

TOWN OF WALDEN
PLANNING COMMISSION AGENDA

Walden Town Hall
1836 Taft Highway

Thursday, March 28, 2024
5:30 PM

- I. Call to Order
- II. Roll Call
 - Tom Bartoo
 - Angela Cassidy
 - Tim Hancock
 - Tim Hilvers
 - Joe Robbins
 - Werner Slabber
 - Bill Trohanis
- III. Adoption of Agenda
- IV. Consideration of the Minutes
February 22, 2024
- V. Town Administrator Report
- VI. Communication from Chair and Commissioners
- VII. Hearing of persons having business with the Commission
- VIII. Unfinished Business
 - a. Short-Term Vacation Rental Ordinance
- IX. New Business
 - a. Special Permit application - Liquor Store at 1807 Taft Highway
 - b. Acceptance of Parson's Lane as a Town-maintained Public Right-of-Way
- X. Adjournment

Town of Walden
 Walden Planning Commission
 Regular Monthly Meeting
 February 22, 2024

I. **Call to Order** Tim Hancock called the meeting to order.

II. **Roll Call**

Commissioners:

- | | |
|-------------------|--------------------------|
| ✓ Tom Bartoo | ✓ Werner Slabber |
| ✓ Angela Cassidy | Bill Trohanis |
| ✓ Tim Hancock | ✓ Tim Hilvers |
| ✓ Joe Robbins Jr. | |

Staff:

- ✓ Ashley Gates, SETD
- ✓ Mariah Prescott, Town of Walden
- ✓ Ellen Young, Town of Walden
- ✓ Sam Elliott, Town of Walden
- ✓ Sally Cole, Town of Walden

III. **Adoption of the Agenda**

Recommendation to move IX New Business (a) Special Permit Application to the beginning of the meeting.			
Motion:			
Motion was made to move move IX New Business (a) Special Permit Application to the beginning of the meeting.			
2nd	Tom Bartoo	✓	Werner Slabber
M	Angela Cassidy		Bill Trohanis
✓	Tim Hancock	✓	Tim Hilvers
✓	Joe Robbins		

IV. **Consideration of the minutes**

Recommendation for typo to be corrected on page 8
Motion:

Motion made to approve with the recommended change.			
M	Tom Bartoo	✓	Werner Slabber
2nd	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Tim Hilvers
✓	Joe Robbins		

V. Town Administrator Report

Mariah Prescott reported the Mayor and Board sent the Short-Term Vacation Rental Ordinance back to the Walden Planning Commission for review and further consideration of potentially reducing the square footage allowed to have STVR's, to review owner-occupied and supervised STVR's, and to review what the Town office involvement would potentially be.

VI. Communication from Chair and Commissioners

Chairman Tim Hancock introduced new WPC member Tim Hilvers. Commissioner Tim Hilvers gave an overview of his background and interest in the WPC.

VII. Hearing of persons having business with the Commission

None

VIII. New Business

- a. Special Permit Application -734 High Pasture Road

Discussion: Ashely Gates gave an overview of the Special Permit Application for 734 High Pasture Rd and history of the applicants receiving approval of a variance to build on an unopened ROW and recorded access easement to build a new construction home on the private road High Pasture Rd. Ashley Gates recommended to approve the application.			
Motion (if any): Motion was made to approve the Special Permit Application.			
✓	Tom Bartoo	2nd	Werner Slabber
M	Angela Cassidy		Bill Trohanis
✓	Tim Hancock	✓	Tim Hilvers
✓	Joe Robbins		

IX. Unfinished Business

a. Short-Term Vacation Rental Ordinance Discussion

<p>Discussion: Chairman Tim Hancock explained the Mayor and Board’s decision to remand the STVR Ordinance back to the WPC for review. Discussion on reducing acreage from 5 acres to 2 acres allowed to participate in STVR’s, owner-occupied, non-owner occupied, supervised, the potential strain on the Town office staff, and the cost to taxpayers. Alderwoman Angela Cassidy would like to see a cost/benefit analysis. More research will need to be done and the WPC would like staff to look into how other comparable Towns deal with STVR’s.</p>			
<p>Motion (if any): No motion was made.</p>			
	Tom Bartoo		Werner Slabber
	Angela Cassidy		Bill Trohanis
	Tim Hancock		Tim Hilvers
	Joe Robbins		

b. Zoning Ordinance Text Amendments- Review of Amendments

<p>Discussion:</p> <ul style="list-style-type: none"> i. Update references to Regional Planning Agency and Regional Planning Commission throughout document ii. Section 1.01- General Purpose- Update to reflect correct planning document iii. Section 10.05 Fees and Administrative Costs iv. Section 4.05 Clarification of Square Footage Definition v. 8.01(n) Special Permit for Buildings or Structures with a footprint greater than 5,000 square feet in the C-1 and Tc-MU zone <p>Discussion on each amendment with minor edits and clarification of square footage definition throughout document replacing footprint with gross square footage greater than 5,000 square feet not to exceed 15,000 square feet.</p>			
<p>Motion (if any): Motion was made to incorporate changes to the amendments discussed and a clean version sent to the WPC. If any WPC member would like further discussion, the text amendments will be brought back at the March 2024 WPC meeting to review.</p>			
2nd	Tom Bartoo	✓	Werner Slabber
M	Angela Cassidy		Bill Trohanis
✓	Tim Hancock	✓	Tim Hilvers
✓	Joe Robbins		

X. New Business

a. 2024 Meeting Schedule

Discussion: Discussed 2024 WPC meeting schedule all at 5:30pm: March 28 April 25 May 23 June 27 August 22 September 26 October 24 December 5			
Motion (if any): No motion was made.			
	Tom Bartoo		Werner Slabber
	Angela Cassidy		Bill Trohanis
	Tim Hancock		Tim Hilvers
	Joe Robbins		

XI. Adjournment

Discussion: No discussion was had.			
Motion (if any): Motion was made to adjourn.			
M	Tom Bartoo	2nd	Werner Slabber
✓	Angela Cassidy		Bill Trohanis
✓	Tim Hancock	✓	Tim Hilvers
✓	Joe Robbins		

M = Motioned
2nd = Seconded
✓ = Present, Voted in favor
X = Voted against
A = Abstained
~~Strike through~~ = Not present

Walden Planning Commission Chair

Walden Planning Commission Secretary

ORDINANCE NO.

