

2019-098  
Joseph Ingram  
District No. 4  
Planning Version

RESOLUTION NO. 30033

A RESOLUTION APPROVING THE ABANDONMENT OF A  
SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL  
PLANNED UNIT DEVELOPMENT FOR PROPERTIES  
LOCATED AT 5050, 5336, AND 5344 HUNTER ROAD.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,  
TENNESSEE, That there be and is hereby approving the abandonment of a Special Exceptions  
Permit for a Residential Planned Unit Development for properties located at 5050, 5336, and  
5344 Hunter Road, as more particularly described below:

An unplatted tract of land located at 5050 Hunter Road, together with Lot 6, Jac T  
Hundley Estate, Plat Book 54, Page 37, ROHC and Lot 1, Revised Plat of the  
Hardin Addition to Hunter Road, Plat Book 82, Page 195, ROHC and being the  
properties described as Tracts 1 thru 3 in Deed Book 8816, Page 112, ROHC and  
Deed Book 8933, Page 733, ROHC. Tax Map Nos. 133-075, 075.08 and 075.09.

ADOPTED: August 13, 2019

/mem

2019-098 City of Chattanooga  
July 8, 2019

RESOLUTION

WHEREAS, Joseph Ingram petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga to Abandon a Special Exceptions Permit for a Residential Planned Unit Development for the properties located at 5050, 5336 and 5344 Hunter Road.

An unplatted tract of land located at 5050 Hunter Road, together with Lot 6, Jac T Hundley Estate, Plat Book 54, Page 37, ROHC and Lot 1, Revised Plat of the Hardin Addition to Hunter Road, Plat Book 82, Page 195, ROHC and being the properties described as Tracts 1 thru 3 in Deed Book 8816, Page 112, ROHC and Deed Book 8933, Page 733, ROHC. Tax Map 133-075, 075.08 and 075.09as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 8, 2019,

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

AND WHEREAS, there was no one present in opposition 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,

AND WHEREAS, the Planning Commission has determined that the proposal is compatible with adjacent land uses and development form.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on July 8, 2019, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary

## ABANDONMENT OF PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

<b>CASE NUMBER:</b>	2019-0098	<b>Date Submitted:</b> 05/30/2019	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b>			
<b>PUD ABANDONMENT</b>	PUD Name: Hunter Road Development		
	Resolution #: 27938 July 8, 2014	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Institutional
<b>2 Property Information</b>			
Property Address:	5050 & 5336 & 5344 Hunter Road		
Property Tax Map Number(s):	131 075.08, 131 075.09 & 131 075		
<b>3 Proposed Development</b>			
Reason for Request and/or Proposed Use:	Rezone property to C-2 for Medical Office park		
<b>4 Site Characteristics</b>			
Current Zoning:	R-1 PUD		
Current Use:	Open		
Adjacent Uses:	Commercial, Residential and Open		
<b>5 Applicant Information</b>			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Joseph Ingram		Address: 115 S. Lovell Ave	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am <b>not</b> the property owner	
City: Chattanooga	State: TN	Zip Code: 37411	Email:
Phone 1: 423-774-7177	Phone 2:	Phone 3:	Fax:
<b>6 Property Owner Information (if not applicant)</b>			
Name: Lighthouse Enterprises		Phone: 423-902-9229	
Address: 9206 Hamilton Island Ct. Harrison, TN 37341			
<b>Office Use Only:</b>			
Planning District: 12		Neighborhood: Flagstone	
Hamilton Co. Comm. District: 9		Chatta. Council District: 4	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
<b>Checklist</b>			
<input checked="" type="checkbox"/>	Application Complete	<input checked="" type="checkbox"/>	Ownership Verification
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/>	Total Acres to be considered:	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): 8816/112, 8933/733			
Plat Book/Page: 54/37, 82/195		Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/>	Filing Fee: 0.00	<input type="checkbox"/> Cash	<input type="checkbox"/> Credit Card
<input type="checkbox"/>		<input type="checkbox"/> Check	Check Number:
Planning Commission meeting date: 07/08/2019		Application processed by: Jennifer Ware	

