

RESOLUTION NO. 32673

A RESOLUTION APPROVING THE ABANDONMENT OF A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT APPROVED BY THE ADOPTION OF PREVIOUS RESOLUTION NO. 24308 (CASE NO. 2004-155) FOR PROPERTIES LOCATED IN THE 7500 THROUGH 7600 BLOCK OF MAGNOLIA LEAF LANE.

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 approved by the adoption of previous Resolution No. 24308 (Case No. 2004-155) for properties located in the 7500 through 7600 block of Magnolia Leaf Lane, more particularly described in the attached maps and referenced in the legal description below:

Lots 1-3, 5-19, and 21-35, Revised Plat of Magnolia Gardens, Plat Book 85, Page 104, ROHC, Community Lots 20 and 36, Final PUD Plan Magnolia Gardens PUD Lots 1 through 36, Plat Book 82, Page 66, and being part of the properties described in Deed Books and Pages 8425-0075, 8459-0245, 8517-0828, 8561-0404, 8872-0884, 9044-0170, 9323-0844, 9430-0619, 9806-0499, 9908-0444, 10023-0527, 10150-0982, 10213-0096, 10486-0317, 10553-0186, 10699-0131, 10725-0447, 11037-0720, 11153-0513, 11269-0906, 11476-0056, 11821-0708, 11963-0060, 12011-0355, 12048-0581, 12072-0640, 12097-0116, 12557-0357, 12868-0558, 12986-0022, 13165-0981, 13651-0258, 13685-0284, ROHC. Tax Map Numbers 159H-B-007 and 159H-B-007.10 through 007.44.

ADOPTED: October 14, 2025

/mem

2025-0141 City of Chattanooga
September 8, 2025

RESOLUTION

WHEREAS, Magnolia Gardens Homeowners Association petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the Abandonment of a Special Permit for a Residential Planned Unit Development approved by the adoption of previous Resolution Number 24308 (Case Number 2004-155) for properties located in the 7500 through 7600 block of Magnolia Leaf Lane.

Lots 1-3, 5-19, and 21-35, Revised Plat of Magnolia Gardens, Plat Book 85, Page 104, ROHC, Community Lots 20 and 36, Final PUD Plan Magnolia Gardens PUD Lots 1 through 36, Plat Book 82, Page 66, and being part of the properties described in Deed Books and Pages 8425-0075, 8459-0245, 8517-0828, 8561-0404, 8872-0884, 9044-0170, 9323-0844, 9430-0619, 9806-0499, 9908-0444, 10023-0527, 10150-0982, 10213-0096, 10486-0317, 10553-0186, 10699-0131, 10725-0447, 11037-0720, 11153-0513, 11269-0906, 11476-0056, 11821-0708, 11963-0060, 12011-0355, 12048-0581, 12072-0640, 12097-0116, 12557-0357, 12868-0558, 12986-0022, 13165-0981, 13651-0258, 13685-0284, ROHC. Tax Map Numbers 159H-B-007 and 159H-B-007.10 through 007.44 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 8, 2025,

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, land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the request is compatible with the adopted Area 11 East Brainerd Plan, the development form and adjacent land uses of the area.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 8, 2025, recommends to the Members of the City Council of the City of Chattanooga that this petition be approved to abandon the Special Permit for a Residential Planned Unit Development.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen Rennich", written in a cursive style.

