

FORM-BASED CODE COMMITTEE

MEETING MINUTES

June 8, 2023

The duly advertised meeting of the Form-Based Code Committee was held on June 8, 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: Beverly Bell, David Hudson, Denise Shaw, Sarah Brogdon, Jim Williamson and Jake Toner

Members Absent: Tenesha Irvin and Thomas Palmer

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

Rules and Regulations: Chairman Beverly Bell explained the rules of procedures.

Approve Minutes: Jim Williamson made a motion to approve the May Minutes. David Hudson seconded the motion. All in favor, the May 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: Joseph Wingfield

Melissa Mortimer presented the case.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Case #FBC-23-15- 418 Manufacturers Road – Requesting decrease in river setback from 100’ to 80’ and an increase in building stories from 6 to 7

Project Description:

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

1. Requesting decrease in the river setback from 100' to 80'.
2. Requesting increase in building stories from 6 to 7.

Joseph Wingfield addressed the Committee. Mr. Wingfield said his mailing address is 220 S. Holtzclaw Avenue, Chattanooga, Tennessee 37404. He said his family owns the property now. They run a small family business that his grandfather started in 1937, Wingfield Scale. They have a big family, and they enjoy this property and Chattanooga very much. His family bought this property in January 2008. They always hoped to develop it but never found the right partner. They started working with the Sims about 10 years ago. In talking with their neighbors, they heard what they like and want and agree with most of it. That is why they are asking for the variances. They are also working with the City and the Parks Department actively to do something great with the River Front and also do something connectivity with Renaissance Park and get relief from some of the traffic from Manufacturers Road.

Donna Shepherd with AD Engineering, 537 Market Street, Suite 202, Chattanooga, Tennessee 37403 addressed the Committee. Ms. Shepherd said she has been working with Mr. Winfield on this project since 2016. Before Form-Base Code it was zoned C-3. They initially started a project at that time. The timing was not right and Form-Based Code was coming out and that plan got scratched. At that time, they did work with One Northshore. They have since reengaged with One Northshore and have had several meetings. They have met with Councilman Henderson. They are working on a plan. They look to see a public road going through there. Some of the things are still not solidified. But the layout that you see on the entrance road from Manufacturers Road was a collaboration with Middle Street, NorthShore and CDOT. The property behind One Northshore made it very clear that they did not want that developed. And that is the reason they are doing an additional story. They are not exceeding their height. As far as pedestrian connectivity they are hoping to make a very walkable and enjoyable development. The bump out on the front would be residential units or commercial. There are two transmission lines with the railroad tracks behind them. They pushed their building forward. They are continuing to move forward. This variance is the first step of the design of the project.

Discussion: A discussion was had between the Committee members.

Community Comments:

Liz Palmer of 430 Manufacturers Road addressed the Committee. She said they are very excited about the activity and had conversations with Donna Shepherd and Joseph Wingfield. Their concern is the setback variance and just in keeping with Form-Base Code access to the water, light and air. Typically, as developers, whenever we get a variance, there has to be a hardship for which there is no other design for the building or

no other viable alternative. While they are not designing this building, it seems to them that there are other parking configurations that the design will allow the 100' setback.

Kathy King of 200 Manufacturers Road, Apartment 707, Chattanooga, TN addressed the Committee. Her main interest today is that she is a member of the Board of Directors of One Northshore Condominium Association. She represents 204 homeowners. She wanted to thank the Committee for allowing her to bring these comments and concerns before the Committee. They were presented with this plan, but as for involvement they are just getting this information. This initial proposed variance for this development is not just another City building to them. They think it is a river's edge development. They will all get a new front yard. The building's height will block the scenic views of the river for the public. Currently there is no other building on the Riverfront that is 100' or even 80' from the river's edge and 85' with a 94' height variance. Their concern is the size and scale of that development does not fit the current pattern of what the Riverfront is. These variances could set a precedent for future practice and placements on the river's edge. It impacts the quality of the public ground, their view and enjoyment of the river. There are 300 units. The number of people and cars added to this development with the 5 stories Middle Street project of 271 units and the current traffic of One Northshore of 204 units will majority impact all the traffic along Manufacturers Road. The current stacked traffic will increase from Highway 27 to the west and to the east on Cherokee Blvd. It's already a high daily level of traffic. The concern is their congestion as well as safety. They request the Committee to consider traffic and access studies to evaluate the impact and feasibility to the extent possible within the Form Base Code. They think this is a dangerous safety issue for the public who live, visit and work there. Leadership for public roads networking with private roads and safety concerns are the City's responsibility. One Northshore want to be on record with these facts before the Committee decides whether to grant these requested variances.

