants come up with another option.

Mr. Hudson asked if the signage for the windows was the exact same signage from last year and as seen on the drawings. Mr. Moore said the sizes of the signage will be the same but the signage may or may not be the same design. Mr. Williamson asked the applicant if the presented signage on the drawings may or may not be seen if the request was granted. Mr. Moore said the concept will be the same and the size but the design may be different. Mr. Havron asked Mr. Hudson if he would have a problem with allowing a specific time frame for the window signage. Mr. Whitaker said that could be a potential problem. *[The Committee agreed that ninety (90) days should be sufficient time to come up with another way to fill the window space.]*

David Hudson made a motion to approve Case #19-FB-00008 – 10 W. Martin Luther King 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 approval is only temporary. Sign contractor must notify staff on the day the vinyl is installed. After 90 days it must be removed.

Jim Williamson seconded the motion. The motion was unanimously approved approve.

OTHER BUSINESS: Neighborhood Association Meeting Requirements – *Interpretations by Committee*. Ms. Dixon discussed the Code as it relates to the neighborhood association meeting requirements for interior renovations. Mr. Whitaker said if a plan review is not required than the neighborhood meeting should not be required. Mr. Smith said it needs to be clearly written out for all the things that are required for the plan review. Ms. Dixon said she will look into this matter further and have updates for the Committee at a later meeting date.

NEXT MEETING DATE: March 14, 2019 (application deadline is February 15, 2019 at 4 p.m.).

William Smith made a motion to adjourn. Jason Havron seconded the motion. The motion was unanimously approved.

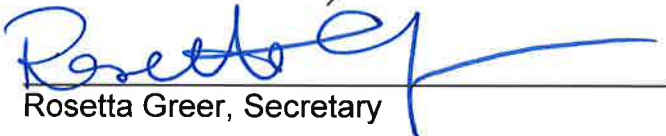
The meeting was adjourned at 3:41 p.m.



Jason Havron, Chair

3/14/19

Date



Rosetta Greer, Secretary

3/14/19

Date

FORM-BASED CODE COMMITTEE **MINUTES**

March 14, 2019

The duly advertised meeting of the Form-Based Code Committee was held on March 14, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Chair Jason Havron, William Smith, Matt Whitaker, Jim Williamson, Grace Frank and David Hudson

Members Absent: Marcus Jones

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and City Attorney Harolda Bryson

Applicants Present: Matt Hullander, Craig Peavy, Gabe Thomas and Donna Shepherd

Approval of Minutes: David Hudson made a motion to approve February 2019 meeting minutes. William Smith seconded the motion. The motion was unanimously approved.

Chairman Havron explained the rules of procedures.

OLD BUSINESS:

Case #18-FB-00057 – 1413 Chestnut Street – Ground Floor Signage

Project Description:

The applicant, Chestnut Holdings LLC / Bill Ortwein Sign, has applied for the following modification:

1. Allowance of ground floor sign from the space between the first and second floor to placement between the second and third floor.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to approve Case #18-FB-00057 – 1413 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. Grace Frank seconded the motion. The motion was unanimously approved.

Case #19-FB-00005 – 802 Central Avenue – Parking Reduction

Planner Emily Dixon noted the case was deferred due to no signage being posted.

NEW BUSINESS:

Case #19-FB-00010 – 1514 Cowart Street – Ground floor height reduction, landscape island size reduction, perimeter planting wall, reduction of trees in perimeter planting

Project Description:

The applicant, Lynwood Davis / Rock Point Homes (Gabe Thomas), has applied for the following modifications:

1. Reduction of ground floor elevation from 16" minimum to 0'.
2. Reduction of interior islands from 13.5' to 6.5'.
3. Allowance of no trees in the perimeter planting area along the adjacent property line.
4. Allowance of no trees in the perimeter planting area along the property line abutting the alley.
5. Allowance of no 3' wall along the adjacent property line.

There was a comment from the community. Bobby Colvin, of 328 N. Crest Road, asked how close the proposed building would be to the adjacent property.

Discussion: A discussion was had between the Committee members. **Matt Whitaker made a motion to approve Case #19-FB-00010 – 1514 Cowart 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. William Smith seconded the motion. The motion was unanimously approved.**

Case #19-FB-00011 – 216 West 8th Street – Roof Signage

Planner Emily Dixon noted the case was deferred due to no signage being posted.

Case #19-FB-00012 – 801 Broad Street – Skyline Signage

Planner Emily Dixon noted the case was deferred due to no signage being posted.

Case #19-FB-00013 – 320 East Main Street – Skyline Signage

Planner Emily Dixon noted the case was deferred due to no signage being posted.

OTHER BUSINESS: None.

NEXT MEETING DATE: April 11, 2019 (application deadline is March 15, 2019 at 4 p.m.).

William Smith made a motion to adjourn. Jim Williamson seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 2:55 p.m.



Jason Havron, Chair

5/9/19

Date



Rosetta Greer, Secretary

5/9/19

Date

FORM-BASED CODE COMMITTEE **MINUTES**

April 11, 2019

The duly advertised meeting of the Form-Based Code Committee was held on April 11, 2019, at 12:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Chair Jason Havron, Grace Frank, William Smith, Matt Whitaker, Marcus Jones, David Hudson and Jim Williamson.

Members Absent: None.

