

9/10/13

2013-082  
Joseph Ingram/Glen Meadows/  
Brett Sexton  
District No. 4

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON PROPERTIES LOCATED IN THE 8600 BLOCK OF PETTY ROAD.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for a Residential Planned Unit Development on properties located in the 8600 block of Petty Road, more particularly described in the attached maps:

Part of Lot 22, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, and Lots 1 thru 3, Final Plat Brett Bridget Sexton Subdivision, Plat Book 92, Page 30, ROHC, Deed Book 8349, Page 174, Deed Book 8855, Page 790, and Tracts 2 and 3 of Deed Book 9370, Page 230, ROHC. Tax Map Nos. 159K-B-001, 001.02, 001.03, 002, 003, 004, 004.01, and 004.02.

ADOPTED: \_\_\_\_\_, 2013

/mms

2013-082 City of Chattanooga  
June 10, 2013 (Deferred)  
August 12, 2013 (Action Taken)

## RESOLUTION

WHEREAS, Joseph Ingram/Glen Meadows & Brett Sexton petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga granting a Special Exceptions Permit for a Residential Planned Unit Development for properties located in the 8600 block of Petty Road.

Part of Lot 22, Joe Morris Subdivision, Plat Book 12, Page 27, ROHC, and Lots 1 thru 3, Final Plat Brett Bridget Sexton Subdivision, Plat Book 92, Page 30, ROHC, Deed Book 8349, Page 174, Deed Book 8855, Page 790, and Tracts 2 and 3 of Deed Book 9370, Page 230, ROHC. Tax Map 159K-B-001, 001.02, 001.03, 002, 003, 004, 004.01, and 004.02 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 2013, at which time hearing was deferred until August 12, 2013,

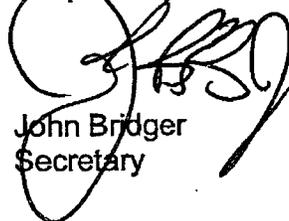
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 August 12, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary

# PLANNED UNIT DEVELOPMENT (PUD) APPLICATION FORM

<b>CASE NUMBER: 2013-082</b>		<b>Date Submitted: 05-10-2013</b>	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request:</b>			
<b>PUD</b>	<b>PUD Name: Smith Meadows</b>		
	Acres: 6.55	Density: 6.71 u/a	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Institutional
	<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Final	<input type="checkbox"/> Preliminary/Final Together
<b>2 Property Information:</b>			
<b>Property Address:</b>	Properties located in the 8600 blk of Petty Road		
<b>Property Tax Map Number(s):</b>	159K-B-001, 001.02, 001.03, 002, 003, 004, 004.01, and 004.02		
<b>3 Proposed Development:</b>			
<b>Reason for Request and/or Proposed Use:</b>	Residential Planned Unit Development		
<b>4 Site Characteristics:</b>			
<b>Current Zoning:</b>	R-5		
<b>Current Use:</b>	Mobile Homes		
<b>Adjacent Uses:</b>	Single Family		
<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.			
<b>Name: Joseph Ingram</b>		<b>Address: 115 South Lovell Ave</b>	
<b>Check one:</b>	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
<b>City: Chattanooga</b>	<b>State: TN</b>	<b>Zip Code: 37411</b>	<b>Email: josephwqslnc.net</b>
<b>Phone 1:</b>	<b>Phone 2:</b>	<b>Phone 3:</b>	<b>Fax:</b>
<b>6 Property Owner Information (if not applicant):</b>			
<b>Name: Glen Meadows/Brett Sexton</b>		<b>Phone: 423-595-3250/423-443-7711</b>	
<b>Address: 1501 Morris Hill Rd Chattanooga, TN 37412/8620 Petty Rd Chattanooga, TN 37412</b>			
<b>Office Use Only:</b>			
<b>Planning District: 10</b>	<b>Neighborhood: Friends of E Prainers, BECO</b>		
<b>Hamilton Co. Comm. District: 7</b>	<b>Chatt. Council District: 7</b>	<b>Other Municipality:</b>	
<b>Staff Ref:</b>	<b>PC Action/Date:</b>	<b>Legislative Action/Date/Ordinance:</b>	
<b>Checklist:</b>			
<input checked="" type="checkbox"/> Application complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan (if required)	<input checked="" type="checkbox"/> Total Acres to be considered: 6.55	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plans, if applicable
<b>Deed Books:</b>			
<b>Map Book/Pages: 12/27, 92/30</b>	<input checked="" type="checkbox"/> Notice Signs	<b>Number of Notice Signs: 1</b>	
<b>Posting Fee: \$400.00</b>	<input checked="" type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	<b>Check Number: 1591</b>
<b>Planning Commission meeting date: June 13, 2013</b>		<b>Application processed by: Maria Parker</b>	

