

1ST READING 4-14-09
2ND READING 4-21-09
INDEX NO. _____

2009-035
Flournoy Development Company

ORDINANCE NO. 12236

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND THE CONDITIONS IMPOSED IN ORDINANCE NO. 12184 (CASE NO. 2008-179) ON TRACTS OF LAND LOCATED IN THE 7200 BLOCK OF EAST BRAINERD ROAD AND THE 1200 BLOCK OF PANORAMA DRIVE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, be, and the same is hereby, amended so as to amend the conditions imposed by Ordinance No. 12184 (Case No. 2008-179) on the following tracts of land:

Two unplatted tracts of land located in the 7200 block of East Brainerd Road and the 1200 block of Panorama Drive being the property described in Deed Book 8138, Page 300, ROHC. Tax Map 158L-A-001 and 002.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following amended conditions:

1. A traffic warrant study and approval by the State of Tennessee for a traffic signal at Panorama Drive; and if approved by the State and the City Traffic Engineer, the applicant to design and install and coordinate signal with existing signals as a condition of this development. The date of installation of the signal to be determined by the City Traffic Engineer and prior to major construction activities which create hazardous conditions to the traveling public or creates delays in the normal flow of vehicular travel;

2. Grading being generally executed as shown on the conceptual grading plan that shall be provided to the Regional Planning Agency before final approval by City Council;

3. The grading and landscaping components installed and substantially conforming to the cross-sections as shown for the perimeter of the site that shall be provided to the Regional Planning Agency before final approval by City Council;

4. Substantially constructing building details as shown on architectural drawings that shall be provided to the Regional Planning Agency before final approval by City Council;

5. All lighting to be directed away from residential areas;

6. The development shall have no access to East Brainerd Road;

7. There shall be a maximum of 316 units;

8. Maximum height shall be three stories for all buildings, except buildings # 4 and # 12 which shall be a 3/4 split configuration as generally depicted on the Preliminary Site Plan;

9. The developer shall lower the finished floor elevations of buildings #4 and #12 only below Panorama Drive as generally depicted on the Conceptual Grading Plan and Buffer Cross Sections Plan.

10. Applicant shall extend concrete curb and gutter on eastern side of Panorama along entire road frontage and install storm drainage system to eliminate side ditch;

11. Applicant shall construct new pavement overlay along frontage of Panorama Drive;

12. Minimum building setback for multi-family residential structures from Panorama Drive shall be 110 feet. Minimum building setback for accessory structures such as parking garages and the club house shall be 50 feet;

13. Applicant shall provide a **minimum** 40' vegetative buffer along Panorama Drive consisting of **three general landscaping section** requirements **outlined as follows and depicted**

on a drawing entitled "Panorama Drive Landscape Plan" submitted to the Regional Planning Agency prior to City Council approval: Beginning from the southerly right-of-way of East Brainerd Road and continuing south a distance of 410 feet along the right-of-way of Panorama Drive there shall be a slope embankment above constructed Panorama Drive being approximately 6 to 20 feet in height. Location of landscaping screening material and plantings to diverge away from Panorama Drive between East Brainerd Road and the entrance to said development as generally depicted on the Preliminary Site Plan. Entrance into development to be located within this section. A new landscape section then begins approximately 410 feet from the southerly right-of-way of East Brainerd Road and continuing south a distance of 550 feet along the right-of-way of Panorama Drive consisting of one row of 2" evergreen caliper (6' high) trees planted at 15 feet on center along the top of the earthen berm and one row of holly bushes shrubs (or evergreen equivalent) planted along the right-of-way of Panorama Drive. The minimum height of the earthen berm to be not less than 6 feet in height above Panorama Drive. Another landscape section then begins approximately 960 feet from the southerly right-of-way of East Brainerd Road and continuing south a distance of 370 feet along the right-of-way of Panorama Drive consisting of two rows of 2" evergreen caliper (6' high) trees planted at 20 feet on center along the right-of-way of Panorama Drive where a 10 foot wide area shall remain being at or near the same corresponding elevation as Panorama Drive. This landscape section also includes two transition lengths, being approximately 60 and 30 feet in length, where the earthen berms from the adjacent landscape sections taper down from 6 feet in height to being at grade with Panorama Drive. Between the two transition lengths previously described, for a distance of approximately 280 feet there shall exist a 10 feet wide area adjacent to the right-of-way of Panorama Drive being at grade with Panorama Drive before any cut slopes can

