

# **FORM-BASED CODE COMMITTEE**

## **MINUTES**

**November 9, 2017**

The duly advertised meeting of the Form-Based Code Committee was held on November 9, 2017, at 2:00 p.m. at the Development Resource Center, Conference Room 1A. John Straussberger called the meeting to order. Angela Wallace called the roll and swore in all those who would be addressing the Committee. John Straussberger explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Grace Frank, Heidi Hefferlin, Matthew Whitaker, Gabe Thomas, David Barlew, John Straussberger and Jason Havron (arrived late).

Members Absent: William Smith, Ladell Peoples,

Staff Members Present: Angela Wallace, Emily Dixon, Karna Levitt

Applicants Present: Bill Harrison, Mike Croxall, Thomas Palmer, Justin Dumsday

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

### ***NEW BUSINESS***

#### **Case #17-FB-00029 – 108 Baker Street**

##### **PROJECT DESCRIPTION:**

The applicant, Bill Harrison, has applied for the following modifications:

- Curb cut on Tampa Street

Emily presented the PowerPoint presentation. Notice signs were placed on Tampa and Baker Streets.

Staff Comments: None

Discussion: Bill addressed the Committee. We are adding on 1000 sq. ft. Baker is such a busy street. We want to park our car in a garage. This should be an easy fix.

Community Comments: Bill Matthews – I own 102 Baker Street. I am not in opposition but I want it to be on his lot. If the lot size on Tampa is 50' it is a straight shot and there is already runoff. I just want to be sure it stays on his property.

Bill – I had a survey a couple of weeks ago so the lines are accurate and it will be on my property. Gabe – Where is the alley and where is the actual driveway? It looks like it is not open. Emily – No it is not. Matt – The other side of the alley is Baker Street right? Emily – Yes but it actually parallels

Baker Street. Matt – If it wasn't for that alley, they would be allowed one curb cut. Emily - That is correct. The hardship is they cannot place a garage on the front of their lot.

**Gabe made a motion to approve Case #17-FB-00029 – 108 Baker 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 due to the weirdness of the alley.**

**Heidi seconds the motion. The motion was unanimously approved.**

### **Case #17-FB-00030 – 601 Cherokee Boulevard**

#### **PROJECT DESCRIPTION:**

The applicant, Mike Croxall, has applied for the following modifications:

- Reduction in awning size from 6' to 3'
- Reduction in parking setback for a handicapped space

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Mike Croxall addressed the Committee. I don't really have anything to add to what has been stated. Emily pretty well covered it.

Community Comments: Randall Addison – I live in the area. This is a bad corner. The area is congested. To have a business there and have on street parking is going to accelerate the problem on that corner. I would love to see a business go in there.

Mike – This is not a sit down restaurant. They prepare meals for people to pick up on their way home. They do not anticipate people coming in and being there any length of time. Cos – 90% of this business is pick-up and delivery. There will not be a large amount of traffic there at a time. 90% of the building will be a kitchen. Mike – We are adding street parking. Currently there is no street parking.

Gabe – Are you going to bring up the sidewalk? Mike – Yes it will be a 5' sidewalk with a curb and some streetscape. Heidi – There is no street parking there. Is CDOT going to add any street parking? Emily – They have approved this and there is plenty of room for it and I think they want to develop some additional spaces. John – It looks like one long curb cut now. Mike – Yes and we will define that with a sidewalk and curb. Gabe – We are not here to approve the on street parking. I think the streetscape is going to be an improvement.

**Matt made a motion to approve Case #17-FB-00030 – 601 Cherokee Boulevard 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 parking setback and awning size.**

**Gabe seconds the motion. The motion was unanimously approved.**

## ***OLD BUSINESS***

### **Case #17-FB-00024 – 1111 E. 11<sup>th</sup> Street**

#### **PROJECT DESCRIPTION:**

The applicant Justin Dumsday of Riverstreet Architecture has applied for the following modifications:

- Reduction in size of 2 landscape islands
- Ground level signage moved to top of house

Emily presented the PowerPoint presentation.

