



Hamilton County Board of Commissioners

RESOLUTION

No. 609-17 B

(P. C. No. 2008-217)
(Amended Resolution)
(Last amended 7-6-09)

A RESOLUTION GRANTING APPROVAL OF A REVISED REQUEST FOR A SPECIAL EXCEPTIONS PERMIT FOR A PUD ON A TRACT OF LAND LOCATED AT 6467 OOLTEWAH-GEORGETOWN ROAD

Hamilton County, Chattanooga, TN
A CERTIFIED TRUE COPY
This 21 day of July, 2009
W. F. (BILL) KNOWLES, County Clerk
By [Signature], Deputy Clerk

WHEREAS, Don Walker petitioned the Chattanooga-Hamilton County Regional Planning Commission to grant approval of a revised request for a Special Exceptions Permit for a PUD on a tract of land located at 6467 Ooltewah-Georgetown Road, and said Planning Commission after hearing recommended that this petition be approved as a preliminary PUD; and

WHEREAS, Don Walker requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on June 17, 2009, concerning the passage of this Resolution as required by law, and such hearing having been held.

NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED: That the zoning regulations of Hamilton County be amended granting approval of a revised request for a Special Exceptions Permit for a PUD on a tract of land located at 6467 Ooltewah-Georgetown Road, subject to the attached list of conditions and the attached PUD Review. An unplatted tract of land located at 6467 Ooltewah-Georgetown Road being the property described in Deed Book 3856, Page 739, ROHC. Tax Map 123-076 as shown on the attached map.

MB: 346
PAGE: 149

BE IT FURTHER RESOLVED, THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

AS AMENDED

Approved: [checked]
Rejected: [ ]
Approved: [ ]
Vetoed: [ ]
CERTIFICATION OF ACTION
[Signature]
County Clerk
County Mayor
June 17, 2009
Date

BECAME LAW UNDER TEN (10) DAY PROVISION
CHAPTER 934, TENNESSEE PUBLIC ACTS OF 1978
ATTEST [Signature]
Deputy County Clerk
DATE 06-29-09



Attached Amended Conditions  
(Revised as of July 6, 2009)

- 1) To provide a decel lane and an entrance into the development as determined by the County Engineer.
- 2) Limit height of townhouses and single family homes to no more than 2 stories in height.
- 3) The sewer system selected for this development shall be capable of serving Hiawatha Estates including all necessary easements as determined by the WWTA.
- 4) The contractor shall be held responsible for bringing a sewer system into the development area.
- 5) Minimum Type "C" landscape buffer adjacent to all A-1 Properties.\*
- 6) Minimum lot width for single family homes shall not be less than 60 feet in width.
- 7) Verify low vegetation easement as required by Hamilton County Engineering.
- 8) No townhomes to be located within 175 feet of Ooltewah-Georgetown right-of-way.
- 9) Plan to be constructed shall generally confirm to the site plan submitted,

P.U.D.: St. Albans Place  
Planned Unit Development  
52 dwelling units

St. Albans Place PUD  
Page 2

CASE NO.: 2008-217  
DENSITY: 6.6 units per acre

DEVELOPER: Don Walker  
DATE OF SUBMITTAL: February 2, 2009

JURISDICTION: Hamilton County, unincorporated

STATUS: Preliminary Planned Unit Development Plan

STAFF COMMENT: 1) The property adjacent to the area included in the plan will not be adversely affected.

2) The plan is consistent with the intent and purpose of the Hamilton County Zoning Regulations to promote public health, safety morals and general welfare.

3) The buildings shall 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.

4) There is a need for such development in the proposed location.

5) There is reasonable assurance that development will proceed according to the spirit and letter of the approved plans.

