

First Reading: _____
Second Reading: _____

2016-070
Southeast Medical Properties, II, LLC
District No. 4
Planning Version #6

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7127 IGOU GAP ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-4 SPECIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

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 property located at 7127 Igou Gap Road, more particularly described herein:

Lot 8, Frank Kelly Tract, Plat Book 14, Page 35, ROHC, Deed Book 8606, Page 440, ROHC. Tax Map No. 148M-H-007.

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 approved

subject to the following conditions:

- 1) Prior to receiving a land disturbing permit for any phase or portion of the zoned area, the property owner/developer shall submit to the Land Development Office for review and approval a plan that demonstrates compliance with the conditions noted below. The LDO will review the plans submitted to verify the conditions listed below are met.
- 2) Minimum Residential Component.
 - (a) The development shall provide at a minimum 100 residential units in 4 acres, located North of Min Tom Road.
- 3) Restrictions on development along Gunbarrel Road.
 - (a) Within 200 feet of Gunbarrel there shall be no more than 4 separate retail buildings with no retail building's square footage to exceed 6,000 sqft. There shall be no outdoor sound amplification from any retail building, except that there may be reasonable outdoor sound amplification from the rear side of any building (being the side that faces directly away from Gunbarrel).
 - (b) Residential buildings shall be located at least 25 feet off of Gunbarrel.
 - (c) Hotels shall be located at least 600 feet off of Gunbarrel.
 - (d) No Drive-Thrus on the three sides of any building that are visible from Gunbarrel, such that the rear side of any building (being the side that faces directly away from Gunbarrel) may host a drive-thru.
- 4) Maximum total retail square footage
 - (a) Total allowable retail square footage for the site shall not exceed 500,000 square feet.
- 5) Buffer from Gunbarrel Road Right-of-Way.
 - (a) Provide a 20 foot Type "B" Buffer along all portions of the property that contain commercial or office uses, and a 10 foot Type "C" Buffer along all portions of the property that contain a residential use, which landscape buffers shall comply with the minimum dimensions and plantings set forth in the Chattanooga Landscape Ordinance.

- (b) Within the buffer described above, the goal is to provide an earthen berm where practical with a minimum height of 3 feet, and the multi-use path described in the Transportation, requirements below.
 - (c) One curb cut shall be permitted between McCutcheon and Min Tom Roads.
- 6) Green Space
 - (a) The following standards shall be met so as to meet the intent of creating green, civic spaces throughout the development to provide a visual relief from the large parking areas, and to provide an attractive pedestrian environment for shoppers and residents.
 - (b) The designated commercial and residential portions of the site shall each have a minimum 8% green space consisting of such uses as squares, parks, playgrounds and/or pedestrian greenways. This area shall include any existing or new lakes and water features.
 - (c) All public designated green spaces shall be connected by a pedestrian circulation system.
- 7) Minimum Tree Plantings
 - (a) The following standards are established to achieve **10%** tree canopy coverage for the non-green space portions of the site.
 - (b) Within the established parking areas, provide Class I trees at a minimum distance of 60 feet from parking spaces and provide a minimum rate of 1 tree per **7** parking spaces. These trees can be planted within the parking lot and within 10 feet of the parking lot perimeter.
 - (c) Within designated Green Spaces, provide **15%** tree canopy coverage. Every Class I Tree receives a 1,000 sqft credit; every Class II Tree receives a 400 sqft credit towards the **15%** green space canopy standard.
- 8. Building Height
 - (a) No residential buildings shall exceed four (4) stories in height.
 - (b) No retail buildings shall exceed two (2) stories in height.
 - (c) No hotel building shall exceed seven (7) stories in height.

