First Reading:_____
Second Reading:_____

2013-073
John R. Anderson/
Dallas and Beverly Bunton
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2910 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE 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 2910 Silverdale Road, more particularly described herein:

> An unplatted tract of land located at 2910 Silverdale Road being the property described in Deed Book 6708, Page 249, ROHC. Tax Map No. 139G-D-008.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to O-1 Office Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the abandonment of the property line between the subject property at 2910 Silverdale Road and the property at 2906 Silverdale Road. The proposed parking lot at 2901 Silverdale Road is an accessory use to be the proposed office building at 2906 Silverdale Road.

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:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

First Reading:_____
Second Reading:_____

2013-073
John R. Anderson/
Dallas and Beverly Bunton
District No. 6
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 2910 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO O-1 OFFICE ZONE.

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 2910 Silverdale Road, more particularly described herein:

> An unplatted tract of land located at 2910 Silverdale Road being the property described in Deed Book 6708, Page 249, ROHC. Tax Map No. 139G-D-008.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to O-1 Office Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mms

2013-073 City of Chattanooga
June 10, 2013 (Deferred)
July 8, 2013 (Action Taken)

RESOLUTION

WHEREAS, John R. Anderson/Dallas & Beverly Bunton petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-1 Residential Zone to O-1 Office Zone, property located at 2910 Silverdale Road.

An unplatted tract of land located at 2910 Silverdale Road being the property described in Deed Book 6708, Page 249, ROHC. Tax Map 139G-D-008 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 2013, at which time hearing was deferred until July 8, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on July 8, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the abandonment of the property line between the subject property at 2910 Silverdale Road and the property at 2906 Silverdale Road. The proposed parking lot at 2901 Silverdale Road is an accessory use to be the proposed office building at 2906 Silverdale Road.

Respectfully submitted,

John Bridger
Secretary

Planning Commission Recommendation:
Approve Staff Recommendation

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number:	2013-073 PC Meeting Date: 07-08-2013
STAFF RECOMMENDATION:	**APPROVE, subject to the abandonment of the property line between the subject property at 2910 Silverdale Road and the property at 2906 Silverdale Road. The proposed parking lot at 2901 Silverdale Road is an accessory use to the proposed office building at 2906 Silverdale Road.**
Land Use & Transportation Comments:	
Planning Staff:	**Applicant Request Overview** The applicant is requesting to rezone 2910 Silverdale Road from R-1 Residential Zone to O-1 Office Zone for a surface parking lot to serve a proposed office building on the adjacent lot at 2906 Silverdale Road. **Site Description** The subject property is a 0.35 acre parcel with a single-family residence. To the south is a single-family residence zoned O-1 Office. To the north is a parking lot serving Silverdale Academy. To the east is a manufactured home park which fronts Lee Highway. The existing land development pattern in the area consists of surface parking lots, office buildings, a school/church and residences. **Plans/Policies** The O-1 Office Zone does not identify parking lots as a permitted use. Surface parking lots can be included in the O-1 Office Zone as accessory uses to a primary use on the same lot, therefore the applicant must identify a primary use on the same property. The Shallowford Road – Lee Highway Area Plan (2005) recommends Single Unit Residential development for the site and a variety of uses (office, single-unit residential, heavy business mix and high-density residential) for the surrounding area. The plan recommends Single Unit Residential for the area north of this site which has developed with parking lots and for the property west of this site developed with the Silverdale Baptist Church/Silverdale Academy campus. **Staff Recommendation** Based on the existing development patterns in the area and the community plan's land use recommendation for non-residential uses for adjoining property, the staff recommends to approve the rezoning to O-1 Office with the following condition: ▪ Abandonment of the property line between the subject property at 2910 Silverdale Road and the property at 2906 Silverdale Road. The proposed parking lot at 2901 Silverdale Road is an accessory use to the proposed office building at 2906 Silverdale Road.

RPA STAFF RECOMMENDATION

	This condition of consolidating the properties will allow the proposed parking lot to serve as an accessory use to the proposed office building, which is in compliance with the O-1 Office Zone requirements.
Infrastructure & Operational Comments	
Public Works Staff:	All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance. Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance. <u>Traffic Engineering & Operations</u> Extend curb and gutter to southern corner of Walker and keep a 25 foot radius at the corner.