Staff Members Present: Development Review Planner Emily Dixon and Secretary Rosetta Greer

Roll Call: Secretary Rosetta Greer called the roll

Swearing In: Secretary Rosetta Greer swore in everyone who wanted to speak to the Commission

Applicants Present: Chad Smith and Eric Emery.

Approval of Minutes: The March meeting minutes were not ready for review.

Chairman Havron explained the rules of procedures.

OLD BUSINESS:

Case #19-FB-00011 – 216 W 8th Street – Roof Signage

Project Description:

The applicant, 8th Street Partners & Tom Marshall, has applied for the following modification:

1. Allowance of a roof sign.

There was a comment from the community. Stroud Watson, of 1431 Market Street, opposed the variance request.

Discussion: The applicant was not present and a discussion was had between the Committee members. William Smith asked staff if the applicant was aware of the meeting time and notified properly. The applicant was notified of meeting date, time and location. David Hudson made a motion to deny Case #19-FB-00011 – 216 W 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. William Smith seconded the motion. The motion was unanimously approved.

Case #19-FB-00012 – 801 Broad Street – Skyline Signage

Project Description:

The applicant, Pioneer Investors & Tom Marshall, has applied for the following modifications:

1. Allowance of two skyline signs on multiple building faces.
2. Allowance of over 300 square feet of skyline signage and a length of over 50% the length of the building.

There were comments from the community. Mike Whitten, of 1960 Rossville Avenue, asked if the applicant could change the signage if the variance requests were approved. John Petrey, of 559 E Main Street, was in opposition of the variance requests.

Discussion: The applicant was not present and a discussion was had between the Committee members. William Smith made a motion to deny Case #19-FB-00012 – 801 Broad 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. Matt Whitaker seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Case #19-FB-00015 – 411 Fairpoint Street – Landscape & curb cut

Project Description:

The applicant, Peppers Construction Inc. and NE Group – Eric Emery, has applied for the following modifications:

1. Allowance of 13 continuous parking spaces between two interior islands.
2. Increase in driveway width from 20' maximum to 26'.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. The applicant, Eric Emery, noted that Deputy Fire Marshall, Michael Wright, required the width of the curb cut entrance for the proposed project to be 26 feet. Matt Whitaker made a motion to approve Case #19-FB-00015 – 411 Fairpoint 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. Jim Williamson seconded the motion. The motion was unanimously approved.

Case #19-FB-00016 – Adams Street– Skyline Signage

Project Description:

The applicant, Central of Georgia Railroad Company and Chazen Engineering, has applied for the following modifications:

1. Reduction of primary street setback from 10' to 0'.
2. Reduction of side street setback from 10' to 5'.
3. Reduction of Primary Street Parking setback in the U-RM zone from 30' to 0'.
4. Reduction of Primary Street Parking setback in the U-CX zone for 4 units from 30' to 0'.
5. Reduction of Side Street Parking setback on Adams Street in the U-CX zone from 10' to 0' for 1 unit.

Planner Emily Dixon noted that the proposed project is unaddressed and does not have a parcel number. She said it is Railroad Right of Way.

There were comments from the community. John Petrey, of 559 E. Main Street and Jefferson Street, asked that the community is given traffic input on the proposed project by Chattanooga Department of Transportation (CDOT). Terry Turner, of 514 E. Main Street and Jefferson Street, noted that there are traffic issues and storm water issues in the site area.

Discussion: The applicant was not present. A discussion was had between the Committee members. Matt Whitaker made a motion to defer Case #19-FB-00016 – Adams 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. Marcus Jones seconded the motion. The motion was unanimously approved.

Case #19-FB-00017 – 205 Manufacturers Road Suite 200 – Signage

City Staff noted that the case was withdrawn by the applicant.

Case #19-FB-00018 – 526 E. 5th Street – Stories, lot frontage & setback

City Staff noted that the case was withdrawn by the applicant.

Case #19-FB-00019 – 300 W. 6th Street – Lighting Detail

Project Description:

The applicant, VND Hospitality LLC and Construction Consultants, has applied for the following modification:

1. Allowance of lighting detail to be oriented toward the Right of Way.

Planner Emily Dixon noted that the type of lighting detail and building coverage amount has never been requested before the Form-Based Code area.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to defer Case #19-FB-00019 – 300 W. 6th 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. Matt Whitaker seconded the motion. Marcus Jones opposed the motion. The motion carried to approve.

OTHER BUSINESS: Planner Emily Dixon noted to the Committee about the different format of all future meeting minutes. Emily Dixon presented and discussed the Form-Based Code

Variance Report and the 2019 proposed Form-Based Code edits. David Hudson asked Planner Emily Dixon about having more Committee members on the board.

NEXT MEETING DATE: May 9, 2019 (application deadline is April 12, 2019 at 4 p.m.).

Jim Williamson made a motion to adjourn. Matt Whitaker seconded the motion. The motion was unanimously approved.


The meeting was adjourned at 2:02 p.m.



Jason Havron, Chair

5/9/19

Date



Rosetta Greer, Secretary

5/9/19

Date

FORM-BASED CODE COMMITTEE **MINUTES**

May 9, 2019

The duly advertised meeting of the Form-Based Code Committee was held on May 9, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Chair Jason Havron, William Smith, Matt Whitaker, David Hudson, Jim Williamson, and Anca Rader

Members Absent: Grace Frank, Marcus Jones and Sally Morrow

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and Assistance City Attorney Harolda Bryson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Rosetta Greer called the roll

Swearing In: Secretary Rosetta Greer swore in everyone who wanted to speak to the Commission

Applicants Present: Teresa Jump, Justin Tirsun, Craig Kronenberg and Bob Elliott.