9. Prohibited uses
 - (a) Manufacturing Facilities, Warehouses and Mini-Warehouses, Adult-Oriented Establishments, Vehicle Sales or Vehicle Repair Facilities, Fuel Service Stations, Outdoor Commercial Storage, Alternative Financial Services, Permanent Year-Round Outdoor Displays or Sales. Signage-Signs not relating to identification of or direction to premises and occupants, or to products sold or services rendered on the premises are prohibited.
10. Internal pedestrian access
 - (a) Provide safe, direct and convenient pedestrian access and connectivity via sidewalks and striped crosswalks throughout the development.
11. Transportation impact and access
 - (a) A 10' multi-use pathway is required to be constructed on the zoned property along Gunbarrel Rd. as each phase or portion of the development progresses on the site, and ultimately connecting to internal sidewalks. Portions of this multi-use path may ultimately lie within the right-of-way area owned by the City of Chattanooga.
 - (b) Due to the additional traffic issues that will be caused by the development at the intersection of Shallowford Road and Napier Road, the intersection must be reconfigured to remove the east bound left turn lane and left turn traffic signal, to add a dedicated south bound right turn lane, and to alter traffic signal phases in order to mitigate the impacts.
 - (c) When warranted by the development progress, an additional east bound left turn lane must be constructed at the intersection of Shallowford Road and Lifestyle Way to accommodate the anticipated increased traffic turning into the development and Lifestyle Way must be widened to accommodate a corresponding double receiving lane. The City of Chattanooga shall assist in providing any required additional rights of way.

- (d) When warranted by the development progress, traffic lights must be installed at the intersections of Gunbarrel Road and McCutcheon Road and Gunbarrel Road and Min Tom Road. The City of Chattanooga shall install conduit under Gunarrel Road during the current City Gunbarrel widening project for the new signals based upon a design provided by the developer. The new signals must be fiber connected to the traffic signals on Shallowford Road for phase coordination. A north bound left turning lane must be provided at the intersection of Gunbarrel Road and Min Tom Road if not provided by the City of Chattanooga and the City of Chattanooga shall assist in providing any required additional rights of way.

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

/mem/Version 6

First Reading: _____
Second Reading: _____

2016-070
Southeast Medical Properties, II, LLC
District No. 4
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7127 IGOU GAP 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 property located at 7127 Igou Gap Road, more particularly described herein:

Lot 8, Frank Kelly Tract, Plat Book 14, Page 35, ROHC, Deed Book 8606, Page 440, ROHC. Tax Map No. 148M-H-007.

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

/mem

2016-070 City of Chattanooga
May 9, 2016

RESOLUTION

WHEREAS, Southeast Medical Properties, II, LLC 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, property located at 7127 Igou Gap Road.

Lot 8, Frank Kelly Tract, Plat Book 14, Page 35, ROHC, Deed Book 8606, Page 440, ROHC. Tax Map 148M-H-007 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 9, 2016,

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

AND WHEREAS, there was opposition present 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,

AND WHEREAS, the Planning Commission has determined that the proposal would be an extension of an existing zone.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 9, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to: 1) low impact lighting; 2) no access from Igou Gap; 3) increase buffer from 10' to 30' along Igou Gap Road and along the western property line; and 4) widen Jarnigan Road.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

CASE NUMBER:	2016-070	Date Submitted:	3-23-2016
(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: 4.2 +/-			
2 Property Information			
Property Address:	7127 Igou Gap Road		
Property Tax Map Number(s):	148M-H-007		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Proposed Office Development		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Residential		
Adjacent Uses:	Office & Residential		
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: Southeast Medical Properties II, LLC		Address: 7268 Jarnigan Road	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37421	Email: dmnn32261@aol.com
Phone 1: 423-508-7337	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 11		Neighborhood: CNAC, BEBC, FOEB	
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: 4.2	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 8606-440			
Plat Book/Page: 14-35		<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 635.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 11112 & 11113
Planning Commission meeting date: May 9 th , 2016		Application processed by: Marcia Parker	

PLANNING COMMISSION CASE REPORT

Case Number: 2016-070

PC Meeting Date: 05-09-16

Applicant Request

Rezone from R-1 Residential Zone to R-4 Special Zone

Property Location:	7127 Igou Gap Road
Property Owner:	Southeast Medical Properties II, LLC
Applicant:	Southeast Medical Properties II, LLC

Project Description

- Proposal: Develop a medical office building.
- Proposed Access: Entrance on Jarnigan Road and Igou Gap Road.
- Proposed Development Form: Two 24,000 square foot 3-Story office building surrounded by parking field, with connection to an existing 4-story office building on adjacent lot.

Site Analysis

Site Description

- Location: The 4.2 acre site is located between Jarnigan Road and Igou Gap Road approximately 120 feet from Bella Vista Drive.
- Current Access: Entrance on Jarnigan Road and Igou Gap Road.
- Current Development form: This site sits as a buffer between the 1 and 2-story detached dwellings west and south of the site and the parking fields and multi-story building east of the site. North of the site the topography slopes down to a commercial strip center which has no access on Jarnigan Road.
- Current Land Uses: To the west and south are single-family residential uses. North of the site are commercial uses. East of site are office and single-family residential uses. **Zoning History**
- The site is currently zoned R-1 Residential Zone.
- A previous case for rezoning the site to R-4 Special Zone was withdrawn at Planning Commission in 2008 (Case 2008-188).
- The properties to the north are zoned R-4 Special Zone and C-4 Planned Commerce Center Zone. The properties to the east are zoned R-4 Special Zone and R-1 Residential Zone. The properties to the south and west are zoned R-1 Residential Zone.

