

Hollie Berry
Mayor

City of Red Bank
Municipal Planning Commission

Martin Granum
City Manager

REGULAR MEETING AGENDA

June 26, 2024

6:00 pm

Red Bank Court Room
3117 Dayton Boulevard

I. CALL TO ORDER

II. ROLL CALL – Secretary

☐ Commissioner Browder

☐ Commissioner Kelly

☐ Commissioner Cannon

☐ Commissioner Skonberg

☐ Commissioner Millard

III. INVOCATION – Commissioner Millard

IV. PLEDGE OF ALLEGIANCE – Commissioner Browder

V. CONSIDERATION OF THE MINUTES

1. March 27, 2024
2. May 22, 2024

VI. NEW BUSINESS

1. Request to rezone property at 200 W. Euclid Ave from R-1 to R-TZ
 - a. Applicant Presentation
 - b. Staff Presentation
 - c. Public Comment
 - d. Discussion / Vote
2. Special Exceptions Permit Request for Townhouses to Serve as Short-term Rental Units at 5011 Dayton Boulevard
 - a. Applicant Presentation
 - b. Staff Presentation
 - c. Public Comment
 - d. Discussion / Vote

3. Rezoning Notification Policy Discussion
 - a. Staff Presentation
 - b. Public Comment
 - c. Discussion
4. Any properly presented new business

VII. UNFINISHED BUSINESS

1. Any properly presented unfinished business

VIII. OTHER BUSINESS

IX. ADJOURNMENT

City of Red Bank
Municipal Planning Commission

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6:00 pm

Red Bank Court Room

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I. CALL TO ORDER

II. ROLL CALL – Secretary

 Commissioner Browder

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III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. CONSIDERATION OF THE MINUTES

1. January 24, 2024

- a. Commissioner Skonberg motioned to approve, Commissioner Cannon seconded, the motion carried.

VI. NEW BUSINESS

1. Request to Rezone 309 Morrison Springs Road from R-1 Residential to C-2 Commercial

a. Applicant Presentation

- Mr. Patel presented the application to rezone the property from R-1A to C-2 in order to build a 4,000 SF liquor store; he has been in conversations with city staff to understand site constraints; once rezoned, the applicant will move forward with civil and construction drawings

b. Staff Presentation

- Ashley Gates(SETD) provided a review and recommendation to approve the rezoning; because the Design Review Standards and licensing requirements for liquor stores will mitigate any adverse impacts of the requested zoning

c. Public Comment

- Sharon Shedrick commented in support of local small businesses expanding

d. Discussion/Vote

- Commissioner Cannon requested a site plan (the city of Red Bank does not require a site plan submission for an R-1A to C-2

rezoning application); Mr. Patel provided an napkin sketch of a 4,000 square foot building footprint.

- Commissioner Browder asked how many entrances to the property would be built; Mr. Patel plans for one entrance to be cut close to the Hardee's property.
- Commissioner Browder commented on the increased traffic flow and business along Morrison Springs versus the current location at Plaza North
- Commissioner Browder and Cannon commented on an increase of impervious surface across the site associated with new construction
- Commissioner Browder asked if the neighboring property owners were notified of the rezoning application (there is no requirement to notify adjacent property owners of rezonings at the planning commission level; there is a requirement to notify adjacent property owners at the city commission level where there is a required public hearing and the decision to rezone is made over two different meetings)
- Commissioner Cannon commented that the Regional Planning Agency requires public notification be made when there is new infrastructure, like a curb cut, applied for at the planning commission level; the city of Red Bank does not require public notification for curb cuts
- Commissioner Cannon motioned to recommend approval; Commissioner Skonberg seconded; the motion carried

2. Any properly presented new business

- a. Commissioner Browder requested that the next agenda include an item that discusses a public notification for rezonings at the planning commission level

VII. OTHER BUSINESS

1. Sharon Shedrick made a citizen comment, inquiring about new business in Red Bank

VIII. ADJOURNMENT

MEMORANDUM

To: Members of the Red Bank Planning Commission
Cc: Michael Pham, Red Bank Community Development Planner
From: Ashley Gates, Regional Planner
Date: June 21, 2024
Subject: Request to rezone 200 W. Euclid Avenue from R-1 to R-T/Z

SUMMARY

Property Address:	200 West Euclid Avenue	Property Owner:	Christopher and Tracy Theobold
Tax ID:	118A E 008	Applicant:	Christopher and Tracy Theobold
Deed Reference:	8387-0843	Current Zoning:	R-1
Flood Zone:	No	Requested Zoning:	R-T/Z
Current Land Use:	Single-family residential	Surrounding Zoning:	R-1
Surrounding Land Use:	Single-family and multi-family residential		
Proposed Use:	Two additional single-family detached units		
Staff Recommendation:			

ANALYSIS

Current and Proposed Use

The property at 200 West Euclid Avenue is a 0.6 acre lot with a 2,849 square-foot single-family home built around 1942. The property owner has requested that the property be rezoned to R-T/Z in order to build two additional single-family detached units.

