

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED ON HUNTER ROAD, I-75, SUE RON LANE, AND OOLTEWAH-HARRISON ROAD, ANNEXATION AREA 9B, TO ESTABLISH PERMANENT ZONES, AS SET FORTH MORE FULLY HEREIN.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended pursuant to Section 38-653 so as to rezone properties located on Hunter Road, I-75, Sue Ron Lane, and Ooltewah-Harrison Road, and annexed to the City by Ordinance Nos. 12317 and 12543 and identified as Area 9B, more particularly described herein:

Beginning in the present city limit boundary at a point directly across the road from the northeast corner of property now or formerly owned by De Williams (131-023); thence proceeding south-easterly a distance of 50 feet, more or less, across the Old Cleveland Pike right of way to the northeast corner of property now or formerly owned by De Williams (131-023); thence proceeding South 32 degrees East a distance of 46.6 feet, more or less, to the east corner of property now or formerly owned by De Williams (131-023); thence proceeding South 22 degrees West a distance 257 feet, more or less, to the northeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding South 23 degrees West a distance of 1,071 feet, more or less, to the east corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding South 12 degrees East a distance of 119 feet, more or less, to the intersection of the southeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01) and Lee Highway right of way; thence proceeding south-

easterly a distance of 75 feet, more or less, to a point directly across the Lee Highway right of way from the southeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding south-westerly a distance of 170 feet, more or less, along the southern line of Lee Highway right of way to the northeast corner of property now or formerly owned by Rhonda Neely (131O-B-001); thence proceeding south-westerly a distance of 765 feet, more or less, along the City of Collegedale right of way to the southern corner of property now or formerly owned by James Ransom (131O-B-004); thence proceeding northwesterly a distance of 485 feet, more or less, along the City of Collegedale right of way to northeast corner of property now or formerly owned by Eddie and Mary Osborne (131O-B-005); thence proceeding southwardly a distance of 815 feet, more or less, along the City of Collegedale right of way to the northeast corner of property now or formerly owned by Woodard Development Company (131O-B020); thence proceeding south-westerly a distance of 625 feet, more or less, along the City of Collegedale right of way to the southeast corner of property now or formerly owned by Woodard Development Company (131O-B-020); thence proceeding north-westerly a distance of 170 feet, more or less, along the City of Collegedale right of way to the northeast corner of property now or formerly owned by Woodward Development Company (131O-B-019); thence proceeding southwardly a distance of 90 feet, more or less, to the southeast corner of property now or formerly owned by Woodward Development Company (131O-B-019) and the Apison Pike right-of-way; thence proceeding westwardly a distance of 3,703 feet, more or less, along the northern line of the Apison Pike right of way and the Old Lee Highway right of way to the southwest corner of property now or formerly owned by Indian Pentecostal Church of God (131P-A-001); thence proceeding northwardly a distance of 265 feet more or less to the northwest corner of property now or formerly owned by Indian Pentecostal Church of God (131P-A-001); thence proceeding north-easterly a distance 5,900 feet, more or less, along the southern line of Interstate 75 right of way and the northern line of Old Cleveland Pike right of way to the point of beginning. References to parcel numbers in parenthesis above are based upon official Geographic Information System maps maintained by the Hamilton County GIS Department. All of this property lies within the Urban Growth Boundary of the City of Chattanooga as provided in the Master Interlocal Agreement between all municipalities within Hamilton County effective May 23, 2001. Included in this annexation are all tax parcels listed below and as shown on the attached map for Annexation Area 9B.

and as shown on the map attached hereto and made a part hereof by reference, from Temporary Zones to Permanent Zones.

SECTION 2. BE IT FURTHER ORDAINED that Tax Map Nos. 131O-B-014, 131O-B-015, 131P-C-005 thru 131P-C-008 and 131P-C-008.02, 131-002, and 131-003 be permanently rezoned from Temporary C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone.

SECTION 3. BE IT FURTHER ORDAINED that Tax Map Nos. 131P-B-004, 131P-B-007, 131P-B-007.01, 131P-B-007.03, and 131-P-B-007.04 be permanently rezoned from Temporary C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone, subject to site plan submission before City Council action.

SECTION 4. BE IT FURTHER ORDAINED that Tax Map No. 131P-A-001 be permanently rezoned from Temporary C-2 Convenience Commercial Zone and M-1 Manufacturing Zone to C-2 Convenience Commercial Zone and M-1 Manufacturing Zone, following existing zoning boundary lines.

SECTION 5. BE IT FURTHER ORDAINED that Tax Map Nos. 131P-B-001 thru 131P-B-003 be permanently rezoned from Temporary M-1 Manufacturing Zone to M-1 Manufacturing Zone.

SECTION 6. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-010.01 be permanently rezoned from Temporary M-3 Warehouse and Wholesale Zone to M-3 Warehouse and Wholesale Zone.

SECTION 7. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-011.03 be permanently rezoned from Temporary M-3 Warehouse and Wholesale Zone to M-3 Warehouse and Wholesale Zone, with the condition of one warehouse only.

SECTION 8. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-009 be permanently rezoned from Temporary M-3 Warehouse and Wholesale Zone and R-3 Residential Zone to M-3 Warehouse and Wholesale Zone and R-3 Residential Zone, following existing zoning boundary lines.

SECTION 9. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-011.04 be permanently rezoned from Temporary M-3 Warehouse and Wholesale Zone and R-5 Residential Zone to M-3 Warehouse and Wholesale Zone and R-5 Residential Zone, following existing zoning boundary lines.

