

RESOLUTION NO. 24309

A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT KNOWN AS THE VILLAGE AT GREENWAY PLANNED UNIT DEVELOPMENT, ON A TRACT OF LAND LOCATED AT 1134 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.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and hereby is granted a Preliminary Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development on a tract of land located at 1134 Mountain Creek Road, known as The Village at Greenway Planned Unit Development, more particularly described as follows:

An unplatted tract of land located at 1134 Mountain Creek Road as described in Deed Book 7336, Page 382, ROHC. Tax Map 117C-A-009.

BE IT FURTHER RESOLVED, That the Preliminary Planned Unit Development Plan for the Planned Unit Development, known as The Village at Greenway Planned Unit Development, is subject to the following conditions:

1. The requirements as listed in the subdivision review attached hereto and made a part hereof by reference;
2. Dedication of any right-of-way for deceleration land as required by the City Traffic Engineer; and
3. Public Works' requirements.

ADOPTED: January 25, 2005

24309

1-25-05

P.U.D.: The Village at Greenway
Planned Unit Development
76 Dwelling Units
Case No. 2005-013

DEVELOPER: Harvest Active Adult Communities, LLC

ENGINEER: LAI Engineering

DATE OF SUBMITTAL: December 9, 2004

STATUS: Preliminary Planned Unit Development Plan

A. Planning Commission Requirements:

1. Show the approximate floodway boundary per F.E.M.A. FIRM No. 4706SC0327F dated November 7, 2002.
2. Per Article 5, Section 1213-1a of the Chattanooga Zoning Ordinance show that the zoning of the site is R-1.
3. Show the owners name and deed reference for the property north and east of the clubhouse which appears to be owned by the owner of the P.U.D. but is not included in the P.U.D. area.
4. Show file numbers for existing public sanitary sewer lines.
5. Article 2 of the Chattanooga Zoning Ordinance defines a townhouse as follows: "A townhouse is a single-family dwelling attached by fireproof common walls to other similar type units; each unit having an open space for light, air and access in front and rear." By this definition the four unit buildings are not townhouses. Consequently, change the proposed use to dwelling units and indicate that there will be 76 dwelling units.
6. Article 5, Section 1308-2 of the Chattanooga Zoning Ordinance requires sidewalks or an equivalent paved internal pedestrian circulation system in P.U.D. Consequently, show the location of sidewalks or the equivalent paved internal pedestrian circulation system.
7. Article 5, Section 1308-5 of the Chattanooga Zoning Ordinance requires that "fire hydrants shall be installed in locations approved by the Chattanooga Fire Department."
8. Indicate by note that there will be at least two parking spaces per dwelling unit.
9. To improve site distance to the north, the developer is encouraged to move the entrance on Mountain Creek Road as far as possible to the north without interfering with the existing power pole and guy wires.
10. Delete the crosshatching from the area along the power line obtained from adjoining owners. The former property line could be labeled as a line abandoned by this plan.

B. Utility Requirements

1. Show a 25' power and communication easement along Mountain Creek Road and delete the lines for the previous 12.5' easement.
2. Show a 25' power and communication easement along the 566.29' line of the adjoining property of this owner.

C. Chattanooga Sewer and Storm Water Requirements

1. Change sanitary easements to public sanitary sewer easements.
2. Change drainage easements to private drainage easements.
3. No building overhangs over sewer easements are permitted. Several buildings are proposed directly adjacent to existing sewer easements.
4. No permanently installed facility such as swings or mail boxes are permitted in public sanitary sewer easements.
5. Submit a plan and profile of sewer lines which are to be crossed by roads, parking areas, or proposed drainage pipes.
6. Since the proposed drainage easement overlaps the existing sewer easement add the following note: "The drainage pipe in the 30' private drainage easement will not be located in the public sanitary sewer easement except to cross the existing sewer line."
7. Submit a letter from T.V.A. permitting the detention pond to be located in their easement.
8. The turn-around pavement for the 18 unit parking area adjacent to the clubhouse is located directly on the floodway boundary which is the same line as the 100 year flood boundary in this area. Move this turn-around area to be at least 10' from the floodway - 100 year flood boundary to provide room for silt fences and other drainage protections. No silt fence can be located in the floodway area.
9. There will need to be a City Inspection Access Easement from Mountain Creek Road to the detention pond.
10. Questions about Chattanooga sewer and storm water requirements should be directed to Mr. David Wilson at 425-7629.