Zoning Ordinance

The property is currently zoned R-1, which requires 60 feet of road frontage. Due to the location of the existing home and the width of the lot, the addition of two homes would not be possible under the R-1 zoning. The applicant proposes two lots of 43' and 45' wide, meeting the minimum width of 35' for the R-T/Z zone.

Aerial View



Compatibility with Surrounding Land Use

Surrounding properties are mainly single-family detached residential, though there are some duplexes and accessory dwellings in the vicinity and there is an apartment complex across the street. Several lots in the vicinity are 45 to 50 feet wide. The nearest R-T/Z zoning is a block to the south on Kingston Street. The proposed density appears to be compatible with the surrounding neighborhood.

Land Use Plan

The “C-Goal” of the Red Bank 2035 Plan is to attract developers and create more diversity of housing. The “D-Goal” of the Red Bank 2035 Plan is to “protect single-family residential development.”

C-GOAL: Attract residential developers back to Red Bank for new development and redevelopment.

ACTION: New residential zones that provide more options and diversity of development while still protecting single-family neighborhoods.

ACTION: Reduced minimum lot size standards and setback requirements to make Red Bank competitive with surrounding communities.

D-GOAL: Increase value of and protect single-family residential development.

ACTION: New R-1A Zone that has a 2,000 square foot minimum house size requirement and rezone certain appropriate areas to R-1A as part of Zoning Study. Minimum 1,200 sqft house size for R-1.

ACTION: New screening and landscaping regulations that is required of all multi-family, commercial, office and industrial development under certain conditions.

ACTION: More stringent zoning regulations for apartment development.

The R-T/Z zone was specifically created to address the C-Goal when the land use plan was developed. With this neighborhood having existing homes on similarly-sized lots, and with other R-T/Z zoned infill development in the vicinity, the propose rezoning, this proposed rezoning appears to further Goal C while still meeting the objectives of Goal D.

Spot Zoning

Throughout the City of Red Bank the R-T/Z zone has been used to create compatible infill development within single-family residential neighborhoods. There is an R-T/Z zone within a block of the subject property. The proposed rezoning may be considered consistent with existing development patterns without spot zoning concerns.

Site Plan

The applicant submitted the attached site plan. Staff has requested that the landscaped buffer be shown on the site plan to meet the requirements of the Zoning Ordinance for the R-T/Z rezoning process.

RECOMMENDATION

With the recommended correction on the site plan, staff recommends approval. The Planning Commission may recommend a condition that the allowed uses be limited to single-family detached homes to ensure that the development is built as proposed.

From: [Red Bank TN](#)
To: [Ashley Yingling Gates](#)
Subject: Permit # 2024456
Date: Friday, May 31, 2024 10:23:06 AM



Permit #: 2024456
Permit Date: 05/28/24
Permit Type: Re-Zoning
Applicant Name: Chris Theobold
Applicant Address: 200 W. Euclid Avenue
Applicant City, State, ZIP: Red Bank, TN 37415
Applicant Phone Number: 4237188310
Applicant Email: ct-construction@hotmail.com
Description: abandonment and reallocation of lot lines to establish three viable lots under RZ-1 requirements; Lot 1 to accommodate existing home and accessory structures +/- 16,296sf, two lots for new home construction. Lot 2 +/- 5208sf and Lot 3 +/- 4,566sf
Project Cost: 0
Square Feet: 26070
Architect/Engineer:
Property Type: Single Family Residence
Moved to Plan Review Module:
Status: Open
Assigned To: Michael Pham

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
118A E 008	200 W EUCLID AVE	LTS 34,35 PT 33 WHITAKER PLACE PB 8 PG 15	THEOBOLD TRACY L & CHRISTOPHER J		

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
HGH Construction, LLC	HGH Construction	423-267-9444	179 Hamm Road	General	BC-A	34167

Fees

Fee	Description	Notes	Amount
Zoning Letter			\$100.00

Total		\$100.00
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Attached Letters

Date	Letter	Description
05/28/2024	Web Form - Zoning and Special Use Application	

Uploaded Files

Date	File Name
05/28/2024	4e302aa01adc3a1f78cc4207a392972e_theobold_lot_division.msg