Staff Comments: None

Discussion: Justin Dumsday addressed the Committee. The two items we are looking at is the signage. It is a small sign. We are trying to save the Willow Oak. We have talked with Gene Hyde and the tree is in great shape and worth saving. We are adding the Silvacells to help save the tree also.

Community Comments: None

Heidi – I'm glad you are trying to save the tree. Just because the other houses have the sign high is it critical that your sign be high. Justin – We want it higher so it is visible to people going down the street. It is much smaller than the signs on the other houses. Mat – What is the material at the edge of the parking? Justin – We have shortened spots to go around the tree. The tree is about 24". Matt – That tree will not live. When you tear down the house you will disturb more than 20% of the roots of that tree. Justin – The house is already gone. Gabe – Will you lose parking spaces? Justin – Yes. David – If we allow the number of trees to be lessened with the reduction in the islands, how much will that affect the Willow Oak? Matt – The possibility of that tree to survive is 0 – none. But that is not part of this proposal.

Heidi – This issue with these trees are throughout the City. That should be a separate discussion with Gene Hyde. Emily – That is something that was discussed with Gene. John – I looked at this and what they are proposing will improve this property greatly. Heidi – The application doesn't state anything with the trees. Gabe – Except that is being used as a hardship. Heidi – This is a vast improvement. Matt – I have no issue with what they are proposing to do.

Gabe – While it is better, that is not what we are tasked with. They want to deviate from the code just because. What is around it changes. That is the tricky thing. There is not a real hardship in either one of these requests. Emily – As far as the intent of the code the Silvacells is meeting the code. Heidi – As far as the sign, just because the other buildings have a sign in the gable doesn't really mean that is a hardship for this building. There is a location where the signage should and could be. Grace – It would not be visible though from Bailey and Central. John – How many parking spaces would they lose if they did the islands the size required? Emily – I think they actually have more parking spaces than they need. They would lose 2 spaces. Matt – I think this is the more expensive solution. Grace – You will not see the signage if it is not on the gable.

**Heidi made a motion to approve Case #17-FB-00024 – 1111 E. 11<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: approve reduction in landscape islands using Silvacells; deny first floor sign moved to gable.**

**Gabe seconds the motion. The motion was unanimously approved.**

**Case #17-FB-00027 – 202 Frazier Avenue**

**PROJECT DESCRIPTION:**

The applicant, Thomas Palmer, has applied for the following modifications:

- Height from 40' to 50'
- Number of floors from 3 to 4

Emily presented the PowerPoint presentation. The lot is very small (5,582 sq. ft.)

Staff Comments: None

Discussion: Thomas Palmer addressed the Committee. We have been looking at this site for several years. It is a tight site made even tighter by the utility easements. We were excited at this small boutique hotel of 21 rooms. To make this project work, we need to get to a certain number of rooms to make it happen. We need a 4<sup>th</sup> floor to do that. Putting parking under the building is not an option. We will use valet parking. We are early in the project because of this variance. We have talked with CARTA about parking options and they are willing to work with us on the parking. This is an opportunity to have something unique in Chattanooga. There is no hotel on the North Shore. We want it to be as transparent as possible. It would be interesting to look at across the bridge. We will have a small café for use by the residents of the hotel and people in the area. The FBC requires 15' on the first floor. The other floors are 10'8" which is typical of hotels. The top of the building is a parapet wall also acting as a railing.

Community Comments: Chuck McGahee – I own the building next door. My building was built in 1900 and it and the lunch building were the only buildings on the street. When I added to my building I jumped through 4000 hoops to get that building done. I was told that everything I did that we are going to maintain the design of Frazier Avenue. There was one who wanted to build a 5 story hotel off River Street and there was huge opposition. This is an amazing design but does not fit in with the design of the north shore. This building is going to be 2 floors above my building. How are they going to do that construction with my 100 year old building there? There is a 0 lot line. The design does not fit with North Shore. Everyone was very specific about the design.

Garnet Chapen – There are 3 areas of concern – First is parking they have not met the requirement. They have said it would be offsite but not where. The height of the building is too tall. Third – it's impact on the historic aspect of the Walnut Street Bridge. We feel this will set a bad precedent for the neighborhood. They need handicap access. Not being able to do this without the extra floor is a common excuse.