Approval of Minutes: Matt Whitaker made a motion to approve March 2019 and April 2019 meeting minutes. William Smith seconded the motion. All in favor, the motion was unanimously approved.

OTHER BUSINESS: Ethics Training for Committee Members presented by Assistant City Attorney Harolda Bryson

Planner Emily Dixon explained the additional rules of procedure.

OLD BUSINESS:

Case #19-FB-00013 – 320 East Main Street – Skyline Signage

Project Description:

The applicant, Teresa Jump & Victory Sign Industries, Ltd., has applied for the following modifications:

1. Allowance of 2 skyline signs on a 2 story building.
2. Allowance of more than 20% of a window to be covered for the second floor vinyl sign located on the window.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion for Case #19-FB-00013 – 320 East Main 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 first variance for the allowance of two skyline signs on a 2 story building was approved and the second variance for the allowance of more than 20% of a window to be covered for the second floor vinyl sign located on the window was denied. The following conditions were noted: ground floor signage moved to the second level still applies towards the maximum sign square footage allowance for the building. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

Case #19-FB-00016 – Adams Street – Setbacks & parking setbacks

Project Description:

The applicant, Central of Georgia Railroad Company C/O EAD Holdings / Chazen Engineering – Justin Tirsun, has applied for the following modifications:

1. Reduction of primary street setback from 10' to 0'.
2. Reduction of side street setback from 10' to 5'.
3. Reduction of Primary Street Parking setback in the U-RM zone from 30' to 0'.
4. Reduction of Primary Street Parking setback in the U-CX zone for 4 units from 30' to 0'.
5. Reduction of Side Street Parking Setback on Adams Street in the U-CX zone from 10' to 0' for 1 unit.

There were comments from the community. Noelle Omer, of 564 E. 18th Street, noted the community concern about the danger of exiting Adams Street within the neighborhood. John Petrey sent an email to Planner Emily Dixon that was added to the public PowerPoint presentation.

City Staff, Brandon Sutton from the Chattanooga Department of Transportation (CDOT) gave insight about traffic and parking for the site area. He said the development does not hit the threshold to require a Traffic Impact Study (TIS).

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to approve Case #19-FB-00016 – Adams 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 motion stated that modification request 1, 3, 4 and 5 were approved and modification request 2 was denied. There were no conditions

noted. Matt Whitaker seconded the motion. All in favor, the motion was unanimously approved.

NEW BUSINESS:

Case #19-FB-00021 – 1603 Long Street – Access, stories, parking setback

Project Description:

The applicant, Chris Henegar / Hefferlin & Kronenberg Architects, has applied for the following modifications:

1. Increase in building height from 40' to 50'.
2. Increase in stories from 3 to 4.
3. Reduction of parking setback on the primary street from 30' to 14'.
4. Increase in lot coverage from 80% to 100%.

Craig Kronenberg, the Architect for the proposed plan, asked for Staff to remove the modification request for a reduction in parking setback on the primary street from 30' to 14'. Planner Emily Dixon noted that the variance request is removed from review.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00021 – 1603 Long 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. Modification request 3 was removed by applicant. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

Case #19-FB-00022 – 325 Market Street – Ground floor signage

Project Description:

The applicant, Lifestyle Center – Bob Elliott & Bill Ortwein Sign, has applied for the following modifications:

1. Allowance of ground floor signage to be moved to the third floor, skyline position on the Broad Street side of the building.
2. Allowance of ground floor signage to be moved to the third floor, skyline position on the Market Street side of the building.
3. Increase in ground floor signage allowance from 97.5' to 120sqft for 3 ground floor signs on Market Street.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. William Smith made a motion to approve Case #19-FB-00022 – 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. Matt Whitaker seconded the motion. All in favor, the motion was unanimously approved.

NEXT MEETING DATE: June 13, 2019 (application deadline is May 10, 2019 at 4 p.m.).

Matt Whitaker made a motion to adjourn.
The meeting was adjourned at 4:09 p.m.



Jason Havron, Chair

6/13/19

Date



Rosetta Greer, Secretary

6/13/19

Date

FORM-BASED CODE COMMITTEE **MINUTES**

June 13, 2019

The duly advertised meeting of the Form-Based Code Committee was held on June 13, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order and announced that the meeting is being recorded. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Sarah Robbins explained the additional rules of procedures.

Members Present: Jason Havron, Grace Frank, David Hudson, Jim Williamson and Anca Rader

Members Absent: Matt Whitaker, Marcus Jones and Sally Morrow

Staff Members Present: Development Review Planner Sarah Robbins, Secretary Rosetta Greer and Assistant City Attorney Harolda Bryson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Rosetta Greer called the roll.

Swearing In: Secretary Rosetta Greer swore in everyone who wanted to speak to the Commission

Applicants Present: Matt McGauley, Brian Haley and Stephen Culp.

Approval of Minutes: Jim Williamson made a motion to approve May 2019 meeting minutes. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

Planner Sarah Robbins explained the additional rules of procedure.

OLD BUSINESS: NONE

NEW BUSINESS:

Planner Sarah Robbins stated that Case #19-FB-00023 – 1208 King Street has been deferred due to not having the sign posted.

