

2/12/13

2013-016  
Ragan-Smith Associates/Brant Enderle  
District No. 1  
Planning Version

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 3800 BLOCK OF CUMMINGS ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located in the 3800 block of Cummings Road, more particularly described herein:

Beginning at the southwest corner of Tax Map No. 153-027.07 thence southeast some 2356 feet to the southeast corner of said parcel, thence following the east property line of said parcel northwestwardly and eastwardly a combined total of some 2704 feet to a point, thence northwestwardly some 1076 feet to a point, thence southwestwardly some 1005 feet to a point, thence south some 207 feet to a point, thence some 255 feet southwest to a point, thence westward some 347 feet to a point, thence southeastwardly and southwestwardly some 2106 feet to the southwest corner of Tax Map No. 153-027.07, the point of beginning being part of the property described in Deed Book 8158, Page 222, ROHC. Being parts of Tax Map Nos. 153M-C-002, 009 and 153-027.07.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to  
Planned Unit Development approval.

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

\_\_\_\_\_, 2013.

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_, 2013

/mms

\_\_\_\_\_  
MAYOR

2013-016  
Ragan-Smith Associates/Brant Enderle  
District No. 1  
Applicant Version

ORDINANCE NO. \_\_\_\_\_

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and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3 Residential Zone.

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\_\_\_\_\_, 2013.

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_, 2013

/mms

\_\_\_\_\_  
MAYOR

2013-016 City of Chattanooga  
January 14, 2013

## RESOLUTION

WHEREAS, Regan-Smith Associates/Brant Enderle petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-1 Residential Zone to R-3 Residential Zone, properties located in the 3800 block of Cummings Road.

Beginning at the southwest corner of Tax Map 153-027.07 thence southeast some 2356 feet to the southeast corner of said parcel, thence following the east property line of said parcel northwestwardly and eastwardly a combined total of some 2704 feet to a point, thence northwestwardly some 1076 feet to a point, thence southwestwardly some 1005 feet to a point, thence south some 207 feet to a point, thence some 255 feet southwest to a point, thence westward some 347 feet to a point, thence southeastwardly and southwestwardly some 2106 feet to the southwest corner of Tax Map 153-027.07, the point of beginning being part of the property described in Deed Book 8158, Page 222, ROHC. Being parts of Tax Maps 153M-C-002, 009 and 153-027.07 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 14, 2013,

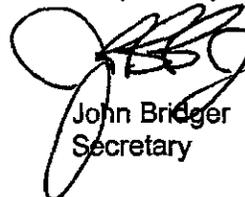
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, there was opposition present to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on January 14, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to PUD approval.

Respectfully submitted,



John Bridger  
Secretary

# Zoning Request Form



Chattanooga-Hamilton County



**Regional Planning Agency**

1250 Market Street  
Suite 2000  
Development Resource Center  
Chattanooga, Tennessee  
37402  
Phone: 423-668-2287  
Fax: 423-668-2289  
www.chcrpa.org

Office Use Only

Case Number: 2016-016

Date Submitted: 11-10-2016

Planning District: [Redacted]

County District: [Redacted]

City District: [Redacted]

Jurisdiction: Chattanooga

Neighborhood: Lookout Valley Neighborhood

Staff Action: [Redacted]

PC Action/Date: [Redacted]

Legis. Action/Date: [Redacted]

<b>From:</b> R-1 Residential Zone	<b>To:</b> R-3 Residential Zone
Proposed Development or Use: Single Family Homes, Town Homes, Assisted Living Facility	

<b>Address:</b> (Street Number & Street Name) 3886 Cummings Road	Tax Map No: 153-027.07 (part of), 153M-C-002 and 009 Plat Book/Page No. 63-78
Current Use: Vacant	Adjacent Uses: MXU, R-1, R-4, & M-1

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc).

