

First Reading: July 9, 2019
Second Reading: July 16, 2019

2019-071
N&R Properties
c/o Ross Timoshchuk
District No. 6
Planning Version

ORDINANCE NO. 13481

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 5613 CLARK ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL ZONE AND R-3 RESIDENTIAL 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 5613 Clark Road, more particularly described herein:

To be rezoned R-3: Part of an unplatted tract of land located at 5613 Clark Road beginning at its southwest corner, thence northeast some 1110 feet to its northwest corner, thence 703 feet southeast to its northeast corner, thence south 195 feet along the east line of said property to a point, thence southwest some 304 feet to a point, thence southwest some 88 feet to a point, thence southwest some 123 feet to a point, thence south some 64 feet to a point in the south line of said property, thence west some 797 feet to the southwest corner of said property being the point of beginning and part of the property described in Deed Book 4324, Page 955, ROHC. Tax Map No. 121A-E-005 as shown on the attached map.

To be rezoned C-2: Part of an unplatted tract of land located at 5613 Clark Road beginning 195 feet southeast along the east line of said property from its northeast corner, thence southwest some 304 feet to a point, thence southwest some 88 feet to a point, thence southwest some 123 feet to a point, thence south some 64 feet to a point in the south line of said property, thence east some 170 feet to the southeast corner, thence northwest some 199 feet along its east property line, thence 182 feet northeast to a point in the east line of said property, thence 93 feet northeast along said east line to the point of beginning and part of the property described in Deed Book 4324, Page 955, ROHC. Tax Map No. 121A-E-005.

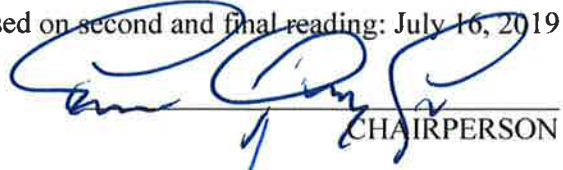
and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to C-2 Convenience Commercial Zone and R-3 Residential Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following conditions:

- 1) A minimum twenty (20') foot "Type "A" landscape buffer shall be installed and maintained along the outer boundary of the R-3 zoned property including Clark Road, except Highway 58 which shall have eight (8') foot wide standard street yard tree plantings;
- 2) A five (5') foot tall vinyl coated chain link fence shall be installed along the exterior boundary of the apartment development;
- 3) All buildings shall be set back a minimum of fifty (50') feet from all exterior boundaries which adjoin residential properties;
- 4) Compactor and or dumpster shall be located no closer than one hundred (100') feet to any adjoining residentially zoned properties. Garbage pick-up shall be limited to occur only between the hours of 8:00 a.m. to 7:00 p.m. Monday through Saturday;
- 5) Two vehicular entrances shall be provided for the R-3 development and two vehicular entrances shall be provided for the C-2 zoned property as generally depicted on the applicant's site plan; and
- 6) Pedestrian connectivity pathway to be provided between the R-3 and C-2 properties.

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: July 16, 2019



CHAIRPERSON

APPROVED: ✓ DISAPPROVED: _____



MAYOR

/mem

2019-0071 Rezoning from R-1 to R-3 and C-2

