

2005-077
Michael A. Dowlen

RESOLUTION NO. 24732

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS AMBERBROOK GARDENS PLANNED UNIT DEVELOPMENT ON PART OF A TRACT OF LAND LOCATED AT 5506 CASSANDRA SMITH 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 Amberbrook Gardens Planned Unit Development on June 21, 2005; and

WHEREAS, A final planned unit development plan has been submitted for Amberbrook Gardens Planned Unit Development which substantially conforms to said preliminary planned unit development plan previously approved; 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 part of a tract of land located at 5506, Cassandra Smith Road, known as Amberbrook Gardens Planned Unit Development, more particularly described as follows:

Beginning at the intersection of the northwest corner of 100-063.02 and the east line of the 5500 block of Cassandra Smith Road, thence southeast following the north line of said parcel some 326 feet to its northeast corner, thence southwest following the east line of said parcel some 298 feet to its southeast corner being a point in the north line of 100-067, thence southeast following said north line some 390 feet to its northeast corner, thence southwest some 320 feet along the east line of said parcel to its southeast corner being a point in the north line of 100-072, thence southeast some 1290 feet along said north line to the southwest corner of 101-040, thence northeast some 1140 feet to the northeast corner of Lot 12, Turner Smith Farms Subdivision, Plat Book 78, Page 179, ROHC, thence northwest some 1665 feet to the northeast corner of Lot 13, Turner Smith Farms Subdivision, Plat Book 78, Page 180, ROHC, thence southwest along the east line of said property 173.49 feet to its southeast corner thence 197.86 feet northwest to its southwest corner and the east line of the 5500 block of Cassandra Smith Road, thence some 400 feet along the east line of said road to the northwest corner of 100-063.02, the point of beginning being part of Tract 1, Final Plat of Turner Smith Farms, Plat Book 52, Page 138, ROHC, being also part of Deed Book 5511, Page 551, ROHC. Tax Map 100-063(part).

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for Amberbrook Gardens Planned Unit Development are to be accomplished in accordance with the Planned Unit Development Plan, including the completion of all notes and conditions referenced on the attached Final Planned Unit Development Plan and the following additional conditions:

- 1) Along Cassandra Smith Road a landscaped berm; and
- 2) Along the north and east property line of the Turner Smith Farm, Tract 2, planted with Hollies 9 foot on center.

ADOPTED: April 18, 2006

/add

P.U.D.: Amberbrook Gardens Planned Unit Development
Lots 1-113

CASE NO.: 2005-077

DEVELOPER: Michael A. Dowlen
Green Oaks, LLC

SURVEYOR: David Mathews Surveying Company

ENGINEER: Alvin R. Cook and Associates

DATE OF SUBMITTAL: January 11, 2006

JURISDICTION: City of Chattanooga

LOCATION: 5506 Cassandra Smith Road

STATUS: Final Planned Unit Development Plan

A. Planning Commission Requirements

1. Redraw the plan to the 24" x 30" size and format in the Chattanooga Subdivision Regulations. This is the only size and format that can be recorded.
2. Delete contour lines. These lines are useful for preliminary review but make the recorded instrument difficult to read.
3. Label Cassandra Smith Road.
4. Show and label the center line of Cassandra Smith Road.
5. Delete station numbers and marks for them to make the plat easier to read.
6. Show the right-of-way width of Cassandra Smith Road.
7. Show the location and file number for the existing sewer line in Cassandra Smith Road.
8. Add the following note: "All buildings must be at least 25 feet from Cassandra Smith Road and other outer boundaries of this P.U.D. and at least 10 feet from other public roads. All free-standing buildings must be at least 10 feet apart. Other than above, no minimum building setbacks are required".

