

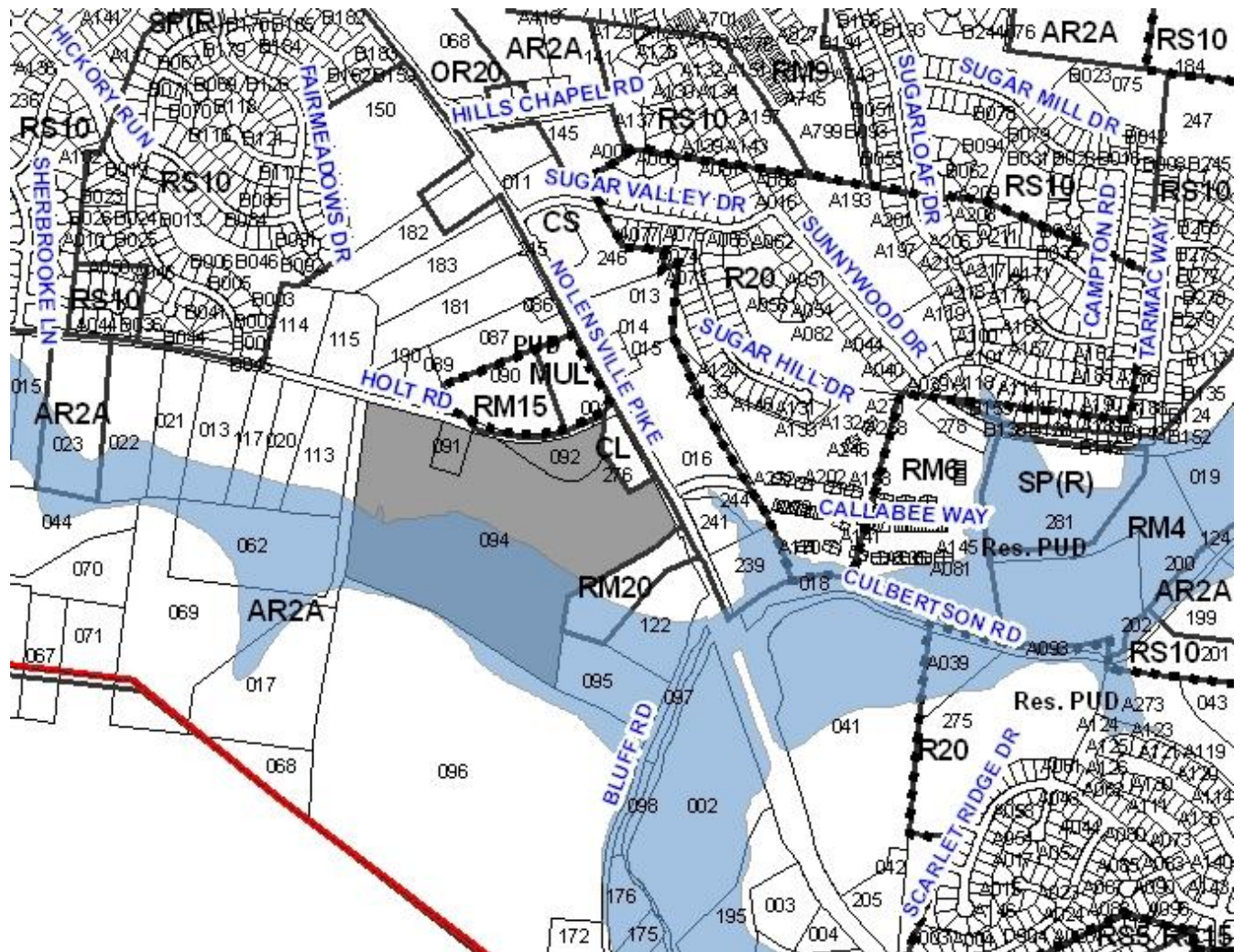
Metropolitan Planning Commission



Staff Reports

February 14, 2013

Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to evolve into a more socially, economically and environmentally sustainable community with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.



2013CP-012-001
 SOUTHEAST NASHVILLE PLAN AMENDMENT
 Map 181, Parcel(s) 091-092, 094
 Southeast
 04 - Brady Banks



Project No. **Minor Amendment 2013CP-012-001**
Project Name **Amend the *Southeast Community Plan: 2004 Update***
Associated Case 2013SP-005-001
Council District 4 – Banks
School District 2 – Brannon
Requested by Ragan – Smith Associates, Inc., Jack Byrd, Sara McKee
Allen and Lunette Pharr, Owners

Staff Reviewer Capehart
Staff Recommendation *Defer to the March 14, 2013, Planning Commission meeting as requested by the applicant.*

APPLICANT REQUEST

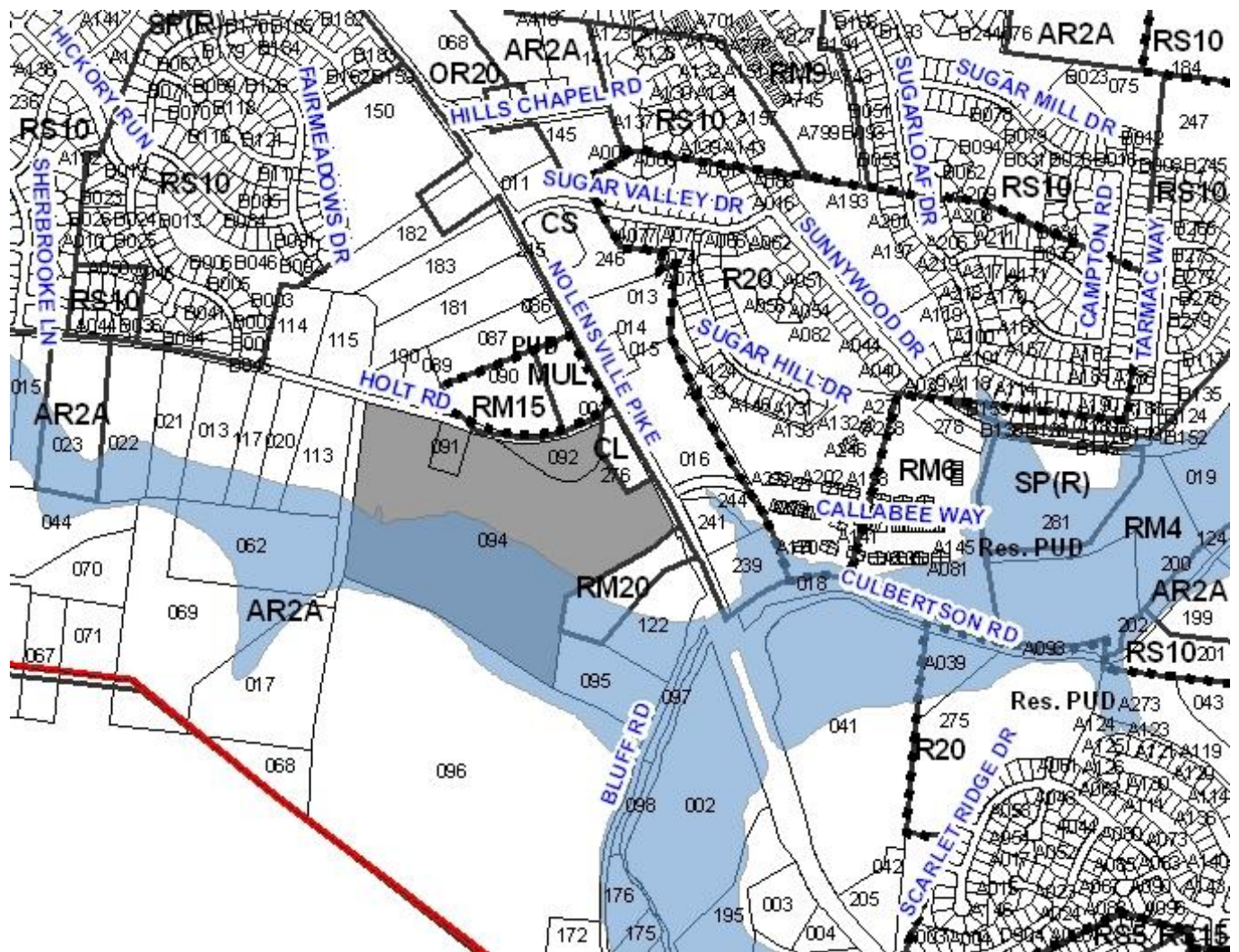
Amend the policies from Natural Conservation, Residential Low Medium Density, and Corridor General to Suburban Neighborhood Evolving and Neighborhood Center, and Conservation

Minor Plan Amendment

A request to amend the *Southeast Community Plan: 2004 Update* to change the policy from Natural Conservation (NCO), Residential Low Medium Density (RLM), and Corridor General (CG) policies to Suburban Neighborhood Evolving (T3 NE), Suburban Neighborhood Center (T3 NC), and Conservation Policies (CO) for properties located at 6415, 6419, and 6435 Holt Road, at the southwest corner of Holt Road and Nolensville Pike.

STAFF RECOMMENDATION

As requested by the applicant, staff recommends deferral of this request to the March 14, 2013, Planning Commission meeting.



2013SP-005-001

THE VILLAGES AT HOLT ROAD

Map 181, Parcel(s) 091-092, 094

Southeast

04 - Brady Banks



Project No.	Zone Change 2013SP-005-001
Project Name	The Villages of Holt Road
Associated Case	2013CP-012-001
Council District	4 – Banks
School District	2 – Brannon
Requested by	Ragan, Smith and Associates, Inc., applicant for Jack Richard Byrd, Lunette Allen Pharr and Sara Mckee Allen, owners
Staff Reviewer	Swaggart
Staff Recommendation	<i>Defer to the March 14, 2013, Planning Commission meeting as requested by the applicant.</i>

APPLICANT REQUEST

Permit a mixed use development consisting of multi-family residential and non-residential uses.

SP Development Plan

A request to rezone from Agricultural and Residential (AR2a) to Specific Plan-Mixed Use (SP-MU) on properties located at 6435, 6415 and 6419 Holt Road, at the southwest corner of Nolensville Road and Holt Road (40.06 Acres), to permit a mixed-use development.

STAFF RECOMMENDATION

As requested by the applicant, staff recommends deferral of this request to the March 14, 2013, Planning Commission meeting.



