

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	2014-094	PC Meeting Date: 09-08-14
Applicant Request:	Rezone from R-1 Residential Zone and R-3 Residential Zone to C-2 Convenience Commercial Zone	
Property Location:	7408, 7414 Bonny Oaks Drive	
Property Owner:	Lorrie Dorsey, et.al	
Applicant:	Global Southern Realty Holdings, LLC	
Staff Recommendation:	DENY	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is proposing a fast food establishment with a drive-thru on Bonny Oaks Drive.

Site Description

The 1.02 acre site consists of two parcels of land. There is a single-family residence at 7408 Bonny Oaks Drive and 7414 Bonny Oaks Drive is vacant. Properties to the east and south are retail commercial and hotel uses. Properties to the south and west are owned by the Silverdale Baptist Church. Further to the west (across Silverdale Road) is the Silverdale Academy school. Properties across Bonny Oaks Drive (to the north) are single-family residential uses and the Silverdale Presbyterian Church.

Zoning History

Property at 7408 Bonny Oaks Drive is currently zoned R-1 Residential Zone and has had no zoning changes since its annexation in 1972. The parcel at 7414 Bonny Oaks Drive was rezoned to R-3 Residential Zone in 1981 (Case 1981-192), Ordinance No. 7899.

Plans/Policies

Development in the subject area is guided by the Shallowford Road-Lee Highway Area Plan (2004) and the Hamilton County Comprehensive Plan 2030. The Hamilton County Comprehensive Plan 2030 identifies this area as part of the Outer Suburban Development Sector, which is defined by the distinct separation of residential and non-residential uses. The more specific Shallowford Road-Lee Highway Area Plan recommends single unit residential development for this site.

City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

RPA Summary

The Regional Planning Agency is recommending denial of the applicant's request because the proposed use is not supported by the approved land use plan. Furthermore, the land use plan discourages the expansion of existing commercial or new non-residential development along the Bonny Oaks Drive

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corridor. It should be noted that a portion of the adjacent property at 7420 Bonny Oaks Drive, the Speedway gas station, was rezoned to C-2 Convenience Commercial Zone in 2003 (case number 2003-189) which was before the land use plan was adopted. Subsequently, when the remainder of the property was rezoned to C-2 Convenience Commercial Zone in 2009 (case 2009-006), the staff report noted that the recommendation for approval was only partly consistent with the land use plan and suggested that the existing R-3 Residential Zone (a portion of the proposed restaurant site) be retained as a buffer between the heavy business mix to the east and the lower intensity residential uses to the west. Additionally, conditions were put in place (location of access drive and increased landscape yard along Bonny Oaks Drive) by that zoning case to help ameliorate the impact of that use on the residences near the entrance of County Lane (a small subdivision to the north). One of the conditions limited the site to one entrance located to the east of Country Lane on Bonny Oaks Drive. The site plan submitted with this commercial rezoning request indicates three entrances located to the west of Country Lane, placing it in conflict with the land use plan and the prior staff recommendation for the existing commercial node.

A fast food drive-thru restaurant is a relatively intense commercial use; the applicant's proposal would place this use across from a church and three residences. Staff is not recommending expanding the commercial node at Lee Highway westward along Bonny Oaks Drive due to the location of single-family homes to the north of Bonny Oaks Drive. Although the properties to the immediate west and south of the proposed rezoning site are being used, in part, for church parking lots, a lower-intensity transitional use such as offices is currently more appropriate at this location.