

FIRST READING

3-12-13

SECOND READING

3-19-13

2013-003
City of Chattanooga/RPA
District No. 4
Planning Version

ORDINANCE NO. 12702

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED IN THE 5500 TO 6300 BLOCKS OF HIGHWAY 58, MAHLON DRIVE, HARRISON-OOLTEWAH ROAD, CLARK ROAD, HOLDER ROAD, EASTER DRIVE, TYNER LANE, AND CHURCH ROAD, ANNEXATION AREA 6C, 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 in the 5500 to 6300 blocks of Highway 58, Mahlon Drive, Harrison-Ooltewah Road, Clark Road, Holder Road, Easter Drive, Tyner Lane, and Church Road, annexed to the City by Ordinance Nos. 12314 and 12515 and identified as Area 6C, more particularly described herein:

Beginning at a point in the current City of Chattanooga boundary which is the US Highway 58 right-of-way and the northwestern corner of property now or formerly owned by the City of Chattanooga *clo* Electric Power Board (121-004); thence proceeding southward a distance of 392 feet, more or less, along the current City of Chattanooga boundary to southwestern corner of property now or formerly owned by Central High and Brown Middle Schools *c/o* HCDE (121-003); thence proceeding a distance of 4,102 feet, more or less, following the property line of Central High and Brown Middle Schools *clo* HCDE (121-003) to the southeastern corner of property now or formerly owned by

New Harrison Memorial Cemetery (121-002); thence proceeding northeasterly a distance of 357 feet, more or less, to the southeastern corner of property now or formerly owned by Steven Walls (121C-F-020); thence proceeding northward a distance of 105 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Terry and Martha Wall (121C-F-021) and Bent Drive right-of-way; thence proceeding eastward a distance of 50 feet, more or less, across Bent Drive right-of-way to the southwestern corner of property now or formerly owned by Huberto Siniard (121C-F-001.02); thence proceeding eastward a distance of 308 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Huberto Siniard (121C-F-001.02) and a point on the western line of property now or formerly owned by Huberto Siniard (121-005.02); thence proceeding a distance of 1,214 feet, more or less, following the property line of Huberto Siniard (121-005.02) to the intersection of a point on the eastern line of property now or formerly owned by Huberto Siniard (121-005.02) and the Congress Lane right-of-way; thence proceeding eastward a distance of 50 feet, more or less, across the Congress Lane right-of-way to the southwestern corner of property now or formerly owned by TRC Watersports Center LLC (121C-A-010.01); thence proceeding eastward a distance of 390 feet, more or less, following the property line to the southwestern corner of property now or formerly owned by First Tennessee Bank National Association (121C-D-001.01); thence proceeding northeasterly a distance of 252 feet, more or less, to the southwestern corner of property now or formerly owned by Kenneth and Peggy Webb (121C-D-001.02); thence proceeding northeasterly a distance of 248 feet, more or less, to the southwestern corner of property now or formerly owned by Dollar General Corporation Incorporated (121C-D-001); thence proceeding northeasterly a distance of 154 feet, more or less, to the southwestern corner of property now or formerly owned by Kanji Holdings LLC (112N-C-001.03); thence proceeding northeasterly a distance of 439 feet, more or less, continuing across the intersection of the Deerwood Drive right-of-way to the eastern corner of property now or formerly owned by Terry and Martha Wall (112-012.04); thence proceeding a distance of 1,613 feet, more or less, following the property line of Terry and Martha Wall (112-012.04) to the intersection of the northeastern corner of property now or formerly owned by Terry and Martha Wall (112-012.04) and a point on the southern line of property now or formerly owned by Waymon and Mildred Farrar (112-012);

