

## 10. 2011SP-008-001

### AUTO MASTERS

Map 095-04, Parcel(s) 018

Council District 15 (Phil Claiborne)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning and for final site plan approval for property located at 2610 Lebanon Pike, at the northwest corner of Lebanon Pike and Shady Grove Road and located within the Downtown Donelson Urban Design Overlay District (0.56 acres), to permit automobile sales (new and used) and automobile service, requested by Dean Design Group, applicant, Thomas L. Goddard et ux, owners.

**Staff Recommendation: APPROVE WITH CONDITIONS**

### **APPLICANT REQUEST -Rezone to permit auto sales (new and used) and auto service and final site plan approval**

**Preliminary SP** A request to rezone from Commercial Services (CS) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for property located at 2610 Lebanon Pike, at the northwest corner of Lebanon Pike and Shady Grove Road and located within the Downtown Donelson Urban Design Overlay District (0.56 acres), to permit automobile sales (new and used) and automobile service.

### **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.

### **CRITICAL PLANNING GOALS** N/A

### **DONELSON-HERMITAGE COMMUNITY PLAN**

**Mixed Use (MxU)** MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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.

**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 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 proposed use is consistent with uses found within the property's policies, and the design and layout is consistent with the intent of these policies.

**PLAN DETAILS** This is a request to rezone approximately 0.56 acres from CS to SP-A to permit auto sales new and used and auto services. The site is located at 2610 Lebanon Pike, at the northwest intersection of Lebanon Pike and Shady Grove Road. The property is currently developed and contains a 1,512, single-story building and parking area.

The proposed plan calls for the existing building to remain and for a small 766 square foot addition at the rear of the existing building to be used for auto services. The plan calls for additional landscaping along the western property line and along both Lebanon Pike and Shady Gove Road. The landscaping along the roadways will be in the form of a four foot wide planting strip along the edge of both roadways between the roadway and the sidewalk. The plan calls for a new six foot wide sidewalk along Lebanon Pike and a five foot wide sidewalk along Shady Grove Road. A three foot tall wrought iron fence with brick columns is proposed along the inside of the sidewalk

which will separate the auto display area from the sidewalk. No free-standing signs are proposed, but two building signs are proposed. Each sign is 48 square feet and are consistent with the UDO. Access will be from the current locations on Lebanon Pike and Shady Grove Road.

**DOWNTOWN DONELSON URBAN DESIGN OVERLAY** The Downtown Donelson UDO compliance provisions become effective when a base zone change is requested by the property owner. Full or partial compliance is determined by the amount of square footage of an expansion. In this case, the expansion is greater than 25 percent of the existing square footage and would trigger full compliance with the UDO. The Planning Commission may approve modifications to standards in the UDO.

**SP Changes to UDO Standards** Through this SP application, the applicant is proposing to modify the design standards for this site. The SP will control the development standards for this site. If the base zoning were to be changed, the UDO would, again, take effect. The SP includes all standards of the UDO with some modifications as outlined below.

Two portions of the UDO are being changed through this SP. The applicant has requested a modification to the standards for parking areas adjacent to public streets. The UDO requires that parking areas and driveways be separated from the right-of-way by a landscape strip five feet in width and planted with shrubs. The strip may be reduced if a fence or wall is used. Additionally, one tree is to be planted every 35 feet within the parking area perimeter strip.

As this SP would reuse an existing site where sidewalks previously did not exist, and as there is limited space to work within, the applicant has proposed a four foot planting strip with a continuous row of shrubs and two trees between the sidewalk and the edge of street pavement. This location addresses the priority for pedestrian safety. A low fence with brick columns is provided between the sidewalk and the parking area. Staff recommends approval of the modifications to landscaping for parking areas adjacent to public streets.

An additional modification to the UDO standards is proposed with this SP for building frontage length. The Downtown Donelson UDO requires a minimum façade length of 60% of the Lebanon Pike lot frontage for the subject property. Because the lot is approximately 200 feet wide along Lebanon Pike, the building length along that frontage should be a minimum of 120 feet to reach full compliance with the UDO. The length of the existing building is approximately 60 feet.

Staff finds this modification requested with this SP to be appropriate. The existing building has a generous setback of approximately 50 feet from the Lebanon Pike property line with parking in front. This existing setback complies with the UDO requirements. Because of the existing setback and location of parking, the placement of the addition to meet the 60% frontage requirement would do little to improve the quality of the Lebanon Pike street frontage. The proposed addition would house car service bays. Placement of these bays in full view from the Lebanon Pike frontage could degrade the visual quality of the frontage. The proposed placement of these bays behind the existing building would allow them to remain mostly hidden from public streets.

**ANALYSIS** While the proposed auto related use is consistent with uses found within the property's mixed-use and community center policies and the Downtown Donelson Design Overlay, the design of the project is very important, and ultimately determines if the project is consistent with the policies and overlay. The policies and overlay are intended to promote a walkable urban neighborhood. The very nature of the proposed use would seem to conflict with this purpose; however, with the right design the proposed use can fit neatly within the urban context. The plan submitted by the applicant provides elements that improve the existing site and make it fit better into an urban context including new sidewalks, a planting strip and a perimeter fence to provide physical separation between the car display area and the sidewalk. As proposed the plan is consistent with the property's land use policies, and while the SP modifies the UDO, staff finds that request meets the overall intent of the UDO.

**STORMWATER RECOMMENDATION** Approved

**PUBLIC WORKS RECOMMENDATION**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Extend sidewalks to property lines.
3. Dedicate a public easement for sidewalks outside the public right-of-way.
4. An access study will be required at development.

**STAFF RECOMMENDATION** Staff recommends that the request be approved with conditions. As proposed the plan is consistent with the property's land use polices, and meets the overall intent of the UDO.

## CONDITIONS

1. Permitted uses include auto sales new, auto sales used and auto service.
2. All applicable standards of the Downtown Donelson Urban Design Overlay shall be met by development within this SP unless modified by the SP.
3. All signs shall meet the Downtown Donelson Urban Design Overlay. Signs shall be spotlighted or back lit with a diffused light source. Back-lighting shall illuminate only the letter, characters, or graphics, but not the background.
4. Prior to the issuance of permits, a public pedestrian access easement shall be dedicated along the Lebanon Pike and Shady Grove frontages to include the public sidewalk and landscaping planter area.
5. 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.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
7. 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.
8. 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. RS2011-60**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-008-001 is **APPROVED WITH CONDITIONS**.

#### **Conditions of Approval:**

1. Permitted uses include auto sales new, auto sales used and auto service.
2. All applicable standards of the Downtown Donelson Urban Design Overlay shall be met by development within this SP unless modified by the SP.
3. All signs shall meet the Downtown Donelson Urban Design Overlay. Signs shall be spotlighted or back lit with a diffused light source. Back-lighting shall illuminate only the letter, characters, or graphics, but not the background.
4. Prior to the issuance of permits, a public pedestrian access easement shall be dedicated along the Lebanon Pike and Shady Grove frontages to include the public sidewalk and landscaping planter area.
5. 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.

6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
7. 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.
8. 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 plan is consistent with the MxU in CC land use policy and meets the overall intent of the Downtown Donelson Urban Design Overlay.”**