

**Chattanooga-Hamilton County Regional Planning Agency  
PLANNING COMMISSION STAFF REPORT**

<b>CASE NUMBER:</b> 2018-0012	<b>PC MEETING DATE:</b> 01/08/2018	<b>APPLICANT:</b> Independent Healthcare Properties, LLC
<b>PROPERTY OWNER:</b> Ooltewah Development, LLC	<b>PROPERTY ADDRESS:</b> 9730 E. Brainerd Rd., 9742 & 9744 E. Brainerd Rd.	<b>TAX MAP PARCEL ID:</b> 172-056, 172-068, 172-069
<b>SIZE OF PROPERTY:</b> 23.5 Acres	<b>JURISDICTION:</b> Hamilton County	<b>REQUEST:</b> Special Exceptions Permit for an Assisted Care Living Facility

**SUMMARY OF REQUEST:** The applicant is requesting a Special Exceptions Permit for an Assisted Care Living Facility with 260 units. This case is in conjunction with Case 2018-0011 and Case 2018-0013.

**SITE PHOTOGRAPHS**



Site Looking West



Site Looking South



E. Brainerd Rd.

**PROPERTY DESCRIPTION**

<b>EXISTING LAND USE</b> Undeveloped, vacant land.	<b>SURROUNDING LAND USES</b> <u>North:</u> Single-Family Detached Residential <u>East:</u> Church and Single-Family Detached Residential <u>South:</u> Single-Family Detached Residential <u>West:</u> Vacant. Proposed high intensity commercial	<b>ACCESS</b> The site currently has access to E. Brainerd Rd.	<b>NATURAL RESOURCES</b> A portion of the site is located within the 100 Year Floodplain.  There are no steep slopes on the site.
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**ZONING**

<b>ZONING REGULATIONS</b>	<p>A Special Exceptions Permit for an Assisted Care Living Facility in the R-3 Multi-Family Residential District, C-2 Local Business Commercial District, and C-3 General Business Commercial District may be issued by the Hamilton County Commission after recommendation by the Chattanooga-Hamilton County Regional Planning Commission, provided that:</p> <ol style="list-style-type: none"> <li>1. The applicant submit a copy of Tennessee Dept. of Health license application.</li> <li>2. The applicant submit a site plan with the following information: <ul style="list-style-type: none"> <li>• Size, location and use of all buildings</li> <li>• Parking and loading facilities</li> <li>• Points of egress and ingress</li> <li>• Any existing and proposed landscape buffers</li> <li>• Surrounding land uses and</li> <li>• A list showing the number of residents, employees, visitors and volunteers expected</li> </ul> </li> </ol>
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**ZONING HISTORY**

The site is currently zoned R-1 Single-Family Residential District with a Special Exceptions Permit for a Planned Unit Development. This approved development was for a 78 unit single-family detached subdivision. The following conditions were approved;

1. No more than 3.4 units per acre;
2. All homes within the development shall be detached single family;
3. Roadway improvements to East Brainerd Road shall include a left turn into the development from East Brainerd Road and a right turn into the development from East Brainerd Road. Entrance to development shall have a dedicated right turn and left turn out of the development. Said work per the requirements of the Hamilton County Engineering Department;
4. A 20' vegetative buffer shall be left in place along the eastern boundary of the development. Healthy existing trees to remain and new trees and shrubs may be planted to achieve a. Type "B" vegetative buffer;
5. A 6' high vinyl coated chain link fence shall be located along the eastern boundary of the development where residential lots abut said boundary;
6. A 15' vegetative buffer shall be established along East Brainerd Road and shall be planted with evergreen and deciduous trees and shrubs as generally depicted on a plan as prepared by Craig Design Group entitled Landscape Plan for the Enclave Development. The number of shrubs and trees depicted shall not be less in quantity than those shown and all trees shall be planted at a minimum 2" caliper and all shrubs planted shall be minimum 3 gallon. In addition, there shall be a row of class I trees planted adjacent to the 15' landscape buffer with trees planted at approximately 30' on center and trees shall be located from 5' to 25' of the buffer. All trees and shrubs shall be maintained with reasonable practices. Trees shall be replanted within 6 months if said trees are removed for any cause;
7. An 80' undisturbed buffer area will be provided at south property border and shall not be disturbed with exception of replanting, extension of utilities or use for a trail or greenway sponsored by government agency or qualified non-profit organization. Any greenway trail system shall be located as agreed upon by the subdivision or HOA;
8. Concrete sidewalks, minimum width of 5 feet, shall be placed, inside the right-of-way of East Brainerd Road and as approved by the Hamilton County Engineering Department; and
9. Residential homes where the rear of the house faces East Brainerd Road shall be setback no closer than 40' from the right-of-way of East Brainerd Road. Any residential homes where the side of the home faces Brainerd Road shall be setback no closer than 30' from the right-of-way of East Brainerd Road.