Plans/Policies/Regulations

- The Hamilton Place Community Plan (adopted by City Council in 2001) recommends Medium Density Residential for this zone and as a transition between office uses and low-density residential uses.
- The requested R-4 Special Zone permits residential uses, professional and a variety of professional and medical offices.

Key Findings

- The proposal is not supported by the adopted Land Use Plan for the area which recommends medium-density residential as a buffer between the existing office and the existing single-family development.
- The proposed use is not compatible with surrounding residential uses based on its scale and intensity.
- The proposal is not consistent with the development form of the area.
- The proposed structure does raise concerns regarding location, lighting, and height for abutting residential dwellings.
- The proposal would be an extension of an existing zone.
- The proposal would continue a precedent of development where current road infrastructure lacks the capacity to service the site.

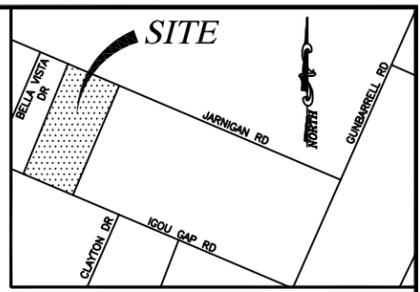
PLANNING COMMISSION CASE REPORT

- The Chattanooga Fire Department notes that the current roadway along Jarnigan Road and Igou Gap Road would create safety issues for emergency vehicles to access the site and recommends widening Jarnigan Road to intersection.
- The Chattanooga Department of Transportation notes Igou Gap Road access should be used for secondary access due to its narrowness and Jarnigan Road should be widened to accommodate traffic and emergency access.

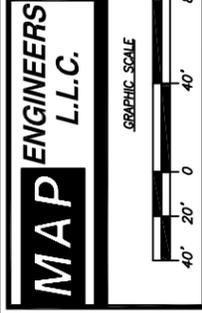
Staff Recommendation

Deny

SITE ANALYSIS
 ADDRESS: 7127 IGOU GAP ROAD
 TAX MAP ID: 148M H 007
 SITE CURRENTLY ZONED: R-1
 PROPOSED ZONING: R-4
 ACREAGE: 4.2± ACRES
 TOTAL PROPOSED BUILDING AREA: 49,200 SQ. FT.
 TOTAL NUMBER OF PROPOSED REGULAR PARKING SPACES: 195 SPACES
 TOTAL NUMBER OF HANDICAP PARKING SPACES: 8 SPACES
 TOTAL NUMBER OF PARKING SPACES: 203 SPACES



MAP ENGINEERS L.L.C.
 7280 Applegate Lane
 Chattanooga, TN 37421
 Tel: (423) 855-5554
 Fax: (423) 465-8110



SOUTHEAST EYE SPECIALISTS - PHASE II
 FOR:
 SOUTHEAST MEDICAL PROPERTIES
 7268 JARNIGAN ROAD, SUITE 220
 CHATTANOOGA, TN 37421