Karen Rennich
Interim Executive Director



PUD Abandonment Application Form

CASE NUMBER: 2025-0141		Date Submitted: 07/21/2025	
(Sections 1-7 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
PUD Abandonment		PUD Name: Magnolia Gardens	
Resolution #: 24308		☒ Residential	☐ Institutional
2 Property Information			
Property Address: 7500 & 7600 blks Magnolia Leaf Ln		Property Tax Map Number: 159H-B-007, 007.10 – 007.44	
3 Proposed Development			
Reason for Request/ Project Description:		Proposed sale of 0.8 +/- acre area of existing Community Lot #36 for proposed 7-unit townhome development	
4 Site Characteristics			
Current Zone:		RN-2	
Current Use		Residential PUD	
Adjacent Uses:		Residential & Commercial	
5 Applicant Information			
Name: Magnolia Gardens Homeowners Association			
Address: (street, city, state, zip): 7635 Magnolia Leaf Ln, Chattanooga, TN 37421			
Phone: 214-808-7718		Email: magnolialeafane@gmail.com	
Primary Contact (if different than applicant information): Mike Price with MAP Engineers, LLC			
Address: (street, city, state, zip): 7380 Applegate Ln, Chattanooga, TN 37421			
Phone: 423-855-5554		Email: mikeprice@epbfi.com ; btabor@epbfi.com	
☒	← If the Applicants Information is the same as the Property Owners, please check the box to the left.		
6 Property Owner Information Only fill out this section if applicant is not the property owner. RPA requires a signed Owner Authorization form from the property owner. Property Owner Authorization Forms are available through the RPA.			
Name:			
Address: (street, city, state, zip):			
Phone:		Email:	
7 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: See Submitted Application		Date:	
Office Use Only:			
Checklist			
☒ Application	☒ Site Plan	☒ Ownership Authorization	
☒ Property Cards	☒ Deeds	☒ Plats	
☒ Application Fee: \$400	☐ Cash	☒ Credit	☐ Check
☒ Notice signs	Number of notice signs: 2		
Municipality: City of Chattanooga	Planning District: 11	Neighborhood: None	
County Commission District: 7		City Council District: 4	
PC meeting date: September 8, 2025		Application processed by: Jennifer Ware	
Staff Recommendation:	PC Action/Date:	Legislative Action/Date/Ordinance:	

Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT

CASE NUMBER: 2025-0141	PC MEETING DATE: September 8, 2025	APPLICANT: Magnolia Garden Homeowners Association
PROPERTY OWNER: Magnolia Garden Homeowners Association	PROPERTY ADDRESS: 7500 & 7600 blocks Magnolia Leaf Lane	TAX MAP PARCEL ID: 159H-B-007, and 159H-B-007.10 thru 007.44
SIZE OF PROPERTY: 4.92 acres	JURISDICTION: City of Chattanooga	REQUEST: Abandon a Special Permit for a Residential Planned Unit Development

SUMMARY OF REQUEST: The applicant is proposing to abandon a Special Permit for a PUD to sell community Lot #36 and construct a 7-unit townhome development. This case is associated with 2025-0140 to lift conditions.

ZONING

ZONING REGULATIONS

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.

ZONING HISTORY

- Case 2004-0154, the site was rezoned from R-1 to R-2 with conditions (Ordinance #11615):
 1. Use of the property restricted to an approved Planned Unit Development;
 2. Maximum of 5.9 units per acre; and
 3. A hammerhead turnaround (#2 as shown on the attached site plan) to be built at the end of North Joiner Road;
 4. Type "C" landscaping along the south and east property lines; and
 5. All existing easements are retained.
- Case 2004-0155, the site received a Special Permit for a Residential PUD (Resolution #2430).
- This case is associated with Case 2025-00140 to lift all conditions from Ordinance #11615.

LAND USE PLAN

The Area 11 East Brainerd Plan (adopted 2022) recommends Suburban Residential for the site which includes single-family detached as the primary use. The Place Type lists townhomes (between 2 to 4 units), accessory dwelling units, home occupations, short-term vacation rentals, and golf courses as secondary uses in the plan. Density in the Suburban Residential Place Type can range from 3 to 10 units per acre.