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9. Since there are more than 25 lots in this P.U.D., locate 2 boundary monuments to a minimum 1:20,000 accuracy in State Plane Coordinates and show the location and coordinates of these two boundary control monuments.
10. Article 5, Section 1208(3) of the Chattanooga Zoning Ordinance requires sidewalks or an equivalent paved internal pedestrian circulation system. Accordingly, show the location of the required sidewalks or equivalent paved internal pedestrian circulation system or add the following note: "Per requirements of the Chattanooga Zoning Ordinance, sidewalks are required on both sides of all internal streets except on the entrance island between lots 1-5 and 56-61".
11. Change "Preliminary/Final Plat" to "Final Planned Unit Development Plan".
12. Show exact bearings and distances for all straight lot lines and length, radius, tangent distance and delta angle for curved lot lines.
13. Label road center lines as such.
14. Show exact distance from lot 1 to Heritage Ridge Drive.
15. Change water supply to Hixson Utility District.
16. Show beginning and ending points of curved road frontages.
17. The area at the south end of the development shown as zoned R-5 has been rezoned to R-1. Consequently, delete the former R-1/R-5 zoning line.
18. Show the file number for the existing sewer line in lots 17, 18, 19 and 113.
19. Show a 15' private storm sewer easement in lots 55-61 and 112 along the drainage pipe proposed in those lots.
20. Change the drainage pipe locations on the final P.U.D. plan to the locations shown on the stormwater and erosion control plan.
21. Label lots 17, 61 and 112 as community lots.
22. Add the following note: "Due to conditions of Resolution 24478, no residential building of any kind is permitted on Community Lots 15, 61 and 113. Community Lots 15, 61 and 113 are to be used for open space,

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recreation, drainage, drainage detention, community uses and sewer lines only".

23. Add the following note: "The City of Chattanooga is not responsible to construct or maintain storm sewer easements or any ground, facility, building, drainage, drainage detention, open space or anything else on Community Lots 15, 61 and 113".
24. Show private drainage detention area easements and City of Chattanooga inspection access easements on Community Lots 61 and 113 in the drainage detention areas shown on the storm water and erosion control plan.
25. On Community Lot 61, show a 15' private storm sewer and City of Chattanooga inspection access easement between Road "A" and the private drainage detention area easement. Show this easement along the drainage pipe from Road "A".
26. On Community Lot 113, show the 25' access strip between Road "B" and the private drainage detention area easement as a 25' utility, private storm sewer and City of Chattanooga inspection access easement.
27. On Community Lots 61 and 113, show 15' private storm sewer easements for the outflow pipes.
28. Add the following note: "The City of Chattanooga reserves the right to access at any time Community Lots 61 and 113 to inspect drainage pipes, drainage detention areas and drainage detention facilities".
29. Give Roads "A", "B" and "C" names approved by the GIS Department.
30. Show street addresses per the GIS Department.
31. Add the following engineer's statement and have it signed by an engineer: "I certify that I have reviewed or designed all new roads, drainage, domestic water and sanitary sewers as shown on this plan and that the design meets proper engineering criteria". Add the seal and address of the engineer.
32. Add the seal of the surveyor.
33. Show the size and number of acres drained of drainage pipes at lots 1, 16, 26, 42, 68 and 91 which cross road center lines.