Dr. Bob Kay – I live in the area. I was part of the resistance to the hotel presented last year. We came to SH3 for a good reason – the site lines are very important. If we start building higher we are opening a can of worms for a developer to keep going. I cannot support a 4 story building. We are going to destroy the site lines for the North Shore.

Ros – 250 Forest Avenue - I purchased this property because of the view. The view in the area will be destroyed. This is also going to be a sore thumb. How are you going to load and unload? This

property will decrease value of property in the area it will also be harmful for growth. The traffic will change tremendously. This will also encourage additional variances on code.

Dennis Murphy – I am happy to see something going in this space but I think it is out of character of the neighborhood. I would rather see something a little less glass and glitzy.

Randal Addison – At the meeting held for the neighborhood, there was little to no opposition to this project. The people on that list asked me to come here and support this project. This site is an ugly eyesore. The museum is a mixed architecture. The neighborhood meeting did not have this type of opposition.

Beth van Deusen – We are here for the modification of an extra story. Going from 40' to 50' is a 25% addition in height. If this is approved you might as well let the entire neighborhood go to SH4.

Palmer – The drop off is on River Street. There will be no additional traffic issues on Frazier. We applied for 50' because it is the typical height associated with 4 stories. We are currently at 47'4" with our design. We feel the 40' is too restrictive. I think we can get down to 45' but we need to get further into our design.

Gabe – You said you could get to 45'. How? Thomas – We could shrink the first floor height to 13'. We can shave a little on the height of the room maybe by 2" on each floor so that would give us 6" more. David – You are at 4 floors with 21 rooms, what if you went to 3 floors? Thomas – 14 rooms. We want to have a welcome area on the right street side. Frazier Street side will be the café and river view. The check in area would be on River Street. We felt we were matching the building across the river. John – You mentioned reducing the floors of the hotel. The 15' on ground is a FBC requirement so that would have to be a variance. What is the height of the first floor you are seeing? Thomas – I feel 13' would give us what we need. I could take 2" off each floor so that would add 6". We might be able to get a little more, maybe 4'. Heidi – I think that would give you the 42'. Thomas - We would like to maintain 8'6" on our ceilings. Matt – Can you do this without the rooftop deck? Thomas – We can but I'm not sure we would want to. Gabe – It's not just about the amount of money it is about making the numbers work. What if you really can't do anything here and we are stuck with this hole. Is there a middle ground here at all? This is an important part of our city. Thomas – It is a minimum 2 story. With the requirements on a building it really limits the amount of useable area you have for 2 stories. It is crazy challenging to work on this site. A hotel with 21 rooms it requires less than a restaurant or an office building. John – Given the location and nature of it, the quantity of rooms is what makes it work or not work. Thomas – You will see the building from Forest but I think from the street we have worked to hide it. David – Is it conceivable that you could push occupancy in the ground. Thomas – With the topography of the area we are underground at Frazier. I could do with 45' I think that is the least number reasonably.

**Gabe made a motion to approve Case #17-FB-00027 – 202 Frazier Avenue 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: approve 3 to 4 floors – consistent with building across the river; approve building height from 40'-50' with the condition that it be 45' maximum.**

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

## ***OTHER BUSINESS***

Clarification of “gross square footage” for outdoor dining space - per building code is floor area of building now covered with surrounding exterior wall. If there is an outdoor space covered. Building code is gross floor area we have to look at as addition to the building. Do we want to count areas under pavilions as gross floor area? David – If that is what the building code says, then we should.

Election of Chair and Vice-Chair

Chair – Nominations: John Straussberger Vote - unanimous yes

Vice – Nominations: Heidi Vote - unanimous yes

Secretary – Nominations: Jason Vote - unanimous yes

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

**David made a motion to adjourn.**

**Gabe seconds the motion. The motion was unanimously approved.**

The meeting was adjourned at **4:10** p.m.

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John Straussberger, Chair

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Angela S. Wallace, Secretary