PROPOSED RTZ-1 REZONING PLAN

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MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Michael Pham, Red Bank Community Development Planner

From: Ashley Gates, Regional Planner

Date: June 20, 2024

Subject: Special Exceptions Permit Request – Townhouses to be used at Short Term Rental Units at 5011 Dayton Blvd

SUMMARY			
Property Address:	5011 Dayton Blvd.	Property Owner:	Anthony and Melvia Chitwood
Tax ID:	099J C 033	Applicant:	Gordon Hulkan
Deed Reference:	13060 0227	Current Zoning:	C-1
Flood Zone:	No	Requested Zoning:	Special Exceptions Permit
Current Land Use:	Undeveloped	Surrounding Zoning:	R-3, R-1, C-1
Surrounding Land Use:	Single-family residential, church, storage business		
Proposed Use:	10 short-term rental units		
Staff Recommendation:			

ANALYSIS

Current and Proposed Use

The lot is currently vacant, with a driveway that provides two access points on Dayton Boulevard. The lot has 175 of frontage on Dayton Boulevard and is 150 feet deep. The applicant proposes ten (10) townhouse-style units fronting on Dayton Boulevard and requests to use the units for short-term rentals. The applicant proposes 20 parking spaces with an approximately 15-foot wide driveway, a stormwater detention area, dumpster, dog park and cluster mailbox.

Aerial View, 2022



Zoning Map



Zoning Ordinance

The Zoning Ordinance includes the following definitions that may be applicable to this proposal:

Term	Definition	Status in C-1
Apartment Houses	See "Dwelling, Multiple"	Permitted with Special Exception Permit
Dwelling, Multiple	A building or portion thereof used or designed as a residence for three or more families living independently of each other.	Permitted with Special Exception Permit
Townhouse	A townhouse is a single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) nor more than twelve (12) such units connected together.	Not permitted
Hotel	A building or other structure, kept, used, maintained, advertised as or held out to the public to be a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants, in which ten (10) or more rooms are furnished for the accommodation of such guests, and having or not having one or more dining rooms, restaurants or cafes where meals or lunches are served to transient or permanent guests, such sleep accommodations and dining rooms, restaurants, or cafes, if existing, being connected in the same building or buildings in connection therewith.	Permitted
Motel	A building or group of buildings used or intended to be used for overnight occupancy by transient motorists. The primary distinction between a motel and a hotel is that the motel has parking space adjacent or reasonably close to each sleeping unit.	Permitted
Short Term Rental Unit	"Short term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in T.C.A. Section 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in Section T.C.A. Section 68-15-502.	Permitted, "subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code."

Structurally, the proposed units appear to match the definition of “Townhouse.” The proposed use having 10 or more units as short-term rentals indicates that the property fits the definition of a hotel; however, the parking arrangement would make the proposed use a motel. Motels are permitted by right in the C-1 Commercial zone but may have different building code requirements.

Short Term Rental Unit Ordinance

The applicant would be required to apply for and obtain a short-term rental unit for each unit that he wishes to use a short-term rental unit. The City Manager has the authority to issue these permits, but the City Commission must hold a public hearing if there are any comments filed during the public comment period. The application for such a permit requires that the unit be constructed and inspected for code compliance prior applying. Because there is no required Special Exceptions Permit, the Planning Commission will not review this application for use as a short-term rental unit. Only after the units are constructed may they appl

The applicant is limited to a maximum of two short-term rental units in a multi-family dwelling. See Title 9 Chapter 1606, “No person shall be able to possess more than two short-term residential rental certificates for nonowner occupied premises in a multi-family dwelling.”

Compatibility with Surrounding Land Use

The proposed development is at the entrance of an established neighborhood, Holiday Lane. The C-1 zoning designation of this property gives the owner the option to build a variety of commercial uses, provided a 20-foot landscaped buffer is maintained. Regardless of the terminology used, units rented for short periods of time are commercial in nature though the structure will appear as a residence.

If designed properly, potential traffic and nuisance impacts can be mitigated. The proposed site plan may not be feasible for the following reasons:

- If considered multi-family, front setback requirement is 50 feet
- Landscaped buffer not accounted for
- Stormwater detention placed at the highest portion of the property, within the required landscaped buffer area

Land Use Plan

The Red Bank 2035 Plan articulates goals for Dayton Boulevard and residential development in Red Bank. Several goals are directly related to this proposal, listed below.