SECTION 10. BE IT FURTHER ORDAINED that Tax Map Nos. 131-003.01, 131-003.023 thru 131-003.026, 131O-A-010.01, 131O-A-011, 131O-A-012, 131O-A-014, 131O-A-015, 131O-A-017 thru 131-A-029, 131O-E-001 thru 131O-E-018, parts of 131O-E-019 thru 131O-E-022, 131O-E-023 thru 131O-E-025, 131O-F-001 thru 131O-F-012, 131P-B-013 thru 131P-B-019, 131P-C-001, and 131P-C-011 be permanently rezoned from Temporary R-1 Residential Zone to R-1 Residential Zone.

SECTION 11. BE IT FURTHER ORDAINED that Tax Map Nos. 131-001, 131O-A-001, 131O-A-003, 131O-A-004, and 131P-B-007.02 be permanently rezoned from Temporary R-1 Residential Zone and R-2 Residential Zone to R-1 Residential Zone and R-2 Residential Zone, following existing zoning boundary lines.

SECTION 12. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-019 be permanently rezoned from Temporary R-1 Residential Zone and R-3 Residential Zone to R-1 Residential Zone and R-3 Residential Zone, following existing zoning boundary lines.

SECTION 13. BE IT FURTHER ORDAINED that Tax Map Nos. 131O-A-002, 131O-A-004.01, 131O-A-005 thru 131O-A-010, 131O-B-001 thru 131O-B-003, 131O-B-005, 131O-B-006.01, 131O-B-008, 131O-B-012, 131O-B-013.01, 131O-B-016 and 131O-B-017, 131P-B-006, 131P-C-003, 131P-C-008.01, and 131P-C-009 be permanently rezoned from Temporary R-2 Residential Zone to R-2 Residential Zone.

SECTION 14. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-006 be permanently rezoned from Temporary R-2 Residential Zone and R-3 Residential Zone to R-2 Residential Zone and R-3 Residential Zone, following existing zoning boundary lines.

SECTION 15. BE IT FURTHER ORDAINED that Tax Map No. 131O-B-004 be permanently rezoned from Temporary R-2 Residential Zone and R-5 Residential Zone to R-2 Residential Zone and R-5 Residential Zone, following existing zoning boundary lines.

SECTION 16. BE IT FURTHER ORDAINED that Tax Map Nos. 131O-B-007 and 131O-B-020 be permanently rezoned from Temporary R-3 Residential Zone to R-3 Residential Zone.

SECTION 17. BE IT FURTHER ORDAINED that Tax Map Nos. 131O-A-013, 131O-B-011, 131O-B-011.02, 131O-B-018, 131P-B-005, 131P-B-008, 131P-B-008.01, 131P-B-009, 131P-B-010, 131P-B-012, 131P-B-020, 131P-B-020.01, and 131P-C-002 be permanently rezoned from Temporary R-5 Residential Zone to R-5 Residential Zone.

SECTION 18. BE IT FURTHER ORDAINED that Tax Map Nos. Nos. 131-026, 131O-A-014, 131O-A-028, 131P-B-007.02, 131P-B-007.03, 131P-B-007.04, and 131P-B-018 shall retain their special permits for single wide mobile homes.

SECTION 19. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2013.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

/mms

MAYOR

RESOLUTION

WHEREAS, City of Chattanooga/RPA petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from Temporary Zone to Permanent Zone, per City Code Article XII, Section 38-653 - Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as "Area 9-B" of Ordinance #12317 and Ordinance #12543, properties located on Hunter Rd, I-75, Sue Ron Lane, and Ooltewah-Harrison Road.

Beginning in the present city limit boundary at a point directly across the road from the northeast corner of property now or formerly owned by De Williams (131-023); thence proceeding south-easterly a distance of 50 feet, more or less, across the Old Cleveland Pike right of way to the northeast corner of property now or formerly owned by De Williams (131-023); thence proceeding South 32 degrees East a distance of 46.6 feet, more or less, to the east corner of property now or formerly owned by De Williams (131-023); thence proceeding South 22 degrees West a distance 257 feet, more or less, to the northeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding South 23 degrees West a distance of 1,071 feet, more or less, to the east corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding South 12 degrees East a distance of 119 feet, more or less, to the intersection of the southeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01) and Lee Highway right of way; thence proceeding south-easterly a distance of 75 feet, more or less, to a point directly across the Lee Highway right of way from the southeast corner of property now or formerly owned by Choo Choo Homes Incorporated (131-003.01); thence proceeding south-westerly a distance of 170 feet, more or

less, along the southern line of Lee Highway right of way to the northeast corner of property now or formerly owned by Rhonda Neely (131O-B-001); thence proceeding south-westerly a distance of 765 feet, more or less, along the City of Collegedale right of way to the southern corner of property now or formerly owned by James Ransom (131O-B-004); thence proceeding northwesterly a distance of 485 feet, more or less, along the City of Collegedale right of way to northeast corner of property now or formerly owned by Eddie and Mary Osborne (131O-B-005); thence proceeding southwardly a distance of 815 feet, more or less, along the City of Collegedale right of way to the northeast corner of property now or formerly owned by Woodard Development Company (131O-B020); thence proceeding south-westerly a distance of 625 feet, more or less, along the City of Collegedale right of way to the southeast corner of property now or formerly owned by Woodard Development Company (131O-B-020); thence proceeding north-westerly a distance of 170 feet, more or less, along the City of Collegedale right of way to the northeast corner of property now or formerly owned by Woodward Development Company (131O-B-019); thence proceeding southwardly a distance of 90 feet, more or less, to the southeast corner of property now or formerly owned by Woodward Development Company (131O-B-019) and the Apison Pike right-of-way; thence proceeding westwardly a distance of 3,703 feet, more or less, along the northern line of the Apison Pike right of way and the Old Lee Highway right of way to the southwest corner of property now or formerly owned by Indian Pentecostal Church of God (131P-A-001); thence proceeding northwardly a distance of 265 feet more or less to the northwest corner of property now or formerly owned by Indian Pentecostal Church of God (131P-A-001); thence proceeding north-easterly a distance 5,900 feet, more or less, along the southern line of Interstate 75 right of way and the northern line of Old Cleveland Pike right of way to the point of beginning. References to parcel numbers in parenthesis above are based upon official Geographic Information System maps maintained by the

Hamilton County GIS Department. All of this property lies within the Urban Growth Boundary of the City of Chattanooga as provided in the Master Interlocal Agreement between all municipalities within Hamilton County effective May 23, 2001. Included in this annexation are all tax parcels listed below and as shown on the attached map for Annexation Area 9B.

