

2005-034
DMW Group, LLC

RESOLUTION NO. 24653

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS PETTY CROSSING PLANNED UNIT DEVELOPMENT ON TRACTS OF LAND LOCATED AT 1700 AND 8600 PETTY ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE FINAL PLANNED UNIT DEVELOPMENT PLAN ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, The Chattanooga City Council approved, with conditions, the special exceptions permit for the Preliminary Residential Planned Unit Development known as the Petty Crossing Planned Unit Development on August 9, 2005; and

WHEREAS, A final planned unit development plan has been submitted for the Petty Crossing Planned Unit Development which substantially conforms to said preliminary planned unit development plan previously approved, with substantial completion of the conditions required; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission, as well as other affected agencies, have now reviewed the Final Residential Planned Unit Development Plan for recording; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency now has recommended that the Chattanooga City Council issue a special exceptions permit by Resolution to the applicant for the Final Residential Planned Unit Development, as shown on the attached Final Planned Unit Development Plan;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and hereby is granted a Final Planned Unit Development Special Exceptions Permit for a Residential Planned Unit Development on tracts of land located at 1700 and 8600 Petty Road, known as the Petty Crossing Planned Unit Development, more particularly described as follows:

Two unplatted tracts of land located at 1700 and 8600 Petty Road as described in Deed Book 3245, Page 32 and Deed Book 2475, Page 481, ROHC. Tax Map 159K-B-001.01 and 019.

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for the Petty Crossing Planned Unit Development, including the completion of all notes and conditions referenced on the attached Final Planned Unit Development Plan, are to be accomplished in accordance with the Planned Unit Development Plan.

ADOPTED: February 14, 2006

/add

P.U.D.: Petty Crossing Planed Unit Development
Lots 1-35

CASE NO.: 2005-034

DEVELOPER: DMW Group, LLC

ENGINEER: MAP Engineers

DATE OF SUBMITTAL: December 5, 2005

STATUS: Final Planned Unit Development

A. Planning Commission Requirements

1. Redraw the plan to the 24" x 30" size and format in Appendix 5 of the Chattanooga Subdivision Regulations. This is the only size and format that can be recorded.
2. Show exact bearings and distances for all straight property lines and length, radius, tangent distance and delta angle for all curved property lines. Show the beginning and ending points of curves for curved lot lines.
3. Show all lines of all lots as solid lines.
4. Show the west right-of-way opposite lots 29 and 30 as a solid line since right-of-way is dedicated. Show the bearing and distance for this line.
5. Give the street a name other than Petty Road. All street names must be approved by the GIS Department.
6. Show areas of individual lots.
7. Label road center lines as such.
8. Delete all notes shown.
9. Note that the zoning of lots 1-28 is R-1 and the zoning of lots 29-35 is R-5.
10. Show the distance from the center line of Petty Road at lot 35.
11. Delete station numbers and marks for them. This will make the plan easier to read.
12. Show owner's names and corresponding deed references for adjoining unsubdivided property east of lots 29-35, north of lots 1-5, west of lot 15

and south of lots 15-26. Label the unopened right-of-way south of lot 16 as such.

13. Show that the property east of lots 26-28 is lot 5 of Sylvia Clements property per Plat Book 52, Page 112.
14. Show subdivision name, lot numbers, and plat book and page references for adjoining lots in James H. Adams Subdivision and Igou Village Subdivision per Plat Book 22, Page 14 and Plat Book 79, Page 91, north of lots 6-10 and 15.
15. Show the adjoining 16' utility easement in adjoining lot 9 of James H. Adams Subdivision per Plat Book 22, Page 14.
16. Note water supply by Tennessee- American Water Company.
17. Note tax map numbers as 159K-B-001.01 and 019.
18. Show the deed numbers of the area included as Deed Book 7281, Page 438 and Deed Book 7526, Page 388.
19. Add the following note: "City Ordinance No. 9942 entitled Storm Water Runoff and Erosion Control, shall apply to any discharge of same from this subdivision of property".
20. Add the following note: "No fill material can be placed in a constructed drainage facility in such a manner as to impede storm water runoff flow unless approved by the City Engineer".
21. Add the following note: "Road width and pavement width variances granted by the Planning Commission on January 9, 2006".
22. Show the right-of-way width for the road at lots 1-28 as 40'.
23. Show the right-of-way widths for the road at lots 29-35.
24. Add the following note: "The entire area of Community Lot 25 is a private drainage detention area and City of Chattanooga inspection access easement. Consequently, no building of any kind is permitted on Community Lot 25". Refer to the number of this note in Community Lot 25 on the plat.
25. Show the drainage detention area on Community Lot 15 and the area between the detention area and the right-of-way of the road as a private drainage detention area and City of Chattanooga inspection access easement.