- Property Owner    
  Architect    
  Engineer    
  Optionee    
  Purchaser of Property    
  Trustee  
 Other: Landscape Architect

Name	Ragan-Smith Associates
Address:	1410 Cowart Street, Suite 200
City	Chattanooga
State:	TN
Zip Code:	37408
Daytime Phone:	423-490-9400
Cell Phone:	423-799-0360
Other Phone:	
Email:	ajones@ragansmith.com
Fax:	4230490-7973

Name:	Brant Enderle
Address:	4700 Cummings Cove Road
	Chattanooga, TN 37419
Phone:	888-821-5551

**CHECKLIST TO BE USED ONLY**

<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Fee for property to be reviewed
<input checked="" type="checkbox"/> Ownership Verification	Deed Book: 153-027
<input checked="" type="checkbox"/> Tax Map Pinpoint Letter	<input checked="" type="checkbox"/> Copy of Plat(s) applicable
<input checked="" type="checkbox"/> Map showing property to be reviewed	Plat Book/Page: 63-78
<input checked="" type="checkbox"/> Site Plat, if applicable	<input checked="" type="checkbox"/> Notice signed (How many)
<input checked="" type="checkbox"/> Total fees to be considered: \$749	<input type="checkbox"/> Cash: [Redacted] Check No: 15538
<input checked="" type="checkbox"/> Filing Fee: \$770.00	Accepted by: [Redacted] Date: 11-10-2016

<b>Case Number:</b>	<b>2013-016</b>
<b>Applicant Request:</b>	<b>R-3 Residential Zone</b>
<b>Applicant:</b>	Ragan-Smith Associates
<b>Property Address:</b>	3886 Cummings Road
<b>Jurisdiction:</b>	Chattanooga District 7/Hamilton County District 2
<b>Neighborhood:</b>	Lookout Valley Neighborhood
<b>Proposed Development</b>	
<b>Site Plan Submitted:</b>	Yes
<b>Proposed Use:</b>	Single-family Homes, Townhomes, Assisted Living Facility
<b>Site Characteristics</b>	
<b>Current Zoning:</b>	R-1 Residential Zone
<b>Current Use:</b>	Vacant
<b>Adjacent Uses:</b>	Mixed Use, Residential, Recreational and Vacant
<b>Size of Tract:</b>	87.43 Acres
<b>STAFF RECOMMENDATION:</b>	<b>APPROVE, subject to PUD approval</b>

**Analysis**

Extension of Existing Zoning?	No
Community Land Use Plan:	Lookout Valley Area Plan, 2003
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

**Planning Commission Recommendation:  
Approve Staff Recommendation**

**Comments**

Planning Staff:

**Applicant Request Overview**

The request is for single-family homes, townhomes, and an assisted living facility. The density of the proposed development is 3.52 units per acre.

**Site Description**

The Black Creek community consists of a golf course, community recreation and club house facilities, a mixed use area and scattered residential areas. The residential areas consist of single-family homes, townhomes and condominium residences. The future River Gorge Drive right-of-way is currently fronted with half-acre single family residential properties and open space with walking trails.