Permanent zones are as follows by tax map numbers:

To be rezoned C-2: Tax Map 131O-B-014, 015, 131P-C-005 thru 008 and 008.02, 131- 002 and 003.

To be rezoned C-2 with conditions: Tax Map 131P-B-004, 007, 007.01, 007.03 and 007.04 subject to site plan submission before City Council action.

To be rezoned C-2 and M-1: Tax Map 131P-A-001 (following existing zoning boundary lines.)

To be rezoned M-1: Tax Map 131P-B-001 thru 003.

To be rezoned M-3: Tax Map 131O-B-010.01.

To be rezoned M-3 with conditions: Tax Map 131O-B-011.03 with the condition of one warehouse only

To be rezoned M-3 and R-3: Tax Map 131O-B-009 (following existing zoning boundary lines.)

To be rezoned M-3 and R-5: Tax Map 131O-B-011.04 (following existing zoning boundary lines.)

To be rezoned R-1: Tax Map 131-003.01, 023 thru 026, 131O-A-010.01, 011, 012, 014, 015, 017 thru 029, 131O-E-001 thru 018, parts of 131O-E-019 thru 022, 131O-E-023 thru 025, 131O-F-001 thru 012, 131P-B-013 thru 019, 131P-C-001 and 131P-C-011.

To be rezoned R-1 and R-2: Tax Map 131- 001, 131O-A-001, 003, 004, 131P-B-007.02 (following existing zoning boundary lines.)

To be rezoned R-1 and R-3: Tax Map 131O-B-019 (following existing zoning boundary lines.)

To be rezoned R-2: Tax Map 131O-A-002, 004.01, 005 thru 010, 131O-B-001 thru 003, 005, 006.01, 008, 012, 013.01, 016 and 017, 131P-B-006, 131P-C-003, 008.01 and 009.

To be rezoned R-2 and R-3: Tax Map 131O-B-006 (following existing zoning boundary lines.)

To be rezoned R-2 and R-5: Tax Map 131O-B-004 (following existing zoning boundary lines.)

To be rezoned R-3: Tax Map 131O-B-007 and 020.

To be rezoned R-5: Tax Map 131O-A-013, 131O-B-011, 011.02, 018, 131P-B-005, 008, 008.01, 009, 010, 012, 020, 020.01, and 131P-C-002.

Parcels to retain their special permits for single wide mobile homes. Tax Map 131-026, 131O-A-014, 028, 131P-B-007.02, 007.03, 007.04 and 018

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 11, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 11, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

To be rezoned C-2: Tax Map 131O-B-014, 015, 131P-C-005 thru 008 and 008.02, 131- 002 and 003.

To be rezoned C-2 with conditions: Tax Map 131P-B-004, 007, 007.01, 007.03 and 007.04 subject to site plan submission before City Council action.

To be rezoned C-2 and M-1: Tax Map 131P-A-001 (following existing zoning boundary lines.)

To be rezoned M-1: Tax Map 131P-B-001 thru 003.

To be rezoned M-3: Tax Map 131O-B-010.01.

To be rezoned M-3 with conditions: Tax Map 131O-B-011.03 with the condition of one warehouse only

To be rezoned M-3 and R-3: Tax Map 131O-B-009 (following existing zoning boundary lines.)

To be rezoned M-3 and R-5: Tax Map 131O-B-011.04 (following existing zoning boundary lines.)

To be rezoned R-1: Tax Map 131-003.01, 023 thru 026, 131O-A-010.01, 011, 012, 014, 015, 017 thru 029, 131O-E-001 thru 018, parts of 131O-E-019 thru 022, 131O-E-023 thru 025, 131O-F-001 thru 012, 131P-B-013 thru 019, 131P-C-001 and 131P-C-011.

To be rezoned R-1 and R-2: Tax Map 131- 001, 131O-A-001, 003, 004, 131P-B-007.02 (following existing zoning boundary lines.)

To be rezoned R-1 and R-3: Tax Map 131O-B-019 (following existing zoning boundary lines.)

To be rezoned R-2: Tax Map 131O-A-002, 004.01, 005 thru 010, 131O-B-001 thru 003, 005, 006.01, 008, 012, 013.01, 016 and 017, 131P-B-006, 131P-C-003, 008.01 and 009.

To be rezoned R-2 and R-3: Tax Map 131O-B-006 (following existing zoning boundary lines.)

To be rezoned R-2 and R-5: Tax Map 131O-B-004 (following existing zoning boundary lines.)

To be rezoned R-3: Tax Map 131O-B-007 and 020.

To be rezoned R-5: Tax Map 131O-A-013, 131O-B-011, 011.02, 018, 131P-B-005, 008, 008.01, 009, 010, 012, 020, 020.01, and 131P-C-002.