A. Planning Commission Requirements

1. The proposed density of 6.6 units per acre exceeds the maximum density of 5 units per acre permitted for a P.U.D. in R-1 Zone. Consequently, either reduce the number of units to a maximum of 39 which would be 5 units per acre for the 7.91 acres in this development or rezone at least 3.6 acres of the 7.91 acres in this development to any other zone than A-1 or R-3. All other zones than R-1, A-1 or R-3 permit a maximum of 8 units per acre.
2. Article 6, Section 204(A) of the Hamilton County Zoning Regulations requires that open space shall be provided on a separate lot set aside for open space or recreation purposes only. Consequently, show a lot set aside for open space or recreation only which meets the definition

of open space in Article 6, Section 204(C) of the Hamilton County Zoning Regulations.

3. Article 6, Section 202(B)(4) of the Hamilton County Zoning Regulations requires sidewalks or an equivalent, paved internal pedestrian circulation system when there are to be two-family or multi-family dwellings in a P.U.D. Consequently, show that there will be a sidewalk along the proposed road paved internal pedestrian equivalent, paved internal pedestrian circulation system.

4. Article 6, Section 201(C)(3) of the Hamilton County Zoning Regulations requires that no building shall be closer than 25' to the exterior property line. Parts of nine buildings are shown closer than 25' to the north and west property lines and the proposed building at the northwest intersection of the proposed road and Oltrewh-Georgetown Road is closer than 25' to the right-of-way of Oltrewh-Georgetown Road. Consequently, move these proposed buildings so that no building is closer than 25' to any exterior property line.

5. Submit road profiles, contour lines, drainage plans, drainage detention plans, sewer plans, and sewer profiles with the final P.U.D. plans.

6. Correct the number of proposed dwelling units to 52 (40 townhouses plus 12 single-family houses).

7. Delete tree locations from the 1-75 state right-of-way near the west property line. The developer cannot assure that trees on state right-of-way will remain and he has no authority to plant or replace trees on state right-of-way.

8. Give lot numbers to all lots.

9. Show 25' radius rounded right-of-way at the intersection of the proposed road and Oltrewh-Georgetown Road.

10. One fire hydrant will be required per Article 6, Section 202(B)(3) of the Hamilton County Zoning Regulations.

11. Show that the road has a 50' right-of-way.

12. The radius of the cul-de-sac could be reduced to 50' with 40' paving radius if the developer desires.

B. Hamilton County Engineer's Office Requirements

1. The proposed P.U.D. is in the program area of the Hamilton County Water Quality Program. See the attached documents for permit and other requirements.

2. Questions about Hamilton County Water Quality Program requirements should be directed to Mr. Tim McDonald at 209-7851.

C. 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.

D. Hamilton County Engineer's Office Requirements

1. A minimum 8" of crushed stone base is required on public road or roads built to County standards.
2. Rough grade the proposed road prior to submittal of the final P.U.D. plans.
3. In the absence of road profiles, drainage plans and contour lines, there is not sufficient information to review the submittal.
4. Questions about Hamilton County Engineer's Office requirements should be directed to Mr. Mike Hendrix at 209-7810.

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.



# HAMILTON COUNTY WATER QUALITY PROGRAM

Collegedale • East Ridge • Hamilton County • Lakeville  
• Lookout Mountain • Red Bank • Stillmeade • South-Dale

## Permitting Requirements

### Land Disturbing Permit

Required for all land disturbing activities greater than one acre.

### Application

Application requirements parallel the TDEC General Permit for discharge of the Discharge of Stormwater from Construction Activity requirements. Application form is available online.

### Level I Certified Erosion Control Inspector

Contact Information on Permit and Signature on EPSC Inspection Forms

### Plans Review

2-3 week turnaround (30 days is allowed by Program Rules & Regulations)

### Application Fees

\$100 for the first acre or portion thereof, plus \$5 for every additional acre  
Non-compliance Re-inspection Fee of \$50

### Runoff Management Permit

Required for all land disturbing activities greater than 1 acre. A waiver of this requirement may be requested if the applicant can demonstrate that downstream damage will not result (see Rules and Regulations, Section 5 G).

### Application

#### Detention

Stormwater detention structures must attenuate the postdevelopment peak flow rates from the 1-year, 2-year, 5-year, 10-year, and 25-year design storms to discharge at or below the predevelopment peak flow rate.

