

2006-062  
Webb Road Properties, LLC

RESOLUTION NO. 24975

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS WINDWARD PRESERVE PLANNED UNIT DEVELOPMENT ON A TRACT OF LAND LOCATED AT 4221 WEBB 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.

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WHEREAS, The Chattanooga City Council approved, with conditions, the special exceptions permit for the Preliminary Residential Planned Unit Development known as the Windward Preserve Planned Unit Development on April 11, 2006; and

WHEREAS, A final planned unit development plan has been submitted for the Windward Preserve 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 tracts of land located at 4221 Webb Road, known as the Windward Preserve Planned Unit Development, more particularly described as follows:

An unplatted tract of land located at 4221 Webb Road being Tracts 1, 2 and 3 of Deed Book 7750, Page 470, ROHC. Tax Map 120J-A-005.

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for the Windward Preserve 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: December 12, 2006

/add

P.U.D.: Windward Preserve Planned Unit Development  
123 dwelling units

CASE NO.: 2006-062

DEVELOPER: Webb Road Properties, LLC

ENGINEER: Betts Engineering Associates, Inc.

DATE OF SUBMITTAL: October 11, 2006

JURISDICTION: City of Chattanooga

STATUS: Final Planned Unit Development Plan

A. Planning Commission Requirements

1. Add the following ownership statement and have it signed by the owner: "I certify that I am the owner in fee simple of the property shown and adopt this as my plan of planned unit development". Show the name, address and phone number of the owner. Have the owner sign the ownership statement.
2. Show the subdivision names, lot numbers, unit numbers and plat book and page numbers for adjoining lots in The Colony of Webb Subdivision, Harbor Hill Subdivision, Unit 2 and Bal Harbor Subdivision. Owner name and deed reference for recorded lots are not required.
3. Change "20' Sanitary Sewer Easement" to "20' Public Sanitary Sewer Easement".
4. Label all road center lines as such.
5. Show addresses 4060, 4064, 4068 and 4072 for the building between addresses 4048 and 4080.
6. In note 14, change "123 multifamily" to "123 multifamily dwelling units".
7. In note 17, add "Dated November 7, 2002".
8. In note 19, delete "The City of".
9. Add the following note: "The City of Chattanooga is not responsible to construct or maintain any roads, drainage, buildings, facilities, grounds, plantings, trails, pipes, lakes, clubhouses or dumpsters in this development".
10. Add a graphic scale.

11. Show that the cul-de-sac at the end of Preserve Drive has a 60' radius and show the center point of this cul-de-sac.
12. In note 15, delete "R-3" since no adjoining property zoned R-3.
13. Add the following note: "Per Resolution No. 24727, no direct access to Webb Road is permitted from any building in this planned unit development".
14. On the plat, the street names for Preserve Drive and Zephyr Lane are printed too small to easily read. Print these street names in a larger type.
15. Add the following note: "Per Resolution No. 24727, no dumpster can be located closer than 50' to the outer P.U.D. boundary".
16. Show the proposed road to the southmost 3 unit building and the maintenance area.
17. Label Preserve Drive and Zephyr Lane as 50' private access easements.
18. Show a waterline easement at least 10' wide near the southmost 3 unit building and the maintenance area where the waterline is not located in the 50' private access easement for Preserve Drive and Zephyr Lane.
19. The southmost three unit building is located in the 50' natural gas pipeline easement and the 150' power line easement. Show another location for this building which is not in the natural gas pipeline easement, the waterline easement or power line easement and is at least 25' from the right-of-way of Webb Road.
20. The proposed building at street addresses 4036-4048 is located directly on the 40' EPB Easement. The developer should be aware that no overhang or eve can be located in this easement. If this building is to have an eve or overhang, move it that distance away from the 40' EPB Easement.
21. In the title area, change "Final Planned Unit Development Plat" to "Final Planned Unit Development Plan".
22. Label Preserve Drive and Zephyr Lane as "Private" on the plan.
23. Show the 10' drainage easement in adjoining lots 94 and 95 of Bal Harbor, Unit 3, per Plat Book 31, Page 207.

24. Add the following note: "Per Article 5, Section 1208(3) of the Chattanooga Zoning Ordinance, sidewalks are required on Preserve Drive and Zephyr Lane".
25. Show locations and file numbers for existing sewer lines in Webb Road.

B. Chattanooga Sewer Requirements

1. The sanitary sewer easement through adjoining lot 87 of Bal Harbor, Unit 3 (James and Susan Wolfe Property) is assigned to the developer. Since this is a public sanitary sewer line, record a deed assigning this easement to the City of Chattanooga. Show on the plan the deed book and page number for the deed assigning this easement to the City of Chattanooga.
2. Questions about Chattanooga Sewer requirements should be directed to Mr. Eric Douglas.

