

2007-212
Habitat for Humanity
c/o Dennis Neal

RESOLUTION NO. 25532

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS THE COVENANT UNIT DEVELOPMENT ON TRACTS OF LAND LOCATED IN THE 1600 BLOCK OF EUCALYPTUS DRIVE, 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 Covenant Planned Unit Development on January 8, 2008; and

WHEREAS, A final planned unit development plan was submitted for The Covenant Planned Unit Development was submitted on March 10, 2008, which substantially conforms to the preliminary planned unit development plan previously approved; and

WHEREAS, The Chattanooga-Hamilton County Regional Planning Commission, City of Chattanooga agencies, and local utilities have reviewed the Final Planned Unit Development Plan; 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 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 Planned Unit Development on tracts of land located in the 1600 block of Eucalyptus Drive, known as The Covenant Planned Unit Development, more particularly described as follows:

Lot 14, Revised Plat of Willow Bend Subdivision, Plat Book 71, Page 94, ROHC, Deed Book 8489, Page 336, and Lot 15 of an unrecorded plat of the Willow Bend Subdivision being the property described in Deed Book 8489, Page 321, ROHC. Tax Map 147K-J-001.13 and 001.25.

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for The Covenant 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: May 13, 2008

P.U.D.: The Covenant Planned Unit Development
Lots 1-36

CASE NO.: 2007-212

DENSITY: 5.9 units per acre

DEVELOPER: Habitat for Humanity

SURVEYOR: David Mathews Surveying Company

DATE OF SUBMITTAL: March 10, 2008

JURISDICTION: City of Chattanooga

STATUS: Final Planned Unit Development Plan

STAFF RECOMMENDATION: Approve as a Final Planned Unit
Development Plan, subject to the
following requirements:

A. Planning Commission Requirements

1. Redraw the plan to the size and format in Appendix 3 of the Chattanooga Subdivision Regulations. This is the only size and format that can be recorded.
2. 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.
3. Add the following to the Owner's Certification: "I dedicate the road right-of-way as shown to the public use forever and certify that there are no encumbrances on the property dedicated".
4. Add the seal of the surveyor.
5. Add the following engineer's statement and have it signed by an engineer: "I certify that I have reviewed the roads, drainage, domestic water and sanitary sewers as shown on this plan and the design meets proper engineering criteria". Add the seal and address of the engineer.
6. In Note 1, change the zoning the RT-1 P.U.D.
7. Show the deed reference for the area developed.
8. Note that the density is 5.9 units per acre.

9. Delete Note 10.
10. Delete "Final Plat" and label this plan as "Final Planned Unit Development Plan".
11. Add the following note: "The only minimum building setbacks required are minimum 25' from Eucalyptus Drive and other outer boundaries of the P.U.D., minimum 10' from Covenant Place and Spiritual Way R.O.W. and minimum 10' between free-standing buildings. Other than above, no minimum building setbacks are required".
12. Add the following note: "Only detached single-family houses and accessory uses with one house per lot are allowed on Lots 1-34 and 36".
13. Add the following note: "Per requirements of the Chattanooga Zoning Ordinance, sidewalks are required on both sides of Covenant Place and Spiritual Way".
14. Add the following note: "No residential building permit is permitted on Community Lot 35. Community Lot 35 is to be used for open space or community purposes only".
15. Add the following note: "No building is permitted in the wetlands area of Lot 23".
16. The staff understands that the developer has requested a setback variance from the 25' side setback required on Lot 1. If the Chattanooga Board of Zoning Appeals grants a setback variance for any lots before this plan is recorded, add a note stating which lots had setback variances granted and the dates these variances were granted by the Chattanooga Board of Zoning Appeals.
17. Add the following note: "Adjoining lots in Tommy L. Woods Subdivision zoned R-T/Z. All other adjoining property zoned RT-1".
18. Change all easements shown as drainage easements to "private drainage easements".
19. The 15' private drainage easement between Lots 4 and 5 does not appear to be piped. If this is the case, reduce this to a 10' private drainage easement.

20. Label the 15' private drainage easements along drainage pipes in Lot 8 as such.
21. Add the following note: "A 10' private drainage easement is reserved along the P.U.D. outer boundaries except road lines in Lot 1. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or no setback is required".
22. Add the following note: "Public sanitary sewers are available by gravity flow".
23. Show the individual areas of all lots. This could be done in a table.
24. Delete all contour lines. These lines are useful for preliminary review but make the recorded instrument difficult to read.
25. Show the length, radius, tangent distance and delta angle for all curved road frontage lines and lot lines. Show exact bearings and distances for all straight lot and road lines.
26. Show the size, type of pipe and number of acres drained for pipe P-14 under the cul-de-sac of Spiritual Way.
27. Since proposed pipe sizes are types are not shown outside road right-of-ways, add an index of pipe information by pipe number.
28. Add a 10' private drainage easement along the west, Eucalyptus Drive line of Lot 36. This is necessary due to a drainage pipe in the road right-of-way very near this lot line.
29. Label the private drainage easement along the south, Covenant Place line of Lot 2 as such.
30. Show the 10' private drainage easement along the rear lines of adjoining Lots 2-9 of Tommy L. Woods Subdivision per Plat Book 80, Page 90.
31. Per Plat Book 80, Page 90, show that the 20' public sanitary sewer easement for File No. 100498 extends onto adjoining Lots 1 and 2 of Tommy L. Woods Subdivision.
32. Show the 21' sewer easement in adjoining Lot 10 of Willow Bend Subdivision per Plat Book 39, Page 237.