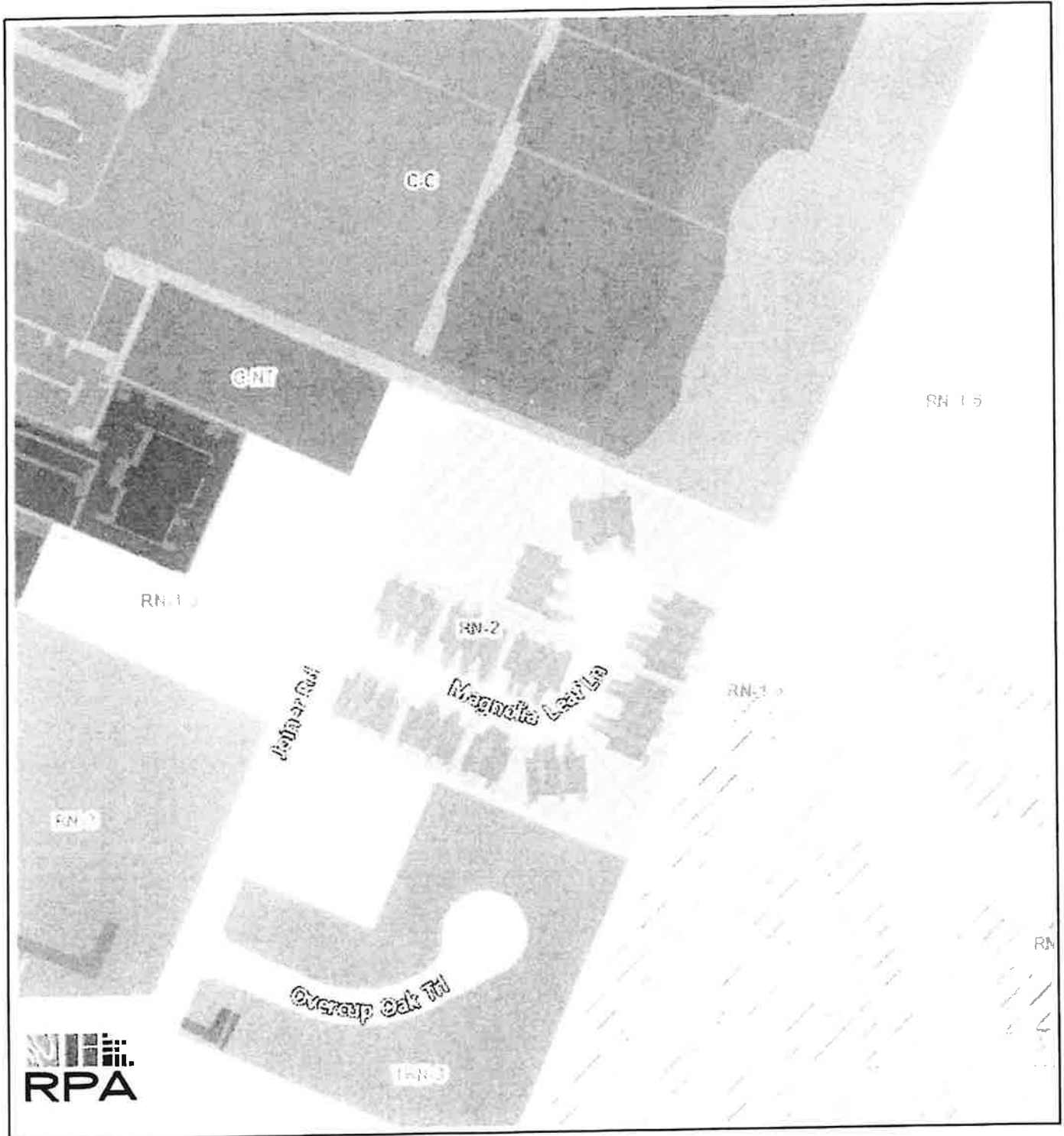
The applicant is proposing 7 townhouses with limited massing (3-unit attached and 4-unit attached) with a density of 6.9 du/ac. The request meets the Area 11 Plan recommendations regarding uses, massing, and density.

STAFF RECOMMENDATION

The request to abandon a residential PUD is compatible with the adjacent land uses and development form. The request meets the Area 11 Plan recommendations regarding uses, massing, and density. The development is an existing residential townhouse subdivision that was built in 2007. The existing lots appear to meet the RN-2 minimum lot size and frontage requirements. Any lots that do not meet the current RN-2 zoning requirements are considered legal, non-conforming since they were platted and zoned prior to the adoption of the 2024 Zoning Ordinance.

