

John Roberts
Mayor

City of Red Bank
Municipal Planning Commission

Randall G. Smith
City Manager

AGENDA
August 18, 2016
6:30 pm
Red Bank City Hall

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Baker

☐ Commissioner Hafley

☐ Commissioner Smith

☐ Commissioner Banas

III. INVOCATION – Commissioner Baker

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

(a) Minutes from July 21st 2016

VI. UNFINISHED BUSINESS

(a) Special Exceptions Permit request for Apartments at 2807 Dayton Boulevard

(b) Design review standards (To be discussed after new business)

VII. NEW BUSINESS

(a) Draft Zoning Map submitted by City of Red Bank

Public Hearing required

VIII. OTHER BUSINESS

IX. ADJOURNMENT



John Roberts
Mayor

MUNICIPAL PLANNING COMMISSION

Randall G. Smith
City Manager

MINUTES
July 21, 2016
6:30 p.m.
Red Bank City Hall

I. CALL TO ORDER

Chairman Hafley called the meeting to order at 6:32 pm

II. ROLL CALL

Commissioner Cannon called the roll. Commissioner Banas, Baker and Cannon were in attendance. The Commission's planning advisor from the Southeast Tennessee Development District, Brian Taylor, was also present. Members of the public included applicants for items listed below under new business and several other Red Bank residents listed on the sign-in sheet.

III. INVOCATION

Commissioner Baker gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Hafley led the pledge of allegiance.

V. CONSIDERATION OF THE MINUTES

a) May 19, 2016 Meeting Minutes

Commissioner Cannon felt that minutes were missing several items, including detail of storm water review responsibilities discussed during the consideration of the Coker Circle rezoning request.

Motion by Commissioner Hafley to approve the May minutes with the clarification that storm water quality is reviewed by Hamilton County, but stormwater drainage review is the responsibility of the City of Red Bank.

Second by Commissioner Baker. Motion passed unanimously.

b) June 16, 2016 Meeting Minutes

Motion by Commissioner Hafley to approve the June minutes. Second by Commissioner Baker. Motion passed unanimously.

VI. UNFINISHED BUSINESS

a) Design review standards (resume after new business)

Commissioner Hafley gave a summary of work to date on the Design Standards draft and asked staff for any updates on the process. SETDD staff noted that revisions from the July work session of the Planning Commission had been made. A second draft of the Design Standards would be ready for review for review by the Planning Commission in August.

Commissioner Cannon asked that references to relevant Hamilton County regulations be added to the draft as needed. Commissioner Hafley requested an additional edit to the draft that was not identified during the work session. Hafley requested that Step 1 in the Review Process on page 2 be updated with the addition of a step to determine whether any portion of the site is in the floodplain. Mr. Hafley asked for the addition of references and links to the Red Bank Floodplain Management Ordinance and Hamilton County regulations regarding 303d impaired waters. Applicants with portions of their site in the floodplain or bordering Stringers Branch should be referred to these documents.

Commissioner Hafley then requested that an August work session be scheduled for the Planning Commission to review the second draft of the Design Standards.

VII. NEW BUSINESS

a) Special Exceptions Permit request for Apartments at 2807 Dayton Boulevard

SETDD staff gave a summary of the Special Exceptions Permit request, noting that while apartments may be constructed on this property that are compatible with the intent of the C-1 district and surrounding land uses, it is difficult to determine how regulations in the Red Bank Zoning Ordinance will be met without a site plan.

Mr. Hafley asked whether the site plan is a requirement included to determine whether the use should be permitted. SETDD staff confirmed that the site plan was a requirement.

Jonathan Shelley, the applicant, then came forward. Mr. Shelly explained that he spoke with an engineer who said foundation could be repaired and elevated to meet floodplain requirements. The prospective buyer intends to build craftsman style apartments on the existing building footprint. This individual will not buy the property until a special exceptions permit to build apartments on the site is approved.

Commissioner Hafley noted that there were several issues with the proposed use that were hard to develop without a site plan. Commissioner Cannon also felt that a site plan was needed before a recommendation could be made as to whether apartments were an appropriate use for this property. Commissioner Cannon also noted that the R-1 property abutting the rear lot line has written in the deed an access agreement that crosses the applicants property.

Commissioner Baker asked why the prospective buyer did not attend the meeting. Mr. Shelley replied that the prospective buyer had another meeting to attend that night. All three commissioners expressed a desire to hear from the individual that intended to buy the lot and construct apartments.

Mr. Shelley agreed to withdrawal his application and resubmit it for review at the August meeting of the Planning Commission, with the intention of bringing the prospective buyer with him to describe his potential plans for apartments on the property.

b) Request to rezone 559 Memorial Drive from R-1 to RZ-1

SETDD staff gave a summary of the rezoning request, including the intended, existing land uses in the area, and relevant zoning district regulations. Staff recommended approval of the rezoning request based on compatibility with surrounding land uses and consistency with the Land Use Plan goal to increase the diversity of the housing stock.

Barbara Brumit, the applicant, then came forward. She explained her intention to build five patio homes on the site similar to those that she built across the street on Ashmore Ave. Commissioner Cannon asked if Ms. Brumit has already checked with WWTa about the availability of sewer. Ms. Brumit confirmed that she had already spoken with WWTa to confirm sewer access.

Motion by Commissioner Baker to recommend approval of the rezoning of 559 Memorial Drive from R-1 to RZ-1. Second by Commissioner Cannon. Motion passed unanimously.

