

Eddie Pierce
Mayor

City of Red Bank
Municipal Planning Commission

Tim Thornbury
City Manager

MINUTES
May 16th, 2019
6:00 pm
Red Bank City Hall

I. CALL TO ORDER

Commissioner Smith called the meeting to order at 6:01 PM.

II. ROLL CALL – Secretary – Billy Cannon

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

III. INVOCATION

Commissioner Smith gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Smith led the pledge of allegiance.

V. CONSIDERATION OF THE MINUTES

Motion by Commissioner Browder to approve the April minutes as written. Second by Commissioner Smith. The motion passed unanimously.

VI. NEW BUSINESS

1. Zoning Map Amendment, R-1 Residential to C-3 Neighborhood Commercial, 491 Ashland Terrace, Walter & Vanessa Amador

Staff noted that the applicant was not in attendance and suggested that the agenda item be moved to the end of the meeting in case they arrive late.

2. Zoning Map Amendment, R-1 Residential to R-3 Residential, 105 Brentwood Drive, Larry and Nancy Houston

The applicants, Larry and Nancy Houston, came forward to explain that they converted their upstairs to a one-bedroom apartment and wished to earn supplemental income by using the upstairs as a short-term rental unit. Mr. Houston stated that he was visually impaired and due to worsening vision, he would have to soon leave the workforce, and the additional source of income was needed to replace his wages. Mr. Houston explained

that they had spoken to their neighbors, and one was concerned about background screening of potential renters. Mr. Houston stated that he was looking into background screening services to use.

Commissioner Smith asked if they lived on the premises, and Ms. Houston stated that they did, and had lived there since 2007. Commissioner Browder asked Mr. and Ms. Houston if they were comfortable with the following conditions placed on the rezoning: short-term rental must be owner-occupied with the owner on site while it is rented, and no multi-family uses would be allowed. Mr. Houston said that they were comfortable with those conditions as they had no intention of converting the home into multi-family housing and assured the Commission that they would be on site whenever the upstairs was rented.

Commissioner Browder asked staff if it was possible to have the zoning revert back to R-1 if the house was no longer used as a short-term rental for a certain period of time. Staff stated that there was some precedent for such a condition. Commissioner Browder asked what length of time would be an appropriate length before it reverted to R-1, and staff stated that in state law 30 months is a common standard for non-conforming uses.

Commissioner Smith asked staff their views on the re-zoning. Staff stated that the property was located adjacent to a C-3 zone and higher density uses, so they felt R-3 was an appropriate zone and recommended approval with the conditions as stated by Commissioner Browder.

Commissioner Browder moved to approve rezoning the property to R-3, subject to the following conditions:

- (1) Investor-owned short-term rentals are prohibited, and the owner must be on-site while the property is rented.
- (2) Multi-family uses are prohibited.
- (3) The zoning will revert to R-1 if the property is not used as a short-term rental for twelve consecutive months.

Commissioner Millard seconded the motion. The motion passed unanimously.

Commissioner Browder reiterated that the motion passed because the R-3 zone was compatible with the adjacent properties.

3. Design Review Permit, 4707 Dayton Blvd, Red Bank Commons

Commissioner Smith asked staff about the status of this application. Staff stated that the application was incomplete because a stormwater plan was not included. Staff noted that the applicant, Eric Everett, was not present and he had not provided a site plan or elevation with the necessary clerical revisions.

Commissioner Browder moved to defer the decision on the site design until next month or until the application is completed. Commissioner Millard seconded the motion. The motion passed unanimously.

4. Temporary Use Request, Parking Space, 2400 Ashmore Avenue, Kiley Olds

Staff stated that a Mr. Kiley Olds, a disabled veteran, has requested a Temporary Use Permit to reserve a parking space in front of his home because it is closer to his house than his garage in the back of his house, and his disability makes walking to the his house and up the stairs difficult. Staff noted that the applicant was not in attendance but had attended the working meeting on Tuesday and discussed his request extensively with the Planning Commission. Staff recommended that a private solution be found, as this permit would contradict the city ordinance that disallows on-street parking and the ordinance that disallows backing in to a right-of-way. Staff suggested that if the HOA disallows a reserved parking sign in his yard, that one could be placed just inside the right-of-way and that the City of Red Bank could simply allow the sign.

Commissioner Browder stated that this is not an issue that the city can solve, and that Mr. Olds will need to find a private solution.

Commissioner Browder moved to deny the Temporary Use Permit request. Commissioner Smith seconded the motion. The motion passed unanimously.

1. (Cont'd) Zoning Map Amendment, R-1 Residential to C-3 Neighborhood Commercial, 491 Ashland Terrace, Walter & Vanessa Amador

Noting that the applicants were not in attendance and additional information was necessary, Commissioner Browder moved to defer the decision on the zoning map amendment until next month or such time that further information could be provided by the applicant. Commissioner Smith seconded the motion. The motion passed unanimously.

VII. UNFINISHED BUSINESS

VIII. OTHER BUSINESS

Commissioner Smith asked those in attendance if there was any other business. Mr. Liam Pincen, seated in the audience, stated that he was a realtor that was interested in how the rezoning process worked. Commissioner Browder suggested that he talk to staff.

IX. ADJOURNMENT

Commissioner Smith moved to adjourn the meeting; second by Commissioner Browder. Adjourned at 6:25 PM.