

1ST READING
2ND READING

3-13-12
3-27-12

2012-015
Denis & Joy Dobosh/Mathew Hullander
District No. 4

ORDINANCE NO. 12581

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 7120 AND 7148 EAST BRAINERD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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:

Part of Lots 2 and 3, Block A, Amended Plat of J. F. Bork's Mountain View Addition to East Brainerd, Plat Book 14, Page 72, ROHC, Deed Book 2076, Page 470, ROHC and the Revised Lot 7, Block A, of J. F. Bork's Mountain View Addition to East Brainerd, Plat Book 95, Page 99, ROHC, Deed Book 8693, Page 229, and Deed Book 8808, Page 492, ROHC. Tax Map Nos. 158F-G-002 and 004.

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

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

- 1) No restaurants and other businesses are to operate only between the hours of 7:00 a.m. to 9:00 p.m.;
- 2) No late night special event facilities or gasoline stations, oil change operation or similar use;

- 3) No pawn shops or tattoo parlors;
- 4) No liquor store;
- 5) The development will have no more than two means of ingress/egress onto East Brainerd Road, one of which to be a right-in right-out only with an approved design as determined by the City Traffic Engineer to discourage left turn movements into or out of the development. No more than one ingress/egress to be located onto Panorama Drive;
- 6) Panorama Drive to be widened to three lanes from the entrance to this development off Panorama Drive to the intersection of Panorama Drive and East Brainerd Road as indicated on the submitted site plan. In addition, a sidewalk is to be installed along the right-of-way frontage of Panorama Drive;
- 7) Grading to be generally executed as shown on the conceptual grading plan that has been provided to the Regional Planning Agency;
- 8) *One connecting driveway shall be allowed between the two buildings depicted on the site plan occurring between the two buildings and East Brainerd Road;*
- 9) No dumpster service between 9:00 p.m. and 7:00 a.m.;
- 10) Heating and cooling mechanical equipment is to be ground mounted and it shall be screened from appearance as viewed from the residents along Panorama Drive;
- 11) The proposed neighborhood commercial center shall be a one story building, with a height not to exceed 15 feet (not including roof). Building to retain similar architectural features as those presented to Planning Commission;
- 12) The existing stone house, presently located at 7120 East Brainerd Road shall be retained and the exterior of the structure be essentially retained for the new use intended;

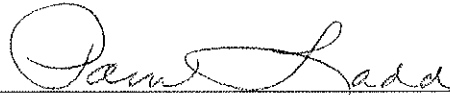
- 13) A 30' Type "A" City of Chattanooga standard landscape buffer shall be installed where this development abuts the property located at 1303 Panorama Drive. The remaining rear landscape buffer shall conform to the City of Chattanooga Type B landscape buffer to be located along the rear perimeter of this development or a portion of the adjoining lot of 1223 King Arthur Road;
- 14) Minimum four foot high vinyl-coated, chain, link fence to be located about the perimeter of the detention pond located to the rear of the development;
- 15) Free-standing detached sign to front East Brainerd Road only. No free-standing detached sign shall front Panorama Drive.
- 16) All signage, located on the building, for the individual tenants shall be of a similar look; and
- 17) Lighting to be directed away from all residential areas.

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

March 27, 2012.