VIII. OTHER BUSINESS

IX. ADJOURNMENT

Commissioner Hafley moved to adjourn; second by Commissioner Baker. Adjourned at 7:40 PM.

Chairman



Southeast Tennessee Development District
Community Development
P.O. Box 4757 - 1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781 Fax: (423) 267-7705
www.sedev.org

MEMORANDUM

To: Red Bank Municipal Planning Commission

Cc: Tim Thornbury, Public Works Director

From: Brian Taylor, SETDD Regional Planner

Date: July 12, 2016

Subject: Special Exceptions Permit Application – Jonathan Shelley

Summary:

Property Address: 2807 Dayton Blvd

Property Owner: Jonathan Shelley

Present Zoning: C1 Commercial

Nature of Request: To receive special exception permit to build apartments

BACKGROUND

Mr. Shelley has submitted a special exception permit application to allow for the construction of apartments at 2807 Dayton Blvd (Parcel 117L K 017). The property is zoned C-1 Commercial, and abuts another property zoned R-1. Apartments are use permitted by special exception when the property abuts another property zoned residential.

ANALYSIS

According to the letter submitted with the permit application, the owner intends to sell the property to a buyer that would like to reconstruct apartments with 8 units on the existing foundation.

The property at 2807 Dayton Boulevard is currently vacant. Adjacent land uses include apartments, a commercial office, and a single family residence. The property is located within the C-1 Zoning district along the Dayton Boulevard corridor. The rear lot line of the property abuts an R-1 residential zone. Stringers Branch also runs along this rear lot line, separating the properties.

No site plan was attached by the applicant. A site plan is required with Special Exception Permit applications in order to determine whether the proposed use is harmony with the intent of the Zoning Ordinance.

Section 14-402. C-1 Commercial Zone

402.03 Uses Permitted Subject to Issuance of a Special Exceptions Permit by the By the Red Bank City Commission upon recommendation by the Red Bank Planning Commission When Such Uses Abut Any Residential Zone.

A site plan, drawn to a scale of 1"=100', shall be submitted with each request for Special Permits. 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.

In each case, the Commissions shall find that the proposed use will be in harmony with the intent and purpose of the Zoning Ordinance and shall require such yard requirements, screening, landscaping, ingress and egress controls, sign controls, as may be needed to assure that the use will be compatible with surrounding property uses. The permit may be issued subject to finding that the use(s) will operate in such a manner so as to be in harmony with the intent of this zone.

Apartments constructed on this property would be required to comply with Zoning Ordinance regulations that were not in place when the original apartments were constructed on this property.

- Nearly the entire parcel is located in the flood plain. Any apartments constructed at this location would need to meet the General Standards in the City's Flood Damage Prevention Ordinance (*Section 14-605*). Furthermore, construction of new buildings and impervious surface in the floodplain is generally discouraged, particularly from a stormwater management perspective.
- An access control plan is required for all apartments with four or more units (*Section 14-204.07*).
- Screening Requirements require screening between high density residential uses where they abut commercial uses, low density residential uses and other high density residential uses (*Section 14-902*).
- Apartments would also be subject to Design Review Requirements (*Section 14-1001*).

While apartments may be constructed on this property that are compatible with the intent of the C-1 district and surrounding land uses, it is difficult to determine how regulations in the Red Bank Zoning Ordinance will be met without a site plan.

RECOMMENDATION

If the Planning Commission determines that apartments at this location can be designed to meet the standards of the Red Bank Zoning Ordinance, staff recommends approval with the assumption that a site plan for the proposed apartments is reviewed during design review phase for compliance with the regulations listed above.

