

**STAFF CASE REPORT TO PLANNING COMMISSION**

<b>Case Number:</b>	<b>2014-069</b>	<b>PC Meeting Date: 10-13-14</b>
<b>Applicant Request:</b>	<b>Rezoning from A-1 Agricultural District to R-3 Apartment-Townhouse District and C-2 Local Business Commercial District</b>	
<b>Property Location:</b>	<b>9700 block East Brainerd Road</b>	
<b>Property Owner:</b>	<b>Barbara M. BeVille</b>	
<b>Applicant:</b>	<b>Neuhoff Taylor Architects</b>	
<b>Staff Recommendation:</b>	<b>APPROVE with conditions as specified in the summary below.</b>	
<b>UPDATE</b>		

**Because a new request and site plan (Case 2014-119) has been submitted for this same location, the applicant has requested that this case (2014-069) be withdrawn.**

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**RPA Land Use & Transportation Comments**


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**Project Description**

The applicant is proposing to develop the southwest corner of the intersection of East Brainerd Road and Ooltewah-Ringgold Road with apartments and retail development including a grocery store. For the commercial portion, the applicant is requesting to rezone approximately 9.7 acres for C-2 Local Business Commercial District, in addition to the existing 12.8 acres already zoned commercial, resulting in a total commercial zone of approximately 22.5 acres for the site. Based on the site plan provided for the commercial portion, the applicant is indicating approximately 121,500 square feet of retail and seven outparcels with unspecified square footages. For the residential portion, the applicant is requesting 24.6 acres for an R-3 Apartment-Townhouse District.

**Site Description**

The site is approximately 50 acres and currently vacant and undeveloped. Adjacent surrounding properties are single-family residential to the north and east. To the west, across Ooltewah-Ringgold Road from the site, are commercial uses including a drive-through restaurant and a Super Bi-Lo commercial development, and an R-1 PUD residential development with a conditioned density cap of 2.8 du/acre for a total of 148 units. Adjoining the site at the northwest corner of the site is an existing small scale commercial use. Both Ooltewah-Ringgold and East Brainerd roads are two-lane roads that service this site. The existing portion of the site zoned C-2 Local Business Commercial District (12.8 acres) has no conditions and could accommodate approximately 76,000 to 100,000 sq. ft. of commercial development based on an assumed yield range of 6,000-8,000 sq. ft. per acre (based on calculated yields from several grocery store shopping centers, including across the street).

**Zoning History**

Approximately 12.6 acres in the northwest corner of the proposed development has been zoned C-2 Local Business Commercial District since 1972 and is not part of the rezoning request. Several properties across East Brainerd Road to the north were rezoned to C-2 Local Business District in 2007 and 2010. The C-2 Local Business Commercial District across Ooltewah-Ringgold Road to the west (Bi-Lo shopping area) was rezoned in 1998 (totaling approximately 14.6 acres). The area of the rezoning request has been zoned A-1 Agricultural District since the 1960's. The applicant recently applied in May, then withdrew (Case 2014-049), to rezone 16.6 acres for C-2 Local Business Commercial District, in addition to the existing 12.6 acres already zoned commercial, resulting in a total commercial zone of

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approximately 29.2 acres for the site. Staff recommended denial of the request for the following reasons: 1) the size of the request (29.2 acres) would not be appropriate for this location based on the established, predominant residential character of the area; 2) extending the commercial zoning farther south along Ooltewah-Ringgold Road would not be compatible with an existing residential PUD community that would be across from this commercial development; 3) the limited existing road infrastructure (two lane roads) and current planned improvements for the immediate area to service this development; and 4) lack of a site plan for the apartment portion.

### Plans/Policies

The East Brainerd Corridor Community Plan includes the intersection of Ooltewah-Ringgold Road and East Brainerd Road. It recommends improvements be made to both roads. The plan highlights this intersection as a gateway and that it is intended for a concentration of medium to high intensity mixed-uses to be planned and constructed as a unit.