Goal	Action Items from Plan	Compatible with Goal?
D-GOAL: Increase value of and protect single-family residential development	ACTION: New R-1A Zone that has a 2,000 square foot minimum house size requirement and rezone certain appropriate areas to R-1A as part of Zoning Study. Minimum 1,200 sqft house size for R-1. ACTION: New screening and landscaping regulations that is required of all multi-family, commercial, office and industrial development under certain conditions. ACTION: More stringent zoning regulations for apartment development. ACTION: Special Exception Permit process for all potentially incompatible or controversial uses so there would always be a public hearing required.	No. Proposal does not account for screening requirements.
F-GOAL: Assure that certain areas of Dayton Boulevard are protected from incompatible and less desirable commercial uses and encourage new and diverse commercial development for all commercial areas.	ACTION: A new Central Business District (C-2 Zone) that prohibits any commercial use not in keeping with the existing character of the District. ACTION: Regulations providing for mixed-use development in commercial areas.	As apartment units, the proposal does not include a commercial component for along Dayton Boulevard. Short-term rental units may or may not be interpreted as incompatible or less desirable for Dayton Boulevard.
G-GOAL: Improve the overall quality and appearance of multi-family, office, commercial and industrial uses.	ACTION: New Design Review standards and process. ACTION: New landscape and screening requirements. ACTION: Mixed-use development opportunities for residential and commercial development.	Proposal does not account for landscape or screening requirements. Proposal does not present opportunity for mixed-use development.
H-GOAL: More compatible transitional uses between commercial and Residential development.	ACTION: New low traffic\low intensity Office Zone (O-1) to serve as buffer.	This C-1 zoned property is adjacent to R-1 Residential property, and the landscaped buffer is needed to provide a transition between zones.

C-GOAL: Better pedestrian access to commercial areas along Dayton Boulevard.	ACTION: Expansion of sidewalks along Dayton Boulevard. ACTION: Build pedestrian bridge over Dayton Boulevard at old middle school property.	Prior Special Exceptions Permit for Hartman Hills (adjacent) required sidewalk installation. No sidewalk shown on site plan for 5011 Dayton Boulevard.
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RECOMMENDATION

As a Motel

At 10 units, the proposed use is considered a motel, and is permitted in the C-1 zone without needing a Special Exceptions Permit. Motels are regulated by the State of Tennessee and must meet all applicable standards and requirements, including being staffed appropriately. **If the applicant wishes to have more than two (2) short-term rental units in a multi-family dwelling, staff recommends**

As Townhouses

If the applicant decides to use fewer than two (2) units as short-term rental units, the Planning Commission must decide whether the proposed development is considered townhouses or apartments. Townhouses are not a permitted use in the C-1 zone. To utilize these the site, staff recommends that the applicant apply to rezone the property.

As Apartments

Apartments are permitted if a Special Exceptions Permit is approved. Apartments would be subject to the Design Review Standards, which would likely mitigate most concerns regarding incompatibility with the adjacent neighborhood. In recent history, Red Bank City Commission has only approved Special Exception Permits for apartments in C-1 zone when there is also a commercial element involved.

Additionally, the site plan does not meet the requirements for a Special Exceptions Permit application and may not be feasible. Because the site layout does not meet the requirements for a Special Exceptions Permit, staff cannot recommend approval at this time. Special Exceptions Permit site plans require: the proposed structure, ingress and egress, parking, landscaping, signage, and other material as may be deemed necessary by the City Manager or his/her designee.

