

6. **2009SP-003-001**
Anchor Property Holdings
Map: 050-00 Parcel: 088
Parkwood/Union Hill Community Plan
Council District 3 – Walter Hunt
Staff Reviewer: Brian Sexton

A request to change from CS to SP-A zoning for property located at 3502 Dickerson Pike, approximately 3,255 feet north of Doverside Drive (2.88 acres), to permit wrecker service and automobile repair uses, requested by Anchor Property Holdings LLC, owner/applicant.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP

A request to change from Commercial Service (CS) to Specific Plan-Auto (SP-A) zoning for property located at 3502 Dickerson Pike, approximately 3,255 feet north of Doverside Drive (2.88 acres), to permit wrecker service and automobile repair uses.

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-Automobile 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 wrecker service and automobile repair uses.

PARKWOOD -UNION HILL COMMUNITY PLAN

Community Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Detailed Land Use Plan

Commercial (Com) Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

Consistent with Policy? Yes. The proposed plan is consistent with the area’s CC policy. While auto-oriented uses may not be conducive to creating a pedestrian-oriented streetscape, the applicant has designed a site plan that will bring the property closer to the goal of creating a pedestrian-oriented streetscape that is consistent with the intent of the CC policy.

PLAN DETAILS -The site contains an existing one story, 9,580 square foot building. The existing building is proposed to remain and will continue to be used as a wrecker and towing facility that will include an automobile repair shop. The plan proposes a 24 foot driveway leading to the rear of building.

Fencing The front of the site is currently enclosed by a 5 foot chain link fence with barbed wire. Staff recommends that the applicant replace the chain link fence in the front of the property with a wrought iron fence that contains brick or stone pillars between the wrought iron fencing. The fence is required for insurance and permitting purposes, as all vehicles must be parked within a secured area.

Landscaping Landscaping is proposed along the front of the property. A standard C Landscape Buffer

Yard is required along the rear and side perimeters of the property adjacent to the properties zoned RS7.5. The applicant can choose to provide the landscape buffer on-site, or a permanent 30 foot wide landscape easement may be put in place that would utilize the heavily wooded areas on the adjacent properties. If the applicant opts to use landscape easements, the deeds will be required to be recorded prior to final site plan approval.

Parking and Access The plan proposes a total of 48 parking spaces which meets the parking requirements of the zoning code. Main access to the site is located off Dickerson Pike. There is no secondary access to this property

Signs Sign details were not included within this SP submittal. Staff is recommending that only one building mounted and one monument style sign be permitted. Building signs are attached directly to, or supported by brackets attached directly to a principal building. The building sign must not exceed 100 square feet in size. The monument style sign must not exceed 6 feet in height and can have a maximum sign area of 28 square feet. The base of the monument sign shall be constructed of brick or stone.

Signs must be externally lit with steady, stationary, down directed, and completely shielded light sources or may be internally illuminated or back-lit with a diffused or shielded light source. Sign backgrounds must be opaque, only letters and logos may be illuminated. The monument style sign may be lit from a ground lighting source.

In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

STORMWATER RECOMMENDATIONS Preliminary approval.

- Site is in non-compliance with Metro Stormwater requirements. Site is required to become compliant with Metro Stormwater Regulations prior to any final approvals.

FIRE MARSHAL RECOMMENDATION Reviewed: Conditional Approval

- Approved based on no construction being done this application. Any new construction will require additional information.

PUBLIC WORKS RECOMMENDATION 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.

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
New Car Sales (841)	2.88	0.02	2,509	84	6	7

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Automobile Repair (942)	2.88	N/A	9,750	NA	29	33

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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Shopping Center (820)	2.88	0.60	75,271	5647	131	526
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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
(942)	2.88	N/A	9,750	NA	29	33

STAFF RECOMMENDATION Approval with conditions. The proposed SP plan is consistent with the CC policy of the Parkwood-Union Hill Community Plan.

CONDITIONS

1. This SP is limited to wrecker service and automobile repair.
2. The chain link fence in the front of the property shall be replaced with a wrought iron fence that contains brick or stone pillars between the wrought iron fencing prior to any Use and Occupancy permit.
3. A standard C Landscape Buffer Yard on-site or a 30 foot wide landscape easement on the adjacent properties shall be provided along the rear and side perimeters of the property adjacent to the properties zoned RS7.5. Landscape easement(s) used to meet this requirement shall be recorded prior to final site plan approval.
4. One building mounted and one monument style sign only shall be permitted. The building mounted sign shall not exceed 100 square feet in size. The monument style sign shall not exceed 6 feet in height and may have a maximum sign area of 28 square feet. The base of the monument style sign shall be constructed of brick or stone. Signs shall be externally lit with steady, stationary, down directed, and completely shielded light sources or may be internally illuminated or back-lit with a diffused or shielded light source. Sign backgrounds shall be opaque, only letters and logos may be illuminated. The monument style sign may be lit from a ground lighting source. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.
5. Prior to final site plan approval, the requirements of the Stormwater Division shall be completed, bonded or satisfied as specifically required by the Stormwater Division.
6. 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.
7. 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.
8. 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.

9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions, **(7-0) Consent Agenda**

Resolution No. RS2009-17

"BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-003-001 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. This SP is limited to wrecker service and automobile repair.
2. The chain link fence in the front of the property shall be replaced with a wrought iron fence that contains brick or stone pillars between the wrought iron fencing prior to any Use and Occupancy permit.
3. A standard C Landscape Buffer Yard on-site or a 30 foot wide landscape easement on the adjacent properties shall be provided along the rear and side perimeters of the property adjacent to the properties zoned RS7.5. Landscape easement(s) used to meet this requirement shall be recorded prior to final site plan approval.
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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.

9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

The proposed SP-A district is consistent with the Parkwood/Union Hill Community Plan's area policies, and the proposed site improvements will bring the property closer to the goal of creating a pedestrian-oriented streetscape.