2013SP-001-001
 WORTHY & WORTHY (PRELIM & FINAL)
 Map 081-15, Parcel(s) 365-366
 North Nashville
 21- Edith Taylor Langster



Project No.	Zone Change 2013SP-001-001
Project Name	Worthy and Worthy SP
Council District	21 – Langster
School District	1 – Gentry
Requested by	Artmas L. Worthy and the Metro Planning Department, applicants
Staff Reviewer	Johnson
Staff Recommendation	<i>Defer to the March 14, 2013, Planning Commission meeting.</i>

APPLICANT REQUEST

Preliminary and Final approval for five attached residential dwellings

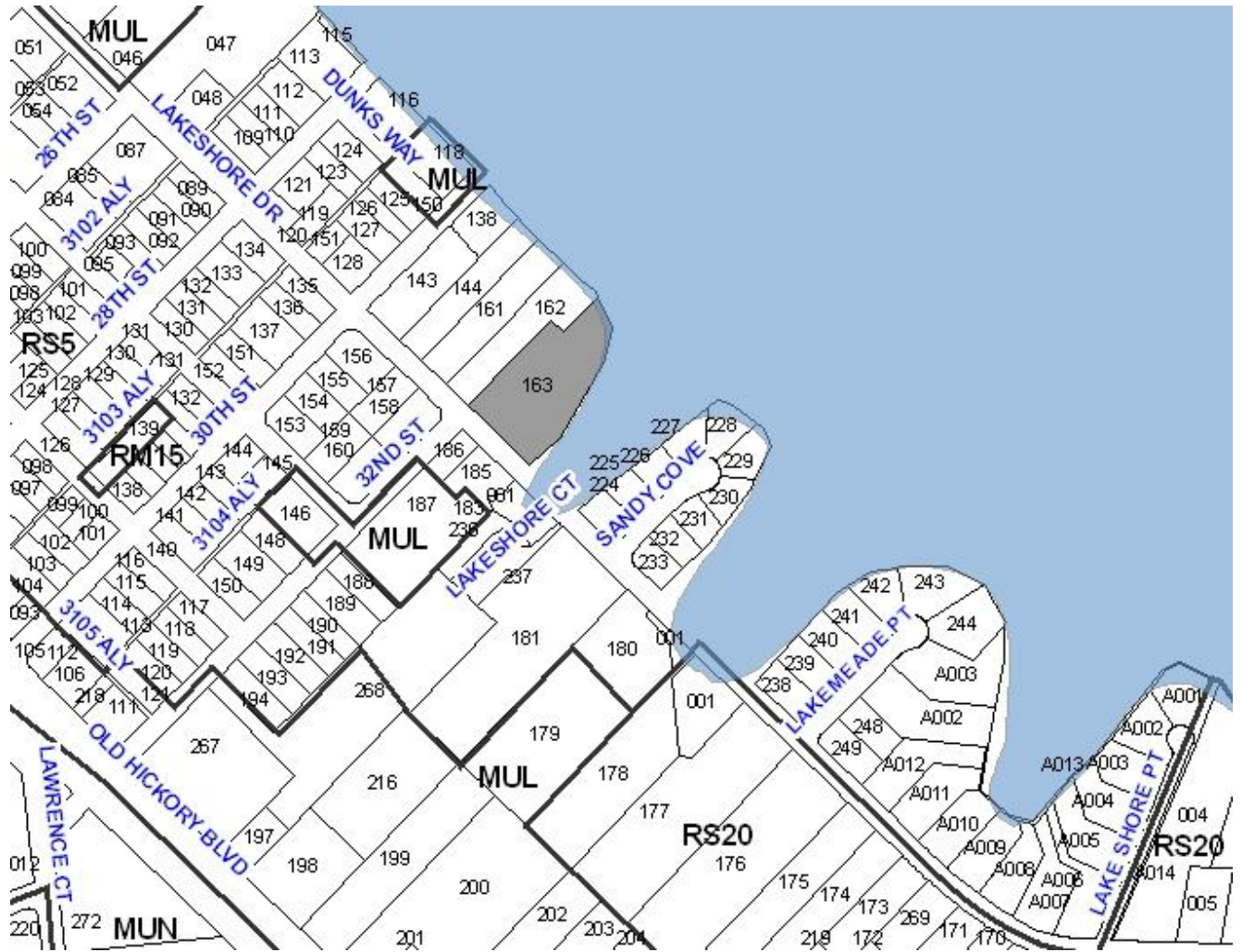
Preliminary and Final SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning and for final site plan approval for properties located at 1729 and 1731 Knowles Street, at the southeast corner of Knowles Street and Dr. D.B. Todd Jr. Boulevard, (0.34 acres), to permit a maximum of five residential units.

STAFF RECOMMENDATION

The Planning Department is a co-applicant in this application because the site is located within an Economically Disadvantaged area, as identified by a policy adopted by the Planning Commission. This allows the Planning Department to waive the application fee and become the co-applicant as long as the basic development concept is consistent with the land use policy.

As co-applicant, the Planning Department recommends deferral to the March 14, 2013 meeting because site plan details required by Stormwater and Public Works departments have not been completed. Until these details have been shown on the plan, Planning staff cannot make a recommendation. A deferral will allow the applicant to complete Metro departmental requirements for the application.



2013S-001-001
BRADLEY POINTE
Map 053-12, Parcel 163
Donelson – Hermitage
11- Darren Jernigan



Project No.	Subdivision 2013S-001-001
Project Name	Bradley Pointe (Concept Plan)
Council District	11 – Jernigan
School District	4 – Shepherd
Requested by	Lukens Engineering Consultants, applicant for Tom and Suzie Bradley Living Trust, owner
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Create five single-family lots.

Concept Plan

A request for concept plan approval to create five lots on property located at 3007 Lakeshore Drive, approximately 330 feet north of Sandy Cove (1.37 acres), zoned Single-Family Residential RS5.

Existing Zoning

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre. *The property could accommodate as many as 10 lots.*

CRITICAL PLANNING GOALS

N/A

PLAN DETAILS

This request is to subdivide one property into five single-family residential lots along a new public street. The property is located in Lakewood area of northeast Davidson County abutting Old Hickory Lake. The dwelling currently occupying the property will be removed.

The plan indicates a short public street will be constructed into the property to provide access to all five proposed lots. The street will be situated along the northwest property line of the subdivision so that it may provide access to any future development on the abutting property. All vehicular access to the proposed lots will be restricted to the proposed public street. The subdivision regulations do not require sidewalks along either the new dead-end street or the portion of Lakeshore Drive abutting the subdivision. The development proposes to provide direct access for each lot to the adjoining Old Hickory Lake.

All proposed lots (except for shown Lot 6 which is to be converted to open space or absorbed into the adjoining lots) comply with the RS5 zoning district requirements and the subdivision meets the requirements of the subdivision regulations.

PUBLIC WORKS RECOMMENDATION

- 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.



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STORMWATER RECOMMENDATION

Concept plan approved with conditions:

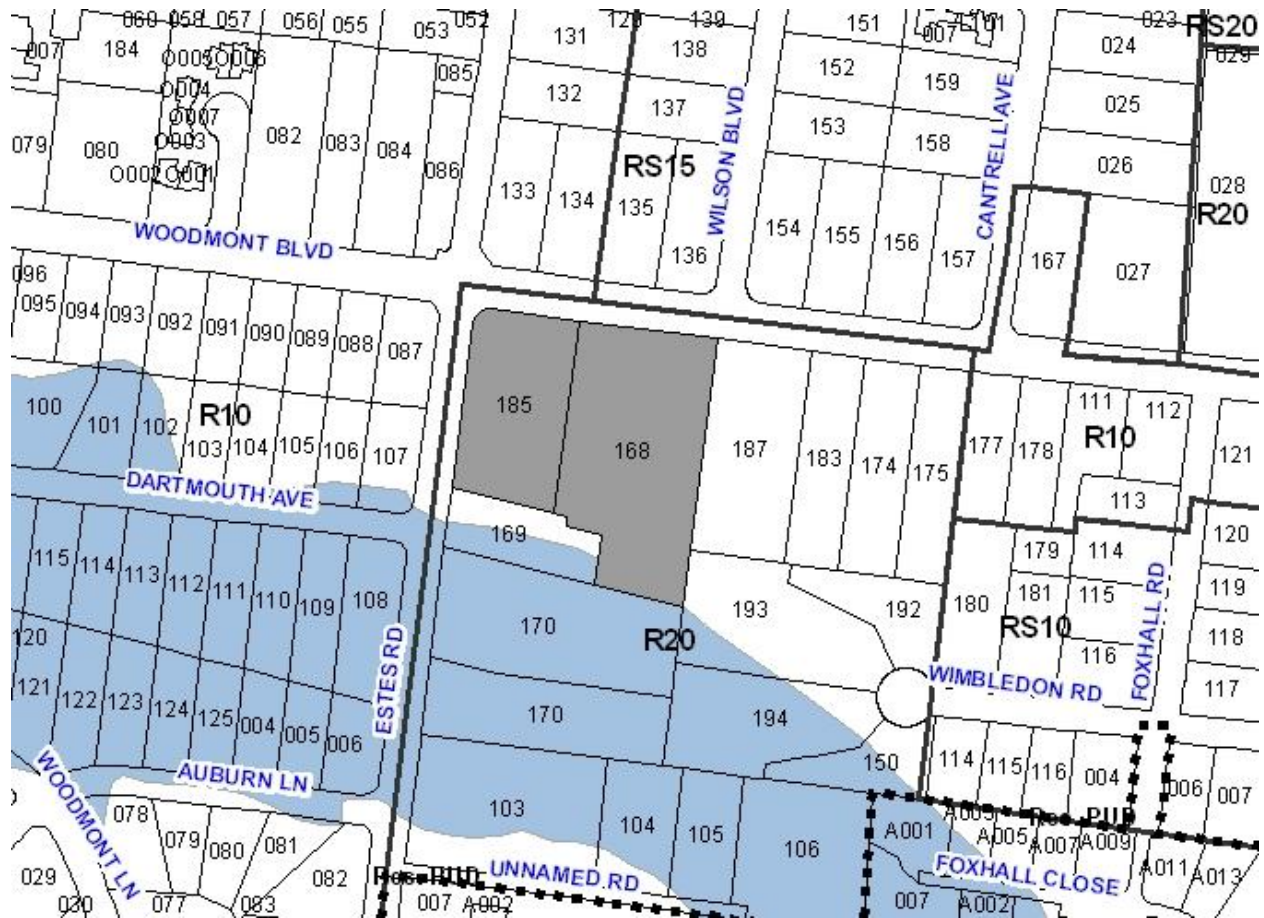
1. Update Concept plan to incorporate the SWMC conditions (removal of lot 6 / addition of notes concerning plantings).
2. Cite the variance number to the Concept Plan (201300003).

STAFF RECOMMENDATION

Staff recommends approval of the concept plan with conditions. The concept plan, except for shown Lot 6, complies with the requirements of the Subdivision Regulations and the Zoning Code.