Chattanooga-Hamilton County Regional Planning Agency

ZONING APPLICATION FORM

CASE NUMBER: 2013-073		Date Submitted: 05-09-2013
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	From: R-1 Residential Zone	To: O-1 Office Zone
	Total Acres in request area: 0.35 acres	
2 Property Information		
Property Address:	2910 Silverdale Road	
Property Tax Map Number(s):	139G-D-008	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Proposed Parking Lot (38 spaces)	
4 Site Characteristics		
Current Zoning:	R-1 Residential Zone	
Current Use:	Rental property for family	
Adjacent Uses:	Residential, Office, & Commercial	

5 Applicant Information

All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.

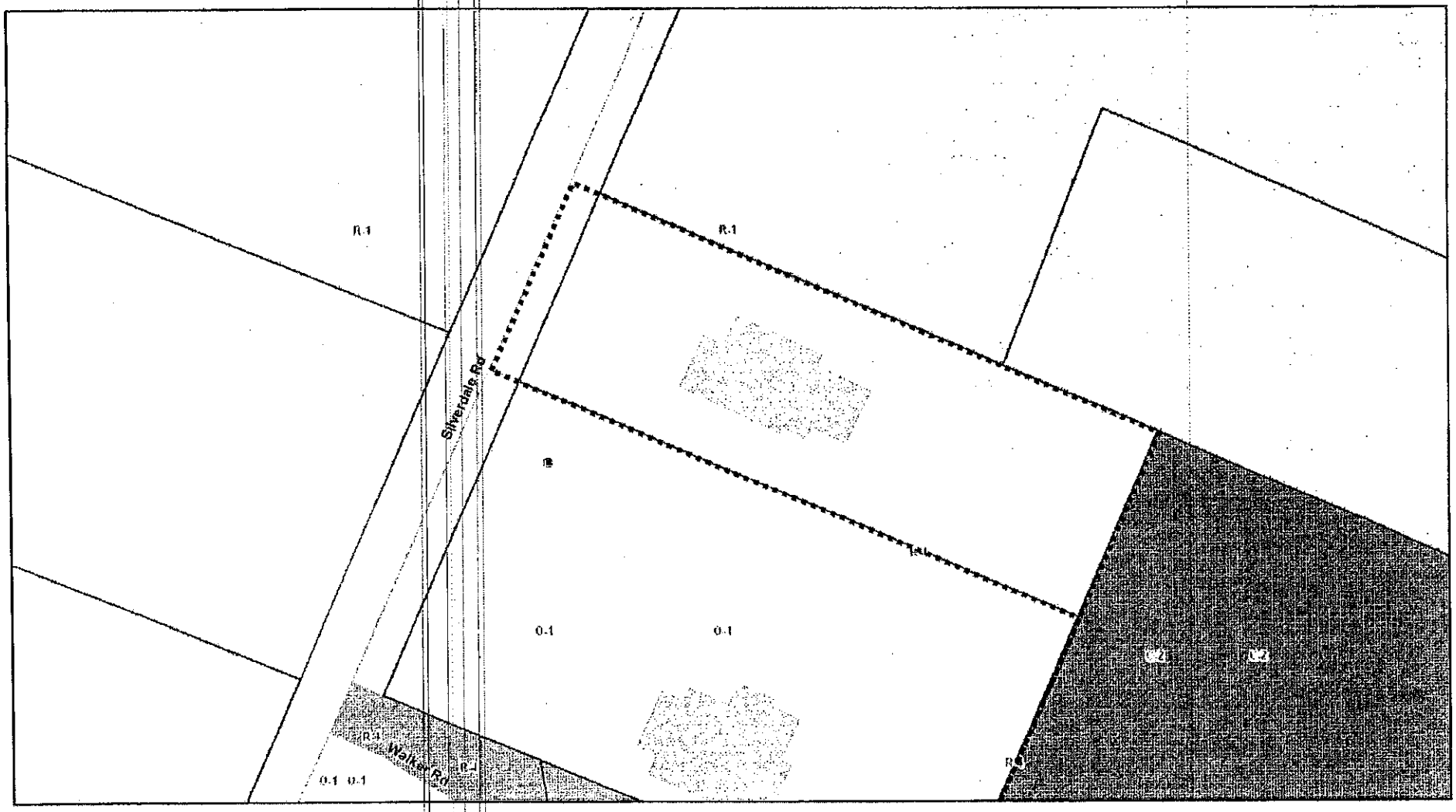
Name: John R. Anderson		Address: Suite 900 Republic Centre 633 Chestnut St.	
Check one:	I am the property owner	x	I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37450	Email: janderson@gkhpc.com
Phone 1: 423-756-8400	Phone 2:	Phone 3:	Fax: 423-756-0643