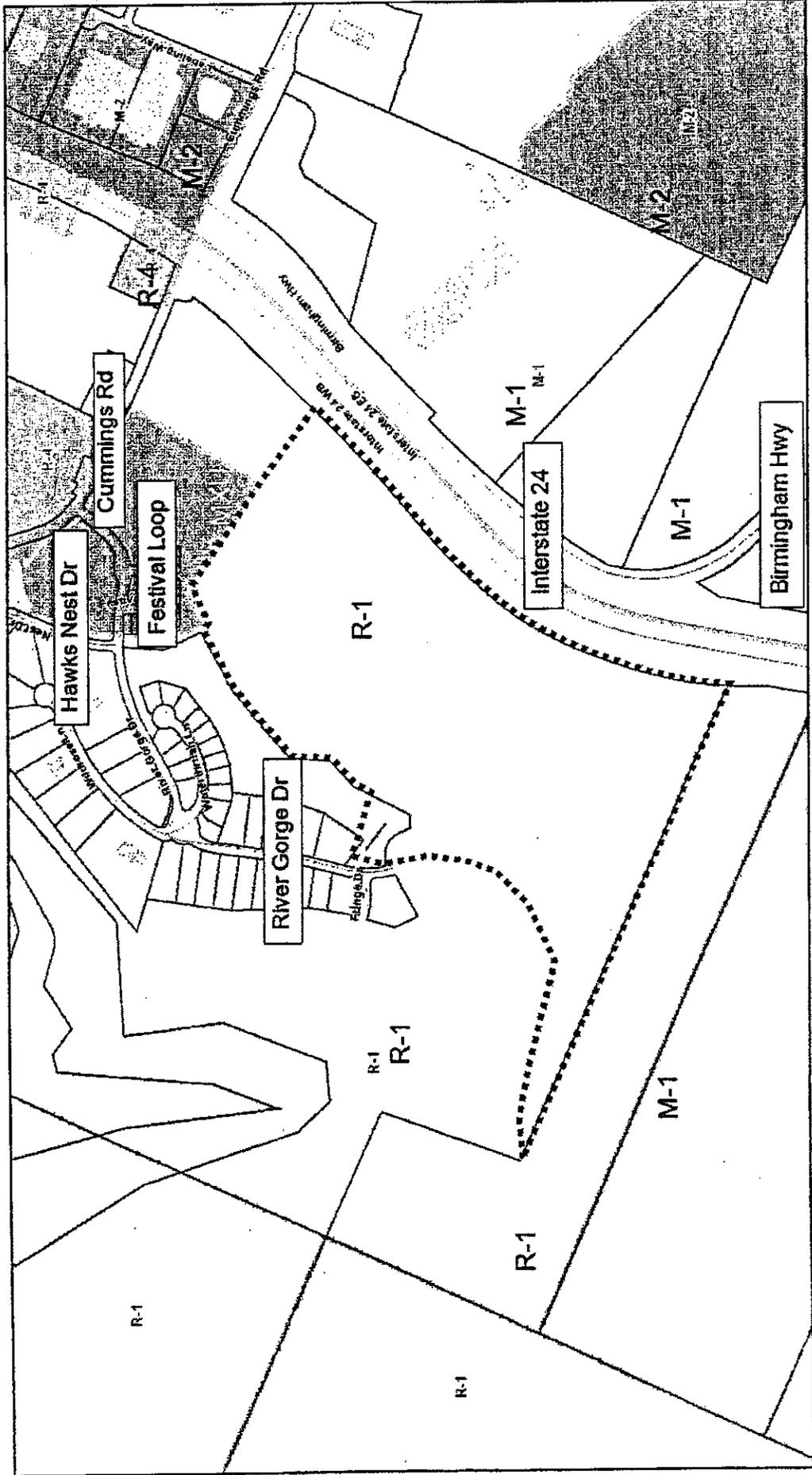
**Applicable Plans/Policies**

The adopted plan for this area, the 2003 Lookout Valley Area Plan, recommends that residential development in this area remain low density, which the plan defines as "one to four units per acre".

**Staff Recommendation**

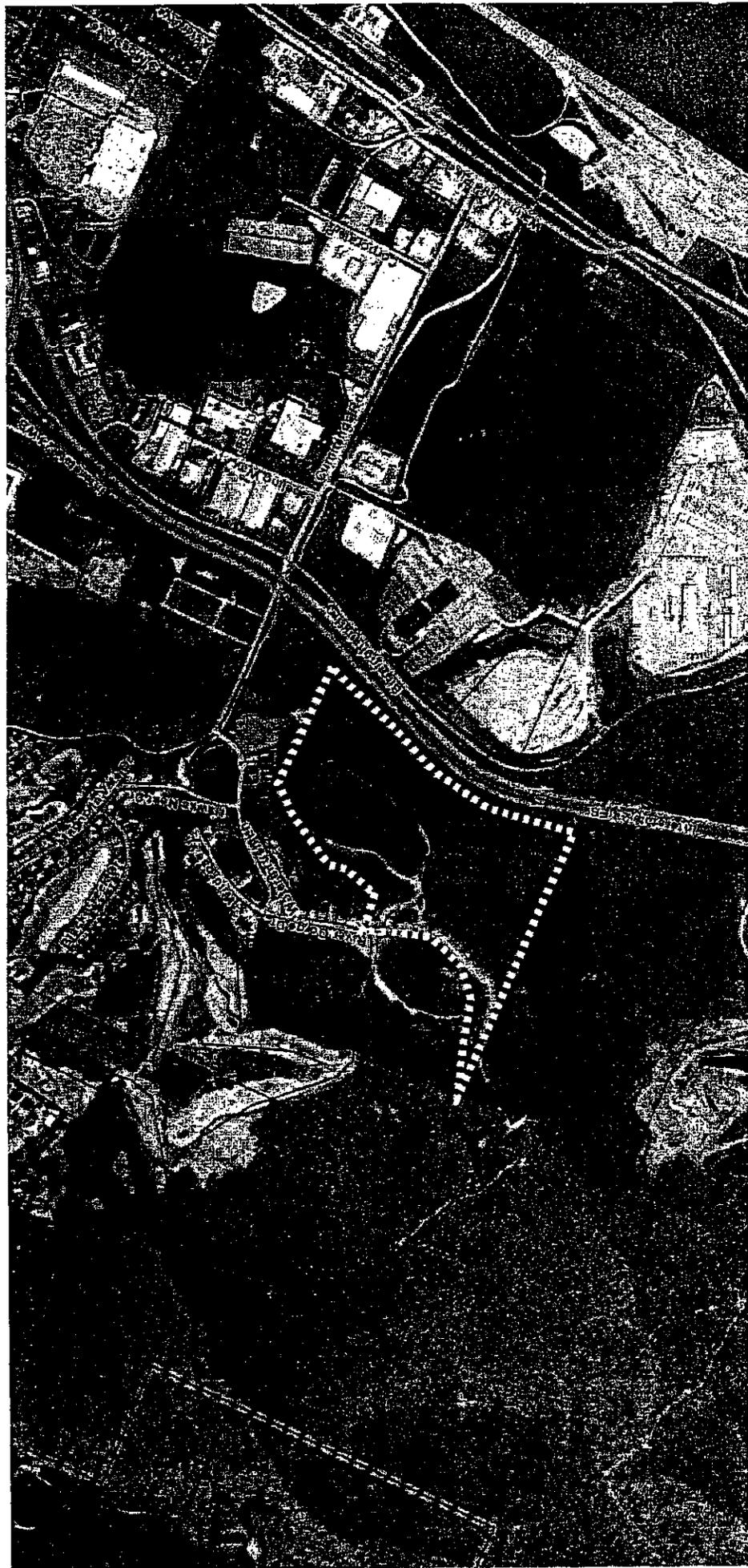
Staff recommends approval because the proposed form and density are in keeping with the surrounding development. The proposed subdivision lot design contains a gradual increase in housing densities. The proposed single family lots are adjacent to existing single-family lots. The proposed townhouses are adjacent to the proposed single

