

John Roberts
Mayor

City of Red Bank
Municipal Planning Commission

Randall G. Smith
City Manager

WORK SESSION AGENDA
August 13th, 2018
6:00 pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon
☐ Commissioner Hafley
☐ Commissioner Browder

☐ Commissioner Baker
☐ Commissioner Smith

III. Agenda items for the August 16th regular planning commission meeting:

A. CONSIDERATION OF THE MINUTES

1. July 19th, 2018

B. NEW BUSINESS

1. Zoning Map Amendment, 121 and 133 Culver Street, R-1 to R-T/Z
2. Zoning Ordinance Amendment, Accessory Buildings, Section 14-204.11

C. UNFINISHED BUSINESS

D. OTHER BUSINESS

IV. ADJOURNMENT

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REGULAR MEETING AGENDA

August 16th, 2018

6:00 pm

Red Bank City Hall

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Baker

☐ Commissioner Hafley

☐ Commissioner Smith

☐ Commissioner Browder

III. INVOCATION – Commissioner Baker

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

A. July 19th, 2018

VI. NEW BUSINESS

A. Zoning Map Amendment, 121 and 133 Culver Street, R-1 to R-T/Z

B. Zoning Ordinance Amendment, Accessory Buildings, Section 14-204.11

VII. UNFINISHED BUSINESS

VIII. OTHER BUSINESS

IX. ADJOURNMENT



John Roberts
Mayor

MUNICIPAL PLANNING COMMISSION

Randall G. Smith
City Manager

MINUTES
July 19, 2018
6:00 p.m.
Red Bank Community Center

I. CALL TO ORDER

Commissioner Hafley called the meeting to order at 6:00 pm.

II. ROLL CALL

Commissioner Browder called the roll. Commissioners Hafley, Cannon, Smith, and Browder were in attendance. The Commission's planning advisor from the Southeast Tennessee Development District was also present. Additional attendees are included on the sign-in sheet and in the below minutes.

III. INVOCATION

Commissioner Smith gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Hafley led the pledge of allegiance.

V. CONSIDERATION OF THE MINUTES

A. June 21st, 2018 Meeting Minutes

Chairman Hafley asked staff if conditions that limited density had been attached to the motion for the rezoning of the Lullwater property.

Staff replied that conditions limiting density to the levels proposed in the application for the Lullwater R-T/Z rezoning were proposed, but not actually included in the final motion by the Planning Commission.

Chairman Hafley requested that staff send a memo to the City Commission to suggest that a density condition be considered with the rezoning.

Motion by Commissioner Browder to approve the June minutes. Second by Commissioner Smith. The motion passed unanimously.

VI. NEW BUSINESS

A. Zoning Map Amendment, 2622 Berkley Drive, R-1 to R-T/Z

Staff gave an overview of the rezoning request and noted that the proposed development was compatible with the existing development form and consistent with the Red Bank Land Use Plan.

The applicant, Travis Mullis, gave an overview his plan to subdivide and develop the property and described the dimensions of the proposed lots and homes.

Commissioner Browder asked if there was a plan for parking that allowed cars to avoid backing into Berkley Drive. Mr. Mullis indicated that there were plans for off street parking that would prevent the need for vehicles to back out into Berkley Drive. Chairman Hafley cited the Zoning Ordinance Section 14-204.07-B-3 requirement that all proposed developments provide off street parking that prevents the need for vehicles to back into the public right-of-way.

Wayne Cook at 2619 Berkley Drive came forward to speak in support of the rezoning. Mr. Cook informed the Planning Commission that he had spoken with Mr. Mullis about his rezoning application and approved of the proposed development.

Motion by Commissioner Browder to approve the rezoning of Tax Map 117L Group G Parcel 017 at 2622 Berkley Drive from R-1 Residential to R-T/Z Residential subject to the condition that total density is limited to the two dwelling units proposed for the 0.36-acre site in the rezoning application. Second by Commissioner Hafley. Motion passed unanimously.

B. Zoning Ordinance Amendment to Outdoor Storage Regulations

Staff informed the Planning Commission that the Outdoor Storage amendment had been withdrawn by the City and that a revised version would be submitted for consideration at the August meeting of the Planning Commission.

