

3. 2012SP-004-001

GALLATIN PIKE AUTO SALES

Map 051-11, Parcel(s) 072

Council District 08 (Karen Bennett)

Staff Reviewer: Jason Swaggart

A request to rezone from CS to SP-A zoning for property located at Gallatin Pike (unnumbered), approximately 1,590 feet north of Walton Lane (0.91 acres), to permit automobile sales (used), auto repair and all other uses permitted by the CS District, requested by Anthony Cherry, applicant, Sabah Badel and Ibrahim Suleiman, owners.

Staff Recommendation: APPROVE the SP WITH CONDITIONS and disapprove without all conditions

APPLICANT REQUEST

Permit vehicle sales and repair uses and all other uses permitted by CS district.

SP Development Plan

A request to rezone from Commercial Services (CS) to Specific Plan-Auto (SP-A) zoning for property located at Gallatin Pike (unnumbered), approximately 1,590 feet north of Walton Lane (0.91 acres), to permit automobile sales (used), auto repair and all other uses permitted by the CS District.

Existing Zoning

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

Proposed Zoning

Specific Plan-Auto (SP-A) District 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

MADISON COMMUNITY PLAN

Suburban Mixed Use Corridor (T3-CM)

T3 CM policy is intended to enhance suburban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of suburban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit. *The specific policy for this area also "encourages" auto uses to relocate to the "Auto Mile" north of this site along Gallatin.*

Consistent with Policy?

Yes. The Suburban Mixed-Use (T3-CM) policy promotes a variety of land uses from residential to commercial including auto related uses. While the specific T3-CM policy for this site "encourages" auto related uses to relocate to the "Auto Mile", it would not prohibit approval of auto uses under all circumstances. The subject site is located at the rear of an existing used car lot, and will not be visible from Gallatin Pike. As it will not be visible from Gallatin Pike, it will have no noticeable impact on the corridor. It is more appropriate to permit the proposed auto use at this location rather than locating it elsewhere along the corridor or in another area where it may have a negative impact. There is a residential area west of the site; however, it is separated from the subject site by a railroad track.

PLAN DETAILS

The intent of this request is to permit used auto sale, auto repair and all other uses permitted in the Commercial Services zoning district. The subject property is located just west of Gallatin Pike. It does not have frontage along Gallatin Pike but is separated by another parcel. The property abuts a national veteran's cemetery to the south and a railroad track to the west. The property is a little under an acre in size and is currently undeveloped. This is a development plan only. Prior to the issuance of any permits, a final site plan must be approved by the Planning Department.

Site plan

The proposed site plan identifies a 208 square foot office, and associated parking. The proposed office building will be a modular building (trailer). The plan identifies 30 parking spaces. The plan identifies an existing tree

canopy along the western and southern property line which is to remain. The plan also identifies a fence along the western and southern property lines. The minimum height of the fence is six feet. Access to the site will be from Gallatin Pike via a 20 foot access easement, which is depicted on the plan.

Staff Analysis

As stated above, this particular request can be considered consistent with the Suburban Mixed-Use Corridor land use policy. The only property that could potentially be impacted by this request is the cemetery to the south. As proposed the existing tree canopy is to remain along the south property line. The plan also calls for a solid fence to be located along the property line which will provide additional buffering. Staff recommends that a Standard B-Landscape buffer yard be provided along the southern property line in addition to the fence and existing vegetation. To soften the appearance of the proposal from the cemetery, staff is also recommending that the fence be located north of the buffer yard so that the area immediately adjacent to the cemetery is vegetated.

STORMWATER RECOMMENDATION Approve

PUBLIC WORKS RECOMMENDATION Approve with conditions

- 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.
- All construction that is required to be completed in the public Right of Way a permit must be obtained from the Metro Public Works Permit office. Contact MPW Permit office at (615) 862-8782.
- Record or label recording document for "Proposed 20 foot Access and Utility Easement" on the plans.

STAFF RECOMMENDATION

Staff recommends approval with conditions. As proposed the request is consistent with the Suburban Mixed-Use Corridor land use policy.

CONDITIONS

1. Permitted land uses within the SP shall be automobile sales (used), automobile repair, and all other uses permitted by the CS zoning district.
2. Prior to the approval of any final site plan, the proposed access easement shall be recorded with the Register of Deeds and the instrument number for the easement shall be shown on the final site plan.
3. Zoning Note No. 1 shall be deleted in its entirety and replaced with the following note: "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. A Standard B-Landscape buffer yard shall be required along the southern property line adjacent to the cemetery. Existing trees may be counted towards the planting requirements for the buffer yard.
5. The proposed fence along the southern property line shall be relocated to the north side of the required Standard B-Landscape buffer yard.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro 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. 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.
8. 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.

Resolution No. RS2012-51

“BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-004-001 is **APPROVED WITH CONDITIONS and disapproved without all conditions. (7-0)**

Conditions of Approval:

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The proposed SP is consistent with the T3 Suburban Mixed Use Corridor land use policy.”