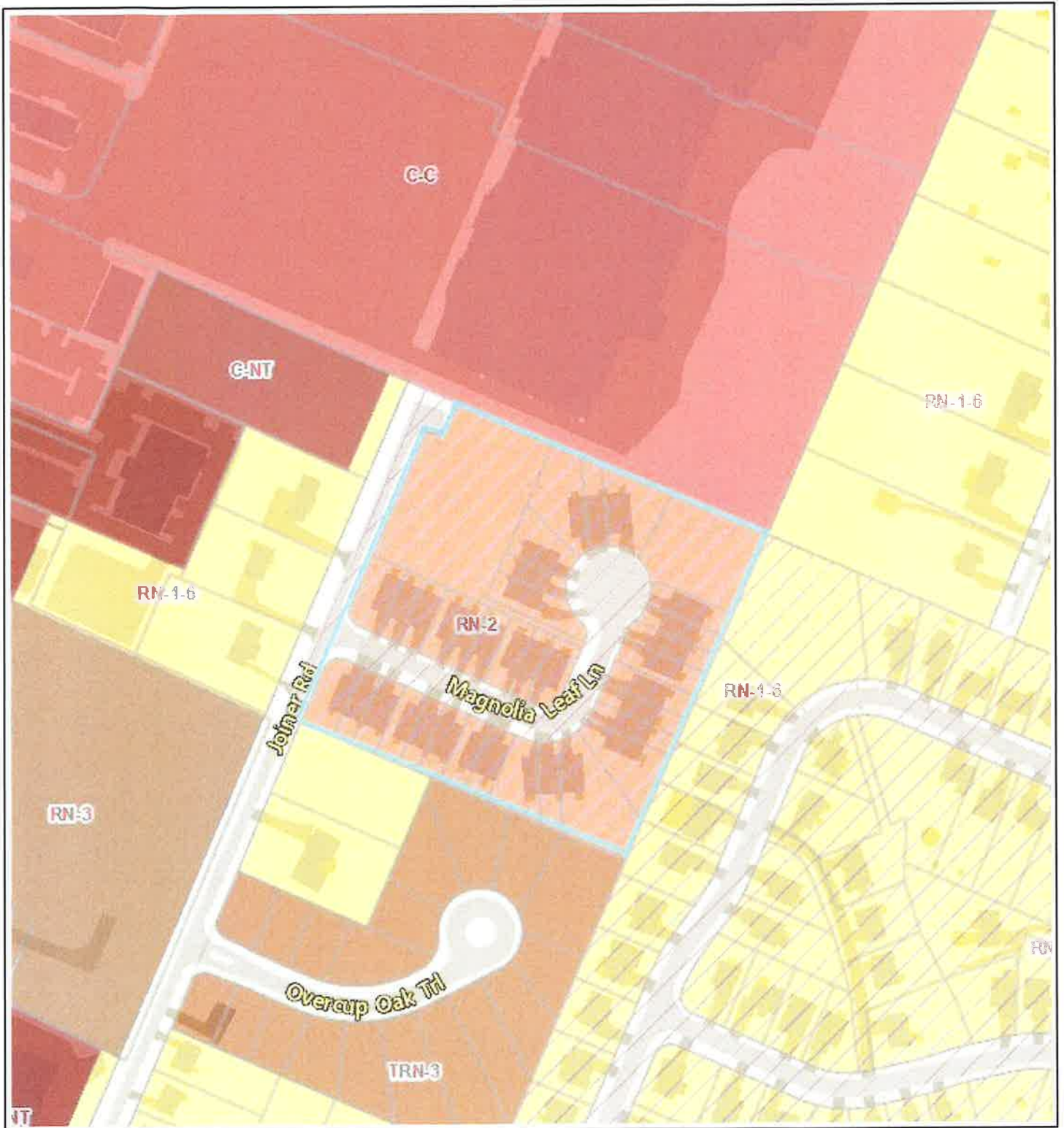
Staff recommends approval

2025-0141 PUD Abandonment

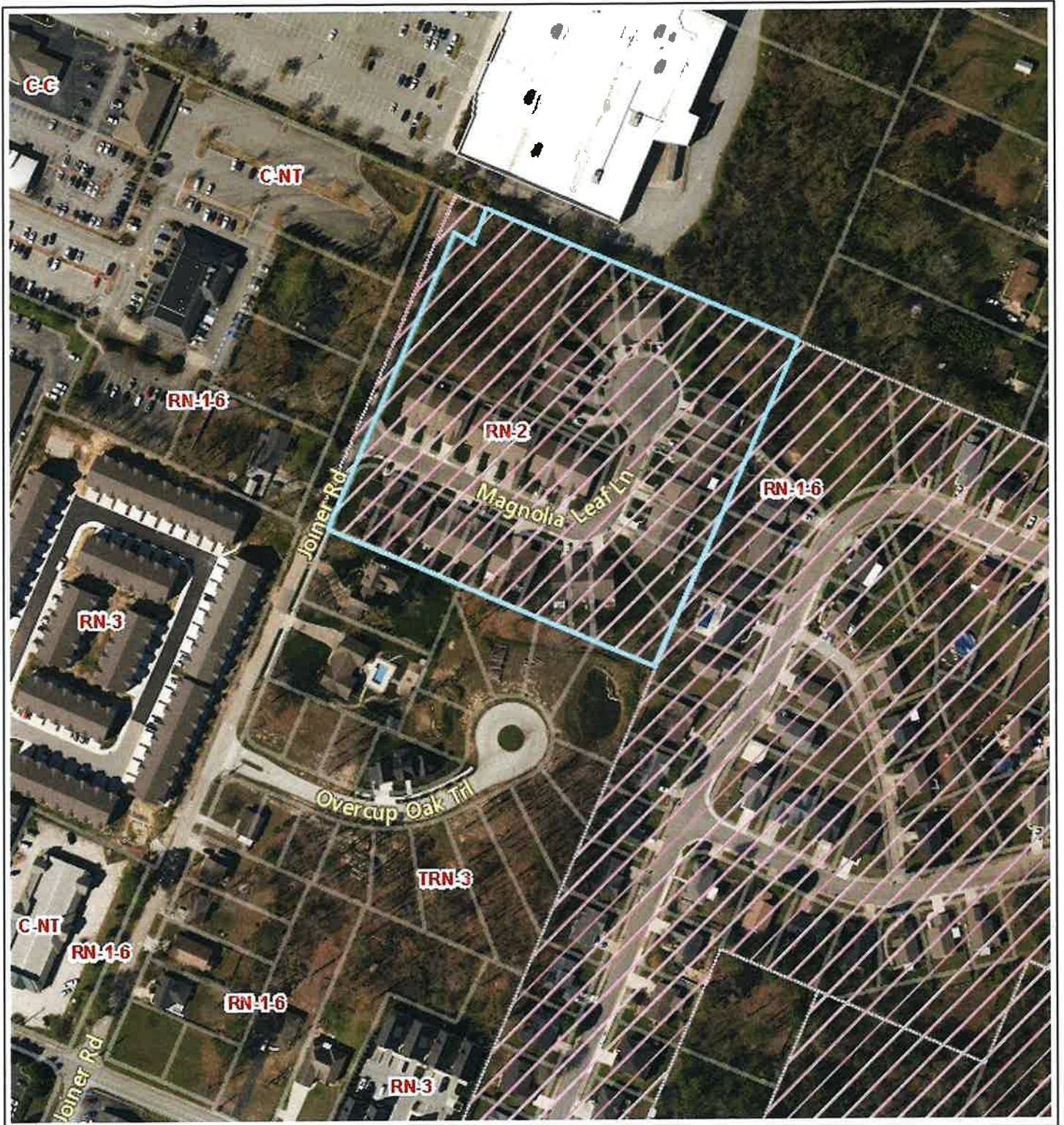


PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2025-0141: Approve.

2025-0141 PUD Abandonment



2025-0141 PUD Abandonment



Magnolia Gardens PUD Abandonment & Lift Conditions Request

Narrative

Magnolia Gardens Homeowners Association has voted to enter into an agreement with Cory Construction Corporation (Applicant) for the potential sale of Community Lot #36 (7635 Magnolia Leaf Lane / 1741 Joiner Road) for use as a proposed 7-unit townhome development. The Homeowners Association and community members have been dealing with instances of illegal dumping and homeless encampments on the property, and the sale and potential development is the solution to these issues that the community has agreed upon.

Approximately 0.81 acre of the community lot is proposed to be removed from the existing Magnolia Gardens neighborhood and be utilized for the proposed 7-unit townhome development. The remaining portion of the community lot is to be deeded to each adjoining Magnolia Gardens lot owner.