33. Show the 10' power and communication easement in adjoining Lot 18 of Willow Bend Subdivision per Plat Book 71, Page 94.
34. Change "Drainage Detention Easement Area" to "Private Drainage Detention Area Easement and City of Chattanooga Inspection Access Easement".
35. Add the following note: "The City of Chattanooga reserves the right to access at any time the 20' City of Chattanooga Drainage Detention Inspection Access Easement in Lot 10 and the Private Drainage Detention Area Easement and City of Chattanooga Inspection Access Easement to inspect drainage detention areas and facilities".
36. 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 City Engineer".
37. Add the following note: "City Ordinance Nor. 9942 entitled Storm Water Runoff and Erosion Control, shall apply to any discharge of same from this subdivision of property".
38. 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".
39. Add the following note: "The City of Chattanooga is not responsible to trap beavers, destroy beaver dams or do anything else for the integrity of the existing drainage basin".
40. Add the following note: "The City of Chattanooga is not responsible to construct or maintain drainage easements, drainage detention areas, drainage detention facilities, swales, grounds, buildings, facilities or anything else on any lot in this development".
41. Add the following note: "The City of Chattanooga is not responsible to maintain wetlands or determine their locations".
42. In Lots 9 and 10, extend the 10' power and communication easement along the 21.9' frontages of both lots.
43. Label the sidewalk shown along the new roads as such.

B. Chattanooga Development Director Requirements

1. The plat cannot be recorded until covenants are recorded which specify that lot owners are responsible to maintain drainage detention areas and facilities and are responsible for any costs to maintain these areas and facilities. Submit proposed covenants to the Chattanooga Development Director for approval.
2. Add the following note: "The owners of Lots 1-36 are responsible to maintain drainage detention areas and facilities".
3. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 757-4886.

C. Chattanooga City Engineer's Office Requirements

1. A reinforced concrete pipe (RCP) is required for that part of pipe P14 under pavement and sidewalk areas of Spiritual Way.
2. Show on the plat and install a manhole in Pipe P14 at the lot line between Lots 11 and 12 in the right-of-way of Spiritual Way but beyond the sidewalk. This manhole is necessary due to the length of pipe and to serve as the end of the city maintained pipe under Spiritual Way.
3. Oil skimmers are required at the following locations:
 - a. lot line between Lots 11 and 12
 - b. lot line between Lots 12 and 13
 - c. lot line between Lots 15 and 16
 - d. lot line between Lots 20 and 21

Oil skimmers do not need to be shown on the recorded P.U.D. plan but need to be shown on drainage construction plans.

4. Questions about City Engineer's Office requirements should be directed to the City Engineer at 757-5117.

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:

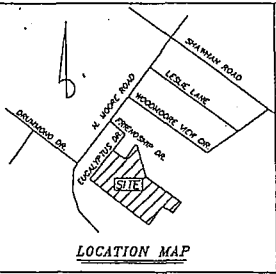
Tennessee Department of Environment and Conservation
Division of Water Pollution Control
540 McCallie Avenue
Suite 550
Chattanooga, TN 37402
(423) 634-5745

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.
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.



Owner's Certification

I/We, the undersigned owner/s of the property shown herein, do hereby adopt this plat and certify that I/we am/are the owner/s in fee simple.

Habitat for Humanity
1201 East Main Street
Chattanooga, Tennessee 37408
Phone: 423-756-0507