family lots and a mixed use area. The assisted living facility is surrounded by open or wooded space that buffers it from the proposed single-family lots.



**2013-016 Rezoning from R-1 to R-3**



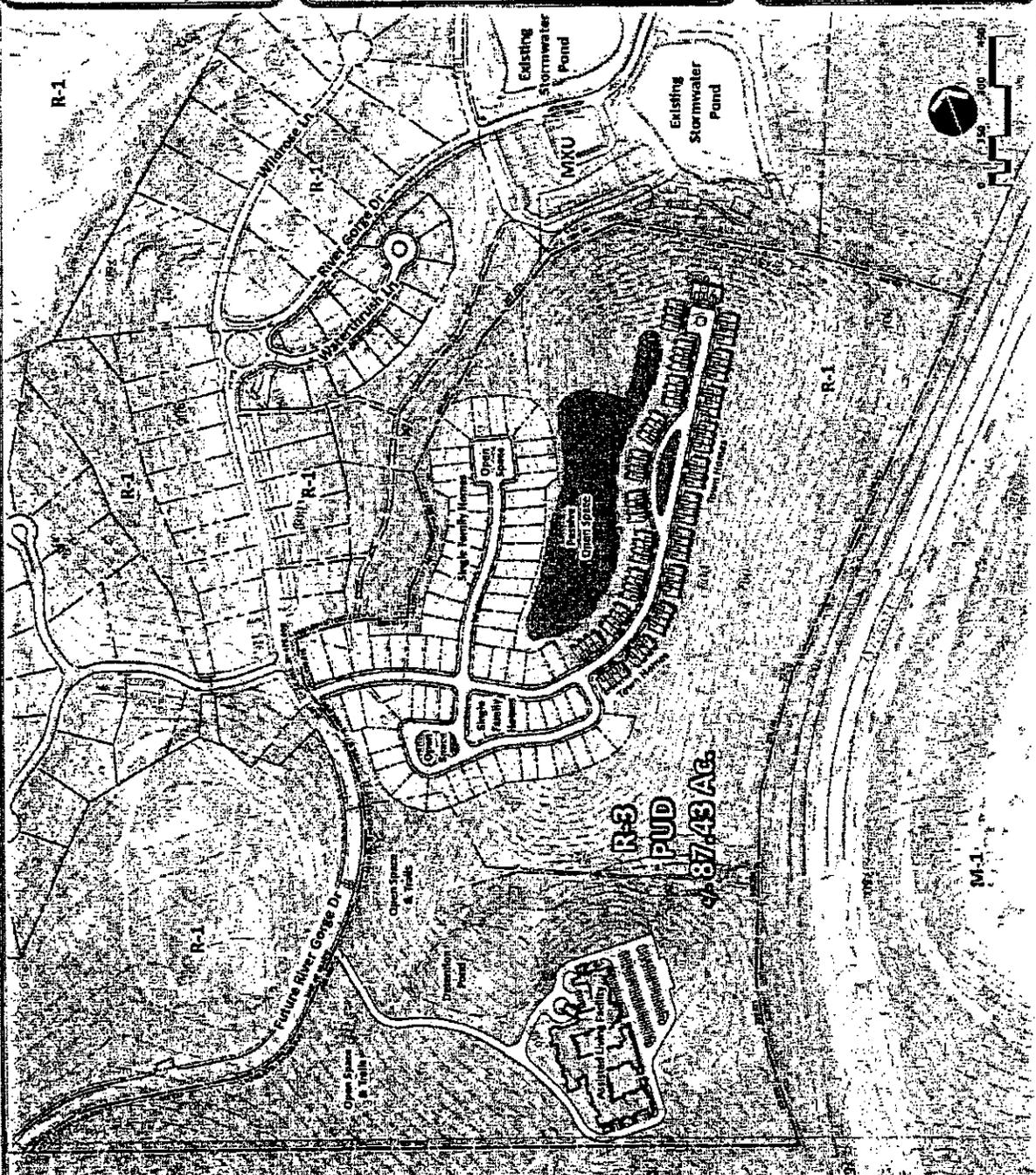


**RACAN-SMITH**  
 LAND SURVEYORS & CIVIL ENGINEERS  
 1400 JEFFERSON AVENUE, SUITE 200  
 MEMPHIS, TENNESSEE 38103  
 (901) 525-1100



**THE RIDGES  
 AT  
 BLACK CREEK**

DATE	NO. 0712
SCALE	AS SHOWN
PROJECT	PRELIMINARY PUD PLAN
NO. 0712	P1



**Site Data:**  
 Map/Parcel Portion of Map 855 Parcel 937.87  
 Area: 87.43 AC

**Under:**  
 85 Three Flown  
 700 Sixty Twenty Dashed  
 180 Third Line

**Abolished Living Facilities:** 4, 139 Bedsteads

**Trinity:** 1,131 UN/AC

**Open Space:** 41- 56.88 AC  
 This site contains multiple areas which will also serve as open space for the residences of The Ridges at Black Creek.

**Stormwater Ponds:** Resubmitted units will direct stormwater to existing pond south of and across hill of development adjacent to River Gorge Dr.

**Owner:**  
 Black Creek Club  
 1298 Chalmers Center Dr  
 Chattanooga, TN 37419

1012106

## NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-089 Napier Associates/Defoor Brothers Development, LLC/Gunbarrel Partners/Waterside Property Investment, LLC. 2351, 2417, 2424, 2428, and 2440 Elam Lane; 2545 and 2565 Lifestyle Way; and 2515 and 2519 Gunbarrel Road, from R-1 Residential Zone and MXU Zone to C-4 Planned Commerce Center Zone, subject to certain conditions.

2013-009 Taqi Ali Mirza and Ron Morrer/Susan Higley. 1951 and 2017 Dodson Avenue, from C-2 Convenience Commercial Zone and M-2 Light Industrial Zone to M-1 Manufacturing Zone, subject to certain conditions.

2013-013 Grace Episcopal Church/Randy Durham, Treasurer. 4018, 4022, and 4026 Brainerd Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2013-015 Hole Foods, LLC c/o Rob Renner/Dr. Gene Rudnick. 7737 East Brainerd Road, from O-1 Office Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone.

2013-016 Regan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be amended:

2013-008 Napier Associates/Defoor Brothers. 2300 and 2400 blocks of Gunbarrel Road, to change MXU Boundary and Plan, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permits be approved:

2013-014 B & L Builders. 7435 and 7437 Pinewood Drive, for a Residential Planned Unit Development, subject to certain requirements.

2013-017 Ragan-Smith Associates/Brant Enderle. 3800 block of Cummings Road, for a Single Family Planned Unit Development, subject to certain requirements.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

**February 12, 2013**

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the \_\_\_\_ day of \_\_\_\_\_, 2013.

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Carol K. O'Neal, CMC  
Clerk to the City Council