

First Reading: _____
Second Reading: _____

2013-086
Independent Healthcare Properties/
National Bank of Tennessee
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7715, 7719, AND 7721 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO APPROVAL.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 7715, 7719, and 7721 Shallowford Road, more particularly described herein:

Three unplatted tracts of land located 7715, 7719 and 7721 Shallowford Road being the properties described as Tracts 1 thru 3 in Deed Book 9130, Page 839, ROHC. Tax Map Nos. 149G-B-015 thru 017.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to approval of the Institutional Planned Unit Development of Case No. 2013-085.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mms

First Reading: _____
Second Reading: _____

2013-086
Independent Healthcare Properties/
National Bank of Tennessee
District No. 4
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 7715, 7719, AND 7721 SHALLOWFORD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 7715, 7719, and 7721 Shallowford Road, more particularly described herein:

Three unplatted tracts of land located 7715, 7719 and 7721 Shallowford Road being the properties described as Tracts 1 thru 3 in Deed Book 9130, Page 839, ROHC. Tax Map Nos. 149G-B-015 thru 017.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-4 Special Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mms

2013-086 City of Chattanooga
June 10, 2013

RESOLUTION

WHEREAS, Independent Healthcare Properties/National Bank of Tennessee petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-1 Residential Zone to R-4 Special Zone of properties located at 7715, 7719, and 7721 Shallowford Road.

Three unplatted tracts of land located 7715, 7719 and 7721 Shallowford Road being the properties described as Tracts 1 thru 3 in Deed Book 9130, Page 839, ROHC. Tax Map 149G-B-015 thru 017 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 10, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved for R4 ,properties at 7715, 7719 & 7721 Shallowford Road, subject to approval of the Institutional Planned Unit Development of Case 2013-085.

Respectfully submitted,


John Bridger
Secretary

**Planning Commission Recommendation:
Approve Staff Recommendation**

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

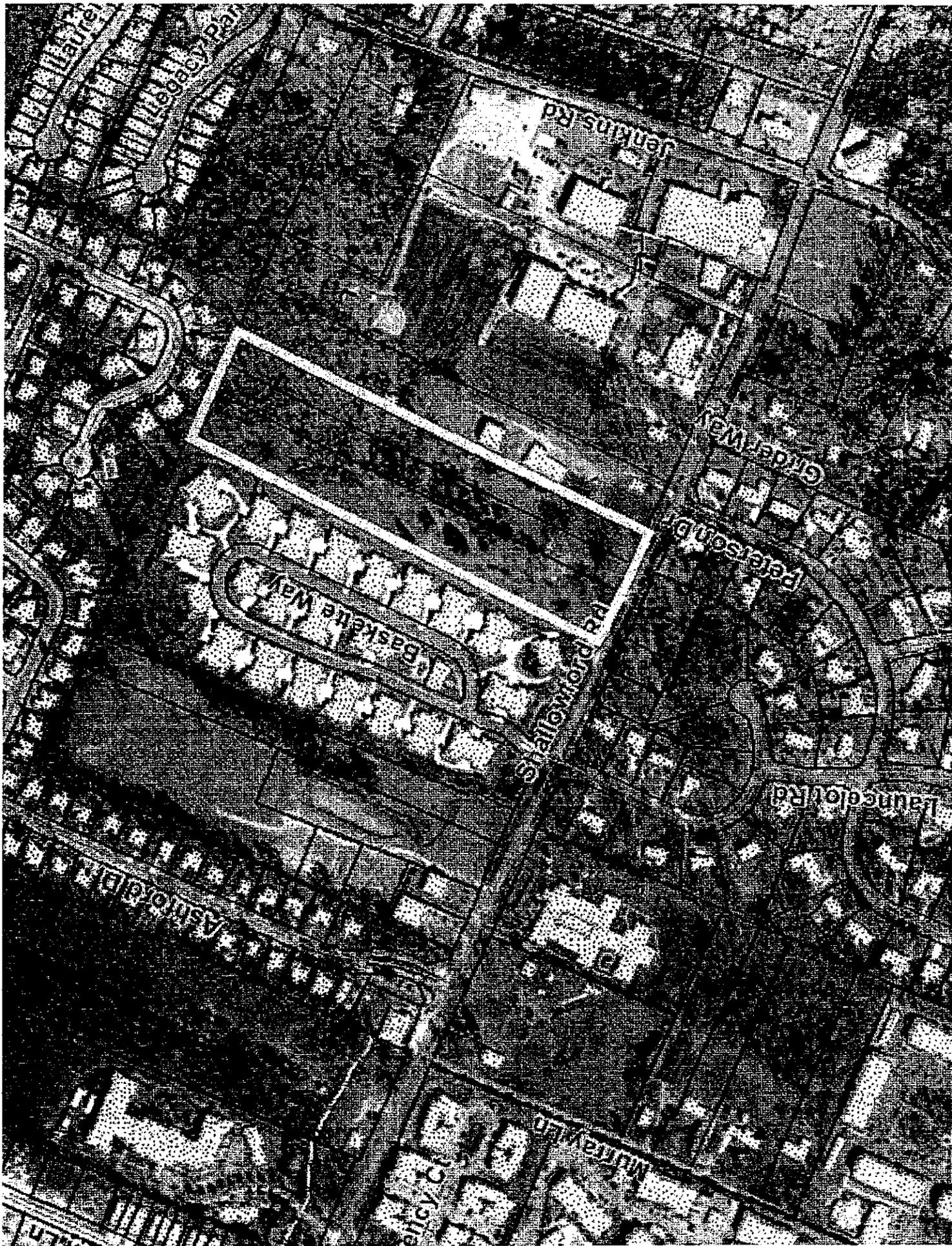
Case Number:	2013-086	PC Meeting Date: 06-10-2013
STAFF RECOMMENDATION:	APPROVE, subject to approval of the Institutional Planned Unit Development of Case 2013-085	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting rezoning to enable construction of an Institutional Planned Unit Development (PUD) containing 24 patio homes, a 50,000 square feet one-story assisted living facility and a stand-alone office.</p> <p>This case is a companion to Case 2013-085 which is a request for a Special Exceptions Permit for an Institutional Planned Unit Development. The Institutional Planned Unit development is a tool that can only be used as an overlay to an R-4 Special Zone district.</p> <p><u>Site Description</u> The proposed IPUD site is located on a 9.6 acre tract of land on the north side Shallowford Road between Gunbarrel Road and Jenkins Road. The Village at Ashwood, a residential Planned Unit Development, abuts the site to the west; Ashwood subdivision lies to the north; a church to the east; and Drake Forest subdivision to the south across Shallowford Road.</p> <p><u>Zoning</u> The R-4 Special Zone allows a wide range of uses including 21 by-right permitted uses and 14 additional uses allowed by the Board of Appeals.</p> <p><u>Plans/Policies</u> The Hamilton Place Community Plan was adopted in 2001 and provides a recommended land use pattern for Shallowford Road. Shallowford Road is identified as a key study area with the following recommendation: "The amount of underutilized and undeveloped land on Shallowford road east of Gunbarrel Road has created increasing pressure to expand commercial development eastward along Shallowford Road. The land use strategy here is to promote medium and high density residential development that acts as a transition between the commercial uses and the surrounding single-family residential neighborhoods. These areas provide opportunity to develop a [sic] more pedestrian-friendly links between existing single-family residences and commercial and office uses." Although growth pressures are mentioned, this text along with additional recommendations and accompanying maps reference Shallowford Road from Gunbarrel Road to west of Drake Forest and do not extend to the section of Shallowford Road proposed for the</p>	

RPA STAFF RECOMMENDATION

	<p>Institutional PUD.</p> <p>The community plan land use policy map depicts Low to Medium density residential development for the proposed Morning Pointe site.</p> <p><u>Staff Recommendation</u> Staff is recommending approval of the Special Exceptions Permit for the primarily residential Institutional Planned Unit Development with certain conditions. Once approved, only minor changes can be made to a Planned Unit Development without further public review. Therefore, development under an Institutional PUD can reasonably be expected to proceed as detailed on the PUD plan unless a change is deemed major. A major change is considered the same as a new petition and would proceed back through the Planning Commission and City Council process.</p> <p>Without the certainty of the uses proposed in the Institutional PUD, staff does not recommend allowing an R-4 Special Zone on this site due to the wide range of uses allowed in the zone and the potential impact of those uses on abutting residential developments.</p>
Infrastructure & Operational Comments	
Public Works Staff:	<p>All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.</p>

ZONING APPLICATION FORM

CASE NUMBER: 2013-086		Date Submitted: 05-10-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-1	To: R-4	
Total Acres in request area: 9.57			
2 Property Information			
Property Address:	7715, 7719, and 7721 Shallowford Road		
Property Tax Map Number(s):	149G-B-015 thru 017		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Institutional PUD		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Residential		
Adjacent Uses:	Residential, Church		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Independent Healthcare Properties		Address: P. O. Box 813	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/>	I am not the property owner
City: Ooltewah	State: TN	Zip Code: 37363	Email: rctaylor@epbfi.com
Phone 1: 423-280-7719	Phone 2:	Phone 3:	Fax: 423-238-3853
6 Property Owner Information (if not applicant)			
Name: National Bank of Tennessee		Phone: 866-623-3025 – Keith Ketterman	
Address: 262 East Broadway, Newport, TN 37821			
Office Use Only:			
Planning District: 10		Neighborhood: FOEB, BEBCC	
Hamilton Co. Comm. District: 8		Chatt. Council District: 4	
Other Municipality:			
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 9.57	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9130/839			
Plat Book/Page: N/A		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 705.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 5192
Planning Commission meeting date: June 10, 2013		Application processed by: Marcia Parker	



RPA Case #: 2013-086.

Applicant: Independent Healthcare Properties

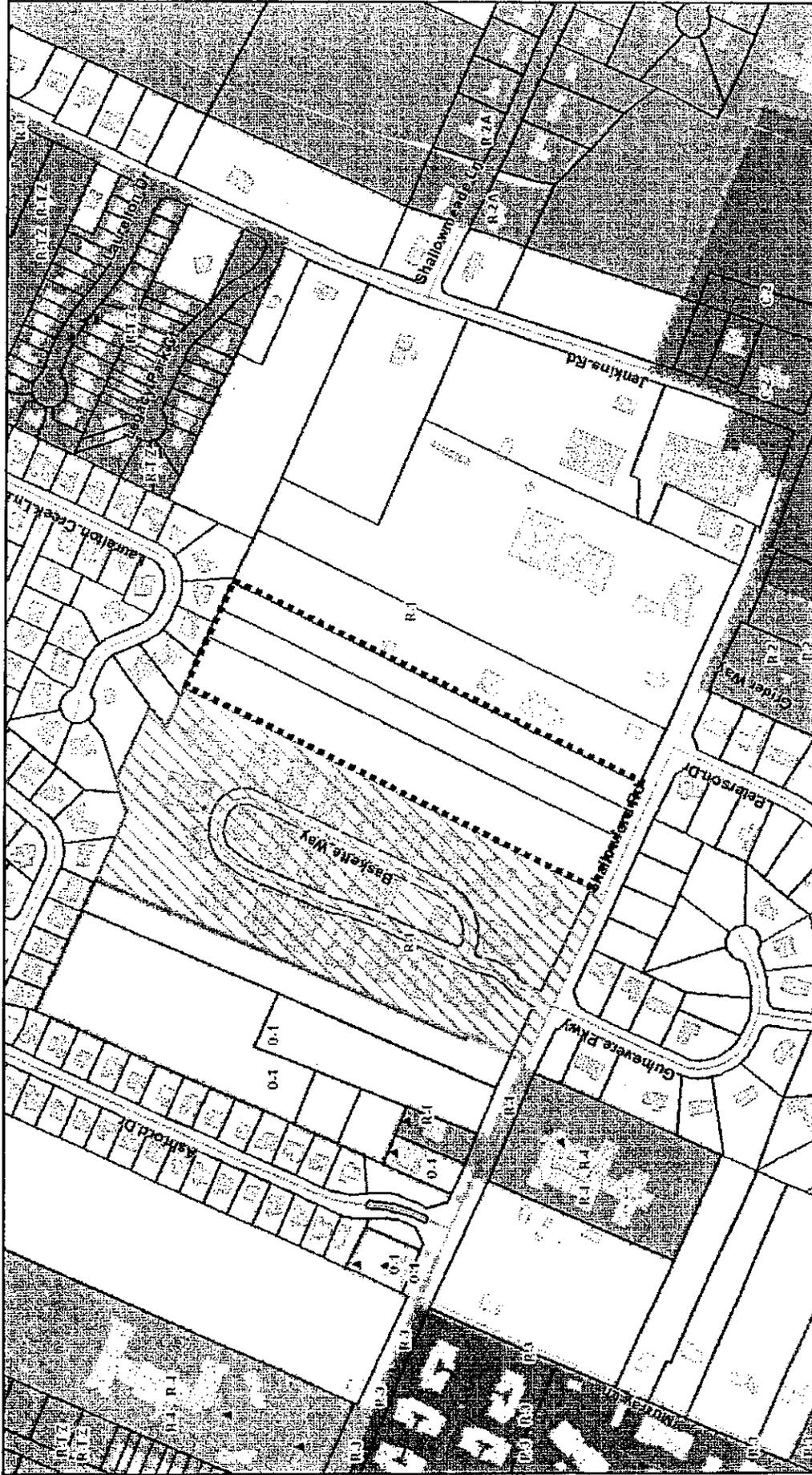
Property Address: 7715, 7719 & 7721 Shallowford Rd

Response to RPA Staff Recommendation & Conditions for Case 2013-086

1. Applicant will reduce the number of proposed patio home units from 24 to 20 which will reduce the total number of residential units when combined with the assisted living facility to 80 and result in a density of 8.3 units per acre which meets the Hamilton Place Community Plan's Intent for medium density residential development.
2. Applicant requests that dumpster service be limited to between the hours of 7:00 am and 7:00 pm, instead of 8:00 am to 7:00 pm. This is consistent with current service hours at the existing Morning Pointe facility which is scheduled to avoid disturbance of its residents.
3. Applicant accepts condition #3 as stated.
4. Applicant requests that commercial deliveries be limited to between the hours of 7:00 am and 7:00 pm, instead of 8:00 am to 7:00 pm. This is consistent with current service hours at the existing Morning Pointe facility which is scheduled to avoid disturbance of its residents.
5. Applicant agrees to installing a 20' Type "B" landscape buffer along the northern property boundary. Applicant requests modification of the condition for the western and eastern property boundaries to installing a Type "C" landscape buffer along those boundaries and for the front 750 feet, alongside the proposed assisted living facility, to coordinate with the Village of Ashwood to determine the frequency and type of plantings to provide screening equal to a Type "B" landscape buffer. The additional plantings agreed to by the Village of Ashwood will be installed on their property to meet the intent of the Type "B" buffer and will be maintained by the Applicant.



Morning  Pointe



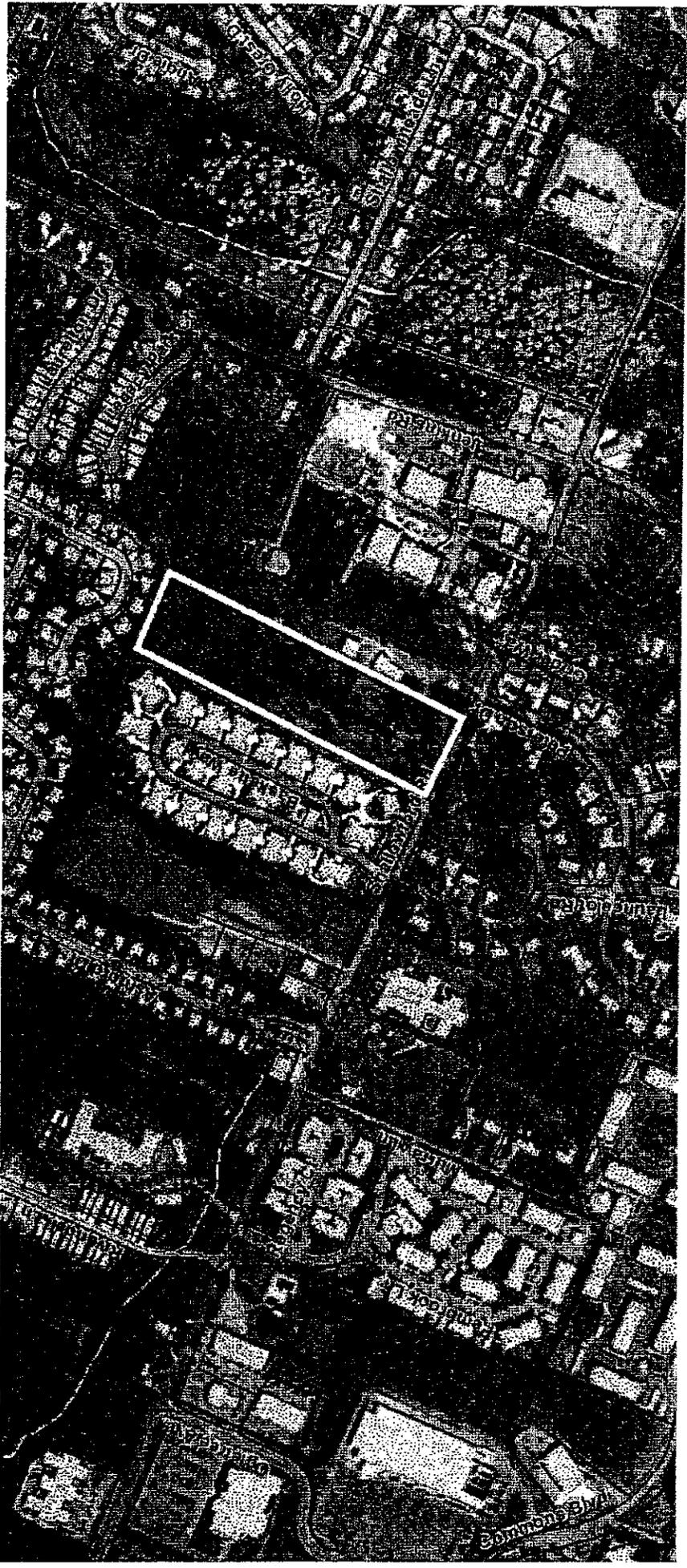
2013-086 Rezoning from R-1 to R-4

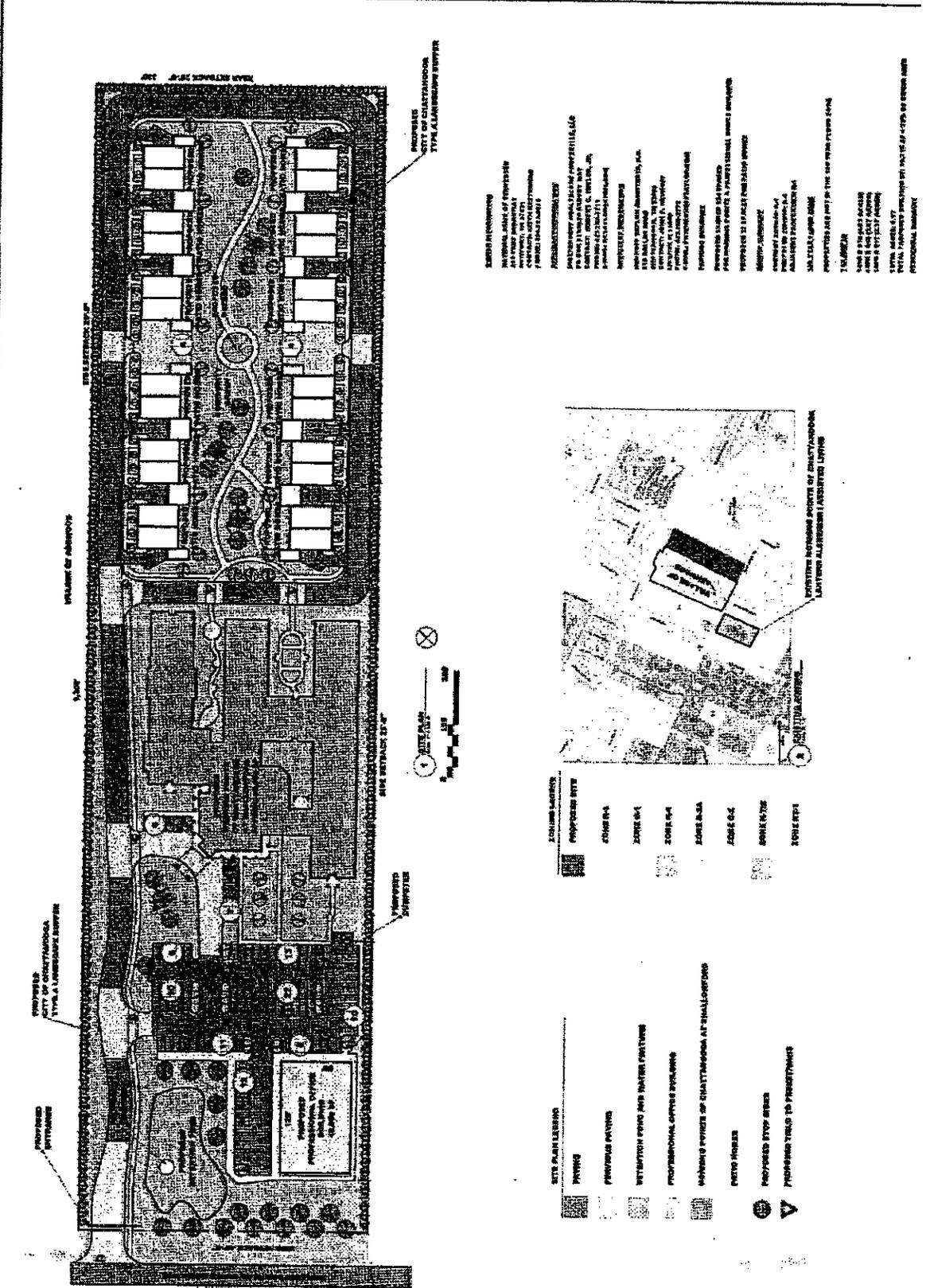


400 ft



Hamilton County Regional Planning Agency

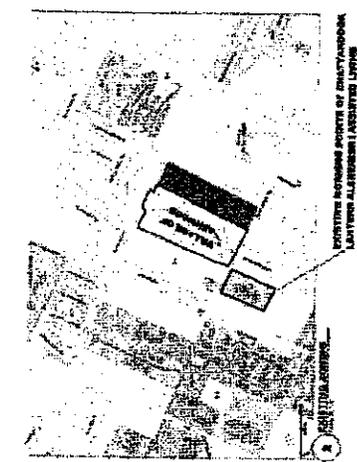




CHATTANOOGA AT SHALLWORTH
 7718 SHALLWORTH ROAD
 CHATTANOOGA, TN 37414
 REINHOLD TAYLOR ARCHITECTS
 PROFESSIONAL CORPORATION
 200 DALLAS ROAD
 CHATTANOOGA, TN 37414

12-023
 01-19-12
 PRELIMINARY
 12/11/12

C1.0



- LEGEND**
- CITY PARK/FOREST
 - PROPOSED PAVING
 - WETLAND POND AND BUFFER FEATURES
 - PROFESSIONAL OFFICE BUILDING
 - WORKING POINTS OF CHATTANOOGA AT SHALLWORTH
 - PATIO PLAZA
 - PROPOSED STRIP AREA
 - PROPOSED TRAIL TO SHALLWORTH
- ZONING**
- ZONE R-1
 - ZONE R-2
 - ZONE R-3
 - ZONE R-4
 - ZONE R-5
 - ZONE R-6
 - ZONE R-7
 - ZONE R-8

CHATTANOOGA AT SHALLWORTH
 7718 SHALLWORTH ROAD
 CHATTANOOGA, TN 37414
 REINHOLD TAYLOR ARCHITECTS
 PROFESSIONAL CORPORATION
 200 DALLAS ROAD
 CHATTANOOGA, TN 37414

12-023
 01-19-12
 PRELIMINARY
 12/11/12

C1.0

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2013-072 Walk2Campus Properties c/o Roe Elam/UTC Three, LLC. 863 McCallie Avenue, from C-2 Convenience Commercial Zone to C-3 Central Business Zone, subject to certain conditions.

2013-074 Roy Williams/Nathaniel and Linda Long. 1113 East 11th Street, from R-1 Residential Zone to R-4 Special Zone.

2013-080 Richard W. McCoy/Arlington Properties, Inc. 5300 block of Highway 58, from C-2 Convenience Commercial Zone to R-3 Residential Zone.

2013-086 Independent Healthcare Properties/National Bank of Tennessee. 7715, 7719, and 7721 Shallowford Road, from R-1 Residential Zone to R-4 Special Zone, subject to approval of the Institutional Planned Unit Development of Case No. 2013-085.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2013-085 Independent Health Properties/National Bank of Tennessee. 7715, 7719, and 7721 Shallowford Road, for an Institutional Planned Unit Development, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be denied:

2013-066 Marie and Jeff Fisher. 4301 Forest Plaza Drive, for a Residential Home for the Aged.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

July 9, 2013

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2013.

Sandra Freeman
Clerk to the City Council