

2006-134
ABT Construction, LLC

RESOLUTION NO. 24897

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS SOUTHERNWOOD VILLAGE 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 Southernwood Village Planned Unit Development on July 11, 2006; and

WHEREAS, A final planned unit development plan has been submitted for Southernwood Village Planned Unit Development which substantially conforms to the 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 tracts of land located at 1700 and 8600 Petty Road, known as Southernwood Village Planned Unit Development, more particularly described as follows:

Three unplatted tracts of land located at 1700 and 1800 Petty Road as described in Deed Book 7865, Page 928, ROHC. Tax Map 159K-B-001.01 and 019.

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for the Southernwood Village 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: Sept. 26, 2006

/add

P.U.D.: Southernwood Village
Planned Unit Development
Lots 1-43

CASE NO.: 2006-134

DEVELOPER: ABT Construction, LLC

ENGINEER: MAP Engineers

SURVEYOR: The RLS Group

DATE OF SUBMITTAL: August 11, 2006

STATUS: Final Planned Unit Development Plan

A. Planning Commission Requirements

1. Give Private Road "A" a name approved by the GIS Department.
2. Change "Final Plat" to "Final Planned Unit Development Plan".
3. In order to provide access to Community Lot 43, change the 20' public sanitary sewer easement between lots 14 and 15 to a 20' public sanitary sewer easement and private access easement.
4. In note 19, change Lot 34 to Lot 43.
5. Show the locations of existing fire hydrants at lots 1, 11 and 12.
6. Add a graphic scale and a verbal scale.
7. Show the center point of the cul-de-sac at lots 15-21 and show that this cul-de-sac has a 60' radius.
8. Add the seal of the surveyor.
9. Add the seal of the engineer.
10. Delete the pipe size chart.
11. Show the size and number of acres drained for drainage pipes which cross the road center line at lots 26, 34 and 39.
12. Show addresses per the GIS Department.

13. Add the following note: "The City of Chattanooga is not responsible to construct or maintain any ground, facility, building or anything else on any lot of this development".
14. Add the following note: "The City of Chattanooga is not responsible to construct or maintain right-of-way islands or private roads".
15. Show the name of the road in front of lots 38-42 and label this as a public road.
16. Show a 20' wide City of Chattanooga inspection access easement and private access easement centered on the lot line between lots 20 and 21 between Road "A" and the private drainage detention area easement.
17. Add the following note: "A 10' private drainage easement is reserved along the outer boundary of this P.U.D. except road lines and the rear lines of lots 21-33. This drainage easement is automatically abandoned if two or more lots are combined or used as one lot or no setback is required".
18. Note the density of this P.U.D. is 4.47 units per acre.
19. Change the 20' public sanitary sewer easement in lots 29-42 along Petty Road to a 10' public sanitary sewer easement from the sewer line shown. Clarify that this easement is 10' from the sewer line shown.
20. The dedication statement needs to be changed to indicate that only the right-of-way at lots 38-42 is dedicated. If this is not clarified, the statement could be interpreted to dedicate the private road. Accordingly, change the dedication statement to the following: "... and dedicate the road right-of-way as shown adjoining lots 38-42 to the public use forever and certify that there are no encumbrances on the property dedicated".
21. Label the end of the public road at lot 37. The right-of-way island must be in the private road.
22. Add 159K-B-001.01 to note 5.

B. Chattanooga Development Director Requirements

1. The road in front of lots 38-42 is a City accepted road named Petty Road. Label this road as Petty Road and show it as public unless the name is changed by the Chattanooga City Council.

2. Add the following note: "The City of Chattanooga reserves the right to access at any time the private roads, private drainage detention area easements and City of Chattanooga inspection access easements shown on this P.U.D. plan to inspect drainage detention areas and facilities".
3. The P.U.D. plan cannot be recorded until covenants are recorded which specify that the owners of lots 1-43 are responsible to maintain drainage detention areas and facilities on lots 20, 21, 33 and 34 and the owners of lots 1-43 are responsible for any costs to maintain these areas and facilities. The proposed covenants must be approved by the Chattanooga Development Director before the plan can be recorded.
4. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 757-4886.

C. 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

D. 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.

E. 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.