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34. Add the following note: "Per Resolution 24478, only detached, single-family houses and accessory uses with one house per lot are permitted on lots 1-16, 18-60 and 62-112".
35. Note that there are 110 dwelling units and a density of 2.7 units per acre.
36. Add the following note: "All adjoining property zoned R-1".
37. Show the areas of individual lots. This could be done in a table.
38. Show right-of-way widths of all roads.
39. Add the following note: "Drainage detention areas and facilities installed by the developer cannot be filled, altered or changed in any way without permission from the Chattanooga City Engineer".
40. Add the following note: "A 10' private drainage easement is reserved along the outer boundaries of this P.U.D. except Cassandra Smith Road frontage. This drainage easement is automatically abandoned if the line is moved or no setback is required".
41. There is an existing sewer line through lots 47, 84-90, 110 and 111. The easement for this line must be abandoned by the Chattanooga City Council following a recommendation by the Planning Commission. The applicant or his representative must submit a request to the Regional Planning Agency for a recommendation to the City Council about the abandonment of the easement for the existing sewer line or the Chattanooga City Engineer must submit a request for a recommendation about this abandonment before this P.U.D. plan can be recorded.
42. Show the adjoining 20' driveway easement per Deed Book 1009, Page 462 north of lots 7-10 shown on Plat Book 36, Page 380.
43. Show the adjoining 30' power and communication easement north of lots 11-14 in lot 14 of Turner Smith Farms per Plat Book 78, Page 180.
44. Show the 20' public sanitary sewer easement in lot 14 of Turner Smith Farms per Plat Book 78, Page 180 which is north of Community Lot 17 and partially adjoins Community Lot 17.
45. Note a typical lot number.
46. Add the following note: "The City of Chattanooga is not responsible to construct or maintain the entrance island".

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B. Chattanooga Development Director Requirements

1. Add the following note: "The owners of lots 1-113 are responsible to maintain drainage detention areas and facilities on Community Lots 61 and 113".
2. Covenants which require that the owners of lots 1-113 are responsible to maintain the drainage detention areas and drainage detention facilities on Community Lots 61 and 113 and that the owners of lots 1-113 are responsible for any costs to maintain these facilities must be approved by the Chattanooga Development Director before this P.U.D. plan can be recorded.
3. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 757-4886.

C. Chattanooga Fire Department Requirements

1. Show on the plat and install a fire hydrant at each of the four following locations. Alternative locations are shown so that fire hydrants can be installed on the same side of the road as the water line.
 - a. in lots 6 or 55 at the intersection but outside the curve radius
 - b. at the lot line between lots 13 and 14 or in lot 81 at the intersection but outside the curve radius
 - c. at the lot line between lots 28 and 29 or the lot line between lots 104 and 105
 - d. at the lot line between lots 42 and 43 or across the road
2. Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 421-4268.

C. Utility Requirements

1. Show a 10' power and communication easement along both sides of new roads.
2. Show the 25' access strips of lots 17, 112 and 113 as utility easements.

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D. 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.

E. 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

F. 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.

G. 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.

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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.

FB:sh
AmberbrookGardens

AMBERBROOK GARDENS PRELIMINARY / FINAL PLAT CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

DMS MAPPING
DATA KATZBERG SURVEYING & MAPPING
1000 N. W. 10th St.
Tomball, TX 77375
713-341-1111

DMS

MEAN 44-43347

DATE	4-11-06
TITLE	AMBERBROOK GARDENS
BY	DAVID MATTHEWS
CHECKED BY	
DATE	
APPROVED BY	
DATE	

Surveyor's Certification
I certify that I have reviewed the property shown herein and that the survey is correct in accordance with the laws of Tennessee and that the rate of precision of the triangulation survey is as shown on the survey plat.

