

2006-034
Larry Plemons

RESOLUTION NO. 24782

A RESOLUTION APPROVING A PROPOSED FINAL PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT KNOWN AS GENTRY SQUARE PLANNED UNIT DEVELOPMENT, FORMERLY KNOWN AS PLEMONS PLACE PLANNED UNIT DEVELOPMENT, ON TRACTS OF LAND LOCATED AT 735 AND 751 GENTRY 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 Plemons Place Planned Unit Development, now known as Gentry Square Planned Unit Development on March 14, 2006; and

WHEREAS, A final planned unit development plan has been submitted for Gentry Square Planned Unit Development, formerly known as Plemons Place 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 735 and 751 Gentry Road, known as Gentry Square Planned Unit Development, more particularly described as follows:

An unplatted and unaddressed tract of land being Tax Map 171J-B-009.02, the southwestern 362 feet of an unplatted tract of land located at 8344 Oak Drive, an unplatted tract of land located at 751 Gentry Road excepting from it Lot 1, Boyd Reynolds Subdivision, Plat Book 80, Page 188, ROHC, and an unplatted tract of land located at 735 Gentry Road excepting the southeastern corner which to find the point of beginning start at said southeast corner thence northeast some 105 feet, thence northwest some 174 feet, thence southwest some 105 feet, thence southeast some 175 feet to the point of beginning being the properties described in Deed Book 3737, Page 115(part), Tracts 1 and 2 of Deed Book 7740, Page 534, and Deed Book 4707, Page 457(part), ROHC. Tax Map 171J-B-004(part), 008(part), 009(part) and 009.02.

BE IT FURTHER RESOLVED, That the Final Planned Unit Development Plan for Gentry Square Planned Unit Development are to be accomplished in accordance with the Planned Unit Development Plan, including the completion of all notes and conditions referenced on the attached Final Planned Unit Development Plan.

ADOPTED: _____ June 13 _____, 2006

/add

P.U.D.: Gentry Square Planned Unit Development
Lots 1-35
(Formerly Plemmons Place
Planned Unit Development)

CASE NO.: 2006-034

DEVELOPERS: Larry Plemmons and David Erwin

SURVEYOR: David Mathew Surveying Company

DATE OF SUBMITTAL: May 16, 2006

STATUS: Final Planned Unit Development Plan

STAFF RECOMMENDATION: Approve, subject to the following requirements:

A. Planning Commission Requirements

1. Delete the contour lines. These lines are useful for preliminary review but make the recorded instrument difficult to read.
2. Plemmons, Erwin and Ayers Subdivision, Plat book 81, Page 144, dedicated 20' from the center line of Gentry Road at lots 1 and 27. Change the P.U.D. plan to show the right-of-way of Gentry Road to be 20' from the center line at lots 1 and 27.
3. Plemmons, Erwin and Ayers Subdivision, Plat Book 81, Page 144, shows a 7' Future Road Right-of-way Easement in lots 1 and 27 west of the 20' right-of-way dedicated from the center line of Gentry Road by Plat Book 81, Page 144. Consequently, change the 5' Right-of-way Easement per Plat Book 81, Page 144 in lots 1 and 27 to a 7' Future Road Right-of-way Easement per Plat Book 81, Page 144 and show this 7' easement west of the right-of-way dedicated by Plat Book 81, Page 144.
4. Show the existing 20' public sanitary sewer easement in adjoining lots of Kelly Place and Mystic Brook Subdivisions.
5. Show all beginning and ending points of curved lot lines.
6. Show street addresses per the GIS Department.
7. Change the 20' public sanitary sewer easement in lot 16 to a 20' public sanitary sewer easement and City of Chattanooga Drainage facilities inspection access easement.

8. Label Community Lot 16 as a "Drainage Detention Area Easement" and as "Open Space".
9. Change "Preliminary/Final Plat" to "Final Planned Unit Development Plan".
10. Add the following note: "The entire area of Community Lot 16 outside the public sanitary sewer easements and private drainage easements shown, is a drainage detention area easement and City of Chattanooga drainage facilities inspection access easement. Consequently, no building of any kind is permitted on Community Lot 16".
11. Add the following note: "The City of Chattanooga reserves the right at any time to access Community Lot 16 to inspect sewer facilities, drainage facilities and drainage detention facilities".
12. Add the following note: "The owners of lots 1-35 are responsible to maintain drainage detention areas and facilities on Community Lot 16".
13. 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 Chattanooga City Engineer".
14. Change note 11 to the following: "The City of Chattanooga is not responsible to construct or maintain drainage easements, drainage detention area easements or any ground, facility, building or anything else on Community Lot 16".
15. Either delete the existing building on lot 27 or note this building to be removed.
16. Show individual lot areas. This could be done in a table.
17. Label the sidewalk shown as a sidewalk. The developer should be aware that sidewalks are required in this P.U.D.
18. Add the 20' drainage easement in adjoining lots 12 and 13 of Mystic Brook Subdivision per Plat Book 79, Page 194.
19. Show a 20' private drainage easement in Community Lot 16 east of the 20' public sanitary sewer easement along the west line of this lot.
20. Extend the 10' private drainage easement along the entire rear line of lot 12 to the 10' private drainage easement in lot 11.

