

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 re-zoning.

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

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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.