Case #19-FB-00024 – 701 Cherry Street – Ground floor signage

Project Description:

The applicant, Matt McGauley / Brian Haley, has applied for the following modification:

1. Allowance of ground floor sign between the 2nd and 3rd floor.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00024 – 701 Cherry 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. Anca Rader seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

NEXT MEETING DATE: July 11, 2019 (application deadline is June 14, 2019 at 4 p.m.).

Jim Williamson made a motion to adjourn.

The meeting was adjourned at 2:19 p.m.



Jason Havron, Chair

7/11/19

Date



Rosetta Greer, Secretary

7/11/19

Date

FORM-BASED CODE COMMITTEE **MINUTES**

July 11, 2019

The duly advertised meeting of the Form-Based Code Committee was held on July 11, 2019, at 1:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order and announced that the meeting is being recorded. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the additional rules of procedures.

Members Present: Jason Havron, Grace Frank, David Hudson, Jim Williamson, Marcus Jones and Anca Rader

Members Absent: Matt Whitaker

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and Assistant City Attorney Harolda Bryson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Rosetta Greer called the roll.

Swearing In: Secretary Rosetta Greer swore in everyone who wanted to speak to the Commission

Applicants Present: Abigail Stevenson.

Approval of Minutes: Jim Williamson made a motion to approve June 2019 meeting minutes. Grace Frank seconded the motion. All in favor, the motion was unanimously approved.

Planner Emily Dixon explained the additional rules of procedure.

OLD BUSINESS:

Case #19-FB-00023 – 1208 King Street – Skyline signage

Project Description:

The applicant, Jimmy White / Abigail Stevenson, has applied for the following modifications:

1. Allowance of skyline sign to be located below the top 1/3 of the building.
2. Allowance to exceed 50 of the length of the building.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to approve Case #19-FB-00023 – 1208 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

There following conditions were noted: Signage must terminate at or above the existing faded signage.

NEW BUSINESS:

Case #19-FB-00025 – 629 Market Street – Skyline signage

Project Description:

The applicant, Justin House / Mesa Properties Chattanooga LLC / Southern Advertising, has applied for the following modification:

1. Allowance of 2 skyline signs on a 4 story building.
2. Allowance of 2 skyline signs on one building face.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to defer Case #19-FB-00025 – 629 Market Street due to the lack of sufficient information, 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. Marcus Jones seconded the motion. All in favor, the motion was unanimously approved.

Marcus Jones recused himself from the following case.

Case #19-FB-00026 – 1351 Passenger Street – Median and Interior Landscape Islands

Project Description:

The applicant, Choo Choo Partners LP / Allen Jones – ASA Engineering & Consulting, has applied for the following modifications:

1. Allowance of more than 10 spaces between landscape islands in 8 locations.
2. Decrease of landscape islands from 13.5' wide to 10' in 3 locations.
3. No median island between parking rows.
4. Decrease soil surface requirement from 200sqft per tree (400sqft for joined island) to 331sqft for a joined landscape island in two locations
5. Decrease of required trees from $(178/5=)$ 35 to 32.
6. No new islands for existing parking configurations along sidewalk, 3 locations.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Grace made a motion to approve Case #19-FB-00026 – 1351 Passenger 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 that the Staff Appeal shall be considered, in which the

case shall be treated as a modernization and not as an improvement. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

It was noted by the Committee that Staff gets specification for language to define *modernization*.

Marcus Jones rejoined the Committee meeting for the following cases.

Case #19-FB-00027 – 619 & 621 Market Street – Curb cut, parking setback & parking quantity

Project Description:

The applicant, Bell Group Holdings / Don Sells – River Street Architecture, has applied for the following modifications:

1. New curb cut on A Street.
2. Reduction of parking setback from 30' to 0' on Broad Street.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00027 – 619 & 621 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. Marcus Jones seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00028 – 721 Broad Street – Ground floor signage was deferred until the next meeting date due to the site not have the required meeting notice sign posted.

Case #19-FB-00029 – 1514 Cowart Street – Fenestration

Project Description:

The applicant, Rockpoint (RP) Homes LLC / Gabe Thomas – Elemi Architects, has applied for the following modification:

1. Reduction of ground story fenestration from 30% minimum to 16% on the side of the building facing 16th Street.
2. Reduction of upper story fenestration from 25% minimum to 4% on the second level and 5% on the third level on the side of the building facing 16th Street.
3. Allowance of blank wall length 30+' on the side of the building facing 16th Street.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to approve Case #19-FB-00029 – 1514 Cowart 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 that the Staff Appeal be approved, in which consideration of 2 building faces to be reviewed as one building face rather than

review of the two buildings separately. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00030 – 125 W. 20th Street – Fenestration & ground floor signage was withdrawn by applicant.

NEXT MEETING DATE: August 8, 2019 (application deadline is July 12, 2019 at 4 p.m.).

Jim Williamson made a motion to adjourn.

The meeting was adjourned at 3:00 p.m.



Jason Havron, Chair



Rosetta Greer, Secretary

8/8/19

Date

8/8

Date

FORM-BASED CODE COMMITTEE **MINUTES**

August 8, 2019

The duly advertised meeting of the Form-Based Code Committee was held on August 8, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order and announced that the meeting is being recorded. Secretary Rosetta Greer called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the additional rules of procedures.

