

# **FORM-BASED CODE COMMITTEE**

## **MINUTES**

**August 10, 2017**

The duly advertised meeting of the Form-Based Code Committee was held on August 10, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. Heidi Hefferlin called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. Heidi Hefferlin explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Jason Havron, Grace Frank, Heidi Hefferlin, Matthew Whitaker, William Smith, David Barlew

Members Absent: Gabe Thomas, Ladell Peoples and John Straussberger

Staff Members Present: Angela Wallace, Dallas Rucker

Applicants Present: Glen Craig, Bob Elliott, Chris Anderson, Wayne Gregory

**Matt made a motion to approve the Minutes from the July meeting. The motion was seconded by William and unanimously approved.**

### ***OLD BUSINESS***

**Case #17-FB-00016 – 422 Harper Street WITHDRAWN**

### ***NEW BUSINESS***

**Case #17-FB-00017 – 1257 Market Street**

#### **PROJECT DESCRIPTION:**

The applicant, Craig Design Group, has applied for the following modifications:

- Parking spaces from 0 to 3
- Curb Cuts from 0 to 1

Dallas presented the PowerPoint presentation.

Staff Comments: Sarah – Very close to another curb cut; is there a shared egress agreement? They will have to back out of that site – required to do so in a forward motion.

Discussion: Glen Craig addressed the Committee. We are seeking relief from the head-in head-out requirement. Gene Hyde has no problem with removing the tree. The neighbor is planning on selling and therefore, there will be no sharing of that property. Our only option is to pull in and back out into the street. David – This is to be a driveway with 2-3 spaces? Glen – Yes. The building is going to be an attorney's office.

Community Comments: Thomas Johnson – I own both lots on either side of this. I have no objection to them using this place and pulling in and backing out. It is parking for the hair salon and the fitness place. They need a curb cut like the others. Glen – There is no other access and there is no granted easement.

Matt – No setback requirements? Sarah – Coward would be their secondary street so the setback requirement would be 10 feet. Heidi – Everyone else has the opportunity for a curb cut. There is not a lot of fast moving traffic in that area. William – Does that remove a parking meter? Sarah – Yes, and one on street parking space. Matt – I don't have a problem. Everyone should be entitled to a parking space at their business.

**Jason made a motion to approve Case #17-FB-00017 – 1257 Market Street 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. Conditions: None.**

**Heidi – Dallas, you mentioned the hardship was the narrow lot and no other access. Dallas - Yes.**

**Grace seconded the motion. The motion was unanimously approved.**

### **Case #17-FB-00018 – 325 Market Street**

#### **PROJECT DESCRIPTION:**

The applicant, Bob Elliott has applied for the following modifications:

- Sign Placement – from 1<sup>st</sup> story to 2<sup>nd</sup> and 3<sup>rd</sup> stories

Dallas presented the PowerPoint presentation.

Staff Comments: Randy – We have had a lot of requests and concerns that they are limited to first floor only. The number of signs is not limited. You are limited to number of skyline signs but he doesn't qualify for skyline signs. There is no limit on the first floor except for size.

Discussion: Bob Elliott addressed the Committee. When we rehabbed the building we went to great lengths to keep the historic aspect of the building. The way this building is designed, the wall is recessed 50+ feet from the sidewalk so visibility is challenged. There are some preexisting signs there. Due to the nature of the building first floor signs would not have any effect. Jason – How many signs are there now? Bob – The Lifestyle Center on both sides of the building on the top of the building. William – So the signs on the 2<sup>nd</sup> and 3<sup>rd</sup> floor would go by the code on size for the ground floor? Bob – Yes we are not asking for bigger signs just the placement. Randy - The code only addresses the first floor and skyline signs. If we apply the skyline size, it would keep the size less than 50%. So if we allow this there would have to be conditions. Bob – The signs we are proposing would be less than 100 sq. ft. David – (read code). It states that "a" skyline sign is allowed. Randy – If you apply that to this proposal, yes. But if you allow him what he is asking, it would be whatever you want to make it. Matt – They do not have any criteria to meet the skyline signs. I would say they would have to meet the first floor criteria for the signs.

