

1ST READING
2ND READING

3-12-13
3-19-13

2013-004
City of Chattanooga/RPA
District No. 4
Planning Version

ORDINANCE NO. 12703

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 8A, 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, annexed to the City by Ordinance Nos. 12296 and 12556 and identified as Area 8A, more particularly described herein:

Beginning at the present city limit boundary a point along the northern line of Interstate 75 right of way and 70 feet southeast, more or less, from property now or formerly owned by The Krystal Company (131-074.03); thence proceeding south-westerly a distance of 3,450 feet, more or less, along the northern line of Interstate 75, Hunter Road, and Hilltop Drive right of ways to the southwest corner of property now or formerly owned by MCC Outdoor LLC (131-042.03); thence proceeding north-westerly a distance of 186 feet, more or less, to a point southeast of the southwest corner of property now or formerly owned by Amon and Doris York (131-041); thence proceeding north-westerly a distance of 650 feet, more or less, along the City of Chattanooga right of way to the southwest corner of property now or formerly owned by Amon and Doris York (131-055) along the northern right of Ooltewah Harrison Road; thence proceeding North 23 degrees East

a distance of 910 feet, more or less, to a point directly across from the northwest corner of property now or formerly owned by Amon and Doris York (131-055); thence proceeding easterly a distance of 875 feet, more or less, along the northern right of way of the Ooltewah-Harrison Road right to a point directly across the road from the northern corner of property now or formerly owned by Mary and Richard Burton (131-063) at the intersection of Hunter Road and Ooltewah Harrison Road; thence proceeding easterly a distance of 50 feet, more or less, across the Hunter Road right of way to a point on the western line of property now or formerly owned by Michael Carter (131-074.01) on the eastern right of way of Hunter Road; thence proceeding north-westerly a distance of 100 feet, more or less, along the eastern line of Hunter Road right of way to the northwest corner of property now or formerly owned by Michael Carter (131-074.01); thence proceeding South 86 degrees East a distance of 1,470 feet, more or less, to the northwest corner of property now or formerly owned by Larry Armour (131-074); thence proceeding south-easterly a distance of 415 feet, more or less, to the northeast corner of property now or formerly owned by Larry Armour (131-074); thence proceeding south-easterly a distance of 463 feet, more or less, across Hunter Road right of way to the west corner of property now or formerly owned by The Krystal Company (131-074.03); thence proceeding southeasterly a distance of 280 feet, more or less, 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 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 8-A.

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. 131-034, 131-034.01, 131-035, 131-037, 131-061.01, and 131-074 are hereby permanently rezoned from Temporary R-1 Residential Zone, M-1 Manufacturing Zone, M-2 Light Manufacturing Zone, and C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone.

SECTION 3. BE IT FURTHER ORDAINED that Tax Map No. 131-061.02 is hereby permanently rezoned from Temporary C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone, subject to the following conditions:

- 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; and
- 3) No dumpster and/or trash pickup before 7am or after 7pm.

SECTION 4. BE IT FURTHER ORDAINED that Tax Map No. 131-074.01 is hereby permanently rezoned from Temporary C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone, subject to the following conditions:

- 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) City of Chattanooga accepting the applicant representatives offers 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 City of Chattanooga Engineer;
- 10) 6-foot shoulders along Hunter Road adjacent to development at entrance; and
- 11) Deceleration lane at eastern most entrance.

SECTION 5. BE IT FURTHER ORDAINED that Tax Map Nos. 131-036 and 131-042.03 be permanently rezoned from Temporary M-2 Light Industrial Zone to M-2 Light Industrial Zone.

SECTION 6. BE IT FURTHER ORDAINED that Tax Map No. 131-036.01 be permanently rezoned from Temporary M-2 Light Industrial Zone to M-2 Light Industrial Zone, subject to conditions of improvements to access drive to be approved by the Chattanooga City Engineer.

SECTION 7. BE IT FURTHER ORDAINED that Tax Map Nos. 131-038, 131-039, 131-040, 131-041, 131-055, 131-056, 131-056.01, 131-060, 131-061, 131-062, 131-063 and 131-063.01 be permanently rezoned from Temporary R-1 Residential Zone to R-1 Residential Zone.

SECTION 8. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

PASSED on Second and Final Reading

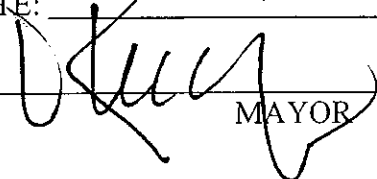
March 19, 2013.



CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013



MAYOR

/mms