C. Utility Requirements

1. Show a 10' power and communication easement along both sides of Zephyr Lane.
2. Show a 10' power and communication easement along Preserve Drive as indicated by the EPB.
3. Show a 10' power and communication easement along the proposed road to the southmost 3 unit building as indicated by the EPB.
4. Add the following note: "All utilities shall have the right of access to Preserve Drive and Zephyr Lane to inspect, repair and maintain their facilities".

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 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:

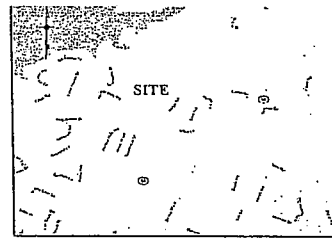
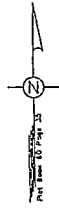
Tennessee Department of Environment and Conservation  
Division of Water Pollution Control  
540 McCallie Avenue  
Suite 550  
Chattanooga, TN 37402  
(423) 634-5745

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 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.



APPROVED FOR RECORDING  
HAMILTON COUNTY GIS DEPT  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
JURISDICTIONAL AUTHORITY  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
CHATTA/HAM CNTY REGIONAL  
PLANNING COMMISSION  
DATE \_\_\_\_\_  
BY \_\_\_\_\_

**GENERAL NOTES:**

1. PRESENT ZONING IS R-1.
2. AREA OF THIS P.U.D. IS 35.17 AC.±.
3. WATER SUPPLY IS THRU TENNESSEE-AMERICAN WATER COMPANY.
4. PUBLIC SANITARY SEWERS ARE AVAILABLE CRAWLY FLOW.
5. THIS PLAT SUBDIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 7750, PAGE 470.
6. THIS P.U.D. HAS BEEN DEVELOPED ACCORDING TO THE DESIGN STANDARDS OF THE ZONING REGULATIONS OF THE CITY OF CHATTANOOGA.
7. 1 - LOT NUMBER.
8. 5/8" REBAR WITH CAP SET ON ALL LOT CORNERS UNLESS NOTED OTHERWISE.
9. **PURPOSE OF THIS PLAT:** TO RECORD THE PLANNED UNIT DEVELOPMENT.
10. CITY ORDINANCE NO. 9942 ENTITLED "STORMWATER RUN-OFF AND EROSION CONTROL" SHALL APPLY TO ANY DISCHARGE OF SAME FROM THIS SUBDIVISION OF PROPERTY.
11. TAX MAP NO. 1204 A 005
12. DENSITY: 3.48 UNITS PER ACRE
13. PROPOSED UNITS: 123 DWELLING UNITS
14. PROPOSED LAND USE: 123 MULTIFAMILY, RECREATION AND OPEN SPACE AREAS.
15. ADJACENT PROPERTY ZONING: R1, RT-1, R-3
16. ADJACENT PROPERTY LAND USE: SINGLE FAMILY, MULTIFAMILY RESIDENTIAL
17. FLOOD ZONE: FIRM #47085C0356F
18. PARKING: 248 SPACES REQUIRED 300 SPACES PROVIDED (EACH UNIT HAS TWO CAR GARAGE)
19. THE ROADS IN THIS DEVELOPMENT ARE PRIVATE. THE CITY OF

**ENGINEER'S STATEMENT**

I HEREBY CERTIFY THAT I HAVE DESIGNED ALL NEW ROADS, DRAINAGE, AND SANITARY SEWERS AS SHOWN ON THIS PLAT, AND THAT THE DESIGN MEETS PROPER ENGINEERING CRITERIA.

J.L. CROWHOVER, P.E.  
TENNESSEE REGISTRATION NO. 11410

**SURVEYOR'S STATEMENT**

THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. DECLARATION IS MADE TO THE ORIGINAL OWNER AND OTHER INTERESTED PARTIES AS STATED ON THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. ANY LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. FOR INFORMATION REGARDING THESE UTILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; AND EASEMENTS PROVIDED BY THE TITLE COMPANY; RESTRICTIVE COVENANTS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THIS SURVEY SUBSTANTIALLY MEETS OR EXCEEDS "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS". THIS IS AN CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:15,000.