APPENDIX

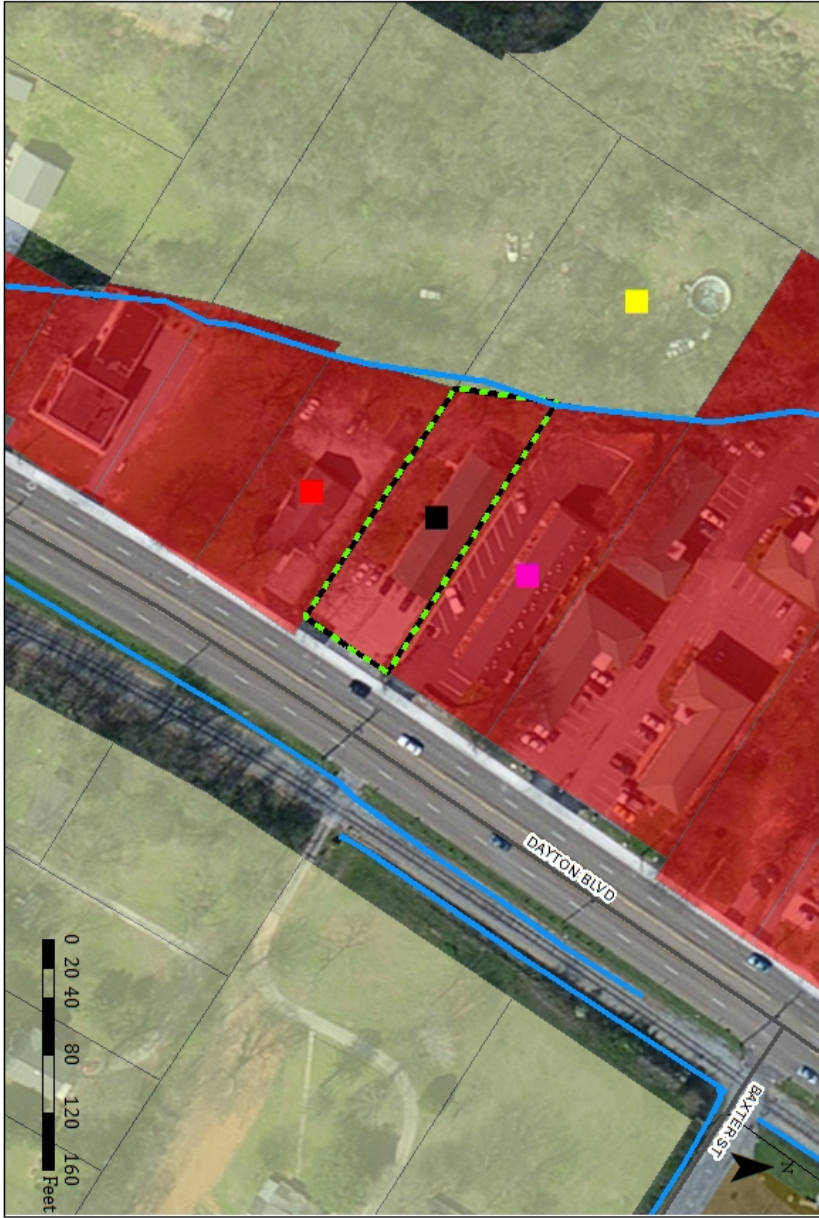
Flood Zone Map, Hamilton County GIS



City of Red Bank, TN
Special Exceptions Permit, Apartments in C-1
2807 Dayton Blvd

Address: 2807 Dayton Blvd
Tax Map #: 117L-K-017
Owner: Jonathan Shelley

Existing Use: Vacant
Requested Use: Apartments



- Land Use
- Commercial
 - High Density Residential
 - Low Density Residential
 - Vacant
- Red Bank Zoning
- C-1
 - R-1
 - R-3
- Special Exceptions Permit Request
- Apartments
- Stringers Branch

Map prepared by
Southeast Tennessee
Development District
Date: 6/28/16

This map is for
planning purposes
only. This is not an
engineering map.

Property Map

City of Red Bank
Application for a Special Exceptions Permit

Date 6/14/16

Application Fee Paid
\$100.00

Receipt #

6-14-16
12095

Name and Address of Applicant

Name (Print) Johnathan Shelley
Street (Print) PO Box 309
City and State (Print) Signal Mtn, TN 37377
Telephone Number 423-413-7964

Location of Property Relating to the Special Exceptions Permit

Street 2807 Dayton Blvd.
City and State Chattanooga, TN 37415
Parcel Number 117L-K-017
Subdivision Name _____

Current Zoning: _____ Residential ☒ Commercial _____ Other _____

*Applicant must attach a site plan drawn to scale of 1"x100.' This shall be submitted with each request for special permits. The proposed structure, ingress and egress, parking, landscaping, signage, must be shown and other material as may be deemed necessary by the City Manager or his/her designee.

Do you understand the present zoning requirements relating to your request?

☒ Yes _____ No

What is your request? Please explain your request and why you are requesting it.

Rebuild 8 one bedroom structure. I left the foundation of the original
structure with the vision of rebuilding the same 8 units to modern
code. I have a prospective buyer for the property and he will not
purchase until he has permission to build the 8 unit structure.

Is the reason for your request due to exceptional narrowness, shallowness, shape, topography or other extraordinary and exceptional situation on such property? _____ Yes ☒ No

If yes, please describe the exceptional condition: _____

Would the approval of the special exception permit impair the intent and purpose of the zoning ordinance?

_____ Yes ☒ No

Page 2 Special Exceptions Permit

Would the proposed use create difficulties or undue hardships to the particular land or building or adjacent properties? ☐ Yes ☒ No

Please explain: _____

Are there reasonable alternatives available to you? ☐ Yes ☒ No

Please explain: _____

Would an approved special exception relate only to your property and not to other like properties in the City? ☒ Yes ☐ No

Does your request involve the addition to or extension of an existing building or structure?
☒ Yes ☐ No

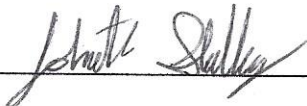
If yes, would it be any less conforming than the existing structure?

Please explain: would build on foundation that exist
on property.

If yes, would the addition / extension be in conflict with the character of the area in which the property is located?

Please explain: No because the 8 unit structure once was
there.

"I certify that the information provided for this variance application is true and correct to the best of my knowledge."

Signature: 