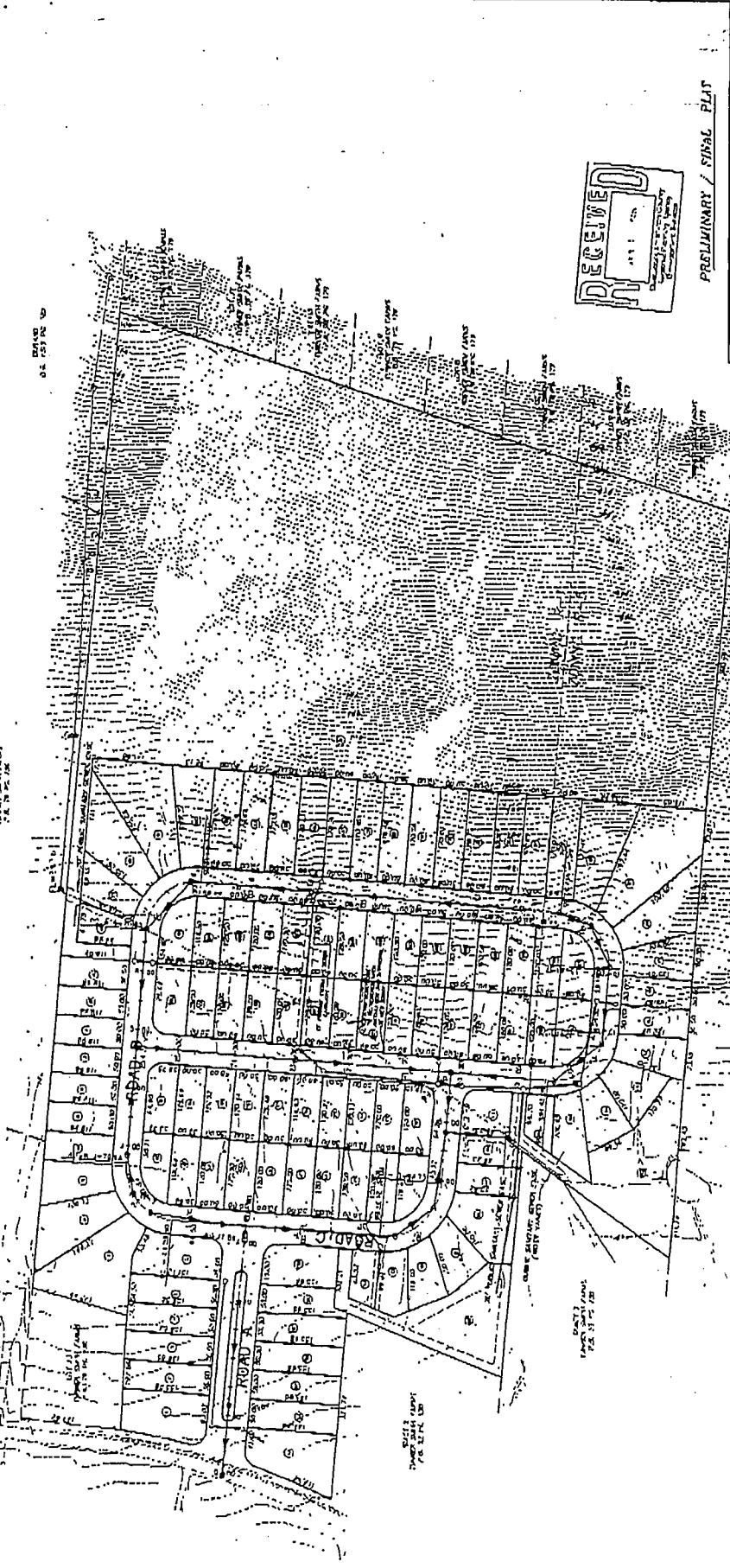
Owner's Certification
I, the undersigned owner of the property shown herein, hereby certify that the survey is correct in accordance with the laws of Tennessee and that the rate of precision of the triangulation survey is as shown on the survey plat.

David Matthews 04/12/06

David Matthews (Chief of Survey)
4657 South Justice Road
Chattanooga, Tennessee 37403
Phone: 423-892-1616

APPROVED FOR RECORDING
HAMILTON COUNTY CLERK
DATE: 4-11-06

BY: [Signature]
COUNTY CLERK



PRELIMINARY / FINAL PLAT

AMBERBROOK GARDENS

PLANNED UNIT DEVELOPMENT
LOTS 1 thru 113

CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

DATE: 4-11-06
BY: [Signature]
TITLE: [Signature]

DMS
DAVID MATTHEWS SURVEYING

05-3333

- GENERAL NOTES**
1. All lots are 1/4 acre.
 2. The plat is subject to all existing and future utility easements.
 3. The plat is subject to all existing and future zoning ordinances.
 4. The plat is subject to all existing and future subdivision regulations.
 5. The plat is subject to all existing and future plat requirements.
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