

5. **2008SP-020U-14**
Map: 062-00 Parcels: 011.01, 155
Subarea 14
Council District 15 – Phil Claiborne

A request to change from CS to SP-A zoning for property located within the Cullum & Maxey Planned Unit Development at 2600 Music Valley Drive and Music Valley Drive (unnumbered), approximately 5,995 feet north of McGavock Pike (3.25 acres), to permit "Vehicular sales and service, limited" with associated sales office, maintenance/service area and parts storage, requested by Dale & Associates, applicant, for Robert T. Sircy Jr. and The Maxey Family, L.P., owners (See also Proposal No. 49-75-U-14).

Staff Recommendation: Approve with conditions subject to the cancellation of the Cullum & Maxey PUD

APPLICANT REQUEST - Preliminary SP to Specific Plan (SP-A)

A request to change from Commercial Services (CS) zoning for property located within the Cullum & Maxey Planned Unit Development at 2600 Music Valley Drive and Music Valley Drive (unnumbered), approximately 5,995 feet north of McGavock Pike (3.25 acres), to permit "Vehicular sales and service, limited" with associated sales office, maintenance/service area and parts storage.

Existing Zoning

CS District -Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Proposed Zoning

SP-A District - Specific Plan-Auto is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses.

DONELSON-HERMITAGE COMMUNITY PLAN

Commercial Mixed Concentration (CMC) CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Consistent with Policy? Yes. The proposed uses meet the intent of the CMC policy. The purpose of the SP is to expand an existing Recreational Vehicle (RV) sales business onto a property previously used for the sale of manufactured homes. The adjacent property is also used for RV sales and there is a large campground adjacent to the rear of the property.

PLAN DETAILS - The SP includes two parcels of land that will allow for RV sales. Currently RV sales are not permitted by the base zoning and were not approved in the PUD originally. Therefore, an SP zone change is necessary to allow this use.

Parcel 011.01 was used for the sale of manufactured homes. All but one of the buildings associated with this use have been demolished. The remaining 4,050 square foot building is to be converted for use as a sales office and/or maintenance/service facility. The intent of the SP is to allow for the expansion of an established RV sales business to the north on Parcel 009 by allowing for an additional paved sales area. The uses of this SP shall be limited to a "Vehicular sales and service, limited" as defined by the Zoning Code with associated sales office, maintenance/service area and parts storage

Parcel 155 is currently used for the storage of RVs associated with the sales business. In the original application, this parcel was not included. In reviewing the Cullum & Maxey Planned Unit Development (PUD), there was no record that this parcel had been approved for its current use. The applicant agreed to include both parcels that make up the PUD in this SP.

Access and Sidewalks Currently, Parcel 011.01 has access onto Music Valley Drive. Parcel 155 access is

via the main entrance to the RV sales business on Parcel 009 to the north. The applicant is proposing to close the access on Parcel 011.01 from Music Valley Drive and to also access this portion of the business via the main entrance on Parcel 009.

Sidewalks are required and are shown on the plan.

Signage The existing sign for the business, located on Parcel 011.01 is to remain. No new signage is proposed.

PUBLIC WORKS RECOMMENDATION For the proposed sidewalk construction along Music Valley Drive, resubmit construction plans to the Department of Public Works for review and approval.

All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

Maximum Uses in Existing Zoning District: CS/PUD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	2.18	N/A	10,000	466	16	46

*Based on estimated square footage of approved PUD plan.

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Vehicular Sales (841)	2.18	N/A	4,748	159	10	13

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	2.18		-5,252	307	6	33

FIRE MARSHALL RECOMMENDATION Approved based on no construction being done this application. Any construction will require additional information.

STORMWATER RECOMMENDATION Approved

WATER SERVICES RECOMMENDATION Refer to July 3, 2008, availability letter – the recommended approval is for a parking lot only, any future development of the site will require further studies.

- Add a note to the plan that Parcel 155 does not currently have access to water and sewer.

STAFF RECOMMENDATION Staff recommends approval with conditions of this SP subject to the cancellation of the Cullum & Maxey PUD.

CONDITIONS

1. The use of this SP shall be limited to a "Vehicular sales and service, limited" with associated sales office, maintenance/service area and parts storage.

2. The requirement of the Public Works Department shall be met prior to Final Plan approval.
3. Add a note to the plan that Parcel 155 does not currently have access to water and sewer.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions, which was subject to the cancellation of the Cullum & Maxey PUD, (9-0)
Consent Agenda

Resolution No. RS2008-182

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-020U-14 is **APPROVED WITH CONDITIONS, subject to the cancellation of the Cullum & Maxey PUD. (9-0)**

Conditions of Approval:

1. The use of this SP shall be limited to a "Vehicular sales and service, limited" with associated sales office, maintenance/service area and parts storage.
2. The requirement of the Public Works Department shall be met prior to Final Plan approval.
3. Add a note to the plan that Parcel 155 does not currently have access to water and sewer.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
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The proposed SP-A district is consistent with the Donelson/Hermitage Community Plan's Commercial Mixed Concentration policy which supports vehicular sales and service uses."