thence proceeding northward a distance of 1,114 feet, more or less, to the intersection of the northeastern corner of property now or formerly owned by Waymon and Mildred Farrar (112-012) and a point on the southern line of property now or formerly owned by Bayside Baptist Church (112-013); thence proceeding a distance of 1,831 feet, more or less, following the property line of Bayside Baptist Church (112-013) to the intersection of the northwestern corner of property now or formerly owned by Bayside Baptist Church (112-013) and a point on the eastern line of property now or formerly owned by Bayside Baptist Church (112M-B-015.02); thence proceeding northeasterly a distance of 160 feet, more or less, to the southeastern corner of property now or formerly owned by Bayside Baptist Church (112M-B015); thence proceeding northeasterly a distance of 145 feet, more or less, to the southeastern corner of property now or formerly owned by MAPCO Express Incorporated (112M-B-015.01); thence proceeding northward a distance of 251 feet, more or less, to the southeastern corner of property now or formerly owned by Evelyn Kuberg (112M-A-022); thence proceeding northward a distance of 208 feet, more or less, to the southeastern corner of property now or formerly owned by Rayford and Becky Carter (112M-A-023.01); thence proceeding northward a distance of 68 feet, more or less, to the southeastern corner of property now or formerly owned by C & W Rentals (112M-A-023.02); thence proceeding northward a distance of 93 feet, more or less, to the southeastern corner of property now or formerly owned by C & W Rentals (112M-A-023); thence proceeding northward a distance of 766 feet, more or less, to the intersection of the said northwestern corner of property now or formerly owned by C & W Rentals (112M-A-023) and a point on the eastern line of property now or formerly owned by South Central Bell Telephone Company (112M-A-024); thence proceeding northward a distance of 184 feet, more or less, to the intersection of the northeastern corner of property now or formerly owned by South Central Bell Telephone Company (112M-A-024) and a point on the southern line of property now or formerly owned by Helen and Ann Hinson c/o Ralph Dill (112M-A-028); thence proceeding a distance of 640 feet, more or less, following the property line of Helen and Ann Hinson c/o Ralph Dill (112M-A-028) to the southeastern corner of property now or formerly owned by Brent and Natasha Davidson (112M-A030.04); thence proceeding northward a distance of 67 feet, more or less, to the southeastern corner of property now or formerly owned by William Fryar (112M-A-030.05); thence

proceeding northward a distance of 80 feet, more or less, to the southeastern corner of property now or formerly owned by Adam and Stephanie Rosenthal (112M-A-030); thence proceeding northward a distance of 148 feet, more or less, to the southeastern corner of property now or formerly owned by James Snowden (112M-A-030.01); thence proceeding northwesterly a distance of 110 feet, more or less, to the intersection of a point on the eastern line of property now or formerly owned by James Snowden (112M-A-030.01) and the southwestern corner of property now or formerly owned by William Fryar (112M-A-030.02); thence proceeding a distance 267 feet, more or less, following the property line of William Fryar (112M-A-030.02) to the southeastern corner of a part of parcel now or formerly owned by United States of America TVA (112-003); thence proceeding northward a distance of 333 feet, more or less, to the intersection of the northwestern corner of a part of parcel now or formerly owned by United States of America TVA (112-003) and the Highway 58 right-of-way; thence proceeding a distance of 446 feet, more or less, following the Highway 58 right-of-way, including the entire right-of-way of Highway 58, to the intersection of the Highway 58 right-of-way and the northeastern corner of property now or formerly owned by David Barrow (112-004.07); thence proceeding a distance of 543 feet, more or less, following the property line of David Barrow (112-004.07) to the northwestern corner of property now or formerly owned by David Barrow (112-004.08); thence proceeding a distance of 374 feet, more or less, following the property line of David Barrow (112-004.08) to the intersection of the Highway 58 right-of-way and the northeastern corner of property now or formerly owned by Bauling Schmitt LLC (112-004.01); thence proceeding eastward a distance of 379 feet, more or less, to the intersection of the southwestern corner of property now or formerly owned by Bauling Schmitt LLC (112-004.01) and the northwestern corner of property now or formerly owned by RI TN 2 LLC c/o Realty Income Corporation (112-005.01); thence proceeding a distance of 2,077 feet, more or less, following the property line of RI TN 2 LLC c/o Realty Income Corporation (112-005.01) to the northwestern corner of property now or formerly owned by Double James Properties LLC (112-006); thence proceeding southwesterly a distance of 564 feet, more or less, to the said northwestern corner of a part of parcel now or formerly owned by Title Guar c/o R. P. Scott (112-011); thence proceeding a distance of 1,351 feet, more or less, following the property line of Title Guar c/o R. P. Scott (112-011) to the