26. Add the following note: "The City of Chattanooga reserves the right to access the private drainage detention and City of Chattanooga inspection access easements on Community Lots 15 and 25 to inspect drainage and drainage detention areas and facilities".
27. Delete the buildings to be demolished.
28. Add the following note: "Public sanitary sewers are available by gravity flow".
29. Add the following note: "The City of Chattanooga is not responsible to construct or maintain drainage easements, storm sewer easements, drainage detention areas or any ground, facility, building or anything else on any community lot.
30. Show and label as such the approximate pre-fill 100-year flood boundary. Label areas above and below.
31. Add the following note: "Per F.E.M.A. F.I.R.M. No. 47065C0369F dated November 7, 2002, the 100-year flood elevation varies from 715.3' at the north line of lot 15 to 716' at the south line of lot 15".
32. Show addresses per the Chattanooga Technical Information Office.
33. Add the following note: "Only detached single-family houses and accessory uses with one house per lot are permitted on lots 1-24 and 26-35".
34. Label the west right-of-way line opposite lots 29-35 as an outer boundary of the P.U.D.
35. Add the following note: "All adjoining property is presently zoned residential".
36. Note that there will be at least two off-street parking spaces on each dwelling lot.
37. Note that the area subdivided is approximately 9.7 acres.
38. Note that there are 34 dwelling units with a density of 3.5 units per acre.
39. Since there are 25 lots in this subdivision, Section 305.4 of the Chattanooga Subdivision Regulations requires two boundary control monuments located to an accuracy of 1:20,000 in State Plane Coordinates. Show the location and coordinates of these monuments.

40. Delete pavement lines. These lines make the plat hard to read.
41. Delete Petty Road blow-up detail.
42. Add the following owner's statement and have it signed by the owner: "I certify that I am the owner in fee simple of the property shown, adopt this as my plan of planned unit development, dedicate the road right-of-way as shown to the public use forever and certify that there are no encumbrances on the property dedicated". Add the name, address and phone number of the owner.
43. Add the surveyor's certification per the Chattanooga Subdivision Regulations. Add the name, address and seal of the surveyor.
44. Add the following engineer's statement and have it signed by the engineer: "I certify that I have reviewed or designed the roads, drainage, domestic water and sanitary sewers as shown on this plan and the design meets proper engineering criteria". Add the name, address and seal of the engineer.
45. Show the size, location, number of acres drained and type for the drainage pipes which cross the road center line at lots 25 and 31.
46. Show a 15' private storm sewer easement along the drainage pipe in lot 35.
47. Show a 15' private storm sewer easement near the rear of lots 23 and 24 along the piped drainage from the detention pond.
48. Show a 15' private drainage easement along the rear of lots 16-22 for the drainage swale.
49. Show the locations and file numbers for the existing sewer lines and manholes in lots 1-15, in adjoining property west of lot 15, in lot 28, near the front of lots 29-35 and in Petty Road north of lot 35.
50. Show a 20' public sanitary sewer easement for the existing sewer line in lots 28 and 29.
51. Show a public sanitary sewer easement along the rear of lots 1-11 at a line 10' from the existing sewer line at or near the rear of lots 1-11.
52. Show a public sanitary sewer easement along the front of lots 29-35 at a line 10' from the existing sewer line.
53. Label the plan as a Final Planned Unit Development Plan.

54. Show the location of the proposed sewer line to be installed in the road and lots 11, 12 and 15.
55. Show a 20' public sanitary sewer easement for the proposed sewer line in lots 11, 12 and 15.
56. Show a 20' public sanitary sewer easement along the north line of lot 15.
57. Add the following note: "The only minimum building setbacks required are at least 25' from the outer boundary of the P.U.D., at least 10' from public streets and at least 10' between free-standing buildings. Other than above, no minimum building setbacks are required".
58. Add the following note: "No building of any kind is permitted in the wetland area".
59. Label Community Lot 25 as "Open Space".
60. Add the following note: "Per requirements of the Chattanooga Zoning Ordinance, sidewalks are required along the road in front of lots 1-28".
61. Label the center line of Petty Road parallel to north line of lot 35 as an outer boundary of the planned unit development.
62. Label the east lines of lots 29-35 as an outer boundary of the planned unit development.
63. Add the following note: "A 10' private drainage easement is reserved along the rear lines of lots 1-10 and 23-35 and along the north, west and south lines of lot 15 which are outer boundaries of this planned unit development. This drainage easement is automatically abandoned if two or more lots are combined or used as one lot or no setback is required".
64. Show the location of the existing fire hydrant at the northwest corner of lot 35.
65. According to Tax Map 159K, part of the adjoining Lisa S. Paty property north of lots 1-4 is being dedicated as road right-of-way west of lots 29 and 30. If this is the case, have Lisa S. Paty sign this plan and show her address and phone number. Include Deed Book 6939, Page 159 with the list of deeds subdivided if Lisa S. Paty signs the plat.
66. Note a typical lot number or add the word "lot" in front of each lot number.