be made on the subject property. The last landscape section then begins approximately 1280 feet from the southerly right-of-way of East Brainerd Road and continues south to the southern boundary of subject site approximately a distance of 50 feet along the right-of-way of Panorama Drive there shall consist of one row of 2" evergreen caliper (6' high) trees planted at 15 feet on center along the top of earthen berm, minimum height of berm to be not less than 6 feet in height above Panorama Drive, and one row of holly bushes shrubs (or evergreen equivalent) planted along the right-of-way of Panorama Drive to be spaced between 5 and 10 feet on center so as to help create a visual landscape screen in conjunction with the evergreen trees to be planted. Height of the earthen berm to be measured based upon existing grade of Panorama Drive to the top elevation of the earthen berm. Maximum slope of all earthen berms along Panorama Drive as previously described to be a **maximum** 2 foot horizontal to 1 foot vertical. Berm and vegetation on the berm to be maintained by owner as required. Any grass on berm area to mowed and maintained shall be maintained in a healthy, neat and orderly appearance.

14. There shall be one entrance into the development to be located off Panorama Drive with location as generally depicted on the Preliminary Site Plan;

15. Retention ponds shall have active fountains and ponds shall be designed to accommodate at a minimum the 1, 2, 5, 10, 25, 50 and 100 year storm events at or below the preconstruction stormwater runoff rates for those storm events. Retention ponds, active fountains, and all stormwater drainage systems shall be maintained by the owner or owners in good condition and repair;

16. Minimum building setback from southern property boundary shall be 50' for one-story multifamily structures, 100 feet for two-story multi-family structures, and a minimum

building setback from the southern property boundary shall be 120 feet for three-story multi-family structures;

17. There shall be a 40' building setback from East Brainerd Road. If retaining walls are constructed in this setback, no individual wall shall be higher than 8' and there shall be a minimum of 8' separation between walls. The intent of this condition is to have any retaining walls step back from the right of way instead of providing a high blank front along the right of way;

18. There shall be a 10' high landscape berm with the toe of slope, which shall be located no closer than 10' to the eastern boundary. Height of the earthen berm to be measured based upon existing grade at the toe of slope. Maximum slope of earthen berm shall be 2.5 foot horizontal to 1 foot vertical. Slopes steeper than 3:1 shall be designed by a professional engineer registered to practice in the State of Tennessee and shall be placed no closer than five (5) feet to the adjoining property line and/or easement. There shall be a landscape buffer consisting of two staggered rows of 2" caliper evergreen (6' high) trees (one row of trees to be along the eastern slope of the berm and the other row of trees to be along the top of the berm) planted at 20 feet on center along the eastern property boundary. The berm and vegetation on the berm shall be maintained by the owner in good condition and repair as required. Grass on berm area to be mowed and maintained per City of Chattanooga ordinances.

19. Construct a minimum 6' high landscape berm along a portion of the southern boundary from adjacent to Panorama Drive along the southern boundary line a minimum distance of 325'. Height of the earthen berm to be measured based upon existing grade at the toe of slope at the property boundary. Maximum slope of earthen berm to be 2 foot horizontal to 1 foot vertical with one row of trees along top of berm. Slopes steeper than 3:1 shall be designed by a professional engineer registered to practice in the State of Tennessee and shall be placed no

closer than five (5) feet to the adjoining property line and/or easement. There shall be a landscape buffer consisting of two staggered rows of 2" caliper evergreen (6' high) trees planted at 20 feet on center along the southern property boundary **with one row of trees planted along the top of the berm.** No landscape berm to be constructed along the southern boundary in those areas to be left undisturbed as generally depicted by the conceptual grading plan. Berm and vegetation on the berm to be maintained by owner as required. Grass on berm area to be mowed and maintained per City of Chattanooga ordinances.

20. Along East Brainerd Road and Panorama Drive there shall be a 4 foot high wrought iron style fence. On the southern and eastern property line there shall be a 5 foot high black vinyl coated, chain link fence.