intersection of the Highway 58 right-of-way at Harvest Run Drive and the northeastern corner of a part of parcel now or formerly owned by Title Guar c/o R. P. Scott (112-011); thence proceeding 50 feet, more or less, following the right-of-way of Highway 58 to the northeast corner of property now or formerly owned by Title Guar c/o R.P. Scott on the south side of Harvest Run Drive; thence proceeding a distance of 1,178 feet, more or less, following the property line of Title Guar c/o R. P. Scott (112-011) to the northwestern corner of property now or formerly owned by GVH Highway 58 Associates (112N-A-001); thence proceeding southward a distance of 1,877 feet, more or less, following the property line to the northern line of the Highway 58 right-of-way and continuing to the intersection of the Holder Road right-of-way and the northeastern corner of property now or formerly owned by Martin and Cheryl McNabb (112N-A-003); thence proceeding a distance of 840 feet, more or less, following the property line of Martin and Cheryl McNabb (112N-A-003) to the intersection of the Staton Road right-of-way and continuing along the northern line of the Highway 58 right-of-way to the southeastern corner of property now or formerly owned by Ronnie Nichols (112O-J-013); thence proceeding a distance of 754 feet, more or less, following the property line of Ronnie Nichols (112O-J-013) to the northeastern corner of property now or formerly owned by Spector Enterprises Incorporated (112O-J-014); thence proceeding a distance of 564 feet, more or less, following the property line of Spector Enterprises Incorporated (112O-J-014) to the intersection of a point on the southern line of property now or formerly owned by Spector Enterprises Incorporated (112O-J-014) and the Highway 58 right-of-way; thence proceeding southwesterly a distance of 80 feet, more or less, along the northern line of the Highway 58 right-of-way to a point on the southern line of property now or formerly owned by Louise Spector (121B-C-007); thence proceeding a distance of 1,163 feet, more or less, following the property line of Louise Spector (121B-C-007) to the intersection of the northwestern corner of property now or formerly owned by Louise Spector (121B-C-007) and a point on the northern line of property now or formerly owned by Harrison Baptist Church (121B-C-008); thence proceeding northwesterly a distance of 145 feet, more or less, to the intersection of the northwestern corner of property now or formerly owned by Harrison Baptist Church (121B-C-008) and the Hillcrest Drive right-of-way; thence proceeding a distance of 1,881 feet, more or less, along the Hillcrest Drive right-of-way, including the entire

right-of-way of Hillcrest Drive and continuing westward on the Church Road right-of-way and the Easter Drive right-of-way, including the entire right-of-ways of Church Road and Easter Drive, to the intersection of the Easter drive right-of-way and the northwestern corner of property now or formerly owned by Harrison Methodist Church (121B-A-007); thence proceeding southward a distance of 1,983 feet, more or less, following the property line of Harrison Methodist Church (121B-A-007) to the intersection of the current City of Chattanooga boundary, a point on the northern right-of-way of Highway 58, and the eastern corner of property now or formerly owned by Carroll and Shirley Martin (121B-A-008.01); thence proceeding northwesterly a distance of 208 feet, more or less, to the northeastern corner of property now or formerly owned by SunTrust Bank TR (121B-A-008.02); thence proceeding southwesterly a distance of 127 feet, more or less, to the intersection of the northwestern corner of property now or formerly owned by SunTrust Bank TR (121B-A-008.02) and the Clark Road right-of-way; thence proceeding southwesterly a distance of 50 feet, more or less, across Clark Road right to the intersection of the northeastern corner of property now or formerly owned by Northwest Georgia Bank (121A-E-006) and the eastern corner of property now or formerly owned by Reba Wilson Revocable Living Trust (121A-E-005); thence proceeding a distance of 2,084 feet, more or less, following the property line of Reba Wilson Revocable Living Trust (121A-E-005) to the intersection of the southwestern corner of property now or formerly owned by Reba Wilson Revocable Living Trust (121A-E-005) and a point on the northern right-of-way of Highway 58; thence proceeding easterly a distance of 2,390 feet, more or less, following the northern boundary of the Highway 58 right-of-way which is the current boundary of the City of Chattanooga and crossing to a point on the southern boundary of Highway 58 and its intersection at the northwest corner of property now or formerly owned by City of Chattanooga c/o Electric Power Board (121-004), which is the point of beginning. Included in this annexation are all tax parcel numbers and road right-of-ways on the accompanying attached map for Annexation Zone 6 -C. 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. References to parcel numbers in parenthesis above are based upon official Geographic Information System maps maintained by the Hamilton County GIS Department.

