

First Reading: _____
Second Reading: _____

2016-031
Silverdale Baptist Church, Inc.
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PART OF PROPERTY LOCATED AT 2916 SILVERDALE ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO C-2 CONVENIENCE COMMERCIAL 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 part of property located at 2916 Silverdale Road, more particularly described herein:

Part of Lot 1, Silverdale Road Subdivision, Plat Book 100, Page 167, Deed Book 10402, Page 572, ROHC beginning at its northeast corner thence southwest some 160 feet, thence southeast some 41 feet, thence southeast some 86 feet, thence southwest some 50 feet, thence northwest some 106 feet, thence northwest some 83 feet, thence northeast some 185 feet, thence southeast some 50 feet to the point of beginning. Said dimensions are shown as Exhibit A on the site plan drawn by Map Engineers, dated 1/20/16 and made part of case file. Part of Tax Map No. 139G-D-001.01.

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.

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

/mem

2016-031 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Silverdale Baptist Church, Inc. 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 C-2 Convenience Commercial Zone, part of a property located at 2916 Silverdale Road.

Part of Lot 1, Silverdale Road Subdivision, Plat Book 100, Page 167, Deed Book 10402, Page 572, ROHC beginning at its northeast corner thence southwest some 160 feet, thence southeast some 41 feet, thence southeast some 86 feet, thence southwest some 50 feet, thence northwest some 106 feet, thence northwest some 83 feet, thence northeast some 185 feet, thence southeast some 50 feet to the point of beginning. Said dimensions are shown as Exhibit A on the site plan drawn by Map Engineers, dated 1/20/16 and made part of case file. Part of Tax Map 139G-D-001.01 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 14, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding 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,

AND WHEREAS, the Planning Commission has determined that the proposal would be an extension of an existing zone.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,


John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: 2016-031

PC Meeting Date: 03-14-16

Applicant Request

Rezone from R-1 Residential Zone to C-2 Convenience Commercial Zone

Property Location:	2916 Silverdale Road
Property Owner:	Silverdale Baptist Church Inc.
Applicant:	Silverdale Baptist Church Inc.

Project Description

- Proposal: Rezone a 50-foot wide strip within the existing Silverdale Baptist Church parking lot for a proposed parking lot expansion for adjacent commercial business on parcel 139G-D-002.
- Proposed Access: Access to the church parking lot is from Silverdale Road. Access to the Wendy's parking lot is from Bonny Oaks Drive.
- Proposed Development Form: No development is being proposed on the parcel asking for rezoning.

Site Analysis**Site Description**

- Location: The 2.95 acre lot is located at the southeast corner of Silverdale Road and Bonny Oaks Drive. The portion of the lot being proposed for rezoning follows the property line for the abutting parcel 139G-D-002 (Wendy's restaurant).
- Current Access: Site currently accesses on Silverdale Road.
- Current Development form: The parcel is currently a parking field for the Silverdale Baptist Church. The Silverdale Baptist Church is a large three story building which resides on the parcel west of the site. To the south of the site are a single family dwelling and a single story office building. To the east are the Speedway gas station and a proposed new commercial pad site (Ordinance #12867).
- Current Land Uses: The parcel is currently a parking field for the Silverdale Baptist Church which resides on the parcel west of the site. To the north is another religious use. To the south of the site are office uses. To the east are the commercial uses.

Zoning History

- The site is currently zoned R-1 Residential Zone.
- The properties to the north and west are zoned R-1 Residential. The properties to the east are zoned C-2 Convenience Commercial Zone. The property to the south is zoned O-1 Office
- The nearest C-2 Convenience Commercial Zone (same as the request) is adjacent to the parcel on the eastern boundary of the property.
- There has been no recent zoning activity on this site.
- The adjacent site was rezoned in 2014 (Ordinance #12867) with four conditions: (1) Two curb only on Bonny Oaks Drive; (2) Use for restaurants only; (3) Eight foot opaque vinyl privacy fence; and (4) Provide a type "B" equivalent landscape buffer as specified in the Chattanooga Landscape Ordinance with the understanding that a portion of the buffer area will be used for stormwater detention which may impact the selection of appropriate tree species in the buffer area.

Plans/Policies/Regulations

- Development in the subject area is guided by the Shallowford Road-Lee Highway Area Plan (Adopted 2004) which recommends single unit residential development for this site.