21. A 75' foot no-build zone shall be required along East Brainerd Road. No residential or non-residential buildings shall be constructed in this 75' buffer.

22. Eighty (80) Class II trees—(forty (40) evergreen and forty (40) deciduous) shall be placed on the proposed slope embankment area north of the apartments along East Brainerd Road and east of the apartments towards Kenmoore Drive.

23. All landscaping and screening trees to be placed onsite as required by conditions placed on the zoning shall be maintained in a healthy, neat, and orderly appearance. Any dead or diseased trees or shrubs shall be replaced with new plantings by the developer and/or property owner.

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

April 21, 2009.

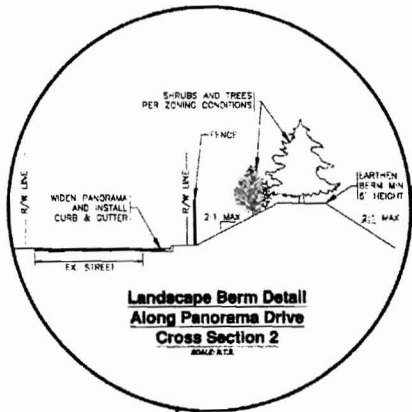
Cl. Jack Benson
CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

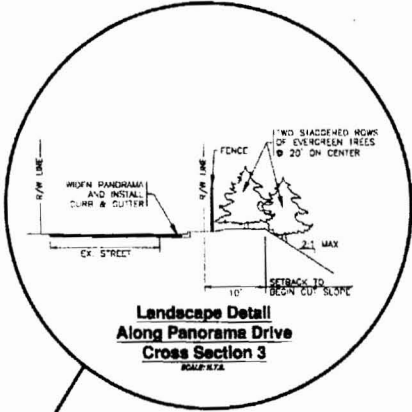
DATE: ~~April 24~~, 2009

[Signature]
MAYOR

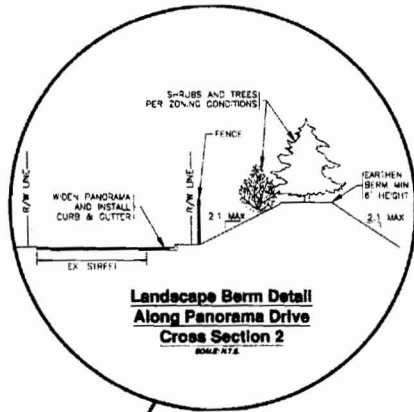
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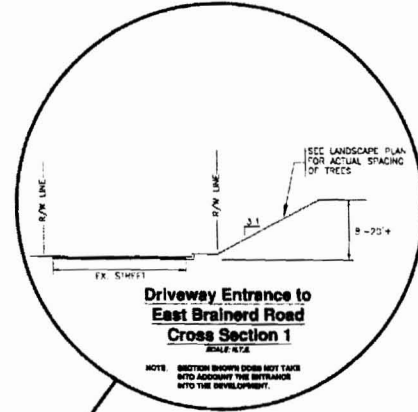
**Landscape Berm Detail
Along Panorama Drive
Cross Section 2**
SCALE: N.T.S.