AN ORDINANCE AMENDING THE EXISTING WALDEN ZONING ORDINANCE FOR THE PURPOSE OF DEFINING THE TERM “SHORT TERM VACATION RENTALS” AND PERMITTING THIS USE IN THE R-1 RESIDENTIAL, A-1 AGRICULTURAL, E-1 ESTATE, C-1 COMMERCIAL, TC-MU TOWN CENTER RESIDENTIAL AND TC-R TOWN CENTER RESIDENTIAL ZONES WITH A SPECIAL USE PERMIT PURSUANT CERTAIN CONDITIONS

WHEREAS, Tennessee Code Annotated (TCA) § 13-7-201, allows for the zoning of territory within a municipality; and

WHEREAS, the Walden Municipal Planning Commission has certified a zoning ordinance as provided for in TCA § 13-7-202, adopted by the Town of Walden Board of Mayor and Aldermen as Ordinance 2002-230 and readopted as Ordinance 2023-354 and amended from time to time; and

WHEREAS, TCA §13-7-204 authorizes amendments to a zoning ordinance; and

WHEREAS, the Walden Municipal Planning Commission has reviewed the existing Walden Zoning Ordinance and recommended certain changes in order to implement the Town of Walden Plan, adopted by the Town of Walden Board of Mayor and Aldermen as Ordinance 2022-342; and

WHEREAS the Walden Municipal Planning Commission reviewed and recommended the amendments to the Walden Zoning Ordinance contained herein at their regularly scheduled meeting held on September 28, 2023; and

WHEREAS, in accordance with TCA § 13-7-203, subsection (a), a public hearing was held prior to final reading of this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town Of Walden, Tennessee that Ordinance 2023-354, also known as the Walden Zoning Ordinance, be amended as follows:

Section 1: That Section 1.07 Specific Definitions be amended by adding the following definition in the appropriate alphabetical order.

"Short-Term Vacation Rental" (STVR) shall mean any house or structure advertised or held out to the public as a place where guest rooms are supplied for compensation and such accommodations are provided on a weekly or daily basis for no more than thirty (30) days. This definition does not include bed and breakfast establishments, hotels, motels, or any dwelling units rented or leased for more than 30 days.

Owner-Occupied Short-Term Vacation Rental: An STVR where the proprietor/operator of any house or structure used as a short-term vacation

rental is a full-time resident of the short-term vacation rental property and continue to reside on the property throughout all guest stays.

Non-Owner-Occupied Short-Term Vacation Rental: All STVRs that do not meet the criteria of an Owner-Occupied STVR.

Section 2: That Section 4.01 Agricultural Zone, Part (d) Special Uses Permitted be amended by adding:

(12) Owner-Occupied Short Term Vacation Rentals on parcels with an area of at least **twenty (20) acres** limited to one per lot

Section 3: That Section 4.02 Estate Zone, Part (d) Special Uses Permitted be amended by adding:

(8) Owner-Occupied Short Term Vacation Rentals on parcels with an area of at least five (5) acres limited to one per lot

Section 4: That 4.03 Residential Zone, Part (d) Special Uses Permitted be amended by adding:

(7) Owner-Occupied Short Term Vacation Rentals on parcels with an area of at least five (5) acres limited to one per lot

Section 5: That Section 4.04 C-1 Commercial Zone, Part (c) Special Uses Permitted be amended by adding:

(11) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure

Section 6: That Section 4.05 Town Center-Mixed Use Zone, Part (d)(2) Special Uses Permitted be amended by adding:

(7) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure

Section 7: That Section 4.06 Town Center-Residential, Part (d)(2) Special Uses Permitted be amended by adding:

(5) Short-Term Vacation Rentals, both Owner-Occupied and Non-Owner Occupied, limited to one (1) per structure, provided that the structure is not a single-family detached structure

SECTION 2: Effective Date. The ordinances and amendment described above shall take effect upon their adoption and publication, the public welfare requiring it.

Approved this the _____ day of _____, 2023, the public welfare requiring it.

First reading and public hearing:

Yay:

Nay:

Final reading:

Yay:

Nay:

Mayor

Attest: _____
City Recorder

ORDINANCE NO.

AN ORDINANCE TO AMEND TITLE 9 OF THE WALDEN MUNICIPAL CODE BY ENACTING A CHAPTER 5 THEREOF TO ADDRESS THE REGULATION OF SHORT- TERM VACATION RENTALS WITHIN THE TOWN OF WALDEN

WHEREAS, the Board of Mayor and Alderman recognizes the need to provide for and regulate short-term vacation rentals operating within the Town of Walden; and,

WHEREAS, the Walden Municipal Planning Commission has reviewed the amendment and recommended approval; and,

WHEREAS, a public hearing was held prior to final reading of this ordinance;

WHEREAS, the Board of Mayor and Alderman has considered and accepted the recommendation of its Planning Commission:

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE TOWN OF WALDEN, TENNESSEE as follows:

SECTION 1: That the Town of Walden Municipal Code, Title 9 Businesses, Peddlers, Solicitors, Etc. is hereby amended with the addition of a Chapter 5. This Chapter shall be entitled, "Short- Term Vacation Rentals," and shall read as follows:

CHAPTER 3 SHORT-TERM VACATION RENTALS

SECTION

9-501. Definitions.