CONDITIONS

1. This concept plan shall comply with comments listed above from the Public Works and Stormwater departments.
2. Re-label all references to lot six on the concept plan as common open space or incorporate into adjoining lots.
3. Revise the purpose note number one to indicate five single family residential lots instead of six.
4. Label and show the extent of the proposed Bradley Pointe right-of-way.
5. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.



2013S-003-001
 WOODMONT ESTATES
 Map 116-08, Parcel(s) 168, 185
 Green Hills - Midtown
 25-Sean McGuire



Project No.	Subdivision 2013S-003-001
Project Name	Woodmont Estates (concept plan)
Council District	25 – McGuire
School District	8 – Hayes
Requested by	Dewey-Estes Engineering, LLC, applicant, Robert Bell, Margery Bell, Richard Cohen, owners.
Deferral	This item was deferred by the Planning Commission at the January 24, 2013 meeting to allow time for the applicant to meet with other stakeholders.
Staff Reviewer	Johnson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Conceptual layout for five lots

Concept Plan

A request for concept plan approval to create five lots and open space for up to six residential units on properties located at 3721 and 3731 Woodmont Boulevard, at the southeast corner of Woodmont Boulevard and Estes Road, zoned One and Two Family Residential (R20) (3.35 acres).

Existing Zoning

One and Two Family Residential (R20) requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25 percent duplex lots. *R20 would permit a maximum of seven lots with one duplex lot for a total of eight units.*

CRITICAL PLANNING GOALS

N/A

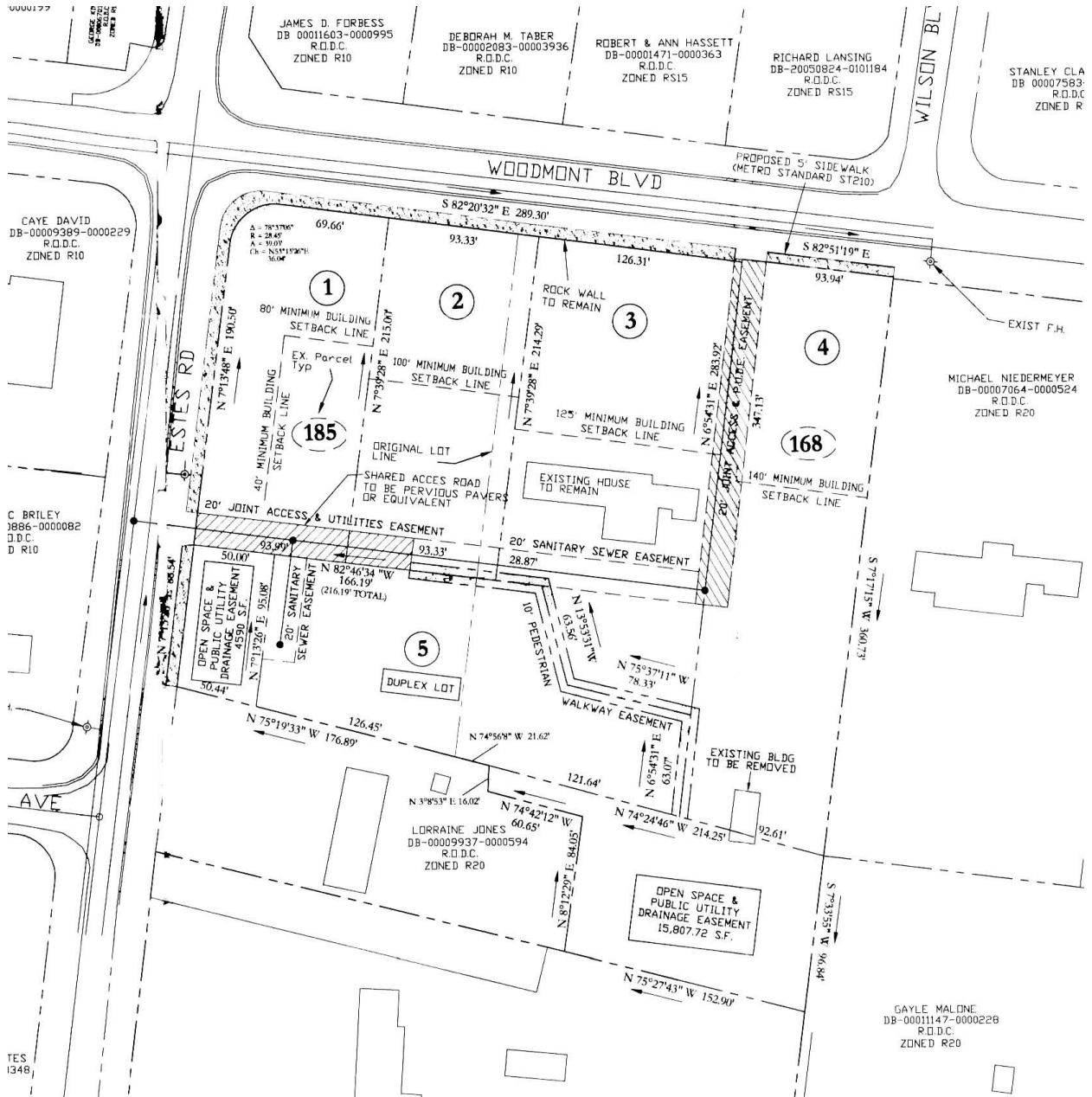
DEFERRAL

The Planning Commission deferred this request from the January 24, 2013 Planning Commission meeting to the February 14, 2013 meeting. The applicant met with several of the property owners surrounding the site on February 5, 2013. At the writing of this report, no changes to the concept plan have been submitted.

The Subdivision Regulations require the Planning Commission to approve, conditionally approve, or disapprove a concept plan within 30 days after the date of the regular meeting where the concept plan was introduced. The concept plan is considered approved if a decision is not made with that time frame. According to the Subdivision Regulations, the February 14th meeting is the last meeting available to make a decision on this concept plan within the 30 day time limit. However, Tennessee state law allows for a 60 day time frame for approval of a concept plan.

PLAN DETAILS

The site consists of two existing lots along Woodmont Boulevard containing one single-family dwelling. The concept plan proposes a five lot subdivision with the four lots facing Woodmont Boulevard and a fifth duplex lot facing Estes Road.



Proposed Subdivision



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Lots 1 through 4 are oriented toward Woodmont Boulevard, and will be required by the Zoning Code to have their front facades facing that street. Lots 3 and 4 will take access through an existing driveway from Woodmont Boulevard. Lots 1, 2, and 5 will take access from Estes Road through a shared driveway.

The existing R20 zoning district permits duplexes in addition to single-family development. However, subdivisions of four lots or more are limited to duplexes on a maximum of 25 percent of the new lots. This subdivision is limited to one duplex lot, which is proposed for Lot 5. Duplexes are permitted to be detached in this location because the subdivision is outside of the Urban Zoning Overlay district.

The proposed lots comply with the R20 zoning district and the Subdivision Regulations. All are larger than 20,000 square feet in size.

ANALYSIS

The concept plan complies with the applicable requirements of the Subdivision Regulations and Zoning Code. The lots along Woodmont Boulevard will be similar in size and lot frontage to the existing residential lots across the street. Only one new lot will be created with Estes Road frontage. This lot is designated as a duplex lot and will face the side yards of lots across Estes Road.

HISTORICAL COMMISSION RECOMMENDATION

The house at 3721 Woodmont Blvd has been determined Eligible for listing in the National Register of Historic Places by the Tennessee Historical Commission. This determination includes the lot as well as the wall along Woodmont, the corner of Woodmont/Estes, and a portion of Estes. We encourage the applicants to retain the wall and to repair any portions damaged during this project (of course, we would encourage them to take measures to protect the wall during the project).

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1.
- The areas labeled as open space shall not be buildable lots. Existing buildings in open space shall be moved or removed.

STORMWATER RECOMMENDATION

Concept plan approved with conditions (Stormwater):

1. Add buffer note to concept plan.
2. For the roadside ditch along Estes, ditch alteration may require new storm infrastructure (to be determined during development plan review process).

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.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.



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- Final location of sidewalks to be determined with construction documents, existing walls, utilities, etc. may require modifications.
- Label and dimension the ROW on Estes and Woodmont at the property corners.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The concept plan complies with applicable elements of the Subdivision Regulations and Zoning Code.

CONDITIONS

1. This concept plan shall comply with comments listed above from the Fire, Stormwater, and Public Works departments.
2. Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1.
3. The areas labeled as open space shall not be buildable lots. Existing buildings in open space shall be moved or removed.
4. Vehicular access to the site shall be limited to the shared access easements shown on the plan.
5. The concept plan shall provide a right-of-way reservation of 37 feet from the centerline of the Woodmont Boulevard right-of-way as required by the Major and Collector Street Plan.
6. Pursuant to 2-3.5.e of the Metro Subdivision Regulations, because this application has received conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the date of conditional approval by the Planning Commission.



Project No.	Text Amendment 2013Z-003TX-001
Project Name	Downtown Code Section V: Signs
Council Bill	BL2013-376
Council District	19 – Gilmore
School District	5 – Kim
Requested by	Councilmember Erica Gilmore
Staff Reviewer	Priest
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Amend signage requirements within Downtown Code.

Text Amendment

A request to amend Section 17.37 (Downtown Code) of the Metropolitan Zoning Code by adding regulations for signage.

CRITICAL PLANNING GOALS

Creates Walkable Neighborhoods – The Downtown Code (DTC) requires buildings to be urban in form, prioritizing the pedestrians while accommodating cars. The DTC sign standards further encourage a walkable Downtown by orienting signage to the pedestrian first and autos second through the regulation of size, sign types, and location on the building.

Supports Infill Development – Downtown is a hotspot for infill development. As neighborhoods grow within Downtown, appropriately-scaled signage gives a public face to businesses and activities while ensuring a broader continuity of signage. As part of the DTC sign standards, MDHA has refined their redevelopment district sign standards. Pulling a sign permit in Downtown will be a “one stop shop” when the new standards become effective and will not require multiple reviews by multiple departments and agencies.

Promotes Compact Building Design – The DTC standards require and allow dense, urban development. The sign standards are an additional refinement of these standards, encouraging all elements of the built environment – awnings, building signs, ground signs, and even skyline signs – to be urban in scale, form, and orientation.

DOWNTOWN COMMUNITY PLAN

The Downtown Community Plan envisions a Downtown of walkable neighborhoods. Signage that prioritizes the pedestrian while orienting residents and visitors to businesses, events and entertainment help to strengthen the center of the city as the heart of civic, commercial, and entertainment activity.