D. Chattanooga Traffic Engineer's Office Requirements

1. Install acceleration, deceleration lane along Mountain Creek Road at the entrance.
2. The entrance should approach at roadway level with Mountain Creek Road.

3. Questions about Traffic Engineer's Office requirements should be directed to Mr. John VanWinkle at 757-5005.

E. Chattanooga Development Director Requirements

1. Submit a detailed design of the detention pond including a cross-section and overflow details.
2. Questions about Chattanooga Development Director Requirements should be directed to Mr. Joel Booth at 757-4886.

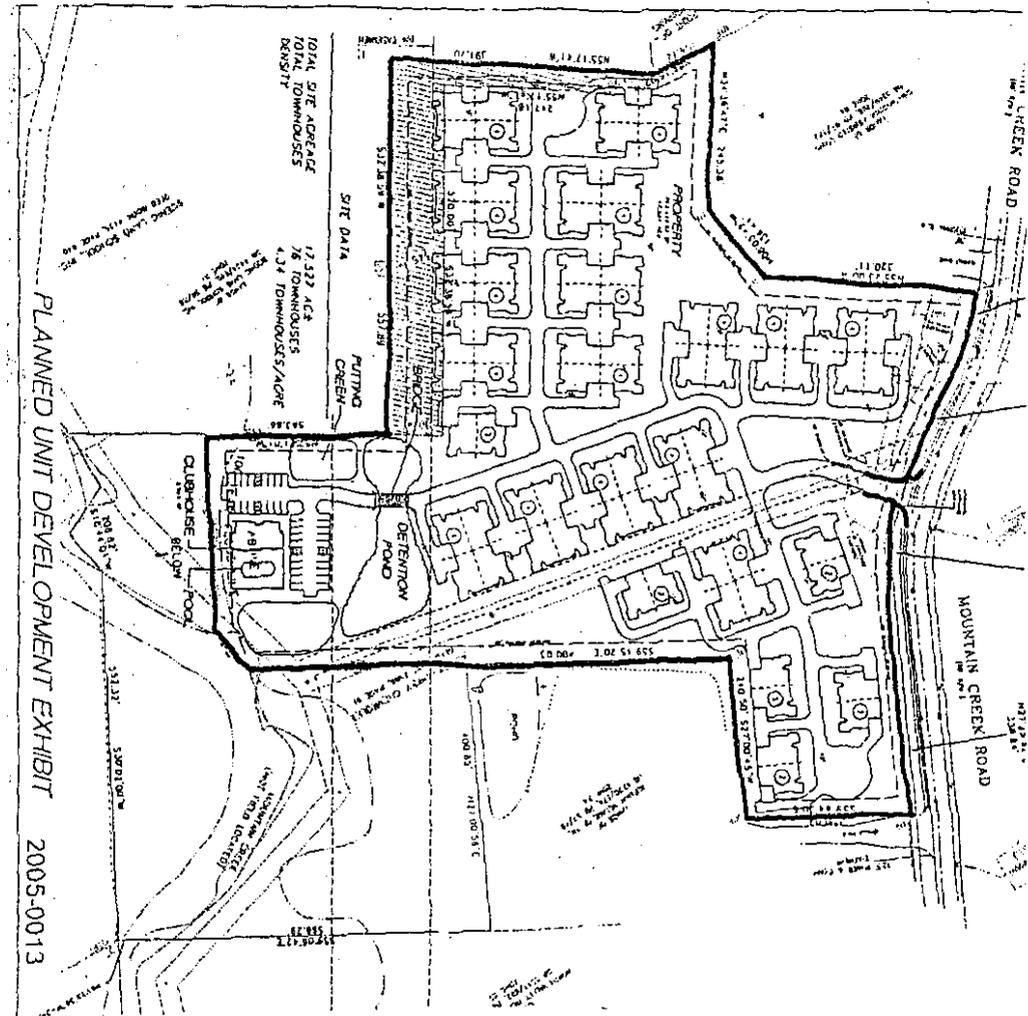
F. N.P.D.E.S. Permits

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

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.



APPLICATION NO: 2005-013

JURISDICTION: Chattanooga Dist. #1
Hamilton County Dist. #2

APPLICANT: Harvest Active Adult Communities, LLC

DATE OF PLANNING COMMISSION MEETING: January 10, 2005

LOCATION: 1134 Mountain Creek Road

PRESENT ZONING: R-1 Residential Zone

REQUEST FOR: Special Exceptions Permit

PROPOSED DEVELOPMENT: R-1 PUD Residential Planned Unit Development
Residential Community (Condominiums)
76 dwelling units - 4.34 dwelling units per acre

SIZE OF TRACT: 17.5 Acres ±

ACCESS TO TRACT: Good

SITE CHARACTERISTICS: Vacant R-1 Zoning

SURROUNDING DEVELOPMENT: Assisted Living & Alzheimer's Home

EXTENSION OF EXISTING ZONE: Nearby

IN ACCORDANCE WITH LAND USE PLAN: Yes

STAFF RECOMMENDATION:

Approve, subject to:
1) The attached P.U.D. review conditions;
2) Dedication of any right-of-way for deceleration land as required by the City Traffic Engineer; and
3) The attached Public Works requirements.

PLANNING COMMISSION RECOMMENDATION:
Approve subject to the following.

REASONS FOR RECOMMENDATION:

The Horizon 2010 Plan recommends high-density residential uses for this area.

PUD CRITERIA:

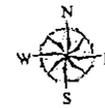
1. Will the property adjacent to the area included in the plan be adversely affected?
No, adjacent property should not be adversely affected.
2. Is the plan consistent with the intent and purpose of the zoning ordinance to promote public health, safety, morals, and welfare?
Yes.

3. Will the buildings be used only for single-family dwellings, two-family dwellings, or multi-family dwellings and the usual accessory uses such as private or storage garages, storage space, and for community activities, including school and/or churches?
Yes.
4. Is there a need for development in the proposed location?
The area is designated for high-density residential development and such development is appropriate for the location.
5. Is there a reasonable assurance that the development will proceed according to the spirit and letter of the approved plans?
The plans are currently being reviewed.

The developer is encouraged and has shown willingness to work with the Trust for Public Land to facilitate the granting of easements or other means for the proposed Mountain Creek Greenway.