Parcels to retain their special permits for single wide mobile homes. Tax Map 131-026, 131O-A-014, 028, 131P-B-007.02, 007.03, 007.04 and 018

Respectfully submitted,

John Bridger
Secretary

Case Number:	2013-005	
Applicant Request:	Zoning Plan for Annexation Area 9B	
Applicant:	City of Chattanooga - RPA	
Property Address:	Old Lee Highway, Old Cleveland Pike, School Street, Rose Glen Court, Kayla Rose Circle	
Jurisdiction:	Chattanooga District 4/ Hamilton County District 5, 9	
Neighborhood:	None	
Proposed Development	PLANNING COMMISSION ACTION: Approve Per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as "Area 8-A" of Ordinance #12317 and Ordinance #12543	
Site Plan Submitted:		Yes
Proposed Use:		
Site Characteristics		
Current Zoning:	Temporary R-1 Residential, R-2 Residential, R-3 Residential, R-5 Residential, C-2 Convenience Commercial, M-1 Manufacturing and M-3 Warehouse and Wholesale	
Current Use:	Mix of residential and non-residential uses	
STAFF RECOMMENDATION:	APPROVE ZONING PLAN PER ATTACHED TABLE	

Comments

Planning Staff:

Annexation and Zoning Plan

This property was annexed by the City of Chattanooga, effective 12/31/2012.

Per Sec. 38-653 per the City Code, "Sec. 38-653. Zoning plan for newly annexed areas. It shall be the duty of the Planning Commission, within ninety (90) days of the effective date of annexation, to recommend a zoning plan for the newly annexed areas to the City Council. Following the receipt of the recommendation of such a zoning plan from the Planning Commission, the City Council after giving notice as required in article XIII regarding changes and amendments to the zoning ordinance, shall thereafter adopt a zoning plan as an amendment to the official zoning map for the newly annexed area."

Grandfathered/Non-Conforming Status

Zoning controls how a piece of property can be used. Sometimes, such as part of the annexation Zoning Plan process, zoning for an area is changed leaving some properties with a zone that does not permit the use that is already on it. That use is called a "legal-non-conforming" or "grandfathered" use. Generally, the use is considered legal and may stay unless it is discovered that the use has been discontinued for 100 days or more. In such cases, the property is referred to as having lost its "grandfathered" status.

Below is language directly out of the City Code regarding this issue:

Chattanooga City Code, Chapter 38: ARTICLE VII. NON-CONFORMING USES

Sec. 38-541. Buildings in use at time zoning ordinance passed.

(2) If such non-conforming building is removed or the non-conforming

use of such building is discontinued for 100 consecutive days regardless of the intent of the owner or occupant of such building to continue or discontinue such use, every future use of such premises shall be in conformity with the provisions of the Ordinance.

Property owners may contact the RPA Development Services Office at (423) 668-2287 to find out the current zoning of a property. Questions regarding zoning enforcement, including non-conforming uses, should be directed to the City of Chattanooga Land Development Office at (423) 643-5883.

Zoning Conditions

As conditions are used to mitigate potential negative impacts caused by the rezoning of property, this Zoning Plan is recommending maintaining conditions that were placed on property at its time of rezoning. These conditions, if any, are specified in the following table.

Staff Recommendation

Staff has reviewed the land use and zoning pattern in the newly annexed area and is, for the most part, recommending a permanent zone that is comparable to the property's temporary classification listed in Sec. 38-651 of the City Code. The temporary classifications are the zones most similar to the former unincorporated Hamilton County zoning districts. In cases where a parcel contains multiple zoning designations, staff may recommend one zone, most often reflective of the predominant temporary zone, for the entirety of the parcel.

For this area, it includes the following recommended permanent zone(s):

FORMER COUNTY DISTRICT CLASSIFICATION	TEMPORARY CITY ZONE	RECOMMENDED PERMANENT CITY ZONE
A-1 Agricultural District R-1 Single – Family Residential District	R-1 Residential Zone	R-1 Residential Zone
R-2 Urban Residential District R-2A Rural Residential District	R-2 Residential Zone	R-2 Residential Zone
R-3 Apartment – Townhouse District MH Manufactured Home Park District	R-3 Residential Zone	R-3 Residential Zone

FORMER COUNTY DISTRICT CLASSIFICATION	TEMPORARY CITY ZONE	RECOMMENDED PERMANENT CITY ZONE
R-5 Single Lot Manufactured Home District	R-5 Residential Zone	R-5 Residential Zone
O-1 Office District	R-4 Special Zone	R-4 Special Zone
C-1 Tourist Court & Motel District	C-2 Convenience Commercial Zone	C-2 Convenience Commercial Zone
C-2 Local Business Commercial District C-3 General Business District	C-2 Convenience Commercial Zone	C-2 Convenience Commercial Zone
M-1 Industrial District	M-1 Manufacturing Zone	M-1 Manufacturing Zone
M-3 Warehouse and Wholesale District	M-3 Warehouse and Wholesale Zone	M-3 Warehouse and Wholesale Zone