AMENDMENT DETAILS

From 2008-2010, Planning staff worked with the community to draft a new zoning code for Downtown – the Downtown Code. One of the more difficult issues to address at that time was signage. The DTC was adopted in February, 2010 with a clause that signage be addressed within 18 months. That deadline was extended twice. A consultant was hired to work closely with business owners, commercial real estate professionals, designers, sign manufacturers, Codes staff, Planning



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staff, Historic staff, Mayor's Office staff, MDHA staff, the Downtown Partnership, and the Chamber of Commerce to draft new sign standards specifically for Downtown. Since the consultant finished the draft, Planning staff has worked closely with a task force (with representatives from the entities listed above), meeting ten times over nearly two years, to refine the draft to the final version, ready for adoption.

The proposed sign standards regulate signage based on street type, allowing different signage standards for high-volume pedestrian streets, such as Church Street in the Core, more auto-oriented streets that are in an evolving areas of Downtown, such as Lafayette Street in SoBro, and those streets that are transitional in nature and must accommodate auto-oriented and pedestrian-oriented signage.

Sign types allowed include Building Signs (wall, awning, canopy, projecting and shingle), Ground Signs, and Skyline Signs. The size of each sign type allowed is based on street type and linear feet of the building façade.

Properties with Historic Zoning, such as Lower Broadway and 2nd Avenue, are currently exempted from this proposal. Historic Staff is working with the task force to draft signage standards appropriate for historic properties.

STAFF RECOMMENDATION

Staff recommends approval

Ordinance No. BL2013-376

An ordinance to amend Sections 17.37 (Downtown Code) of the Metropolitan Zoning Code by adding regulations for signage (Proposal No. 2013Z-003TX-001).

WHEREAS, the Metropolitan Planning Commission hired a consulting group to conduct a study of the existing signage and signage regulations in Downtown Nashville and to produce a comprehensive sign code for implementation in the Downtown Code (DTC) district, the draft sign code was completed in 2011 and was circulated to Downtown property and business owners and other stakeholders for comment;

WHEREAS, Downtown community stakeholders, including the Chamber of Commerce, the Downtown Partnership, representatives of the sign industry, and representatives of the commercial real estate industry worked with Metro government, including Codes Department staff, Planning Commission staff, Historic Commission staff, representatives from the Mayor's office, and representatives from the Metropolitan Development and Housing Agency to refine the draft sign code;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:



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Section 1. Section 17.37 (Downtown Code) is hereby amended by adding to the DTC on page 3 under the heading Table of Contents the following:

Section V: Sign Standards	100
Introductory Provisions.....	103
Intent	
Applicability	
Sign Permit Applications	
Common Sign Plan	
Modifications	104
Right-of-way Encroachments.....	104
Nonconforming Signs.....	104
General Standards.....	105
Other Sign Types	105
Street Types	106
Street Types Map	107
Determining Street Entitlements	108
Allocation of Sign Area by Street Types	109
Building Signs	
Wall Sign	110
Awning Sign	111
Canopy Sign.....	112
Projecting Sign	113
Shingle Sign	114
Ground Signs	
Monument Sign	115
Skyline Signs	116
Illumination	117
Changeable Copy	118

Section 2. Section 17.37 (Downtown Code) is hereby amended by deleting from the DTC on page 15 under the heading of Signage Compliance the following phrase:

“For those properties zoned DTC that were zoned CC on January 1, 2010, the sign standards of the DTC zoning district shall apply. For all other properties zoned DTC, the sign standards of the CF zoning district shall apply until June 30, 2012. On July 1, 2012, the sign standards of the DTC zoning district shall apply to all properties zoned DTC.”

and replacing it with the following new phrase:

“For those properties within Historic Zoning Overlays, the sign standards of the CF zoning district shall apply, along with historic zoning district design guidelines.
For those properties not within Historic Zoning Overlays, the sign standards of the DTC zoning district shall apply.”

Section 3. Section 17.37 (Downtown Code) is hereby amended by adding Exhibit A as pages 100-118 of the DTC.



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Section 4. Section 17.32.140 (On-premise signs – DTC district) is hereby amended by removing all text in its entirety and replacing it with the following new phrase:

“See Section 17.37 (Downtown Code) for standards on signage within the DTC district.”

Section 5. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Erica Gilmore



Project No.	Text Amendment 2013Z-005TX-001
Project Name	Community Education
Council District	Countywide
School District	Countywide
Requested by	Planning Department and Metro Schools
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Add community education as a permitted use to CA, SCC and SCR districts.

ZONING TEXT AMENDMENT

A request to amend Title 17 of the Metropolitan Code, Zoning Regulations, to add "Community Education" as a permitted use (P) in the CA, SCC and SCR zoning districts.

CRITICAL PLANNING GOALS

- Supports Infill Development

The proposed text amendment would enable community education uses to adaptively re-use existing shopping centers and large scale commercial developments in addition to (re)developing a site.

EXISTING ZONING CODE

Currently, community education (schools) is not a permitted use in the Commercial Attraction (CA), Shopping Center Community (SCC) and Shopping Center Regional (SCR) districts.

PROPOSED ZONING CODE

The proposed text amendment will allow community education as a permitted use in the Commercial Attraction (CA), Shopping Center Community (SCC) and Shopping Center Regional (SCR) districts.

The Commercial Attraction (CA) district provides a diverse range of amusement and recreational uses in association with overnight accommodations and a variety of retail and support services typically affiliated with the tourist industry.

The Shopping Center Community (SCC) district is designed for retail and service trades catering to a community-scale market.

The Shopping Center Regional (SCR) district is designed for retail and service trades catering to a regional market area.

ANALYSIS

A Community Education use principally provides instruction on an elementary, middle and high school level, approved under the regulations of the state. Community Education uses are currently permitted in most office, mixed-use and commercial zoning districts (except neighborhood scaled



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districts). This text amendment would expand the zoning districts allowing community education uses.

Most of the existing SCC and SCR districts in Davidson County are developed out as large to moderately scaled shopping centers or large scale retail uses. The only CA district existing in Davidson County includes and immediately surrounds the Opryland and Opry Mills area. Permitting community education within these districts would likely enable adaptive re-use of existing commercial sites/buildings.

The zoning code has expanded the array of tools used to guide new commercial development. It is unlikely that these three zoning districts would be applied (through a base zone change) to additional properties within the county.

Further, the majority of properties zoned CA, SCC and SCR are guided by PUD overlays. The PUD overlays provide additional assurance that redevelopment of the site for a community education use (not consistent with the current approved plan) was compatible with the surrounding context and consistent with the applicable community plan.

This text amendment would enable community education uses in CA, SCC and SCR districts as a permitted use. Community education facilities would be subject to the corresponding bulk requirements. They would not be subject to conditions associated with community education facilities when locating within residential areas such as the minimum lot size.

STAFF RECOMMENDATION

Staff recommends approval of this text amendment.

ORDINANCE NO. _____

An ordinance to amend Sections 17.08.030 of the Metropolitan Zoning Code, pertaining to community education uses, by modifying which zoning districts community education uses are permitted, all of which is more specifically described herein (Proposal 2013Z-005TX-001)

WHEREAS it is desirable for the Metropolitan Government of Nashville and Davidson County to enable adaptive re-use of commercial shopping centers and re-investment in large scale commercial developments with community education uses throughout Nashville;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.08.030, District land use tables, is hereby amended by adding "P" (permitted) under "CA" (Commercial Attraction), "SCC" (Shopping Center Community) and "SCR" (Shopping Center Regional) zoning districts for "Community Education" use.



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Section 2. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember



Project No. Text Amendment 2013Z-006TX-001
Project Name Auto Related Uses
Council District Countywide
School District Countywide
Requested by Metropolitan Planning Department

Staff Reviewer Swaggart
Staff Recommendation Approve

APPLICANT REQUEST

Amend where certain auto related uses are permitted

ZONING TEXT AMENDMENT

A request to amend Sections 17.08.030, 17.16.070, 17.16.090, 17.32.050, 17.32.110, 17.32.120, 17.32.130 and 17.32.150 of the Metropolitan Zoning Code, pertaining to specific automobile related uses, by modifying which zoning district specific automobile related uses are permitted.

CRITICAL PLANNING GOALS

N/A

EXISTING ZONING CODE

The current Zoning Code permits various auto related uses including automobile repair, automobile sales, new; automobile sales, used; automobile service; car wash; vehicular rental/leasing; vehicular sales and services, limited; wrecker services and heavy equipment sales services in Specific Plan districts, some commercial districts, parts of the DTC and industrial zoning districts. Section 17.080.030.D contains the District Land Use Table. The auto related uses primarily impacted by this text amendment are currently permitted as follows:

	Permitted (P)	Permitted with conditions (PC)
Automobile Repair	DTC (South), IWD, IR, IG	SP
Automobile Sales, Used	IWD, IR, IG	SP
Car Wash	IWD, IR, IG	SP, MUL, MUG, MUI, CL, CS, CA, CF, DTC (South), SCC, SCR
Vehicular Rental/Leasing	IWD, IR, IG	SP, DTC, SCR
Vehicular Sales and Services Limited	DTC (South), IWD, IR, IG	SP

All of the above auto related uses are permitted by right in all industrial districts, within parts of the Downtown Code (DTC), and permitted with conditions in various other districts. *The section of the code, Section 17.16, Land Use Development Standards, which specifies the conditions for the uses, provides minimal standards, for these uses.* With the exception of Vehicular Rental/Leasing, the



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condition for all other subject uses is “This use shall be allowed as provided in an adopted Specific Plan by the metro council.”

History

The current code requirements for the subject auto-related uses were adopted by Ordinance No. BL2006-972. The ordinance modified and added definitions for various auto related uses and amended the zoning districts where auto-related uses are permitted. For example, the ordinance created automobile sales, new and automobile sales, used. Prior to the ordinance, all automobile sales were classified as Vehicular Sales and Services Limited. Also, the auto related uses were previously permitted in many other zoning districts including mixed-use, commercial, shopping center and industrial. The ordinance removed them from a majority of the districts except industrial and made them a “PC” use in the SP zoning district. Following is a list of the subject auto related uses and where they were permitted prior to the 2006 ordinance:

	Permitted (P)	Permitted with conditions (PC)
Automobile Repair	CS, CF, IWD, IR, IG	
Automotive Service	MUG, MUI, CL, CS, CA, CF, CC, SCC, SCR, IWD, IR, IG	SCN
Automotive Service, Oil Change	MUG, MUI, CL, CS, CA, CF, CC, SCC, SCR, IWD, IR, IG	SCN
Automobile Sales, Used	Fell under vehicular sales and service limited	
Car Wash		MUL, MUG, MUI, CL, CS, CA, CF, CC, SCC, SCR
Vehicular Sales and Services Limited	CS, CA, CF, SCR, IWD, IR, IG	
Wrecker Services	IWD, IR, IG	CS, CF
Heavy Equipment	CF, IWD, IR, IG	CS

While the 2006 ordinance redefined various uses, created new uses and defined in what districts the uses were permitted, it did not provide any specific conditions for the “PC” uses. Shortly after the adoption of the ordinance, the Planning Department created an internal policy for reviewing auto-related uses that included conditions upon which staff could support a proposed “Auto SP”. The policy takes into account whether the existing zoning previously permitted the auto related use and whether the land use policy supports the auto related use. It also provides conditions for which the use is permitted.