Motion by Commission Cannon to table the outdoor storage amendment for the August meeting. Second by Commissioner Smith. Motion passed unanimously.

C. City Code Amendment to Red Bank Sign Ordinance

Staff gave an overview of the draft Sign Ordinance and presented a memo to the City Commission that summarized the recommended revisions made by the Planning Commission over several months of review.

The Planning Commission determined that the intent of section 9-821 was to remove billboard signs and not structures. The Planning Commission discussed whether billboards should be regulated as structures or as signs.

Staff also suggested that the draft Sign Ordinance may be better understood if billboard foundations were clearly delineated from signs and used to evaluate special exception permits. Staff noted that the impact on total structures or foundations removed could be a criterion reviewed as part of the special exception review.

Planning Commission recommended that special exception permits for digital billboards be evaluated based on the number of billboard foundations to be removed as part of the application. The Planning Commission also recommended billboard signs, structures and foundations be clearly defined and delineated in the ordinance.

Mr. Hafley proposed that an intent statement be added to the Sign Ordinance. Staff added this proposed revision to the memo.

Chairman Hafley proposed removing the wall mural percentage requirement but making wall murals a special exception use. The Planning Commission agreed to this proposed revision to the Sign Ordinance.

Chairman Hafley asked staff to provide a recap of all revisions proposed at the July meeting. Staff noted that all revisions proposed at the July meeting would be incorporated into the draft memo to the City Commission regarding the draft Sign Ordinance.

Motion by Chairman Hafley to approve the Sign Ordinance amendment subject to the revisions proposed in memo to the City Commission and the revisions proposed by the Planning Commission at the July regular meeting. Second by Commissioner Cannon. Motion passed unanimously.

VI. UNFINISHED BUSINESS

IX. ADJOURNMENT

Commissioner Smith moved to adjourn; second by Commissioner Browder. Adjourned at 7:10 PM.

Chairman



Southeast Tennessee Development District
1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Municipal Planning Commission
From: Brian Taylor, SETDD Regional Planner
Date: August 6, 2018
Subject: Rezoning Request for 121 and 133 Culver Street – R-1 to R-T/Z

SUMMARY

Request: R-1 to R-T/Z Residential Townhouse / Zero Lot Line		
Tax Map #: Map 117L Group M Parcels 022.03 and 022.02	Address: 121 Culver St, 133 Culver St	
Owner: Greg Jones	Applicant: Greg Jones	
Area: 0.543 acres (2 lots)	Floodplain: No	
Existing Use: vacant	Proposed Use: 3 single family detached homes	
Adjacent Uses: single-family residential, duplex	Adjacent Zoning: R-1	

Background: An application has been submitted by Greg Jones for the rezoning from R-1 to R-T/Z of two properties on Culver Street. The owner of the property intends to subdivide the two properties into three lots for single-family homes.

Recommendation: Approval of the rezoning from R-1 to R-T/Z.

ANALYSIS

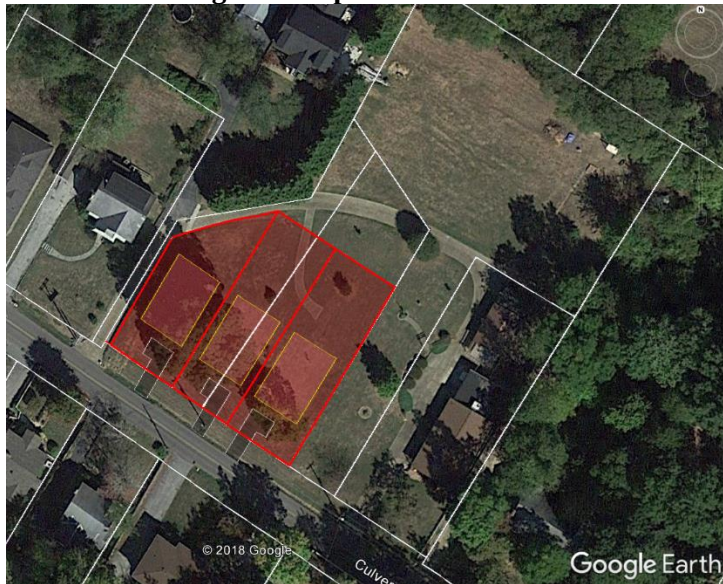
Existing and Proposed Use

The 0.543-acre area includes parcel 022.03 at 121 Culver Street and parcel 022.02 at 133 Culver Street. The two parcels have a combined frontage of 146 feet. Both parcels are undeveloped and have access to public sewer and water on Culver Street. The subject properties are surrounded by two existing flag lots that are also owned by the applicant. The applicant lives at 113 Culver Street. The flag lot at 145 Culver Street is undeveloped.

