

ORDINANCE NO. 2018-5

AN ORDINANCE TO REZONE A CERTAIN PROPERTY TO THE "R" RESIDENTIAL DISTRICT FROM THE "C-1" NEIGHBORHOOD COMMERCIAL AND "RE-1" RESIDENTIAL ESTATE DISTRICTS

WHEREAS, the Board of Mayor and Aldermen of the City of Germantown held a Public Hearing on the proposed rezoning on March 12, 2018; and,

WHEREAS, at the said Public Hearing, the Board of Mayor and Aldermen were presented a plan for development and justification for the rezoning, pursuant to the Ordinances of the City of Germantown; and,

WHEREAS, the Germantown Planning Commission recommended approval of the rezoning on December 5, 2017;

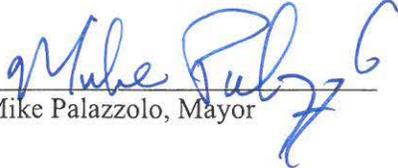
NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Germantown that the following described property be rezoned from the "C-1" Neighborhood Commercial and "RE-1" Residential Estate to the "R" Residential District (see attached property description and rezoning parcel plan).

NOW THEREFORE, BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen that this Ordinance will become effective thirty (30) days from its passage, the public welfare requiring it.

First Reading: February 12, 2018

Second Reading: March 12, 2018

Third Reading: September 24, 2018



Mike Palazzolo, Mayor



Michele Betty, City Clerk

REZONING PARCEL 1
PROPERTY DESCRIPTION

BEING A DESCRIPTION OF PART OF THE REAVES FAMILY PARTNERSHIP AND SAMUEL N. REAVES PROPERTY AS RECORDED IN INSTRUMENT 07152479 AND PART OF THE CHARLES HARRELL SCHAEFFER AND WIFE IRMA SCHAEFER PROPERTY AS RECORDED IN INSTRUMENT LK-2508, BOTH OF RECORD AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN GERMANTOWN, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF POPLAR PIKE (PUBLIC RIGHT-OF-WAY VARIES) WITH THE CENTERLINE OF FOREST HILL-IRENE ROAD (PUBLIC RIGHT-OF-WAY VARIES) SAID INTERSECTION POINT HAVING A TENNESSEE STATE PLANE COORDINATE OF NORTH 287208.83 – EAST 843613.66 (SAID INTERSECTION COORDINATE TAKEN FROM THE ROAD IMPROVEMENT DRAWINGS FOR FOREST HILL-IRENE ROAD); THENCE S03°03'48"W ALONG THE CENTERLINE OF SAID FOREST HILL-IRENE ROAD A DISTANCE OF 400.49 FEET TO A POINT SAID POINT HAVING A TENNESSEE STATE PLANE COORDINATE OF NORTH 286808.91 – EAST 843592.26, SAID POINT BEING THE POINT OF BEGINNING; THENCE S86°56'12"E A DISTANCE OF 54.64 FEET TO THE SOUTHWEST CORNER OF THE PROPERTY SHOWN ON THE FINAL PLAT FOR FOREST HILL CROSSING AS RECORDED IN PLAT BOOK 243, PAGE 52; THENCE S82°48'55"E ALONG THE SOUTH LINE OF SAID FOREST HILL CROSSING A DISTANCE OF 251.95 FEET TO A POINT; THENCE ALONG THE EXISTING "R" ZONED PROPERTY THE FOLLOWING CALLS AND DISTANCES:

S03°07'18"W – 211.53 FEET
S82°48'55"E – 472.82 FEET
N76°05'08"E – 102.85 FEET
N60°01'59"E – 217.50 FEET
N29°58'01"W – 32.94 FEET
N60°01'59"E – 114.63 FEET
N08°27'46"E – 198.25 FEET

TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE SAID NORFOLK-SOUTHERN RAILROAD; THENCE S81°32'14"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE SAID NORFOLK-SOUTHERN RAILROAD A DISTANCE OF 604.84 FEET TO THE NORTHWEST CORNER OF LOT 32 AS SHOWN ON THE FINAL PLAT FOR THE THIRD ADDITION OF THE FOREST HILL WOODS SUBDIVISION AS RECORDED IN PLAT BOOK 202, PAGE 13; THENCE S03°30'20"W ALONG THE WEST LINE OF LOTS 32 AND 31 (PLAT BOOK 202, PAGE 13) AND ALONG THE WEST LINE OF LOTS 27 AND 26 AS SHOWN ON THE FINAL PLAT FOR THE SECOND ADDITION OF THE FOREST HILL WOODS SUBDIVISION AS RECORDED IN PLAT BOOK 153, PAGE 38 A DISTANCE OF 1038.05 FEET TO THE NORTHEAST CORNER OF THE GERMANTOWN BOARD OF EDUCATION PROPERTY AS RECORDED IN INSTRUMENT 17104664; THENCE N86°40'21"W ALONG THE NORTH LINE OF THE SAID GERMANTOWN BOARD OF EDUCATION PROPERTY A DISTANCE OF 346.85 FEET TO A POINT; THENCE N08°03'21"E A DISTANCE OF 199.79 FEET TO A POINT; THENCE N03°30'20"E A DISTANCE OF 131.09 FEET TO A POINT; THENCE N86°27'56"W A DISTANCE OF 228.76 FEET TO A POINT; THENCE S68°57'23"W A DISTANCE OF 224.89 FEET TO A POINT; THENCE S26°26'56"E A DISTANCE OF 38.56 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A