PROPOSED ZONING CODE

The proposed text amendment makes several housekeeping changes that permit specific auto related uses and provide conditions upon which they are permitted. If the bill is approved, auto related uses that were legally permitted prior to the effective date of the 2006 ordinance could continue to operate as legal, non-conforming uses subject to the non-conforming provisions of the Zoning Code (Section 17.40-640 – 17.40.690). Auto related uses that were approved in a SP zoning district



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would continue to be legal, conforming uses, but changes not consistent with the Council approved SP plan would require Council approval.

Housekeeping Amendments

There are several minor “housekeeping” amendments which are as follows:

1. Deleting all citations of “PC” (permitted with conditions) under the SP zoning district with the exception of “Wind energy facility (small)” and the “Construction/demolition waste processing (project specific) land uses. The conditions for these two uses are important and therefore should be referenced.
2. Deleting all citations of “O” (permitted only within an overlay) under the SP zoning district. This change was part of the 2006 ordinance, but does not work with the existing format.
3. “SP” will be removed from under the SP zoning district in the land use table. This citation should have never been included and was added by mistake.
4. A note will be added at the end of the land use table noting that any land use within a SP zoning district shall be as specifically listed in the site specific SP ordinance. This change is meant to indicate that *any use* may be permitted within a SP zoning district if approved by Council.
5. Automobile Service and Wrecker Services will be removed from Section 17.16.070, Commercial uses and Heavy equipment sales and services will be removed from Section 17.16.090, Industrial uses. These sections of the code provide conditions upon which uses are permitted. The 2006 ordinance made these three uses “PC” under the SP district. No specific conditions were included and since all uses are fundamentally permitted with conditions in the SP district then their reference is not required.

Major Amendments

The following table outlines all the major amendments.

Land Use	Proposed Changes
Automobile Repair	Amend land use table (17.080.030.D) by adding as "PC" under CS, adding conditions for the use in Section 17.16.070 and adding sign restrictions and sign standards in Section 17.32.050, 17.32.130 and 17.32.150
Automobile Sales, Used	Amend land use table (17.080.030.D) by adding as "PC" under CS, adding conditions for the use in Section 17.16.070 and adding sign restrictions and sign standards in Section 17.32.050, 17.32.130 and 17.32.150
Car Wash	Add conditions for the use in Section 17.16.070 and adding sign restrictions and sign standards in Section 17.32.050, 17.32.110, 17.32.120, 17.32.130 and 17.32.150



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Vehicular Rental/Leasing	Amend land use table (17.080.030.D) by adding as "P" under CS and CA; adding as "PC" under CF; and modifying existing conditions for the use in Section 17.16.070
Vehicular Sales and Services Limited	Amend land use table (17.080.030.D) by adding as "PC" under CS, adding conditions for the use in Section 17.16.070 and adding sign restrictions and sign standards in Section 17.32.050, 17.32.130 and 17.32.150

The amendment will add Automobile Repair, Automobile Sales, Used; and Vehicular Sales and Services Limited as permitted with conditions (PC) uses under the Commercial Service zoning district. It will add Vehicular Rental/Leasing as a permitted (P) use under the Commercial Service and the Commercial Amusement zoning districts and as a permitted with conditions (PC) use under the Core Frame zoning district. Following are the proposed conditions for Automobile Repair, Automobile Sales, Used; and Vehicular Sales and Services, Limited:

1. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
2. Driveways shall be consolidated if required by the Metro Traffic Engineer.
3. Chain link fence, barbed wire, razor wire or similar fencing is prohibited within 25 feet of a public right-of-way.
4. Fencing or walls within 25 feet of a public right-of-way shall not be more than 36 inches in height.
5. Service doors facing any district that permits residential uses or a legally occupied residential structure shall be screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
6. All buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be located a minimum of 25 feet from any district boundary that permits residential uses or a legally occupied residential structure, and all buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be screened from any district boundary that permits residential uses or a legally occupied residential structure by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
7. Inoperable vehicles, outdoor storage and automobile repair activities shall be located to the rear or side yard and shall not be visible from any public right-of-way.



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8. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:

Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.

The conditions for car washes includes two conditions from above (# 1 and # 8), but the other seven conditions are unique. These unique conditions were conditions prior to the 2006 amendment, but were removed with the 2006 amendment. The conditions are as follows:

1. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
2. Whether automatic, free, self-service or by hand, the car wash structure (including wash bays) and any outdoor vacuuming machines or areas, shall be located a minimum of fifty feet from any residential zoned district or district permitting residential uses.
3. All washing facilities shall be located within a structure which is enclosed except those openings necessary for vehicular and pedestrian access. Such openings shall not face any adjacent residentially zoned property.
4. Car washing facilities shall be separated from adjacent property other than street frontage by a masonry wall of not less than six nor more than eight feet height. If adjacent property is commercially developed and a solid wall already exists on the property line, the zoning administrator may modify or waive this requirement as necessary to achieve the purpose of this section.
5. For facilities without defined stalls, a stall shall be calculated based on one stall being the equivalent to each twenty linear feet of washing area lane.
6. If located within 100 feet of a residential zone district or district permitting residential uses, operation of the establishment shall be prohibited prior to eight a.m. or after ten p.m. on any day of the week.
7. There shall be no outdoor loudspeakers or public address systems.
8. No vehicles may be stored or parked on the premises for the purpose of offering for sale.
9. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:

Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.



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The final major amendment is to add Vehicular Rental/Leasing to the CF (Core Frame) zoning district as a “permitted with conditions” or PC land use. The new condition is as follows (the only change is that “CF” has been added):

Vehicular Rental/Leasing. This use shall be allowed as provided in the DTC zoning district. In the CF and SCR districts the use shall be limited to renting and/or leasing passenger automobiles, sport utility vehicles, pick-up-trucks (3/4 ton or less), and small cargo work vans and passenger vans (gross vehicle weight rating of not more than ten thousand pounds), including incidental parking and servicing of these vehicles for rental or lease. No motorcycle, recreational vehicles, boats, recreational equipment, moving vans or moving trucks shall be rented or leased from the property. In addition, no “Automobile Repair” or “Scrap Operation” activities may occur on-site and no inoperable vehicles shall be stored on the property.

Signage

As indicated above, this text amendment proposes additional sign restrictions for some auto related uses. Sign permits are separate from building permits; therefore, a sign permit may not directly relate to a use and occupancy or building permit. Since signs require a separate permit, the section of the Code pertaining to signs must be amended so that Codes reviewers are alerted that there are additional requirements/limitations for some PC uses.

ANALYSIS

The 2006 text amendment that further limited the zoning districts where auto related uses are permitted was prompted by concerns over their proliferation and appearance. While the 2006 ordinance did not include any specific requirements for the subject auto related uses, it was Council’s intent to provide additional review and requirements to ensure that the uses did not continue to detract from their surroundings. Because specific conditions for the review of auto related uses were not included within the Council approval, the Planning Department adopted a review policy for staff to follow when reviewing auto related SP zoning request. As stated earlier in this report, the policy takes into account:

- Whether the existing zoning district previously permitted the auto related use;
- Whether the land use policy supports the auto related use;
- Provides conditions for which the use is permitted. Conditions for the use includes restrictions, site improvements and sign limitations intended to lessen the impact of the use on the streetscape and surrounding properties.

The intent of this text amendment is to simplify the process for someone wishing to open up a subject auto related use while maintaining the original intent of the 2006 ordinance. The current process requires a zone change which takes approximately four months or longer. In addition to the application fee, applicants must also pay for all notice requirements. The major change in this amendment would permit many of the subject uses with conditions in the Commercial Service district. This amendment will reduce the length of the process by removing the zone change requirement in districts where these uses were historically permitted. At the same time, this amendment will still provide restrictions and require site improvements that will enhance the streetscape and reduce the negative impact these uses can have on surrounding properties. If one or more conditions cannot be met due to unique site conditions, then the Board of Zoning Appeals could give relief through the variance process. It is also important to note that the proposed amendment would not prohibit the SP from being used for the subject auto related uses.



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Since 2006 staff has reviewed approximately 28 SP zone changes for the subject auto related uses. Almost all of these have been approved by Council. Almost all of the approved auto SP districts have incorporated some or all of the site improvements implemented by the Planning Department's review policy. Staff finds that the proposed amendment meets Council's original intent by providing existing guidelines that have been generally acceptable to Council, but also provides a more streamlined process for property owners.

STAFF RECOMMENDATION

Staff recommends approval of this bill.

ORDINANCE NO. _____

An ordinance to amend Sections 17.08.030, 17.16.070, 17.16.090, 17.32.050, 17.32.110, 17.32.120, 17.32.130 and 17.32.150 of the Metropolitan Zoning Code, pertaining to specific automobile related uses and sign requirements, by modifying which zoning district specific automobile related uses are permitted, all of which is more specifically described herein (Proposal 2013Z-006TX-001)

WHEREAS it is desirable for the Metropolitan Government of Nashville and Davidson County to promote economic vitality and provide opportunities for diverse commercial activities throughout Nashville, and

WHEREAS, it is reasonable for the Metropolitan Government of Nashville Davidson County to require specific regulations to ensure that commercial activities will not negatively impact residential areas or the aesthetics of Nashville's commercial areas;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.08.030, District land use tables, is hereby amended by deleting all citations of "PC" (permitted with conditions) under "SP" (Specific Plan) zoning district with the exception of the "Wind energy facility (small)" and the "Construction/demolition waste processing (project specific)" land uses.

Section 2. That Section 17.08.030, District land use tables, is hereby amended by deleting all citations of "O" (permitted only within an overlay) under "SP" (Specific Plan) zoning district.

Section 3. That Section 17.08.030, District land use tables, is hereby amended by deleting all citations of "SP" under "SP" (Specific Plan) zoning district.

Section 4. That Section 17.08.030, District land use tables, is hereby amended by denoting an asterisk (*) after "SP" in the SP zoning category and adding an asterisk (*) before the phrase "Land uses shall be as specifically listed in the site specific SP ordinance" found in the footnotes at the end of the table.

Section 5. That Section 17.08.030, District land use tables, is hereby amended by adding "PC"(permitted with conditions) under the "CS" (Commercial Services) zoning district in



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alphabetical order for “Automobile repair”, “Automobile sales, used” and “Vehicular sales and service, limited”.