9-502. Minimum Standards for Short-Term Vacation Rentals.

9-503. Permit Application Process.

9-504. Permit Renewal.

9-505. Permit Revocation.

9-506. Failure to Obtain Permit.

9.507. Short-Term Vacation Rentals and Private Agreements.

9-501. Definitions. The following term, wherever used or referred to in this chapter, shall have the following meaning:

"Short-Term Vacation Rental" shall mean any house or structure advertised or held out to the public as a place where guest rooms are supplied for compensation and such accommodations are provided on a weekly or daily basis for no more than thirty (30) days. This definition does not include bed and breakfast establishments, hotels, motels, or any dwelling units rented or leased for more than 30 days.

“Owner-Occupied Short-Term Vacation Rental” shall mean a short-term vacation rental where the proprietor/operator of any house or structure used as a short-term vacation rental is a full-time resident of the short-term vacation rental property and continue to reside on the property throughout all guest stays.

“Non-Owner-Occupied Short-Term Vacation Rental” shall mean all short-term vacation rentals that do not meet the criteria of an owner-occupied short-term vacation Rental.

9-502. Minimum Standards for Short-Term Vacation Rentals. The following shall be considered the minimum standards for any dwelling used as a short-term vacation rental.

- (1) The proprietor/operator of any house or structure used as an owner-occupied short-term vacation rental must be a full-time resident of the short-term vacation rental property and continue to reside on the property throughout all guest stays.
- (2) No on or off-site signage shall be permitted at any short-term vacation rental.
- (3) No more than eight (8) guests may utilize a short-term vacation rental at any given time. This count does not include the short-term vacation rental proprietor or any other permanent residents on the property being used as short-term vacation rental.

Alternative (same as Hamilton County):

Each home seeking to be certified as a short-term vacation rental shall sleep no more than two (2) times the number of approved bedrooms, plus (2) additional persons; and be no more than 5,000 square feet if unsprinkled. Only bedrooms that are to certified and rented to guests as part of the STVR, and not those that are part of the main living area, shall count towards the number of approved bedrooms.

- (4) No short-term vacation rental shall be permitted to be rented for a period of less than twenty-four (24) hours.
- (5) No short-term vacation rental shall be permitted to be rented for a period of greater than thirty (30) days.
- (6) Adequate on-site parking shall be provided, as determined by Town staff after considering proposed number of guests, frequency of operations, and availability of on-street parking. As a general rule, parking shall not be allowed on any vegetated area of the premises on which the short-term vacation rental is located.

Alternative: A minimum of one off-street parking space per every three (3) guests permitted to stay shall be provided. Parking shall not be allowed on any vegetated area of the premises on which the short-term vacation rental is located.

- (7) The proprietor of a short-term vacation rental shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state and local law.
- (8) All short-term vacation rental proprietors and guests must abide by all noise restrictions and other applicable local laws of the Town of Walden.
- (9) A short-term vacation rental may include a primary dwelling unit and/or a secondary dwelling unit, but shall not include uninhabitable structures such as garages, barns or sheds.
- (10) All dwelling units shall have functioning smoke detectors as determined by the Fire Marshal and other life safety equipment as required by local, state, and federal law.
- (11) All dwelling units shall meet all applicable laws related to zoning, building, health or life safety.

9-503. Permit Application Process. No individual or entity shall operate a short-term vacation rental in the Town of Walden without first obtaining a short-term vacation rental permit. Applications for such permits will be made available at Town Hall during normal operating hours.

- (1) **Business License Required.** Prior to submitting a short-term vacation rental permit application, the short-term vacation rental operator must obtain a business license from the Town of Walden.
- (2) **Application Requirements.** The following must be included in the application for a short-term vacation rental permit:
 - (a) The name, address, telephone number, and email address of the short-term vacation rental and operator.
 - (b) The business license number.
 - (c) Documentation that the applicant is the owner of the property proposed to be used as a short-term vacation rental.
 - (d) A short narrative describing the area and number of rooms to be rented, the maximum number of allowed guests, guest parking location, and the proposed days of operation (all year, only weekends, etc.).
 - (e) Proof of insurance on the house or structure to be used as a short-term vacation rental and proof of a suitable endorsement.
 - (f) Proof the short-term vacation rental proprietor is up to date on all applicable tax payments. If the permit is being renewed, such proof shall include proof of payment of state occupancy taxes.

- (g) Proof of written notice of the short-term vacation rental permit application via certified mail to all property owners within a one hundred (100) foot radius of the subject property boundary line.
 - (h) Proof of owner residency at the subject property for owner-occupied short-term vacation rental properties.
 - (i) Proof of non-conforming status per TCA 13-7-602 for existing short-term vacation rental properties operating before the effective date of this ordinance.
- (3) **Application Review.** Upon receiving an application for a short-term vacation rental permit, town staff shall review the application and provide comment. If deemed necessary, town staff is permitted to inspect the premises to ensure compliance with state and local laws.

If the application and site meet all the requirements set out in this Chapter and the Town of Walden Zoning Ordinance, town staff may issue a short-term vacation rental permit.