RADIUS OF 265.50 FEET, AN ARC LENGTH OF 137.98 FEET (CHORD S11°33'37"E – 136.44 FEET) TO THE POINT OF TANGENCY; THENCE S03°19'42"W A DISTANCE OF 72.90 FEET TO A POINT ON THE NORTH LINE OF THE SAID GERMANTOWN BOARD OF EDUCATION PROPERTY; THENCE N86°40'21"W ALONG THE NORTH LINE OF THE SAID GERMANTOWN BOARD OF EDUCATION PROPERTY AND THE WESTWARDLY EXTENSION THEREOF A DISTANCE OF 1047.56 FEET TO A POINT ON THE CENTERLINE OF SAID FOREST HILL-IRENE ROAD; THENCE N03°31'37"E ALONG THE CENTERLINE OF SAID FOREST HILL-IRENE ROAD A DISTANCE OF 117.25 FEET TO AN ANGLE POINT IN SAID CENTERLINE; THENCE N03°45'50"E AND CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 502.70 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID CENTERLINE LINE FOLLOWING A CURVE TO THE LEFT HAVING A RADIUS OF 11459.16 FEET, AN ARC LENGTH OF 140.13 FEET (CHORD N03°24'49"E – 140.12 FEET) TO THE POINT OF TANGENCY; THENCE N03°03'48"E AND CONTINUING ALONG THE CENTERLINE OF SAID FOREST HILL-IRENE ROAD A DISTANCE OF 158.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,400,027 SQUARE FEET OR 32.14 ACRES.

REZONING PARCEL 2
PROPERTY DESCRIPTION

BEING A DESCRIPTION OF PART OF THE REAVES FAMILY PARTNERSHIP AND SAMUEL N. REAVES PROPERTY AS RECORDED IN INSTRUMENT 07152479 AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN GERMANTOWN, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE PROPERTY SHOWN ON THE FINAL PLAT FOR FOREST HILL CROSSING AS RECORDED IN PLAT BOOK 243, PAGE 52, SAID POINT HAVING A TENNESSEE STATE PLAN COORDINATE OF NORTH 286796.68 – EAST 844046.45; THENCE N03°56'04"E ALONG THE EAST LINE OF SAID FOREST HILL CROSSING A DISTANCE OF 16.23 FEET TO THE SOUTHWEST CORNER OF A CELLPHONE TOWER COMPOUND AS SHOWN ON THE FINAL PLAN FOR THE MEMPHIS CELLULAR TELEPHONE FOREST HILL PLANNED DEVELOPMENT – PHASE 1 AS RECORDED IN PLAT BOOK 152, PAGE 71; THENCE S81°43'13"E ALONG THE SOUTH LINE OF THE SAID CELLPHONE TOWER COMPOUND A DISTANCE OF 37.19 FEET TO A POINT; THENCE S74°03'01"W A DISTANCE OF 39.44 FEET TO THE POINT OF BEGINNING AND CONTAINING 301 SQUARE FEET OR 0.007 ACRES.

REZONING PARCEL 3
PROPERTY DESCRIPTION

BEING A DESCRIPTION OF PART OF THE REAVES FAMILY PARTNERSHIP AND SAMUEL N. REAVES PROPERTY AS RECORDED IN INSTRUMENT 07152479 AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN GERMANTOWN, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE PROPERTY SHOWN ON THE FINAL PLAT FOR FOREST HILL CROSSING AS RECORDED IN PLAT BOOK 243, PAGE 52, SAID POINT HAVING A TENNESSEE STATE PLAN COORDINATE OF NORTH 286796.68 – EAST 844046.45; THENCE N03°56'04"E ALONG THE EAST LINE OF SAID FOREST HILL CROSSING A DISTANCE OF 16.23 FEET TO THE SOUTHWEST CORNER OF A CELLPHONE TOWER COMPOUND AS SHOWN ON THE FINAL PLAN FOR THE MEMPHIS CELLULAR TELEPHONE FOREST HILL PLANNED DEVELOPMENT – PHASE 1 AS RECORDED IN PLAT BOOK 152, PAGE 71; THENCE S81°43'13"E ALONG THE SOUTH LINE OF THE SAID CELLPHONE TOWER COMPOUND A DISTANCE OF 37.19 FEET TO A POINT; THENCE N73°26'19"E AND CROSSING SAID CELLPHONE TOWER COMPOUND A DISTANCE OF 40.99 FEET TO A POINT, SAID POINT HAVING A TENNESSEE STATE PLANE COORDINATE OF NORTH 286819.20 – EAST 844123.65, SAID POINT BEING THE POINT OF BEGINNING; THENCE N08°16'47"E ALONG THE EAST LINE OF THE SAID CELLPHONE TOWER COMPOUND A DISTANCE OF 67.78 FEET TO THE NORTHEAST CORNER OF THE SAID CELLPHONE TOWER COMPOUND; THENCE S81°43'13"E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S08°16'47"W A DISTANCE OF 60.93 FEET TO A POINT; THENCE S73°44'19"W A DISTANCE OF 16.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 965 SQUARE FEET OR 0.022 ACRES.

REZONING PARCEL PLAN