Community Comments: None

**Matt made a motion to approve Case #17-FB-00018 – 325 Market Street 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. Conditions: we consider these signs to be first floor signs but allow them to be placed on the second floor.**

**William seconded the motion. The motion was approved, 5 in favor and one opposed (David)**

**Case #17-FB-00019 – 626 & 612 E. 16<sup>th</sup> Street**

**PROJECT DESCRIPTION:**

The applicant, Chris Anderson of GreenTech has applied for the following modifications:

- Lot Size reduce from 3,000 to 2,975 and 2,550

Dallas presented the PowerPoint presentation.

Staff Comments: None

Discussion: Chris Anderson addressed the Committee. This same design was approved 2 months ago but we missed asking to reduce the lot size. There are several lots along this street that are the same size as these and smaller. There is no way to get two 3,000 sq. ft. lots here. Neighborhood response was favorable.

Community Comments: None

Heidi – There are several smaller lots on that street. I would rather see houses on that lot than it remain vacant. David – The houses will face the road right? Chris – Yes. Grace – How many curb cuts? Chris – Only one, it will be shared. Jason – We hate to make lots smaller but in this neighborhood they would work. It would be consistent with the rest of the houses.

**Grace made a motion to approve Case #19-FB-00019 – 626 & 612 E. 16<sup>th</sup> Street 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. Conditions: None**

**Jason seconded the motion. The motion was unanimously approved.**

**Case #17-FB-00020 – 736 Market Street**

**PROJECT DESCRIPTION:**

The applicant, Wayne Gregory has applied for the following modifications:

- Transparency from 80% to 35% on floors 1 - 24

Dallas presented the PowerPoint presentation.

Staff Comments: None

Discussion: Wayne Gregory addressed the Committee. It has old glass in the building that lets a significant amount of heat through the glass. There are a significant number of windows in the building (730+). It has made it difficult to keep the building leased. We propose to install film on the glass to reduce the heat going through the glass. There will also be less glare. There will be a canopy placed on the Market Street side as we work at the building. They want to upgrade the building instead of replacing all the glass. (showed examples) There is no solar efficiency on the building now. Heidi – There is a lot of reflectivity. Matt – What are the percentages? Wayne – The darker is 20% and the other is 35%. We will be sealing the windows as we go to take care of leakage. In order for a film to be effective, it has to be able to block the sun. There is no film that will be less than 80% transparency. Heidi – The code was written to provide transparency not provide reflection. Angela Clemons (SunTrust representative) – We did consider replacing the glass. We did all kinds of studies. We hit a megawatt this year in power usage. If we replaced, we would have a large impact on the city in several ways. Transparency is affected for advertisements being put in the windows. This would also provide security for the bank and their customers. Wayne – Based on what I have read I understand why the code was written that way. The bank is dealing with heat and cooling issues. The bank now has heavy curtains on the first floor which would provide no transparency

Community Comments: None

William – Where the code talks about transparency, how does that apply here? David – That is the percentage of façade. William – The application says 2<sup>nd</sup> floor up. Angela – The application also mentions the first floor on page 2. Jason – If you are walking downtown the windows look black anyway. You cannot see through the windows. Heidi – I have no problem with the 2<sup>nd</sup> floor up but I do not think it should be on the ground floor. David – I think the transparency is more about the glare than seeing inside the building. Heidi – I disagree. It was about interacting with the business going on inside. Wayne – Any piece of glass has reflectivity. This film has a lower reflectivity than most windows. David – I think when you use the film people tend to use more lights so your energy uses changes very little. Dallas – We look at glazing as glass but can you see through it. Item 3 in the code is a definition of what transparency is. If you put smoke on the glass it really not what the code asked. Matt – My concern is does the reflection affect the building next door. David – Where they put the mirrors it blasts light and heat into our office. Wayne – The reflectivity will be about 22% and the code states 15%. Heidi – You have now pointed out that you also exceed the reflectivity requirement of the code and that is not on your application. Heidi – They would have to come back and ask for a variance on the reflectivity.