9-504. Permit Renewal. All short-term vacation rental permits must be renewed annually. An application for a permit renewal shall contain the same items outlined in Section 9-303 with the exception of items (d) , (g) and (i). The short-term vacation rental permit is non-transferable to another property or owner.

9-505. Permit Revocation and Suspension. The Town Administrator or a designee reserves the right to revoke any short-term vacation rental permit at any time when there is a risk from existing conditions to public health and safety or if there is any violation or failure to comply with the provisions of this Chapter after a permit has been properly issued.

The Town Administrator or a designee reserves the right to temporarily suspend any short-term vacation rental permit in the case of any local code violations that pose an immediate threat to public health and safety.

Notice that a short-term rental unit permit has been revoked shall be submitted to the short-term vacation rental operator in writing and shall include the right of the operator to appeal the revocation to Board of Mayor and Alderman within sixty (60) days of the permit's revocation.

A short-term vacation rental permit that has been revoked shall prevent the permit holder and the specific property from applying for a new short-term vacation rental permit for a period of one year from the date of revocation. This provision shall not apply if the permit revocation is successfully appealed to the Board of Mayor and Alderman.

9-506. Failure to Obtain Permit or Operating Under Suspended Permit. Use of any property as a short-term vacation rental prior to obtaining a short-term vacation rental permit or during a period of permit suspension shall be punishable by a fine of up to \$50.00 per

violation. Each day the violation continues shall be considered a separate offense. This section does not apply to short-term vacation rentals operating in accordance with Tennessee Code Annotated Section 13- 7-601 through 13-7-606.

9-507. Short-Term Vacation Rentals and Private Agreements. Nothing in this Chapter prohibits a homeowner's association, condominium, or similar entity from prohibiting or restricting property owners from using their property as a short-term vacation rental.

In addition, nothing in this Chapter prohibits any property owner from placing a restrictive covenant or easement on their property prohibiting or restricting its use as a short-term vacation rental.

SECTION 2: Effective Date. The ordinances and amendment described above shall take effect upon their adoption and publication, the public welfare requiring it.

Approved this the _____ day of _____, 2023, the public welfare requiring it.

First reading and public hearing:

Final reading:

Yay:

Yay:

Nay:

Nay:

Mayor

Attest: _____
City Recorder

STVR office staff time/cost details

If Walden works with Hamilton County (HC) to help with STVR permits:

- First need approval by HC Commission to enter into agreement for them to be our permitting department (like building permits).
- Could use HC for permitting and all preliminary inspections including septic, occupancy, emergency, ingress/egress, parking, etc.
- Applicant fee would most likely take care of HC preliminary costs.
- Walden Town office would be involved with our preliminary portion reviewing site plans to make sure all follows our own zoning ordinance that is different than HC's specs (correct zones with ample acreage, setbacks, number of units allowed, etc.). Currently same process as building permits. Can include a separate fee in application but will need to hire part-time permits employee.
- For all potential violations will need separate agreement with HC for Administrative Hearing Officer. Can include separate fee in application but tough to forecast number of potential future violations.
- Special Use permit when applying for STVR first goes through WPC and then Town Board. Town office time would be involved taking applications, processing payments, reviewing and helping Town planner prepare information, sending public letters, advertising, posting information, and executing public meetings.
- Potential for increase of building permit applications for new construction/renovations for use of STVR's. Walden office would then increase time spent on our portion of building permit approval.

If Walden operated all aspects of STVR permits:

- Town would assume all costs and personnel time for each bullet point above.
- Potential to have HC take away their assistance with building/septic permits since Walden would have to hire our own inspector for all STVR inspections. That would leave Walden with having to create a Building Permit Department to handle all STVR and building permits.

Comparable Towns STVR

All Towns we spoke to had issues with STVR's or did not allow them for various issues. Main issues were: not enough staff to handle permitting, inspections, and violations, issues with parking, and resident complaints. The recent issues with Chattanooga's STVR program contributed to a few Towns deciding to not allow or expand on STVR's in other zones.

Lookout Mountain, TN

- Only allows STVR's in Commercial zone – none so far
- Did not decide to expand in part due to Chattanooga's issues with STVR's
- If illegal STVR is found, Police Chief/Town Marshall remediates

Lakesite, TN

- Only allows STVR's in Commercial zone
- Did not decide to expand in part due to Chattanooga's issues with STVR's
- Has to pay for staff time and legal help to eliminate violators

Lookout Mountain, Ga

- Called Home Sharing - only 15 allowed at a time
- Application submitted before City Council (insurance and guidelines)
- Owner-occupied only
- Air BnB collects 3% tax and sends to City
- In house personnel
- Only financially beneficial to home owners, not city

Monteagle, TN

- No extra City tax collected
- In house personnel
- Non-owner occupied
- Problems with traffic, parking in yards and streets
- Terrible problem for residents

Signal Mountain, TN

- Owner-occupied
- Currently no fees for permits
- 10 page application approved by the Building Official

- 1 million dollar insurance policy required
- In house personal but takes up most of Building Official's time
- Homeowner has to send out certified letters to residents of 100 feet radius
- If within HOA, the HOA has to approve
- Annual renewal but no time to enforce or seek out if requirements are not met

Hamilton County, TN

- Has in house staff
- Barely breaks even with revenue from cost of permits
- Tough to regulate
- Separate fee for sewer/septic permit for allowed occupancy

Pikeville, TN – did not respond

Spring City, TN

- Permitted in all residential zones
- Tourism is major component of local economy due to lake/fishing

South Pittsburg, TN

- Not regulated

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE ACCEPTING
PARSONS LANE AS A TOWN-MAINTAINED PUBLIC STREET**

WHEREAS, Parsons Lane is an existing private street established in deed August 28 1956, recorded in book 1239 Page 159 in the Register’s Office of Hamilton County that provides provide primary access to fourteen (14) lots; and