Section 6. That Section 17.08.030, District land use tables, is hereby amended by adding “P” (permitted) under the “CS” (Commercial Services) and the “CA” (Commercial Amusement) zoning districts for “Vehicular rental/leasing”.

Section 7. That Section 17.08.030, District land use tables, is hereby amended by adding “PC” (permitted with conditions) under “CF” (Commercial Core Frame) zoning districts for “Vehicular rental/leasing”.

Section 8. That Section 17.16.070, Commercial uses, is hereby amended by deleting subsection E, “Automobile Sales, Used” in its entirety, and replacing with the following new subsection E:

Automobile Repair.

9. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
10. Driveways shall be consolidated if required by the Metro Traffic Engineer.
11. Chain link fence, barbed wire, razor wire or similar fencing is prohibited within 25 feet of a public right-of-way.
12. Fencing or walls within 25 feet of a public right-of-way shall not be more than 36 inches in height.
13. Service doors facing any district that permits residential uses or a legally occupied residential structure shall be screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
14. All buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be located a minimum of 25 feet from any district boundary that permits residential uses or a legally occupied residential structure, and all buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be screened from any district boundary that permits residential uses or a legally occupied residential structure by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
15. Inoperable vehicles, outdoor storage and automobile repair activities shall be located to the rear or side yard and shall not be visible from any public right-of-way.
16. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:



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Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.

Section 9. That Section 17.16.070, Commercial uses, is hereby amended by deleting subsection F. “Automobile Service” in its entirety and replacing with the following new subsection F:
Automobile Sales, Used.

1. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
2. Driveways shall be consolidated if required by the Metro Traffic Engineer.
3. Chain link fence, barbed wire, razor wire or similar fencing is prohibited within 25 feet of a public right-of-way.
4. Fencing or walls within 25 feet of a public right-of-way shall not be more than 36 inches in height.
5. Service doors facing any district that permits residential uses or a legally occupied residential structure shall be screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
6. All buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be located a minimum of 25 feet from any district boundary that permits residential uses or a legally occupied residential structure, and all buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be screened from any district boundary that permits residential uses or a legally occupied residential structure by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
7. Inoperable vehicles, outdoor storage and automobile repair activities shall be located to the rear or side yard and shall not be visible from any public right-of-way.
8. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:

Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.

Section 10. That Section 17.16.070, Commercial uses, is hereby amended by deleting subsection I, “Car Wash”, in its entirety and replacing with the following new subsection I:



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Car Wash.

10. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
11. Whether automatic, free, self-service or by hand, the car wash structure (including wash bays) and any outdoor vacuuming machines or areas, shall be located a minimum of fifty feet from any residential zoned district or district permitting residential uses.
12. All washing facilities shall be located within a structure which is enclosed except those openings necessary for vehicular and pedestrian access. Such openings shall not face any adjacent residentially zoned property.
13. Car washing facilities shall be separated from adjacent property other than street frontage by a masonry wall of not less than six nor more than eight feet height. If adjacent property is commercially developed and a solid wall already exists on the property line, the zoning administrator may modify or waive this requirement as necessary to achieve the purpose of this section.
14. For facilities without defined stalls, a stall shall be calculated based on one stall being the equivalent to each twenty linear feet of washing area lane.
15. If located within 100 feet of a residential zone district or district permitting residential uses, operation of the establishment shall be prohibited prior to eight a.m. or after ten p.m. on any day of the week.
16. There shall be no outdoor loudspeakers or public address systems.
17. No vehicles may be stored or parked on the premises for the purpose of offering for sale.
18. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:

Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.

Section 11. That Section 17.16.070, Commercial uses, is hereby amended by deleting subsection S, “Vehicular Rental/Leasing”, in its entirety and replacing with the following new subsection S: Vehicular Rental/Leasing. This use shall be allowed as provided in the DTC zoning district. In the CF and SCR districts the use shall be limited to renting and/or leasing passenger automobiles, sport utility vehicles, pick-up-trucks (3/4 ton or less), and small cargo work vans and passenger vans (gross vehicle weight rating of not more than ten thousand pounds), including incidental parking and servicing of these vehicles for rental or lease. No motorcycle, recreational vehicles, boats, recreational equipment, moving vans or moving trucks shall be



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rented or leased from the property. In addition, no “Automobile Repair” or “Scrap Operation” activities may occur on-site and no inoperable vehicles shall be stored on the property.

Section 12. That Section 17.16.070, Commercial uses, is hereby amended by deleting subsection T, “Wrecker Service”, in its entirety and replacing with the following new subsection T:

T: Vehicular Sales and Service, Limited

1. There shall be a physical separation of any automobile display area or any parking area from the public right-of-way. The separation shall be provided by one of the following options:
 - a. A solid wall that is no less than 24 inches in height and no more than 36 inches in height. The wall shall be constructed of concrete, stone, split-faced masonry or similar materials; or
 - b. A fence that is no less than 24 inches in height and no more than 36 inches in height that includes solid masonry pillars with wrought iron or similar materials between pillars.
2. Driveways shall be consolidated if required by the Metro Traffic Engineer.
3. Chain link fence, barbed wire, razor wire or similar fencing is prohibited within 25 feet of a public right-of-way.
4. Fencing or walls within 25 feet of a public right-of-way shall not be more than 36 inches in height.
5. Service doors facing any district that permits residential uses or a legally occupied residential structure shall be screened by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
6. All buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be located a minimum of 25 feet from any district boundary that permits residential uses or a legally occupied residential structure, and all buildings, structures, inoperable vehicles, outdoor storage and automobile repair uses shall be screened from any district boundary that permits residential uses or a legally occupied residential structure by a solid wall or opaque fence with a minimum height of six feet and no more than ten feet, in addition to any required landscape buffer yard.
7. Inoperable vehicles, outdoor storage and automobile repair activities shall be located to the rear or side yard and shall not be visible from any public right-of-way.
8. Billboards and/or digital signs are not permitted. On-premises ground signs shall be limited as follows:

Lot Frontage in Feet	Max Number of Signs	Max Sign Area	Max Height
Less than 100	1	64 sq. ft.	20 ft.
100 – 299	1	100 sq. ft.	20 ft.
>300	2 (with minimum 100' separation)	100 sq. ft.	20 ft.

Section 13. That Section 17.16.090, Industrial uses, is hereby amended by deleting subsection C, “Heavy Equipment, Sales and Service”, in its entirety and relettering accordingly.

Section 14. That Section 17.32.050, Prohibited signs, is hereby amended by adding a new subsection under subsection G. as follows:



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6. Notwithstanding the foregoing provisions of this subsection signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means shall not be permitted in the CS zoning district for uses classified as Automobile repair, Automobile sales, used; Car wash and Vehicular sales and services limited.

Section 15. That Section 17.32.110, On-premises signs – I, MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN and SCN districts, is hereby amended by deleting subsection C. in its entirety and replacing with the following new subsection C:

C. The number, area, spacing and height of permanent on-premises ground signs shall be determined according to Table 17.32.110, except that land uses classified as Car wash shall be further restricted as specified in Section 17.16.070.

Section 16. That Section 17.32.120, On-premises signs – ORI, ORI-A, MUG, MUG-A, MUI and MUI-A districts, is hereby amended by deleting subsection C. in its entirety and replacing with the following new subsection C:

C. The number, area, spacing and height of permanent on-premises ground signs shall be determined according to Table 17.32.120, except that land uses classified as Car wash shall be further restricted as specified in Section 17.16.070.

Section 17. That Section 17.32.130, On-premises signs – CL, CS, CA, CF, SCC, SCR, IWD, IR and IG districts, is hereby amended by deleting subsection D. in its entirety and replacing with the following new subsection D:

D. The number, area, spacing and height of permanent on-premises ground signs shall be determined according to Table 17.32.130.D, except that land uses classified as Automobile repair, Automobile sales, used; Carwash and Vehicular sales and services limited shall be further restricted as specified in Section 17.16.070.

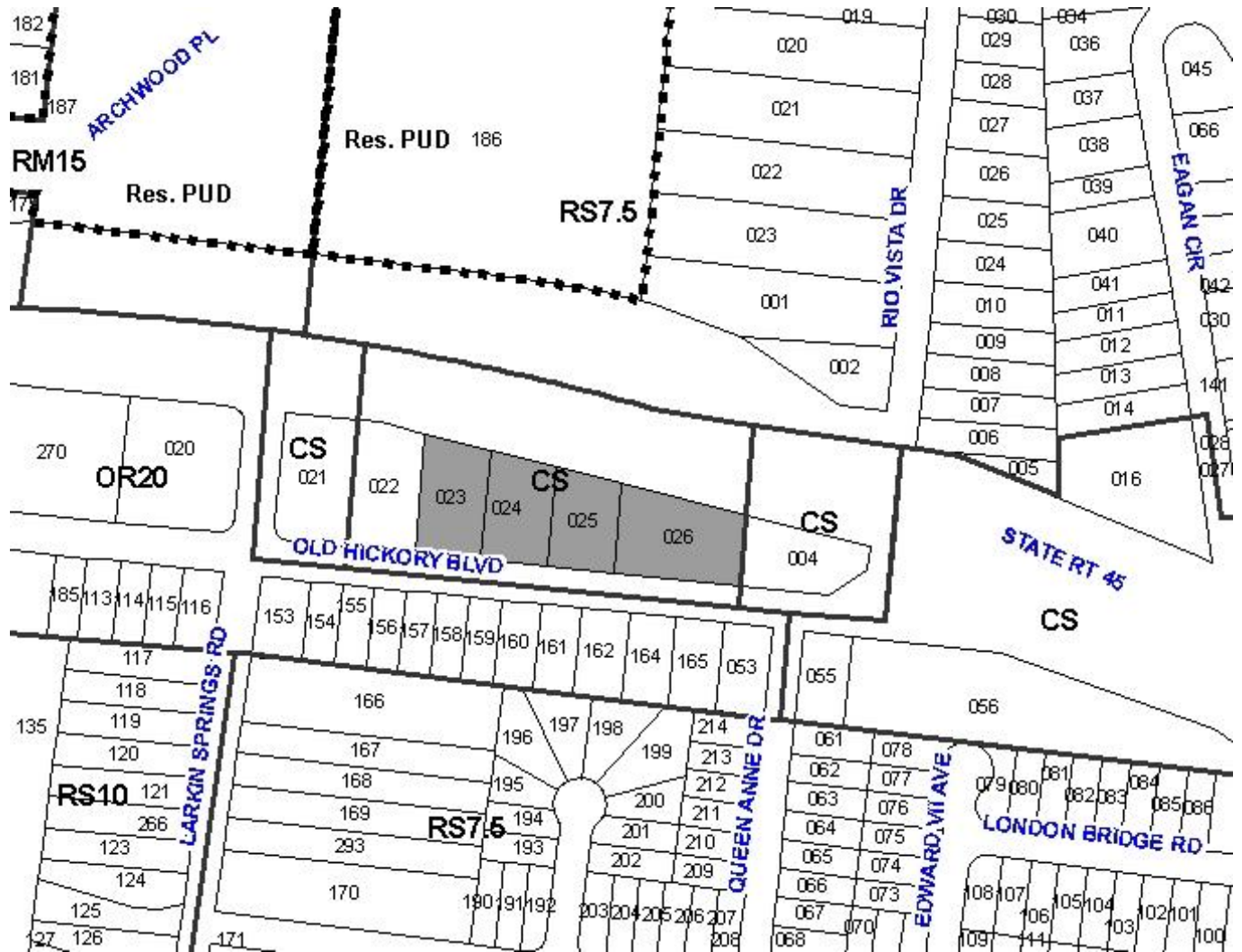
Section 18. That Section 17.32.150, Billboards, is hereby amended by deleting subsection A. in its entirety and replacing with the following new subsection A:

A. Districts Permitting Billboards. Billboards shall be permitted in the CL, CS, IWD, CF, IR, and IG districts subject to the provisions of this chapter and this title. However, billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an approved development plan by the metropolitan council; and in the CS district for uses classified as Automobile repair, Automobile sales, used; Car wash and Vehicular sales and services limited. Type I billboards are prohibited in the CL district. Type II billboards in the CL district shall be limited to those areas of a lot which are within three hundred feet of the right-of-way of a controlled access highway, and all billboards shall be oriented towards that highway.

Section 19. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember



2013SP-006-001

WRECKER SERVICE & TRANSMISSION SHOP

Map 043-15, Parcel(s) 023-026

Madison

09 - Bill Pridemore



Project No.	Zone Change 2013SP-006-001
Project Name	Wrecker Service & Transmission Shop
Council District	9 – Pridemore
School District	3 – Speering
Requested by	Azimtech Engineering, applicant, Jimmy Mitchell, owner
Staff Reviewer	Cuthbertson
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Permit wrecker services and automobile repair

Preliminary SP

A request to rezone from Commercial Service (CS) to Specific Plan – Auto (SP-A) zoning properties located at 1119 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), approximately 315 feet east of Larkin Springs Road (1.68 acres), to permit automobile repair and wrecker 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-Auto (SP-A) 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

Existing Policy

T3 Suburban Mixed Use Corridor (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.

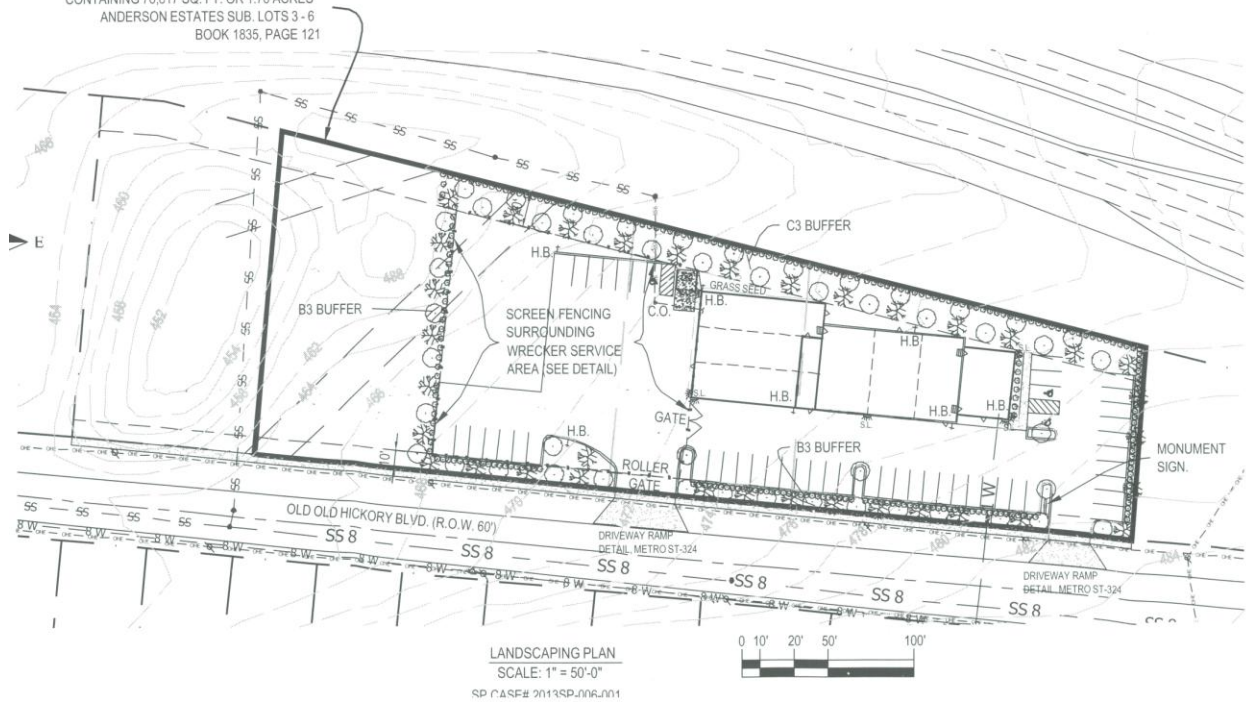
Consistent with Policy?

Yes. The Suburban Mixed Use Corridor (T3 CM) policy allows a variety of residential and non-residential development including auto related uses.

PLAN DETAILS

In 2006, a Council bill removed most automobile-related uses from the list of uses permitted under the CS zoning classification. There is currently a text amendment proposed to add most of those automobile-related uses back to the CS district as uses permitted with conditions. Wrecker Services

PROPOSED SP ZONING AREA
CONTAINING 76,817 SQ. FT. OR 1.76 ACRES
ANDERSON ESTATES SUB. LOTS 3 - 6
BOOK 1835, PAGE 121



Proposed Specific Site Plan



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however is not included on the current list to be considered for re-inclusion and will still require an SP to be permitted on property zoned CS.

This SP proposes auto repair (transmission shop) and wrecker service uses on the subject property. This SP request does not propose automobile sales. The owner intending to use the SP also owns the automobile sales property adjacent to the east.

The subject property consists of a narrow strip of land, 111 feet at its shallowest depth, situated between Old Hickory Boulevard to the south and State Highway 45 to the north. The SP will be oriented to and provide access only to Old Hickory Boulevard. There are several auto related uses along this portion of Old Hickory Boulevard, particularly to the west.

The applicant intends to construct several connected buildings on the undeveloped subject property. The largest of the buildings will be located to the west and contain the wrecker service use. Auto repair and accessory office uses will occupy the remainder of the buildings. The western portion of the parking area intended to serve the wrecker service will be contained within an eight foot tall screening fence, including gates at both external and internal access points. The developed portion of the site will be surrounded by a landscape buffer.

The SP proposes two vehicular entrances to the site from Old Hickory Boulevard. The western entrance will be utilized specifically for the wrecker service portion of the site. A sidewalk will be constructed along the entire frontage of the site. A landscape buffer will be provided along the Old Hickory Boulevard frontage in between the proposed sidewalk and parking area.

Signage on the site will be limited to one monument sign and wall mounted signage. A monument sign on the site will be limited in size to a maximum of forty-nine square feet and not exceed six feet in width or three feet in height if located within fifteen feet of a driveway. The monument sign location shown on the plan is within fifteen feet of the proposed eastern driveway. Wall mounted signs will be no greater than forty-eight square feet and shall not cover more than twenty percent of the building façade upon which they are affixed. Pole signs and billboards are not permitted with this SP.

PUBLIC WORKS RECOMMENDATION

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.

WATER SERVICES RECOMMENDATION

This property is provided Madison Water and Metro Sewer. Comments will be issued upon final SP stage. Capacity fee payments will be due then.

STAFF RECOMMENDATION

Staff recommends approval of the SP request with conditions.

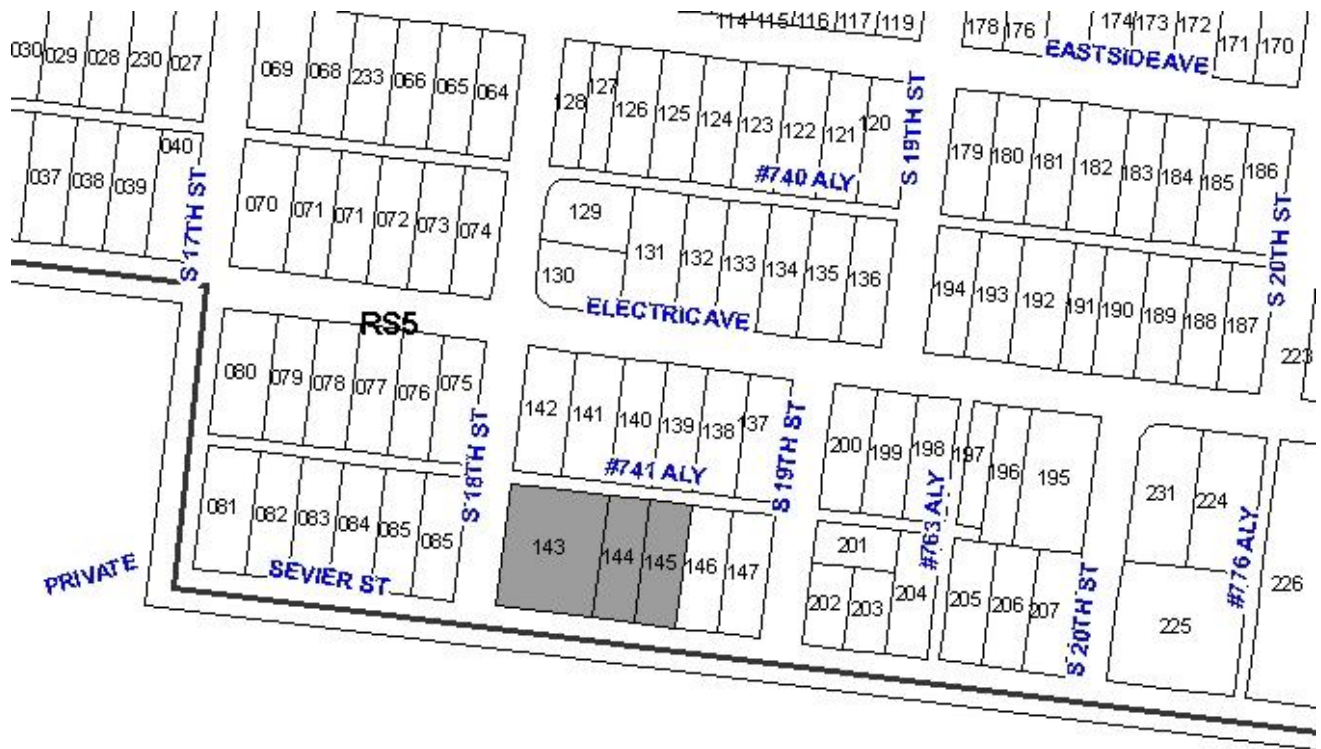
CONDITIONS

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works.
2. This SP shall only permit automobile repair and wrecker services.