PARCEL	OWNERNAME1	ADDRESS	TEMPORARY ZONING	CONDITIONS	PROPOSED PERMANENT ZONING
131 001	MEADOWS FRIEL J	8257 OLD LEE HWY	R-1 & R-2	NO	R-1 & R-2
131 002	STINER KENNETH A JR & SARAH R	8307 OLD LEE HWY	C-2 & R-2	NO	C-2
131 003	STINER KENNETH A & VALERIE S	8317 OLD LEE HWY	C-2	NO	C-2
131 003.01	STINER KENNETH A & VALERIE S	5323 ROSE GLEN CT	C-2 & R-2	NO	R-1
131 023	WILLIAMS DE DAY JR	8310 OLD CLEVELAND PIKE	R-1	NO	R-1
131 024	FAVORS TOMMY L	OLD CLEVELAND PIKE	R-1	NO	R-1
131 025	DERAMUS BOBBY LEBRON &	OLD CLEVELAND PIKE	R-1	NO	R-1
131 026	SUTTON ROBERT JOHN & MARY ELLEN	8266 OLD CLEVELAND PIKE	R-1	NO SP:SWMH	R-1
1310 A 001	WILSON OTIS DUANE & DAPHNE O	8253 OLD LEE HWY	R-1 & R-2	NO	R-1 & R-2
1310 A 002	WILSON JEAN E	8229 OLD LEE HWY	R-2	NO	R-2
1310 A 003	WILSON JEAN E	8227 OLD LEE HWY	R-1 & R-2	NO	R-1 & R-2
1310 A 004	JACKSON YVONNE L	8223 OLD LEE HWY	R-1 & R-2	NO	R-1 & R-2
1310 A 004.01	WILSON JEAN E	8225 OLD LEE HWY	R-2	NO	R-2
1310 A 005	EDMONDSON MARTHA C	8215 OLD LEE HWY	R-1 & R-2	NO	R-2*
1310 A 006	CHAPMAN BRIGETTE LYNN	8211 OLD LEE HWY	R-1 & R-2	NO	R-2*
1310 A 006.01	SHEPPARD DOBORAH	8209 OLD LEE HWY	R-1 & R-2	NO	R-2*
1310 A 007	WOODARD DEVELOPMENT CO	8203 OLD LEE HWY	R-2	NO	R-2
1310 A 008	MASSENGILL LEBRON &	5402 SCHOOL ST	R-2	NO	R-2
1310 A 009	MC PHERSON GEORGE	5406 SCHOOL ST	R-2	NO	R-2
1310 A 009.01	MC PHERSON GEORGE & DOROTHY	5400 SCHOOL ST	R-2	NO	R-2
1310 A 010	MC PHERSON WALTER	SCHOOL ST	R-1 & R-2	NO	R-2
1310 A 010.01	MC PHERSON WALTER	5408 SCHOOL ST	R-1 & R-2	NO	R-1*
1310 A 011	WILLIAMS ALVIN L	5412 SCHOOL ST	R-1 & R-2	NO	R-1*
1310 A 012	BRYANT WENDELL P SR TRUST	SCHOOL ST	R-1	NO	R-1
1310 A 013	WILLIAMS JEANETTE EVANS & AL	8225 ADRIANA LN	R-5	NO	R-5
1310 A 014	JONES PAUL R & ESTELLA C	8239 ADRIANA LN	R-1 & R-2	NO SP:SWMH	R-1*
1310 A 015	CLARK RONALD L & LENNETTE	8208 OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 017	BROGDEN DELTA JR	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 018	MLF PROPERTIES LLC	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 019	MLF PROPERTIES LLC	8210 OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 020	WILSON JIMMIE H & MARY F	8216 OLD CLEVELAND PIKE	R-1	NO	R-1

PARCEL	OWNER NAME 1	ADDRESS	TEMPORARY ZONING	CONDITIONS	PROPOSED PERMANENT ZONING
1310 A 021	FAVORS MATTIE	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 022	WALDROP RONALD	8222 OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 023	WILSON OTIS DUANE & DAPHNE O	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 024	WILLIAMS SUSIE L TR	8242 OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 025	JENKINS RICHARD & JESSIE MAY	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 026	HUGHLEY RONNIE D TR	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 027	WILLIAMS SUSIE L TR	OLD CLEVELAND PIKE	R-1	NO	R-1
1310 A 028	OLIVER ANNIE W	8250 OLD CLEVELAND PIKE	R-1	NO SP:SWMH	R-1
1310 A 029	STINER KENNETH	8258 OLD CLEVELAND PIKE	R-1	NO	R-1
1310 B 001	NEELY RHONDA L	8314 OLD LEE HWY	R-2	NO	R-2
1310 B 002	LEE JEREMY JUSTIN	8304 OLD LEE HWY	R-2	NO	R-2
1310 B 003	BROGDON J WESLEY	8308 OLD LEE HWY	R-1 & R-2	NO	R-2*
1310 B 004	RANSOM JAMES L	8250 OLD LEE HWY	R-1, R-2, R-5	NO	R-2 & R-5*
1310 B 005	OSBORNE EDDIE B TRS	8240 OLD LEE HWY	R-2	NO	R-2
1310 B 006	ROLAND NORMA JORDAN	4852 WOODARD FAMILY PL	R-2 & R-3	NO	R-2 & R-3
1310 B 006.01	ROLAND NORMA JORDAN	4870 WOODARD FAMILY PL	R-2 & R-3	NO	R-2*
1310 B 007	WOODARD DEVELOPMENT CO	4834 WOODARD FAMILY PL	R-1, R-2, R-3	NO	R-3*
1310 B 008	ARNER GORDON R & SYBLE R	4820 WOODARD FAMILY PL	R-2	NO	R-2
1310 B 009	JONES LUTHER C	8220 OLD LEE HWY	M-3, R-3, R-2	NO	M-3, R-3, R-2
1310 B 010.01	WOODARD ALBERT P	OLD LEE HWY	M-3	NO	M-3
1310 B 011	WOODARD ALBERT P	OLD LEE HWY	R-3 & R-5	NO	R-5*
1310 B 011.02	CARTER EUGENE	8204 OLD LEE HWY	R-5	NO	R-5
1310 B 011.03	HOWARD JANICE M	8206 OLD LEE HWY	M-3	YES- see conditions page	M-3 W/C
1310 B 011.04	WOODARD ALBERT P	8210 OLD LEE HWY	M-3 & R-5	NO	M-3 & R-5
1310 B 012	FIELDS CHAPEL AME ZION CHURCH	8202 OLD LEE HWY	R-2	NO	R-2
1310 B 013.01	FIELDS CHAPEL AME ZION CHURCH	8142 OLD LEE HWY	R-2 & R-5	NO	R-2*
1310 B 014	WOODARD DEVELOPMENT CO	8201 APISON PIKE	C-2	NO	C-2
1310 B 015	WOODARD DEVELOPMENT CO	8207 APISON PIKE	C-2	NO	C-2
1310 B 016	FIELDS CHAPEL AME ZION CHURCH	8211 APISON PIKE	R-1 & R-2	NO	R-2*
1310 B 017	WOODARD DEVELOPMENT CO	8211 APISON PIKE	R-1 & R-2	NO	R-2*