6 Property Owner Information (if not applicant)

Name: Dallas & Beverly Bunton	Phone:
Address: 5827 Rainbow Springs Drive Chattanooga, TN 37416	

Office Use Only:

Planning District 10		Neighborhood: Friends of East Brainerd & Brainerd East	
		Brainerd Chamber	
Hamilton Co. Comm. District 2	Chatt. Council District 5	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist:			
x Application Complete	x Ownership Verification	Map of Proposed Zoning Area with dimensions	
x Site Plan, if required	x Total Acres to be considered: 0.35	x Deeds	Plats, if applicable
Deed Book(s): 6-08-249			
Plat Book/Page: N/A		x Notice Signs	Number of Notice Signs: 1
x Filing Fee:	Cash	x Check	Check Number: 39137
Planning Commission Meeting date: June 10th, 2013		Application processed by: Marcia Parker	



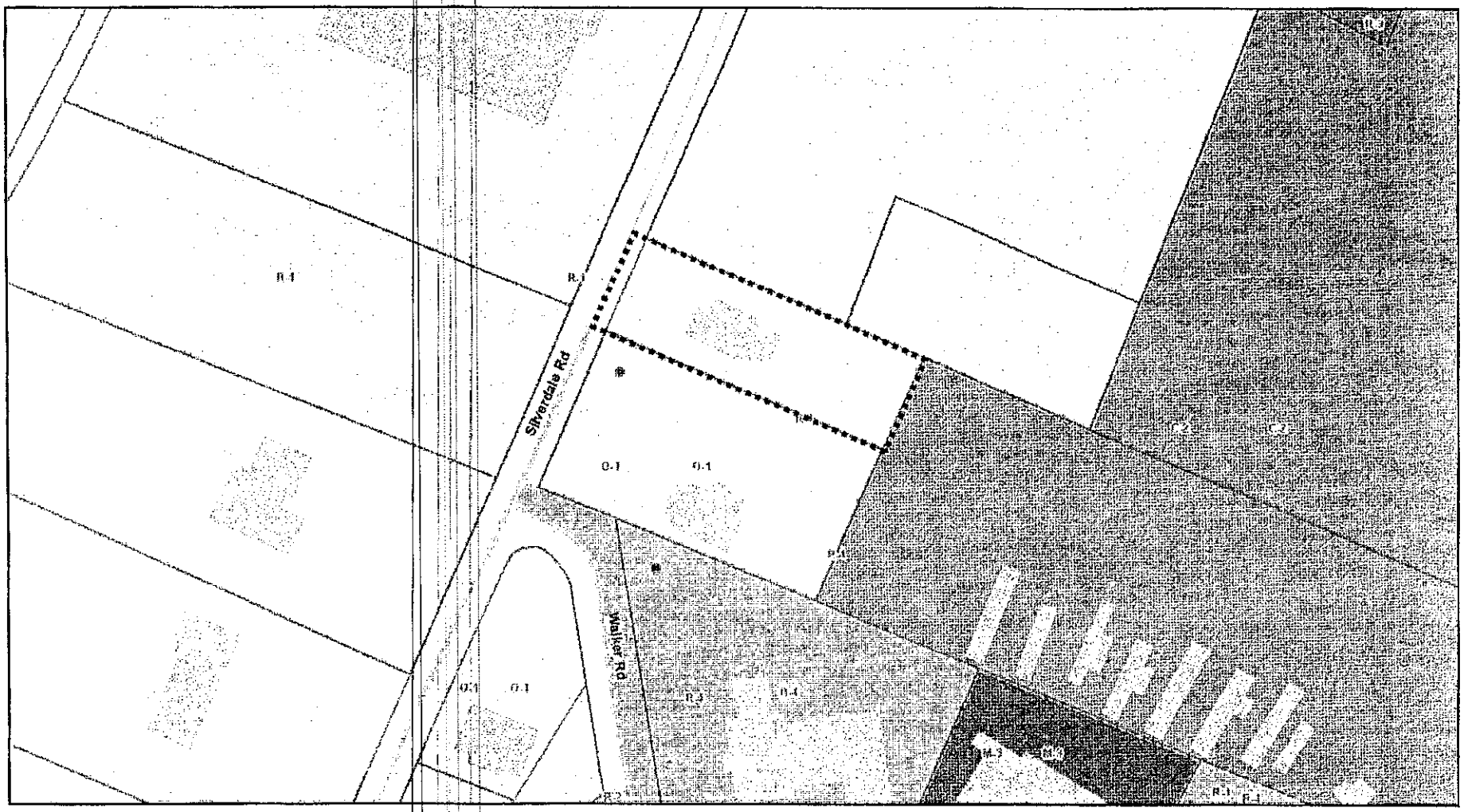
2013-073 Rezoning from R-1 to O-1

Chattanooga Hamilton County Regional Planning Agency

North

49 ft

Chattanooga-Hamilton County RPA Regional Planning Agency



2013-073 Rezoning from R-1 to O-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-073: Approve, subject to the abandonment of the property line between the subject property at 2910 Silverdale Road and the property at 2906 Silverdale Road. The proposed parking lot at 2901 Silverdale Road is an accessory use to the proposed office building at 2906 Silverdale Road.