Metro Planning Commission Meeting of 02/14/2013

3. Modify Note 13 to read: 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 MUL zoning district as of the date of the applicable request or application.
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 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.
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.
7. 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.



R6
229

2013SP-008-001
 CATHEDRAL HOMES PARK
 Map 094-02, Parcel(s) 143-145
 East Nashville
 06 - Peter Westerholm



Project No.	Zone Change 2013SP-008-001
Project Name	Cathedral Homes Park SP
Council District	6 – Westerholm
School District	5 – Kim
Requested by	Garafola Properties, LLC, applicant, James I. Johnson Et ux, owner
Staff Reviewer	Johnson
Staff Recommendation	<i>Defer to February 28, 2013 Planning Commission meeting.</i>

APPLICANT REQUEST

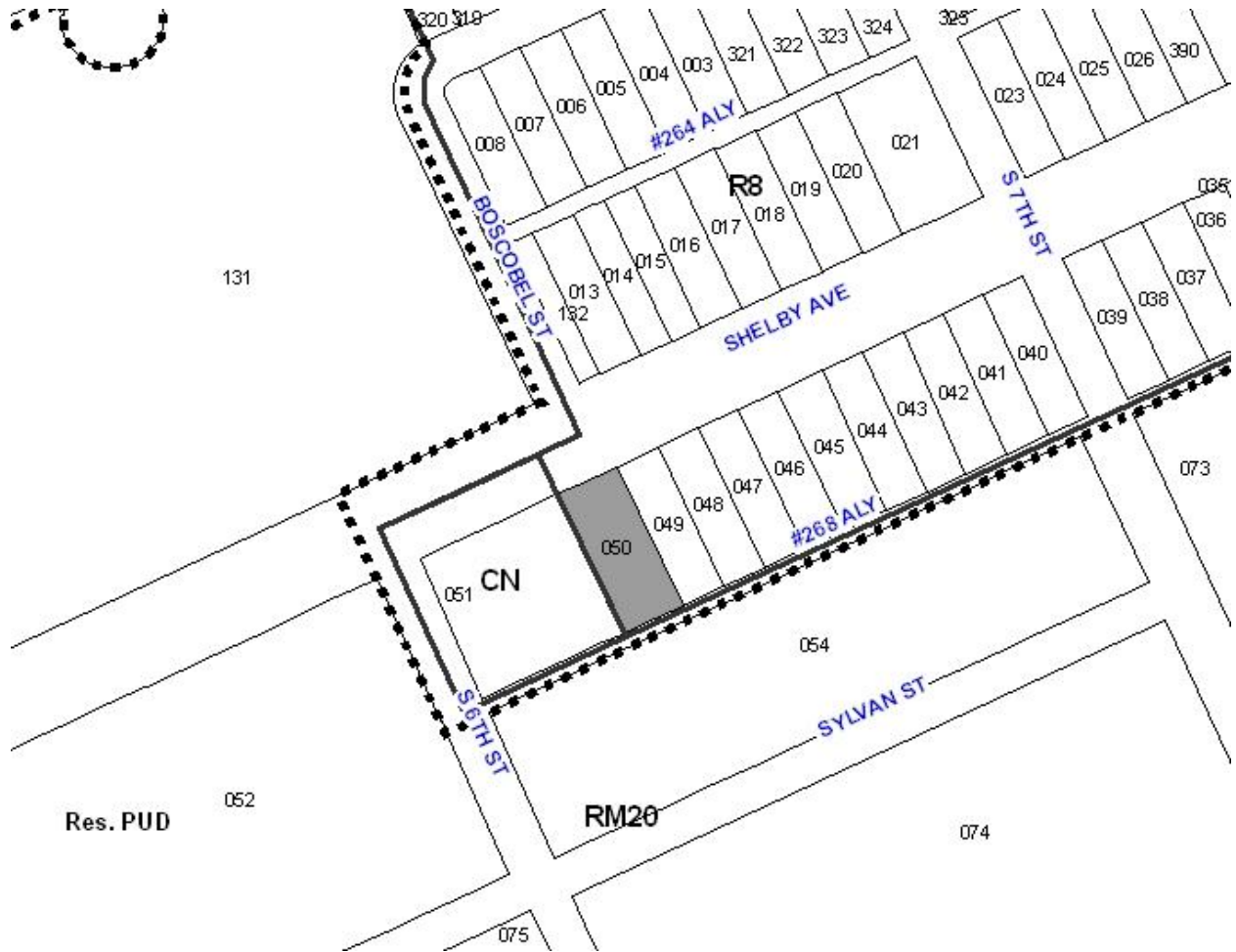
Permit ten detached dwellings

Preliminary SP

A request to rezone from RS5 to SP-R zoning for properties located at 1801, 1805 and 1807 Sevier Street, at the northeast corner of Sevier Street and S. 18th Street (0.7 acres), to permit up to ten detached single-family dwelling units.

STAFF RECOMMENDATION

As requested by the applicant, staff recommends deferral of this request to the February 28, 2013, Planning Commission meeting, in order to address comments from Metro departments for the preliminary SP.



2012NL-002-002
 THE ICM FOUNDATION (DEVELOPMENT PLAN)
 Map 093-04, Parcel 050
 East Nashville
 06 - Peter Westerholm



Project No.	Neighborhood Landmark 2012NL-002-002
Project Name	The ICM Foundation (Development Plan)
Associate Case	2012NL-002-001
Council Bill	BL2012-327
Council District	9 – Westerholm
School District	5 – Kim
Requested by	The ICM Foundation, owner, and the Metro Historical Commission, applicant.
Staff Reviewer	Diaz-Barriga
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Neighborhood Landmark Development Plan to permit retail, office (general), and religious institution uses within an existing building.

Neighborhood Landmark Development Plan

A request for approval of a Neighborhood Landmark Development Plan for property located at 608 Shelby Avenue, opposite Boscobel Street, (0.26 acres), zoned One and Two Family Residential (R8) and located within the Edgefield Historic Preservation Overlay District, to permit retail, office (general), and religious institution uses.

Existing Zoning

One and Two Family Residential (R8) requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.79 dwelling units per acre including 25% duplex lots.

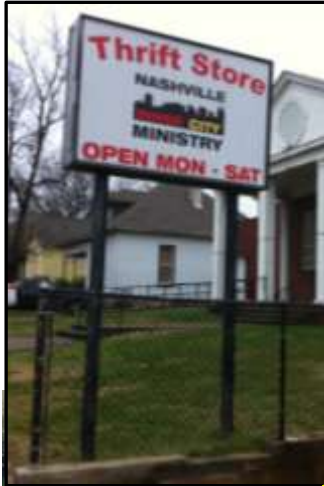
Neighborhood Landmark Overlay District (NLOD) is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

HISTORY

The Planning Commission recommended that Council approve the Neighborhood Landmark Overlay District at the December 13, 2012, meeting. Because the building has served the community for over 60 years, first as a church and now as a community outreach center, the Neighborhood Landmark Overlay District was approved by Council on January 16, 2013. The development plan, the second step in the application of the NLOD, outlines the permitted uses of the structure. It is intended to protect the character of the district and neighborhood, demonstrate compliance with the intent of the NLOD, and ensure compatibility with surrounding uses.

The ICM Foundation does not intend to alter the existing facility in any way. The ICM Foundation intends to use this facility to reach out to the surrounding neighborhood and provide a multitude of community services. Their goals include helping community members with clerical assistance in endeavors such as setting up free checking accounts, enrolling in GED classes, and developing resumes, providing an affordable retail option for neighbors in the form of a thrift store, and providing spiritual counseling and Bible studies to patrons upon request.

The ICM Foundation Neighborhood Landmark Development Plan



DEVELOPMENT SCHEDULE:

No new development planned; all existing structures, fencing, lighting, signage and landscaping to remain.

Outdoor display of thrift store merchandise is prohibited.

 NL Boundary



NLO# 2012NL-002-001

Map: 093-04, Parcel 050

Council District: 06 (Peter Westerholm)

Base Zoning: R8

Subarea: 5 (East Nashville)

Acreage: 0.26 acres

Finished Building Area: 10,484 SF

Purpose: The purpose of this NLO Development Plan is to recognize the property at 608 Shelby Avenue as a Neighborhood Landmark. This NLO does not permit any new construction, but only recognizes what currently exists. New construction or expansion is permitted pursuant to the base zoning district.

Existing Uses: Retail—Thrift Store
Office, General
Religious Institution

Permitted Uses: Same as existing uses

Per 17.40.160.E "Permitted Land Uses", additional uses may be permitted, provided they are determined by the planning commission to be compatible with, and sensitive to, abutting properties and the overall neighborhood fabric and appropriate to preserve and maintain the district. Additional uses will require a submittal of a revised development plan and a public hearing.

Parking: A parking area is available adjacent to the North property boundary. Additional parking requirements will be reviewed and determined with any revised development plan.

Standards: No outdoor display of merchandise is permitted. No additional signage is permitted.

Signage: Signage shall be limited to the existing sign. Sign shall not be lit. No banners or temporary signs shall be hung from the building, nor shall they be placed on any temporary or permanent structure on the property.



Metro Planning Commission Meeting of 02/14/2013

PLAN DETAILS

The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan, to implement the District, requires the approval of the Planning Commission only. This development plan does not include any additions or changes to the existing building. It also does not allow for demolition or alterations of the existing structure, other than for routine maintenance.

Uses

The plan describes the ways the building can be used to meet the intent of the Neighborhood Landmark District. Based on the current uses of the facility, the permitted uses include:

- Retail (thrift store),
- Office (general), and
- Religious Institution uses.

Signage

Signage will be limited to the existing sign. No additional signage, be it permanent or temporary, will be permitted.

Parking

Existing parking areas will be utilized and any future changes in use to the Neighborhood Landmark Overlay will require the Planning Commission to approve a revised Development Plan.

Outdoor Display

No outdoor display of merchandise will be permitted.

PUBLIC WORKS RECOMMENDATION

Approve with conditions

- If any renovations are to be completed 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.

STAFF RECOMMENDATION

Staff recommends approval of the development plan. This landmark allows the continuation of a community outreach and service program that has been place since 1951.