**Landscape Detail
Along Panorama Drive
Cross Section 3**
SCALE: N.T.S.

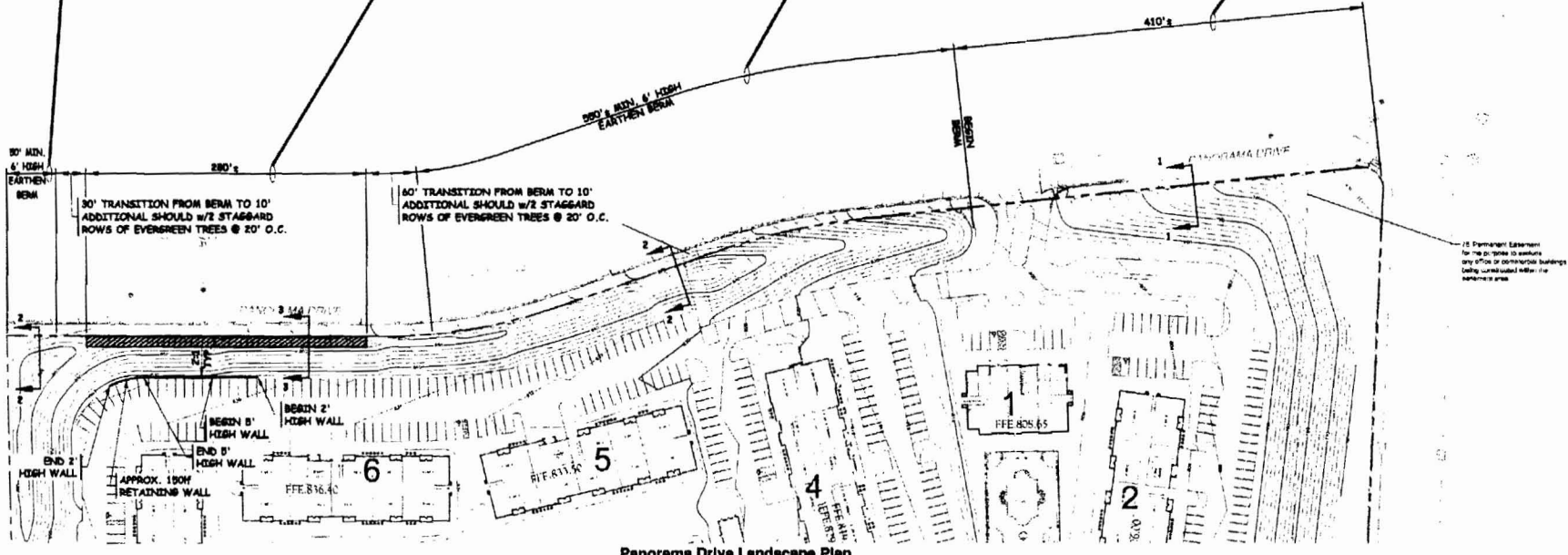


**Landscape Berm Detail
Along Panorama Drive
Cross Section 2**
SCALE: N.T.S.



**Driveway Entrance to
East Brainerd Road
Cross Section 1**
SCALE: N.T.S.

NOTE: SECTION SHOWN DOES NOT TAKE INTO ACCOUNT THE ENTRANCE INTO THE DEVELOPMENT.



Panorama Drive Landscape Plan
SCALE: 1" = 20'

15' Easement for the purpose to ensure any office or commercial buildings being constructed within the easement area.