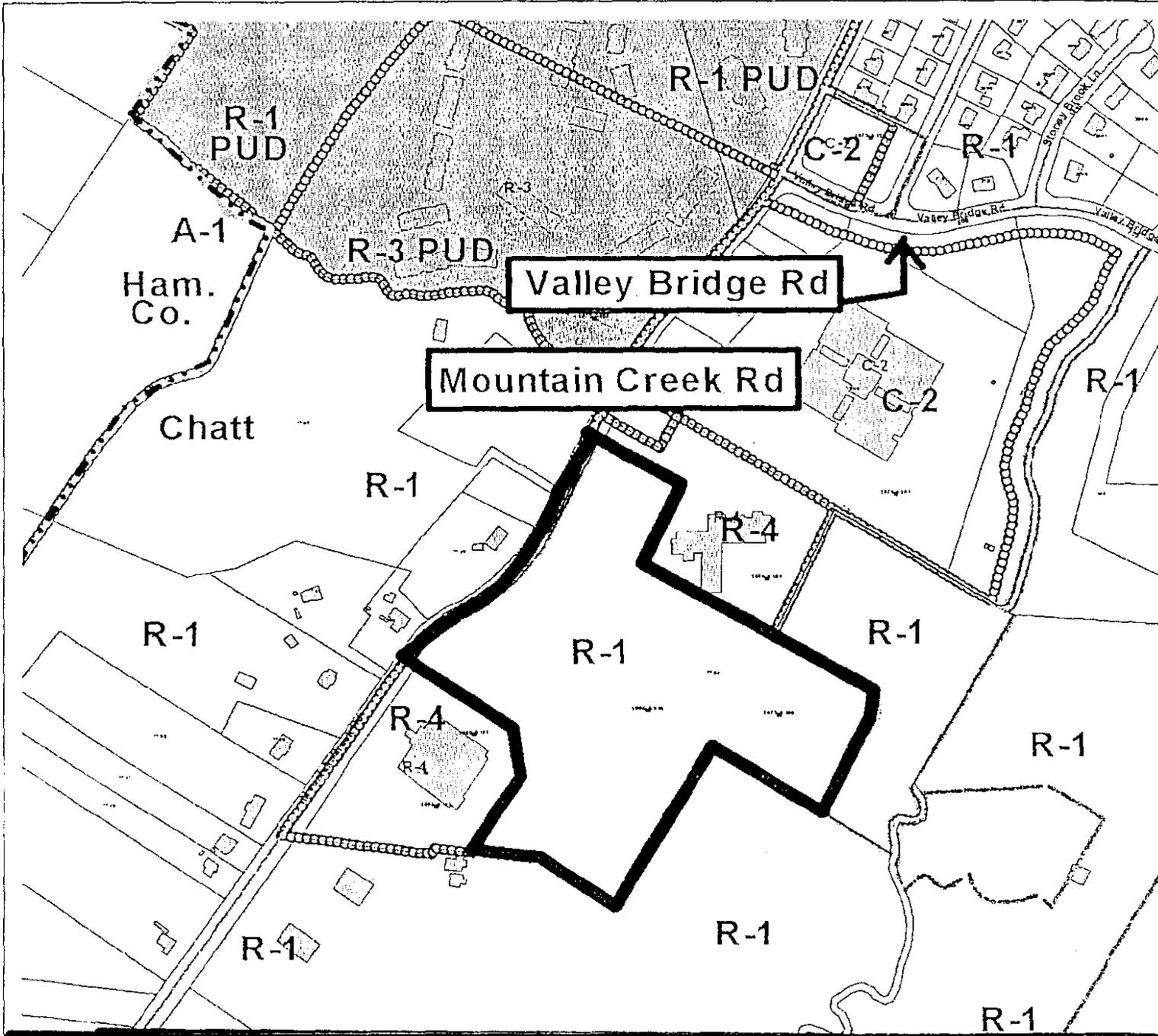
Requirements and Comments from Public Works:

- Mountain Creek runs through the eastern portion of the property. Mountain Creek is 303(d) listed for habitat alteration. Development cannot have a detrimental effect.
- Eastern portion adjacent to Mountain Creek is in 100-year floodplain. 100-year floodway is immediately adjacent to Mountain Creek.
- Existing drainage must be maintained through the property.
- Existing sanitary sewer through property must be maintained.
- Install acceleration and deceleration lanes.
- Entrance should approach at roadway elevation.