Chattanooga Hamilton County Regional Planning Agency

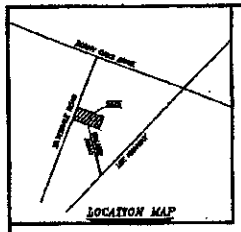
North

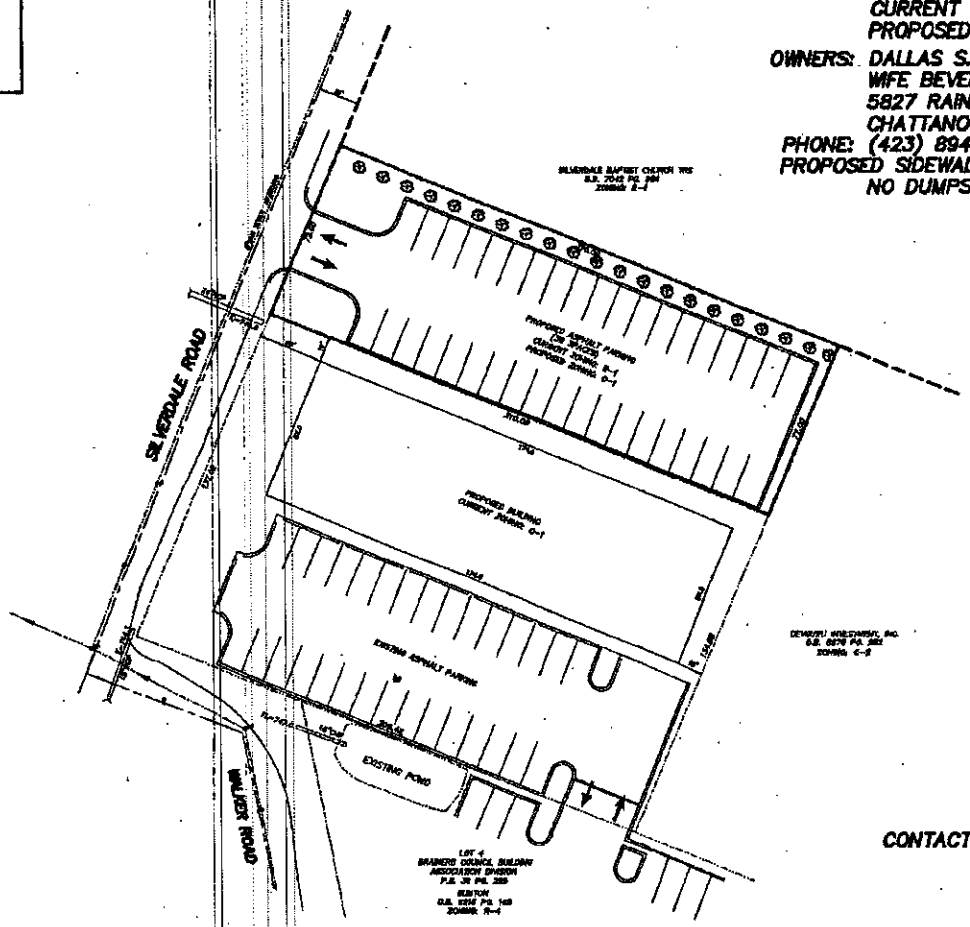
100 ft

Chattanooga-Hamilton County RPA Regional Planning Agency

ADDRESS: 2910 SILVERDALE ROAD
TAX MAP NO. 139G-D-008
0.35±ACRES
DEED BOOK 6708 PAGE 249
CURRENT ZONING: R-1; PROPOSED ZONING O-1
PROPOSED PARKING LOT (38 SPACES)

OWNERS: DALLAS S. BUNTON &
WIFE BEVERLY J. BUNTON
5827 RAINBOW SPRINGS DRIVE
CHATTANOOGA, TENNESSEE 37416
PHONE: (423) 894-5654
PROPOSED SIDEWALKS: N/A
NO DUMPSTERS





CONTACT PERSON: JOHN R. ANDERSON
GRANT, KONVALINKA & HARRISON
SUITE 900 REPUBLIC CENTRE
633 CHESTNUT STREET
CHATTANOOGA, TENNESSEE 37450
PHONE: (423) 756-8400
EMAIL: janderson@gkhpc.com

2013-073

2910 SILVERDALE ROAD

SITE PLAN
FOR: TIM SANDIDGE

DMS MAPPING

DRG. NO. 13-03348

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

> 2013-073 John R. Anderson/Dallas and Beverly Bunton. 2910 Silverdale Road, from R-1 Residential Zone to O-1 Office Zone, subject to certain conditions.
>
> 2013-089 Jacob Becker/PTC Properties. 503 Hamilton Avenue and 502 North Market Street, from R-4 Special Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.
>
> 2013-091 Britt Goodson/State of Tennessee. 5528 and 5530 Hwy. 153, from R-2 Residential Zone to C-2 Convenience Commercial Zone.
>
> 2013-096 Jody Shea/Shea Properties, LLC. 1800 E. 25th Street, from R-2 Residential Zone to M-2 Light Industrial Zone, subject to certain conditions.
>
> 2013-097 David Jones/Hamilton Avenue Properties. 677 Hamilton Avenue, from RT-1 Residential Townhouse Zone to C-7 Northshore Commercial Mixed Use Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

