



Eddie Pierce  
Mayor

## MUNICIPAL PLANNING COMMISSION

Tim Thornbury  
City Manager

MINUTES  
February 21<sup>st</sup>, 2019  
6:00 p.m.  
Red Bank City Hall

### I. CALL TO ORDER

Commissioner Hafley called the meeting to order at 6:04 pm.

### II. ROLL CALL

Commissioner Cannon called the roll. Commissioners Hafley, Cannon, Floyd, Smith and Browder were in attendance. The City Manager and the Commission's planning advisor from the Southeast Tennessee Development District were also present. Additional attendees are included on the sign-in sheet and in the minutes.

### III. INVOCATION

Commissioner Floyd gave the invocation.

### IV. PLEDGE OF ALLEGIANCE

Commissioner Hafley led the pledge of allegiance.

### V. CONSIDERATION OF THE MINUTES

#### A. January 17th, 2019 Meeting Minutes

Commissioner Hafley requested that the January minutes be revised to show that the motion to approve the Avant Gardens final plat passed unanimously.

**Motion by Commissioner Browder to approve the January minutes as revised. Second by Commissioner Cannon. The motion passed unanimously.**

### VI. NEW BUSINESS

#### A. Zoning Map Amendment, C-1 Commercial to C-3 Neighborhood Commercial, properties fronting on Dayton Boulevard from West Meadowbrook Drive to Glenron Street and from East Meadowbrook Drive to Barker Road

Staff gave a summary of the of the rezoning and summarized several possible conflicts with the Land Use Plan. Apartments and Mixed-use developments would be prohibited in the new C-3 zoning district.

Gina Bingham of 10 Glenron Street asked if the two commercial warehouses across the street on Glenron would remain commercial. Commissioner Browder confirmed that they would remain commercial.

Sheela Wilson at 106 Brentwood Drive asked if there was a long-term plan to expand the C-3 zone. Staff responded that there was no plan to expand the C-3 zoning district. Mrs. Wilson asked if the new zone would allow more impervious structures. Commissioner Browder responded that the more restrictive zone would not increase the likelihood of more impervious structures. Mrs. Wilson asked if this rezoning would affect property taxes. Commissioner Browder responded that it would not directly affect property taxes.

Mrs. Wilson asked about the intent of the rezoning. Commissioner Hafley responded that the intent is to restrict certain commercial activities that are not compatible with the surrounding neighborhood. Commissioner Browder listed several examples of uses that are currently permitted in the C-1

Darin Wright at East Daytona asked why Red Bank permitted accessory buildings or plumbing offices within the proposed C-3 zone. She asked that these uses be prohibited in the C-3 zone.

John Champagne, the owner of a business at 4304 Dayton Boulevard, came forward and asked how the status of his business would change with the C-3 zoning. Mr. Champagne noted that the business involves the parking of school buses on the property. Commissioner Hafley said that it would be a legal non-conforming use in that it is not listed. He asked how he can get a letter of zoning compliance for business purposes. Mr. Champagne was referred to the City Manager.

Another attendee asked if apartments could be permitted under the C-3 zone. Commissioner Browder noted that apartments would not be permitted under the new C-3 zone. Commissioner Haley noted that townhomes would be permitted.

Commissioner Hafley noted that 1 Johnson Blvd was subdivided and no longer abuts Dayton Boulevard. Commissioner Hafley recommended that this parcel be rezoned from C-1 to R-1. Commissioner Browder asked if the owner would have to apply for the rezoning. Commissioner Hafley responded that it could also be initiated by the planning commission. Planning Commissioners agreed that this could be addressed with a separate application.

**Motion by Commissioner Browder to approve the Zoning Map Amendment for properties fronting on Dayton Boulevard from West Meadowbrook Drive to Glenron Street and from East Meadowbrook Drive to Barker Road from C-1 Commercial to C-3 Neighborhood Commercial. Second by Commissioner Smith. The motion passed unanimously.**

#### **B. Temporary Use of Right-of-Way Permit, 1738 Dayton Blvd, Pratt**

The applicant Ben Mies came forward to provide a summary of the temporary use of right-of-way request. Mr. Mies explained the permit would allow the applicant to remove a portion of the retaining wall within Commerce Street, and install a dumpster pad for the new development that would encroach on a 2' x 2' section of right-of-way. He noted that Commerce Street is technically open and maintained by the City of Red Bank.