CHATTANOOGA

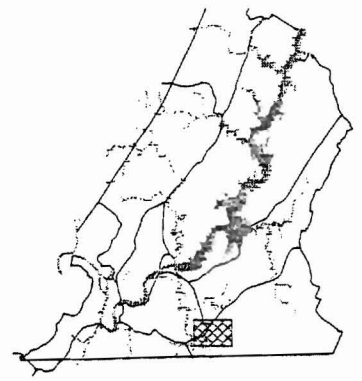
CASE NO: 2009-0035

PC MEETING DATE: 3/9/2009

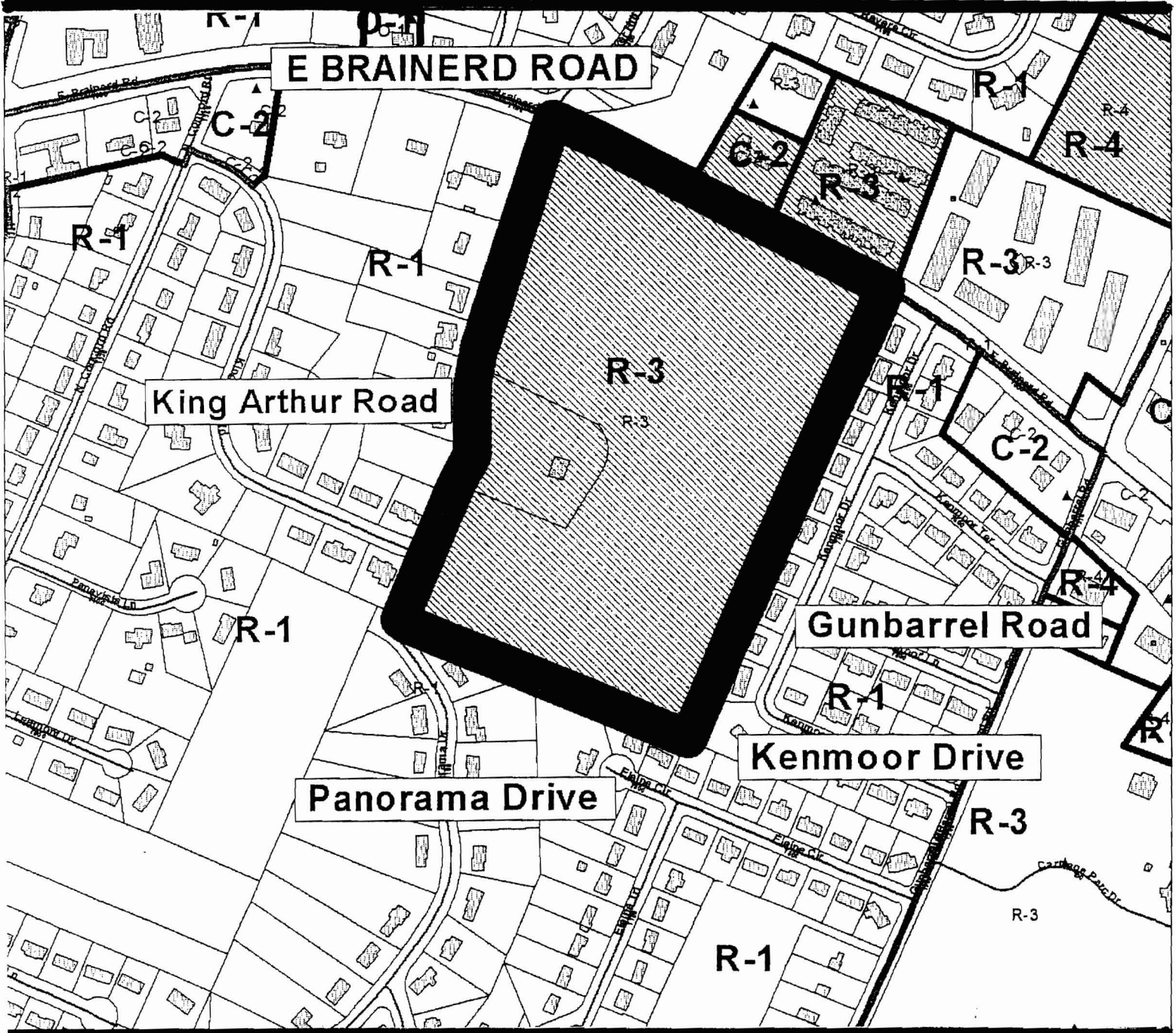