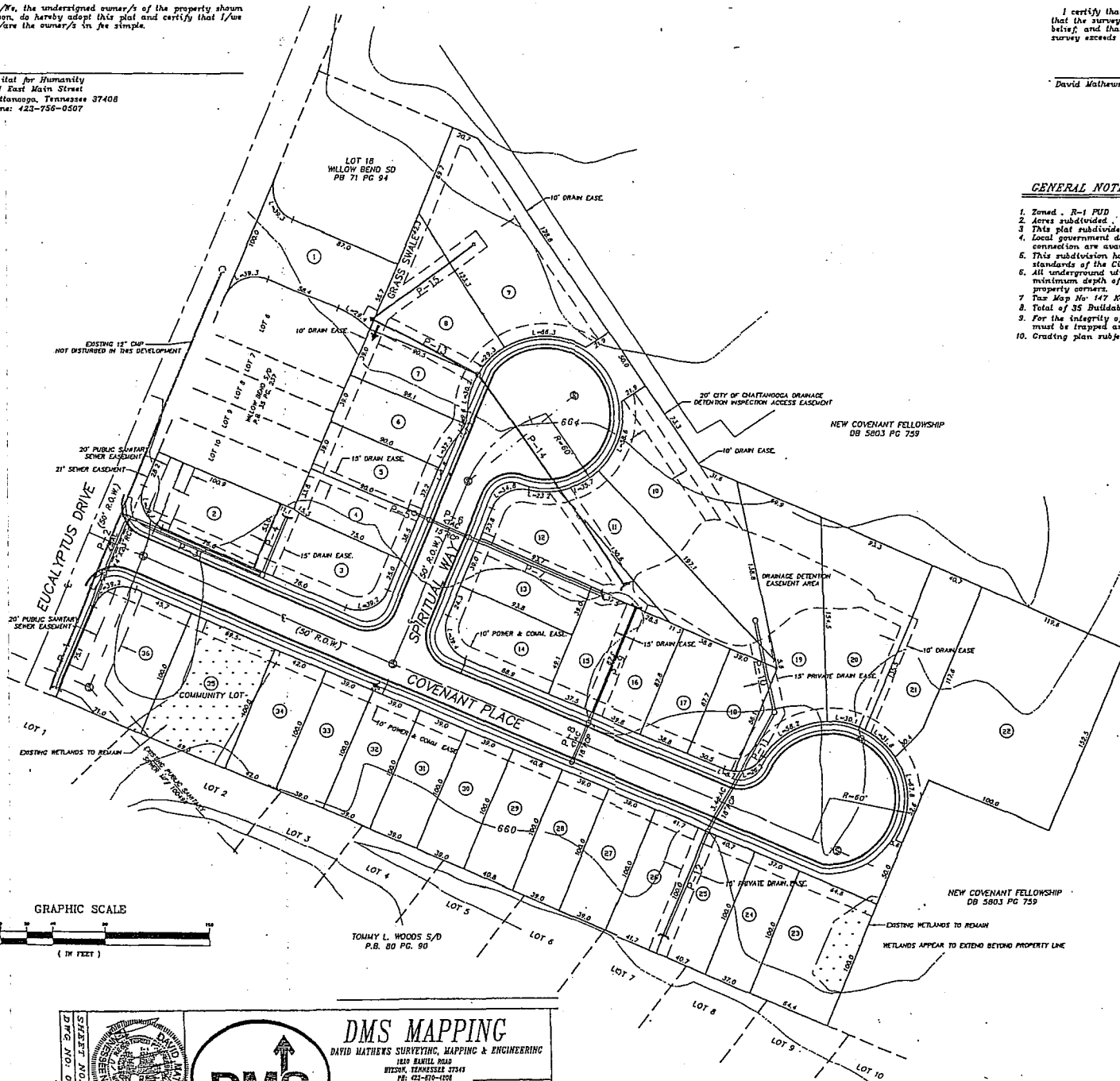
Surveyor's Certification

I certify that I have surveyed the property shown herein that the survey is correct to the best of my knowledge and belief, and that the ratio of precision of the unadjusted survey exceeds 1/10,000. This is a Category "1" Survey.

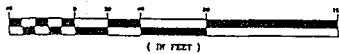
David Mathews PLS#747

GENERAL NOTES

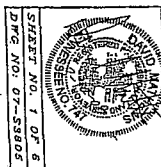
1. Zoned - R-1 PUD
2. Acres subdivided - 5.93± Acres
3. This plat subdivides dead
4. Local government does not certify that utilities or utility connections are available.
5. This subdivision has been developed according to the design standards of the City of Chattanooga Subdivision Regulations
6. All underground utility stubouts and service lines to be a minimum depth of 24 inches when located within 10 feet of property corners.
7. Tax Map No 147 R-1-113 & 125
8. Total of 35 Buildable Lots
9. For the integrity of the existing drainage basin, the beavers must be trapped and the dams destroyed.
10. Grading plan subject to change based on flood study.



GRAPHIC SCALE



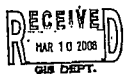
(IN FEET)



DMS MAPPING
DAVID MATHEWS SURVEYING, MAPPING & ENGINEERING
1810 BARTLETT ROAD
BIRMINGHAM, TENNESSEE 37615
TEL: 423-870-1100
FAX: 423-870-3971



DATE:	REVISIONS:
11-27-2007	
SCALE:	1-7-09
DRAWN BY: R. W. GILGEMAN	2-1-09
CHECKED BY: DEW	3-18-09
COMP:	



THE COVENANT
FINAL PLAT LOTS 1 THRU 36

CHATTANOOGA COUNTY, TENNESSEE