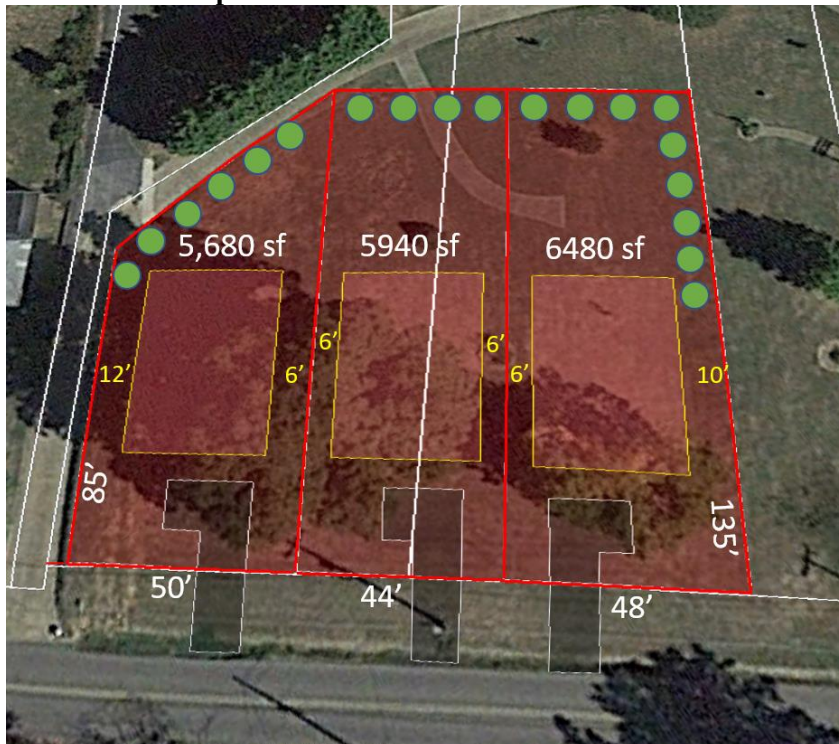
The applicant intends to re-subdivide the two parcels into three lots and construct single-family detached dwellings on each lot. A lot line adjustment would also modify the rear lot line so that the existing driveway is placed on the adjacent flag lots owned by the applicant. The resulting total area for the three lots would thereby be reduced from 0.543 acres to 0.416 acres.

The area and frontage for the proposed lots are shown in the site plan and table below. No plans or footprints for the proposed homes have been submitted.

Aerial of Existing and Proposed Lots



Site Plan for Proposed Lots



Existing and Proposed Lot Dimensions

Existing								
Zone	R-1	R-1	R-1		R-1		Subject Property Total	4 lot Total
Address	113 Culver	121 Culver	133 Culver		145 Culver			
Frontage	5	78	68		35		146	186
Area (SF)		11,791	11,871				23,663	
Area (ac)		0.271	0.273				0.543	
Proposed								
Zone	R-1	R-T/Z	R-T/Z	R-T/Z	R-1		Subject Property Total	4 lot Total
Address / Lot	113 Culver	Lot 1	Lot 2	Lot 3	145 Culver			
Frontage	9	50	44	48	35		142	186
Depth		85 to 135	135	135				
Area (SF)		5680	5940	6480			18100	
Area (ac)		0.130	0.136	0.149			0.416	
R-T/Z Lot 1			R-T/Z Lot 2			R-T/Z Lot 3		
side setback	building envelope	side setback	side setback	building envelope	side	side	building envelope	side
12	32	6	6	32	6	6	32	10