#### Treatment

Stormwater treatment must be provided for the first flush (first 3/4" of runoff) to remove TSS. Please refer to the BMP Manual (add link to BMP Manual Section 3.3).

### Application Fees

\$100 for the first acre or portion thereof, plus \$5 for every additional acre

#### Residential Development

Lifeline \$2500 per acre foot of pond volume for Dry Detention  
Lifeline \$3500 per acre foot of pond volume for Wet Detention

### Plans Review

2-3 week turnaround (30 days is allowed by Program Rules & Regulations)

### Lifeline Operation and Maintenance Agreement

Must be signed and recorded by property owner prior to approval of the Runoff Management Permit



Our Program issues two kinds of permits for land disturbing activity:

- (1) A Land Disturbing Permit and
- (2) A Runoff Management Permit.

These permits are issued for the same land disturbing activity that the State of Tennessee issues its construction permits for. Both the state and our Program fall under the NPDES system of permitting.

The Land Disturbing Permit covers the activity on the site during construction from the time the first shovel of dirt is moved until the site is stabilized at the end of the project. The Runoff Management Permit covers the management and control of runoff generated and/or changed by the development.

These permits are required on all sites that disturb more than one acre of ground OR less than one acre if the site is part of a larger common development.

We have applications that must be completed for each. The application is online but lately has not been usable due to problems with our updates.

Basically, we require an application for both permits plus a fee of \$100 for the first acre or portion of it + \$4.00 for each additional acre. Therefore, the minimum fee for one acre would be \$100 for the land disturbing permit and \$100 for the Runoff Management permit, or \$200 total.

Supporting documents for land disturbing permit are:

1. Stormwater Pollution Prevention Plan (SWPPP)
2. 3 copies of site plans
3. Hydrology Study
4. A note on the plans or separate sheet requiring the name and contact number for the applicant's TDEC level I certified inspector who will be inspecting erosion and sediment controls. This inspector must provide contact info for 24-hr/7 day week contacts.
5. A copy of the state permit's Notice Of Coverage.

Supporting documents for Runoff Management Permits are:

1. 3 copies of site plans -- same 3 as above are acceptable as long as they address:

-Detention structure or other runoff management structure (swale, biofiltration area, etc.)

-figures that address postdevelopment peak flow rates from 1-year, 2-year, 5-year, 10-year, and 25-year design storms to discharge at or below predevelopment peak flow rate. These are usually in the Hydrology study (see above).

-Choice of treatment for first 3/4" inches of runoff to treat total suspended solids.

-Choice of treatment for any site-particular pollutants; for example, a parking lot plan would have to address oil & grease.

2. A Lifeline Operation and Maintenance Agreement for these treatment methods. This agreement must be signed by the property owner & is recordable as a legal document. X

volume is required for detention ponds that are designed to be "Dry"

and not permanently hold water; a deposit of \$3500 per acre foot of pond volume is required for ponds that are designed to be "wet" pond and permanently hold water.

3. If the owner is installing a "proprietary" brand water quality treatment unit in pre-manufactured device like a "sunco" brand unit) a copy of the technical specs for the unit must be provided to us as well as their Lifeline Operation and Maintenance Agreement.

I realize this is a long list; probably the most efficient way to handle the information is to tell the applicant who is submitting documents for your review that if he/she is planning to develop more than 1 acre, he/she must have 2 stormwater permits and then have them contact us for the specifics.

I hope this is useful.

