



MEMORANDUM

Date: December 21, 2023

To: Luke Winchester, Chairman
and Planning Commission

From: Jennifer Hamblen, Planning Director
Jon Baughman, Deputy Planner

Re: Andy's Frozen Custard 4024 NMJR
Site Plan
Map - 054
Parcel(s) – 132.02

Request: Submitted by Para Design, on behalf of 4024 Mt. Juliet Road Trust, requests Site Plan approval for a 1,967sf drive through and walk up ice cream retailer at what is presently 4024 N. Mt. Juliet Road in District 1.

Analysis: This project is proposed for the west side of NMJR at the corner with Sunset Drive, 4024 NMJR currently contains an urgent care facility (approx. 1.3ac. parcel area). The proposal is to place the drive through between the existing urgent care building and the strip center (Shiloh Music, 4066 NMJR) to the north on an 0.66 acre lot, subdivided from 4024 NMJR. The property is zoned CTC. The drive through use is permitted in CTC zoning. A subdivision plat has not yet been submitted and will be required.

Bulk Regulations: The site will be heavily developed. Bulk calculations were calculated with a post subdivision area of 28,675sf lot in mind and a building footprint of 1,967sf. Building coverage is within spec at nearly 7% (50% max.). Impervious surface cover 68% of the site (70% max.). Setbacks are incorrectly displayed, revise to anticipate the lot division. Building height is specified as 25' 9" (35' max.).

Parking: The number of parking spaces is adequate with 17 spaces, one ADA accessible. Thirteen are required by code. Three spaces are provided behind (west) of the urgent care facility and will eventually be located off site post subdivision. Parking spaces are adequately sized and wheel stops are not proposed. Sufficient drive aisle width is compromised at the north side of the site relative to proposed lot lines, a portion of this drive will be on adjacent property and require an easement.

Access: The drive through is proposed to utilize two existing access points, one off Sunset and one off NMJR already serving this strip center. Both access points allow full vehicular movement. As this is a drive through, a bypass lane and vehicle stacking space is required and provided (12' wide drive through and bypass lanes and at least five car stacking space). The drive through side of the building faces south. Because the site is small and heavily developed, access to the site is restricted to crossing adjacent parcels to the north, adjacent to the strip center and behind the urgent care, the developer proposes to establish access easements with the final plat.

Landscaping and Buffering: The location is subject to a Type D landscape buffer along the western property line where commercial zoning abuts residential zoning. Landscape plans are currently under review. Comments are forthcoming via separate cover. All comments shall be addressed before subsequent submittals.

6-103.7 Commercial Design Standards: Feedback was given to the applicant at open tech review regarding the building elevations and the applicant has listened and revised the plans accordingly. The building is primarily brick, glazing and nichiha with aluminum trim pieces (waiver detailed below). Red and white LED decorative lighting elements are proposed. HVAC equipment is screened and ground mounted. Wall mounted utility and meter equipment shall be painted to match the building façade and wall paks are not permitted should wall mounted lighting be proposed.

Other: A trash can and bike rack, and details, are provided and adequate. Notes provided indicate all poles, posts and bollards will be painted black or colors complimentary to the primary structures. The dumpster location is challenging and as a compromise a paved and striped path is provided. The dumpster enclosure detail indicates compliance with code requirements. The lighting fixtures provided are D style and are commonly found in the City. Also, there are retaining walls to be constructed of segmental block.

Waivers/Variances: The following waiver is requested:

1. 6-103.7: Secondary materials as follows: south façade 7% nichiha, north 11%, west 22%, east 80% **STAFF SUPPORT THE WAIVER FOR THE ELEVATIONS AS SHOWN.**

Summary: The site is heavily developed yet meets most code requirements. The building façade and design and façade material waiver is subject to Planning Commission approval. Remaining issues are found in the conditions of approval below.

Recommendation: Staff recommends approval of the Site Plan for Andy's Frozen Custard on N. Mt. Juliet Road, subject to the conditions below.

Planning and Zoning:

1. Submit a subdivision plat.
2. Commercial Design Standards 6-103.7 shall be met unless a waiver is granted by Planning Commission.
3. All brick shall be clay, baked and individually laid.
4. All wall mounted utility equipment and meters shall be painted to match the building façade.
5. Light bleed shall be zero at the right-of-way, and at property line adjacent to residential.
6. Should wall mounted lighting fixtures be used they shall be decorative; wal paks are not permitted. All lighting shall be decorative in nature.
7. There shall be no signage placed on the interior or exterior of the proposed retaining walls.
8. Wall signage shown on elevations is subject to review in a separate submittal. Signs are not approved at this time.

Public Works:

1. Drainage report under preliminary review. A comprehensive review of the drainage report will take place at the construction plan review phase.
2. Analyze TDOT Q₅₀ flows when discharging into the NMJR storm system.
3. Provide water quality for discharge from the dumpster.
4. Upgrade sidewalk to 6' wide along NMJR across property frontage.
5. Review of traffic screening form yielded no additional traffic impact analysis for this site.
6. Sewer availability is currently under review.

West Wilson Utility District:

1. There will be no light poles located within the water line easement.
2. The storm line between Structure 6 and 7 shall have at a minimum of 18" vertical clearance between from the water line.

Mt. Juliet Fire Marshal:

1. Building will have a commercial fire alarm following NFPA 72.