WHEREAS, all property owners of lots abutting Parsons Lane have requested that the Town of Walden accept Parsons Lane as a town-maintained public street; and

WHEREAS, the city has had the road evaluated by their on-call engineering consultant, CTI Engineers; and

WHEREAS, the city planning commission met in regular session on March 28, 2024 and voted _____ [vote results] to recommend the town accept/not accept Parsons Lane for maintenance purposes and has received a letter with recommended improvements from CTI Engineers stating that Parsons Lane would need to be widened to eighteen (18) feet; and

WHEREAS, the roadway varies in width between 12 to 14 is approximately 2,480 feet in length, with a dedicated right of way being 50 feet in width;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Walden, Tennessee that:

SECTION 1. The Board of Mayor and Aldermen does, by the adoption of this ordinance, accept the street known as Parsons Lane is an existing private street established in deed August 28 1956, recorded in book 1239 Page 159 in the Register’s Office of Hamilton County that provides provide primary access to fourteen (14) lots. A copy of the deed establishing Parsons Lane is attached hereto and incorporated by reference as if fully stated herein and marked Exhibit “A.”

SECTION 2. The Board of Mayor and Aldermen hereby authorizes the Town Adminsitrator to sign any documents necessary and to perform any actions necessary, including but not limited to filing documents with the Register of Deeds office, to effectuate the acceptance of Parsons Lane.

SECTION 3. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this ordinance.

SECTION 4. This ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

Approved on First Reading _____

Approved on Second Reading _____

Mayor

Attest: City Recorder

City Attorney



1122 Riverfront Parkway
Chattanooga, TN 37402
423-267-7613
www.ctiengr.com

March 14, 2024

Mariah Prescott
Walden Town Administrator
Town of Walden, Tennessee
1836 Taft Highway
Walden, TN 37377

Subject: Parsons Lane

Dear Mariah,

As requested, CTI has evaluated the condition of Parsons Lane and provides the following recommendations relative to the Town of Walden taking ownership of the existing roadway infrastructure.

CTI personnel traveled to Parsons Lane on March 13, 2024, to evaluate the current conditions of the roadway. The existing pavement varies from 12 to 14 feet wide with general signs of distress.

The following items are recommended to bring the road into compliance with general standards.

1. Geotechnical testing to determine the structural viability of the existing pavement and subgrade.
2. Increase the roadway width to a minimum of 18 feet. This includes but is not limited to regrading the existing ROW for drainage improvements, replacing driveway culverts, and relocating the existing mailboxes, signage, and driveway transitions.
3. Based upon recommendations from the geotechnical evaluation, typical roadway improvements include excavating and placing the compacted base stone, a binder course of asphalt, and the topping layer of asphalt known as the wearing coarse.

Additionally, it is recommended to contact WRUD and coordinate any water infrastructure improvements that need to be completed prior to paving.

If you require any further information or would like to discuss the findings and recommendations in more detail, please do not hesitate to contact me at (615) 521-9624 or cwillis@ctiengr.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carson Willis", is written over the typed name. The signature is fluid and cursive.

Carson Willis, E.I.

3/19/24

We, the undersigned homeowners of Parsons Lane, request that the Town of Walden proceed with accepting our private road; that we agree to pay a percentage of the cost of patching and paving the existing road (costs to be determined); and that there is a possibility in coming years that the road will be widened to 18 feet to meet Walden standards.

Paul Loeber
PAUL LOEBER
624 Parsons
708 7991

Nathaniel Kinier
Nathaniel Kinier
720 Parsons Lane
423-994-8479

Reuben K. Satt
725 PARSONS LANE
Signal Mtn., TENN.
423-8863422

F. P. P.
F. P. P.
623 PARSONS LANE
423-605-6684

Malone Witter
618 Parsons Ln.
Signal Mtn. TN 37317

Ellen Young
611 Parsons Lane
Walden, TN 37377
404-372-1399
ERy

Kasey Belva
610 Parsons Ln.
Signal Mtn.
242-8051



MEMORANDUM

To: Members of the Walden Planning Commission
Cc: Mariah Prescott, Town Administrator
From: Ashley Gates, Senior Planner
Date: March 22, 2024
Subject: Special Use Permit for 734 High Pasture Road

Summary

Owner: Walden Commons, Inc.
Applicant: Scott Han
Address: 1807 Taft Highway, Suite 82
Parcel Number: 098G D 009
Zoning: C-1 Commercial
Request: Special Permit to establish a liquor store
Staff Recommendation: Approve