PRELIMINARY SITE PLAN

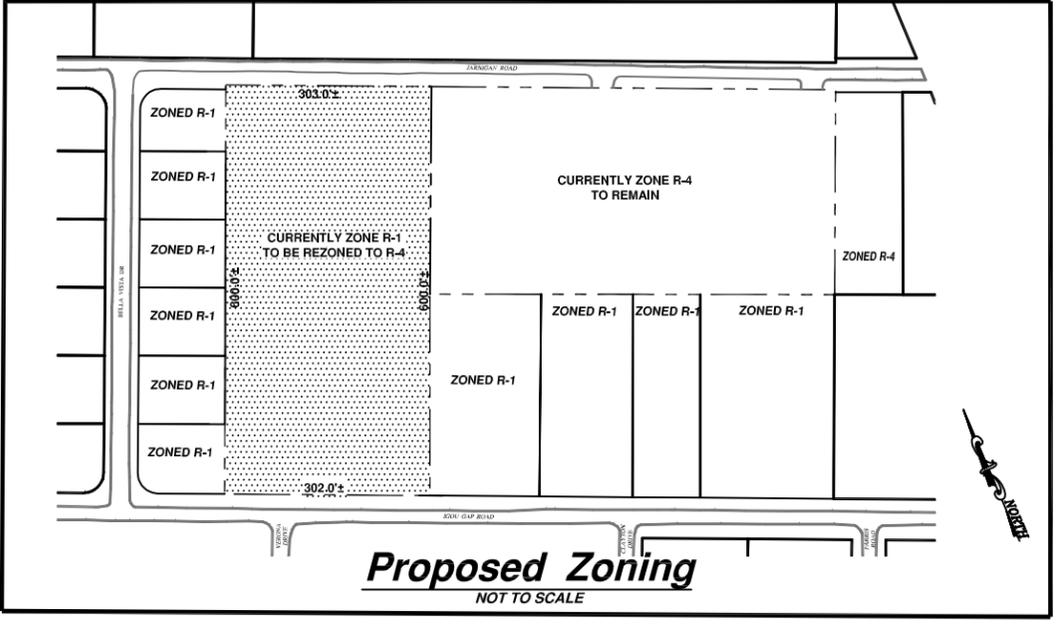
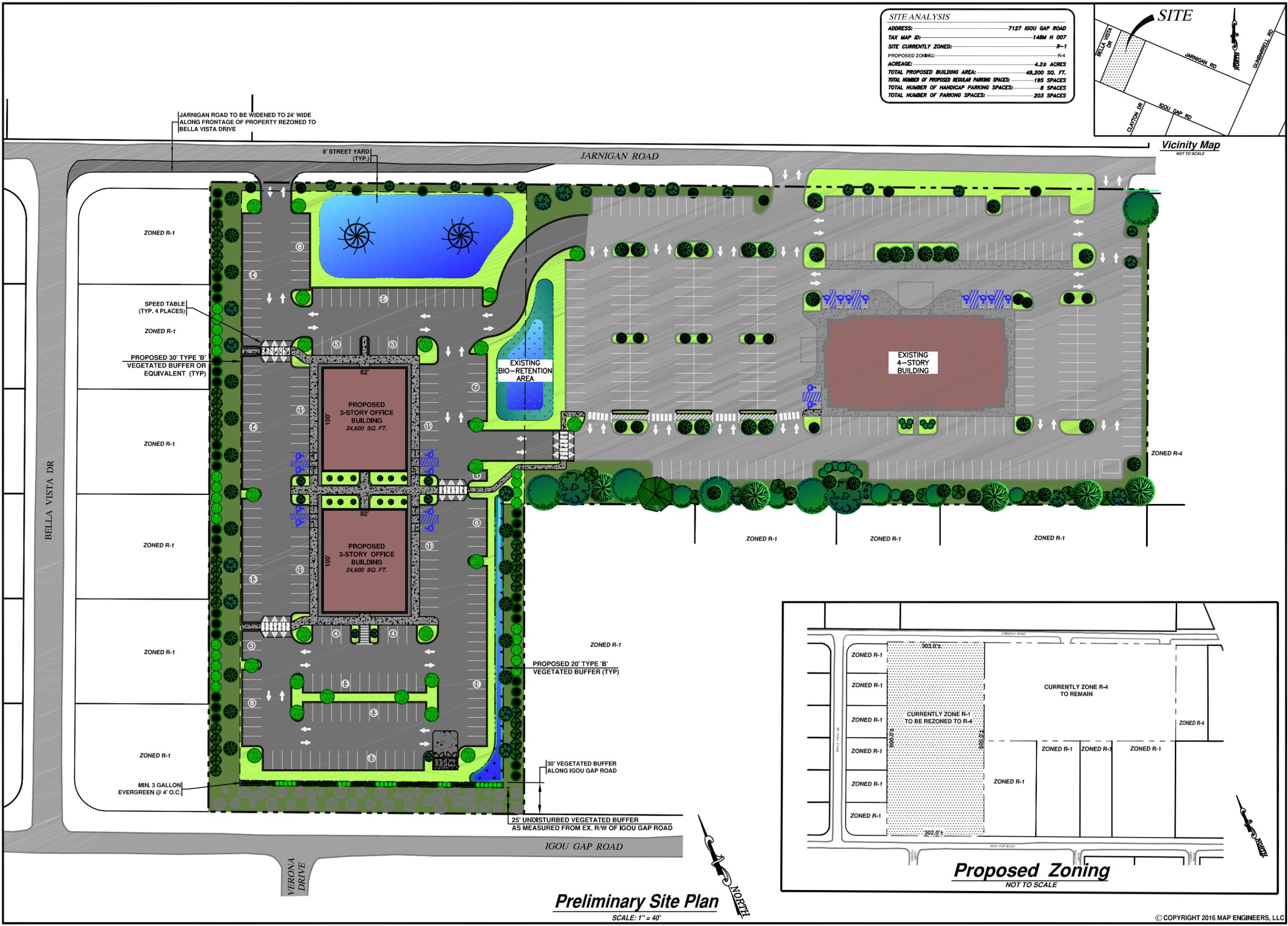
REVISIONS

