

PLANNING COMMISSION CASE REPORT**Case Number: 2015-085****PC Meeting Date: 07-13-15****Applicant Request****Rezone from O-1 Office Zone to R-4 Special Zone**

Property Location:	7627, 7641, 7671, 7683, & 7691 Shallowford Road
Property Owner:	Valor
Applicant:	Valor

Project Description

- Proposal: Develop the 11.5-acre site with a 130-unit senior independent living facility.
- Proposed Access: Shallowford Road.
- Proposed Development Form: A single large 3-story building with two garages for 30 vehicles.
- Proposed Density: Approximately 11.3 dwelling units per acre.

Site Analysis

- Location: The 11.5-acre vacant site is located on the north side of Shallowford Road approximately 3,200 feet east of Gunbarrel Road and 2,200 feet west of Jenkins Road.
- Current Access: Shallowford Road.
- Tennessee Department of Transportation Functional Classification: Urban Minor Arterial.
- Current Development form: There is a mixture of one and two story homes to the west and north of the site. One-story patio homes are located on the east side of the site.
- Current Land Uses: Single family homes are located on the west and north sides of the site. Four-unit patio homes are located on the east side of the site. An assisted living facility is located across Shallowford Road to the south.
- Current Density: Baskette Way- approximately 5 dwelling units per acre; Ashford Drive- approximately 3.6 dwelling units per acre.
- R-4 Density: Several R-4 zoned developments exist within a quarter mile of the site. Each site has a density over 8 dwelling units per acre.

Zoning History

- The site is currently zoned O-1 Office.
- The site was rezoned from R-1 Residential to O-1 Office with conditions in 2006 (Ordinance #11913).
- The existing O-1 conditions are as follows: "1) Lighting directed towards the interior of the development; and 2) Aluminum fence and Leyland cypress to be placed along the perimeter of the development, and to be developed as the buildings are constructed. Instead of a fence, a berm shall be constructed along the eastern property line in alignment from the rear of the first building to the front of the easternmost building behind the detention pond."
- The property to the north is zoned R-1 Residential. The property to the east is zoned R-1 Residential. The property to the south is zoned R-4 Special Zone. The property to the west is zoned R-1 Residential.
- There are two properties zoned R-4 Special Zone in close proximity to this request. One is directly across Shallowford and adjacent to the front of the property (The Lantern at Morning Pointe, parcel 149G B 011.02). The other is located 520 feet to the east of the site (Morning Pointe, parcel 149 G B016). It should be noted that Chattanooga City Council approved an R-4 rezoning request for Morning Pointe (Case 2013-85/86) with a limited density of 8.3 dwelling units per acre, to be consistent with the plan recommendation of an overall density cap of 8 dwelling units per acre for moderate density residential.

Plans/Policies/Regulations

- The Hamilton Place Community Plan (adopted by City Council in 2001) recommends Low to Medium Residential. Medium Residential is defined by the plan as under 8 dwelling units per acre.

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- The current O-1 Office Zone permits office uses and single-family homes. The requested R-4 Special Zone permits offices, banks, and multi-family residential uses. Assisted living facilities are also permitted in the R-4 Special Zone, but only with a special permit approved by the Board of Zoning Appeals.
- Stormwater Staff Comments: The site plan as presented for the zoning case does not appear to comply with Chapter 31 of the City Code regarding stormwater management and Water Quality Buffers. Issuance of a Land Disturbing Permit will be contingent upon compliance with this chapter. In addition, this site plan requires concurrence from the State of Tennessee Department of Environment and Conservation (TDEC) with regard to the relocation of the stream, which has been categorized as Waters of the State. In the event that TDEC does not issue the appropriate permits for the stream relocation, the existing stream will be subject to the Water Quality Buffer requirements in the City Code, which may require modifications to the proposed site plan. The existing and proposed new stream buffer must be placed into a deed restricted conservation easement. The City has documented significant downstream flooding potential in this subwatershed. The burden will be on the developer to demonstrate to the satisfaction of the City of Chattanooga Land Development Office and Department of Public Works that this development will not contribute to downstream flooding.

Key Findings

- The proposed use is supported by the recommendations of the adopted Land Use Plan for the area as residential, but the proposed density exceeds the medium density suggested in the Plan.
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is not compatible with the surrounding densities.
- The proposed structure does raise concerns regarding location, lighting, and height.
- The proposal would be an extension of an existing zone.
- Approving the proposal would strengthen the precedence that R-4 zones in this area are appropriate with higher densities.
- Based on the comments from City Stormwater staff, the proposal may require additional stormwater analysis and/or modifications of the proposed site plan to address storm water and flooding issues.

Staff Recommendation

Staff recommends approval of the request subject to the following conditions:

- The following uses shall be prohibited: multiple-family dwellings, banks and bank branches, drug stores or restaurants in office buildings of four (4) or more stories, radio, television and motion picture production studios, excluding transmission towers
- Maximum density of 8 units per acre, as recommended by the land use plan.
- All lighting shall be directed internally onsite.
- A 20' Type B buffer shall be provided as a minimum from all property lines.
- A maximum height restriction of 3 stories shall be for the entire site.
- Dumpsters serviced between 8:00am and 7:00pm
- Deliveries by large commercial trucks shall be between 8:00am and 7:00pm

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** Staff also notes that the site plan presented does not conform to necessary setbacks for storm water protection; the ecology of the site must be taken into consideration when considering a building permit.