The site has been through a series (seven) of rezoning cases in the last three years. The site originally was A-1 Agricultural District. It was rezoned to C-2 Local Business Commercial in 2014 (Resolution #1114-25C). The site was then rezoned to R-1 Single Family Residential District in 2016 (Resolution #117-24) with a Planned Unit Development (Resolution #117-25B). Additional property was added to the Planned Unit Development in February of 2017 (Resolution #217-19B).

**OTHER DEPARTMENT COMMENTS**

Transportation Dept.

No comments provided.

**DISCUSSION OF STAFF RECOMMENDATION**

Yes     No     N/A

**COMPATIBILITY WITH ADOPTED PLANS**

The proposal is not supported by the recommendation of the East Brainerd Corridor Plan as the proposal does not integrate the site into the commercial development to the west. The Regional Transportation Plan does not identify future infrastructure expansion to this site as properly funded. The

	<p>proposed use, while mixed in uses, does not support the commercial uses abutting the site to the west. There is no adopted plan for this site. The Comprehensive Plan 2030 Update, shows this location as appropriate for Level 3 and Level 2 intensity. Level 3 is noted as appropriate for low to moderate intensity development in the form of new communities, expansion of existing development, and for extension of future public services and facilities. Level 3 also notes that these areas have potential for bike network, pedestrian paths, but limited potential for transit. Level 2 is noted as appropriate for low intensity development that is clustered to promote conservation of important natural features and land marks. This site should be considered as an important transition from the more intense Level 3 to Level 2 and Level 1 policy areas. The appropriate zoning should reflect this transition from more intense C-2, to other less intensive zones such as R-2, R-3, and O-1.</p>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><b>COMPATIBILITY WITH ADJACENT LAND USES</b>  The use could be compatible if appropriate buffering from low density single-family is provided as shown.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p><b>COMPATIBILITY WITH DEVELOPMENT FORM</b>  The C-2 Local Business Commercial District does not require access to abutting commercial property nor does it require additional buffering from existing low density developments for the most intense uses.</p>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><b>CONCERNS WITH NUISANCES SUCH AS LOCATION, PARKING, &amp; NOISE</b>  Assisted Care Living Facilities generate additional emergency vehicle trips; therefore, receiving areas should be oriented in a manner to ensure sound and lights do not leak onto abutting single-family residential properties.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p><b>COMPLIANCE WITH SITE PLAN REQUIREMENTS</b>  The application is currently incomplete. Missing 1) Number of employees, visitors and/or volunteers who may reasonably be expected at any one time. 2) Applicant shall submit a copy of the Tennessee Department of Public Health License Application for an “assisted Care Living Facility”, pursuant to TCA 68-11-209.</p>
<b>STAFF RECOMMENDATION</b>	
<p>An Assisted Living Care facility would serve as a transitional use between the proposed higher intensity commercial uses to the west and the low density, single-family detached residential uses to the east.</p> <p>Approve</p>	