1ST READING _____

2ND READING _____

INDEX NO. _____

2010-012
D & M Properties, LLP

RESOLUTION NO. 26208

A RESOLUTION APPROVING A SPECIAL EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT, KNOWN AS THE MACKEY GLEN PLANNED UNIT DEVELOPMENT, ON A TRACT OF LAND LOCATED AT 1091 MACKEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted a Special Exceptions Permit for a residential Planned Unit Development, known as the Mackey Glen Planned Unit Development, on a tract of land located at 1091 Mackey Avenue, more particularly described as follows:

> An unplatted tract of land located at 1091 Mackey Avenue being Tract 1 of Deed Book 7653, Page 222, ROHC. Tax Map 159P-A-003.23.

and as shown on the map and drawing attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that this Special Exception Permit shall be subject to:

1. Maximum height of two stories;
2. Type "C" landscape buffer (typically where shaded green);
3. Widen Mackey Avenue to a minimum of 26' wide with concrete curbing towards E. Brainerd Road;
4. Construct sidewalks (concrete) along sides of road where indicated in orange;
5. Single family homes only – minimum lot width shall be 50';

6. The density shall not exceed 3.8 units per acre; and

7. The requirements set forth on pages 1 through 5 of the attached Planned Unit Development.

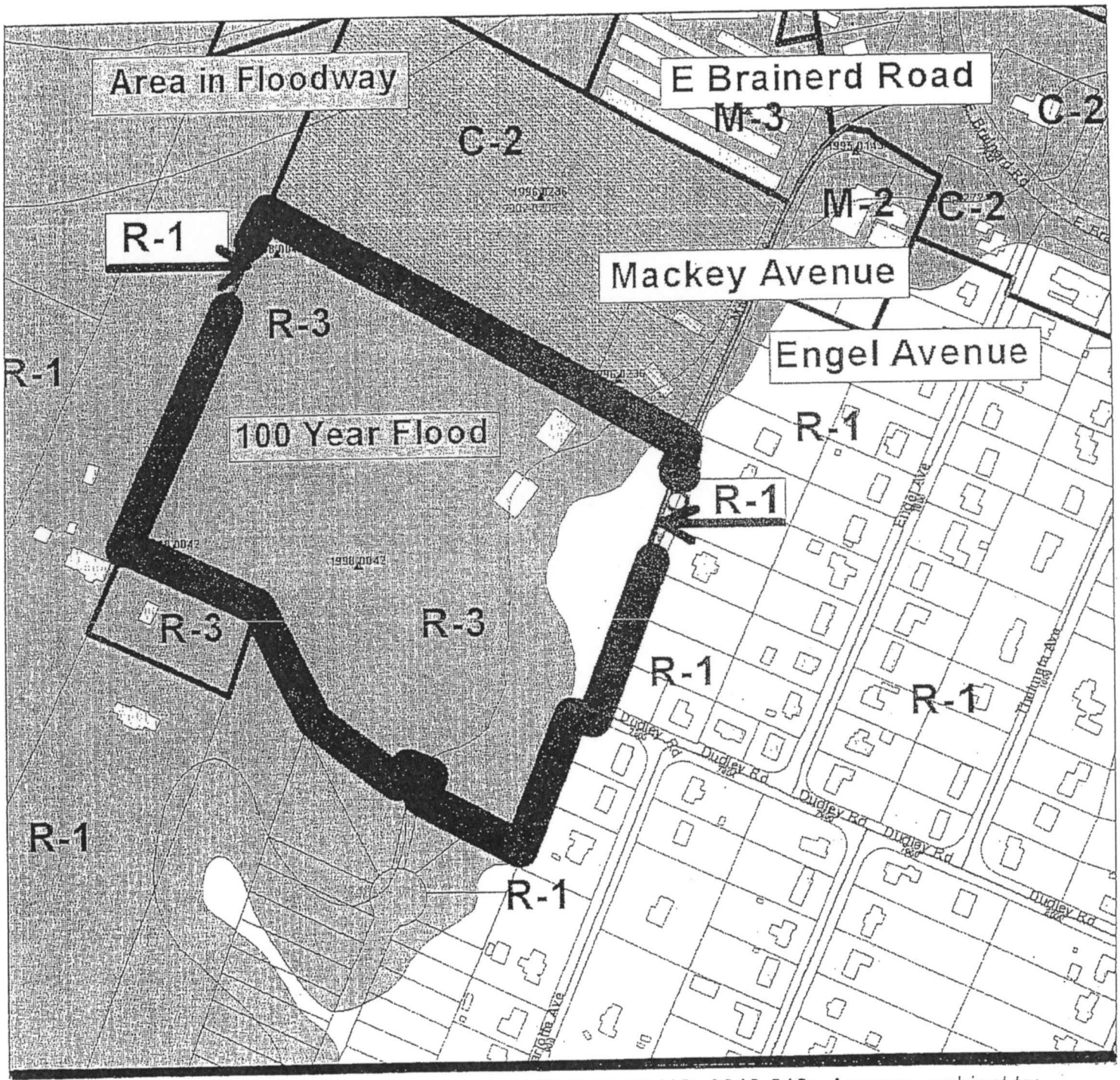
ADOPTED: February 16, 2010.

