

2004-166
David Pearson and
Mark Walters

RESOLUTION NO. 24201

A RESOLUTION APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PROPOSED PLANNED UNIT DEVELOPMENT KNOWN AS PETTY CROSSING PLANNED UNIT DEVELOPMENT, ON A TRACT OF LAND LOCATED AT 1700 PETTY 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 1700 Petty Road, known as Petty Crossing Planned Unit Development, more particularly described as follows:

An unplatted tract of land located at 1700 Petty Road as being described in Deed Book 3245, Page 32, ROHC. Tax Map 159K-B-019.

BE IT FURTHER RESOLVED, That the Preliminary Planned Unit Development Plan for the Planned Unit Development, known as Petty Crossing Planned Unit Development, is subject to the following conditions:

1. The provisions of Article V, §1213;
2. The requirements as listed in the subdivision review attached hereto and made a part hereof by reference;

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9-14-04

3. Developers will determine the property owners of the road from the end of the City's right-of-way to the developer's property line;

4. Developers will check on the availability of property for an additional right-of-way to improve Petty Road;

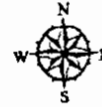
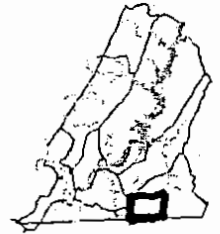
5. Developers will make improvements to Petty Road at their own expense;