Key Findings

- The applicant has explained that the purpose for this rezoning request is to eliminate the need for a required landscape buffer on the adjacent Wendy's parking lot. After installing a detention pond and landscape area at the edge of the Wendy's parking lot (adjacent to the church's property line and

PLANNING COMMISSION CASE REPORT

parking lot), there is no room remaining for a 20-foot wide landscape buffer required on the Wendy's property. Rezoning an adjacent strip on the church property would eliminate the need for that buffer.

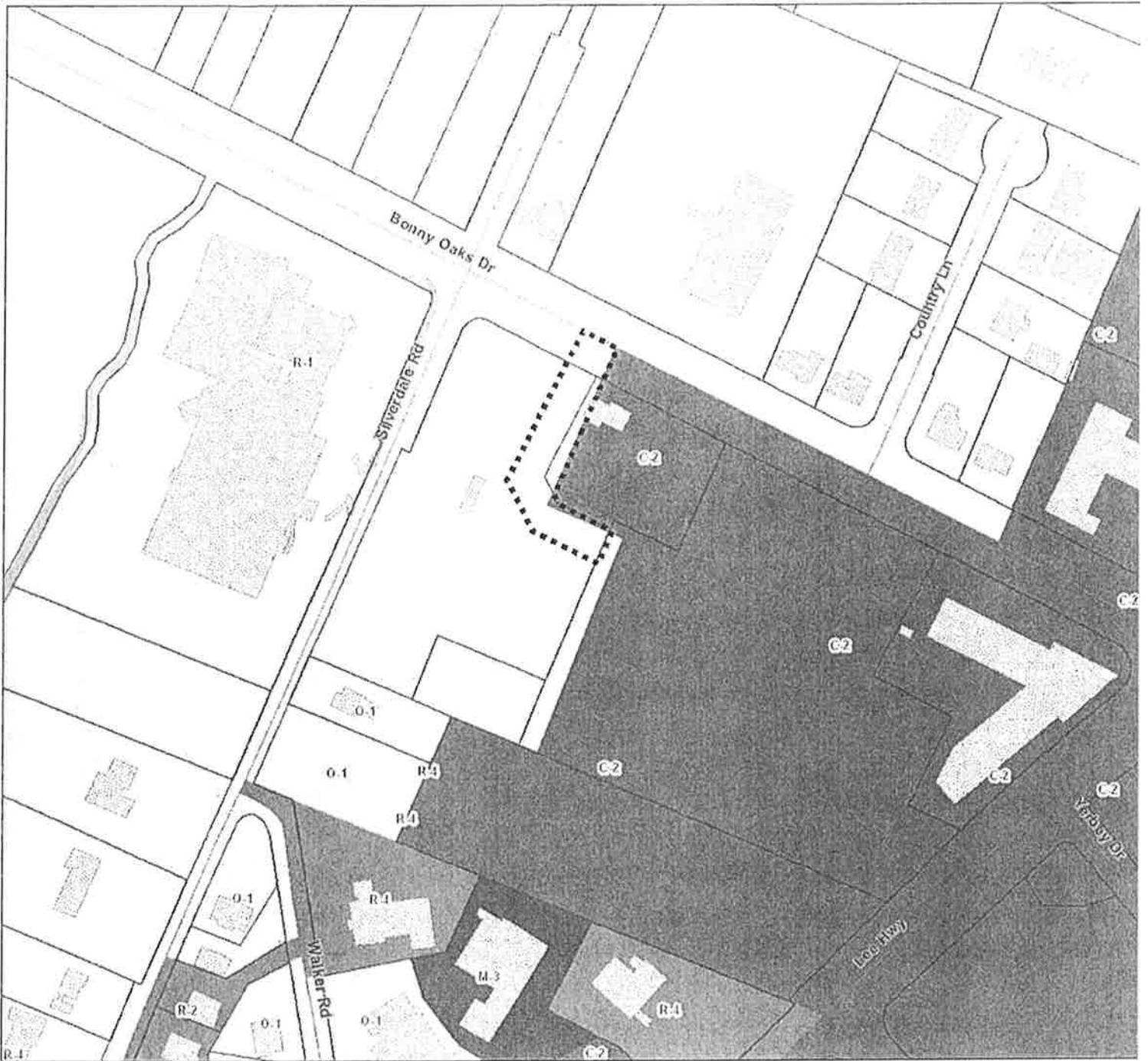
- The proposal is not supported by the recommendations of the adopted Shallowford Road-Lee Highway Area Plan. This plan recommends single unit residential development for this site and discourages the encroachment of commercial uses along Bonnie Oaks Drive.
- Site plan submitted does not reflect the proposed development statement written in the application.
- The proposed use of an off-street parking lot as proposed in the applicants site plan is currently allowed within the R-1 Residential Zone by Special Exemption Permit.
- The proposed use of an off-street parking lot as proposed in the applicants site plan would not need a rezoning to a zone which would allow more intense uses.
- Rezoning this portion of the site would create a hardship as commercial zones cannot be accessed through residential zones.
- The proposed use of an off-street parking lot for adjacent Commercial business on parcel 139G-D-002 creates conflicts with existing conditions on a parcel outside the scope of this zoning request.
- A more appropriate method to seek relief for the landscape condition is to apply for lifting of that specific condition.
- The proposal would be an extension of an existing zone.
- The proposal would set a precedent for future requests.

