

2006-070  
John B. Lowery  
c/o Wellstone Housing, LLC

RESOLUTION NO. 24728

A RESOLUTION APPROVING A PROPOSED PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS WELLSTONE CREEKSIDE PLANNED UNIT DEVELOPMENT, ON A TRACT OF LAND LOCATED AT 1120 MOUNTAIN CREEK ROAD, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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WHEREAS, The John B. Lowery, c/o Wellstone Housing, LLC, petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend that the City Council of the City of Chattanooga grant a special exceptions permit for a Planned Unit Development on property located at 1120 Mountain Creek Road, known as Wellstone Creekside Planned Unit Development; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission, on March 13, 2006, recommended that the Chattanooga City Council approve the Plan as a Preliminary and Final Planned Unit Development; and

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and hereby is granted a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development on a tract of land located at 1120 Mountain Creek Road, known as Wellstone Creekside Planned Unit Development, and more particularly described as follows:

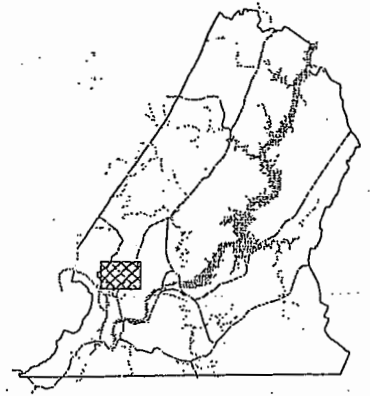
Tract 2, Final Plans of Tract #1 and #2, Mountain Creek Valley  
Subdivision, Plat Book 58, 86, ROHC, Deed Book 4434, Page  
940, ROHC. Tax Map 117C-A-009.0

BE IT FURTHER RESOLVED, That the Preliminary and Final Planned Unit  
Development Plan for this Planned Unit Development is subject to the following conditions:

1. Review and approval of the City Traffic Engineer; and
2. The attached site plan and Planned Unit Development review.

ADOPTED: April 11, 2006

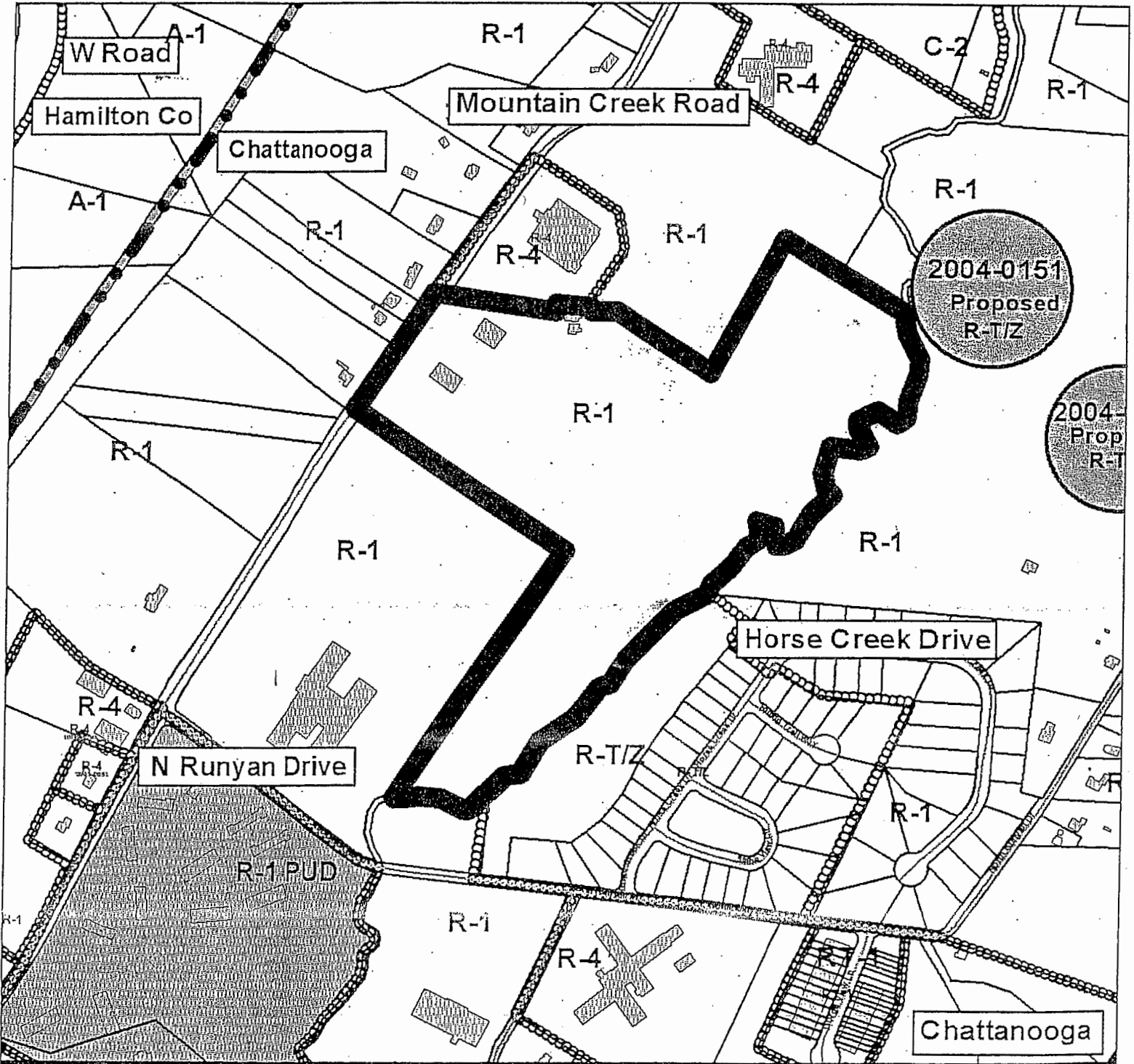
DML/add



CHATTANOOGA  
CASE NO: 2006-0070  
PC MEETING DATE: 3/13/2006  
RESIDENTIAL PUD



1 in. = 500.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2006-070: Approve, subject to:

- 1) Review & approval of the City Traffic Engineer; and
- 2) The attached PUD review.

CERTIFICATE OF OWNERSHIP  
I CERTIFY THAT WE ARE THE OWNERS IN FEE SIMPLE OF THE  
LAND SHOWN AND ADAPT THIS AS OUR PLAN OF PLANNED  
UNIT DEVELOPMENT.

WELLSSTONE COMMUNITIES  
2160 ATLANTIC HIGHWAY, STE. 801  
CUMMING, GA. 30009  
PHONE 770-662-1104

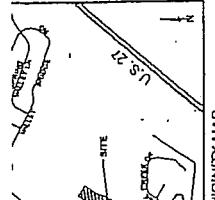
2006-070

**LAND USE INFORMATION**  
SITE AREA = 38.614 ACRES.  
MAXIMUM ALLOWABLE UNITS (P.U.D.) = 197  
PROPOSED # OF UNITS = 110, DENSITY 2.8 UNITS/ACRE  
EXISTING ZONE = R-1