Tim McDonald  
Program Manager  
Hamilton County Water Quality Program  
205-7851



ANNING AGENCY

MILTON COUNTY

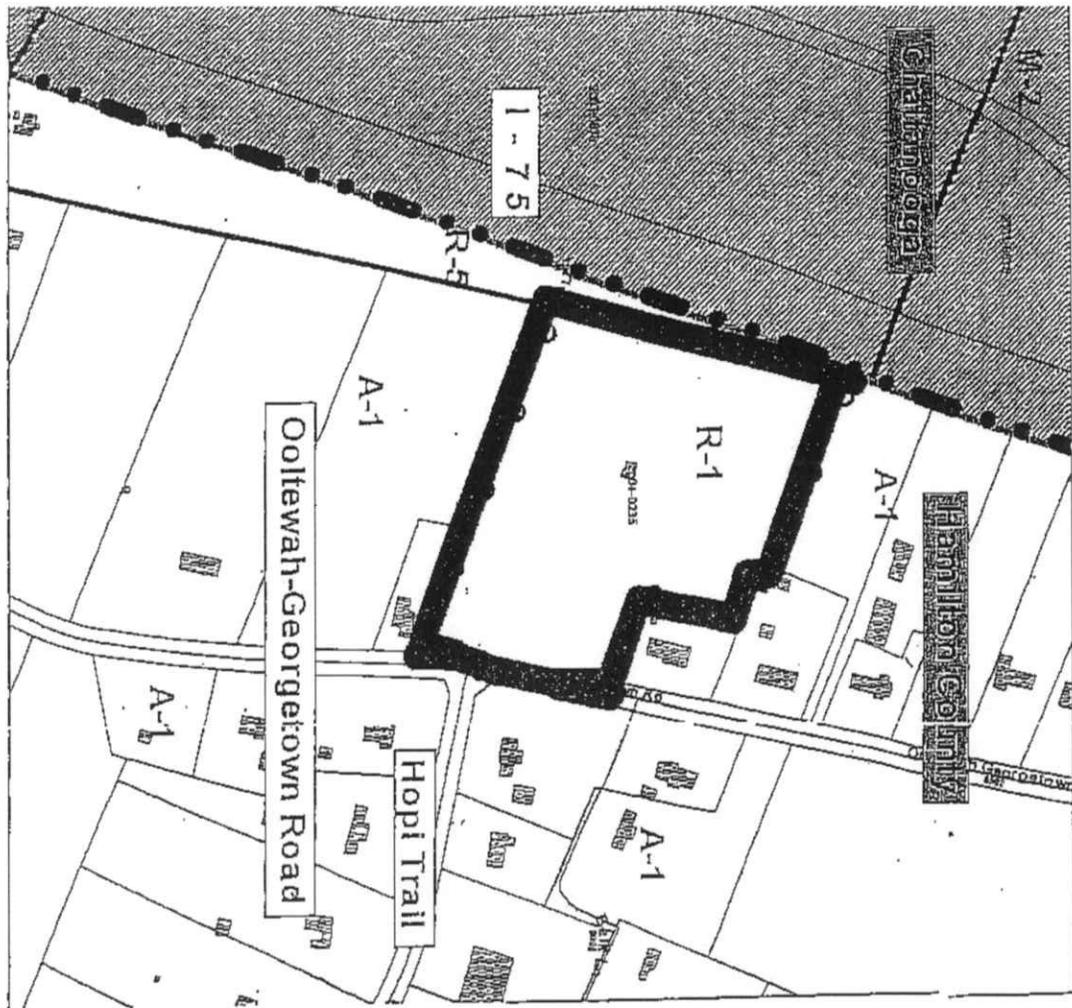
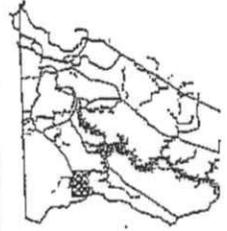
SE NO: 2008-0217