/mms

CHATTANOOGA - HAMILTON COUNTY REGIONAL PLANNING AGENCY

CHATTANOOGA
CASE NO: 2010-0012
PC MEETING DATE: 1/11/2010
RESIDENTIAL PUD

1 in. = 300.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2010-012: Approve, subject to:

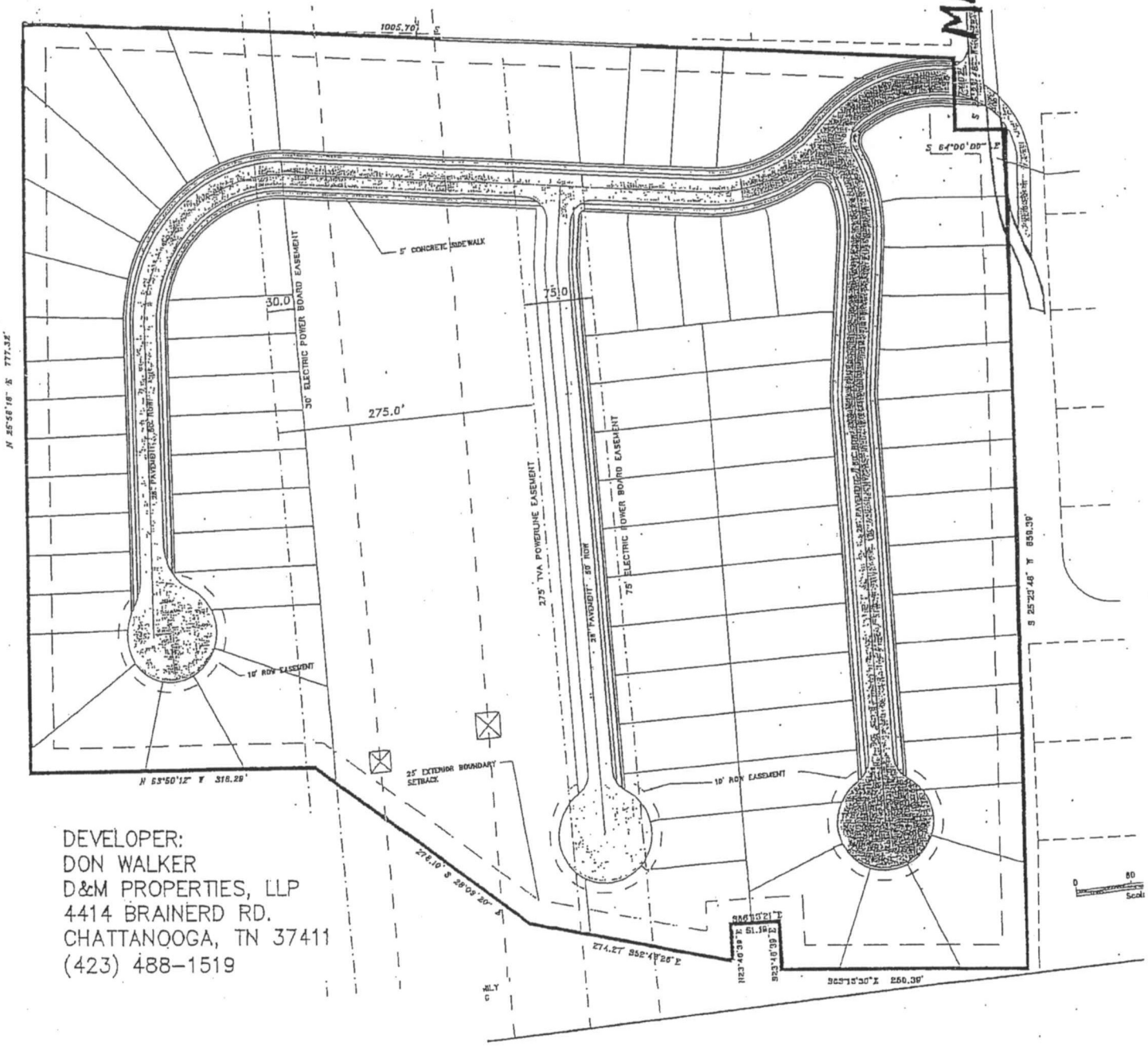
1) The density shall not exceed 3.8 units per acre; and
2) The PUD review.