Members Present: Chair Jason Havron, David Hudson, Matt Whitaker, Anca Rader and Jim Williamson

Members Absent: Marcus Jones and Grace Frank

Staff Members Present: Development Review Planner Emily Dixon, Secretary Rosetta Greer and City Attorney Robert Robinson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Rosetta Greer called the roll.

Swearing In: Secretary Rosetta Greer swore in everyone who wanted to speak to the Commission

Applicants Present: Aaron Brown, Keeli Crewe, David Messenger, Justin Cox, Craig Allison, Chris Aiken and Chad Moore

Approval of Minutes: David Hudson made a motion to approve July 2019 meeting minutes. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

Planner Emily Dixon explained the additional rules of procedure.

OLD BUSINESS:

Case #19-FB-00025 – 629 Market Street – Skyline Signage

Project Description:

The applicants, Justin House / Mesa Properties Chattanooga LLC / Southern Advertising, has applied for the following modifications:

1. Allowance of 2 skyline signs on a 4 story building.
2. Allowance of 2 skyline signs on one building face.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Anca Rader made a motion to approve Case #19-FB-00025 – 629 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.

David Hudson noted to the Committee that he wanted to add some reasons for the approval as listed below. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval but the reasons noted for the approval are as follows: historic building, one street blocked with tree, applicant/tenant takes large amount of building and no other location architecturally viewed from two directions.

Case #19-FB-00028 – 721 Broad Street - Signage

Project Description:

The applicants, Health Educational & Housing Facility Board / Certified Lighting and Signs, has applied for the following modifications:

1. Increase in maximum ground floor signage allowance from 172.5sqft to 208sqft.
2. Increase in maximum sign size from 48sqft to 97.5sqft for two signs.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion to defer Case #19-FB-00028 – 721 Broad 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. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

NEW BUSINESS:

Case #19-FB-00032 – 1705 Market Street – Building Story Decrease

Project Description:

The applicants, Tyler Prentice / Jay Caughman, has applied for the following modification:

1. Reduction of 2 story height requirement along an A Street to 1 story.

There were comments from the community. **Roger Rupp, board of director for Southside Cowart Neighborhood Association, addressed the Committee with concerns of the alley way in the rear of the property in question.**

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to approve Case #19-FB-00032 – 1705 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. Matt Whitaker seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00033 – 609 Houston Street – Skyline Signage

Project Description:

The applicants, Central Church of Christ / Ortwein Sign, has applied for the following modifications:

1. Allowance of skyline sign on a two story building.
2. Allowance of over 50% sign coverage across the top of the building.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion to approve Case #19-FB-00033 – 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 the allowance of moving a ground floor sign to an upper floor level. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00034 – 305 W 7th Street – Monument Sign

Project Description:

The applicants, St. Paul's Church / Certified Lighting and Signs, has applied for the following modifications:

1. Allowance of a monument sign in a location which would obstruct vehicular visibility.
2. Allowance of a 0' setback for a monument sign.

There were no comments from the community.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion for Case #19-FB-00034 – 305 W 7th Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code, subject to deny the first variance request and approve the second variance request. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00035 – 924 E 8th Street – Gravel parking lot & lot size

Project Description:

The applicants, Justin Cox / David Messenger, has applied for the following modifications:

1. Applicant wishes to appeal Land Development Office determination that the site was improved to a degree which constitutes meeting code requirements, such as dust-free surfaces, etc.

2. Applicant wishes to appeal Land Development Office determination that pea gravel is not a dust-free surface.

Please note: The applicants passed out an additional document 'Exhibit 1' and has been filed with the application on file and attached to these meeting minutes as 'Exhibit '.

There were no comments from the community.


Discussion: A discussion was had between the Committee members. David Hudson made a motion to denied Case #19-FB-00035 – 924 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. Matt Whitaker seconded the motion. 4 people in favor, and 1 opposed the motion failed to carry.

David Hudson made a motion to defer the case until more Committee members are present. Matt Whitaker seconded the motion. All in favor, the motion was unanimously approved

NEXT MEETING DATE: September 12, 2019 (application deadline is August 9, 2019 at 4 p.m.).

David Hudson made a motion to adjourn.

The meeting was adjourned at 4:30 p.m.



Jason Havron, Chair

10/29/19

Date

Rosetta Greer, Secretary

Date

FORM-BASED CODE COMMITTEE **MINUTES**

October 29, 2019

The duly advertised meeting of the Form-Based Code Committee was held on October 29, 2019, at 9:00 a.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order and announced that the meeting is being recorded. Secretary Sarah Robbins called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the additional rules of procedures.

Members Present: Chair Jason Havron, Marcus Jones, Grace Frank, David Hudson, Matt Whitaker, Anca Rader and Jim Williamson

Members Absent: None

Staff Members Present: Development Review Planner Emily Dixon, Secretary Sarah Robbins and City Attorney Harolda Bryson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Sarah Robbins called the roll.

Swearing In: Secretary Sarah Robbins swore in everyone who wanted to speak to the Commission.

Applicants Present: John Weitz, Rod Gerber, Ben Peppers, Joseph Schlabs, Mike Price, John Wise, Chris Dufresne, and Chandler Thurman.

Approval of Minutes: Matt Whittaker made a motion to approve July 11, 2019 meeting minutes. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

Planner Emily Dixon explained the additional rules of procedure.