CHAIRPERSON

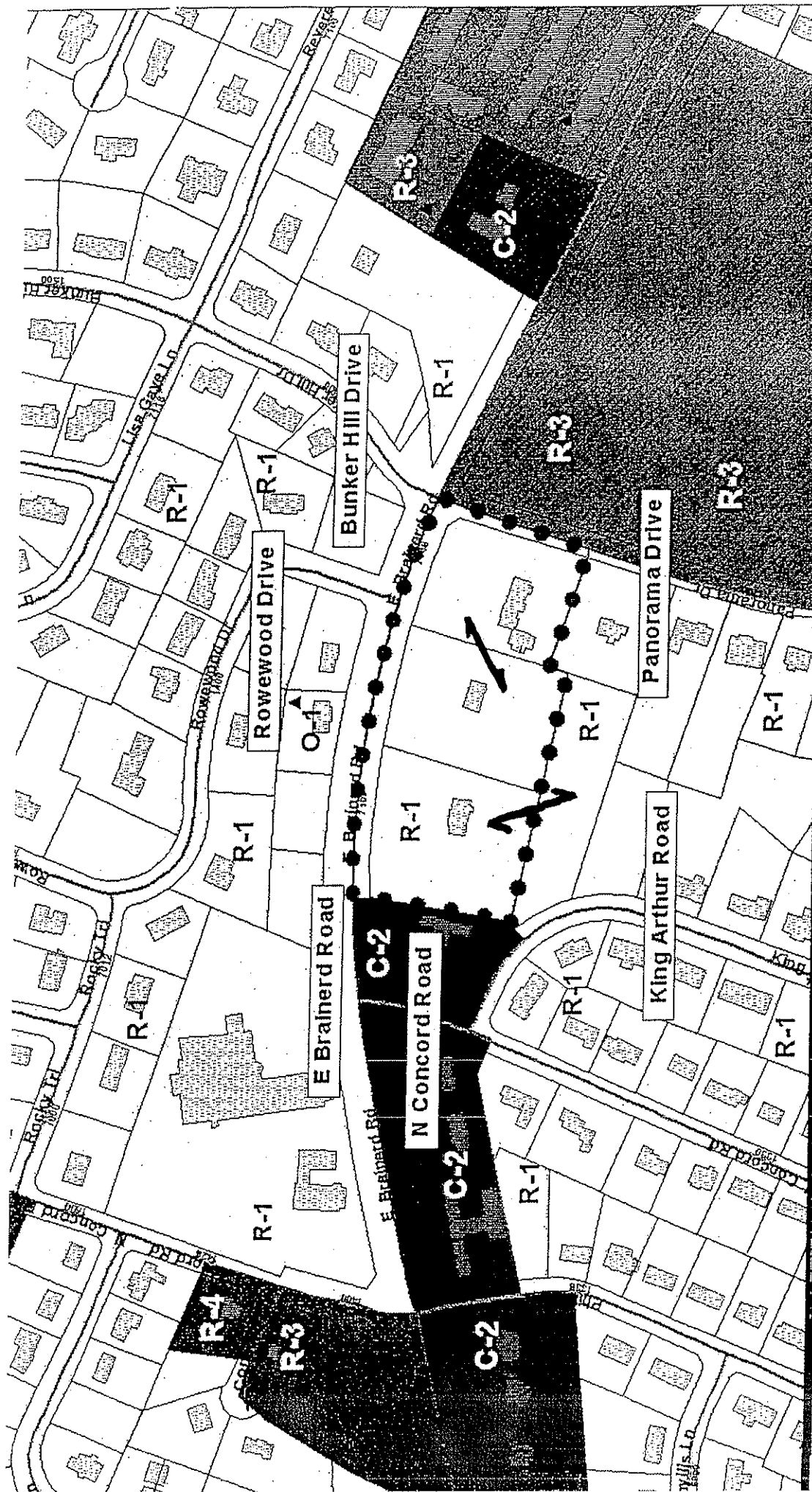
APPROVED: DISAPPROVED:

DATE: March 28, 2012.

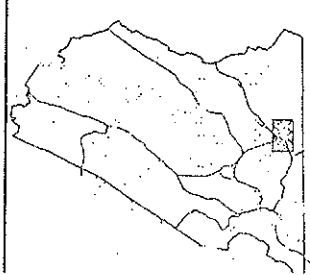


MAYOR

/mms



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-015: Approve, subject to certain conditions as listed in the Planning Commission Resolution.



2012-0015 R-1 to C-2



1 in. = 270.0 feet