PARCEL	OWNERNAME1	ADDRESS	TEMPORARY ZONING	CONDITIONS	PROPOSED PERMANENT ZONING
1310 B 018	TIMMONS KAILAN	8215 APISON PIKE	R-5	NO	R-5
1310 B 019	WOODARD DEVELOPMENT CO	APISON PIKE	R-3 & R-1	NO	R-1 & R-3
1310 B 020	WOODARD DEVELOPMENT CO	8231 APISON PIKE	R-3 & R-1	NO	R-3*
1310 E 001	CHOO CHOO HOMES INC	8313 KAYLA ROSE CIR	R-2	NO	R-1*
1310 E 002	CHOO CHOO HOMES INC	8319 KAYLA ROSE CIR	R-2	NO	R-1*
1310 E 003	HUNT JOHN	8325 KAYLA ROSE CIR	R-2	NO	R-1*
1310 E 004	BELDIN JEROME C & AMBER F	8331 KAYLA ROSE CIR	R-1 & R-2	NO	R-1*
1310 E 005	LEHR CYNTHIA	8337 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 006	WRIGHT JOSHUA L & ELIZABETH	8343 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 007	CHOO CHOO HOMES INC	8349 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 008	SCHROYER MICHAEL B	8355 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 009	CHOO CHOO HOMES INC	8361 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 010	CHOO CHOO HOMES INC	8367 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 011	SERPAS NICHOLAS J & ANDREA R	8373 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 012	CHOO CHOO HOMES INC	8379 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 013	CHOO CHOO HOMES INC	8385 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 014	CHOO CHOO HOMES INC	8389 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 015	MCMAHAN MICHAEL D & JENNIFER R	8393 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 016	THOMAS DALE	8397 KAYLA ROSE CIR	R-1	NO	R-1
1310 E 017	REASONOVER WILLIAM E & ROSE M	5385 ROSE GLEN CT	R-1	NO	R-1
1310 E 018	DOCKERY STEVE & JUDY	5393 ROSE GLEN CT	R-1	NO	R-1
1310 E 019 PT	JONES BOBBY LEON & JOSEPHINE	5392 ROSE GLEN CT	R-1	NO	R-1
1310 E 020 PT	CHOO CHOO HOMES INC	5386 ROSE GLEN CT	R-1	NO	R-1
1310 E 021 PT	CHOO CHOO HOMES INC	5380 ROSE GLEN CT	R-1	NO	R-1
1310 E 022 PT	CHOO CHOO HOMES INC	5372 ROSE GLEN CT	R-1	NO	R-1
1310 E 023	CHOO CHOO HOMES INC	5364 ROSE GLEN CT	R-1	NO	R-1
1310 E 024	CHOO CHOO HOMES INC	5356 ROSE GLEN CT	R-1	NO	R-1
1310 E 025	CHOO CHOO HOMES INC	5348 ROSE GLEN CT	R-1 & R-2	NO	R-1*
1310 F 001	CHOO CHOO HOMES INC	5341 ROSE GLEN CT	R-1 & R-2	NO	R-1*
1310 F 002	FERGUSON JAMES D & LINDA K	8308 KAYLA ROSE CIR	R-1 & R-2	NO	R-1*
1310 F 003	CHOO CHOO HOMES INC	8320 KAYLA ROSE CIR	R-1 & R-2	NO	R-1*