Mary Maston of One Northshore addressed the Committee. Ms. Maston said she is here today on behalf of the Sierra Club. She has been a lifelong member of the Sierra Club and has represented the Sierra Club in the past on potential water quality issues. The Sierra Club is one the nation's oldest and largest environmental organizations. And these comments are on behalf of Bill Hall, who is the Conservation Chair of the Tennessee Chapter of the Sierra Club. The Sierra Club is concerned about the size of this project being so close to the river. They are pleased that the Wingfields have this agreement in their application as to the wetlands preserve. They are very concerned about the impact of this large project on the adjacent property and on the water quality the flood control and the protection of the wetlands and wildlife. The area adjacent to Renaissance Park to this property project, the elevation is quite a bit lower. They are concerned about impacts on the water table and on the flood plain of the lower land. There are tons of birds, and she walks in Renaissance Park every day and they are concerned about protecting that. She would like the Form-Base Code Committee to consider a condition be placed on the variance permit that the forested area, have it in writing, that that area be conditioned of the variance that is preservation of the northeast site. It looks to them that setting it back 20' is not really necessary, maybe 10' according to the plans and it is not clear to them that there has to be 10' between the sanity sewer easement and the

building on the north side. And they are really concerned about the continuation of the City's River Walk. Being that close to the river on that edge where it would cause more engineering problems for the continuation of the Riverwalk. She has comments from the Sierra Club in writing that could be included in the file.

Donna Shepherd addressed the Committee in rebuttal. She said concerning the setback variance, she gave herself a little wiggle room when asking for 20' but would be fine with 10'. Ten feet is essentially with parking space so when you put that into context, it is not very much. They do have a hardship, with that transmission line. If they busted that line, Chattanooga would be in big trouble. So that is the reason for them to push their building forward. The height variance, they can build to 85' by right. They are just asking for the additional story because Form-Base Code is not a height or story, it is an add. They need that additional story for parking. As far as the height, they did ask up to 94' for a stairwell and the elevator chases. That is not part of the consideration of a building height, so they are not exceeding that 85' cap. In regards, to setting a condition to the property behind One Northshore, back when they started this project in 2016, they had all that property surveyed. In fact, they had the whole City property surveyed. They even had a jurisdictional waters determination for wetlands and streams. They have it all mapped out and have no intention of disturbing that area for development.

Ms. Shepherd said they are working closely with Parks and Rec. This is an urban area and they want to make it walkable. She said there will be an increase in traffic. Even if the applicants did not ask for a variance, they could build this no matter what, but they are exploring these other avenues. They would like to see a connection over the North Market Street branch to get directly over to Renaissance Park. They are looking at vehicular modes of transportation through there. They met with the CDOT and the Fire Marshall. She said they are going to realign that traffic signal going across. They will make it to where everyone will have access to it. They do know that everyone is concerned about the traffic.

Discussion was had by the Committee.

David Hudson made a motion for Case #FBC-23-15: 418 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. Approve (1) Modification to increase the building height from 6 to 7 stories. Deny (2) Modification to decrease the river setback from 100' to 80'. Beverly Bell seconded the motion. All in favor, the motion carried.

Other Business:

Major Modification
Officer Elections will be held in July

NEXT MEETING DATE: Thursday, July 13, 2023 (application deadline is June 9, 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

Date

Dottie Cannon, Secretary

Date