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

**CASE NUMBER:** 2019-0098

**PC MEETING DATE:** July 8<sup>th</sup>, 2019

**APPLICANT:** Joseph Ingram

**PROPERTY OWNER:** Lighthouse Enterprises

**PROPERTY ADDRESS:** 5050, 5336, 5344 Hunter Rd

**TAX MAP PARCEL ID:** 131-075, 131-075.08, 131-075.09

**SIZE OF PROPERTY:** 23.45 acres

**JURISDICTION:** City of Chattanooga

**REQUEST:** Abandon Planned Unit Development (PUD)

**SUMMARY OF REQUEST:** Request to abandon a Special Exceptions Permit for a Planned Unit Development (Res. 27938) in order to rezone to C-2 for a medical office park. This case is associated with case 2019-0092.

**SITE PHOTOGRAPHS**



Notice signs



View north on Hunter Rd



View south on Hunter Rd

**PROPERTY DESCRIPTION**

EXISTING LAND USE	SURROUNDING LAND USES	ACCESS	NATURAL RESOURCES
Vacant	<u>North:</u> Vacant <u>East:</u> Vacant <u>South:</u> Single-Family Detached Residential <u>West:</u> Single-Family Detached Residential	Hunter Rd	The property contains slopes greater than 30%, and portions of the property fall within the protected floodway, 100 and 500 year floodplain.

**ZONING**

<b>ZONING REGULATIONS</b>	A Planned Unit Development (PUD) is a special exceptions permit intended to encourage creative master planning by not requiring adherence to rigid land use, setback, height, parking, and similar restrictions. It is further intended that PUDs be designed by collaboration between the applicant and the community, rather than the strict limits of zoning.
<b>ZONING HISTORY</b>	<ul style="list-style-type: none"> <li>• In 2003, a case to rezone the subject property from A-1 Agricultural District to R-3 Multi-Family Residential District for a 96 unit apartment complex was denied by Hamilton County Commission.</li> <li>• In 2009, a case to rezone from A-1 Agricultural District to R-3 Multi-Family Residential District was withdrawn before Planning Commission.</li> <li>• In 2010, a case to rezone from Agricultural District to R-3 Multi-Family Residential District was withdrawn before Hamilton County Commission.</li> <li>• In 2010, the subject property was annexed by Chattanooga, and was rezoned from A-1 Agricultural District to R-1 Single-Family District (Ord. 12427).</li> <li>• In 2014, a Residential Planned Unit Development was approved (Res. 27938) with the following conditions:</li> </ul>

1. Type C buffer yard consisting of 10 feet deep landscape yard for the buildable lots along the southern property line, as shown on the PUD plan planted with evergreen trees spaced a maximum of 10 feet on center or 2 staggered rows of shrubs;
  2. Provide street trees along the interior streets of the property; and
- Developer required to improve the sight distance on Hunter Road by dedicating right-of-way and regarding the area adjacent to Hunter Road for a future roadway improvement project as approved by Hamilton County Engineer.

DEVELOPMENT STANDARDS COMPATIBILITY	DEVELOPMENT STANDARDS	CURRENT R-1 W/PUD	PROPOSED C-2 ZONE	PROPOSED R-1 W/O PUD
	Residential Lots/units	58	~110 lots ~507 units (multi-family)	~110
	Community/Open Space Lots	4	Not required	Not required
	Housing Type	Townhomes	Single-Family, Duplex, multi-family	Single-Family Residential
	Building Height	2 ½ stories or 35' except that height can increase if for every 1' of additional height over 35' the building is set back 1' from all property lines	2 ½ stories or 35' except that height can increase if for every 1' of additional height over 35' the building is set back 1' from all property lines	2 ½ stories or 35' except that height can increase if for every 1' of additional height over 35' the building is set back 1' from all property lines
	Density	2.52 du/ac	Up to 22 du/ac	~5 du/ac