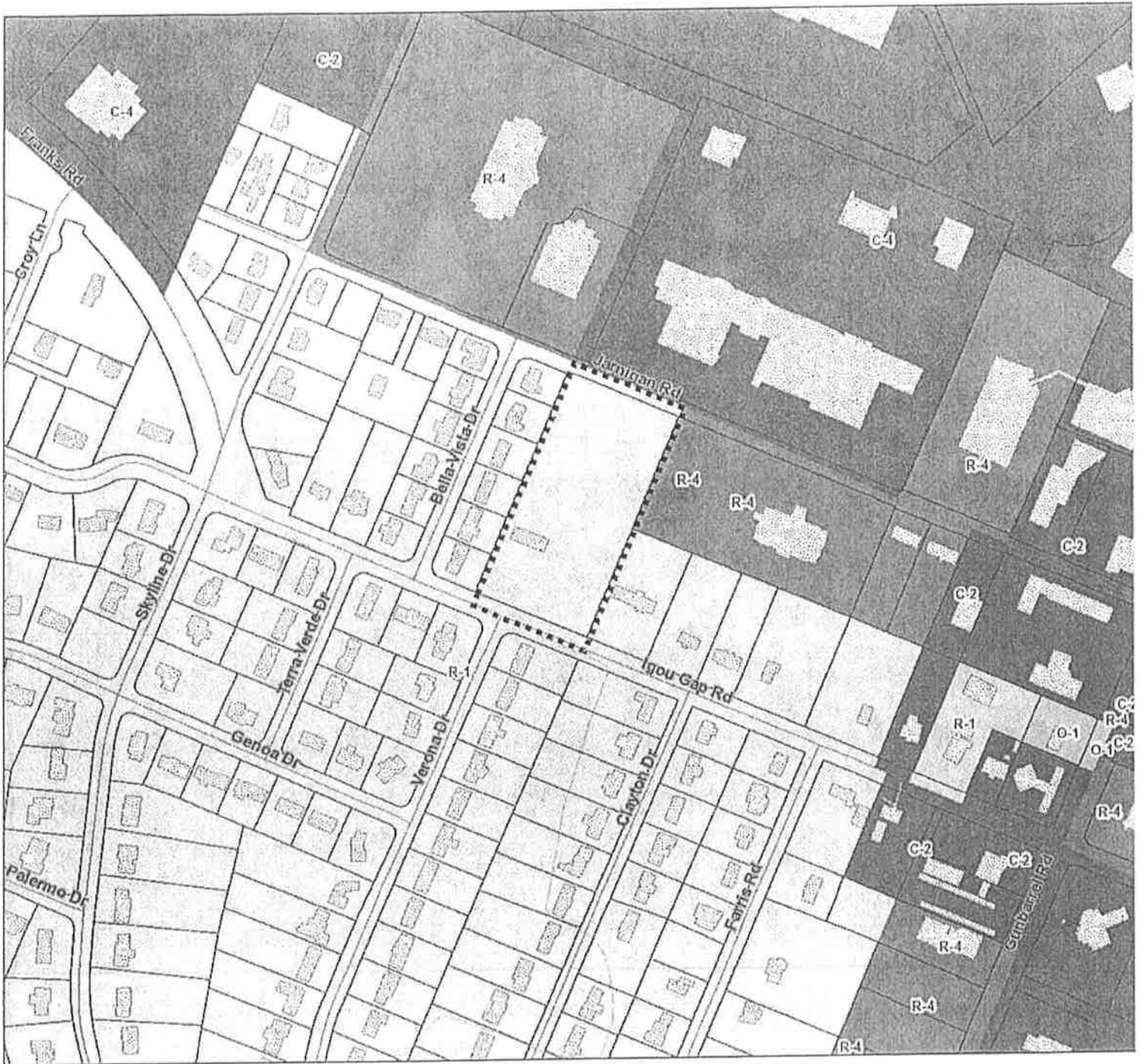
1	MISC. REVISIONS	5/02/16
2	MISC. REVISIONS	5/06/16
3	MISC. REVISIONS	6/27/16
4		
5		