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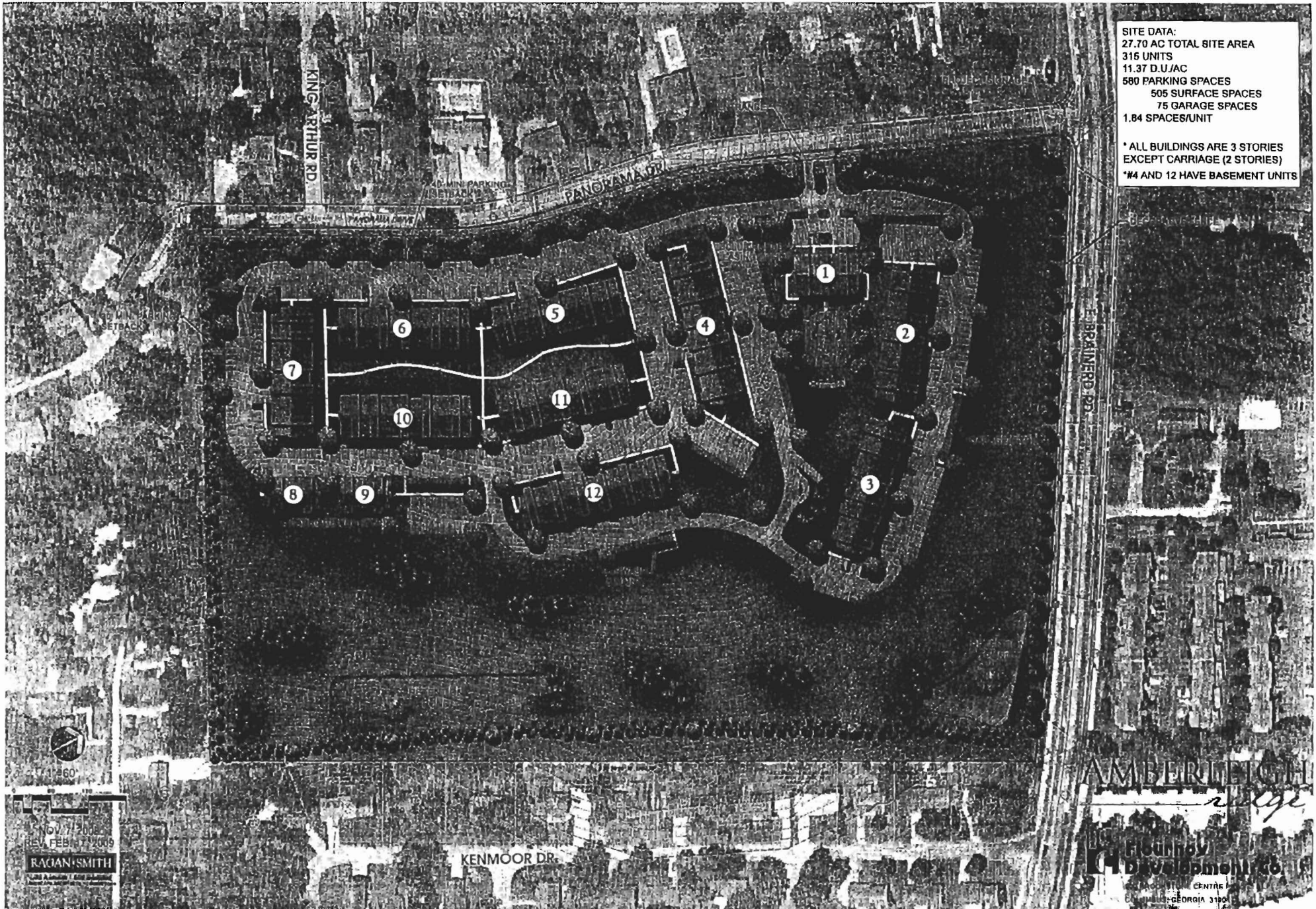
1 in. = 400.0 feet