**DISCUSSION OF STAFF RECOMMENDATION**

Yes     No     See Comments

**COMPATIBILITY WITH ADOPTED PLANS**

The 2007 Wolftever Creek Area Plan recommends a Low-Intensity Residential Use, which is described as single-family detached housing, townhouses and other attached housing types in a Planned Unit Development (PUD) as long as the PUD consists primarily of single-family detached housing with an overall density of 3.0 units per acre. Additional Plan goals include mitigating deleterious development effects on the Wolftever Creek watershed, preventing commercial and office uses from having adverse impacts on adjacent residential properties, and protecting the prevailing low-density single-family residential form. The adopted PUD does not contain single-family detached homes, but is under the area plan's recommendation of a density under 3 dwelling units per acre. Abandoning the PUD would open up the parcel to standard R-1 zoning, which can potentially have 5 dwelling units per acre.

Yes     No     See Comments

**COMPATIBILITY WITH ADJACENT LAND USES**

The surrounding land use is predominately Single-Family Detached Residential, surrounded by undeveloped open space.

Yes     No     See Comments

**COMPATIBILITY WITH DEVELOPMENT FORM**

The surrounding development form is consistent with an area between rural residential and suburban residential, with a mix of homes developed in subdivisions, and homes developed on large estate lots. To the east of the lot, a mix of convenience commercial development adjacent to the Interstate 75 and Lee Hwy interchange. The current adopted PUD is a deviation from the surrounding development form, but is an approved solution to preserving natural resources and while providing housing options.

Yes     No     See Comments

**COMPATIBILITY WITH INFRASTRUCTURE AND NATURAL RESOURCES**

The property contains slopes greater than 35%, and portions of the property fall within the protected floodway, 100 and 500 year floodplain. The Wolftever Creek Area Plan established land use goals to protect the Wolftever Creek watershed, wisely manage sloping topography, and preserve natural open space in the area. Some of the recommendations to reach these goals were to retain and expand riparian buffers along Wolftever Creek and its tributaries, preserving natural open space by encouraging sensitive, low-impact development, protection of steep slopes, and identifying areas appropriate for compact cluster developments. The approved PUD promotes clustered development that avoids steeper slopes, floodplain, and preserves open space.

**STAFF RECOMMENDATION**

The adopted PUD Plan provides protection to the neighborhood, keeps density in alignment with the adopted Land Use Plan recommendations, and clusters development away from natural areas. Abandoning the PUD could allow for more intense development and less protection of the slopes, floodplain, and open space areas on the site.