21. Delete note 12.
22. Add the following note: "A 10' private drainage easement is reserved along the rear lines of lots 2-6 and the north line of 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".
23. Label the 20' drainage easement in adjoining lot 10 of Kelly Place per Plat Book 56, Page 61 as such.
24. Show the existing 10' sewer service line easement along the north line of adjoining lot 4 of Wrinkle Subdivision, per Plat Book 50, Page 92.
25. 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.
26. Change private storm drain easement in lots 20-27 and 32-35 to private drainage easements.
27. Add the following note: "Only detached single-family houses and accessory uses with one house per lot are permitted on lots 1-15 and 17-35".
28. Note a typical lot number.
29. Note that 34 dwelling units are permitted and the density is 3.96 units per acre.
30. Add the following note: "The only minimum building setbacks required are at least 25' from Gentry Road and other outer boundaries of this planned unit development and at least 10' from the right-of-way of Glenshire Circle. Free-standing buildings must be at least 10' apart. Other than above, no minimum building setbacks are required".
31. Add the following to the owner's certification: "We dedicate the road right-of-way as shown to the public use forever and certify that there are no encumbrances on the property dedicated".
32. Add the following engineer's certification and have it signed by an engineer: "I certify that I have reviewed or designed all new roads, drainage, domestic water and sanitary sewers as shown on this plan and that the design meets proper engineering criteria". Add the seal and address of the engineer.

33. Add the following note: "No back-out parking onto Gentry Road is permitted on lots 1 and 28".
34. Add the seal of the surveyor.
35. Add the following note: "At least two off-street parking spaces are required on each lot occupied by a dwelling".

B. Chattanooga Development Director Requirements

1. Covenants are required which specify that the owners of lots 1-35 are responsible to maintain drainage detention facilities on Community Lot 16 and that they are responsible for any cost to maintain these facilities. This P.U.D. plan cannot be signed by the Chattanooga City Engineer's Office until proposed covenants have been reviewed and approved by the Chattanooga Development Director.
2. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 757-4886.

C. Chattanooga Sewer Requirements

1. Sewer service laterals for lots 32-35 must be deep enough to clear under the drainage pipe. Submit documentation showing that sewer service laterals for lots 32-35 can be deep enough to clear under the drainage pipe.
2. Sewer line "B" is at the minimum depth of 4.5'. There needs to be care in its installation to maintain the 4.5' depth.
3. Questions about Chattanooga Sewer requirements should be directed to Mr. Edward D. Tate at 757-5465.

D. Utility Requirements

1. Show a 10' power and communication easement along both sides of Glenshire Circle, except in lot 16.
2. Show the 25' access strip of community lot 16 as a utility easement.

E. Tennessee Department of Health and Environment Requirements

1. Under current policies, the Mylar copy of the final plan cannot be recorded until the Tennessee Department of Health and Environment, Division of Water Supply, has approved the water line extensions.

F. 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

G. 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.

H. 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.

FB:sh
GentryPUD

Owner's Certification

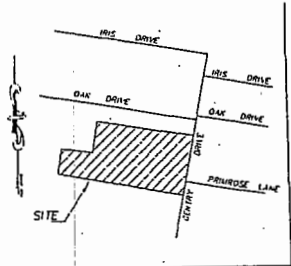
I/We, the undersigned owner/s of the property shown hereon, do hereby adopt this plat and certify that I/we am/are the owner/s in fee simple.

Larry Pleminans & David Erwin
P.O. Box 21824
Chattanooga, Tennessee 37424
423-400-8009

