

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

CASE NUMBER: 2018-0013	PC MEETING DATE: 01/08/2018	APPLICANT: Independent Healthcare Properties, LLC
PROPERTY OWNER: Ooltewah Development, LLC	PROPERTY ADDRESS: 9730 E. Brainerd Rd., 9742 & 9744 E. Brainerd Rd.	TAX MAP PARCEL ID: 172-056, 172-068, 172-069
SIZE OF PROPERTY: 23.5 Acres	JURISDICTION: Hamilton County	REQUEST: Rezone from R-1 Single-Family Residential to C-2 Local Business Commercial District

SUMMARY OF REQUEST: The applicant is requesting to rezone to C-2 Local Business Commercial District and obtain a Special Exceptions Permit for an Assisted Care Living Facility with 260 units. The applicant has included the following self-imposed conditions as part of their application.

1. Approved development uses shall include assisted living facilities, senior care facilities, and senior housing facility which consists of no more than three main buildings onsite. All buildings shall be limited to a maximum of two stories in height.
2. A 20' vegetative buffer shall be left in place along the eastern boundary of the development. Healthy existing trees to remain and new trees, except where utilities or storm drainage pipes cross said buffer, and shrubs may be planted to achieve type "B" vegetative buffer. Where existing trees are left to remain, additional trees shall be planted, minimum of 2" caliper, to enhance said buffer to achieve the desired type "B" buffer.
3. A 6' high vinyl coated chain link fence shall be located along the eastern boundary of the development where residential single-family abut said boundary.
4. Roadway improvement to East Brainerd Road shall include a left turn lane and right turn into the development from East Brainerd Road. Said work shall be per the requirements of the Hamilton County Engineering Department.
5. A minimum 40' vegetative buffer shall be established along East Brainerd Road and shall be planted with two rows of evergreen and deciduous trees at a minimum of 50' on center, the rows to be planted located a minimum of 20' apart. Trees shall be planted at a minimum 2" caliper. In addition, a decorative fence, with a minimum height 42" shall be constructed within said 40' buffer.
6. An 80' undisturbed buffer area will but 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 owner of the property.
7. Concrete sidewalks, minimum width of 5' shall be placed inside the right away of East Brainerd Road and as approved by the Hamilton County Engineering Department.
8. Proposed buildings onsite shall be located no closer than 150' to the right-of-way of East Brainerd Road.
9. No building shall be located closer than 40' to the eastern outer boundary line of the development.

This case is in conjunction with Case 2018-0012 and Case 2018-0013.

PROPERTY DESCRIPTION

EXISTING LAND USE Undeveloped, vacant land.	SURROUNDING LAND USES <u>North:</u> Low density residential <u>East:</u> Low density residential <u>South:</u> Low density residential <u>West:</u> Vacant Land. Proposed high intensity commercial	ACCESS The site currently has access to E. Brainerd Rd.
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<p>TRANSPORTATION E. Brainerd Rd. is an urban minor arterial (2-lane) road. There is no mass transit available to this area. The closest EMS Station is 8 minutes north on Ooltewah-Ringgold Rd.</p>	<p>AVERAGE RESIDENTIAL DENSITY The approved Planned Unit Development for the site has a density of 3.4 du/ac.</p>	<p>NATURAL RESOURCES A portion of the site is located within the 100 Year Floodplain. There are no steep slopes on this site.</p>
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ZONING

<p>ZONING HISTORY</p>	<p>The site is currently zoned R-1 Single-Family Residential District with a Special Permit for a Planned Unit Development. This approved PUD was for a 78 lot single-family detached subdivision. The following conditions were approved with the PUD;</p> <ol style="list-style-type: none"> 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. <p>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).</p>
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ZONE DISTRICT COMPATIBILITY	USE	CURRENT R-1 District	PROPOSED C-2 District (without conditions)
	Single-Family Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Multi-Family Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Commercial	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Institutional	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Lodging	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Warehouse/Storage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	DEVELOPMENT STANDARDS	CURRENT R-1 District	PROPOSED C-2 District
Lot Size	7500 sq. ft.	7500 sq. ft.	
Setbacks	Front: 25' Side: 10' Rear: 25'	Front: 25' Side: No side yard except when abutting A-1 & residential zones then 10' Rear: 25'	
Building Height	35' in height except that a building may exceed these requirements provided that for every foot of additional height over 35' the building shall be set back 1' additionally from all property lines.	35' in height except that a building may exceed these requirements provided that for every foot of additional height over 35' the building shall be set back 1' additionally from all property lines.	
Density	Approximately 4 du/ac.	No Cap	

OTHER DEPARTMENT COMMENTS

Transportation Dept.

There are no comments provided.

DISCUSSION OF STAFF RECOMMENDATION

Yes No N/A

COMPATIBILITY WITH ADOPTED PLANS

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.

Yes No N/A

COMPATIBILITY WITH ADJACENT LAND USES

This site is in close proximity to the East Brainerd-Ooltewah Ringgold Road intersection (approximately 900 ft.) and serves as a transition from the more intense commercial intersection and a more rural-residential uses to the east. While the proposed use (assisted living facility) can serve as a transition to the more intense commercial land uses allowed in C-2, the C-2 Local Business Commercial District allows for uses (automobile service stations, automobile wrecker services, oil or gas fired dry-cleaning plants, tanks for the commercial retail distributions of flammable liquids or gasses, off premise signs, and hospitals) which would be inappropriate adjacent to low density residential uses. A better transition zone would be R-2, R-3, or O-1.

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p>COMPATABILITY WITH DEVELOPMENT FORM</p> <p>The proposed use is significantly more intense in scale than the immediately surrounding properties to the east, but can with appropriate buffering/screening serve as a transition between the more intense C-2 zone to the west and the adjacent single family residential properties to the east.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p>COMPATABILITY WITH INFRASTRUCTURE & NATURAL RESOURCE SYSTEMS</p> <p>The lack of mass transit, sidewalks, or a multi-lane roadway makes this site less appropriate for the C-2 Local Business Commercial District of this scale. The site plan submitted with the proposal shows an internal pedestrian path but not how it will be connected to the adjacent C-2 zoned property, as recommended by the Comprehensive Plan.</p>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p>COMPATIBILITY WITH THE ZONING ORDINANCE</p> <p>The proposed use requires an additional Special Permit for an Assisted Care Living Facility which has been submitted as case 2018-0012.</p>

STAFF RECOMMENDATION

The proposed use is appropriate as a transition between the more intensive commercial zoning to the west and the lower intensity residential uses to the east of the site. However, staff has concerns about using C-2 as a zone for this transition as opposed to R-3 (a less intensive zone than C-2) which can also include restrictions for the proposed use only.

Therefore, based on the scale and intensity which the C-2 Local Business Commercial District allows, the lack of future transit infrastructure in the area, and a lack of integration between the commercial and residential components, staff recommends denial of the applicant’s request however, recommend R-3 Multi-Family Residential District with the following conditions:

1. Assisted Care Living Facility only; and
2. Integrate connection of the Assisted Living Facility with the future commercial development to the west.