MEETING DATE: 12/8/2008 02/09/2009

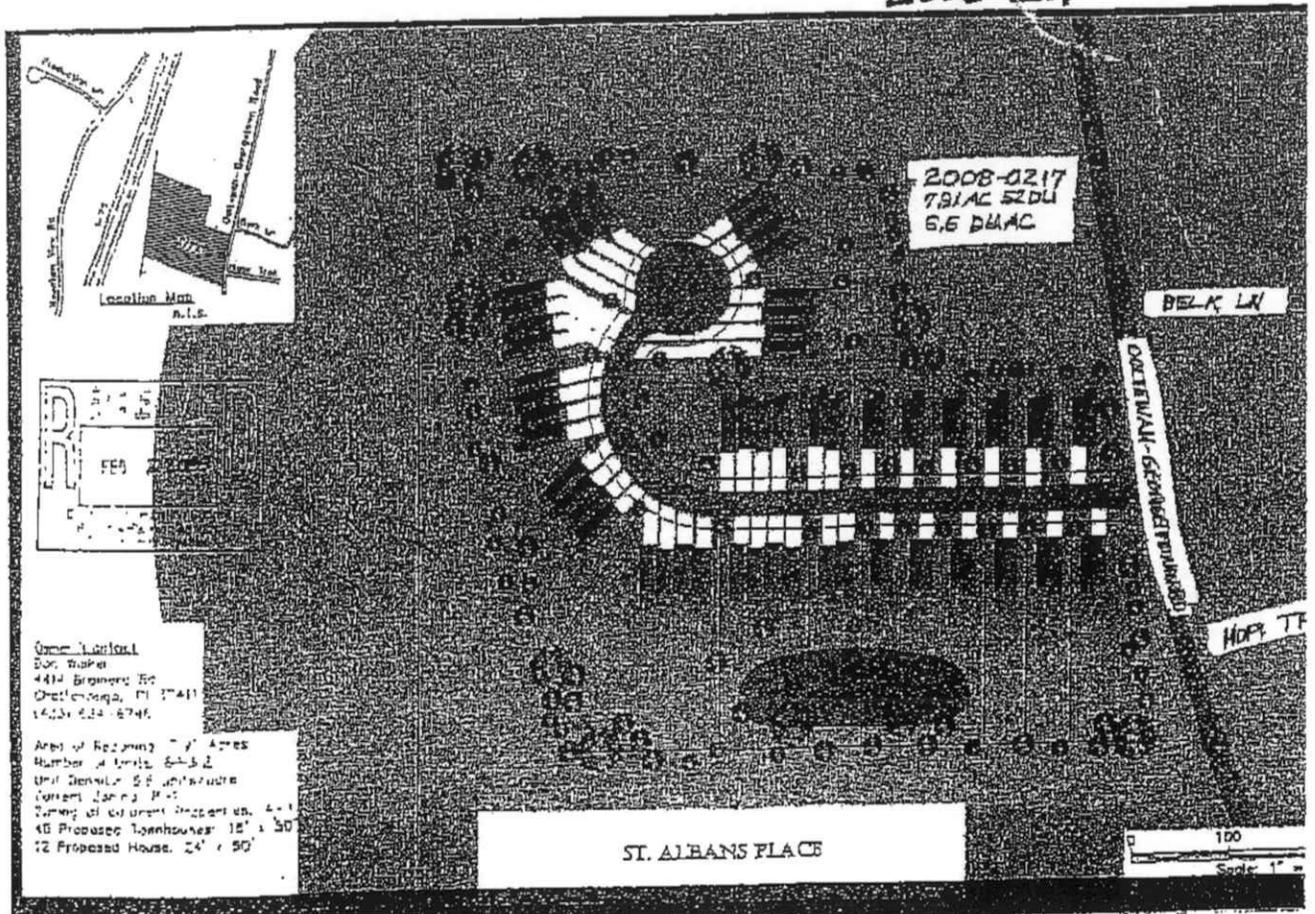
COM: R-1

05/11/2009

1 in. = 250.0 feet



2008-217



Owner: Leonline Man  
 4414 Browns Rd  
 Chamblee, GA 30611  
 404-241-6746

Area of Rezoning: 7.9 Acres  
 Number of Units: 64-68  
 Unit Density: 86 units/acre  
 Current zoning: R-1  
 Turning of colors: Request on: A-1  
 48 Proposed Townhouses: 18' x 30'  
 72 Proposed House: 24' x 30'