> 2013-099 Caressa Martin. 3820 Montview Drive, from R-1 Residential Zone to R-3MD Moderate Density Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following conditions be lifted:

> 2013-079 Continental 171 Fund, LLC/Ken Liem, Fenella Pinewood, LLC, K&L Enterprises, Inc. 7400 block of Pinewood Drive, lifting Condition #1 of Ordinance No. 12305 from previous Case No. 2009-129 and upon Staff Determination possibly Condition #2 and Condition #5, subject to certain conditions.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

(a) Amending Section 38-2, Definitions, by adding "Kennel";

(b) Amending Section 38-394, Height and area regulations, by deleting items (2) and (3) in their entirety and substituting in lieu thereof;

(c) Amending Section 38-395, General provisions, by deleting item (1) in its entirety and substituting in lieu thereof;

(d) Amending Section 38-400, Staging, by adding item (3);

(e) Amending Section 38-401, Changes and modifications, by deleting same in its entirety and substituting in lieu thereof;

(f) Amending Section 38-402, Application procedure for planned unit development, by deleting same in its entirety and substituting in lieu thereof;

(g) Amending Section 38-419, Staging, by deleting same in its entirety and substituting in lieu thereof;

(h) Amending Section 38-420, Major Changes, by deleting same in its entirety and substituting in lieu thereof; and

(i) Amending Section 38-421, Application procedure for institutional planned unit development, by deleting same in its entirety and substituting in lieu thereof;

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

August 13, 2013

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2013.

_____
Sandra Freeman
Clerk to the City Council