

16. 2014SP-030-001

FLEETCO INC.

Map 060-02, Parcel(s) 264 Map 060-06, Parcel(s) 003

Council District 02 (Frank R. Harrison)

Staff Reviewer: Melissa Sajid

A request to rezone from CS to SP-C zoning for properties located at 3029 and 3035 Brick Church Pike , approximately 300 feet south of Ewing Drive (2.66 acres), to permit heavy equipment sales and service, requested by Dale and Associates, applicant; Trailer Rental Company, LLC, and Dale Broadrick, owners.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Preliminary SP to permit heavy equipment sales and service

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan-Commercial (SP-C) zoning for properties located at 3029 and 3035 Brick Church Pike, approximately 300 feet south of Ewing Drive (2.66 acres), to permit heavy equipment sales and service.

Existing Zoning

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

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

CRITICAL PLANNING GOALS

- N/A

PARKWOOD – UNION HILL COMMUNITY PLAN

Commercial Mixed Concentration (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?

The proposed SP is consistent with the Commercial Mixed Concentration policy. The request would allow for the expansion of an existing business that is located to the southeast of the subject property. In addition, the site has a dedicated access directly

off Brick Church that is not shared by residential traffic.

PLAN DETAILS

The site is located east of Brick Church Pike, just north of Interstate 24. The subject property is vacant. Surrounding zoning includes CS and R8, and the area includes a mixture of uses. Access to the site is proposed from an existing private drive from Brick Church Pike.

Site Plan

The SP proposes to expand the existing tractor trailer business that is currently located at 3003 Brick Church Pike, which is zoned CS, onto two adjacent parcels located to the northeast – 3029 and 3035 Brick Church Pike. The existing business on those two lots is legally nonconforming. In May 2000, the occupant was issued a final use and occupancy letter for heavy equipment sales and service. At that time, heavy equipment sales and service was a use permitted with conditions in CS. Since then the heavy equipment sales and service use has been removed as a permitted use in CS.

The proposed SP includes 99 parking spaces for expansion of onsite storage of tractor trailers that as sold or leased by the business. The site is adjacent to property zoned CS to the north and staff recommends a Type B landscape buffer, which is required between properties zoned CS and IWD, since the proposed use is classified as industrial in the Zoning Code. The proposed use is more of a light industrial use with commercial characteristics which makes a heavier landscape buffer appropriate. The property directly to the east of the site is zoned R8, and a type C landscape buffer is proposed along that property line. Additional landscaping is proposed throughout the site as required by the Zoning Code, and stormwater detention will be provided at the northwest corner of the property.

ANALYSIS

The proposed SP is consistent with the CMC land use policy in this location. Therefore, staff recommends approval with conditions and disapproval without all conditions.

FIRE MARSHAL RECOMMENDATION

- N/A

STORMWATER RECOMMENDATION

- Approved

TRAFFIC & PARKING RECOMMENDATION

- No exception taken

WATER SERVICES RECOMMENDATION

- Approved as Preliminary SP only.

Applicant must submit Construction plans and pay Capacity Fees before Final SP is approved.

PUBLIC WORKS RECOMMENDATION

- No exception taken
- 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.

No table was prepared because the proposed zoning will not increase traffic.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions.

CONDITIONS

1. Uses within the SP shall be limited to the heavy equipment sales and service.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the IWD zoning district as of the date of the applicable request or application.
3. A Type B landscape buffer shall be provided between the SP and properties zoned CS to the north.
4. 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 or with final site plan application.
5. 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.
6. 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 and disapproved without all conditions (8-0-1), Consent Agenda

Resolution No. RS2014-123

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-030-001 is **Approved with conditions and disapproved without all conditions. (8-0-1)**

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 2. **For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the IWD zoning district as of the date of the applicable request or application.**
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