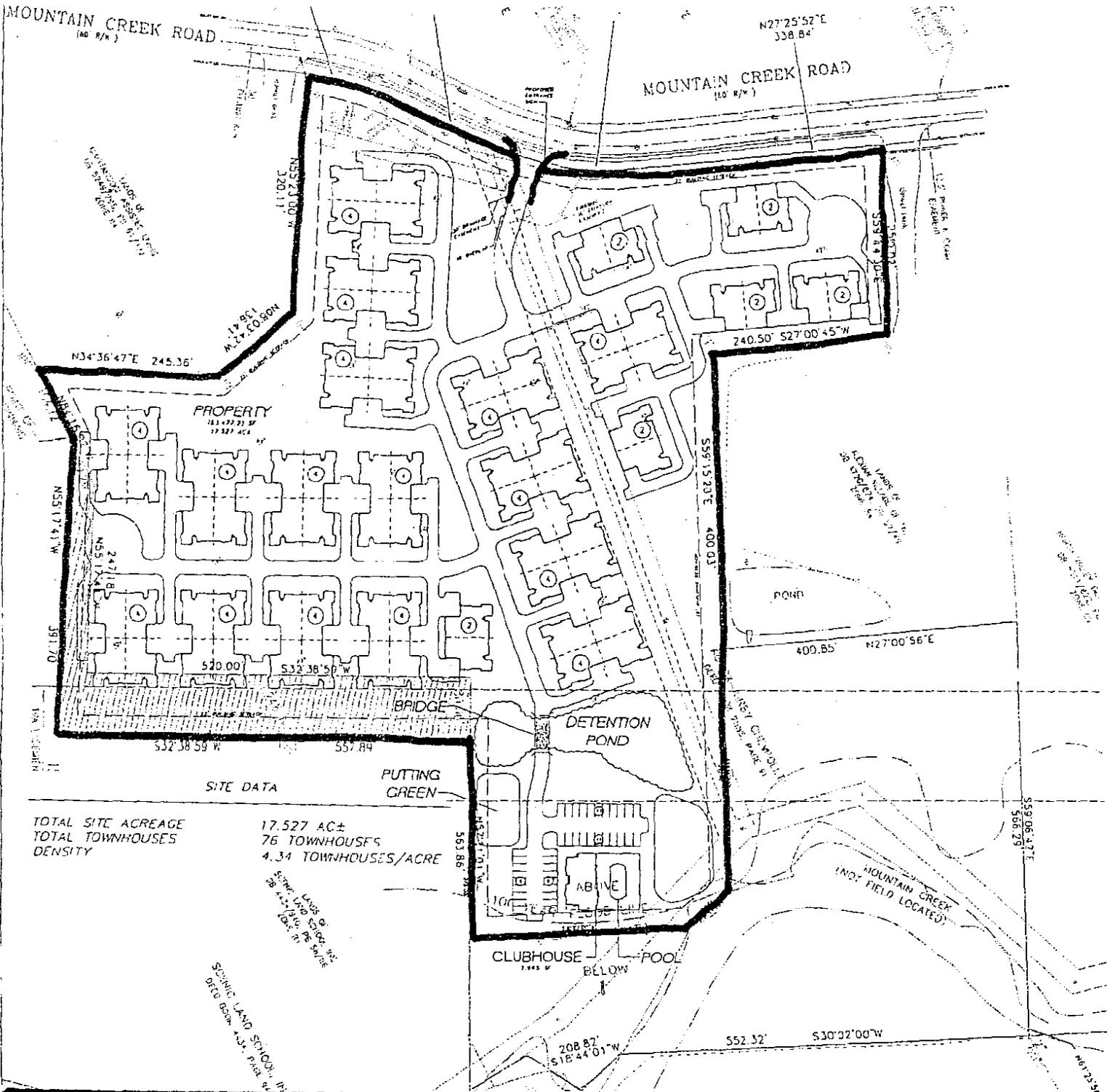
1 in. = 400.0 feet

CHATTANOOGA
CASE NO: 2005-0013
PC MEETING DATE: 1/10/2005
RESIDENTIAL PUD



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2005-013: Approve, subject to:

- 1) The P.U.D. review conditions;
- 2) Dedication of any right-of-way for deceleration land as required by the City Traffic Engineer; and
- 3) Public Works' requirements.



SITE DATA

TOTAL SITE ACREAGE 17.527 AC±
 TOTAL TOWNHOUSE'S 76 TOWNHOUSE'S
 DENSITY 4.34 TOWNHOUSES/ACRE