As Short-Term Rental Units

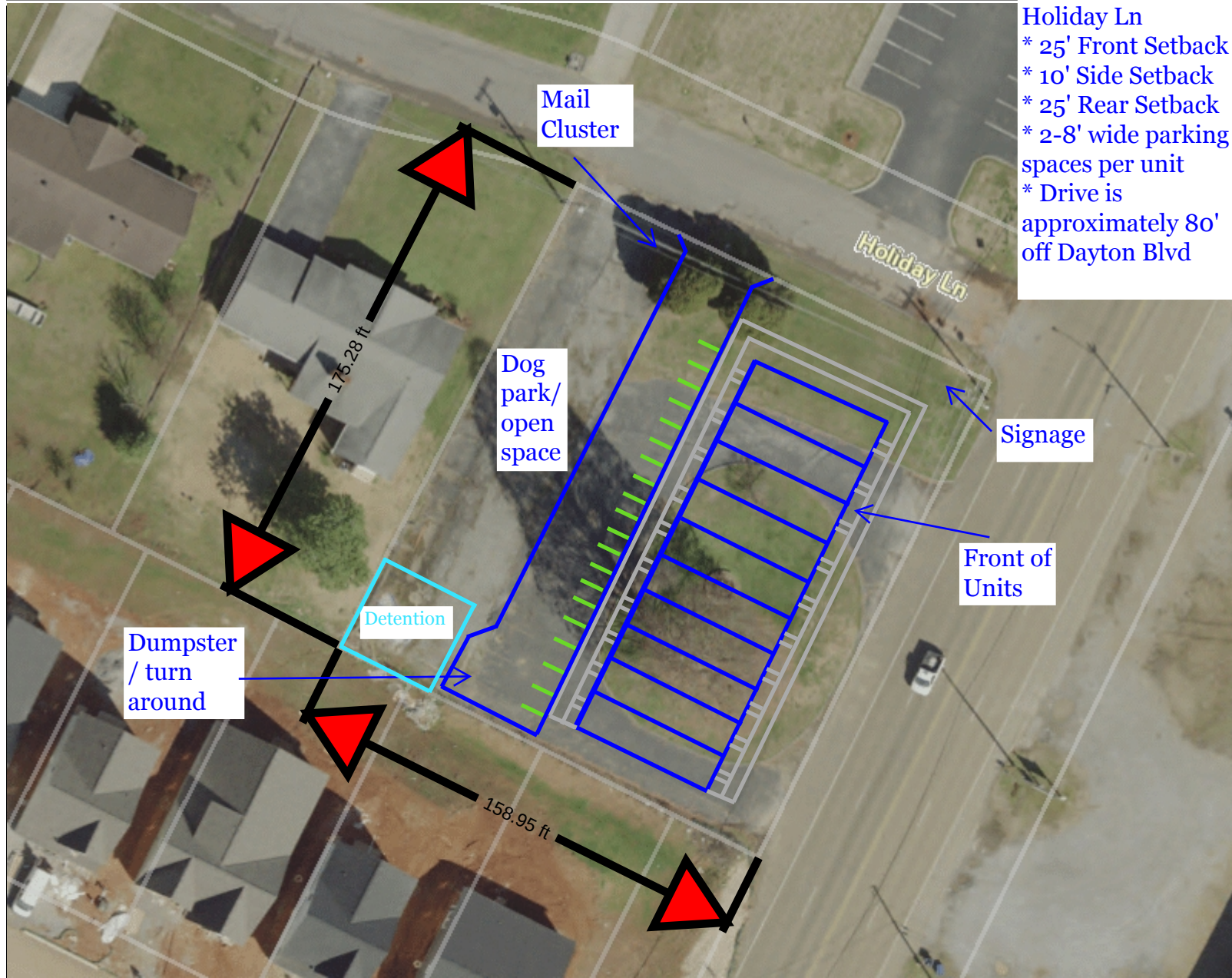
Short-term rental units are permitted without a Special Exceptions Permit in the C-1 zone. If constructed, the applicant may obtain a “code compliance verification form” and apply to use up to two (2) units in a multi-family dwelling as short term rental units.



Permit #: 2024461
Permit Date: 05/29/24
Permit Type: Special Exception
Applicant Name: Gordon Hulgán IV
Applicant Address: 630 Lullwater Rd
Applicant City, State, ZIP: Chattanooga
Applicant Phone Number: 4236352881
Applicant Email: ghulgán1@gmail.com
Description: Construct a new 10 unit complex for short term rentals (both nightly and monthly)
Project Cost: 500000
Square Feet: 0
Architect/Engineer:
Property Type: Commercial
Status: Pending
Assigned To: Michael Pham

Property							
Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning		
099J C 033	5011 DAYTON BLVD	DAYTONA ESTATES PB 22 PG 89 1830A 03A 35	CHITWOOD ANTHONY & MELVIA				
Contractors							
Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #	
G4 Development LLC	Gordon Hulgán	4236352881	630 Lullwater Rd	General	General	77176	
Notes							
Date	Note			Created By:			
05/31/2024	Copied over from Permit Management module.			Sara Oscanlon			
Uploaded Files							
Date				File Name			
05/31/2024				20882075-Web Form - Zoning and Special Use Application (05-29-2024).pdf			

GISMO 5



- *10 apartments- 14' Wide x 50' deep
- * 25' Setback off Holiday Ln
- * 25' Front Setback
- * 10' Side Setback
- * 25' Rear Setback
- * 2-8' wide parking spaces per unit
- * Drive is approximately 80' off Dayton Blvd



Legend

□ Parcels

0 50.00 100.0 Feet

NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
© Latitude Geographics Group Ltd.



Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. This map was automatically generated using HCGIS Mapping System. Parcel lines are shown for reference only and are not intended for use as a legal survey or property abstract.