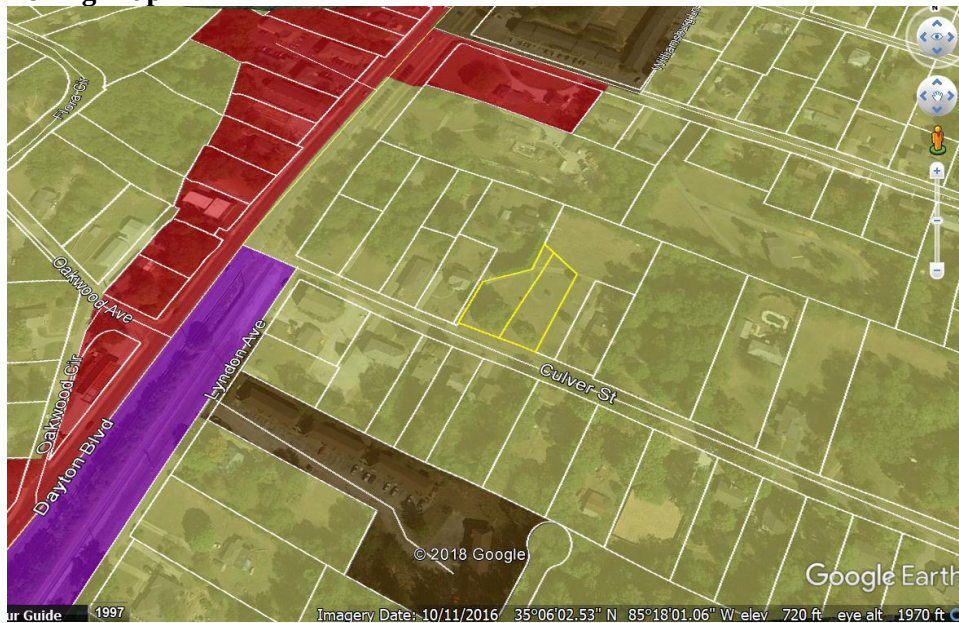
Zoning Ordinance

R-T/Z zoning would allow the owner to create lots with less than 60 feet of frontage and a lot size below 7,500 square feet.

	Minimum Lot Area		Minimum Frontage (LF)
	Sq. Ft.	Acreage	
R-1	7,500	0.172	60
R-T/Z	5,445	0.125	35

Type C screening on the exterior lot lines of each proposed lot is required where it abuts the R-1 zoning district. There is no existing vegetation on the subject property that could be used to meet the screening requirement.

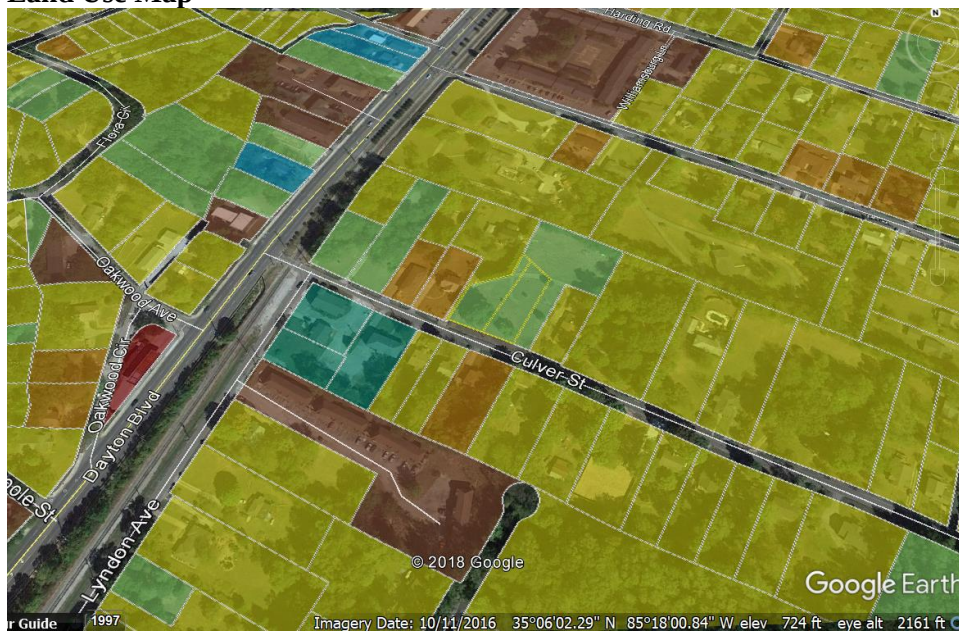
Zoning Map



Compatibility with Surrounding Uses

Abutting uses include a single-family home to the west and a vacant flag lot to the east. Small lot single family homes and a duplex sit across the street from the subject property. Other nearby uses include duplexes located on the other side of the flag lot at 113 Culver Street and an apartment complex on Lyndon Avenue. All surrounding properties are zoned R-1.