The Comprehensive Plan 2030 highlights this intersection as an “Opportunity Area” within the Outer Suburban Growth development sector. The plan defers to the East Brainerd Corridor Community Plan intended use again as a medium to high intensity mixed-uses zone to be planned and constructed as a unit. In outlining the appropriate development patterns for activity centers in the Outer Suburban Growth development sector, the Comprehensive Plan notes that these centers should be located at the intersection of significant thoroughfares and designed according to one of two models: the Traditional Neighborhood Development Model or the Suburban Development Model with modifications. The proposed site plan as submitted is more aligned with the Suburban Development Model. The Comprehensive Plan notes that these more conventional suburban activity centers tend to be multi-use instead of mixed use, less defined and dispersed throughout the community, but should incorporate several improvements as noted below:

- 1) Greater integration of uses either through Mixed-Use (multiple uses in one building) and/or Multi-Use development (multiple uses within a site)
- 2) More public green space
- 3) Parking lots that do not dominate the site
- 4) Greater street connectivity to provide a variety of routes for daily trips and emergency access
- 5) Better pedestrian access
- 6) More attention to architectural details and landscaping

The Chattanooga-Hamilton County/North Georgia Transportation Planning Organization's (TPO) 2040 Regional Transportation Plan does not include any proposed improvements for Ooltewah-Ringgold Road, but improvement to the intersection of Ooltewah-Ringgold Road and East Brainerd Road are expected to be constructed in 2014 as documented in the TPO's 2014-2017 Transportation Improvement Program (TIP).

The TDOT Regional Traffic Engineering office provided additional feedback noting that the primary access to the proposed development off of Ooltewah-Ringgold Road would need to align with the existing Bi-Lo entrance, and that a traffic signal warrant analysis will be needed to determine if a signal is needed at that location. They also noted that the proposed secondary entrance further north on Ooltewah-Ringgold Road may require additional modifications to Ooltewah-Ringgold Road to maintain traffic flow. They recommend no driveways within 300 linear feet of the Ooltewah-Ringgold Road – East Brainerd Road intersection, as specified in their Access Control guidelines.

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### Departmental Infrastructure & Operational Comments

All land development projects are reviewed by Hamilton County Water Quality staff. In addition, all land development in Hamilton County is further required to comply with current building codes, zoning regulations, water quality and landscape regulations.

Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final resolution.

#### Public Works/Engineering

Comments:

The Volkert Traffic Engineering study dated June 11, 2014 should be revised to reflect the site plan dated June 20, 2014 submitted to CHCRPA.

Conditions:

Right of Way along East Brainerd Road in the amount of 40 feet from the centerline shall be dedicated to Hamilton County.

The existing drainage ditch line on East Brainerd Road shall be relocated as required to the south to allow a minimum 4 foot paved shoulder. The drainage ditch may be piped along the shoulder or in the areas adjacent to driveways to allow for additional backfilled areas adjacent to driveways.

### RPA Summary

As noted in the comments above, the current proposal incorporates the following changes from the prior request:

- 1) A reduction in total commercial zoning from 29.2 acres to 22.5 acres and a closer alignment of the southern extension of commercial zoning with the commercial shopping center across the street
- 2) A proposed site plan for the apartment portion of the site
- 3) The provision of a traffic study indicating traffic volumes generated by the proposed development

Both the East Brainerd Corridor Community Plan and the Comprehensive Plan identify this location as a medium to high intensity mixed-use activity center. Based on the reduced acreage and better alignment of the commercial zoning with the commercial center across the street, and the provision of a traffic study and proposed road improvements reviewed by the County Engineer, the staff recommends approval of the request with conditions. The proposed apartments can serve as a key element of the multi-use function of activity centers as described by the Comprehensive Plan. The Comprehensive Plan notes that apartments are usually well suited for use in transitional areas between commercial and low density residential districts. The proposed site plans submitted for the commercial center and apartment area meet some of the criteria outlined by the Comprehensive Plan for Suburban activity centers, but do not address other elements. The narrative below reviews each element and notes the proposed improvements needed.

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- 1) Greater integration of uses either through Mixed-Use (multiple uses in one building) and/or Multi-Use development (multiple uses within a site); Greater street connectivity to provide a variety of routes for daily trips and emergency access; Better pedestrian access

The proposal does not indicate clearly how the adjoining proposed apartment development will be connected with the commercial center. The commercial site plan indicates a road or path that stops at the property boundary, and does not connect to the street network indicated for the apartment development. It is not clear from the submitted site plan, how pedestrians will access the site. Staff recommends that the street network for both the apartment and commercial development should have a minimum of one road connection that would allow residents living in the apartment complex to access the commercial center directly, even if the road is restricted. Staff recommends that the applicant provide sidewalks along the Ooltewah-Ringgold Road and East Brainerd Road frontages, and sidewalk connections between the commercial development and the bordering proposed apartment development.