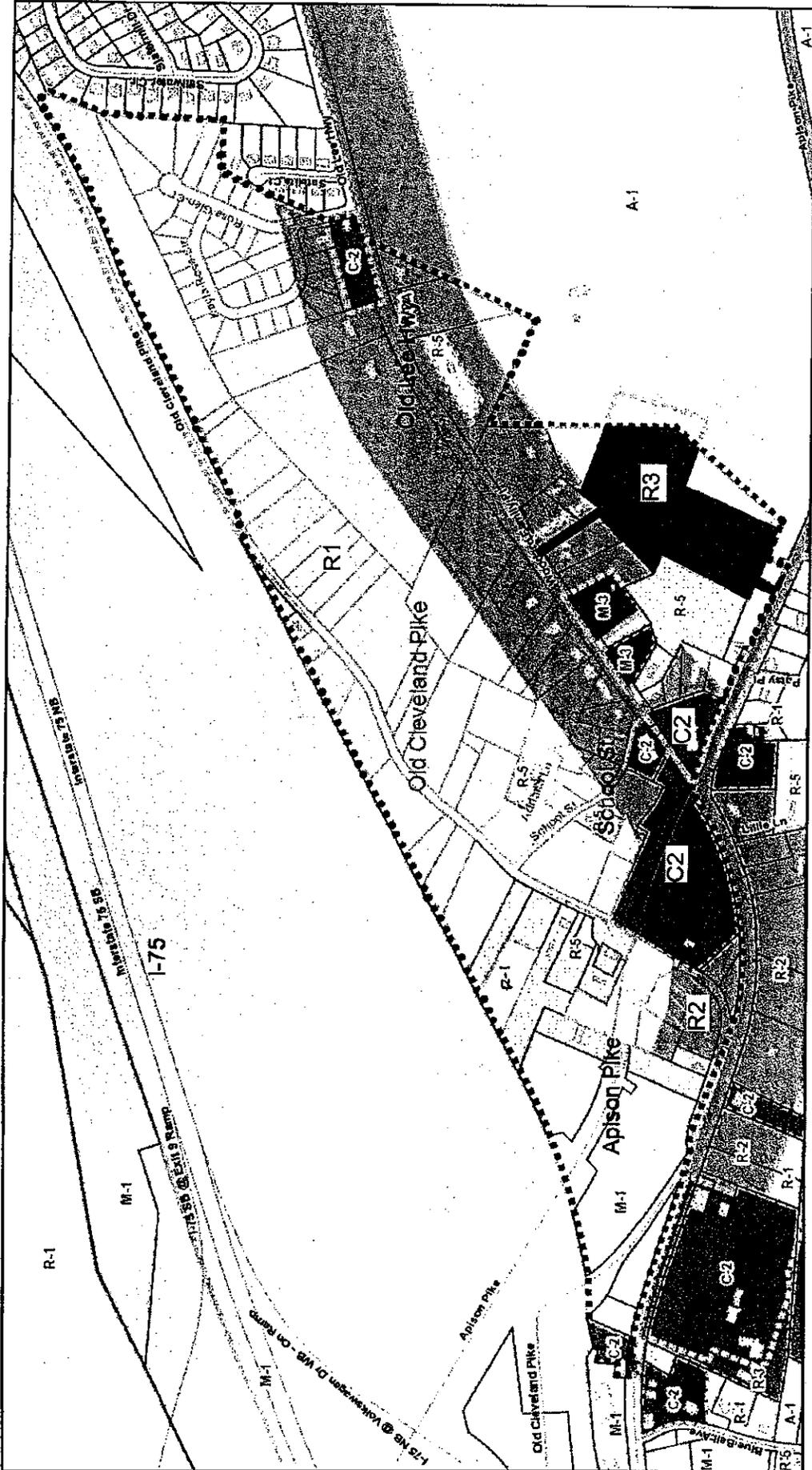
PARCEL	OWNER NAME I	ADDRESS	TEMPORARY ZONING	CONDITIONS	PROPOSED PERMANENT ZONING
1310 F 004	BUSCH CONRAD H & HOLLEY S	8334 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 005	CALIRI SAM & MARIE A	8342 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 006	CHOO CHOO HOMES INC	8356 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 007	HOLMES JAMIE L	8370 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 008	FITCH ERIC	8378 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 009	WU MING TSE A	8386 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 010	RUNNELLS RANDALL EDWARD &	8392 KAYLA ROSE CIR	R-1	NO	R-1
1310 F 011	ROSE JENNIFER ANN	5353 ROSE GLEN CT	R-1	NO	R-1
1310 F 012	FUENTES RICHARD & MAKENZIE D	5347 ROSE GLEN CT	R-1	NO	R-1
131P A 001	INDIAN PENTACOSTAL CHURCH OF GOD	7925 OLD LEE HWY	C-2 & M-1	NO	C-2 & M-1
131P B 001	JOHNSON LOUISE COMBS	7927 OLD LEE HWY	M-1	NO	M-1
131P B 002	JOHNSON LOUISE COMBS	8013 OLD CLEVELAND PIKE	M-1	NO	M-1
131P B 003	ROGERS FRANCIS C ETAL	8011 OLD CLEVELAND PIKE	M-1	NO	M-1
131P B 004	JUMP MARTHA J & TERRY W	8083 APISON PIKE	R-5	NO	R-5
131P B 005	MC KEE DAVID & PHYLLIS	8029 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 006	DAVIS N EVALYNE	OLD CLEVELAND PIKE	R-2	NO	R-2
131P B 007	JONES MAURICE D	8067 OLD CLEVELAND PIKE	R-1 & R-2	NO	R-1 & R-2
131P B 007.01	PRICE CLARENCE	8117 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 007.02	JONES GREGORY FRANCISCO	8079 OLD CLEVELAND PIKE	R-1 & R-2	NO SP:SWMH	R-1 & R-2
131P B 007.03	FIGUEROA JUAN L	8119 OLD CLEVELAND PIKE	R-5	NO SP:SWMH	R-5
131P B 007.04	JONES KOSYGIN L & SHERRI W	8095 APISON PIKE	R-1	NO SP:SWMH	R-1
131P B 008	FLANDERS LEVAUGHN	OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 008.01	FLANDERS LEVAUGHN & ALICE ANN	8121 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 009	THOMAS KIMBERLY	8125 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 010	OWENS JAMES L JR	OLD CLEVELAND PIKE	R-1 & R-5	NO	R-5*
131P B 012	CLARK KATHY RENEE	8131 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 013	SUMMITT COMMUNITY RECREATION &	8201 OLD CLEVELAND PIKE	R-1	NO	R-1
131P B 014	HAIRSTON GEORGE E	OLD CLEVELAND PIKE	R-1	NO	R-1
131P B 015	WALDROP RONALD	OLD CLEVELAND PIKE	R-1	NO	R-1
131P B 016	SILVEY MARVIN R & VERA	8213 OLD CLEVELAND PIKE	R-1	NO	R-1
131P B 017	WITHEROW NAOMI & LEONARD	8221 OLD CLEVELAND PIKE	R-1	NO	R-1

PARCEL	OWNER NAME 1	ADDRESS	TEMPORARY ZONING	CONDITIONS	PROPOSED PERMANENT ZONING
131P B 018	GIFFORD REVONDA KAY TR	8231 OLD CLEVELAND PIKE	R-1	NO SP:SWMH	R-1
131P B 019	MAHAFFEY TINA	OLD CLEVELAND PIKE	R-1	NO	R-1
131P B 020	WILLIAMS ROY DENTON & GAY LEE	8243 OLD CLEVELAND PIKE	R-5	NO	R-5
131P B 020.01	MAHAFFEY TINA LOUISE	OLD CLEVELAND PIKE	R-5	NO	R-5
131P C 001	SIMS GENEVA ETAL	5421 SCHOOL ST	R-1	NO	R-1
131P C 002	COLLIER CAROLYN V	5415 SCHOOL ST	R-5	NO	R-5
131P C 003	ST PETER MISSIONARY BAPTIST	SCHOOL ST	R-1 & R-2	NO	R-2*
131P C 005	WOODARD DEVELOPMENT CO	5403 SCHOOL ST	C-2	NO	C-2
131P C 006	WOODARD DEVELOPMENT CO	8139 OLD LEE HWY	C-2	NO	C-2
131P C 007	JONES CARLOS	8131 OLD LEE HWY	C-2	NO	C-2
131P C 008	JONES OWEN	OLD CLEVELAND PIKE	C-2	NO	C-2
131P C 008.01	JONES LUTHER	8106 OLD CLEVELAND PIKE	R-2	NO	R-2
131P C 008.02	PETTAWAY VERNA JONES ETAL	OLD LEE HWY	C-2	NO	C-2
131P C 009	FREEDMAN BERNARD & GLORIA J	8110 OLD CLEVELAND PIKE	R-2	NO	R-2
131P C 011	ST PETERS CHURCH OF SUMMIT TN	8120 OLD CLEVELAND PIKE	R-1	NO	R-1