Land Use Map



The distance of the properties from the commercial corridor is less than 500 feet. Higher density patio homes and townhome development permitted under the R-T/Z zoning are generally encouraged in neighborhoods close to the commercial corridor.

Land Use Plan

The development of new small lot single-family homes at this location would increase the variety of the housing stock in Red Bank and address Goal C of the Red Bank Land Use Plan:

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.

RECOMMENDATION

The proximity to Dayton Boulevard and surrounding high-density development make the R-T/Z zoning and proposed development compatible with the surrounding neighborhood context. Staff recommends approval of the R-1 to R-T/Z rezoning request.

APPENDIX

Property Card for Parcel 022.03

Location 121 CULVER ST	Property Account Number 149996	Parcel ID 117L_M_022.03
Property Type 22	Land Use 910	District RED BANK
Current Property Mailing Address		
Owner JONES DAVID G & DEANNA M TRS DAVID G & DEANNA M JONES TRUST	City CHATTANOOGA	
Address 113 CULVER ST	State TN	
	Zip 37415	
Current Property Sales Information		
Sale Date 9/20/2007	Legal Reference 8479-0887	
Sale Price \$0	Grantor(Seller)	
Current Property Assessment		
Building Value \$0		
Xtra Features Value \$0		
Land Value \$20,000		
Total Value \$20,000		
Assessed Value \$5,000		
Narrative Description		
This property is classified as RESIDENTIAL with a(n) N/A style structure on this card, built about with 0 square feet.		
Land Description		
The total land area of this property is (78.83X202.27IRR).		
Legal Description		
LT 4 BEAUMONT SUB PB71 PG71 OUT OF 117L-M-22 FOR 2003		

Property Card for Parcel 022.02

Location 133 CULVER ST	Property Account Number 149995	Parcel ID 117L_M_022.02
Property Type 22	Land Use 910	District RED BANK
Current Property Mailing Address		
Owner JONES DAVID G & DEANNA M TRS DAVID G & DEANNA M JONES TRUST	City CHATTANOOGA	
Address 113 CULVER ST	State TN Zip 37415	
Current Property Sales Information		
Sale Date 9/20/2007	Legal Reference 8479-0887	
Sale Price \$0	Grantor(Seller)	
Current Property Assessment		
Building Value \$0		
Xtra Features Value \$0		
Land Value \$20,000		
Total Value \$20,000		
Assessed Value \$5,000		
Narrative Description		
This property is classified as RESIDENTIAL with a(n) N/A style structure on this card, built about with 0 square feet.		
Land Description		
The total land area of this property is (68X202.27IRR).		
Legal Description		
LT 3 BEAUMONT SUB PB 71 PG 71 OUT OF 117L-M-22 FOR 2003		



Southeast Tennessee Development District
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Red Bank Public Works

From: Brian Taylor, Regional Planner

Date: 8/6/2018

Subject: Storage Facility Amendment

SUMMARY

The City has submitted an amendment to the Zoning Ordinance that establishes new dimensional requirements for accessory structures in residential zoning districts.

ANALYSIS

According to City staff, the amendment originated as a response to complaints that multiple accessory buildings were being purchased and placed on a single lot to serve as a fence-like structure.

Section 1 of the draft ordinance amends section 14-204.11 by replacing the existing text with new language that creates new requirements for accessory structures in residential zoning districts. Section 204 contains general height and area requirements within the Red Bank Zoning Ordinance.

The existing version of Section 14-204.11 is listed below.

204.11 Notwithstanding any other provisions in this Zoning Ordinance related to required side yard setbacks, a single story detached accessory building no closer than five (5) feet from the interior side lot line and no closer than five (5) feet from the rear lot line shall be allowable on residential zoned property provided that, in addition, any such accessory building is to be separated by not less than three (3) feet from the principal structure located on the premises on residentially zoned property.

