

**PLANNING COMMISSION CASE REPORT****Case Number: 2015-135****PC Meeting Date: 11-09-15****Applicant Request****Rezone R-1 Residential to R-4 Special Zone**

<b>Property Location:</b>	<b>6501 Shallowford Road</b>
<b>Property Owner:</b>	<b>James Newby</b>
<b>Applicant:</b>	<b>Jason McGlohon/SBI Engineers</b>

**Project Description**

- Proposal: Use existing residential structure, driveway, and parking area on the 0.6-acre site for office use.
- Proposed Access: Janeview Drive.
- Proposed Development Form: Use existing 1 ½ -story structure.

**Site Analysis****Site Description**

- Location: The 0.6-acre site is located on the northwest corner of the Shallowford Road and Janeview Drive intersection approximately ½-mile west of Hickory Valley Road. The site is part of the Mahala Acres residential subdivision.
- Current Access: Janeview Drive
- Tennessee Department of Transportation Functional Classification: Shallowford Road is classified as an Urban Minor Arterial.
- Current Development form: There is a mixture of one and two-story buildings within a 500 foot radius of this suburban site.
- Current Land Uses: A large wooded tract of land with two single-family homes is adjacent to the site on the west side. Single-family homes are adjacent to the north. Across Janeview Drive to the east are single-family homes. Across Shallowford Road to the south are single-family homes. Also across Shallowford Road approximately 235 feet southeast of the site is a commercial use (Dollar General store).

**Zoning History**

- The site is currently zoned R-1 Residential.
- The properties to the north, east, and south are zoned R-1 Residential. The property to the west is zoned R-2 Residential.
- The nearest R-4 Special Zone (same as the request) is approximately 00 feet to the west at Standifer Gap Road.
- Across Shallowford Road from the site approximately 235 feet to the southeast is a C-2 Convenience Commercial Zone rezoned in 2014 for a Dollar General store (Ordinance #12907).

**Plans/Policies/Regulations**

- The Shallowford Road Policy, adopted by City Council in 2009 after the widening of Shallowford Road, recommends that this site remain R-1 Residential. The properties fronting on Shallowford Road from the Janeview Drive subdivision to the east are recommended to remain single-family residential and retain the R-1 Residential zoning. This recommendation is based on several factors:
  - 1) Several of these properties have severe grade changes from the street level of Shallowford Road. In some cases the grade change essentially prohibits access onto Shallowford Road; and
  - 2) The existing residences front on the neighborhood streets although several of these properties do have curb cuts onto Shallowford Road in addition to curbcuts off the neighborhood streets
- The existing R-1 Residential Zone only permits single-family homes.
- The requested R-4 Special Zone permits office uses and high-density residential.
- The O-1 Office Zone permits office uses, as requested, as well as single-family homes.

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### Key Findings

- The proposal is not supported by the recommendations of the adopted Land Use Plan and policy for the area. Whereas the recently zoned commercial property to the south fronts directly on and accesses Shallowford Road, this property fronts on a residential street with multiple single family dwellings.
- The proposal would not be an extension of an existing zone.
- The proposed use is compatible with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposal would set a precedent for future requests.

### Staff Recommendation

Deny

Staff Note: While staff recommends denial of this request, if the Commission chooses to approve, the following conditions should be considered:

- (1) Retain use of existing home on-site and no additional structures are allowed;
- (2) No dumpster allowed;
- (3) Signs incident to the permitted uses, except that only one (1) sign shall be permitted for each structure, which sign shall be set back ten (10) feet from any property line. The sign shall not exceed forty-eight (48) square feet in area and shall not be more than four (4) feet in height. If illuminated the sign shall be indirectly lit in such a way that the light source cannot be seen from any public way or adjoining property. The lighting intensity shall not exceed twenty-five (25) foot-candles at the face of the sign. No flashing or intermittent lights will be permitted, and no internally illuminated signs shall be permitted;
- (4) Parking shall be located to the side or rear of the building. Paving of the front yard shall be limited only to approved access drives. All lighting in the parking lot shall be directed inward and shall not exceed twenty-five (25') foot candles at the base of the lighting standard; and
- (5) As required by City Code, all light fixtures shall have full cut-offs. The Applicant shall submit a lighting plan to the Land Development Office to ensure no light