Staff Recommendation

Deny.

ZONING APPLICATION FORM

CASE NUMBER:	2016-031	Date Submitted: 1-20-2016
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
1 Applicant Request		
Zoning	From: R-1	To: C-2
Total Acres in request area: 0.4 +/-		
2 Property Information		
Property Address:	2916 Silverdale Road	
Property Tax Map Number(s):	139G-D-001.01 (part of)	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Proposed parking lot expansion for adjacent Commercial business on parcel 139G-D-002	
4 Site Characteristics		
Current Zoning:	R-1	
Current Use:	Parking lot	
Adjacent Uses:	Parking lot & Restaurant	
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: Silverdale Baptist Church Inc.	Address: 7236 Bonny Oaks Drive	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37421
Email: danderson@silverdalebc.com		
Phone 1: 423-892-2173	Phone 2:	Phone 3:
Fax:		
6 Property Owner Information (if not applicant)		
Name: Same	Phone:	
Address:		
Office Use Only:		
Planning District: 10	Neighborhood: CNAC, FOEB & BEBC	
Hamilton Co. Comm. District: 7	Chatt. Council District: 6	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:
Checklist		
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 0.4 +/-	<input checked="" type="checkbox"/> Deeds
		<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 10402-572		
Plat Book/Page: 100-167	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 635.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
Check Number: 5969		
Planning Commission meeting date: 3-14-2016	Application processed by: Pattie Dodd	