**MOUNTAIN CREEK ROAD**

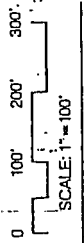
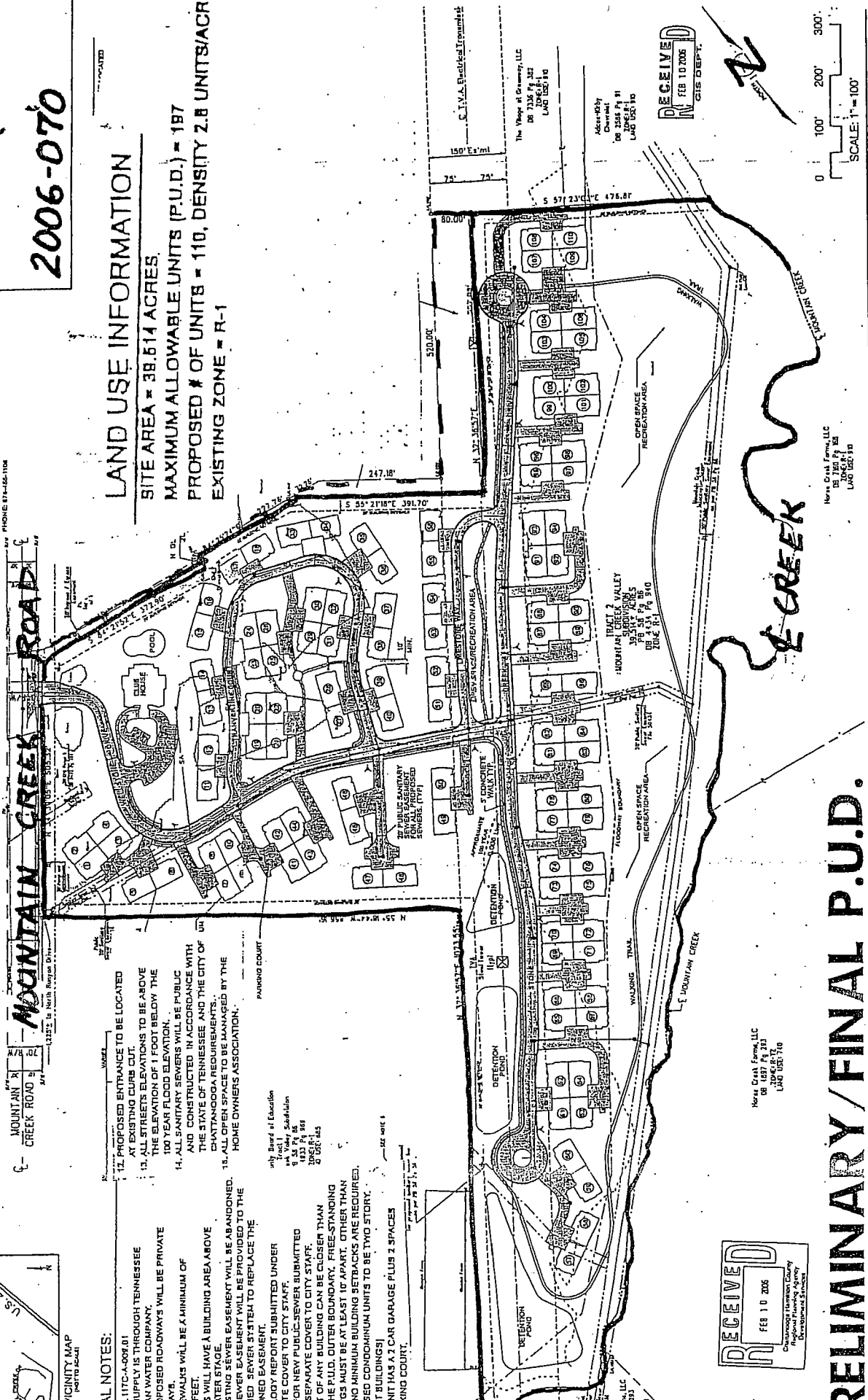
- 11. PROPOSED ENTRANCE TO BE LOCATED AT EXISTING CURB CUT.
- 12. ALL STREETS ELEVATIONS TO BE ABOVE THE ELEVATION OF 1 FOOT BELOW THE 100 YEAR FLOOD ELEVATION.
- 13. ALL SANITARY SEWERS WILL BE PUBLIC AND CONSTRUCTED IN ACCORDANCE WITH THE STATE OF TENNESSEE AND THE CITY OF CHATTANOOGA REQUIREMENTS.
- 14. ALL OPEN SPACE TO BE MANAGED BY THE HOME OWNERS ASSOCIATION.

City Board of Education  
1000 Valley Station  
600 N. 1st St.  
Chattanooga, TN 37403  
2006-070



VICINITY MAP  
MOUNTAIN ROAD

- 15. PROPOSED ENTRANCE TO BE LOCATED AT EXISTING CURB CUT.
- 16. ALL STREETS ELEVATIONS TO BE ABOVE THE ELEVATION OF 1 FOOT BELOW THE 100 YEAR FLOOD ELEVATION.
- 17. ALL SANITARY SEWERS WILL BE PUBLIC AND CONSTRUCTED IN ACCORDANCE WITH THE STATE OF TENNESSEE AND THE CITY OF CHATTANOOGA REQUIREMENTS.
- 18. ALL OPEN SPACE TO BE MANAGED BY THE HOME OWNERS ASSOCIATION.
- 19. ALL BUILDINGS TO BE ABANDONED.
- 20. SEWER EASEMENT WILL BE PROVIDED TO THE SEWER SYSTEM TO REPLACE THE EXISTING SEWER SYSTEM.
- 21. SEWER REPORT SUBMITTED UNDER THE CITY OF CHATTANOOGA REQUIREMENTS FOR NEW PUBLIC SEWER SUBMITTED SEPARATE COVER TO CITY STAFF.
- 22. IF ANY BUILDING CAN BE CLOSER THAN THE FLOOD, OUTER BOUNDARY, FREE-STANDING UNITS MUST BE AT LEAST 10' APART. OTHER THAN NO MINIMUM BUILDING SETBACKS ARE REQUIRED.
- 23. ALL CONDOMINIUM UNITS TO BE TWO STORY.
- 24. ALL BUILDINGS TO BE TWO STORY.
- 25. UNIT HAS A 2 CAR GARAGE PLUS 2 SPACES KING COURT.