**Motion by Commissioner Smith to approve Temporary Use of Right of Way application submitted by Pratt Development. Second by Commissioner Cannon. The motion passed unanimously.**

#### **C. Draft Sign Ordinance**

Staff gave a summary of the revisions to the draft Sign Ordinance

Commissioner Hafley noted several errors in the Sign Ordinance and said he was concerned with the scenic areas and scenic corridors language in the Sign Ordinance. Commissioner Hafley referred to Section 9-824 and 9-825 and the language regarding free-standing signs in scenic corridors.

*Scenic 9-825 off premises signs along the scenic corridors are prohibited.*

*9-825. Off-premise signs along Scenic corridors or within Scenic areas prohibited. No off-premise signs shall be permitted within the scenic corridors or within scenic areas established per the provisions of 9-822 through 9-825. No free-standing or off-premise , no bill-board signs shall be permitted, nor electronic signs or digital signs shall be permitted within any scenic corridor.*

Commissioner Hafley asked City Commissioner Terry Pope about the intent of this section referring to scenic corridors and billboards. Commissioner Hafley asked if Section 9-825 was intended to make billboard signs non-conforming uses and prevent additional billboards. Commissioner Terry Pope responded that the intent was to restrict billboard signs, but that existing billboard signs would be grandfathered. Staff noted that the new language in section 9-825 was confusing and most likely written incorrectly. Staff recommended that the new language should be rewritten to refer to only to off-premise signs.

Commissioner Floyd asked if the Planning Commissioner should take more time to review the full draft sign ordinance. Commissioner Browder responded that she thought the majority of the ordinance has been thoroughly reviewed. Commissioner Floyd expressed a desire to clarify language about digital billboards.

Commissioner Hafley noted the need for revisions to the definition for the gross area of a sign under Definitions. Commissioner Hafley also noted the maximum number of signs should be 72 and not 67 as written in the

All Planning Commissioners agreed to the proposed revisions. The City Manager asked if the Commissioners could send a marked up copy of the identified revisions to him for incorporation into the Sign Ordinance reviewed by the City Commission.

**Motion by Commissioner Hafley to approve the Sign Ordinance with the agreed upon revisions noted by the Planning Commission. Second by Commissioner Browder. The motion passed unanimously.**

#### **D. Draft Telecommunications Structures Ordinance**

The City Manager gave a summary of the Telecommunications Structures Ordinance, and noted that it was a response to the small cell telecommunications technology and legislation. The City Manager noted that he received 5 applications for small cell nodes. The ordinance allows the City to regulate this new small cell telecommunications technology. The City Manager noted that this ordinance was based on the Chattanooga ordinance.

Commissioner Hafley noted that this replaces existing telecommunications Chapter X in the zoning ordinance.

Commissioner Hafley noted that special permits would currently be approved by the Board of Zoning Appeals and asked whether this was the intended board of review. Commissioner Hafley recommended

replacing the Board of Zoning Appeals under Section 1105 with the Red Bank City Commission as recommended by the Red bank Planning Commission. The Planning Commission agreed to all proposed revisions.

**Motion by Commissioner Hafley to approve the Telecommunications Structures Ordinance with the revisions agreed upon by the Planning Commission. Second by Commissioner Cannon. The motion passed unanimously.**

## **VII. UNFINISHED BUSINESS**

### **A. Discussion: Red Bank Commercial Gateway**

Staff outlined elements of the working meeting discussion and how it informed the draft intent statement.

Commissioner Browder suggested that the Planning Commission pass the draft C-4 gateway zoning ordinance to the City Commission for preliminary review. The Planning Commission agreed that a joint work session could be used to review the proposed C-4 district uses and zone with the City Commission.

## **IX. ADJOURNMENT**

**Commissioner Smith moved to adjourn; second by Commissioner Floyd. Adjourned at 7:04 PM.**

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Chairman