**Planning Commission Recommendation:  
Approve**

Chattanooga-Hamilton County Regional Planning Agency

**RPA STAFF RECOMMENDATION**

<b>Case Number:</b>	<b>2013-82</b>	<b>PC Meeting Date: 08-12-2013</b>
<b>STAFF RECOMMENDATION:</b>	<b>DENY</b>	
<b>Land Use &amp; Transportation Comments</b>		
<b>Planning Staff:</b>	<p><b><u>Applicant Request Overview</u></b></p> <p>The Applicant is requesting approval for a Planned Unit Development (PUD), consisting of 38 dwelling units on 6.55 acres in the R-5 Residential Zone. The proposed unit mix consists of twelve two, three or four-unit townhome buildings. The proposed density is 5.8 dwelling units per acre.</p> <p>This is a revised request from the original application and site plan submitted for the June 2013 Planning Commission meeting. At that time, the applicant was requesting approval for a 44 dwelling unit PUD with a proposed density of 6.71 dwelling units per acre.</p> <p><b><u>Site Description</u></b></p> <p>The site is located on Petty Road, near the intersection of Morris Hill Road and Igou Gap Road in East Brainerd. It is located approximately two miles east of Gunbarrel Road, and one mile north of East Brainerd Road. There are currently single-family detached dwellings and single-wide manufactured homes located on the property on approximately one-acre existing lots. The majority of these properties are densely wooded with mature trees.</p> <p>Bordering the east property line of the site are one-acre properties with single-family detached homes, to the west are .15-acre properties with single-family detached homes, to the south is a 4-acre and a 19-acre property, and to the north are one to two-acre properties. Also to the north is a one-acre property with five manufactured homes, where, under a separate application, the applicant is proposing a zoning change to permit two quadraplex buildings.</p> <p><b><u>Zoning History</u></b></p> <p>The site is zoned R-5 Residential. Permitted uses and densities of the R-5 Residential Zone are similar to the R-1 Residential Zone, except that single-wide manufactured homes are permitted only in the R-5 District. The surrounding properties are all zoned R-5 or R-1 Residential.</p> <p>The maximum number of dwelling units of a PUD located in the R-5 Residential Zone is eight units an acre.</p> <p><b><u>Plans/Policies</u></b></p> <p>The East Brainerd Corridor Community Plan (2003) recommends low-density development for the applicant's site, and the area immediately surrounding. Low-density development is defined in the plan as single-family detached dwellings and subdivisions of one (1) to five (5)</p>	

## RPA STAFF RECOMMENDATION

dwelling units per acre. Townhomes and duplexes are viewed as appropriate if they meet the desired density.

The applicant has reduced the proposed density on this site 13.5% through site plan revisions. Since the applicant's plan indicates 5.8 dwelling units per acre, it is considered a medium-density development, which is defined by the community plan as five (5) to eight (8) dwelling units per acre. The plan recommends that medium-density developments be located near Neighborhood Commercial areas and along major roadways. The closest Neighborhood Commercial area or major corridor to the applicant's site is East Brainerd Road, one mile to the south.

The East Brainerd Corridor Community Plan also states several Land Use Plan Objectives, including protecting the environmental and scenic assets of the area, preserving the single-family residential character of the community, and minimizing negative development impacts.

### Staff Recommendation

The applicant previously deferred this case in order to have a community meeting to discuss the proposed development. Since then, the applicant has revised his site plan to 1) reduce the number of units from 44 to 38 and 2) propose the addition of a City of Chattanooga Type "A" landscaping component which would contribute an additional 10' of landscaping along a portion of the east property line, along a portion of the northern property line and along the first two proposed lots along the western property line.