The following requirements have been added:

- properties of less than ½ acre are permitted 1 single-story attached accessory structure up to 144 square feet,
- properties of more than ½ acre are permitted 2 single-story detached accessory structure up to 144 square feet,
- property owners must submit a site plan to the building inspector showing the size, location, and setbacks of proposed accessory structures, and
- accessory structures cannot be used for human habitation.

The following requirement from the previous ordinance was left out of the draft ordinance:

- interior side lot line setback of 5 feet for detached accessory buildings.

The following corrections were identified in the amendment:

- the ordinance should amend Section 14-204.11, not Section 11-204.11, and
- subsection (a) should refer to “detached” rather than “attached” accessory structures.

The notes and revisions listed above are shown in the attached version of the draft amendment in the appendix.

The appendix also includes accessory structure requirements for peer and neighboring communities. Below is a comparison of accessory structure requirements in these communities with those proposed in the draft amendment.

- The Signal Mountain Zoning Ordinance also establishes a 144 square foot maximum area for accessory buildings and requires a site plan. Accessory buildings are permitting within 5 feet of the side and rear lot line, except for corner lots.
- The Chattanooga Zoning Ordinance also allows accessory structures within 5 feet of the side and rear lot lines, except for corner lots.
- The Dayton Zoning Ordinance permits accessory structures within 15 feet of the rear lot line but did not specify a side lot line setback.
- None of the zoning ordinances directly addressed the number of accessory structures permitted on a lot.

RECOMMENDATION

Staff recommends approval subject to recommended revisions.

ORDINANCE NO. 18-
AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND
ORDINANCE NO. 15-1020, THE RED BANK ZONING ORDINANCE TO
AMEND TITLE 304, CHAPTER SECTION 204.11

WHEREAS, the City Commission for the City of Red Bank deems it necessary to provide for the health, safety and welfare of the citizens of the City of Red Bank to regulate the prohibition of the location, number, height and floor area of accessory use buildings on residentially zoned properties within the City of Red Bank;

background?
intent?

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. Ordinance No. 15-1020, codified at Red Bank City Code Section 204.11, shall be amended thereof by deleting the subsection as written and substituting in its place instead the following:

what was
deleted?

I. ECTIO

Definitions?

(A) Add a new subsection, to wit:

204.11 Notwithstanding any other provisions in this Zoning Ordinance related to the required front and/or rear yard setbacks, in addition to not more than one (1) detached garage or other storage building with subject to the building permit thereon:

< 1/2 ac (a) Properties with less than one-half (1/2) acre of land area will be permitted no more than one (1) single storied detached accessory building which may be no larger than one hundred forty-four (144) square feet in floor space. 1 accessory bldg up to 144sf

> 1/2 ac (b) Properties with more than one-half (1/2) acre of land area shall be permitted no more than two (2) single storied detached accessory buildings, neither of which may be no larger than one hundred forty-four (144) square feet in floor space. 2 a y bldgs up to 144sf

what about
side lot line
setback?

No such accessory buildings or structures shall be larger than one hundred forty-four (144) square feet in floor space. Such storage buildings and or structures shall be no closer than five (5) feet, including overhangs or eaves, from the rear lot line on any residentially zoned property. In addition, any such accessory buildings shall be separated by not less than three (3) feet, including overhangs or eaves, from the main or principle structure, and/or any other accessory building and each other. ← added

similar to existing
text
- min. 5' from
rear lot line
- min. 3' from
principal
structure

site plan showing
- size
- location
setbacks

(c) To assure compliance with this ordinance, the property owner(s) tenant(s) and/or occupant(s) must first file with the Building Inspectors office, a site plan detailing the size and location(s) of any such structure intended to be placed or erected on the premises and its location and spacing from the applicable property line and other permitted structures on the property before installation or construction. Failure to comply with this subsection shall result in a civil penalty of up to \$50 per day and any offending structure located on a property may also be ordered to be removed.

up to \$50/day
penalty

(d) Provided further that no portion of any such accessory building, of any kind, be utilized for human habitation, lodging or occupancy, of any kind long term, short term or under any circumstance.

no accessory bldg
can be used for
human habitation

SECTION 2. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney