

2013-085
Independent Health Properties/
National Bank of Tennessee
District No. 4

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR AN INSTITUTIONAL PLANNED UNIT DEVELOPMENT ON PROPERTIES LOCATED AT 7715, 7719, AND 7721 SHALLOWFORD ROAD, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for an Institutional Planned Unit Development on properties located at 7715, 7719, and 7721 Shallowford Road, more particularly described in the attached maps:

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.

BE IT FURTHER RESOLVED, This Petition shall be approved subject to the following conditions:

- 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) Proposed office shall share the same access point as the residential portion as shown on the site plan;
- 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 pm. This is consistent with current service hours at the existing Morning Pointe facility which is scheduled to avoid disturbance of its residents; and
- 5) Applicant agrees to installing a 10' 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.

ADOPTED: _____, 2013

/mms

2013-085 City of Chattanooga
June 10, 2013

RESOLUTION

WHEREAS, Independent Health 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 granting a Special Exceptions Permit for an Institutional Planned Unit Development on 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,

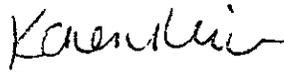
AND WHEREAS, no one was present in opposition to the petition,

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 an Institutional Planned Unit Development at 7715, 7719 and 7721 Shallowford Road, subject to: 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) Proposed office shall

share the same access point as the residential portion as shown on the site plan; 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 pm. This is consistent with current service hours at the existing Morning Pointe facility which is scheduled to avoid disturbance of its residents; and 5) Applicant agrees to installing a 10' 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.

Respectfully submitted,


for
John Bridger
Secretary

Planning Commission Recommendation:

Approve Staff Recommendation

With changes; see PC resolution

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number: 2013-085 PC Meeting Date: 06-10-2013

STAFF RECOMMENDATION:

APPROVE, subject to the following conditions:

- 1) Maximum of eight dwelling units an acre.
- 2) Dumpsters serviced between 8:00 am and 7:00 pm.
- 3) Proposed office shall share the same access point as the residential portion as shown on the site plan.
- 4) Deliveries by large commercial trucks shall be between 8:00 am and 7:00 pm.
- 5) A Type "B" Landscape screening buffer along the west and north properties lines.

Land Use & Transportation Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting an Institutional Planned Unit Development (IPUD) containing 24 patio homes, a 50,000 square foot one-story assisted living facility and a stand-alone office.

This case is a companion to Case 2013-086 which is a rezoning request from R-1 Residential to R-4 Special Zone. The Institutional Planned Unit development is a tool that can only be used as an overlay to an R-4 Special Zone district.

Site Description

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.

Zoning

As stated in Section 38-411 of the zoning ordinance, the purpose of the IPUD is to "provide the opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Institutional Planned Unit Development is intended to be used to encourage the application of new techniques and technology to community development which will result in superior living or development arrangements with lasting values. It is further intended to achieve economies in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable and attractive open spaces, safe circulation, and the general well-being of the inhabitants."

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

RPA STAFF RECOMMENDATION

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.

Plans/Policies

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 IPUD.

The community plan land use policy map depicts Low to Medium density residential development for the proposed Morning Pointe site.

Staff Recommendation

Since the Hamilton Place Community Plan was adopted in 2001, several changes have occurred along Shallowford Road between Gunbarrel Road and Jenkins Road. These include, but are not limited to:

- Shallowford Road widening currently underway.
- Development of the existing Morning Pointe assisted care facility just west of Drake Forest.
- Construction of the Shallowford Trace apartments.
- Development of the Village at Ashwood.
- Expansion of Grace Baptist Academy. According to their website, a new children's center was opened in 2004 and a new elementary building was completed in 2007 along with other improvements.
- Rezoning to O-1 Office of 12 acres for an office development just west of the Village at Ashwood.

As the residential component, the applicant is proposing 24 patio homes and 60 units. The units in the assisted living facility consist of one living room, bedrooms(s), and a bathroom. The units do not have kitchens as food service is provided through the facility's main dining

RPA STAFF RECOMMENDATION

room. The total acreage of the site, including the office component, is 9.57 acres. Residential density for the entire site is 8.8 dwelling units an acre (84 dwelling units/9.57 acres). For reference, the Morning Pointe facility next to Drake Forest has 60 units on 4.51 acres for a density of 13 dwelling units an acre. The Creekside at Shallowford independent living facility west of Ashwood subdivision has 115 units on 9.7 acres for a density of 11.8 units an acre.

For the purposes of the plan, "medium-density residential shall be limited to a maximum of eight dwelling units per acre gross density and shall be "fee simple" to encourage owner occupancy". The Plan's recommended Low to Medium density residential policy for the area can then be expected to have a maximum of eight dwelling units an acre or less according to the plan.

The north side of Shallowford Road has developed with a variety of housing types (townhomes on Rivendell Lane, single-family detached homes, the condo form of development at the Village of Ashwood) and institutional uses such as the independent living facility, Grace Baptist/Grace Academy, and a smaller church.

Between the Ashwood subdivision and Jenkins Road on the north side of Shallowford Road is:

- An O-1 Office zoned property.
- An R-4 Special zoned property.
- A twelve-acre site zoned for offices (the site plan accompanying that zoning case shows a total building area of 90,000 square feet and 497 parking spaces).
- The Village of Ashwood, a Planned Unit Development with a density of five dwelling units an acre.
- The three lots that make up the proposed site for rezoning.
- A church.
- Grace Baptist/Grace Academy.

The office site mentioned above was supported by staff (request was for R-4 Special Zone and staff recommended the more restrictive O-1 Office Zone) although the land use pattern was not in keeping with the plan recommendation. The staff recommendation for that site reflects the staff's thoughts that the specific development could be appropriate with certain conditions. The recommendation states that there was properties zoned for and used for offices near the entrance to Ashwood subdivision and that the site is across from an assisted living facility and adjacent to a condominium development. The recommendation continues that, with extensive conditions, the office complex was more acceptable to the adjacent property owners than further residential development. Staff also supported the rezoning because "a development that involved the compiling of several properties to enable a comprehensive plan enables a better design that the

RPA STAFF RECOMMENDATION

development of each as separate parcels”.

Because 1) the current development pattern along the north side of Shallowford Road has a mix of office, residential and institutional uses and 2) this site combines multiple lots as part of the proposal and 3) there are no single-family residences fronting the south side of Shallowford Road from this site and 4) the development is primarily residential in nature, staff is recommending approval of this mixed residential and office development with some exceptions.

The plan recommends Low to Medium density residential for the area with medium-density residential described as a maximum of eight dwelling units per acre gross density. The patio homes that encompass approximately 1/3 of the site appear compatible to the residences of the Village of Ashwood. The one-story assisted living facility contains 60 residential units which, along with the patio homes, exceed the recommended gross residential density. Although there are two other assisted living facilities along Shallowford Road, those were rezoned prior to the development of the Hamilton Place Community Plan. Therefore, staff is recommending that this rezoning be conditioned to no more than eight dwellings units an acre.

In staff's opinion, the site plan does not adequately the transition between the Village of Ashwood and Ashwood subdivision and the proposed IPUD. The drive servicing the development runs along the west side which is adjacent to the Village and is within 10' of the shared property lines (west, north and east) for the entire patio home portion. Therefore, staff is recommending a condition for additional landscaping along the western and northern property lines and is encouraging the applicant to consider additional screening along the eastern property lines shared with the church.

In order to help ensure compatibility between this use and the adjoining residential uses, staff is recommending additional conditions to limit noise and activity during the evening and night hours. Also, to ensure that the proposed professional office remains part of the comprehensive development, staff is recommending a condition that would prohibit its own access point onto Shallowford Road.

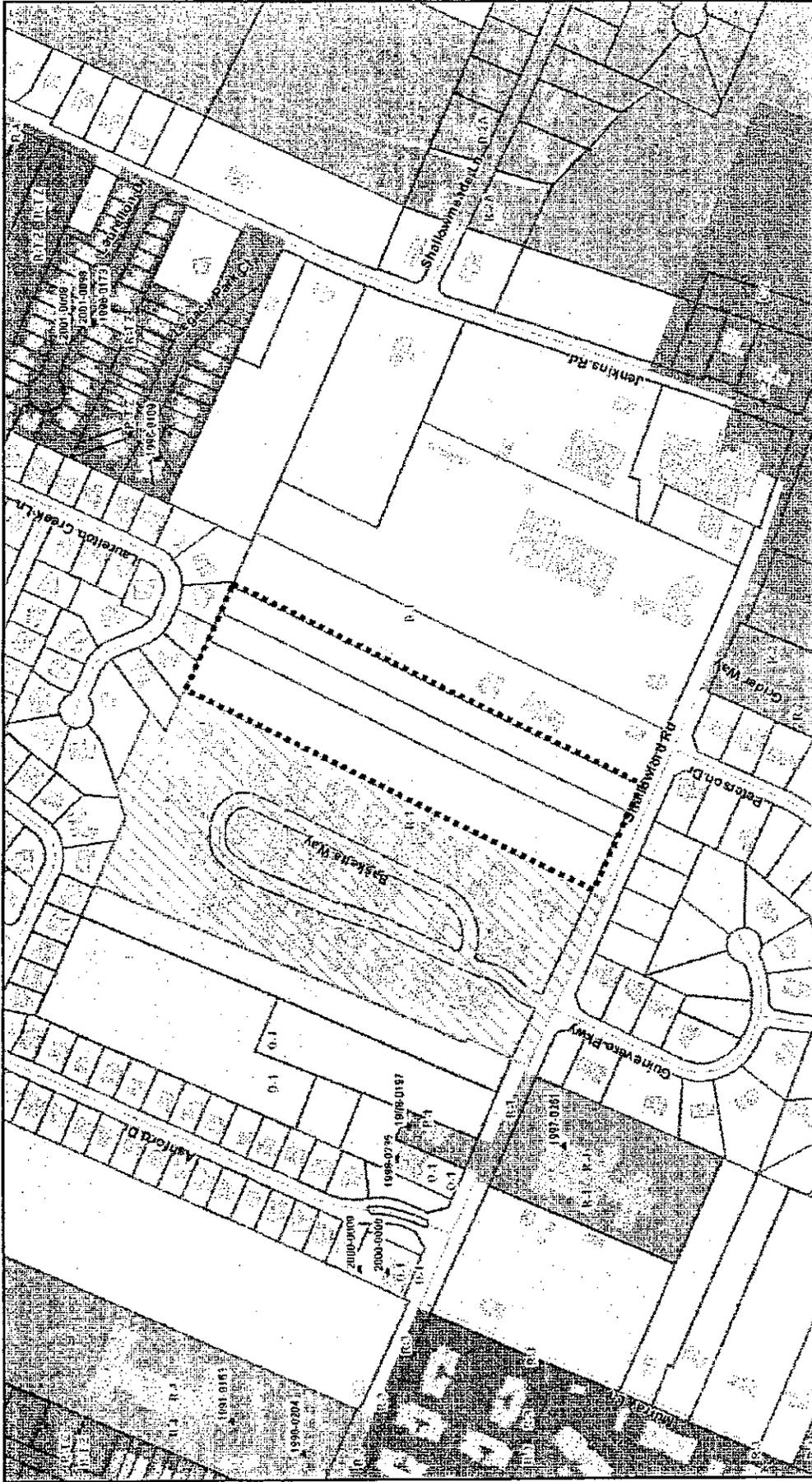
Infrastructure & Operational Comments

Public Works Staff:

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.

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

CASE NUMBER: 2013-085		Date Submitted: 05-10-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
PUD		PUD Name: Morning Point of Chattanooga at Shallowford	
Acres: 9.57		Density: 5.66 u/a	Residential <input checked="" type="checkbox"/> Institutional
<input checked="" type="checkbox"/> Preliminary		<input type="checkbox"/> Final	Preliminary/Final Together
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 Planned Unit Development	
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 Health Properties		Address: P. O. Box 813/6020 Arbury Way	
Check one:		<input checked="" 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: Friends of E Brainerd, BEBCC	
Hamilton Co. Comm. District: 8		Chatt. Council District: 4	
Other Municipality:		Legislative Action/Date/Ordinance:	
Staff Rec:		PC Action/Date:	
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: 9.87	<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
Filing Fee: \$400.00		<input checked="" type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
Check Number: 5182		Application processed by: Jennifer Ware	
Planning Commission meeting date: June 13, 2013			



2013-085 Special Exceptions Permit for an Institutional PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-085: Approve, subject to the list of conditions in the Planning Commission Resolution.



400 ft

2013-085

RPA Case

Applicant: Independent Healthcare Properties

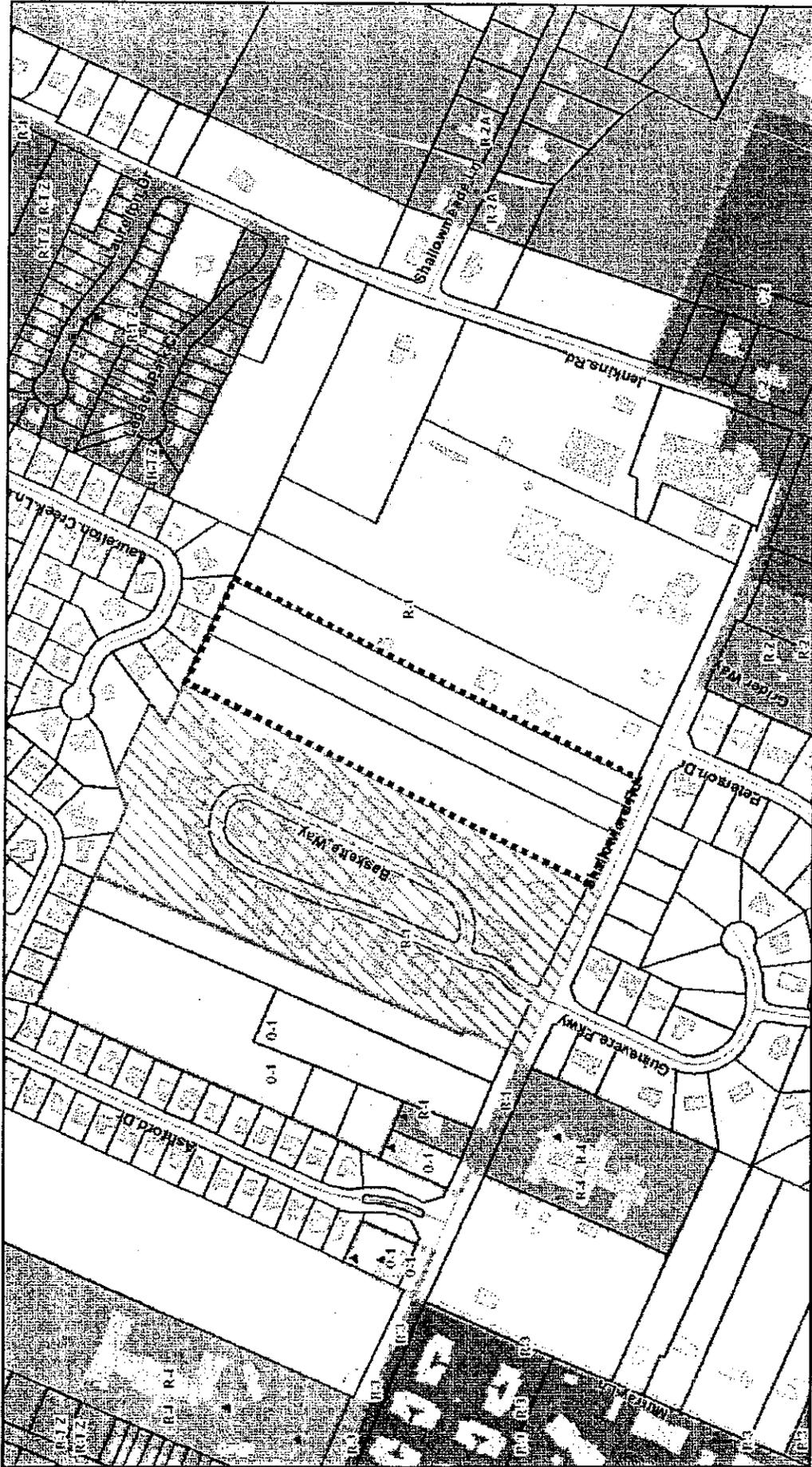
Property Address: 7715, 7719 & 7721 Shallowford Rd

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

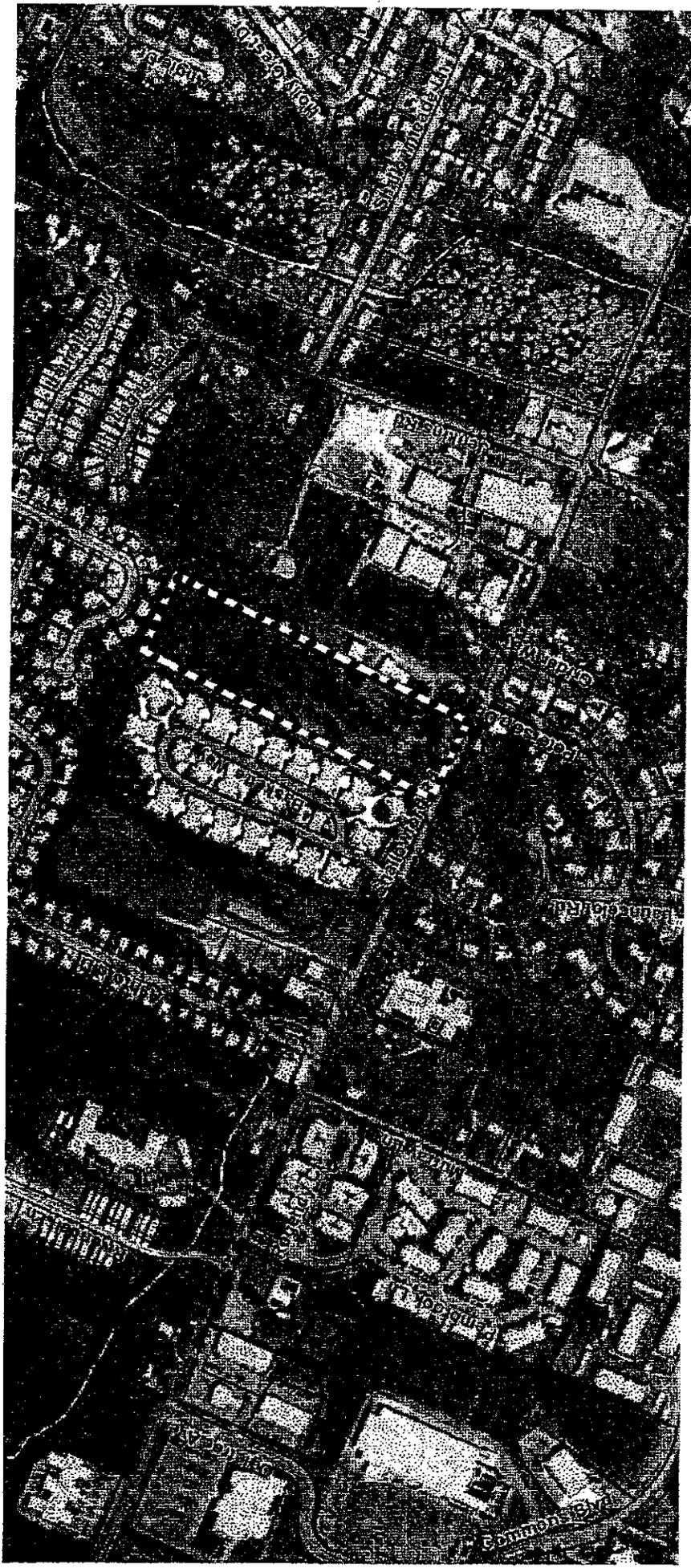


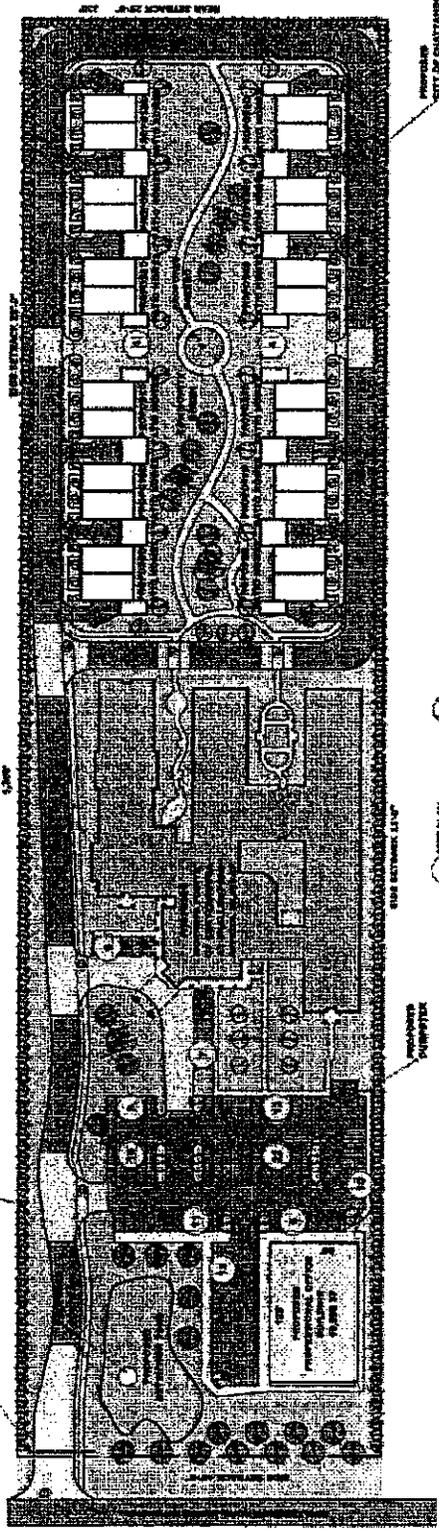
2013-085 Special Exceptions Permit for an Institutional PUD

400 ft

Stafford-Hamilton County
RIPA
Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency





PROJECT LOCATION
 NEUROFF TAYLOR ARCHITECTS
 PROFESSIONAL CORPORATION
 CHATTANOOGA, TN 37408
 P.O. BOX 1000

PROJECT NAME
 HOUSING PORTALS OF CHATTANOOGA AT SHALLOWFORD
 ASSISTED LIVING

PROJECT NUMBER
 12-02

DATE
 12-02

DRAWN BY
 [Name]

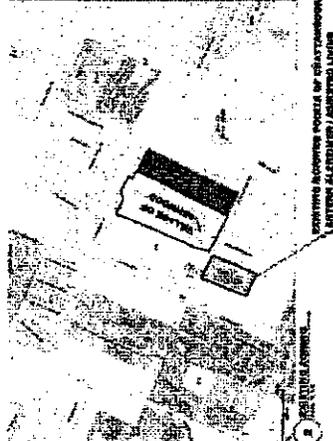
CHECKED BY
 [Name]

APPROVED BY
 [Name]

TITLE
 PRELIMINARY PLAN

SCALE
 AS SHOWN

SHEET NUMBER
 C1.0



- PROPOSED ZONE B-1
- PROPOSED ZONE B-2
- PROPOSED ZONE B-3
- PROPOSED ZONE B-4
- PROPOSED ZONE B-5
- PROPOSED ZONE B-6
- PROPOSED ZONE B-7
- PROPOSED ZONE B-8

- PROPOSED ZONE B-1
- PROPOSED ZONE B-2
- PROPOSED ZONE B-3
- PROPOSED ZONE B-4
- PROPOSED ZONE B-5
- PROPOSED ZONE B-6
- PROPOSED ZONE B-7
- PROPOSED ZONE B-8

HOUSING PORTALS OF CHATTANOOGA AT SHALLOWFORD
 ASSISTED LIVING
 7715 SHALLOWFORD ROAD
 CHATTANOOGA, TN 37408
 P.O. BOX 1000

HOUSING PORTALS OF CHATTANOOGA AT SHALLOWFORD
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 CHATTANOOGA, TN 37408
 P.O. BOX 1000

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