OLD BUSINESS:

Case #19-FB-00037 – 107 W. MLK Boulevard – Awning Depth

Project Description:

The applicants, John Weitz / Rod Gerber, have applied for the following modifications:

1. Decrease of minimum awning depth from 3' minimum to 2'3" (total decrease of 9 inches).

Planner Emily Dixon presented the project.

Comments from the Applicant: John Weitz gave a brief presentation of the history of the project and why the applicant has applied for the modification.

Comments from City Staff or Others: Community member John Wise of 1610 Carol Lane commented that he was very impressed with the mentioned project.

Commission Member David Hudson recused himself from this case.

Discussion: A discussion was had between the Committee members. Jim Hudson made a motion to approve Case #19-FB-00037 – 107 W. MLK 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. Marcus Jones seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00038 – 1009 E 8th Street - Lot width

Project Description:

The applicants, Thomas Yattoni / Ben Peppers, have applied for the following modifications:

1. Reduction of lot width from 30' minimum width to 25'.

Planner Emily Dixon presented the project.

Comments from the Applicant: Colin Johnson of 1410 Cowart Street spoke for the applicant, and he reasoned that the requested modification is consistent with the neighborhood.

Comments from City Staff or Others: Dan McCaffrey of 1011 E 8th Street submitted a letter of opposition to city staff, and the letter was in the staff presentation. Dan McCaffrey was also present at the meeting and he voiced his opposition. Liz Devet of 108 E 8th Street voiced her opposition to the requested modification.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00038 – 1009 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. Matt Whitaker seconded the motion. A majority of votes were in favor and one vote was in opposition, therefore, the motion was approved.

There were no conditions noted for the approval.

Case #19-FB-00039 – 1806 Madison Street - Increase ADU height

Project Description:

The applicant, Joseph Schlabs, has applied for the following modifications:

1. Increase in maximum height for an ADU from 24' to 31'.

Planner Emily Dixon presented the project.

Comments from the Applicant: Applicant Joseph Schlabs of 1806 Madison Street gave reasons as to why the need for the variance is necessary.

Comments from City Staff or Others: City staff received seven emails of support from nearby residents of the subject property. These emails are in the presentation.

Discussion: A discussion was had between the Committee members. Marcus Jones made a motion to approve Case #19-FB-00039 – 1806 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

There was one condition noted for the approval: The roof pitch and height must match the drawings presented for the variance.

Case #19-FB-00041 – 712 N Market Street - Increase curb cut width

Project Description:

The applicants, SE First Holding, LLC – Roddy Henderson / MAP Engineers – Mike Price, have applied for the following modifications:

1. Increase in maximum driveway width from 20' maximum to 24'.

Planner Emily Dixon presented the project.

Comments from the Applicant: Applicant Mike Price of MAP Engineers, 7380 Applegate Lane, commented that the driveway width needs to be increased for safety and this variance is necessary.

Comments from City Staff or Others: None

Discussion: A discussion was had between the Committee members. Grace Frank made a motion to approve Case #19-FB-00041 – 712 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. Anca Rader seconded the motion. A majority of votes were in favor and two vote were in opposition, therefore, the motion was approved.

There were no conditions noted for the approval.

Case #19-FB-00042 – 309 Tremont Street - Setbacks, protected buffer & frontage

Project Description:

The applicants, John Wise / Wise Properties TN LLC – David Fidati, have applied for the following modifications:

1. Reduction of primary setback from 10' minimum to 0'.
2. Reduction of right side protected zone setback from 15' to 0' for retaining wall.
3. No protected buffer requirements between the R-1 adjacent property and the multiunit development.
4. Reduction of left side alley setback from 5' to 0'.
5. Reduction of lot frontage 60% to 45%.

Planner Emily Dixon presented the project.

Comments from the Applicant: Applicant John Wise of 1610 Carol Lane commented that his designers worked to try and meet the neighborhoods desire to have parking in the rear. He also made other comments, including that the site is in need of stabilization with a side retaining wall.

Comments from City Staff or Others: City staff received seven emails from nearby residents of the subject property. These emails are in the presentation. A majority of the emails are in opposition to the requested modifications. Bob McNutt of 505 Lytle Street spoke in support of the project and application. Thomas Coutu of 548 Molly Lane spoke in support of the project and application.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion to partially approve Case # Case #19-FB-00042 – 309 Tremont 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

The motion for partial approval included the following:

APPROVED: Reduction of primary setback from 10' minimum to 0'.

DENIED: Reduction of right side protected zone setback from 15' to 0' for retaining wall.

DENIED: No protected buffer requirements between the R-1 adjacent property and the multiunit development.

APPROVED: Reduction of left side alley setback from 5' to 0'.

DENIED: Reduction of lot frontage 60% to 45%.

There were no conditions noted for the approval.

Case #19-FB-00043 – 330 Tucker Street - Setbacks

Project Description:

The applicants, John Wise / Wise Properties TN LLC – David Fidati, have applied for the following modifications:

1. Reduction of primary setback from 10' minimum to 0'.
2. Reduction of rear: common lot line / alley from 5' to 0' for rear retaining wall.
3. Reduction of left side common lot line from 5' to 0'.
4. Reduction of right side common lot line from 5' to 0' for retaining wall.

Planner Emily Dixon presented the project.

Comments from the Applicant: The applicant John Wise of 1610 Carol Lane commented that the units are in need of the requested code modifications for a variety of reasons, including to accommodate a front sidewalk and a height of structure that has two building stories at the street.