**DENY**

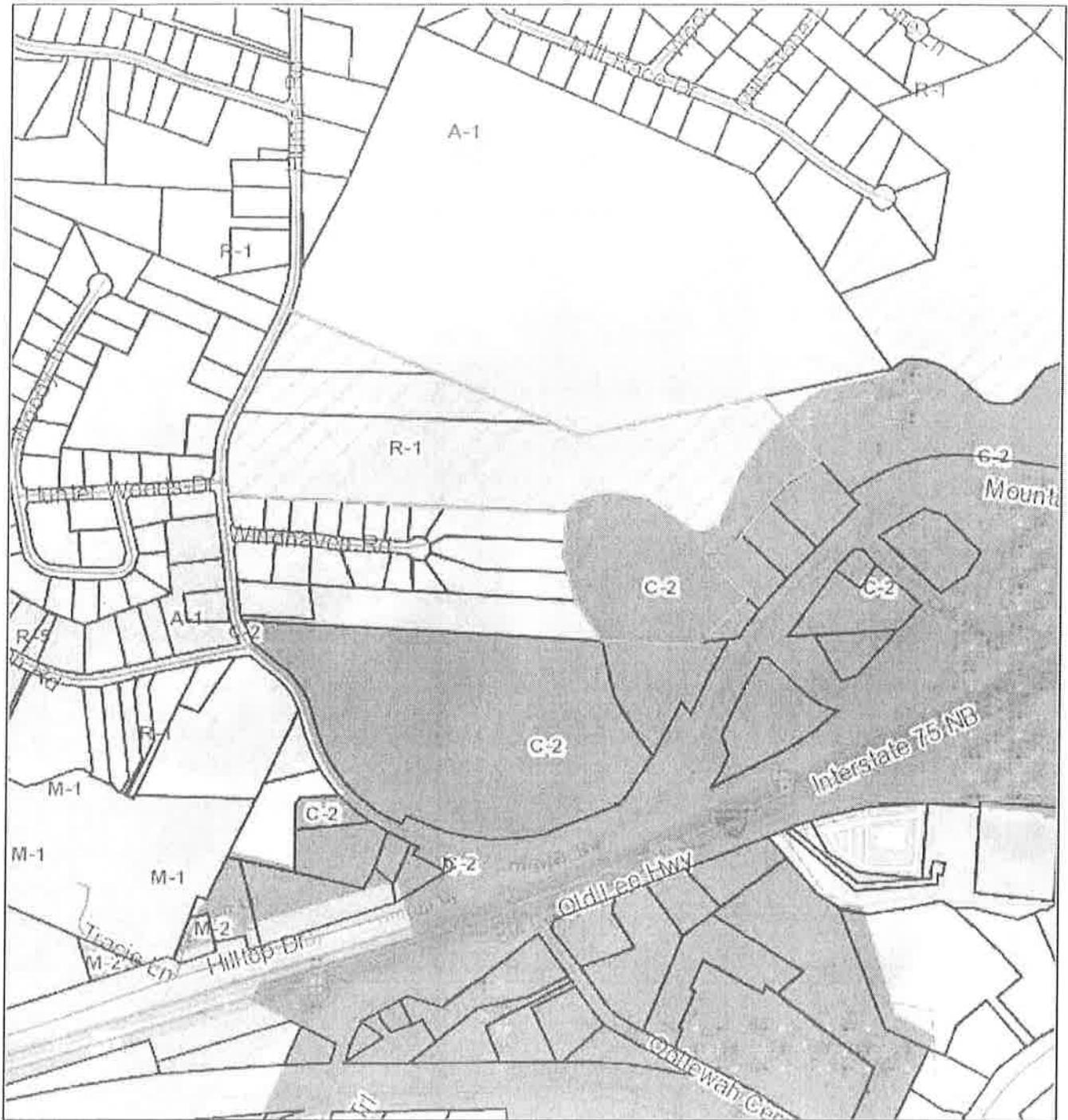
2019-0098 Residential PUD Abandonment



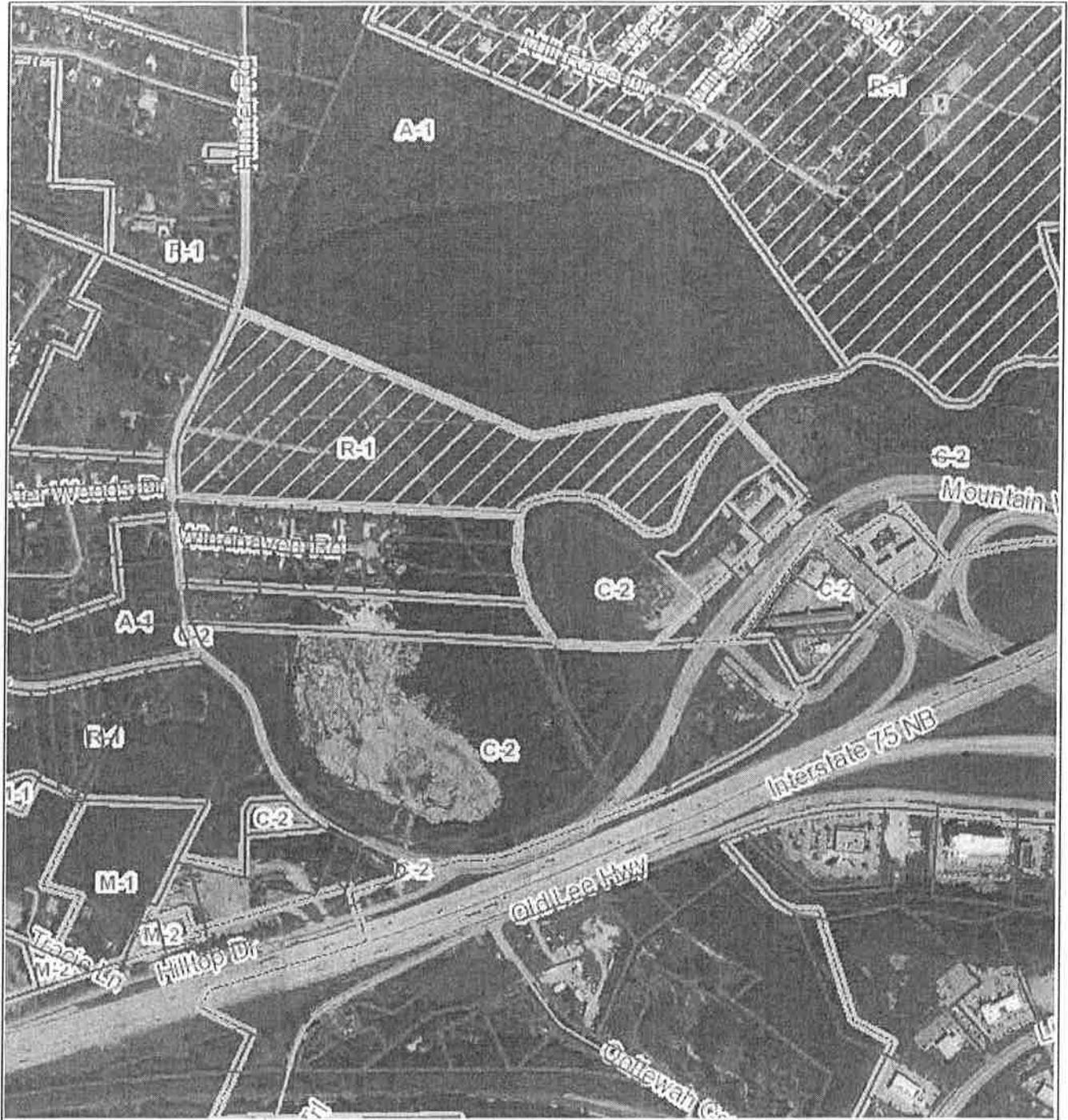
PLANNING COMMISSION RECOMMENDATION  
FOR CASE No. 2019-0098: Approve.



# 2019-0098 Residential PUD Abandonment



# 2019-0098 Residential PUD Abandonment



## NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2019-091 Wayne McCoy. 207 Chickamauga Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2019-092 Joseph Ingram. Properties located at 5050, 5336, and 5344 Hunter Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2019-097 Tommy Austin. Part of property located at 4261 Shallowford Road, from R-1 Residential Zone to M-2 Light Industrial Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be denied and approved for certain conditions:

2019-084 Vernon and Jody Sinclair. 1038 Graysville Road, to be denied for rezoning to C-5 Neighborhood Commercial Zone and approved for an R-4 Special Zone, subject to certain conditions.

2019-093 Tim Kelly. 921 Barton Avenue, to be denied for rezoning to C-2 Convenience Commercial Zone and approved for the UGC Urban General Commercial Zone, subject to certain conditions.

2019-090 Ken DeFoor Properties. Properties located at 2770, 2786, and 2804 Northpoint Boulevard, to be denied for rezoning to C-4 Planned Commercial Center Zone and approved for C-2 Convenience Commercial Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that petition 2019-089 of J & B Development to lift conditions from Ordinance No. 13283, Previous Case No. 2018-0007 on property located at 7353 Lee Highway be approved.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that a Special Exceptions Permit be abandoned for a Residential Planned Unit Development for the properties located at 5050, 5336, and 5344 Hunter Road be approved.

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,

August 13, 2019

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 \_\_\_\_\_, 2019.

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Nicole Gwyn  
Clerk to the City Council