

2015SP-057-001

1000 OLD DRY CREEK ROAD

Map 034, Parcel(s) 023

Council District 10 (Doug Pardue)

Staff Reviewer: Melissa Sajid

A request to rezone from R10 to SP-MU zoning for property located at 1000 Old Dry Creek Road, approximately 620 feet west of Gallatin Pike (4.06 acres), to permit up to 10,110 square feet of building contractor supply use, requested by Dale & Associates, applicant; Mike Suggs and Joe Wall, owners.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Permit up to 10,110 square feet of building contractor supply use.

Preliminary SP

A request to rezone from One and Two-Family Residential (R10) to Specific Plan-Industrial (SP-I) zoning for property located at 1000 Old Dry Creek Road, approximately 620 feet west of Gallatin Pike (4.06 acres), to permit up to 10,110 square feet of building contractor supply use

Existing Zoning

One and Two-Family Residential (R10) requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25 percent duplex lots. *R10 would permit a maximum of 12 lots with 3 duplex lots for a total of 18 units.*

Proposed Zoning

Specific Plan-Industrial (SP-I) 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 industrial uses.

CRITICAL PLANNING GOALS

N/A

MADISON COMMUNITY PLAN

Current Policy

Suburban Neighborhood Maintenance (T3 NM) is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

Growth and Preservation Concept Map

No change proposed.

Consistent with Policy?

No, the proposed SP is not consistent with the existing Suburban Neighborhood Maintenance policy. This policy is a residential policy that is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. The predominant use in the neighborhood is currently residential while the SP proposes an industrial use, which is not consistent with the Suburban Neighborhood Maintenance policy.

The site is also subject to Conservation policy that encompasses floodway and floodplain associated with Dry Creek that is also located on the site. The SP does not propose any new buildings. However, the majority of the site, including most of the existing buildings, is located in the 100-year floodplain.

PLAN DETAILS

The site is located on Old Dry Creek Road, west of Gallatin Pike. The property is bound to the south and west by R10, to the north by the City of Goodlettsville and to the east by railroad tracks. The property to the east of the railroad tracks is zoned CS, and most of these properties have access to Gallatin Pike which is classified as an arterial street.

Background

The site was purchased by the American Legion in 1970. In 1992, a permit was issued to convert the existing American Legion Club to FX Graphics Silkscreening. The conversion to another nonconforming use was permitted

under Section 17.128.100 of the Zoning Code. Subsequently in 1996, a permit was issued to convert the former non-residential building back to a single-family residence. With the issuance of this permit, the structure lost its status as a legally nonconforming use and came into conformance with uses permitted by R10. Since this time, the property has changed hands and has been used illegally for non-residential uses. The purpose of this SP is to bring the zoning district into compliance with the current use.

Site Plan

The SP proposes building contractor supply and uses permitted in R10. The Zoning Code classifies building contractor supply as an industrial use that is only permitted by right in industrial districts and CF (Commercial Core Frame). The site is zoned R10 and a significant part of the site is impacted by floodplain or floodway.

The SP includes four existing buildings that total 10,110 square feet. No new structures are proposed with the SP. A large paved area is located onsite around the large storage building and southward to the access road that crosses the railroad tracks and becomes Old Dry Creek Road. Two access points currently serve the site; one is from Old Dry Creek Road and the other is from Monticello Avenue. Public Works has recommended limiting access to Old Dry Creek Road which becomes Edgemeade Boulevard on the other side of Gallatin Pike. If the SP is approved with access to Monticello Avenue, it would put truck traffic onto a residential street. If access is limited as recommended by Public Works, a turnaround that is not impeded by the railroad tracks will be required to meet the Fire Code.

ANALYSIS

The Suburban Neighborhood Maintenance policy is strictly a residential policy that does not include industrial uses. In addition, the plan does not reflect the Public Works recommendation to prohibit access onto Monticello Avenue, which is a residential street, and to provide a turnaround as required by the Metro Fire Marshal to accommodate the access restriction. As the SP proposes an industrial use that is not consistent with the Suburban Neighborhood Maintenance policy, staff recommends disapproval of the request.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- They have to have an access road that is unimpeded.
- The structure will be required to meet the requirements for water flow for firefighting purposes of the table B105.1 in the appendix B of the 2006 IFC.
- Fire Code issues for the structures will be addressed at permit application review.
- Hydrants shall be located within 500' of all parts of every structure via approved hard-surfaced roads.

STORMWATER RECOMMENDATION

Approve with comments

- Renovations to existing structures may be subject to significant redevelopment (water quality and water quality buffers).
- Any outdoor storage should be placed to minimize impacts to the stream.

TRAFFIC & PARKING RECOMMENDATION

No exception taken

WATER SERVICES RECOMMENDATION

Approve with conditions

- Approved as a Preliminary SP only. If public construction plans or capacity fees are required, than these must be addressed prior to Final SP approval.

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.
- Indicate that all access to the site should be confined to Edgemeade Blvd.

Maximum Uses in Existing Zoning District: **R10**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Two-Family Residential (210)	4.06	4.35 D	21 U*	201	16	22

*Based on four two-family lots.

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	4.06	-	10,110 SF	229	30	30

Traffic changes between maximum: **R10 and SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+28	+14	+8

STAFF RECOMMENDATION

Staff recommends disapproval of the SP as it is not consistent with the Suburban Neighborhood Maintenance land use policy.

CONDITIONS (if approved)

1. In accordance with Section VI H of the Rules and Procedures of the Commission, staff is directed to initiate an amendment to the Community Plan for this parcel to District Industrial or include in the motion a clear explanation of how the proposed zoning amendment complies with the overall goals and intent of the General Plan.
2. Uses within the SP shall be limited to 10,110 square feet of building contractor supply use.
3. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
4. 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.
5. 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.
6. 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.
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.

Ms. Sajid presented the staff recommendation of disapproval.

Roy Dale, 516 Heather Place, spoke in favor of the application.

Lori Morrison, 407 Janette Court, spoke in opposition to the application due to safety and noise concerns.

Roy Dale noted that he will speak with Ms. Morrison and see if there are some things within the SP plan that could help.

Chairman McLean closed the Public Hearing.

Ms. Farr spoke in favor of staff recommendation of disapproval.

Ms. Blackshear spoke in favor of staff recommendation of disapproval.

Mr. Clifton stated that this is contrary to the plan and spoke in favor of staff recommendation of disapproval.

Mr. Gee moved and Ms. Farr seconded the motion to disapprove. (8-0)

Resolution No. RS2015-196

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-057-001 is **Disapproved. (8-0)**"