The density of this site is on the lower end of the medium-density scale proposed by the plan. However, the proposed density is higher than what is recommended by the East Brainerd Corridor Community Plan and the intensity of development is not consistent with the residential character of the surrounding neighborhood. The surrounding properties primarily contain larger lot, single-family detached residences. Separate from the plan's recommended land use density, this attached residential/townhome development is not of the same character of the rest of Petty Road. The RPA has found that townhouses are generally more acceptable and compatible with surrounding detached low-density single-family residential development if they are part of a unified development (a single development consisting mostly of detached single-family residential dwellings with a smaller attached dwelling component) and sited to the interior of that development. Townhome developments by nature have a larger footprint/building mass than most single-family homes, have multiple driveways in close proximity to each other, and have small yards. In this case, the applicant is proposing to situate the attached housing adjacent to the existing residences with minor landscaping along only a portion of the

## RPA STAFF RECOMMENDATION

	<p>perimeter.</p> <p>Based on the density recommendations and objectives of the community plan and the dissimilar character of the housing found in the proposed Planned Unit Development, Staff recommends denying the PUD application.</p>
<b>Infrastructure &amp; Operational Comments</b>	
<b>Public Works Staff:</b>	<p>All land development projects are reviewed by City Engineering &amp; Water Quality staff, Traffic Engineering &amp; Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.</p> <p><u>Traffic Engineering</u></p> <p>Petty Road would need to be improved and widened to 26 feet along the development frontage to accommodate the proposed development. The existing road is only 14 feet in width.</p>



## 2013-082 Special Exceptions Permit for a Residential Planned Unit Development

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-082. Approve.