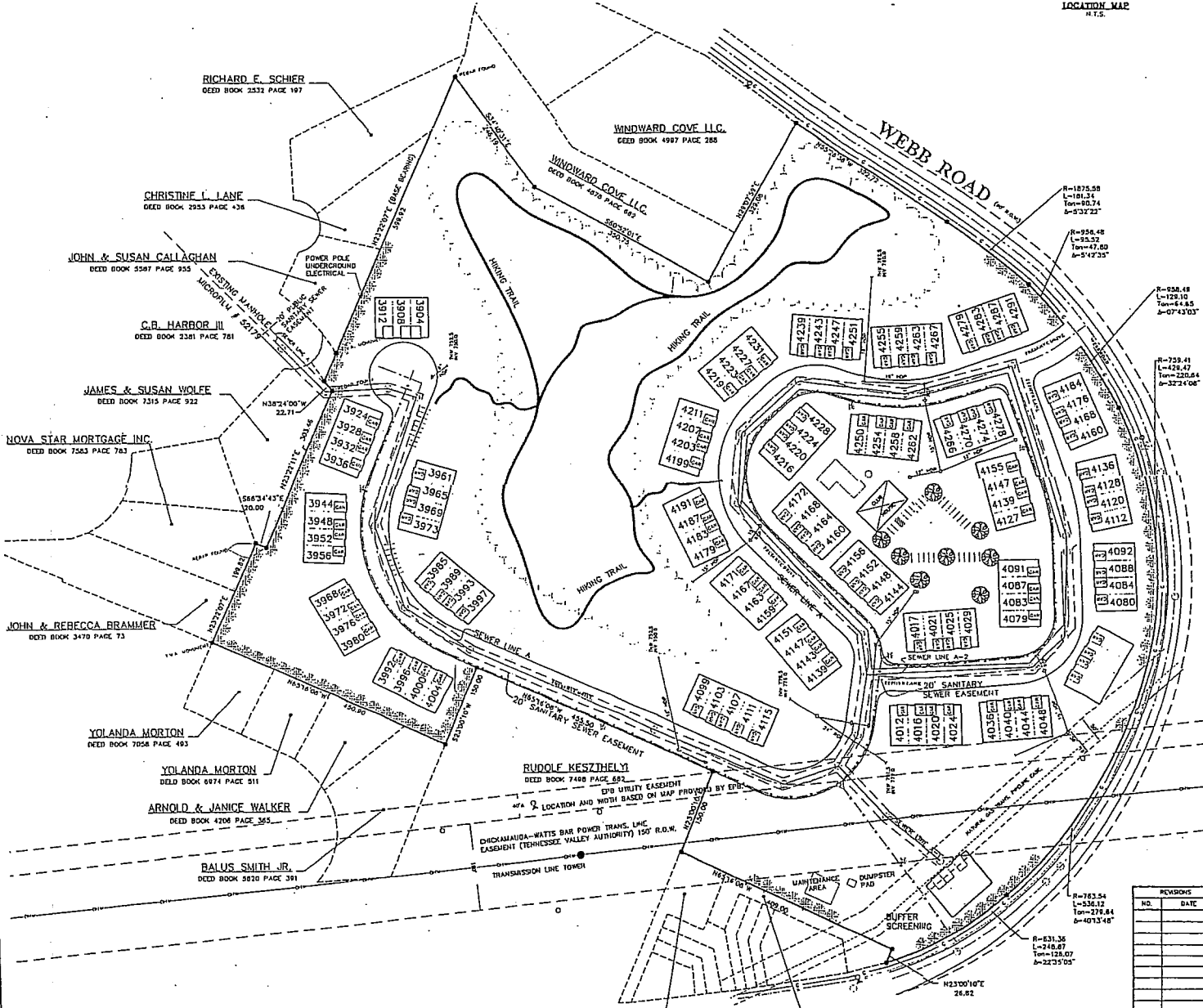
W.M. JAMES  
TENNESSEE REGISTRATION NO. 811  
BETTS ENGINEERING ASSOCIATES, INC.

**LOCATION MAP**  
N.T.S.

**WINDWARD PRESERVE**

**FINAL PLANNED UNIT DEVELOPMENT PLAT**

BEING THE PROPERTY DESCRIBED IN DEED BOOK 7750, PAGE 470, R.O.H.C., CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE.



NO.	REVISIONS	DATE

DRAWN BY: R.A.D.	CHECKED: D.A.N.	APPROVED: J.L.C.
SCALE: 1" = 100'	FIELD: DECEMBER 2005	DATE: MAY 10, 2006
BETTS ENGINEERING ASSOCIATES, INC. 418 N. MAIN STREET - SUITE 100 CHATTANOOGA, TENNESSEE 37405		SHEET NO.: 1 OF 1
DWG. NO.: 11349-4-207		