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. 112-004.01, 112-004.07, 112-004.08, 112-005, 112-005.02, 112-011.01, 112-011.02, 112-011.03, 112M-A-022, 112M-A-023.01, 112M-A-023.02, 112M-A-024, 112M-A-030, 112M-A-030.01, 112M-A-030.02, 112M-A-030.04, 112M-A-030.05, 112M-B-015.01, 112N-C-001.03, 112O-J-013, 121A-E-006, 121B-A-008, 121B-A-008.01, 121B-A-008.02, 121B-B-001, 121B-B-002, 121B-B-020, 121B-B-021, 121B-B-022, 121B-C-007, 121C-A-010.01, 121C-D-001, 121C-D-001.01 and 121C-D-001.02 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 No. 121B-A-003 be permanently rezoned from temporary R-1 Residential Zone and C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone.

SECTION 4. BE IT FURTHER ORDAINED, That Tax Map No. 112-006 be permanently rezoned from temporary C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone with conditions of 1) R-1 on Rim Crest and Harvest Run being shielded from lighting if used; and 2) Access being from Hwy. 58 only; and Tax Map No. 112N-A-003 subject to conditions of 1) Any exterior lighting being directed down and away from residential uses; and 2) Access being from Hwy. 58 only.

SECTION 5. BE IT FURTHER ORDAINED, That Tax Map Nos. 112-011 and 121B-A-005 be permanently rezoned from temporary C-2 Convenience Commercial Zone and R-1 Residential Zone to C-2 Convenience Commercial Zone and R-1 Residential Zone following existing temporary zoning boundary lines.

SECTION 6. BE IT FURTHER ORDAINED, That Tax Map Nos. 112-005.01, 112-012, 112-012.02, 112-012.04, 112-013, 112N-A-001, be permanently rezoned from temporary C-2 Convenience Commercial Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone and R-2 Residential Zone, following existing temporary zone boundaries.

SECTION 7. BE IT FURTHER ORDAINED, That Tax Map Nos. 121-005.02, 121C-F-001.02 and 121C-F-020, be permanently rezoned from temporary C-2 Convenience Commercial Zone and R-4 Special Zone to C-2 Convenience Commercial Zone and R-4 Special Zone, following existing temporary zone boundaries.

SECTION 8. BE IT FURTHER ORDAINED, That Tax Map Nos. 121A-E-005, 121B-A-001, 121B-A-002, 121B-A-004, 121B-A-004.01, and 121B-A-007 be permanently rezoned from temporary R-1 Residential Zone to R-1 Residential Zone.

SECTION 9. BE IT FURTHER ORDAINED, That Tax Map No. 121B-A-006 be permanently rezoned from temporary R-1 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone.

SECTION 10. BE IT FURTHER ORDAINED, That Tax Map Nos. 112-003, 112M-A-023, 112M-A-028, 112O-J-014, 121B-B-003, 121B-B-019 and 121B-C-008 be permanently rezoned from temporary R-2 Residential Zone to R-2 Residential Zone.

SECTION 11. BE IT FURTHER ORDAINED, That Tax Map Nos. 121-002, 121-003, 121-003.01, 121C-F-021 and 121C-F-022 be permanently rezoned from temporary R-4 Special Zone to R-4 Special Zone.

SECTION 12. 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.