2016-031 Rezoning from R-1 to C-2

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2016-031: Approve

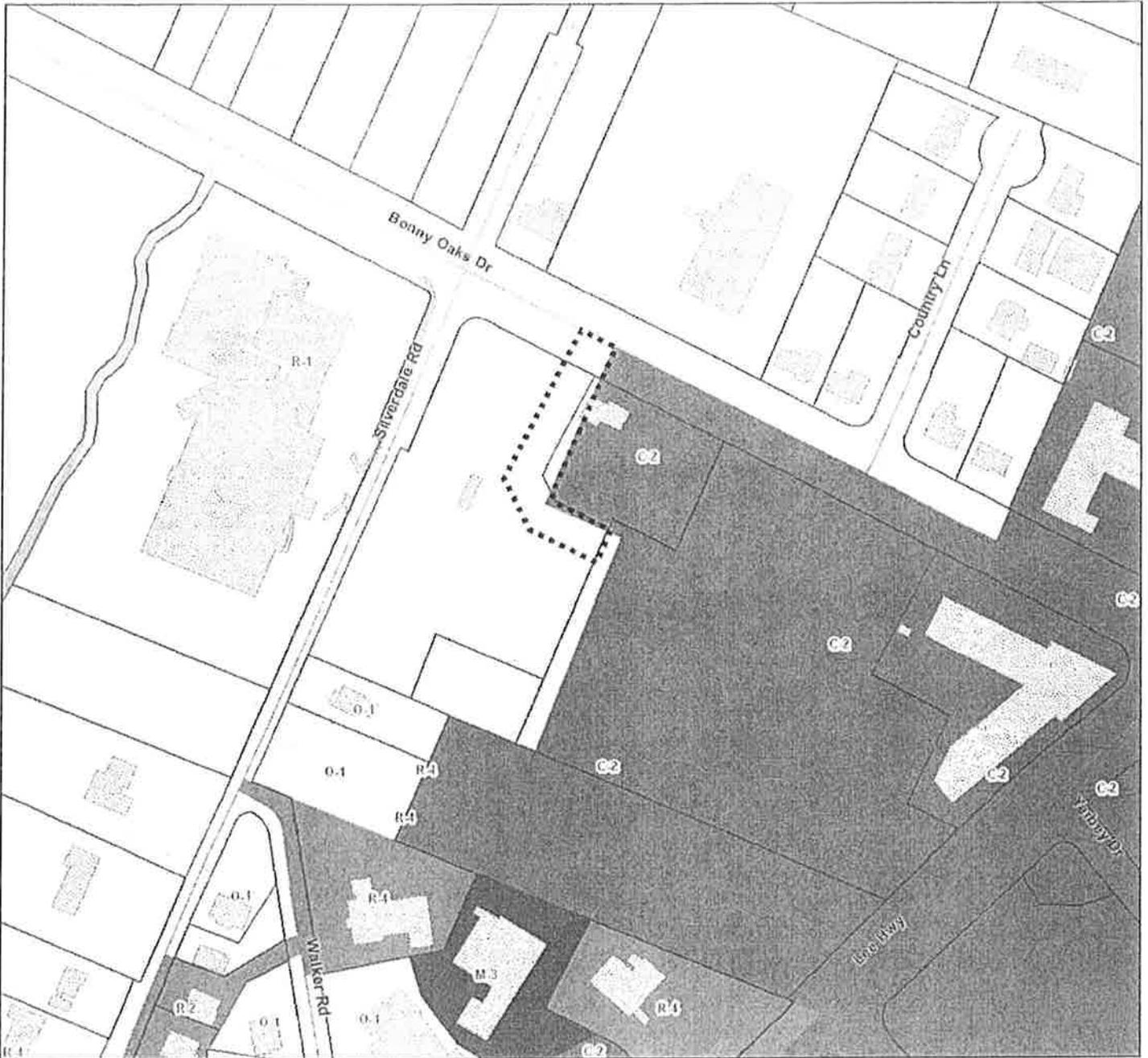


200 ft



Chattanooga Hamilton County Regional Planning Agency





2016-031 Rezoning from R-1 to C-2



Chattanooga Hamilton County Regional Planning Agency



200 ft



NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2016-023 Wanda Threat. 6420 Shallowford Road, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone.

2016-024 Belle Investment Company, Third Street Partners, and Jimmy & Molly Seal. 1028 and 1042 East 3rd Street and 1039, 1043, and 1047 East 4th Street, from R-4 Special Zone to C-3 Convenience Commercial Zone, subject to certain conditions.

2016-031 Silverdale Baptist Church, Inc. Part of a property located at 2916 Silverdale Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.

2016-035 Miller Industries Towing Equipment, Inc./Amon A.C. and Doris York. 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, from R-1 Residential Zone to M-1 Manufacturing Zone.

2016-036 ALC Holdings, LLC. 1605 and 1691 West 39th Street, 109 Old Mountain Road, and 1690 Silvels Lane, from R-1 Residential Zone, R-2 Residential Zone, and UGC Urban General Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.

2016-042 Field, LLC, Gabe Thomas/John and Jennifer Langworthy. 721, 725, and 729 North Market Street, 14, 16, 18, and 20 Peak Street, and 718 Spears Avenue, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved for C-5 Neighborhood Commercial Zone and denied for the M-2 Light Industrial Zone:

2016-037 Eric Emery/Tammy Cagle, Greg Brock, and Norma Mahaffey. 5116 and 5120 Highway 58.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit for a Residential Planning Unit Development be approved:

2016-040 Joseph Ingram/Marcus Jones/Magnolia Investors, LLC/Jack Thompson and Allen Headrick, 604 and 638 Samoyed Trail, 1038 Meroney Street, 1400 Hamilton Avenue, and unnumbered Wert Street.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 2 be amended from Ordinance No. 12841 of Previous Case No. 2014-046 regarding Signage Replacement and Design Restrictions for 2016-033 Wallace Braud on property located at 1349 Gunbarrel Road.

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,

April 12, 2016

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 _____, 2016.

Nicole Gwyn
Clerk to the City Council