

1ST READING

8-14-12

2ND READING

8-21-12

2012-091
James D. Lee
District No. 4

ORDINANCE NO. 12640

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 8244 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE, R-2 RESIDENTIAL ZONE, AND R-4 SPECIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE, C-5 NEIGHBORHOOD COMMERCIAL ZONE, O-1 OFFICE ZONE, AND R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE, SUBJECT TO CERTAIN CONDITIONS.

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 so as to rezone property located at 8244 East Brainerd Road, more particularly described herein:

Portion 1 to be rezoned C-2: To find the point of beginning start at the northeast corner of Tax Map 171B-A-003 thence southeast some 225 feet along the east property line to a point being the true point of beginning, thence continuing some 75 feet southeast along said line to a point, thence southwest some 211.3 feet, thence northwest some 75 feet, thence northeast some 211.3 feet to the true point of beginning. Tax Map 171B-A-003 (part) as shown on the attached map.

Portion 2 to be zoned C-2: Beginning at the west most corner of 171B-A-003 thence northeast some 263.4 feet, thence southeast some 284.09 feet, thence southwest some 221.4 feet, thence northwest some 290.2 feet to the point of beginning. Tax Map 171B-A-003 (part) as shown on the attached map.

To be rezoned C-5: Beginning at the northwest most corner of Tax Map 171B-A-003 thence some 35.8 feet along its north property line, thence southeast some 253.8 feet, thence southeast some 88.5

feet, thence southwest some 102.4 feet, thence northwest some 300.1 feet to the northwest most corner of Tax Map 171B-A-003, the point of beginning. Tax Map 171B-A-003 (part) as shown on the attached map.

To be rezoned O-1: To find the point of beginning start at the northwest corner of 171B-A-007.02 thence southwest some 174.5 feet, thence northwest some 338.8 feet, thence northeast some 221.4 feet, thence northeast some 205.4 feet, thence southeast some 70.4 feet, thence east some 102.4 feet, thence southeast some 242.4 feet, thence northwest some 91 feet, thence northeast some 211.3 feet, thence southeast some 235.1 feet, thence southwest some 174.7 feet, thence northeast some 357.5 feet to the northwest corner of 171B-A-007.02, the point of beginning. Tax Map 171B-A-003 (part) as shown on the attached map.

To be rezoned R-T/Z: To find the point of beginning start at the south most corner of Tax Map 171B-A-005 thence southwest some 174.6 feet, thence northwest some 279.8 feet, thence northeast some 174.7 feet, thence southeast some 278.4 feet to the south most corner of Tax Map 171B-A-005 the point of beginning. Tax Map 171B-A-003 (part) as shown on the attached map.

and as shown on the map and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone, R-2 Residential Zone and R-4 Special Zone to C-2 Convenience Commercial Zone, C-5 Neighborhood Commercial Zone, O-1 Office Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to and approved as follows:

Area 1 - (C-2 and C-5 fronting East Brainerd Road), shall be subject to one access point onto East Brainerd Road;

Area 2 (R-T/Z fronting Givens Road):

Area 3 (O-1 and C-5 accessing Grays Drive), C-5 with the following conditions:

- 1) Businesses are to operate only between the hours of 6:00 a.m. to 9:00 p.m.;

- 2) No late night special event facilities, gasoline stations, oil change operations or similar use; pawn shops or tattoo parlors and no liquor stores; and
- 3) No dumpster service between 9:00 p.m. and 6:00 a.m.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

August 21, 2012.



CHAIRPERSON

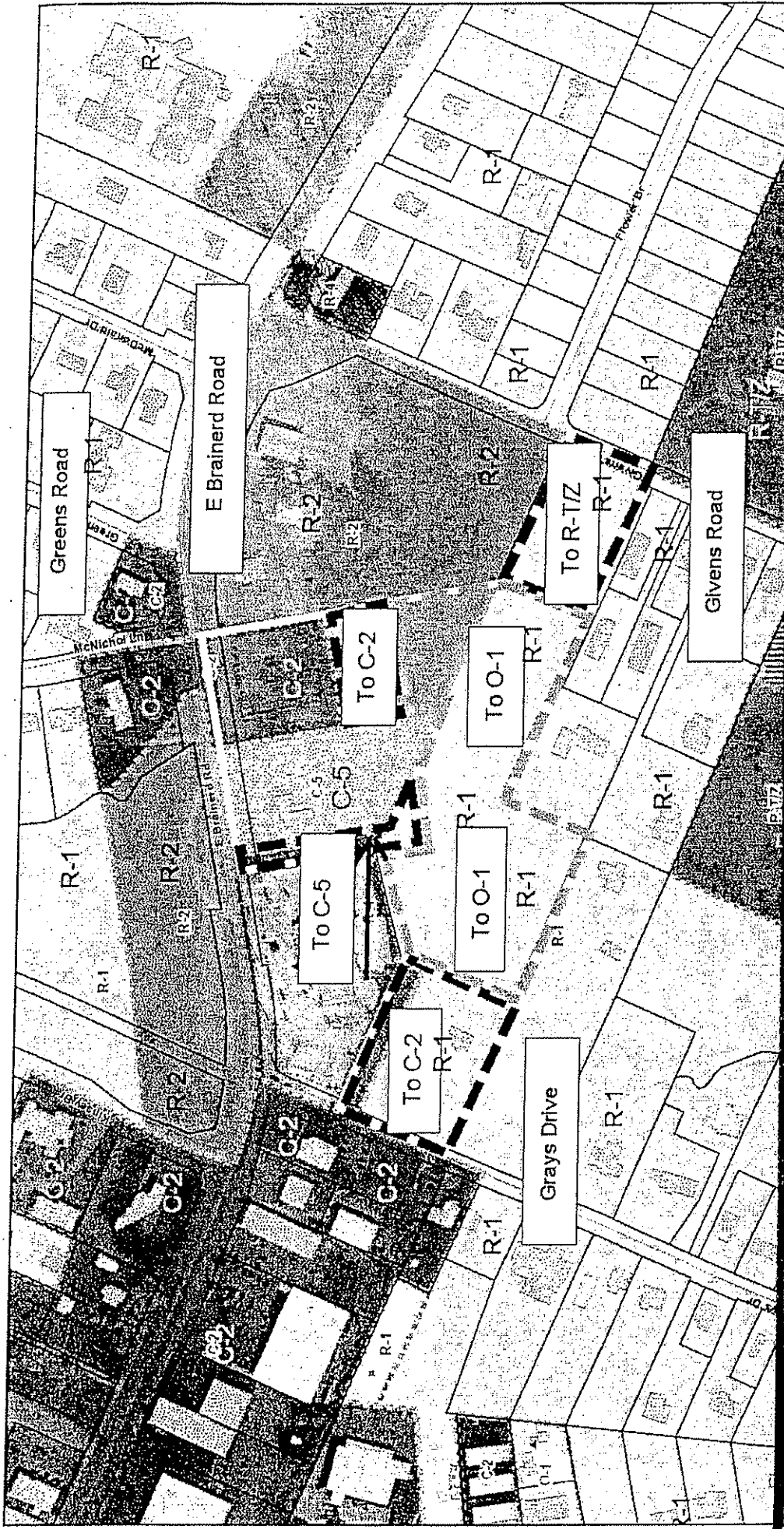
APPROVED: DISAPPROVED: _____

DATE: 8/23, 2012.



MAYOR

/mms



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-091: Approve, subject to the list of conditions in the Planning Commission Resolution.

2012-0091 R-1, R-2, & R-4 to C-5, R-TIZ, O-1, & C-2



270 ft