B. Chattanooga Sewer Requirements

1. The existing water line in lots 34 and 35 is shown in the public sanitary sewer easement. Utility lines, other than sewer lines, are not allowed in the public sanitary sewer easements except to cross them. Consequently, show a 10' power, communication and water line easement in lots 29-35 east of the public sanitary sewer easement. Either install the water line in the 10' power, communication and water line easement or move the water line to the west side of the road.
2. Catch basins must be located at least 10' from public sewer lines. The catch basins at lots 31 and 35 are closer than 10' to the sewer line. Consequently, redesign the drainage system along the road so that catch basins are at least 10' from the existing sewer lines.
3. The catch basin at lot 1 is closer than 10' to the proposed sewer line. Consequently, move the catch basin or the sewer line so that the catch basin is at least 10' from the sewer line.
4. Provide sewer lateral connections for Community Lots 15 and 25.
5. New sewer lateral connections to lots 28-35 must be installed or bonded before these lots are recorded.
6. Questions about Chattanooga sewer requirements should be directed to Mr. David Wilson at 425-7629.

C. Chattanooga Development Director Requirements

1. Add the following note: "Owners of lots 1-35 are responsible to maintain drainage detention areas and facilities on Community Lots 15 and 25".
2. This P.U.D. plan cannot be recorded until the Chattanooga Development Director approves covenants which require that the owners of lots 1-35 are responsible to maintain drainage detention areas and facilities on Community Lots 15 and 25 and are responsible for any costs to maintain drainage detention areas and facilities.
3. Show a 15' utility, paving and sidewalk easement along Petty Road at the north line of lot 35.
4. Show a 5' paving, sidewalk and public sanitary sewer easement along the new road in front of lots 29-35.

5. Show a 5' paving, sidewalk and utility easement along the new road in lots 1-28.
6. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 757-4886.

D. Chattanooga Fire Department Requirements

1. Show on the plat and install a fire hydrant at the lot line between lots 28 and 29 or across the road at the north line of lot 1 on the same side of the road as the water line.
2. Show on the plat and install a fire hydrant at the lot line between lots 9 and 10 or the lot line between lots 17 and 18 on the same side of the road as the water line.
3. Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 421-4268.

E. Utility Requirements

1. Show a 10' power and communication easement along both sides of the new road in lots 1-28.
2. Show a 10' power, communication and water line easement near the front of lots 29-35 east of the public sanitary sewer easement along the front of lots 29-35.

F. Tennessee Department of Health and Environment Requirements

1. Under current policies, the Mylar copy of the final plat cannot be recorded until the Tennessee Department of Health and Environment, Division of Water Supply, has approved the water line extensions.

G. N.P.D.E.S. Permit

1. Since there is to be more than one acre of disturbed ground, including building sites, in this subdivision, an N.P.D.E.S. (National Pollutant Discharge Elimination System) Permit to discharge storm water associated with construction activity is necessary.

2. Although there is not local enforcement of this permit, the state can impose civil and criminal penalties on the developer for failure to obtain a permit when one is necessary. The developer should contact the following office to answer questions about filing such a permit:

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
540 McCallie Avenue
Suite 550
Chattanooga, TN 37402
(423) 634-5745

H. S.W.P.P.P. Permit

1. As a part of Storm Water Pollution Prevention Plan (S.W.P.P.P.), the State of Tennessee may require 60' riparian buffer zones during construction along or in drainage areas of streams designated by the State as high quality or impaired. The developer should contact the Tennessee Department of Environment and Conservation to determine if buffer zones are required.

I. A.R.A.P. Permit

1. Since a stream may be involved in this subdivision, an A.R.A.P. (Aquatic Resource Alteration Permit) may be required by the State of Tennessee.
2. Although there is no local requirement or enforcement of this permit, the state can impose penalties and requirements if an A.R.A.P. permit is necessary but has not been obtained.
3. The developer is urged to contact the Tennessee Department of Environment, Division of Water Pollution Control at the above address and phone number to determine if an A.R.A.P. permit is required.