FILE: 15199_PLANSSET.DWG

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DATE: 3/21/2016
 DRAWN BY: GMH
 CHECKED BY: MAP
 PROJ. NUMBER: 15-199
 SHEET NUMBER: PS-1





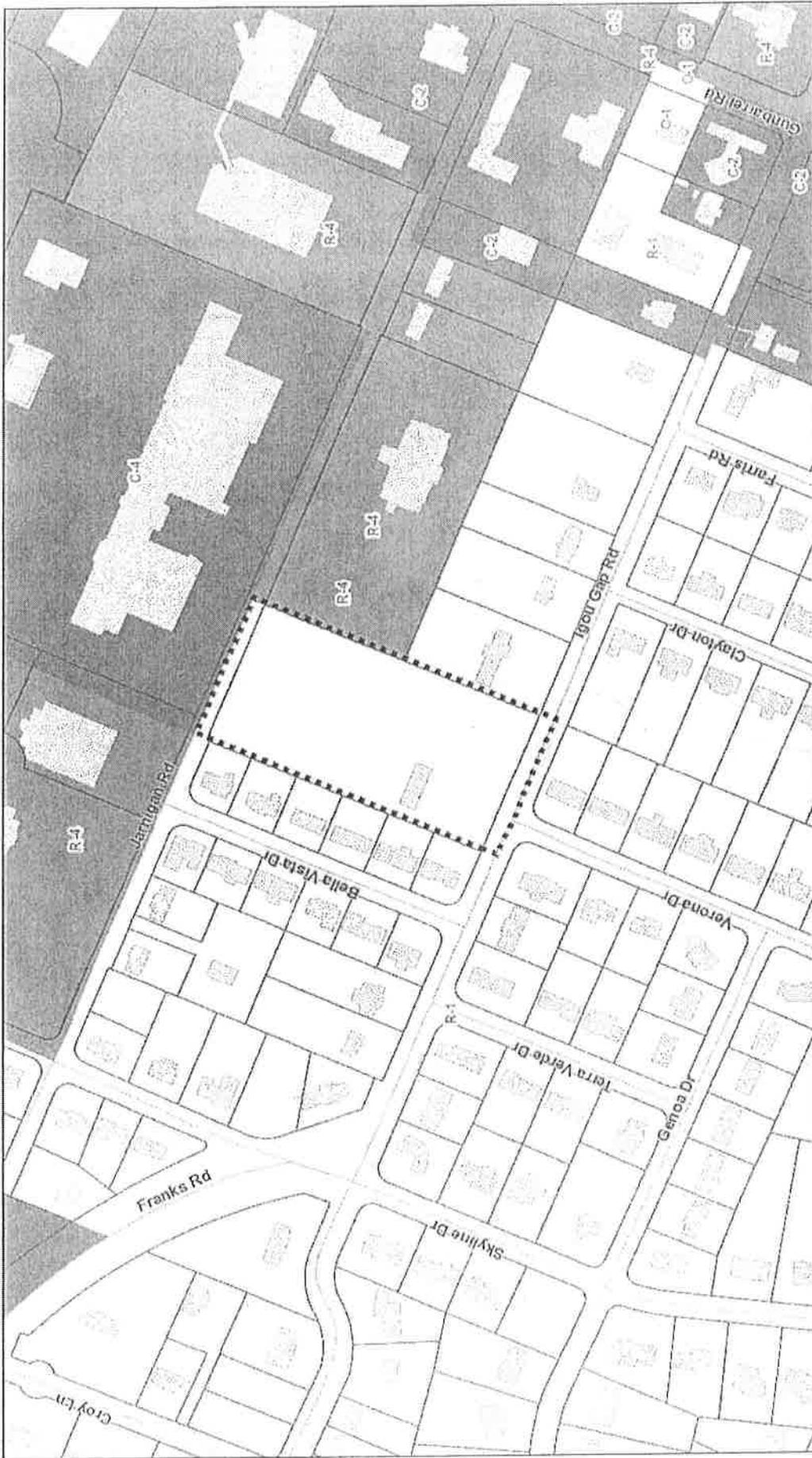
2016-070 Rezoning from R-1 to R-4

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-070:
 Approve, subject to: 1) low impact lighting; 2) no access from Igou Gap; 3) increase
 buffer from 10' to 30'; and 4) widen Jarnigan Road.



