

# FORM-BASED CODE COMMITTEE

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## MEETING MINUTES

July 14, 2022

The duly advertised meeting of the Form-Based Code Committee was held on July 14, 2022, at 1:59 p.m. in conference room 1A of the Development Resource Center. Chair Beverly Bell called the meeting to order and announced that the meeting is being recorded. Secretary Levi Witt called the roll and swore in all those who would be addressing the Committee.

**Members Present:** Jim Williamson, Beverly Bell, David Hudson, Denise Shaw, Jake Toner, Zach McManus

**Members Absent:** Anca Rader

**Staff Members Present:** Development Review Planner Sarah Robbins, Secretary Levi Witt, City attorney Harolda Bryson

**Beverly Bell explained the rules of procedures.**

**Roll Call:** Levi Witt called the roll.

**Swearing In:** Levi Witt swore in everyone who wanted to speak to the Committee.

**Applicants Present:** Scott Smith, Stephen Wendell, Heidi Hefferlin, Wilson Kessel

**Approval of Minutes:** Jim Williamson made a motion to approve the June 2022 meeting minutes. David Hudson seconded the motion. All in favor, the motion carried.

**Sarah Robbins presented the cases.**

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**Case #FBC-22-14 - 100 & 108 E. Main Street - Alley Setback, Fenestration, Building Height and Transportation Loading Zone**

**Project Description:**

The applicant, Scott Smith, has applied for the following modifications:

1. Allow the rear: alley building setback to be 0 feet. *Sec. 38-718 (3) BUILDING PLACEMENT. Building Setback (see Sec. 38-698. (2) C.2.) D. Rear: alley: 5' min.*
2. Allow ground floor fenestration to be less than the 70%. *Sec. 38-718 (6) PUBLIC REALM. Fenestration. A. Ground story: 70% min.*
3. Allow an increase to the maximum height by one story. *Sec. 38-718. (5) HEIGHT AND MASS. A. Maximum Height: U-SH-4: 4 stories/60' max. Sec. 38-696. (4) C. e. For any request to increase maximum building height, may grant up to one additional story of 12 feet or less, in height.*
4. Allow a reduction to the vehicle loading setback from residential use. *Sec. 38-745. Vehicle Loading and Drop-Off Areas (2) Location. E. No loading area is permitted within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the loading area).*

Applicant / architect on the project Scott Smith spoke to the Committee and explained the project in further detail. Stephen Wendell also spoke about the project. Sarah Robbins read an email in support of the project from Councilwoman Raquetta Dotley. Sarah Robbins also read emails from community members Erik & Lauren Zilen with excitement about the project but also with concerns about the project. Community member Jay Heavilon expressed his concerns and objections about the height of the project and requested that the project be deferred. Community member Breanna Caillat asked a question about one of the modifications. Stephen Wendel and Scott Smith responded to the concerns from the community.

**Discussion:** A discussion was had between the Committee members. Zach McManus made a motion to approve Case #FBC-22-14: 100 & 108 E. Main 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. Jake Toner seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval:

1. The first modification is **APPROVED**.
2. The second modification is **APPROVED** on the condition that the fenestration is to continue with the existing rhythm along Mitchell Street, and that the ground floor fenestration shall match the fenestration that is above the 9'5" elevation and make up any balance with materials / relief that is in compliance with the FBC existing blank wall regulations.
3. The third modification is **APPROVED** on the condition that setback is to conform to existing drawings and that the approval is based on the small building scale and height and differentiation of the finished materials.
4. The fourth modification is **APPROVED** on the condition that no loading or unloading is to be performed in the alley whatsoever.

**Case #FBC-22-15 - 306 Cherokee Boulevard - Building Height****Project Description:**

The applicants, Heidi Hefferlin and Wilson Kessel, have applied for the following modifications:

1. Allow the minimum building height to be 1 story, current requirement is 2 stories minimum along an A street. *Sec. 38-730 (5) BUILDING HEIGHT. B. Minimum height: A Street 2 stories min.*

Applicants Heidi Hefferlin and Wilson Kessel spoke to the Committee and explained the project in further detail.

**Discussion:** A discussion was had between the Committee members. Zach McManus made a motion to deny Case #FBC-22-15: 306 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. Jake Toner seconded the motion. Four in favor, and two opposed, Denise Shaw and David Hudson, the motion was unanimously approved.

**Case #FBC-22-15: 306 Cherokee Boulevard was denied for the following reasons:** 1) the minimum 2-story height requirement is a fundamental aspect of the code, and 2) an economic hardship is not a legitimate hardship.

**Other Business:**

- There was no other business.

**NEXT MEETING DATE:** August 11, 2022 (application deadline is July 15, 2022 at 4 p.m.).

**Beverly Bell made a motion to adjourn. All in favor, the meeting was adjourned.**

The meeting was adjourned at 4:11 p.m.



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Beverly Bell, Chair

9-8-2022

Date

Levi Witt, Secretary

Date

9-8-2022

A handwritten signature in blue ink, appearing to read 'Levi Witt', is written over a horizontal line. The signature is stylized and cursive.