Analysis

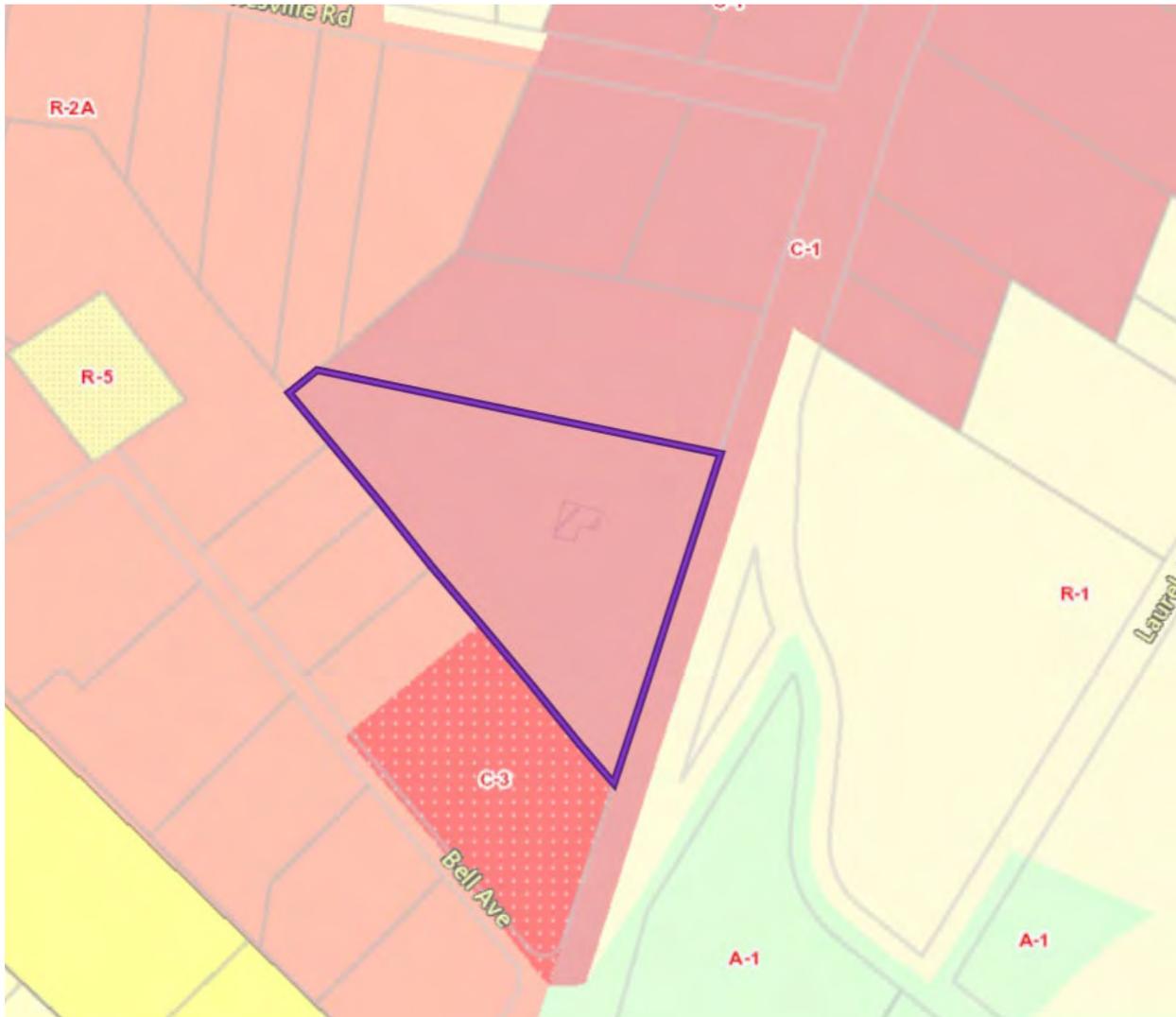
Background

1807 Taft Highway is a commercially-zoned property with an established retail center. There is a vacant storefront, which was previously a liquor store. Liquor stores require a special permit to operate in Walden per section 4.04 part (c) of the Walden Zoning Ordinance. Additional licensing is required by the Walden Municipal Code and Tennessee State Law.

2022 Aerial Imagery, Hamilton County GIS



Zoning Map



Zoning Ordinance

The Zoning Ordinance requires a special permit for all liquor stores in the C-1 Commercial Zone. There are no specific criteria for liquor store special permit, however the following criteria apply to app special permits:

From Section 8.01 Applications for a Special Permit:

The Board shall determine that the proposed use will not be in conflict with the adopted plans of the Town of Walden and shall generally consider (i) the effect the proposed use will have on adjacent property; (ii) the public health, safety, morals and general welfare; and (iii) the need for such development.

The adjacent properties include a former gas station, an animal hospital, and private residences. There is a vegetated buffer along the boundaries of the private residences. The proposed store will sell bottled liquor, and there is no request to sell liquor by the drink for consumption on the premises. The impact should be no different from any other retail establishment.

There are no liquor stores in Walden or in the vicinity of Walden, so there is likely a need for such a development.

Staff defers to elected officials and Planning Commissioners, who have better knowledge of the Town of Walden and its residents, to assess the impact of the liquor store on the public health, safety, morals and general welfare of the Town of Walden requires.

Municipal Code

Title 8 Section 108 of the Walden Municipal Code establishes criteria for the location of a liquor store in Walden. This proposed location appears to meet all the requirements:

- The property is zoned C-1 Commercial
- The property has Taft Highway as its primary access
- It is not located within 300 feet of a place of public gathering, a recreational park, a place of worship, a school, day care center or other liquor store

Title 8 Section 110 establishes a process for a liquor store to apply for a certificate of compliance. This certification is in addition to the Special Permit and is not referred to the planning commission. This process will occur after the state approves the license for the liquor store.