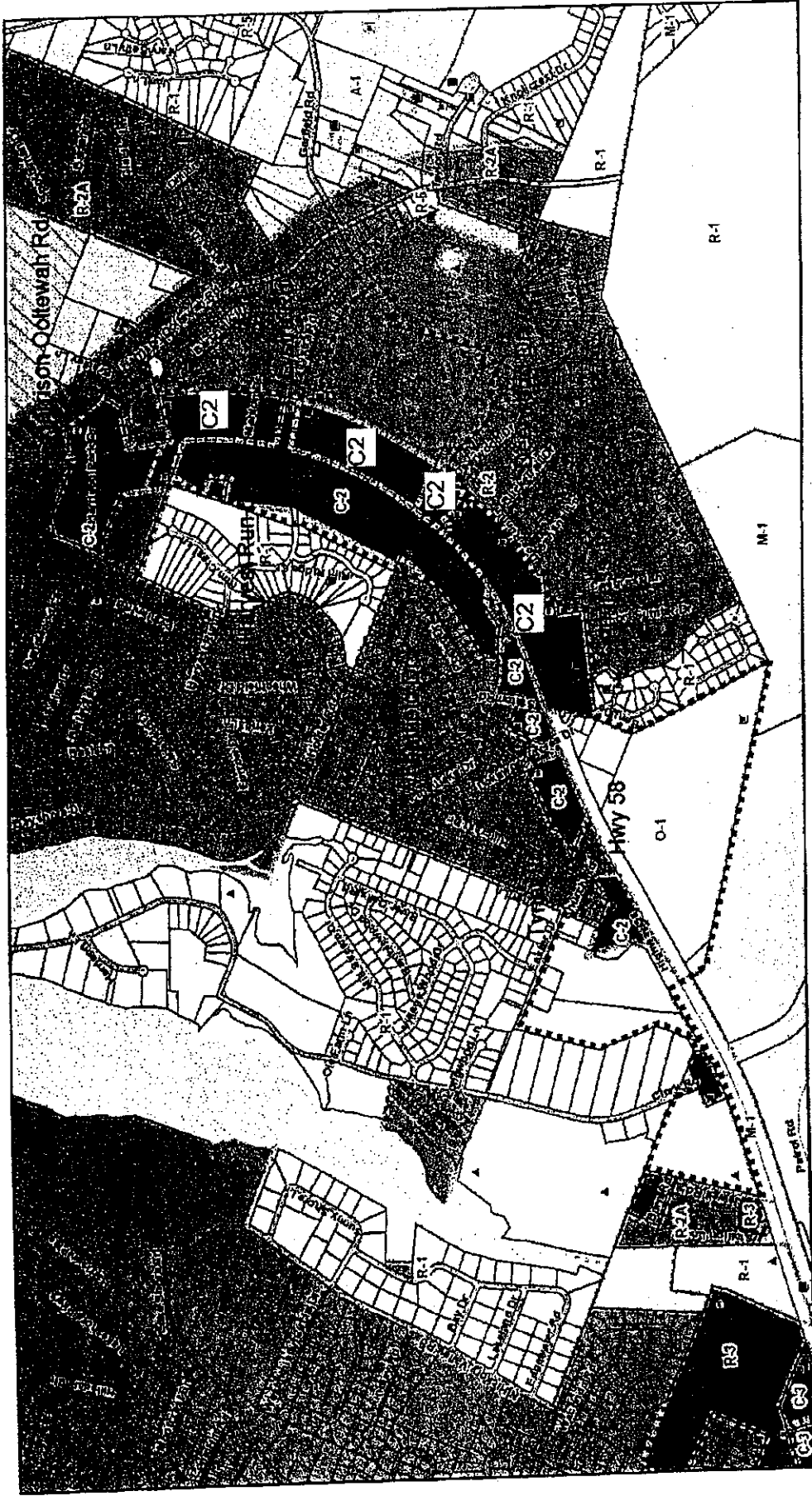
Sam Lada
CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

[Signature]
MAYOR

/mms



2013-003 Annexation Map 6-C Rezoning from Temporary to Permanent Zone



1,300 ft



Cherokee-Hamilton County Regional Planning Agency