

2010SP-013-001

Alfa Tire

Map: 106-16 Parcel: 053

South Nashville Community Plan

Council District 13 – Carl Burch

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 1044 Murfreesboro Pike, at the southeast corner of Murfreesboro Pike and Philfre Court (0.22 acres), located partially within the Floodplain Overlay District, to permit all uses permitted by CS zoning and automobile repair, requested by Afsoon Hagh and Parvin Arjmandi, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Permit automobile repair and all uses of the CS zoning district.

Rezoning A request to rezone from Commercial Service (CS) to Specific Plan-Automobile (SP-A) zoning and for final site plan approval for property located at 1044 Murfreesboro Pike, at the southeast corner of Murfreesboro Pike and Philfre Court (0.22 acres), located partially within the Floodplain Overlay District, to permit all uses permitted by CS zoning and automobile repair.

Existing Zoning

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

FO District - Floodplain Overlay District represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. The proposed zoning request will not remove this property from the FO.

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 is for automobile uses, but will also permit commercial uses.*

CRITICAL PLANNING GOALS N/A

SOUTH NASHVILLE COMMUNITY PLAN

Corridor 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 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 with the intent of the policy.

Consistent with Policy? Yes. The policy permits all types of commercial uses including automobile repair. While no new development is presently proposed, the proposed specific plan will provide guidance for future development on the site, which will ensure that future development meets the intent of the policy.

REQUEST DETAILS The property is located at the southeast corner of Murfreesboro Pike and Philfre Court, and is just south of Mill Creek. The property is approximately 0.22 acres and is developed with an approximately 3,000 square foot building. There is paved parking in the front and the rear. Access to the property is from Murfreesboro Pike, Philfre Court and from the adjacent property to the south.

The property was once used as a dry cleaning business, but for the past several months the property has been used for auto repair, more specifically new and used tire sales. The business was cited, because this use is no longer

permitted in CS and is only permitted in SP

Specific Plan Proposal The SP permits auto repair and all uses permitted in the CS zoning district. The SP plan also contains limitations which will ensure that the permitted uses on the property do not become a nuisance as well as limitations that will guide any future development on the site. The conditions are as follows:

1. Permitted uses include all uses permitted in the CS zoning district, and auto repair.
2. No free standing signs are permitted.
3. Building signage is limited to one sign on the front of the building facing Murfreesboro Pike, and one sign on the side of the building facing Philfre Court. Total sign area shall not exceed 60 square feet.
4. The number of parking spaces shall meet the minimum number of spaces required by the Zoning Code for the proposed use.
5. Outdoor storage or display is not permitted.
6. All auto repair services shall be provided at the rear of the building. Repair and repair services are not permitted in front of the building along Murfreesboro Road.
7. An accessory carport is permitted at the rear of the building. Accessory carport shall not be enclosed, and shall not cover more than 312 square feet.
8. New construction shall require final site plans to be submitted to the Planning Department for approval.
9. The layout and design of any new construction shall meet the intent of the property's land use policies.
10. Additional disturbance of the floodplain shall meet current regulations as they pertain to the floodplain and the Floodplain Overlay District.
11. 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.
12. 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.

PUBLIC WORKS RECOMMENDATION An access study may be required with any development.

STAFF RECOMMENDATION Staff recommends approval with conditions. The proposed SP is consistent with the property's land use policy.

CONDITIONS

1. Permitted uses in the SP are limited to auto repair, and all uses permitted by the CS zoning district.
2. The existing free standing pole sign shall be removed from the property.
3. 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.
4. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

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, Consent Agenda (9-0)

Resolution No. RS2010-117

"BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-013-001 **is APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Permitted uses in the SP are limited to auto repair, and all uses permitted by the CS zoning district.
2. The existing free standing pole sign shall be removed from the property.
3. 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.
4. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.

The proposed SP is consistent with the South Nashville Community Plan's Corridor Center policy.”