Comments from City Staff or Others: Bob McNutt of 505 Lytle Street spoke with questions of the surrounding properties and zoning.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to partially approve Case #19-FB-00043 – 330 Tucker 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. Jim Williamson seconded the motion. A majority of votes were in favor and one vote was in opposition, therefore, the motion was approved.

The motion for partial approval included the following:

APPROVED: Reduction of primary setback from 10' minimum to 0'.

APPROVED: Reduction of rear: common lot line / alley from 5' to 0' for rear retaining wall.

DENIED: Reduction of left side common lot line from 5' to 0'.

APPROVED: Reduction of right side common lot line from 5' to 0' for retaining wall.

There were no conditions noted for the approval.

Case #19-FB-00044 – 621 E MLK Blvd - Interior Islands & perimeter plantings

Project Description:

The applicants, The River City Company – Jim Williamson / Chattanooga Neighborhood Enterprises – Jake Toner, have applied for the following modifications:

1. Allowance to place 6' perimeter plantings on adjacent property at the rear of the property, dependent upon a landscape easement with the adjacent property owner.
2. Reduction of interior island soil surface from 200 square-feet with a class I tree to 135 square-feet and a class II tree.
3. Allowance to count soil surface volume from the adjacent property towards the required interior island soil surface of 200 square-feet.
4. Allowance to increase the maximum number of parking spaces between interior islands from 10 spaces to 12 spaces with a tree planted in the middle of the parking span.

Planner Emily Dixon presented the project.

Commission Member Jim Williamson recused himself from this case.

Comments from the Applicant: Eric Emory of 1216 East Main Street gave more information about the project. He explained that the project is all residential with covered bike parking and other elements.

Comments from City Staff or Others: James Farrison of 615 East M L King Boulevard spoke in opposition to the application.

Discussion: A discussion was had between the Committee members. Matt Whitaker made a motion to approve Case #19-FB-00044 – 621 E MLK Blvd, 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. Grace Frank seconded the motion. All in favor, the motion was unanimously approved.

There was one condition noted for the approval: Landscape easements must be obtained from adjacent property owners and trees used must be shade trees.

NEW BUSINESS:

Case #19-FB-00047 – 899 Cherokee Blvd. – Setbacks, building height, building stories, fenestration & curb cut

Project Description:

The applicants, Jones James I HK Architecture - Chris Dufresne, has applied for the following modifications:

1. Reduction of primary parking setback from 30' to 5' for structured parking.
2. Increase in side setback maximum from 20' to an average of 40'. The side setback varies from 15' to 65'.
3. Increase the maximum stories from 3 to 4.
4. Increase in maximum building height from 40' to 45'.
5. Allowance to only have one point of entry on the primary street instead of one every 75'.
6. Reduction of ground floor fenestration from 30% to 20.8% on Cherokee Blvd.
7. Reduction of ground floor fenestration from 30% to 16.7% on Bell Ave.
8. Reduction in upper story fenestration from 25% to 20% on Bell Ave.
9. Increase in maximum building coverage from 70% to 75%.
10. Increase in curb cut from a maximum of 20' to 25'.

Planner Emily Dixon presented the project.

Comments from the Applicant: Architect Craig Kronenberg of 1613 Duncan Avenue commented on the application and the reasons for needed variances.

Comments from City Staff or Others: City staff received one email of opposition from a nearby resident of the subject property. This emails was in the presentation.

Discussion: A discussion was had between the Committee members. Jim Williamson made a motion to partially approve Case #19-FB-00047 – 899 Cherokee Blvd., 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

The motion for partial approval included the following:

APPROVED: Reduction of primary parking setback from 30' to 5' for structured parking.

APPROVED: Increase in side setback maximum from 20' to an average of 40'. The side setback varies from 15' to 65'.

APPROVED: Increase the maximum stories from 3 to 4.

APPROVED: Increase in maximum building height from 40' to 45'.

APPROVED: Allowance to only have one point of entry on the primary street instead of one every 75'.

APPROVED: Reduction of ground floor fenestration from 30% to 20.8% on Cherokee Blvd.

APPROVED: Reduction of ground floor fenestration from 30% to 16.7% on Bell Ave.

DENIED: Reduction in upper story fenestration from 25% to 20% on Bell Ave.

APPROVED: Increase in maximum building coverage from 70% to 75%.

APPROVED: Increase in curb cut from a maximum of 20' to 25'.

There were two conditions noted for the approval:

CONDITION: (For requests 6 & 7) The ground floor fenestration as measured from first floor plate to the upper level floor plate must meet the minimum fenestration requirement.

CONDITION: (For request 9) the structured parking must have a double row of trees on the long side of the parking structure.

Case #19-FB-00048 – 1014 Magnolia Street - Setbacks & lot size

Project Description:

The applicants, Chandler Thurman, has applied for the following modifications:

1. Decrease in rear setback from 25' to 10'.
2. Decrease in minimum lot square footage from 3,000 square-feet to 2,440 square-feet.

Planner Emily Dixon presented the project.

Comments from the Applicant: Applicant Chandler Thurman of 802 East 10th Street commented on the application.

Comments from City Staff or Others: None

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00048 – 1014 Magnolia 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. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

Case #19-FB-00049 – 1010 Magnolia Street - Lot size

Project Description:

The applicants, Chandler Thurman, has applied for the following modifications:

1. Decrease in minimum lot square footage from 3,000 square-feet to 2,760 square-feet.

Planner Emily Dixon presented the project.