Staff Recommendation: Amend (all) Conditions



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2009-035: Approve, subject to certain conditions as listed in the Planning Commission resolution.



SITE DATA:
27.70 AC TOTAL SITE AREA
315 UNITS
11.37 D.U./AC
580 PARKING SPACES
505 SURFACE SPACES
75 GARAGE SPACES
1.84 SPACES/UNIT

* ALL BUILDINGS ARE 3 STORIES
EXCEPT CARRIAGE (2 STORIES)
*4 AND 12 HAVE BASEMENT UNITS

NOV 7 2002
REV FEB 17 2009
RAGAN SMITH
Architectural Firm

AMBERIDGE
ridg
HUNTER
Development Co.
100 EAST STONE CENTRE
CANTON, GEORGIA 31904

2009-035

FEB 19 2009

2009-035

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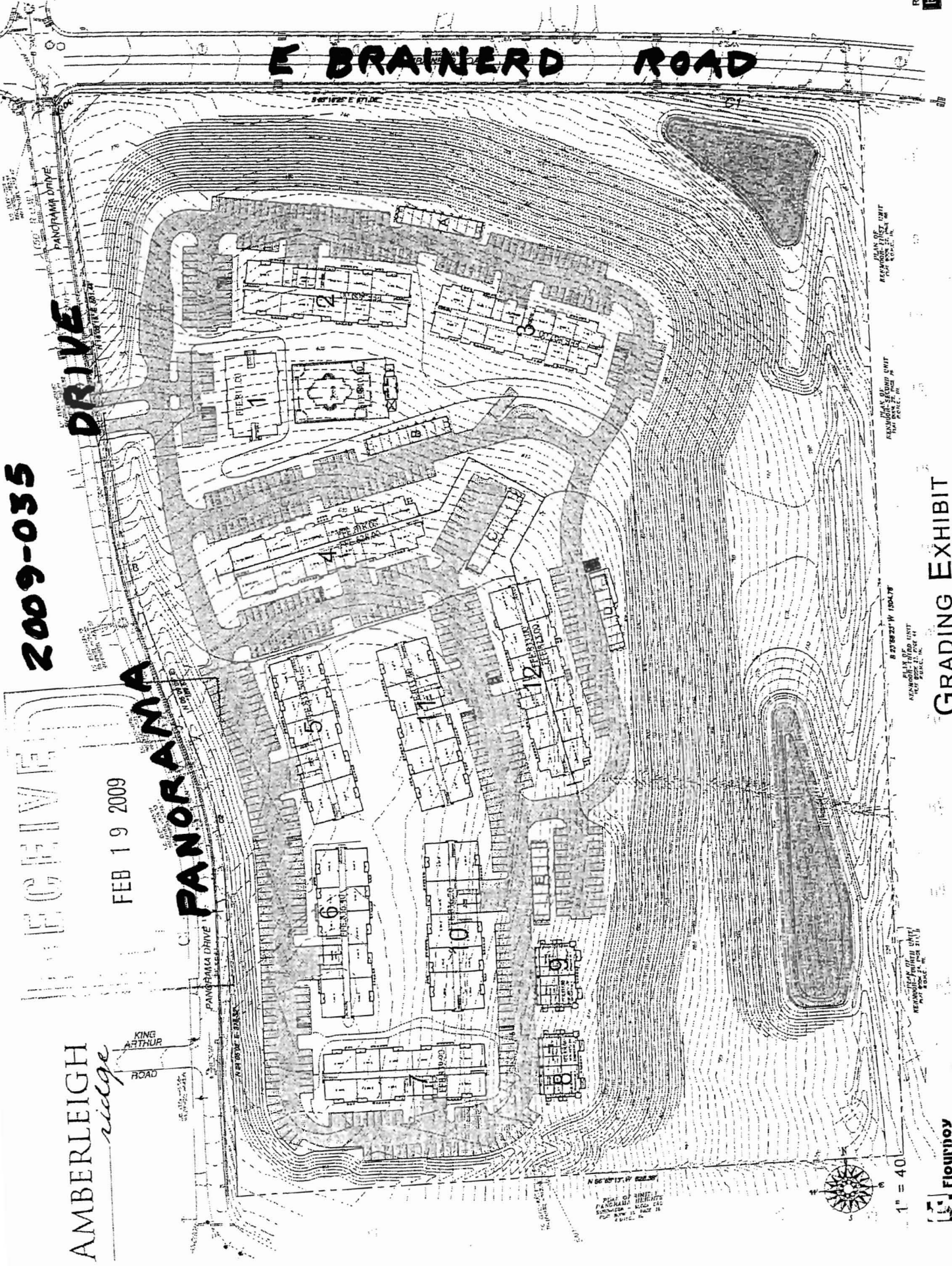
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AMBERLEIGH
ridge
ROAD

