

FORM-BASED CODE COMMITTEE

MEETING MINUTES

July 13, 2023

The duly advertised meeting of the Form-Based Code Committee was held on July 13, 2023, at 2:00 p.m. in conference room 1A of the Development Resource Center Building. Chairman Beverly Bell called the meeting to order and announced that the meeting was being recorded. Secretary Dottie Cannon called the roll and swore in all those who would be addressing the Committee.

Members Present: Denise Shaw, Jake Toner, Jim Williamson, David Hudson, Thomas Palmer

Members Absent: Beverly Bell, Tenisha Irvin and Sarah Brogdon

Staff Members Present: Development Review Planner Melissa Mortimer, Secretary Dottie Cannon and Staff Attorney Harolda Bryson

Motion to Chair: Jake Toner made a motion to have Jim Williamson chair the meeting. Thomas Palmer seconded the motion. All in favor, the motion was passed to have Jim Williamson chair the meeting.

Rules and Regulations: Chairman Jim Williamson explained the rules of procedures.

Approve Minutes: David Hudson made a motion to approve the June Minutes. Jake Toner seconded the motion. All in favor, the June Minutes were approved.

Roll Call: Dottie Cannon called the roll.

Swearing In: Dottie Cannon swore in everyone who wanted to speak to the Committee.

Applicant(s) Present: Jay Caughman, LaBella Associates, Clifton McCormick

Melissa Mortimer presented the case.

OLD BUSINESS: None

NEW BUSINESS:

FBC-23-16 – 1801 Long Street – Major Modification Request (requesting decrease in side setback on accessory structure from 10' to 5') Sec. 38-714(3)(E)

Project Description: The applicant, Jay Caughman, has applied for the following modifications:

1. Requesting decrease in the side setback on accessory structure from 10' to 5'.

Zoning: U-RD-2 Residential Detached Zone

Melissa presented the case.

Jay Caughman, Architect for Caughman & Caughman of 1713 Cowart Street addressed the Board. He said when he started the project, he noticed the setbacks were 10' but the existing house is 4 ½' and the detached garage is 5 ½'. They have 9 letters in favor of this project. A 10th one is not on the portal. This property was rezoned but not sure when. When they bought the property, it was under the previous zone. Their property line is setback from the curb quite a bit. Even if granted the request he would be 11 ½ feet off the curb. There would be a wood non-combustible deck elevated 2' higher.

Emails from:

Ingrid Hain, 1711 Williams St wrote in to express opposition to the project.

Chris Moore 155 W. 18th wrote in to express opposition to the project.

Thomas Purdy 1708 Williams St wrote in to express opposition to the project.

Adam Kinsey 1711 Long St wrote in support of the project.

Caroline Hetzler 1717 Long St wrote in support of the project.

Discussion: A discussion was had between the Committee members and applicant. Denise Shaw made a motion to approve Case FBC-23-16 – 1801 Long Street, as submitted pursuant to the Chattanooga City Code, Section 38-596(4) and pursuant to the Form-Based Code as specified below and subject to any and all conditions:

- No conditions noted

Thomas Palmer seconded the motion. All in favor, the motion was carried to approve.

FBC-23-18 – 100 E Main St. – Major Modification Request (requesting decrease in side setback on accessory structure from 10' to 5') Sec. 38-714(3)(E)

1. Allow an increase to the maximum height by one story.

Sec. 38-718. (5) HEIGHT AND MASS. A. Maximum Height: U-SH-4: 4 stories/60' max.

Sec. 38-696. (4) C. e. For any request to increase maximum building height, may grant up to one additional story of 12 feet or less, in height.

2. Allow ground floor fenestration to be less than the 70%.

Sec. 38-718 (6) PUBLIC REALM. Fenestration. A. Ground story: 70% min.

3. Allow for a vehicle loading and drop-off area on Main Street
Sec. 38-745 (3) VEHICLE LOADING AND DROP-OFF AREAS. Drop-off Areas C.
Option 3: On-street drop-off.

4. Allow for curb cut on Mitchell Ave.
Sec. 38-718(4) ACCESS/PARKING LOCATION. Access. With alley: New street curb-cuts per lot: None

Melissa presented the case.

Applicant Kaitlyn Sims with LaBella Associates, 1426 Williams St Apt 12. She said they have made some project U-turns because the judge ruled that this building must come down in 60 days. They are pivoting with their design. The neighborhood did not want traffic coming through and trucks utilizing their alley. They are trying to mitigate the many problems with this site. But with FBC rules and conditions they are back here again. The additional story is needed for both rooms. The economy has shifted so they are looking at rooms and possibly food and beverage area on top in the rooftop style. They are still in their 4-story height. They are looking at 63' max. They are right there at the 4 stories but they are making 5 stories out of the 4. They are looking at the fenestrations like trash, etc. That is the reason for the curb cut. It will be pushed out for the service and then pushed back in. They have also met with FBC and CDOT. Rossville and Main Street is dangerous and CDOT said they would not accept on street parking at that location. But they do support hotel drop off. Best choice for this site. No one in the neighborhood wants to utilize the alley. They definitely have support and have some opposition.