200 ft



Chattanooga Hamilton County Regional Planning Agency



**2013-082 Special Exceptions Permit for a Residential Planned Unit Development**



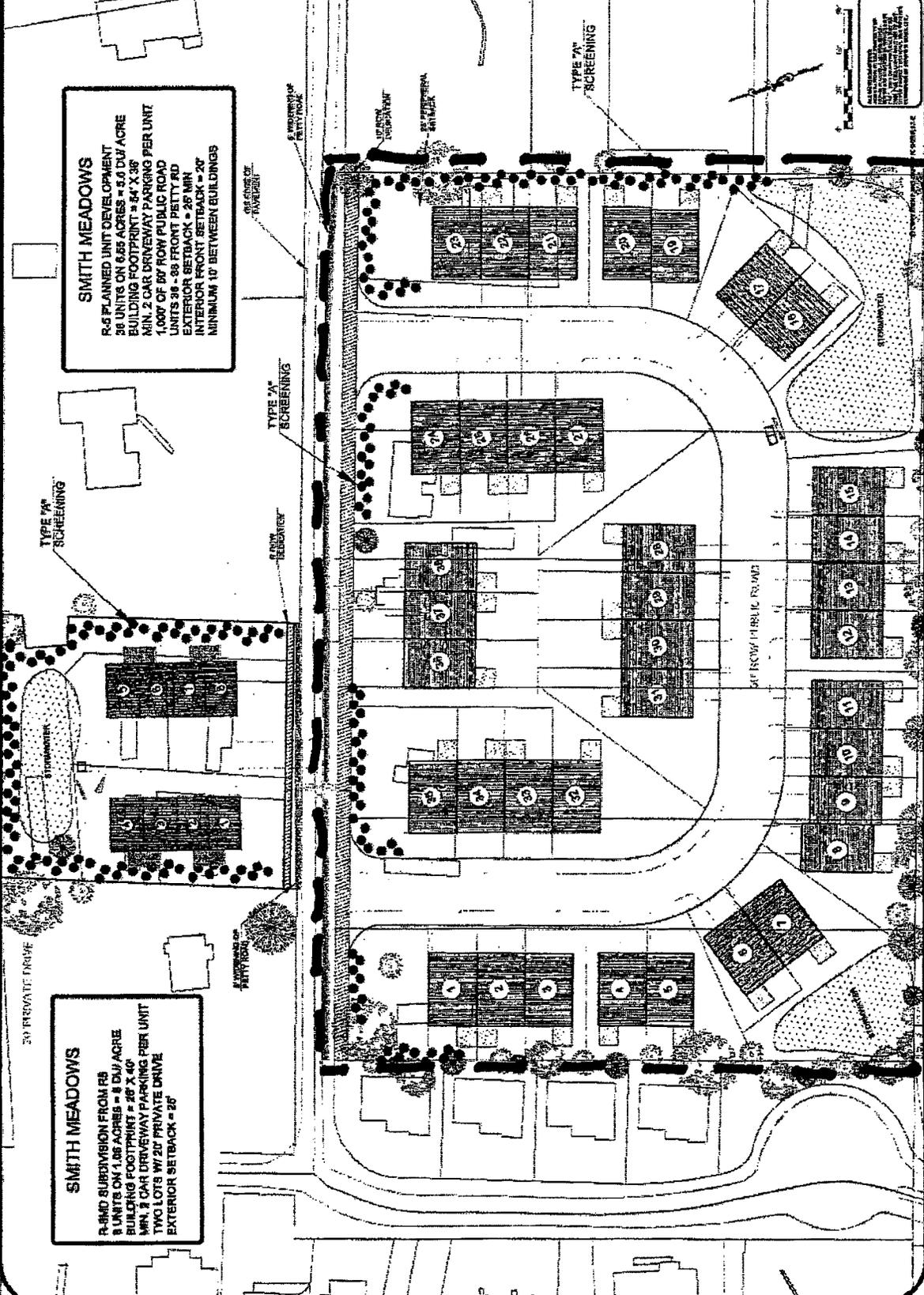
203 ft



Chattanooga Hamilton County Regional Planning Agency

**SMITH MEADOWS**  
 R-5 PLANNED UNIT DEVELOPMENT  
 36 UNITS ON 6.65 ACRES = 5.0 DU/ACRE  
 BUILDING FOOTPRINT = 84' X 36'  
 MIN. 2 CAR DRIVEWAY PARKING PER UNIT  
 1,000' OF 80' FRONT PUBLIC ROAD  
 UNITS 36 - 88 FRONT PETTY RD  
 EXTERIOR SETBACK = 25' MIN  
 INTERIOR SETBACK = 20'  
 MINIMUM 10' BETWEEN BUILDINGS

**SMITH MEADOWS**  
 R-3MD SUBDIVISION FRONTIERS  
 8 UNITS ON 1.68 ACRES = 8 DU/ACRE  
 BUILDING FOOTPRINT = 28' X 40'  
 MIN. 2 CAR DRIVEWAY PARKING PER UNIT  
 TWO LOTS W/ 20' PRIVATE DRIVE  
 EXTERIOR SETBACK = 20'



A PUD

# Petition of Opposition

2013-0824  
2013-083

THE BELOW SIGNED INDIVIDUALS ARE AGAINST THE REZONING OF THE PETTY ROAD, CHATTANOOG, TN AREA. REFRENCING CASE NUMBERS:

1. 2013-082 -SPECIAL EXEMPTION PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT
2. 2013-083-REZONE FROM R-5 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE.

<u>NAME</u>	<u>ADDRESS</u>	<u>CONTACT INFO</u>
1 Daniel J. Perry	1743 MORRIS HILL RD.	(423) 899-4524
2 Dianne A. Perry	1743 Morris Hill Rd.	(423) 899-4524
3 Lillian Barton	8615 Petty Rd.	(423) 892-9529
4 Murrel Barton	8615 Petty Rd.	(423) 892-9529
5 Lillian Barton	1735 Morris Hill Rd.	(423) 240-2300
6 Carla J. Ware	1129 Kinsey Dr.	(423) 619-5752
7 Randy Padgett	1729 Morris Hill Rd.	423-802-5301
8 JUSTIN NEWTON	1752 Southenwood Dr.	(423) 867-3100
9 Jaice Gray	8351 Petty Rd.	(423) 892-5225
10 Clyde K. Roberts	8602 Igou Gap Rd.	(423) 892-5935
11 Dana M. Roberts	8602 Igou Gap Rd.	(423) 892-5935
12 John Palmer	8612 Igou Gap Rd.	(423) 892-4589
13 Jackie Palmer	8612 Igou Gap Rd.	(423) 892-4584
14 Matt F. Culwell	1819 Morris Hill Rd.	423-605-0716
15 Katy D. Ashell	1819 Morris Hill Road	423-605-2167
16 Shirley Haywood	8402 Petty Rd.	706-270-1353
17 Samuel S. Tate	1735 Ray-Jo Cir.	423-892-6590
18 Cheryl Mason	7947 Hamilton Mill Dr.	423-499-8068
19 Abby Browning	8402 PETTY Rd.	423 488-6102



## 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:

2013-083 Joseph Ingram/Glen Meadows and Brett Sexton. 8599, 8601, 8603, 8605, and 8607 Petty Road, from R-5 Residential Zone to R-3MD Moderate Density Zone.

2013-101 Towson and Dede Engsborg. 501 East 16<sup>th</sup> Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2013-105 Henrietta Morris/Johnella Morris. 515 Spruce Street, from R-3 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions.

2013-107 Alan Haniszewski. 630 East 19<sup>th</sup> Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2013-102 Tim McClure/J.R. Barker. 4815 Hixson Pike, from R-1 Residential Zone to R-3 Residential Zone.

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

2013-082 Joseph Ingram/Glen Meadows and Brett Sexton. 8600 block of Petty Road for a Residential Planned Unit Development.

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,

**September 10, 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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Sandra Freeman  
Clerk to the City Council