352 ft





2016-070 Rezoning from R-1 to R-4



283 ft



Chattanooga Hamilton County Regional Planning Agency

2016-070

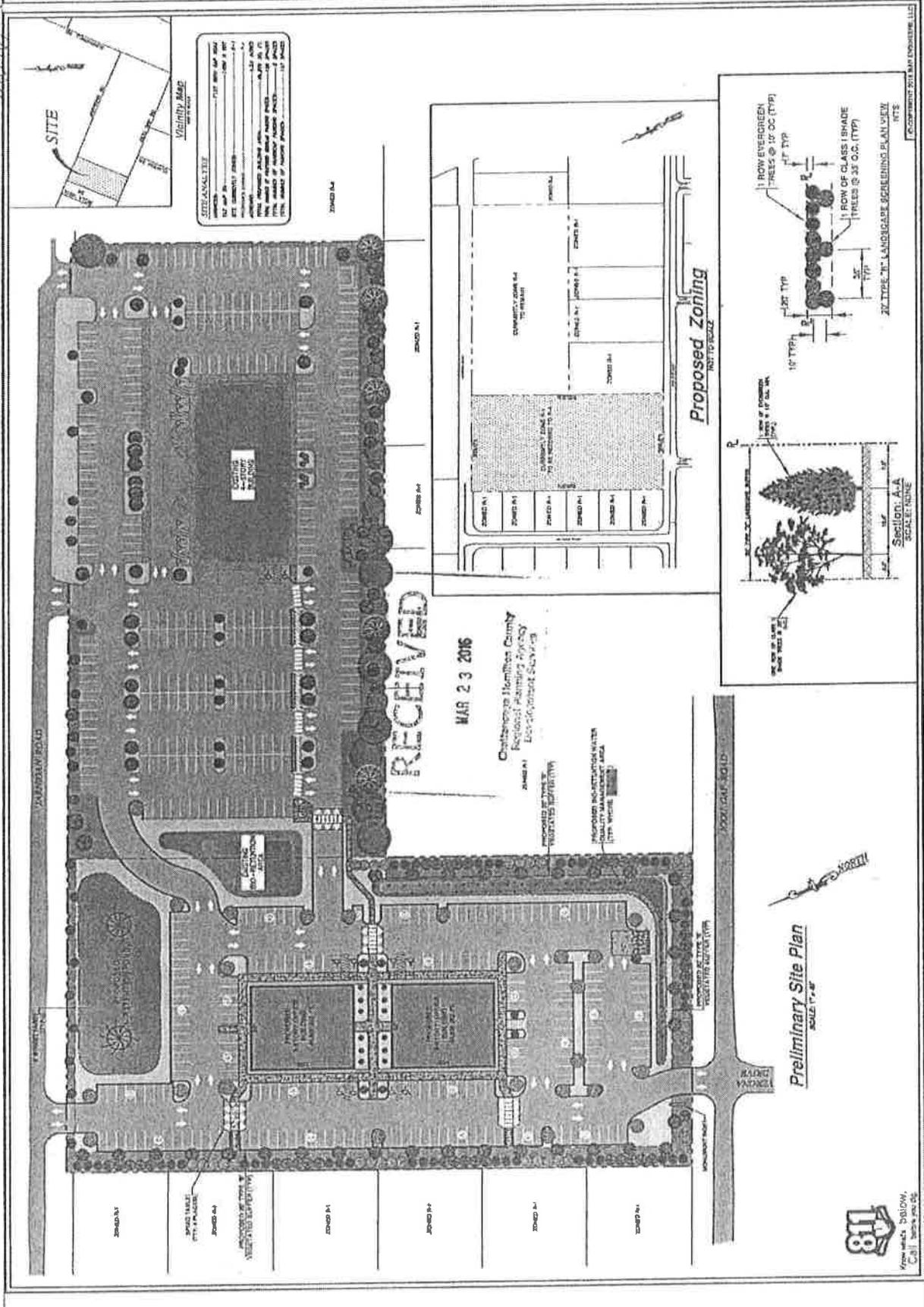
MAP ENGINEERS L.L.C.
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 Suite 100
 Golden, CO 80401
 Phone: 303.440.8800
 Fax: 303.440.8801
 Website: www.mapengineers.com