David – I don't think we can grant a variance on an entire section. William – He did ask for Section 38-698(5)3 so that does narrow it down. Heidi – So we feel this addresses the reflectivity and the transparency? David – The application actually only asked for half of the code section. Matt – I would be ok with the 2 to top floor but not ok with the first floor. David – What I am worried about is the reflection to other people's property. Heidi – I think we have a problem in the code that it is not clear. I think we request the city to stipulate what is the intent. We could stipulate on the approval

Dallas – There is no commentary with this code. 15% is 15% - why they put it in there I don't know but it is what they put in there. Wayne – 80% and 15% does not exist in any type of energy film. Jason – If we defer, they can come by and ask for the reflectivity and maybe we can get an answer to some of the questions we have

**Jason made a motion to defer Case #17-FB-00020 – 736 Market Street 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. Conditions: asking for revised application requesting difference in reflectivity increase from 15% to around 22% in addition to transparency.**

**Matt seconded the motion. The motion was unanimously approved.**

We need to talk with the staff to clarify the intent of the code on the reflectivity issue.

Angela Colman – Would that be cumulative? Dallas – I don't know.

### **Case #17-FB-00022 – 1220 King Street**

#### **PROJECT DESCRIPTION:**

The applicant, Craig Design Group has applied for the following modifications:

- Parking interior islands from every 10 spaces to every 30 spaces
- Landscape perimeter along southern and northeastern property lines from 6' to 0'
- Curb cuts from 20' wide to 22' wide
- Building Frontage from 80% to 60% on primary street

Dallas presented the PowerPoint presentation.

Staff Comments: Karna left her comments on the landscape items and is attached hereto and made a part thereof.

Sarah – No concerns.

Dallas – The frontage, they do have presence on the street.

Discussion: Glen Craig and Joseph Parks addressed the Committee. We have accomplished the 5 spaces and then an island on most of the lot. In the center we have 13 spaces then an island and on the one property line on the railroad right of way, we have a tree every 25 feet in the right of way.

A 6 foot landscape buffer around perimeter – the lot has been subdivided and there is common lot line. It doesn't make sense to have a buffer on the shared line. The other would be the railroad right of way. There is a landscape line along one edge. We have a shared parking agreement for the whole lot. We envision the railroad right of way to eventually be a greenway.

We consider King as the primary street for a reduction in 80% lot frontage to 60%. The lot gets really skinny so it is not useful for a building. There will be a large patio there with a retaining wall. It is the focal point of the development.

Curb cuts 20 to 22 feet – They are concerned about getting trucks in and out. We want to go to 22 feet to accommodate the fire department. The code says 20 feet but the minimum drive out is 22 feet for a fire truck so we are asking for 22 feet.

Dallas – They have the right amount of trees they are just not in islands. Joseph – We have done a good job with the parking lot. We are a little under one space per key but we do not see a problem with overflow.

Community Comments: Thomas Johnson – I own the building across the street. How wide is the sidewalk? Joseph – 6 feet and at some places wider up to 14 feet. Thomas - What are the bump outs? Joseph – Trees. We worked with CDOT. Thomas – I hate to see the little building torn down but am happy they are going to bury the power lines.

Matt – I wonder about the rest of the project, will the other parcel come before this Committee? Sarah – The brewery will come before the Committee because they do not have a 30 foot setback for the parking lot. Matt – What about lot frontage? Sarah – Probably. Heidi – It is an improvement. Matt – Because the other lot will have other issues and will come before us, I am good with this plan. Glen- The line along the railroad right of way has about 27 spaces and would lose about 8 spaces if we put an island in. That’s why we are doing the trees along the right of way. Matt – I would rather see you put at least one smaller island in the middle of that stretch. David – The intent was to have trees to eliminate the heat effect. The trees on the edge would not accomplish that. Joseph – If the requirement is 10 I could do the 10 on the back and use 7 in other places. Matt – I have no problem with not sticking to the 10 but more than the 27. Glen – The parking on that side is in a right of way, it leased property where those parking spaces and trees are. It is included in the lease with the railroad.

**Matt made a motion to approve Case #17-FB-00022 – 1220 King Street 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. Conditions: Approved – parking interior islands every 15 spaces instead of every 10 spaces while keeping the total number of trees the same; 20 to 22 foot curb; 80% to 60% lot frontage; 6 foot landscape perimeter along the property lines because of shared use.**

**David seconded the motion. The motion was unanimously approved.**

## ***OTHER BUSINESS***

***NEXT MEETING DATE:*** September 14, 2017

**Jason made a motion to adjourn.**

**David second the motion. The motion was unanimously approved.**

The meeting was adjourned at **4:05** p.m.

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John Straussberger, Chair

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Angela S. Wallace, Secretary