PANORAMA DRIVE

DRIVE

E BRAINERD ROAD



PART OF UNIT
REAR PORTION OF LOT 11
EASEMENT

PANORAMA DRIVE UNIT
REAR PORTION OF LOT 11
EASEMENT

REAR PORTION OF LOT 11
EASEMENT

REAR PORTION OF LOT 11
EASEMENT

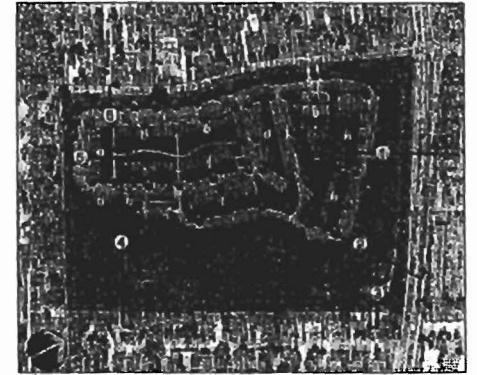
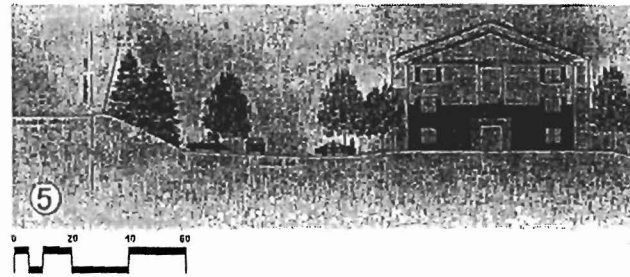
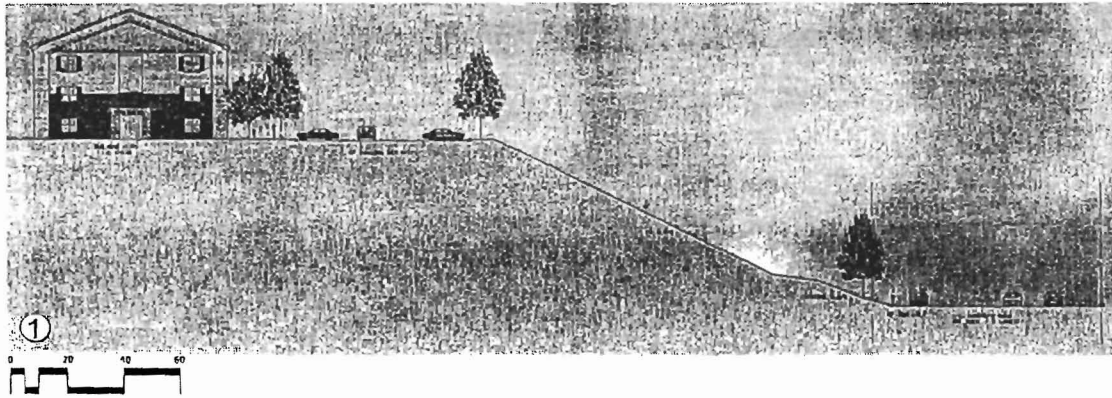
GRADING EXHIBIT

Flournoy
Development Co.

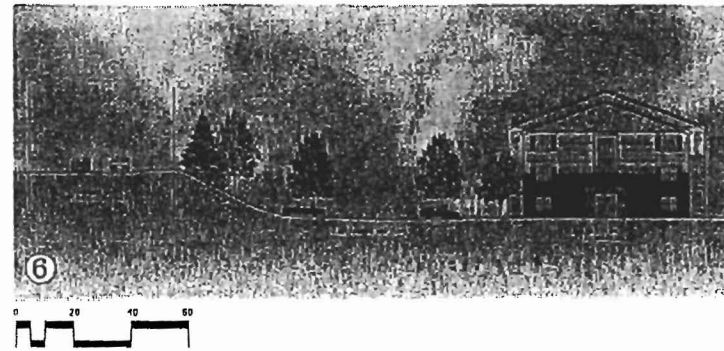
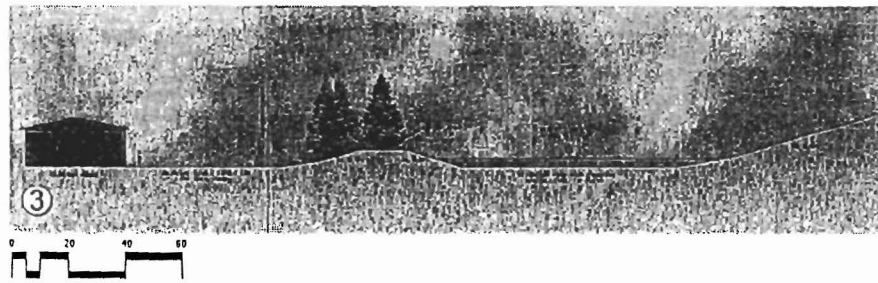
700 BROADSTONE CENTER DRIVE,
COLUMBUS, GEORGIA 31904

REV. FEB 17, 2009

RAGAN SMITH



PLAN KEY
NTS



Revised February 16, 2009
November 7, 2008

JOB # 06-1211-0029
RAGAN-SMITH
LAND PLANNERS - CIVIL ENGINEERS
LANDSCAPE ARCHITECTS - SURVEYORS

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Herndon Planning Agency
Development # 2009-035

2009-035

Buffer Cross Sections

Chattanooga, Tennessee

AMBERLEIGH
ridge

Flourney Development Co.
800 BROOKSTONE CENTRE PKWY.
COLUMBUS, GEORGIA 31904