DO NOT WRITE BELOW THIS LINE

Board Finding for: Approval _____ Disapproval _____

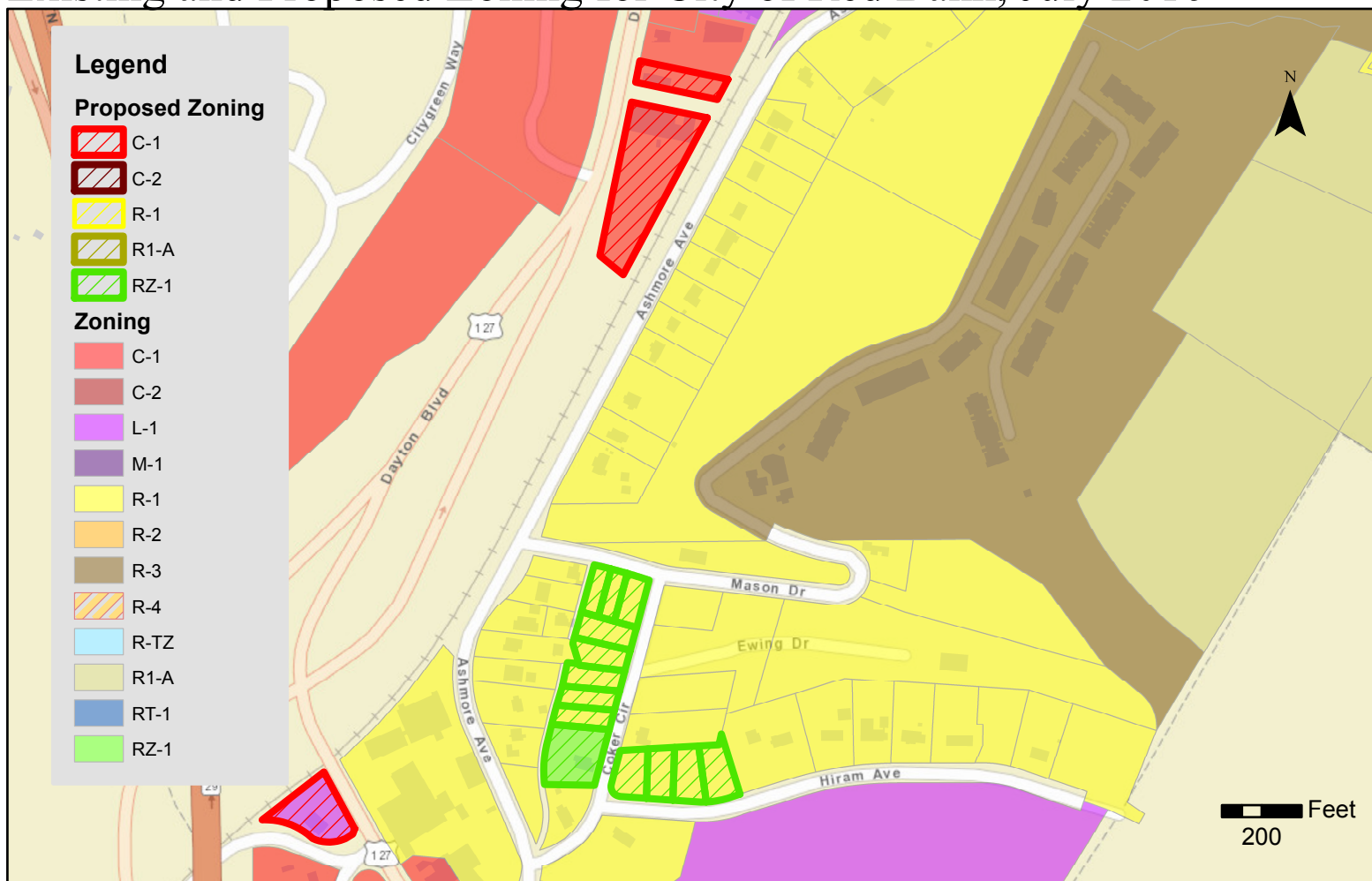
Date of Finding: _____

Secretary: _____

6/14/2016

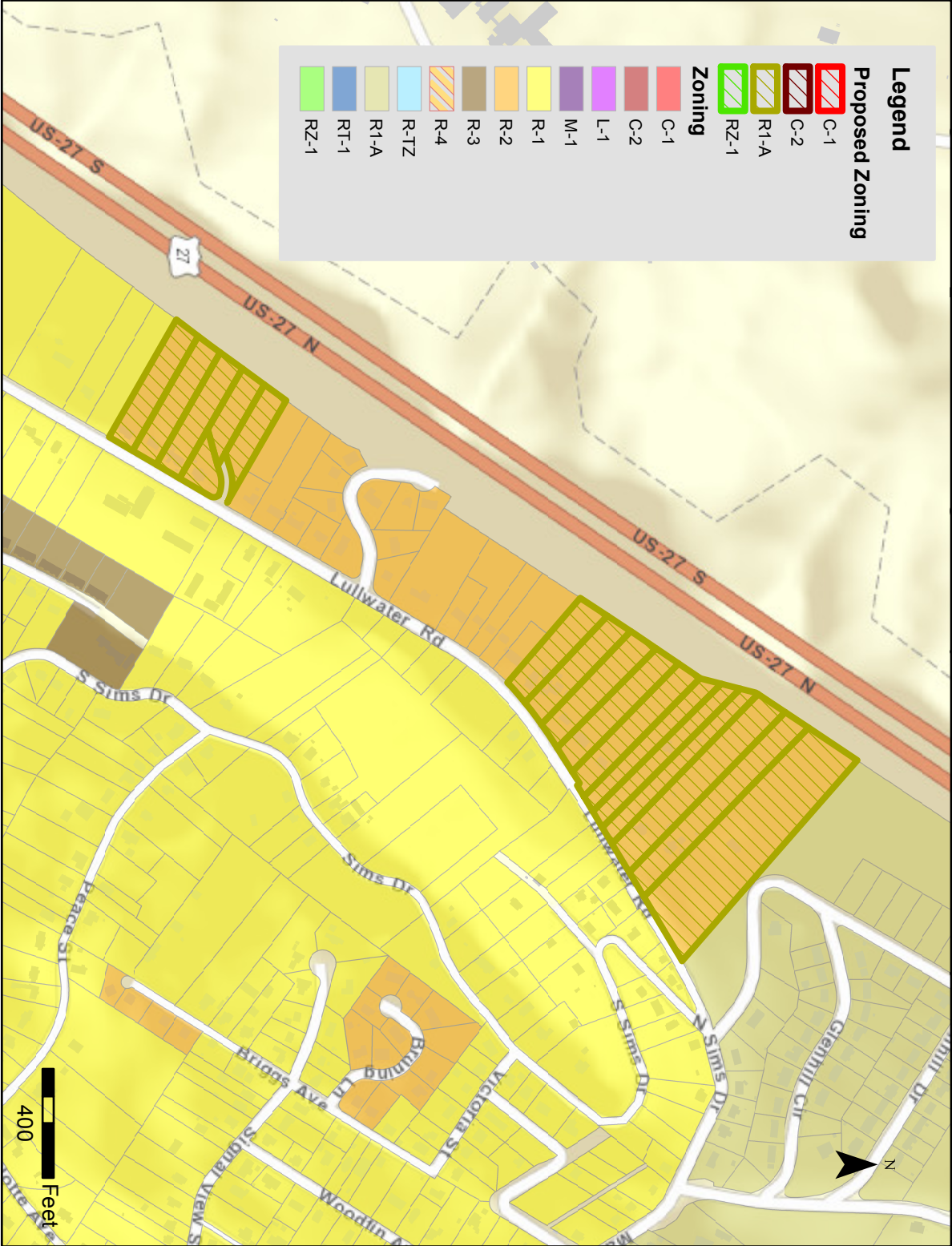
We do not have a site plan. When I purchased property plans for this property were already established. My goal now is to sale this property to an individual who then would like to rebuild on the foundation that remains the 8 unit one bedroom structure. This property has already been established in the past as a 8 bedroom unit building. Foundation is there and footer remains. I can not sale this property because Red Bank will not allow any new apartments to be built. Considering that the foundation is already there I would like for Red Bank to consider this special exception permit.