- 2) More public green space; Parking lots that do not dominate the site; more attention to architectural details and landscaping.

The proposed site plan indicates approximately 15 acres of green space, that includes a main entry landscaped boulevard and significant parking lot landscaping. The proposed main entry boulevard would create a great opportunity for a linear park connecting the apartment development to the rear with the main section of the development. However, with the current configuration of buildings, the parking lot remains a dominant feature of the site. To accentuate the linear park space and main entry boulevard, staff recommends placing buildings to front this amenity instead of parking. These buildings fronting the main boulevard would accomplish several objectives: breaking up the parking lot areas, provide a more attractive site entry for both vehicles and pedestrians, and create a point of focus and a center for the development. To better utilize the peripheral green spaces indicated in the submitted site plan, staff recommends the applicant consider how to use these areas as part of a pedestrian/bike pathway system that connects both the apartment and commercial development.

Based on these considerations, staff recommends approval of the rezoning subject to the following conditions:

### **C-2 Zoned Area:**

- 1) Provide at a minimum one drive connection between both the commercial and apartment development sites. This connection (can be restricted access) should incorporate sidewalks and provide a continuous connection between the street network proposed for both sites.
- 2) Provide sidewalks along both the Ooltewah-Ringgold Road and East Brainerd Road frontages for the property.
- 3) No more than two curb cuts on Ooltewah-Ringgold Road (or as approved by TDOT) and one curb cut for the commercially-zoned portion of the property fronting East Brainerd Road.
- 4) Right-of-way along East Brainerd Road in the amount of 40 feet from the centerline shall be dedicated to Hamilton County. The existing drainage ditch line on East Brainerd Road shall be relocated as required to the south to allow a minimum 4 foot paved shoulder. The drainage ditch

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may be piped along the shoulder or in the areas adjacent to driveways to allow for additional backfilled areas adjacent to driveways.

- 5) The maximum size building footprint for any one building shall not exceed 40,000 square feet.
- 6) As indicated in the submitted site plan, construct a boulevard entry with a landscaped median, and occupy at least 80% of the frontage of both sides the primary boulevard entry for the commercial development with buildings as measured from the Ooltewah-Ringgold Road street right-of-way to the front edge of the primary retail buildings at the rear of the site.
- 7) As indicated in the site plan, provide a total of 3.4 acres of green space that is comprised of street yard, parking lot landscaping, and screening/buffering areas around the site periphery. Provide a pedestrian circulation network between the apartment and commercial sites, and from the public streets (Ooltewah-Ringgold Road and East Brainerd Road) to the site interior. The circulation network should address utilization of the green space indicated on the submitted site plan. Where the network borders streets and the primary access drive lanes, sidewalks should be utilized.
- 8) Dumpsters servicing the site should be located behind proposed buildings and screened.

### **R-3 Zoned Area:**

- 1) No more than 240 apartment units permitted.
- 2) Provide at a minimum one drive connection between both the commercial and apartment development sites. This drive connection (can be restricted access) should provide a continuous connection between the street network proposed for both sites.
- 3) Provide sidewalks along the East Brainerd Road frontages for the property.
- 4) No more than two curb cuts on East Brainerd Road.
- 5) Right-of-way along East Brainerd Road in the amount of 40 feet from the centerline shall be dedicated to Hamilton County. The existing drainage ditch line on East Brainerd Road shall be relocated as required to the south to allow a minimum 4 foot paved shoulder. The drainage ditch may be piped along the shoulder or in the areas adjacent to driveways to allow for additional backfilled areas adjacent to driveways.
- 6) As indicated in the site plan, provide a total of 12.3 acres of green space that is comprised of street and parking lot landscaping, and screening/buffering areas around the site periphery. Provide a pedestrian circulation network between the apartment and commercial sites, and from the public streets (Ooltewah-Ringgold Road and East Brainerd Road) to the site interior. The circulation network should address utilization of the green space indicated on the submitted site plan. Where the network borders streets and the primary access drive lanes, sidewalks should be utilized.
- 7) Dumpsters servicing the site should be located behind proposed buildings and screened from view on East Brainerd Road.