RECEIVED  
FEB 10 2006  
GIS DEPT.

RECEIVED  
FEB 10 2006  
Chattanooga-Hamilton County  
Development Services

North Creek Farms, LLC  
68 1887 Pk 231  
LAD 0857-740

North Creek Farms, LLC  
68 1887 Pk 231  
LAD 0857-740

**BWSC**  
BARGE WASSNER SUMNER & CANNON, INC.  
ENGINEERS PLANNERS  
LANDSCAPE ARCHITECTS AND SURVEYORS  
200 Woodland Lake, 386 Oaklawn Lane, 37102  
800-368-1338 FAX 615-368-1337



**RELIMINARY/FINAL P.U.D.**

**WELLSSTONE CREEKSIDE**

ATTANOOGA, TENNESSEE

FEBRUARY 10, 2006

P.U.D.: Wellstone Creekside Planned Unit Development  
110 Dwelling Units

CASE NO.: 2006-070

APPLICANT: John-B. Lowery, c/o Wellstone Housing, LLC

ENGINEER: Barge, Waggoner, Sumner and Cannon

JURISDICTION: City of Chattanooga

LOCATION: 1120 Mountain Creek Road

DATE OF SUBMITTAL: February 10, 2006

STATUS: Preliminary and Final Planned Unit Development  
Plan Approved Simultaneously

A. Planning Commission Requirements

1. Change "Preliminary/Final P.U.D." to "Final Planned Unit Development Plan".
2. Show 20' public sanitary sewer easements along all sewer lines to be public.
3. Delete notes 7 and 8.
4. Add the following note: "The City of Chattanooga is not responsible to construct or maintain any road, building, ground or facility on this P.U.D. plan. The City of Chattanooga is not responsible to construct proposed public sewer lines".
5. Show the file number for the existing sanitary sewer line in the 30' sewer easement along Mountain Creek.
6. Buildings 67 and 68 are located very close to the floodway boundary. Article 5, Section 1124 of the Chattanooga Zoning Ordinance requires that the minimum building site for residential buildings must be at or above the 100 year flood elevation. No part of any fill can, in any way, be located in a floodway area.
7. Label areas above and below the 100 year flood area.
8. Add the following note: "Per F.E.M.A. F.I.R.M. No. 47065C0327F, dated November 7, 2002, the 100 year flood elevation varies from 664' at the south property line to 673' at the north property line".

B. GIS Requirements

1. Change Travertine Court to Travertine Lane.
2. Change Limestone Way to Limestone Place.
3. Change Stone Creek Drive to Stonecreek Drive.
4. Show street addresses per the GIS Department.
5. Questions about GIS Department Requirements should be directed to the GIS Department at 209-7760.

C. Chattanooga Fire Department Requirements

1. Delete all the fire hydrant locations shown.
2. Replace the fire hydrants with the following six hydrants. Alternative locations are shown so that fire hydrants can be installed on the same side of the road as water lines.
  - a. show on the plan and install a fire hydrant along Wellstone Drive near Mountain Creek Road but outside the curve radius.
  - b. show on the plat and install a fire hydrant on either side of Wellstone Drive at units 10 or 11 on the same side of the road as the water line.
  - c. show on the plat and install a fire hydrant on either side of Travertine Lane at units 30 or 33 on the same side of the road as the water line.
  - d. show on the plat and install a fire hydrant at the intersection of Stonecreek Drive and Wellstone Drive on the same side of the road as the water line but outside the curve radius..
  - e. show on the plat and install a fire hydrant at unit 62 on either side of Stonecreek Drive on the same side of the road as the water line.

- f. show on the plat and install a fire hydrant at units 99/100 or either side of Stonecreek Drive on the same side of the road as the water line.

2. Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 421-4268.

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

1. Since there is to be more than one acre of disturbed ground, including building sites, in this P.U.D., 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

E. 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.

F. A.R.A.P. Permit

1. Since a stream may be involved in this P.U.D., an A.R.A.P. (Aquatic Resource Alteration Permit) may be required by the State of Tennessee.

Wellstone Creekside PUD

Page 4

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.