

FORM-BASED CODE COMMITTEE

MEETING MINUTES

June 9, 2022

The duly advertised meeting of the Form-Based Code Committee was held on June 9, 2022, at 2:01 p.m. in conference room 1A of the Development Resource Center. Chair Jim Williamson 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

Members Absent: Anca Rader, Zach McManus

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

Jim Williamson 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: Robert Forwood, Lauren Dunn, Don Nolan

Approval of Minutes: David Hudson made a motion to approve the April 2022 meeting minutes. Denise Shaw seconded the motion. All in favor, the motion carried.

Sarah Robbins explained the additional rules of procedure.

OLD BUSINESS:

Case #FBC-22-9 - 701 Broad Street, 116 W. 7th Street and 114 W. 7th Street - Fenestration and Signage

Project Description:

The applicant, Robert Forwood, has applied for the following modifications:

1. Allow ground floor fenestration at the Tivoli Theatre Addition to be less than the 50%. *Sec. 38-702(6) PUBLIC REALM. Fenestration. A. Ground story (nonresidential): 50%.*

2. Allow upper story fenestration at the Tivoli Theatre Addition to be less than the 20%. *Sec. 38-702(6) PUBLIC REALM. Fenestration. B. Upper story (nonresidential): 20%.*
3. Allow a new corner projecting sign at the Tivoli Center to exceed area, dimensions, and location. *Sec. 38-753 (2) Projecting Signs (A) Max Square Footage: 20 SF. (B) Max Sign Height 8'. (D) Max Sign Width 3'. (B+F) Max height from Sidewalk (measured from the top of the sign): 24'.*
4. Allow a new monument sign. *Sec. 38-753 (4) Monument (Ground) signs (A) Location. 1. One monument sign is permitted for each existing building with an existing setback greater than 18 feet. Monument signs are not permitted for new buildings or for existing buildings with smaller setbacks. 3. A monument sign cannot be closer than 18 feet to any public right-of-way, and cannot be located in the Pedestrian or Street Tree zone.*

Applicant Robert Forwood spoke to the Committee and explained the project in further detail. Sarah Robbins read emails in support of the project from Todd Phillips and Jimmy White.

Discussion: A discussion was had between the Committee members. Denise Shaw made a motion to approve Case #FBC-22-9: 701 Broad Street, 116 W. 7th Street and 114 W. 7th 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval:

1. The first modification is **APPROVED** because of the nature of the building type - the glazing area requirement is impractical. The variety of materials at the pedestrian level provides interest to the facade.
2. The second modification is **APPROVED** on the condition that, in consideration with the context of the rest of the building, the windows are in compliance.
3. The third modification is **APPROVED** because of the iconic nature of this building and the history of a similar sign.
4. The fourth modification is **APPROVED**. Because the signage is attached to a building element, this committee interprets this sign as a building sign. The signage will comply with building signage requirements.

NEW BUSINESS:

Case #FBC-22-10 - 938 McCallie Avenue - Pedestrian Access and Maximum Height

Project Description:

The applicant, Lauren Dunn, has applied for the following modifications:

1. Relief from the pedestrian access requirement. *Sec. 38-698 (5) Public Realm. Pedestrian Access. 1. An entrance providing both ingress and egress, operable to residents at all times and customers during regular business hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.*
2. Relief from the maximum height abutting a protected zone requirement. *Section 38-698. (3) B. Height Abutting a Protected Zone. The maximum height of any portion of a building or structure, except single-unit living detached, within 30 feet of a common lot line abutting a protected zone is 2 stories or 24 feet.*

Applicant Lauren Dunn spoke to the Committee and explained the project in further detail.

Discussion: A discussion was had between the Committee members. Jake Toner made a motion to approve Case #FBC-22-10: 938 McCallie 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. David Hudson seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval:

1. The first modification is **APPROVED** in consideration of the developer's intent to maintain the historic wall on the front of the property.
2. The second modification is **APPROVED** in consideration of elevation change in relation to the adjacent property.

Case #FBC-22-11 - 824 E. 12th Street - Signage**Project Description:**

The applicant, Don Nolan, has applied for the following modifications:

1. New 191 square feet south elevation Ground Floor Sign greater than the maximum allowable size of any one building sign of 48 square feet. Sec. 38-753. (1) Ground Floor Signs - General Provisions. E. The maximum size of any one building sign cannot exceed 48 square feet.
2. New 191 square feet east elevation Ground Floor Sign greater than the maximum allowable size of any one building sign of 48 square feet. Sec. 38-753. (1) Ground Floor Signs - General Provisions. E. The maximum size of any one building sign cannot exceed 48 square feet.
3. New 162 square feet north elevation Ground Floor Sign greater than the maximum allowable size of any one building sign of 48 square feet. Sec. 38-753.

- (1) Ground Floor Signs - General Provisions. E. The maximum size of any one building sign cannot exceed 48 square feet.
4. New 162 square feet west elevation Ground Floor Sign greater than the maximum allowable size of any one building sign of 48 square feet. Sec. 38-753. (1) Ground Floor Signs - General Provisions. E. The maximum size of any one building sign cannot exceed 48 square feet.

Applicant Don Nolan spoke to the Committee about the project and answered questions from the Committee.

Discussion: A discussion was had between the Committee members. David Hudson made a motion to approve Case #FBC-22-11: 824 E. 12th 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. Denise Shaw seconded the motion. All in favor, the motion was unanimously approved.

There were conditions noted for the approval:

1. The first modification is **APPROVED** because there is an existing sign. The new sign size will be less than the existing sign and the facade sits well off all public streets.
2. The second modification is **APPROVED** because there is an existing sign. The new sign size will be less than the existing sign and the facade sits well off all public streets.
3. The third modification is **APPROVED** because there is an existing sign. The new sign size will be less than the existing sign and the facade sits well off all public streets.
4. The fourth modification is **APPROVED** because there is an existing sign. The new sign size will be less than the existing sign and the facade sits well off all public streets.

Other Business:

- Officer Elections
 - The Form Based Code Committee held elections to nominate new officers. Jake Toner moved to nominate Beverly Bell to serve as chair. All in favor, the motion carried. Jake Toner moved to nominate Zach McManus to serve as vice-chair. David Hudson seconded the motion. All in favor, the motion carried.

NEXT MEETING DATE: July 14, 2022 (application deadline is June 10, 2022 at 4 p.m.).

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