Comments from the Applicant: Applicant Chandler Thurman of 802 East 10th Street commented on the application.

Comments from City Staff or Others: None

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00049 – 1010 Magnolia 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. Matt Whitaker seconded the motion. All in favor, the motion was unanimously approved.

There were no conditions noted for the approval.

NEXT MEETING DATE: November 14, 2019 (application deadline was October 11, 2019, 2019 at 4 p.m.).

Jim Williamson made a motion to adjourn. Marcus Jones seconded the motion.

The meeting was adjourned at 1:11 p.m.

Jason Havron, Chair

Date

Sarah Robbins, Secretary

Date

FORM-BASED CODE COMMITTEE

MINUTES

November 14, 2019

The duly advertised meeting of the Form-Based Code Committee was held on November 14, 2019, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Chair Jason Havron called the meeting to order and announced that the meeting is being recorded. Secretary Levi Witt called the roll and swore in all those who would be addressing the Committee. Development Review Planner Emily Dixon explained the additional rules of procedures.

Members Present: Chair Jason Havron, Grace Frank, David Hudson, Matt Whitaker, Anca Rader and Jim Williamson

Members Absent: Marcus Jones

Staff Members Present: Development Review Planner Emily Dixon, Secretary Levi Witt and City Attorney Harolda Bryson

Chairman Havron explained the rules of procedures.

Roll Call: Secretary Levi Witt called the roll.

Swearing In: Secretary Levi Witt swore in everyone who wanted to speak to the Commission.

Applicants Present: Justin Tirson, Andy Stone, David Messenger, Justin Cox, Ramsey Brock, Deborah Holsomback, Kaitlyn Sims, Allen Jones, John Clark, and Buck Tasker

Approval of Minutes: No minutes were ready for approval at this meeting.

Planner, Emily Dixon, explained the additional rules of procedure.

Case # 19-FB-00040 1426 Williams Street - Parking setback, drive aisle, interior island

Project Description:

The applicants, Justin Tirsun and Andy Stone (Williams Street GP / Chazen Engineering Consultants), have applied for the following modifications:

1. Reduction of primary street parking setback from 30' to 15'.
2. Reduction of drive aisle from 14' to 12' in a portion of the parking lot.
3. Increase in the number of parking stalls between interior islands from 10' maximum to 15' along one side of the property.

Planner Emily Dixon presented the project.

Comments from the Applicant: Justin Tirsun described changes that were being made to the property in order to keep compliance with Form-Based Code. Mr. Tirsun asked for several variances in order to remain compliant with the existing code while also enhancing the aesthetic value of the property. Andy Stone, a developer on the project, also addressed the Committee. Mr. Stone joined Mr. Tirsun in describing variances needed in order to keep aesthetic values to the property while also remaining compliant with existing code, such as the addition of cherry trees and the preservation of grassy areas.

Comments from City Staff or Others: Committee member, David Hudson, explained why the code requires tree wells every ten parking spaces and their purposes for providing drainage and recharging ground water. Mr. Hudson asked Mr. Tirsun and Mr. Stone if they were doing anything to make up for the tree wells that would be removed. Mr. Tirsun and Mr. Stone described improvements they were making to manage water flow. Planner, Emily Dixon, added that the president of the applicant's Homeowners Association is in favor of the changes because they would be able to keep more onsite existing parking. Kaitlin Sims, of Chazen Engineering, said that they were working with the developer to add trees while also maintaining existing trees.

Commission Member Matthew Whitaker recused himself from this case.

Discussion: A discussion was had between the Committee members. Grace Frank made a motion to approve Case #19-FB-00040 – 1426 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. Anca Rader seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval, such as: that the applicants enhance the property with shade trees. The hardship is based on unusual shade, easements, existing development, and existing agreements on parking.

wants his clients to be able to see that his office is in the building and he wants his clients to be able to locate the building when they are looking for it. Dana Holsomback, with Victory Sign, also spoke. Ms. Holsomback reiterated Mr. Brock's desire for clients, and potential clients, to be able to find the building.

Comments from City Staff or Others: Committee member, David Hudson, asked Mr. Brock if he had a sign located at the rear of the building. Ms. Holsomback also presented the Committee with dimensions of the signage on the building. Planner, Emily Dixon, recommended a skyline sign, which she said would be a better choice for the applicant's request.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #19-FB-00053 - 325 Cherokee Blvd, 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. Jim Williamson seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval, such as: the ground floor sign being moved to the second floor above their space, and the alteration of the language in the modification application from "the allowance of *three* additional skyline signs" to "the allowance of *one* additional skyline sign" so long as the total square footage of the skyline signs do not exceed what is allowed by code.

NEXT MEETING DATE: December 12, 2019 (application deadline is November 15, 2019 at 4 p.m.).

Matthew Whitaker made a motion to adjourn.

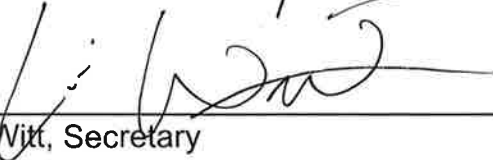
The meeting was adjourned at 3:35 p.m.



Jason Havron, Chair

1/09/2020

Date



Levi Witt, Secretary

1-9-2020

Date