Existing and Proposed Zoning for City of Red Bank, July 2016



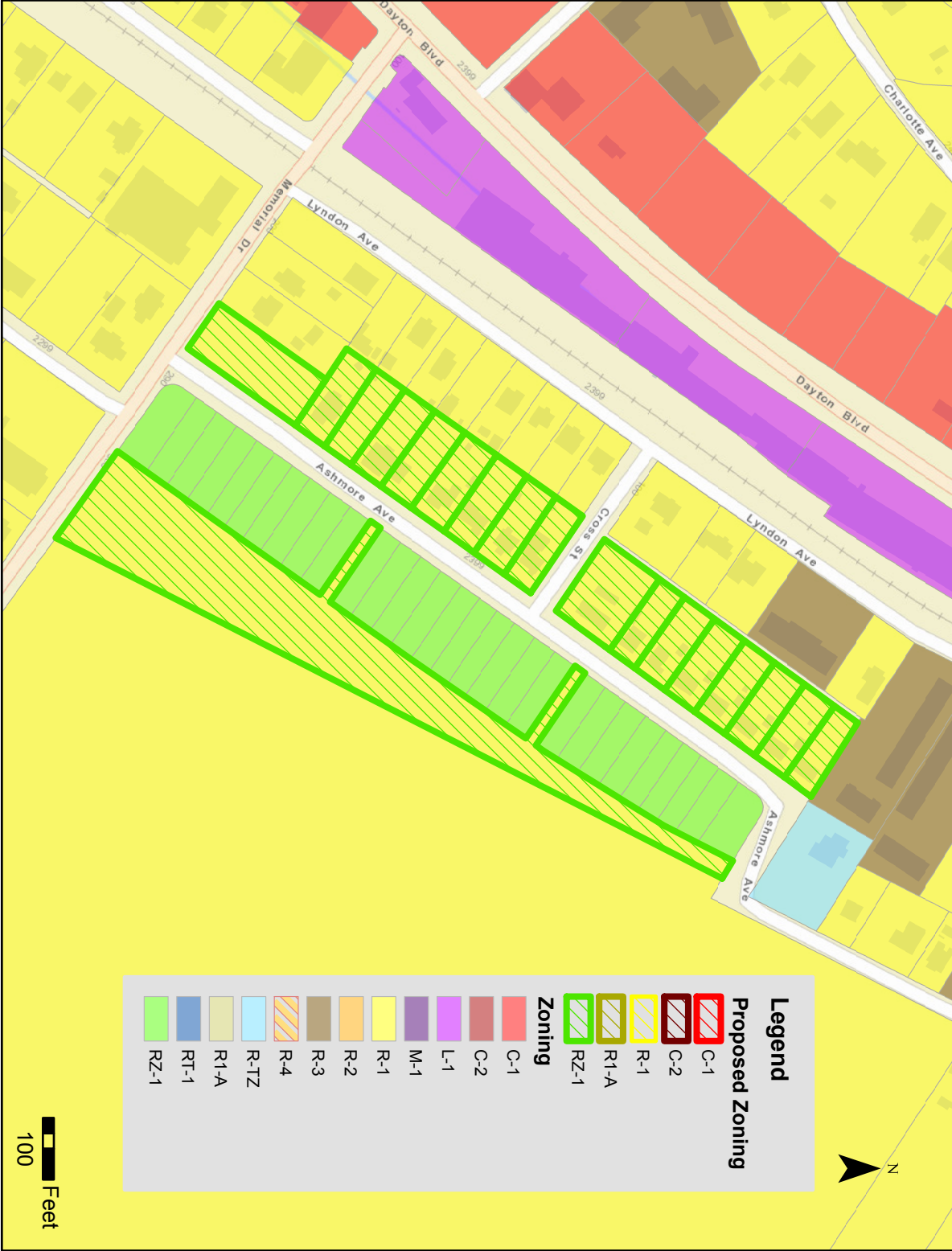
Proposed Zoning	Zoning	Purposed of Rezoning	ADDRESS	TAX_MAP_NO	LOTDIM1	Lot Area (Sq. Ft.)	LUCODE		
C-1	C-1	These properties already reverted to C-1 and should be reflected on the map	1724 DAYTON BLVD	126K A 002	443.2 X 206.3 IRR	55,031	530		
C-1	C-1		1730 DAYTON BLVD	126K A 003	50 X 234.79 IRR	11,972	620		
C-1	L-1	This property reverted from L-1 to C-1 in 2014 and should have been coded as C-1 in the zoning map adopted in February 2015	1117 DAYTON BLVD	126N A 002	152.5 X 195 IRR	20,139	543		
RZ-1	RZ-1	This property was just rezoned RZ-1	1103 COKER CIR	126K C 004	145.16X144.79	20,669	111		
RZ-1	R-1	These properties were previously zoned RZ-1. When they were zoned R-1 in 2015 Zoning Map they became non-conforming	1106 COKER CIR	126K B 016	62.85X123.09IRR	9,643	111		
RZ-1	R-1		10 MASON DR	126K C 002	124.17X62.46IRR	7,177	111		
RZ-1	R-1		6 MASON DR	126K C 002.01	44.02X124.18	5,435	111		
RZ-1	R-1		8 MASON DR	126K C 002.02	42.02X124.18	5,234	111		
RZ-1	R-1		1159 COKER CIR	126K C 002.04	59.40X148.34IRR	9,017	910		
RZ-1	R-1		1151 COKER CIR	126K C 002.05	53.40X148.34IRR	8,043	910		
RZ-1	R-1		1137 COKER CIR	126K C 004.01	50.01X145.29IRR	7,178	111		
RZ-1	R-1		968 HIRAM AVE	126K B 016.01	75.04X131.48IRR	8,586	111		
RZ-1	R-1		984 HIRAM AVE	126K B 016.02	74.83X138.92IRR	9,929	910		
RZ-1	R-1		998 HIRAM AVE	126K B 016.03	86.42X155.35IRR	10,697	111		
RZ-1	R-1		1141 COKER CIR	126K C 004.02	50X147.57IRR	7,132	111		
RZ-1	R-1		1147 COKER CIR	126K C 004.03	46.57X149.73IRR	7,989	111		