6. Developers will investigate the feasibility of primary access being at Clear Brook Court; and

7. Developers will meet with the City Engineer to reference detention location and access easement.

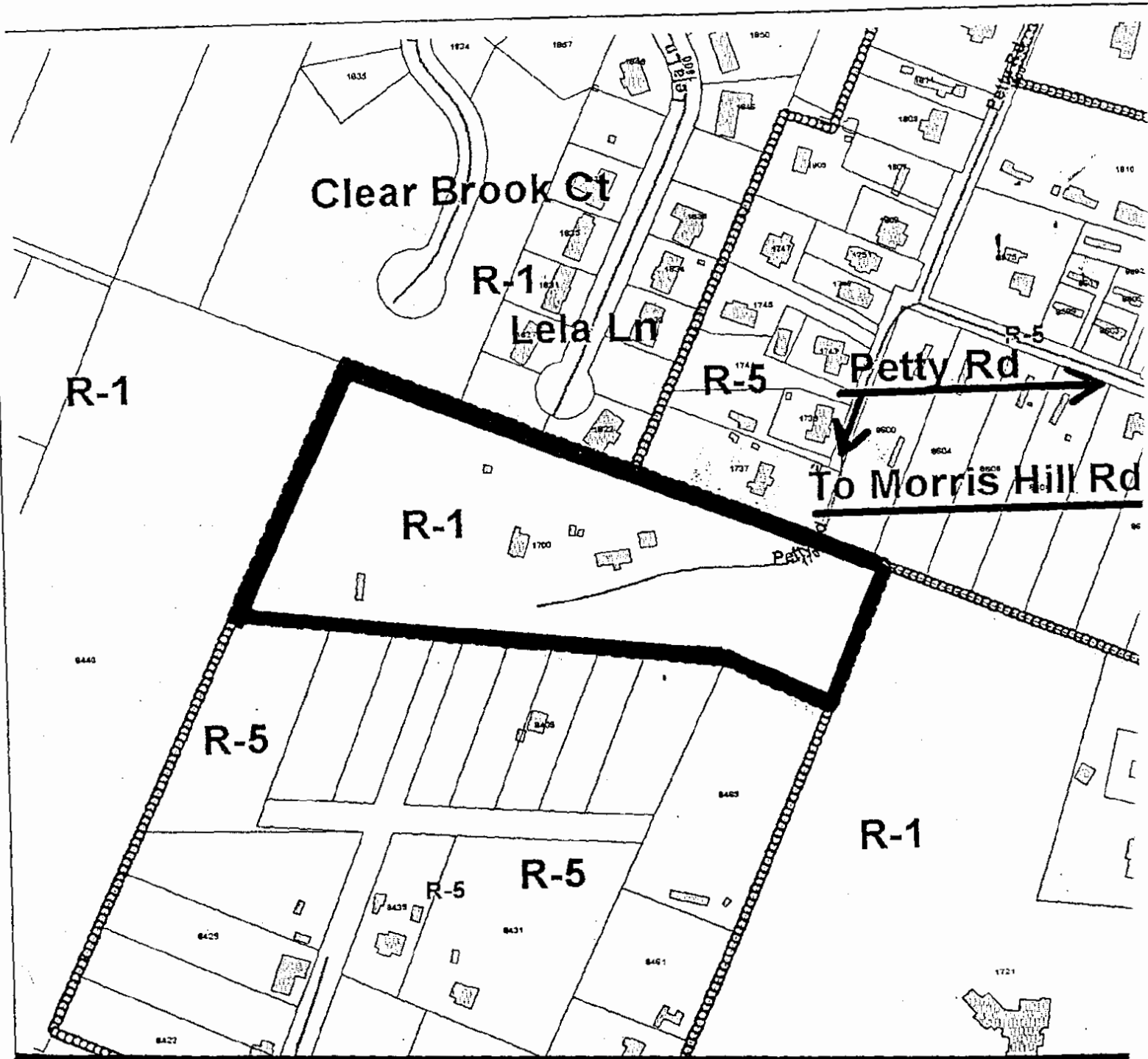
ADOPTED: September 14, 2004

/pm



1 in. = 250.0 feet

CHATTANOOGA
CASE NO: 2004-0166
PC MEETING DATE: 8/9/2004
RESIDENTIAL PUD



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2004-166: Approve, subject to conditions as listed in the Planning Commission Resolution.

COPY

LAW OFFICES
Grant, Konvalinka & Harrison
A PROFESSIONAL CORPORATION

Ninth Floor, Republic Centre
633 Chestnut Street
Chattanooga, Tennessee 37450-0900

John R. Anderson
Maurice R. Bowen, Jr.*
Mathew D. Brownfield
Tonya K. Cammon*
Harry R. Cash
J. Wayne Cropp, PLLC*
David M. Elliott
Charles G. Fisher VI
H. Wayne Grant
Scott H. Grant
Steven W. Grant

Writer's Direct Telecopier
423/756-0643

Telephone
423/756-8400

Facsimile
423/756-6518

www.gkhpc.com

Writer's E-Mail Address
janderson@gkhpc.com

Robert S. Grot
David E. Harrison
David C. Higney
John P. Konvalinka
Susan K. Lee
J. Scott McDearman
Jim K. Petty*
Amelia C. Roberts
Donald W. Strickland
Rebekah H. Whitaker

*Of Counsel

September 14, 2004

David A. Pearson
DMW Development, LLC
9548 Shadow Crossing Drive
Chattanooga, TN 37421

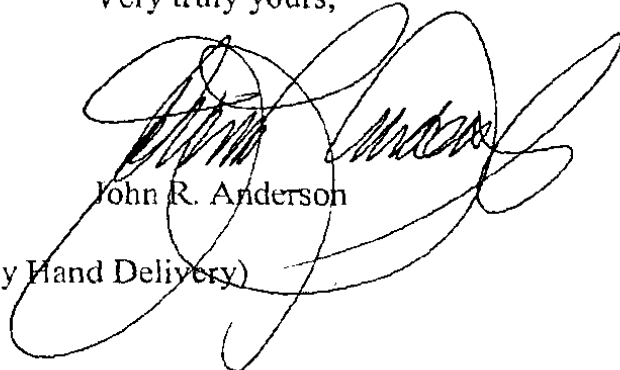
Re: PUD Request
1700 Petty Road

*agreed to Council Meeting
by [Signature]
date Sept 14, 2004
Mark Walter*

Dear Mr. Pearson:

I am in receipt of your letter dated September 9, 2004. As I indicated to you after the Planning Commission meeting on August 9, 2004, it is my clients' desire that a tree screen be maintained between their property and the proposed development. It is my understanding that a tree screen of leland cypress would be planted and maintained between the properties. My clients are agreeable to the planting of the leland cypress, provided that, as indicated in your letter, this condition will be deed-restricted to each property owner within the development, the screen shall be maintained to a minimum width of five feet, and that the leland cypress screen is maintained, including the replacement of any trees which may die. The Smiths' position is that the property in its current natural condition is not sufficient to screen your development from their property, and there is no requirement that trees be replaced or that the buffer be maintained in an aesthetically pleasing fashion.

Very truly yours,


John R. Anderson

JRA/pjm

cc: Councilman Jack Benson (by Hand Delivery)
Raun V. Smith (by Email)