Jay Hevaline of 110 E. Main Street was in opposition. He said according to FBC he is an abutting property. He asked that the FBC do not allow a 5-story exception. Parking, valets running across the street. The traffic on Main Street is already bad.

John Muller 2418 E 14th St owner of the building on the other side. He said he was never invited at the meeting. He said the loading will all go to Mitchell Avenue. Any trucks that are going to be servicing this will be sitting out on Mitchell Avenue. The Main Street cut out will not work. There is no parking there. Valets will have to go behind the street to approach the building to drop off in their parking area. Fire Station is one block away. Some of the emergency traffic is blocked. The noise is awful.

Joan Marie Worsham 55 E Main St #101 is owner of the Blue Grass Grille across the street. Her building has a historic façade. She was not included nor notified of any of the meetings. She was told the parking owned and managed by Bright Base would be the parking. She said the employer of the chicken processing plant employs felons. She said they have a challenge. She pays for her employees parking in the back. She also does not know where her customers will park.

Luis Contreras 48 E Main St. He said he lost money this month. There is no way on that Mitchell Avenue they can fit any trucks. The emergency drivers are running through the cones. He is speaking for a lot of concerned citizens and small businesses. Please think of Southside is and how it affects the Southside business.

Kaitlyn responded in rebuttal. She said she completely understands the concerns. The judge gave the property owner 60 days to bring down the building. They have worked with EMS to make it as feasible as possible. She apologized for any of the impact and a lot of this it out of her control. They are being asked to do a lot of things from a lot of people. They have spoken to CDOT about this. This is not a protected zone and are allowed 4 stories by right. The developers would be open to looking at 60' if necessary. She personally lived at the Soho Building and they were blocked in daily by Alleia's daily. She said they are provided a space on Main Street. There is nothing the city can do. She has been there and will make every effort to make sure the parking on Main Street.

Steven Wendle 7 S Portland Ave. (Brooklyn NY) developer of project answered questions about the hotel.

Discussion: A discussion was had between the Committee members and applicant. Thomas Palmer made a motion for Case #FBC-23-18: 100 E Main St, 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. Approval under the following conditions:

- **Modification (1) only allowed at south half of Mitchell Ave façade as submitted in application.**
- **Modification (2) has no conditions.**
- **Modification (3) has no conditions.**
- **Modification (4) daytime hours only for trash service and trash service only, must have a door in façade as shown in application.**

Denise Shaw seconded the motion. All in favor, the motion carried.

FBC-23-20 – 306 Cherokee Boulevard – Major Modification Requests (Requesting decrease in building height requirement from two-story minimum to a single-story on interior only) Sec. 38-730(5)(B)

(5) Height & Mass: Building Height

E. Minimum height: A Street- 2 stories minimum

The Applicant Cliff McCormick has applied to reduce to single story (but same volume as two-story) due to extreme lack of parking on site and in surrounding neighborhood.

Tiffany Robinson of 800 Market Street, Suite 222, Chattanooga, TN 37406 addressed the Board. She said she knew she was before the Committee. The building behind is not part of the request or project today. She said they attracted a medical user for this site. They have a need for more parking and that is why they requested the one story for their building. They attracted Urgency Care. They also attracted Chase Bank and now will have a retail user. They reformatted the design of the building. A second-floor tenant could be added in the future. They think the look and design of the Northshore is important.

Fallon Skinner of 402 Sommerville Avenue addressed the Board. She said she really likes the first approval they have. They really appreciate the one level because of the parking issues. In the area, there is not enough parking. First story with limited parking. Her street is overshadowed by larger apartment complexes. The one story will match the Cat Clinic. If they add a second story it will create more parking problems.

Applicant Cliff McCormick, Architect for the project lives at 1260 E. Main Street. He said the building will be constructed so a second story could be added in the future. It will not be an easy. It's an open-ended question. But there is no specific second story added.

Tiffany Robinson said as the developer they need 6 per 1,000 square feet, the currently have 3 per 1,000 square feet. There is no street parking on Cherokee Blvd. There are no public garages. The parking situation outside of their lot is very strained.

Discussion: A discussion was had between the Committee members and applicant(s). Denise Shaw made a motion for Case #FBC-23-20: 306 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. Approval under the following condition:

- **One story current construction of a two-story form meets the intent of FBC. The ability to add future stories within the confines of the FBC are not restricted by this condition.**


Jake Toner seconded the motion. All in favor, the motion carried.

Other Business: Officer Elections will be held at a later date.

NEXT MEETING DATE: Thursday, August 10, 2023 (application deadline is July 14, 2023 at 4 p.m.).

Jim Williamson made a motion to adjourn. Denise Shaw seconded the motion.

The meeting was adjourned at 2:58 p.m.


Beverly Bell, Chairman **JIM WILLIAMSON, TEMP. CHAIR.**

Date

Dottie Cannon, Secretary

Date