The existing total Magnolia Gardens PUD area is approximately 5.73 +/- acres, with 34 total units at a density of 5.9 +/- units/acre. As the PUD area after removal of the community lot property would be approximately 4.92 +/- acres with a density of 6.9 +/- units/acre, the remaining PUD would no longer comply with the original 2004 PUD approval and zoning conditions #1 and #2, or the intent of the PUD regulations, and therefore, as the items required by conditions #3 through #5 are already met, the Magnolia Gardens HOA and the applicant wishes to request an abandonment of the existing PUD, and to lift conditions #1 through #5 from zoning ordinance #11615 (case # 2004-154).



MAP ENGINEERS LLC
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MEMPHIS, TN 38104
901.525.1117
www.mapengineers.com

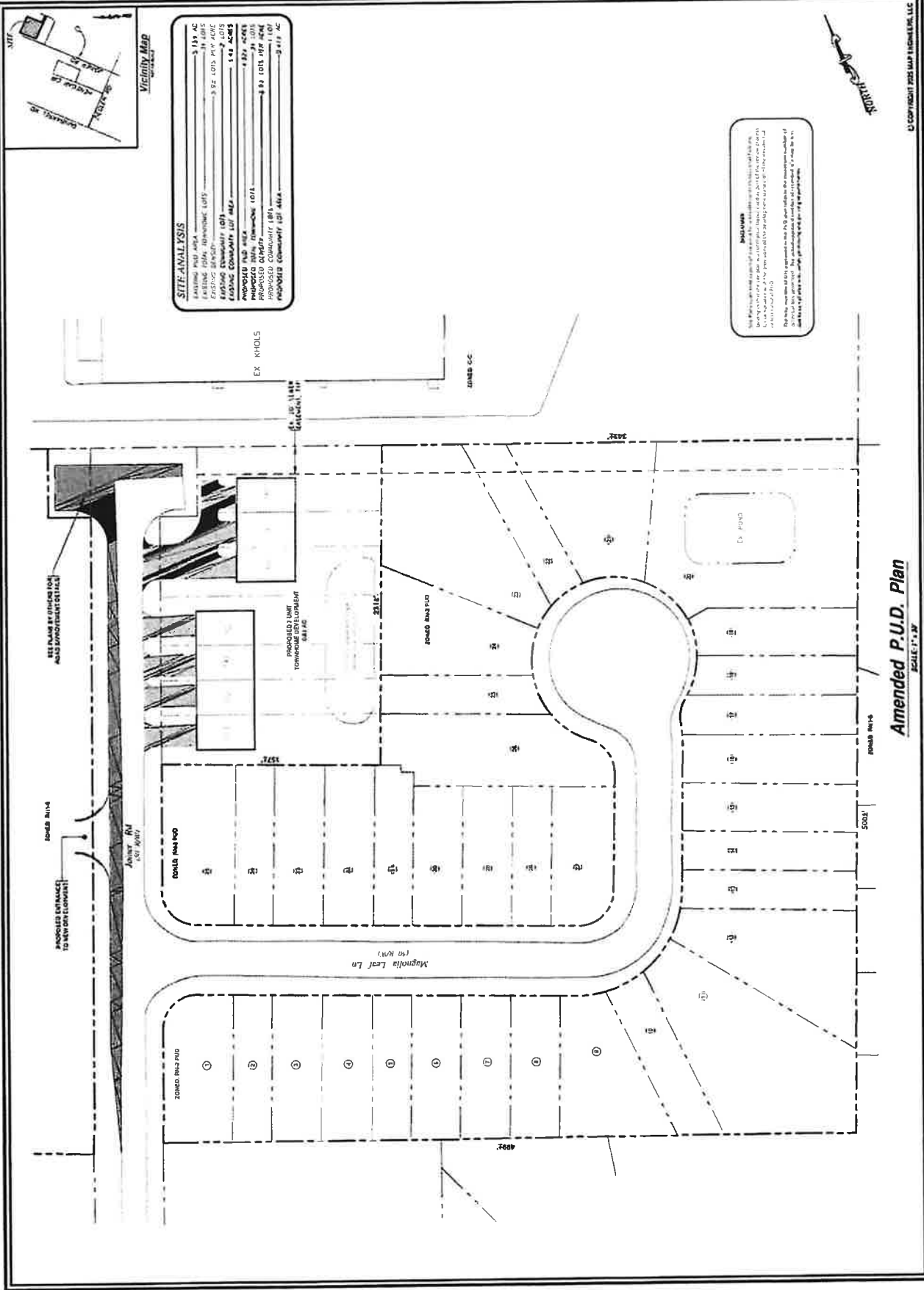
Proposed Magnolia Square Townhomes
FOR:
Cory Construction Corporation
8012 Short Tail Springs Rd
Collierville, TN 37363