State Licensing

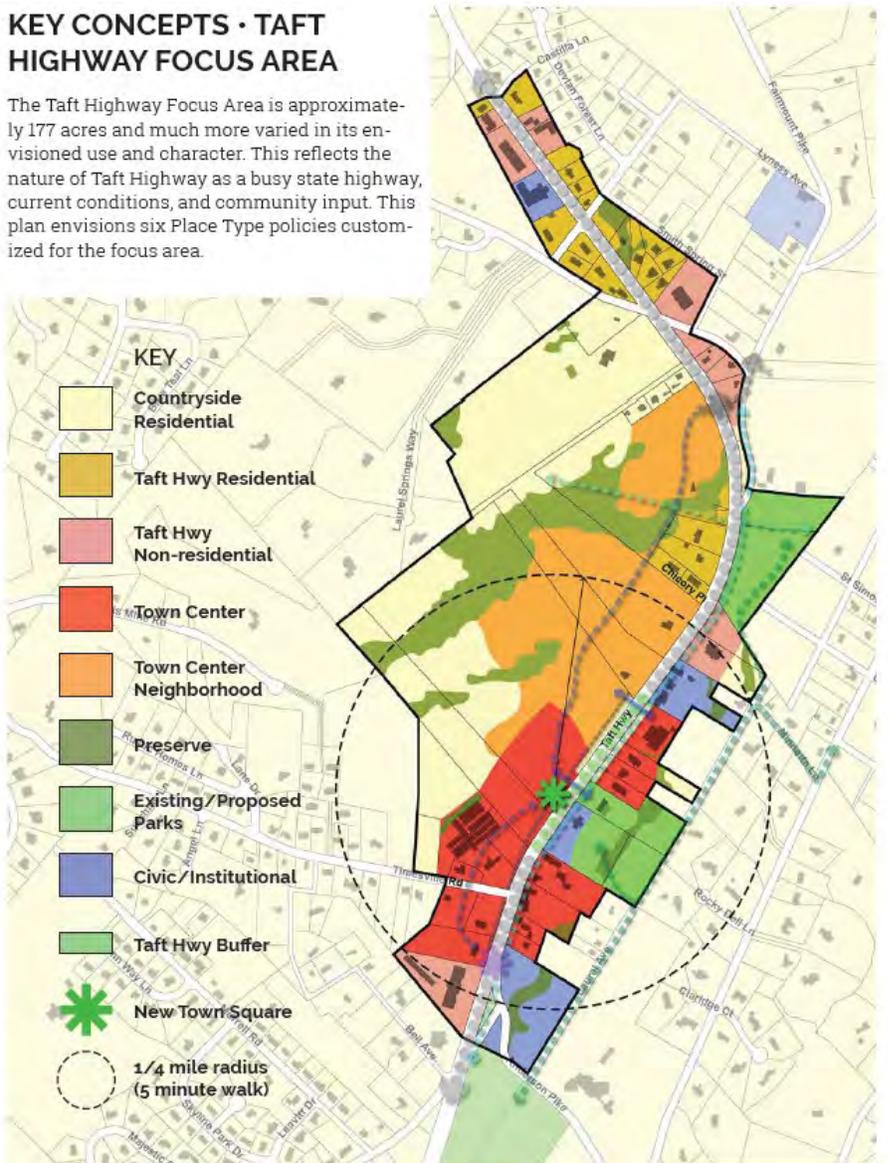
The State of Tennessee licenses liquor stores, and the applicant will be required to follow all applicable laws. Staff has not reviewed the proposal for compliance with these regulations.

Land Use Plan

This site is identified as “Taft Highway Non-Residential” in the Town of Walden Plan. The Taft Highway non-residential place type includes commercial buildings, including retail. The application does not propose any changes to the building or site, so the nature of the structure will remain the same and the design is not currently under review.