2010-012

AREA SUBDIVIDED =	20.75 AC
PRESENT ZONING =	R-3
PROPOSED ZONING =	R-1 PUD
PROPOSED USE =	SINGLE FAMILY
NUMBER OF S.F. LOTS =	77
DENSITY =	3.8 LOTS/AC

WIDEN DRIVE TO 26' WIDTH

MACKEY AVE



DEVELOPER:
DON WALKER
D&M PROPERTIES, LLP
4414 BRAINERD RD.
CHATTANOOGA, TN 37411
(423) 488-1519

P.U.D.:	Mackey Glen Planned Unit Development Lots 1-77
CASE NO.:	2010-012
DENSITY:	3.8 units per acre
DEVELOPER:	D and M Properties, LLP
ENGINEER:	Larry Joe Farrow
DATE OF SUBMITTAL:	December 10, 2009
JURISDICTION:	City of Chattanooga
STATUS:	Preliminary Planned Unit Development Plan

A. Planning Commission Requirements

1. Add the following note: "Per F.E.M.A. F.I.R.M. Nos. 470072-0368F and 0369F the 100 year flood elevation is 687'".

2. Show the 100 year flood boundary per F.E.M.A. F.I.R.M. maps and label it as such. Indicate areas above and below.

3. Number all the lots.

4. Section 38-399 of the Chattanooga Zoning Ordinance requires open space in a P.U.D. If lots are to be sold, this open space must be on separate lots. Consequently, label the areas in power easements which are not part of the residential lots as Community Lots 78 and 79. There need to be two lots because the area is separated by a road.

5. Add the following note: "Because the area of Community Lots 78 and 79 is in easements, no building of any kind is permitted on Community Lots 78 and 79. Community Lots 78 and 79 are to be used for utility, open space, drainage detention, recreation and community uses only".

6. Any drainage detention in TVA Powerline Easement will require permission from TVA by letter.

7. Add the following note: "Only detached, single family houses and accessory uses are permitted on Lots 1-77".

8. Submit at least four road profiles, sewer plans, sewer profiles, drainage detention plans, drainage plans including drainage pipe locations and contour lines with the final P.U.D. plans. Submit at least two copies of a hydrology report with the final P.U.D. plans.

9. Show the Tax Map Number as 159P-A-003.023.

10. Since some roads are proposed in the 100 year flood area, the developer should be aware that Section 311.3 of the Chattanooga Subdivision Regulations requires that all roads in this P.U.D. must be at an elevation which is not lower than the 100 year flood elevation of 687'.

11. Since approximately 32 of the proposed lots have building sites which are in the 100 year flood area, the developer should be aware of Section 38-365 of the Chattanooga Zoning Ordinance which reads as follows: "New construction of substantial improvement of any residential building shall have the lowest floor, including basement, elevated to two (2) feet above base flood elevation if constructed of wood or one (1) foot above base flood elevation if constructed of concrete or other material not subject to damage by flood waters, and the minimum building site must be at or above the base flood elevation".

12. Show the owner's name and deed reference for adjoining unsubdivided property and plat book information for adjoining subdivided property.

13. Since there are more than 30 lots in this development, Section 302.3.4.1.1 of the Chattanooga Subdivision Regulations and the Chattanooga Fire Code require that the pavement of the entrance from Mackey Avenue to the first intersection must be a minimum 30' from curb to curb. Accordingly, show 30' of paving in this area.

14. There will need to be a note that the only minimum building setbacks required are 25' from the outer P.U.D. boundary as shown and the minimum 10' between free-standing buildings. If the EPB wants easements along the roads, the setback note will need to reflect these also.

B. Chattanooga Fire Department Requirements

1. See the attached memo from Randall Herron dated Monday, December 28, 2009.

2. Questions about Chattanooga Fire Department requirements should be directed to Mr. Randall Herron at 421-4268.

C. Chattanooga Traffic Engineer's Office Requirements

1. Extend the sidewalks around the east and west cul-de-sacs. Extend the sidewalk of the central cul-de-sac to the driveway for the southern most lot. Show these additional sidewalk locations on the P.U.D. plan.

2. Because the proposed road under the TVA Easement will have to be raised to be at or above the 100 year flood elevation, submit a letter from TVA approving the new road elevation under the TVA Easement.

3. Because a road is proposed in the 75' EPB Easement, show the location of existing power poles in this 75' EPB Easement. The proposed curb of the central road must be at least 4' the existing power poles.

4. Show a smooth rounded curb line for the new curb on the east side of Mackey Avenue at the PUD entrance and its adjoining to the existing pavement south of the entrance.

5. Label the power line towers as such.

6. Questions about Chattanooga Traffic Engineer's Office requirements should be directed to Mr. John Wall at 757-5005.

D. Chattanooga Development Director Requirements

1. Submit a concrete pavement and curb design crossection.

2. Submit a profile and design for the Mackey Avenue extension. Submit a typical section every 100' for the Mackey Avenue extension.

3. Install standard handicapped sidewalk access facilities with yellow truncated domes where sidewalks are at road intersections.

4. The entire paved surface of roads must be elevated to or above the 100 year flood elevation.

5. Questions about Chattanooga Development Director requirements should be directed to Mr. Joel Booth at 643-5812.

E. Chattanooga Sewer Requirements

1. Submit information for the capacity of the pump station which will be used for the sewage from this development.

2. For the sewage from this development, submit calculations for average flow, daily flow and peak flow.

3. Sewer plans and profiles are needed for further review.

4. Questions about Chattanooga Sewer Requirements should be directed to Mr. Eric Douglas at 643-5814.

F. 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.

G. 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 any 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

H. 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.

I. 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
MackeyGlen