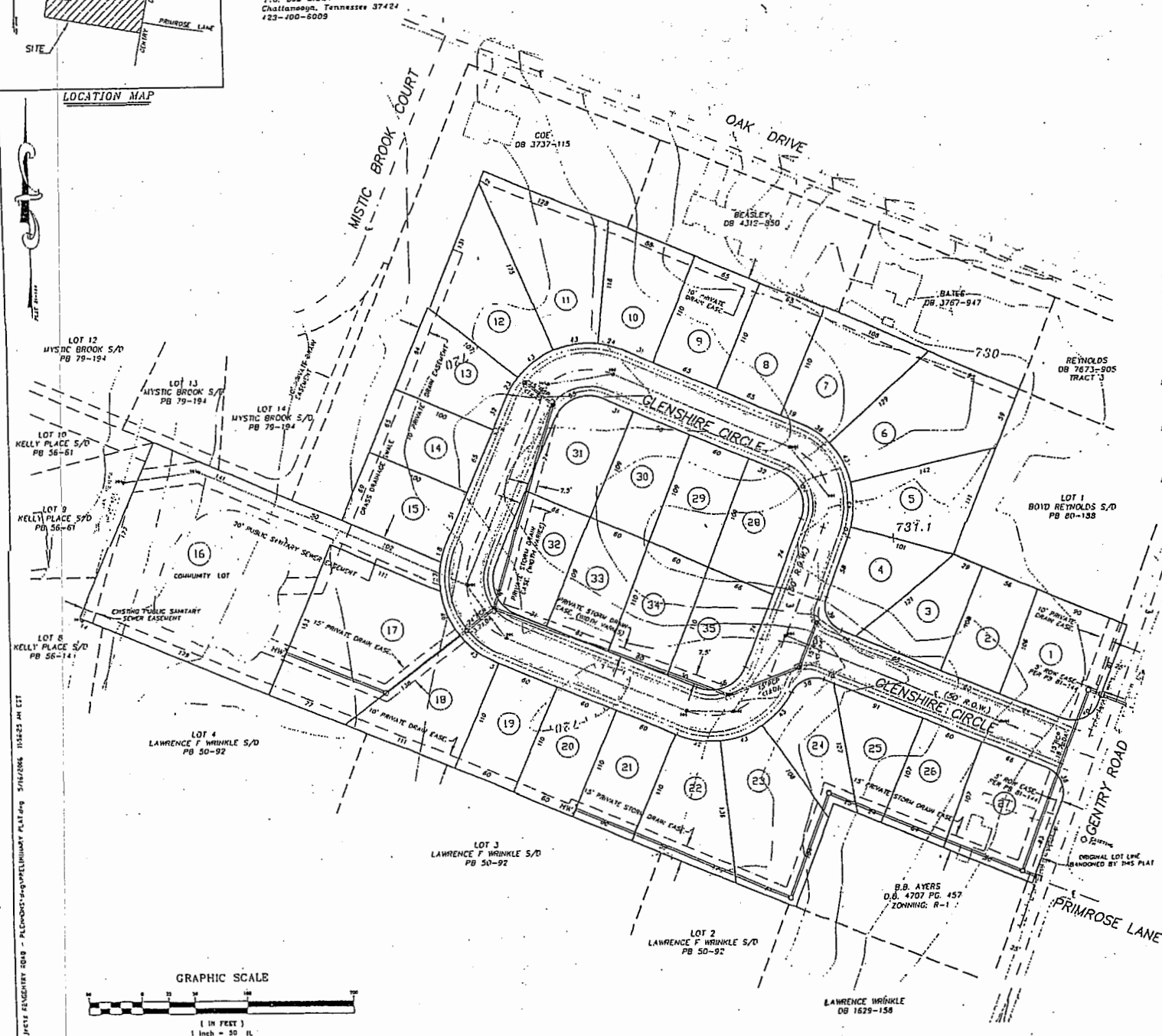
Surveyor's Certification

I certify that I have surveyed the property shown hereon; that the survey is carried 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 "I" Survey.

David Mathews PLS1777



LOCATION MAP



APPROVED FOR RECORDING
HAMILTON COUNTY GIS DEPT
DATE _____
BY _____
JURISDICTIONAL AUTHORITY
DATE _____
BY _____
CHATTANOOGA COUNTY REGIONAL
PLANNING COMMISSION
DATE _____
BY _____

GENERAL NOTES

1. Zoned : R-1
2. Acres subdivided : 8.58± Acres
3. This plat subdivides deed : 7740-534
4. Water supply : Tennessee-American Water Co.
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: 1711-B-8 & 9.02
8. All corners are Iron Pins Set unless otherwise noted.
9. City Ordinance No:942 entitled "Storm Water Run-Off and Erosion Control" shall apply to any discharge of same from this Subdivision of Property.
10. No fill material is to be placed in a constructed drainage facility in such a manner as to impede storm water run-off flow unless approved by The City Engineer.
11. The City of Chattanooga is not responsible to construct or maintain drainage easements.
12. A 5' private drainage easement is reserved along the inside of all side and rear lot lines. A 10' private drainage easement is reserved along all the lot lines that are exterior lot lines of the subdivision except road lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or no setback is required.
13. Public sanitary sewers are available by gravity flow

PRELIMINARY/FINAL PLAT

GENTRY SQUARE

LOTS 1 THRU 35

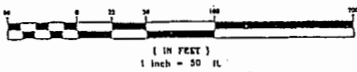
CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

Date: 4-7-2006 Drafter: R Middleton
Scale: 1"=50' Checked: DLW Job#:

DAVID MATHEWS SURVEYING
1830 HAMILTON ROAD
CHATTANOOGA, TENN 37424 TEL: 423-878-1877
FAX: 423-878-1808

06-S3491

GRAPHIC SCALE



CALSWAY PROJECT #520000000 - PLEMINANS & ERWIN PRELIMINARY PLAT.dwg 5/16/2006 10:52:53 AM CTT