* STAFF CHANGED ZC

CONDITIONS

Case No.	Co.Resol.No.	Annexed Area	Parcels affected	Conditions of County Resolution
2013-001	492-34B (Case 1992-039)	Area 6A	120E-A-007, 008	Subject to natural sight-obscuring screen along abutting residential zones
2013-002		Area 6B		NONE
2013-003	505-24B (Case 2005-045)	Area 6C	112-006	1) R-1 on Rlm Crest and Harvest Run being shielded from lighting if used, 2) Access being from Hwy. 58 only
2013-003	610-27B (Case 2009-085)	Area 6C	112N-A-003	1) Any exterior lighting being directed down and away from residential uses, 2) Access being from Hwy. 58 only.
2013-004	405-22B (Case 2005-038)	Area 8A	131-061.02	1) 140' length of a minimum 8' privacy fence, evergreens and a 3' high berm around the northwest corner, 2) Exterior lighting to be installed to eliminate or minimize undesirable light pollution to adjacent properties, 3) No dumpster and/or trash pickup before 7am or after 7pm.
2013-004	906-32B (Case 2006-166)	Area 8A	131-036.01	Subject to improvements to access drive as approved by the County Engineer
2013-004	1112-20C (Case 2012-115)	Area 8A	131-074.01	1) No restaurants and other establishments serving prepared food and beverages, 2) No hotels and motels, 3) No adult oriented establishments, 4) No Liquor stores, 5) No wineries including vineyards, processing, bottling and sales facilities, 6) Hamilton County accepting the applicant representatives offer to donate needed right-of-way for future intersection realignment and installation of a traffic signal at Hunter Road and Ooltewah-Harrison Road, 7) Construction of intersection realignment and installation of traffic signal required prior to the development of the northwest outparcel shown on the site plan, 8) If no intersection realignment or traffic signal is installed prior to development, northwest parcel will be required to be interconnected with the existing C-1 zoned portion of the development, 9) Only one combined ingress/egress point onto Hunter Road upon approval of the Hamilton County Engineer, 10) 6-foot shoulders along Hunter Road adjacent to development at entrance, 11) Deceleration lane at eastern most entrance.
2013-005	206-768 (Case 2006-018)	Area 9B	131-036.01	
2013-006	712-15C (Case 2012-046)	Area 11A	171C-B-002, 002.02, 002.03, 003, 003.01, 003.02(pt.)	Subject to only two ingress/egress point from East Brainerd Road



2013-005 Annexation Area 9-B Rezoning from Temporary to Permanent Zones



TEMPORARY ZONING MAP



600 FT



Chattanooga Hamilton County Regional Planning Agency

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-012 Kosygin Lameechee Jones. 8025, 8067, 8109, 8117, and 8119 Old Cleveland Pike, from R-1 Residential Zone, R-2 Residential Zone, and R-5 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2013-001 City of Chattanooga/RPA. 5300 block of Hwy. 58 and 5136, 5141, and 5145 Turkeyfoot Trail, from Temporary Zone to Permanent Zone per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as “Area 6-A” of Ordinance No. 12312 and Ordinance No. 12513, subject to certain conditions.

2013-002 City of Chattanooga/RPA. 5400 block of Hwy. 58 and 8604 North Hickory Valley Road, from Temporary Zone to Permanent Zone per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as “Area 6-B” of Ordinance No. 12313 and Ordinance No. 12514.

2013-003 City of Chattanooga/RPA. 5500-6300 blocks of Hwy. 58, Mahlon Drive, Harrison-Ooltewah Road, Clark Road, Holder Road, Easter Drive, Tyner Lane, and Church Road, from Temporary Zone to Permanent Zone per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as “Area 6-C” of Ordinance No. 12314 and Ordinance No. 12515, subject to certain conditions.

2013-004 City of Chattanooga/RPA. Hunter Road, I-75, Sue Ron Lane, and Ooltewah-Harrison Road, from Temporary Zone to Permanent Zone, per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as “Area 8-A” of Ordinance No. 12296 and Ordinance No. 12556, subject to certain conditions.

2013-005 City of Chattanooga/RPA. Hunter Road, I-75, Sue Ron Lane and Ooltewah-Harrison Road, from Temporary Zone to Permanent Zone, per City Code Article XII, Section 38-653 – Planning Commission Zoning Plan to establish permanent zones for area annexed and identified as “Area 9-B” of Ordinance No. 12317 and Ordinance No. 12543, subject to certain conditions.

2013-024 BYD, LLC/Kevin C. Boehm/GADG Leasing, Ltd. 1616 Broad Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2013-025 Hefferlin & Kronenberg. 625 East Main Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2013-027 Inasmuch, Inc. d/b/a The Samaritan Center. 6021 Ooltewah Georgetown Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

March 12, 2013

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2013.

Carol K. O’Neal, CMC
Clerk to the City Council