Existing and Proposed Zoning for City of Red Bank, July 2016



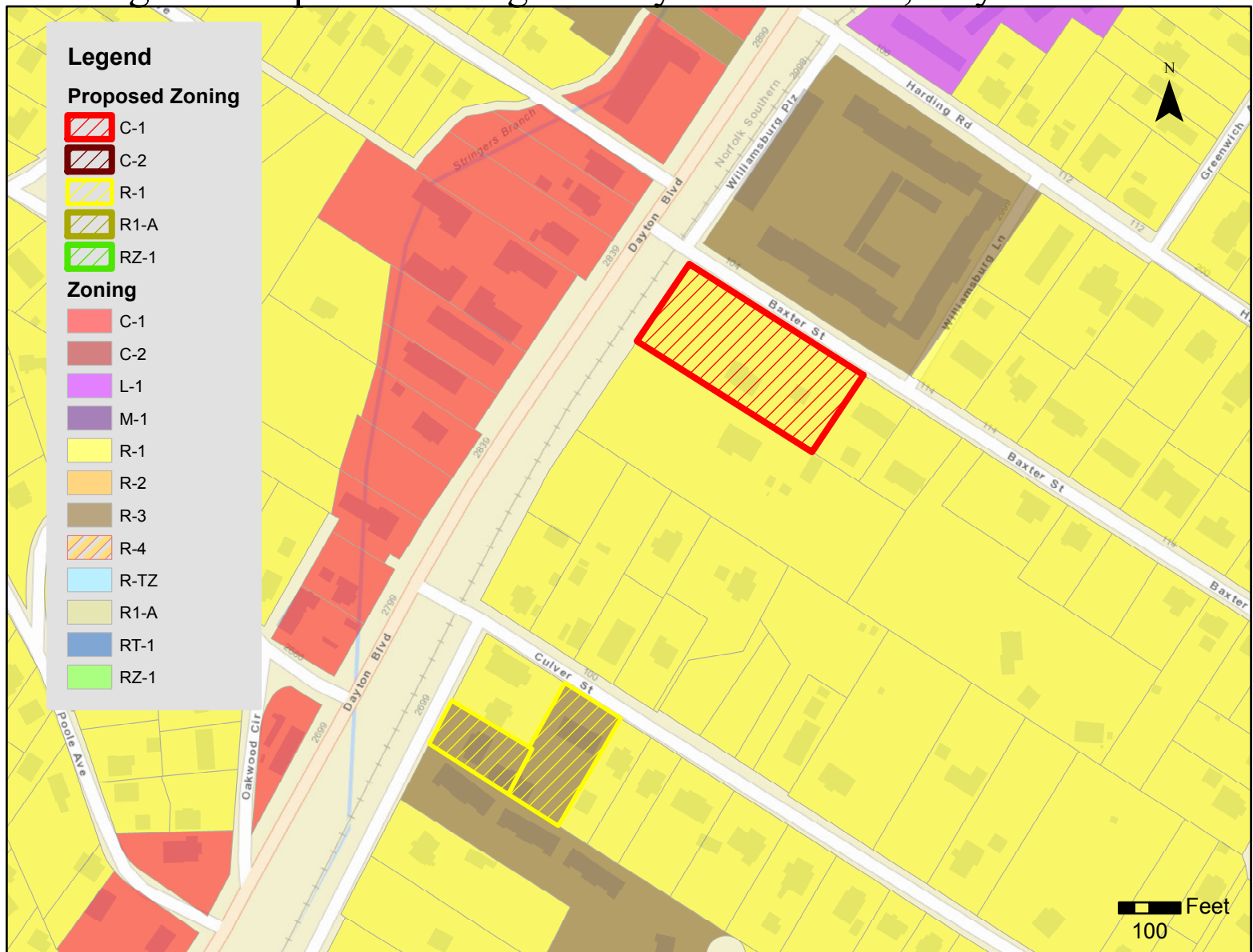
Proposed Zoning	Zoning	Purposed of Rezoning	ADDRESS	TAX_MAP_NO	LOTDIM1	Lot Area (Sq. Ft.)	LUCODE
R1-A	R-2	These properties are single family homes and should not have been zoned R-2 in 2015. The remaining adjacent R-2 district contains duplexes	1107 LULLWATER RD	117K B 001		219,383	111
R1-A	R-2		1101 LULLWATER RD	117K B 002	105.2X861.951RR	84,762	111
R1-A	R-2		1025 LULLWATER RD	117K B 003	123.8X866.221RR	93,480	111
R1-A	R-2		1021 LULLWATER RD	117K B 004	035% MKT66.66X742.581R	47,862	910
R1-A	R-2		1009 LULLWATER RD	117K B 005	100X596.231RR	54,952	111
R1-A	R-2		1007 LULLWATER RD	117K B 005.01	100X5501RR	53,208	112
R1-A	R-2		1005 LULLWATER RD	117K B 006	100X511.621RR	52,483	111
R1-A	R-2		1003 LULLWATER RD	117K B 007	100X468.281RR	45,400	111
R1-A	R-2		1001 LULLWATER RD	117K B 008	100X4451RR	45,464	111
R1-A	R-2		1017 LULLWATER RD	117K B 004.01	66.67X694.931R	44,186	111
R1-A	R-2		1015 LULLWATER RD	117K B 004.02	66.67X643.891R	41,714	910
R1-A	R-2		LULLWATER RD	117K B 021	025% MKT165X4101RR	32,872	910
R1-A	R-2		LULLWATER RD	117K B 022	150X3401RR	29,728	910
R1-A	R-2		641 LULLWATER RD	117N A 001	160X2381RR	19,990	111
R1-A	R-2		637 LULLWATER RD	117N A 002	100X4751RR	46,840	111
R1-A	R-2		633 LULLWATER RD	117N A 003	100X475	47,863	111
R1-A	R-2		629 LULLWATER RD	117N A 005	100X500	49,041	111