**AMENDED
P.U.D.
PLAN**

REVISIONS

NO.	DATE	DESCRIPTION
1	04/24/18	ISSUED FOR PERMIT
2	05/01/18	REVISED TO REFLECT CHANGES TO THE PLAN
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DATE: 05/01/18
DRAWN BY: KSL
CHECKED BY: KSL
SCALE: 1" = 30'
SHEET NUMBER: 22-117
PROJECT NUMBER: PS-2



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:

2025-0124 Stone Creek Consulting, LLC c/o Allen Jones. Properties located at 3916, 3920, and 3926 Murray Hills Drive, from RN-1-6 Residential Neighborhood Zone to I-MU Industrial Mixed Use Zone, subject to certain conditions.

2025-0132 Jay Floyd c/o Ragan Smith Associates. 7406 Tyner Road, from RN-2 Residential Neighborhood Zone to C-C Commercial Corridor Zone, subject to certain conditions.

2025-0135 Jack McAfee c/o Chattanooga Metropolitan Airport. Part of a property located at 5749 Lovell Field Loop, from I-H Industrial Heavy Zone to OS Open Space Zone.

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

2025-0119 Claudine Evans c/o One A Event Parlour. 5813 Lee Highway, from C-C- Commercial Corridor Zone to C-R Regional Commercial Zone.

2025-0128 Favio Mendez Morales. 2008 East 14th Street, from RN-1-5 Residential Neighborhood Zone to C-N Neighborhood Commercial Zone.

3) The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied as the applicant requested and recommends approval of the C-NT Neighborhood Transition Commercial Zone:

2025-0134 Jason Medeiros. 5502 Dayton Boulevard, from RN-2 Residential Neighborhood Zone to C-MU1 Commercial Mixed-Use Zone.

4) The Chattanooga-Hamilton County Regional Planning Commission has recommended that Special Permits be approved for the following applicants:

2025-0129 Kronenberg Urbanists & Architects. 1813 Old Wauhatchie Pike, Special Exceptions Permit for a Residential Planned Unit Development Amendment.

2025-0138 Tiffany Farley c/o Kimley-Horn. Unaddressed property located in the 1500 block of Mercer Street and 1547 Mercer Street, Special Exceptions Permit for a Residential Planned Unit Development Amendment.

5) The Chattanooga-Hamilton County Regional Planning Commission has recommended that a Special Permit be abandoned for the following applicant:

2025-0141 Magnolia Gardens Homeowners Association.
Properties located in the 7500 through 7600 block of Magnolia Leaf Lane, abandon the Special Permit for a Residential Planned Unit Development by the adoption of previous Resolution No. 24308 (Case No. 2004-155).

6) The Chattanooga-Hamilton County Regional Planning Commission has recommended that conditions be lifted for the following applicant:

2025-0140 Magnolia Gardens Homeowners Association.
Properties located in the 7500 through 7600 block of Magnolia Leaf Lane, lifting of conditions from Ordinance No. 11615 of previous Case No. 2004-0154.

7) The Chattanooga-Hamilton County Regional Planning Commission has recommended that the Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance as adopted by Ordinance No. 14137 on July 23, 2024, be amended as follows:

- a) Amending Article XVII, Short Term Vacation Rentals, by amending the Short Term Vacation Rental Overlay District Map and Boundaries to include an additional area within City Council District 5.
- b) Amending Article VI, Downtown Form-Based Code, Section 38-739, and Article XIII, Landscape, to clarify additions in the Form-Based Code and refine minimum planting requirements for buffer yards.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the City Council Assembly Room, John P. Franklin Sr. Council Building located at 1000 Lindsay Street, Chattanooga, TN 37402, on

October 14, 2025,

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 _____, 2025.

Nicole Gwyn
Clerk to the City Council