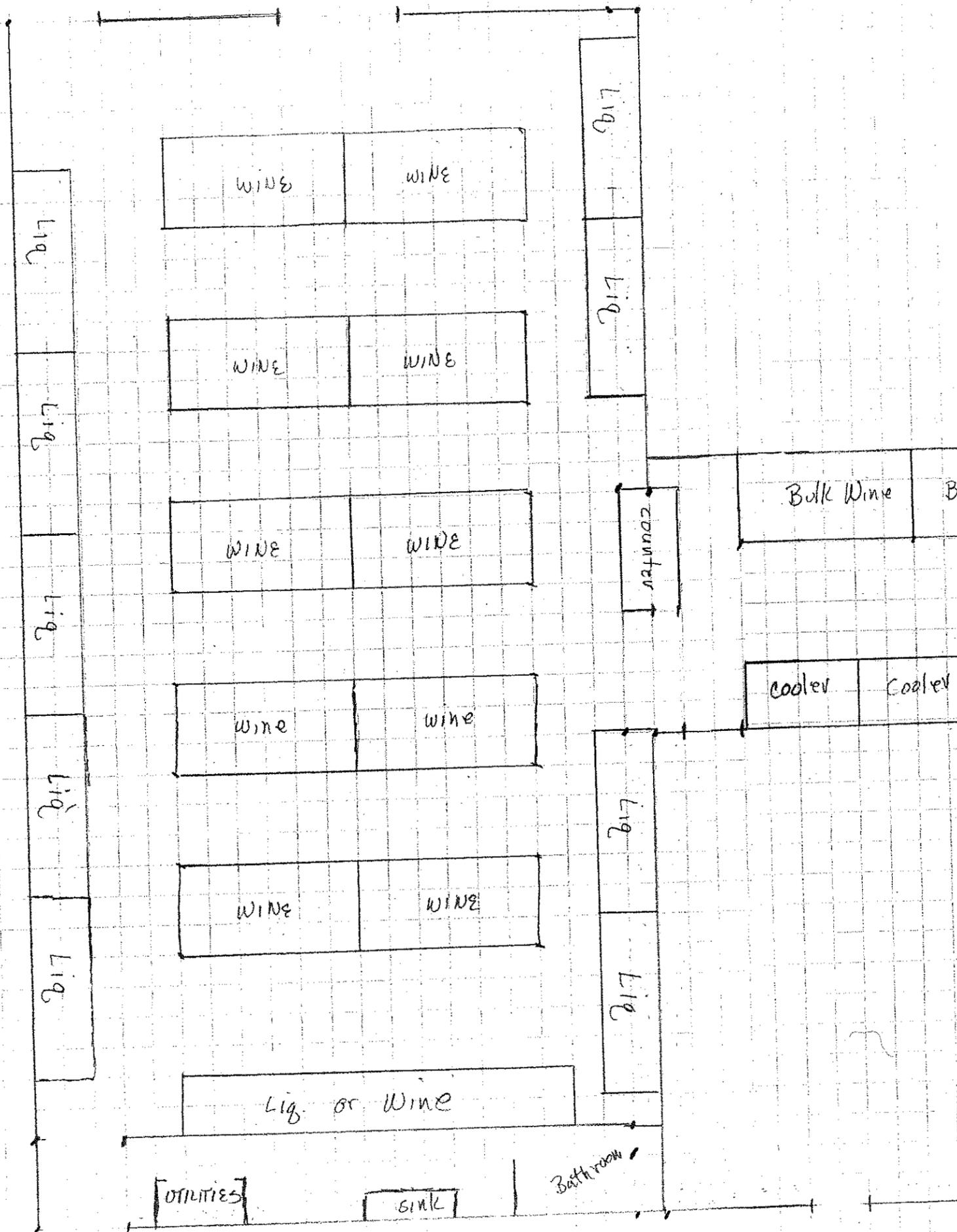
KEY CONCEPTS • TAFT HIGHWAY FOCUS AREA

The Taft Highway Focus Area is approximately 177 acres and much more varied in its envisioned use and character. This reflects the nature of Taft Highway as a busy state highway, current conditions, and community input. This plan envisions six Place Type policies customized for the focus area.



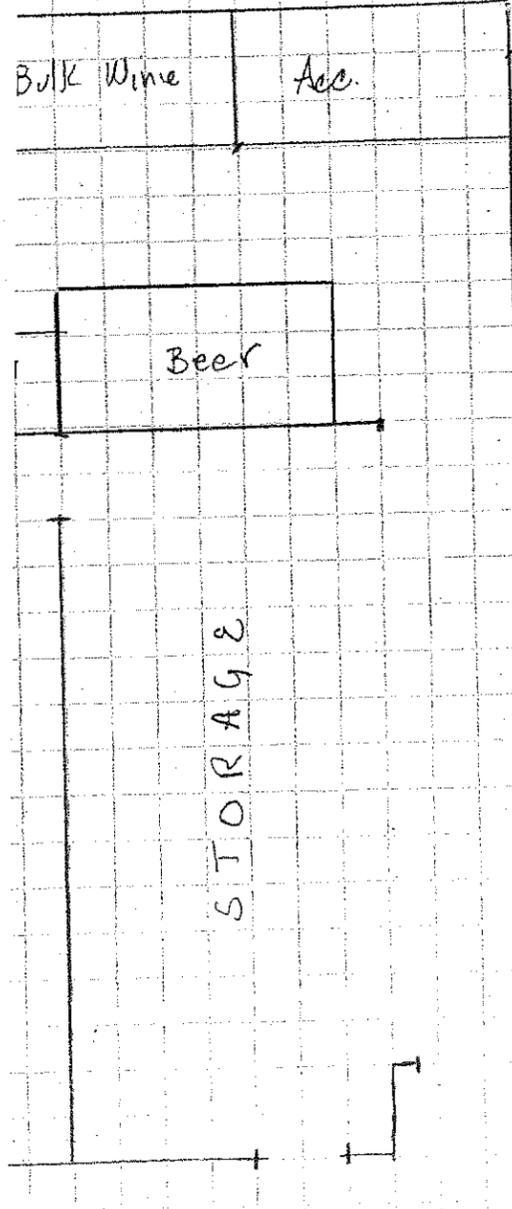
Recommendation

Staff recommends approval of the special permit to establish a liquor store at 1807 Taft Highway, Suite 82.



South & Barrel
 Fine Wine, Liquor + Beer Store

1807 Taft Highway #7
 Walden Commons





TOWN OF WALDEN
PLANNING COMMISSION

1836 Taft Highway
Walden, TN 37377

For Staff Use:
Date Received: <u>Feb 20, 2024</u>
Fee Paid: _____

APPLICATION FOR:

- | | |
|--|--|
| <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Subdivision of Property |
| <input type="checkbox"/> Change to Zoning Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input checked="" type="checkbox"/> Special Use Permit | <input type="checkbox"/> Final Plat |

Applicant Name / Address / Phone Number:

Scott Han
106 Apt A.
Harding Rd.
Red Bank, TN 37415
[Redacted]

Property Owner Name / Address / Phone Number (if different):

Walden Commons Inc.
1807 Taft Hwy
Suite 82
Signal Mountain, TN 37377
[Redacted]

Email: [Redacted]

Property Information:

Address: 1807 Taft Hwy, Suite 7, Signal Mountain, TN 37377
Parcel Number: 0986 D 009 Acreage: 2.9
Current Zoning: C-1 Current Use: Suite 7 is vacant
Proposed Use: Retail Liquor, Wine and Beer
Proposed Zoning (if Applicable): _____

For Subdivision Plats:

No. of Lots: _____ Surveyor Name / Contact Information: _____

Required Attachments:

- Zoning Change: Site plan, property tax map, and either a survey or legal description of the property proposed for rezoning
- Change to Zoning Ordinance: Draft of proposed changes
- Special Use Permit: Site plan
- Subdivision: Preliminary or final plat

All applications submitted by someone other than the property owner must submit a signed letter from the property owner authorizing the application.

Applicant's Signature: Scott A. Han

Date: 2/20/2024