Existing and Proposed Zoning for City of Red Bank, July 2016



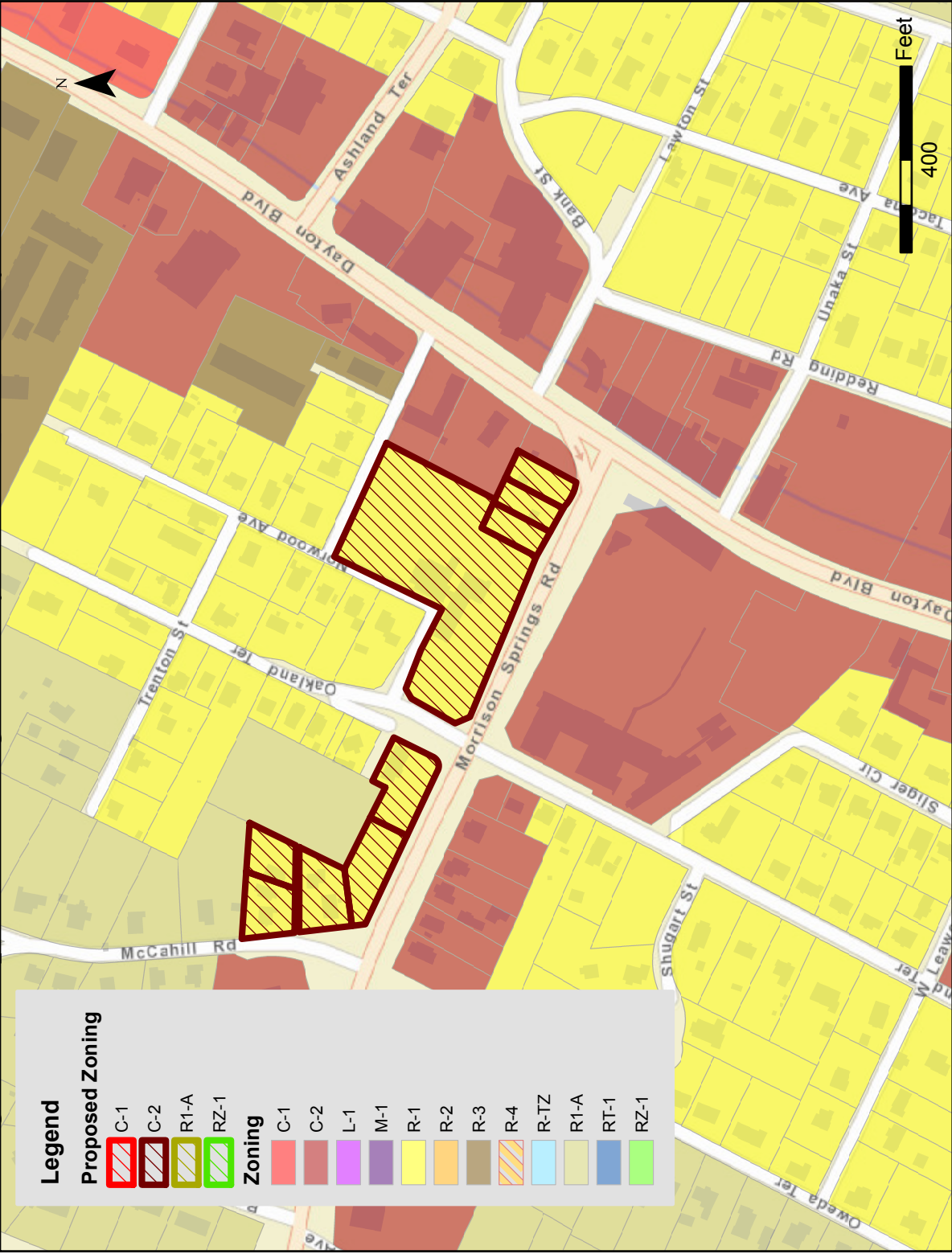
Proposed Zoning	Zoning	Purpose of Rezoning	Address	Tax Map No	Lot Area (Sq. Ft.)	LU CODE
RZ-1	R-1	Rezoning to RZ-1 Approved by PC in July	559 MEMORIAL DR	117M E 010	19,040	910
RZ-1	R-1	Rezoning to RZ-1 requested in July	2401 ASHMORE AVE	117M F 016	15,285	112
RZ-1	R-1		2317 ASHMORE AVE	117M E 002	8,003	111
RZ-1	R-1		2315 ASHMORE AVE	117M E 003	8,823	111
RZ-1	R-1		2313 ASHMORE AVE	117M E 004	8,986	111
RZ-1	R-1		2311 ASHMORE AVE	117M E 005	9,605	111
RZ-1	R-1		ASHMORE AVE	117M E 006	8,988	910
RZ-1	R-1		2309 ASHMORE AVE	117M E 007	8,978	111
RZ-1	R-1		ASHMORE AVE	117M E 008	8,112	910
RZ-1	R-1		2305 ASHMORE AVE	117M E 009	8,709	111
RZ-1	R-1		2415 ASHMORE AVE	117M F 009	7,039	111
RZ-1	R-1		2413 ASHMORE AVE	117M F 010	8,471	910
RZ-1	R-1		2411 ASHMORE AVE	117M F 011	8,462	111
RZ-1	R-1		2409 ASHMORE AVE	117M F 012	8,452	111
RZ-1	R-1		2407 ASHMORE AVE	117M F 013	8,442	111
RZ-1	R-1		2405 ASHMORE AVE	117M F 014	8,432	910
RZ-1	R-1		2403 ASHMORE AVE	117M F 015	7,019	111
RZ-1	R-1		ASHMORE AVE	117M G 001.01	113,926	910

Existing and Proposed Zoning for City of Red Bank, July 2016



Proposed Zoning	Zoning	Purposed of Rezoning	ADDRESS	TAX_MAP_NO	LOTDIM1	Lot Area (Sq. Ft.)	LUCODE
C-1	R-1	This is a commercial operation that was incorrectly coded in 2015	108 BAXTER ST	117L M 001.01	349.7X155IRR	50,897	111
R-1	R-3	These are church properties that were incorrectly coded for R-3 because they were mistakenly associated with adjacent apartments	110 CULVER ST	117M G 021	106X209IRR	20,871	690
R-1	R-3		2618 LYNDON AVE	117M G 019	80X152.5	12,386	691

Existing and Proposed Zoning for City of Red Bank, July 2016



Proposed Zoning	Zoning	Purposed of Rezoning	ADDRESS	TAX_MAP_NO	LOTDIM1	Lot Area	LUCODE
C-2	R-1	This is the north side of Morrision Springs Road. Previously occupied by single family homes. This corridor should be reserved for commercial development in support of Land Use Plan goals.	201 MORRISON SPRINGS RD	109I B 021	171.0X121.31IRR	18,415	111
C-2	R-1		209 MORRISON SPRINGS RD	109I B 023	210.60X84IRR	16,873	910
C-2	R-1		115 MORRISON SPRINGS RD	109P F 004	377.89X140.55IRR	126,792	691
C-2	R-1		105 MORRISON SPRINGS RD	109P F 001.03	62.94X139.88IRR	9,164	914
C-2	R-1		109 MORRISON SPRINGS RD	109P F 002	60X139.88IRR	8,140	910
C-2	R-1		111 MORRISON SPRINGS RD	109P F 003	60X140.55IRR	8,241	910
C-2	R-1		4004 MC CAHILL RD	109I B 024	118X185M	15,993	111
C-2	R-1		4006 MC CAHILL RD	109I B 025	74X120IRR	10,329	910
C-2	R-1		4010 MC CAHILL RD	109I B 026	123X160IRR	13,193	111