SOUTHEAST EYE SPECIALISTS - PHASE II
 FOR:
 SOUTHEAST MEDICAL PROPERTIES
 7268 JAANIGAN ROAD, SUITE 220
 CHATTANOOGA, TN 37421

PRELIMINARY SITE PLAN

NO.	REVISIONS
1	ISSUE FOR PERMITTING
2	
3	
4	

DATE: 2/27/2015
 DRAWN BY: JAP
 CHECKED BY: JAP
 SCALE: AS SHOWN
 SHEET NUMBER: PS-1



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2016-066 David Hudson for McCallie Commons/Tatiana Zadora, S.S. Moharreri, A.M. Moharreri, and Mack Wiggins for WW Group. 1006, 1008, 1010 Oak Street and 657 O'Neal Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-070 Southeast Medical Properties, II, LLC. 7127 Igou Gap Road, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2016-077 Jr. Food Stores, Inc. 101 and 103 Glendale Drive and two unaddressed properties in the 1100 block of Signal Mountain Road, from R-1 Residential Zone and C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the M-1 Manufacturing Zone and approval is requested of the M-2 Light Industrial Zone:

2016-077 Chris Maughon/Peggy J. Holder. 4155 Randolph Circle, from A-1 Urban Agricultural Zone to M-1 Manufacturing Zone, only that portion of 128E-A-005 that is within six hundred (650') feet from the South Access Road right-of-way as measured along Benton Drive.

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

2016-069 Pratt & Associates. 5706 and 5650 Cassandra Smith Road and Phases 1 through 3 of Amberbrook Gardens, for a Residential Planned Unit Development.

2016-078 Pratt & Associates/Robert D. & Sandra S. Purcell. 660 Julian Road, for a Residential Planned Unit Development.

2016-079 The Baylor School. 100 block of Baylor School Road,
for an Institutional Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) **Deleting** Article V, Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety.
- (b) **Adding** a new Article XVI, Downtown Form-Based per the digital copy on the website online at www.chcrpa.org.
- (c) **Adding** a new Item (24) of Article III, Section 38-568, Powers, etc., of board; hearings.
- (d) **Adding** Section 38-530 of Article VI, Division 2, Other Special Exceptions.

6. The Chattanooga-Hamilton County Regional Planning Commission has recommended that a petition to rezone be approved for specific properties within the Downtown Chattanooga Form-Based Code Area Boundary, more particularly described in the Downtown Zoning Study attached to the proposed ordinance and made a part by reference from M-1 Manufacturing Zone, C-3 Central Business Zone, C-7 North Shore Commercial/Mixed Use Zone, R-3 Residential Zone, C-2 Convenience Commercial Zone, R-4 Special Zone, R-1 Residential Zone, R-T/Z Residential Townhouse/Zero Lot Line Zone, RT-1 Residential Townhouse Zone, UGC Urban General Commercial Zone, O-1 Office Zone, and M-2 Light Industrial Zone to the following zones within the Downtown Chattanooga Form-Based Code: D-RM Residential Multi-Unit Zone, D-CX Commercial Mixed Use Zone, D-SH Shopfront Mixed Use Zone, D-CIV Civic Zone, D-PK Parks and Open Space Zone, R-RF Riverfront Zone, R-RV River View Zone, R-CIV Civic Zone, R-PK Parks and Open Space Zone, U-RD Residential Detached Zone, U-RA Residential Attached Zone, U-RM Residential Multi-Unit Zone, U-CX Commercial Mixed Use Zone, U-SH Shopfront Mixed Use Zone, U-IX Industrial Mixed Use Zone, U-CC Commercial Corridor, U-IN Industrial Zone, U-CIV Civic Zone, U-PK Parks and Open Space Zone, E-RD Residential Detached Zone, E-RA Residential Attached Zone, E-RM Residential Multi-Unit Zone, E-CX Commercial Mixed Use, E-SH Shopfront Mixed Use Zone, E-IX Industrial Mixed Use Zone, E-IN Industrial Zone, E-CIV Civic Zone, and E-PK Parks and Open Space Zone.

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,

June 14, 2016

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 _____, 2016.

Nicole Gwyn
Clerk to the City Council