

9. **2006SP-159U-03**
Fern Avenue Lofts: Amendment #1
Map 071-14, Parcels 029, 031, 059
Subarea 3 (2003)
Council District 2 - Frank R. Harrison

A request to amend the previously approved Fern Avenue Lofts Specific Plan for properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.26 acres), by adding .19 acres of land located at 1204 Brick Church Pike and zoned CS to existing SP so as to construct 65 multi-family dwelling units where 45 were previously approved on two properties, requested by Dale & Associates, applicant, for Nashville Ovation,

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend Preliminary SP

A request to amend the previously approved Fern Avenue Lofts Specific Plan for properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.26 acres), by adding and changing .19 acres of land located at 1204 Brick Church Pike and zoned Commercial Service (CS) to Specific Plan-Residential (SP-R) to allow 64 multi-family dwelling units on three properties, where 45 were previously approved on two properties.

Existing Zoning

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

Proposed Zoning

SP-R District - Specific Plan-Residential 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 only one residential building type.

BORDEAUX/WHITES CREEK COMMUNITY PLAN

Community Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? Yes. This property sits at the intersection of Fern Avenue and Brick Church Pike, near Interstate 65. The property proposed for rezoning is in the middle of an area zoned commercial and near the edge of a residential neighborhood. The multi-family development will serve as a transition and a buffer between these two uses.

PLAN DETAILS

Site Plan The plan proposes 64 multi-family units in a 4-story building. The development crosses an unbuilt alley right-of-way that will need to be abandoned prior to final plat recordation. Additionally, the property fronts on an unbuilt street, Evergreen Avenue, which will be constructed with this development.

The building wraps around the Brick Church Pike, Fern Avenue and Evergreen Avenue street edges of the property, while parking is located within a proposed parking structure within the building. The buildings have a strong presence on the street and sidewalks are proposed on all three block faces. The combination of these two elements will help create a pedestrian friendly environment at this location. A small courtyard is located inside the site to provide a usable open space area for the residents.

Ninety-five parking spaces are included, which meets the requirements of the Metro Zoning Ordinance.

The majority of the parking spaces are located in the garage in the first floor of the building. The garage level of the building will be below grade for half of the elevation. The access to the parking is proposed to be gated, but pedestrians will be able to access the units from Fern Avenue.

Architectural elevations were only submitted for the Fern Avenue and Brick Church Pike frontages. All elevations must be submitted for review with the SP final site plan. The elevations indicate the materials will be split face block, brick and synthetic stucco.

PUBLIC WORKS RECOMMENDATION All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

- Identify Alley #2007. Alley to be abandoned in its entirety.
- Construct Evergreen Avenue along property frontage, per the standards and specifications of the Department of Public Works.
- Identify plans for recycling collection. Coordinate solid waste collection and disposal plan with the Department of Public Works Solid Waste Division. Provide a twenty five (25') foot minimum overhead clearance.
- Along Fern Avenue, construct a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
- Along Brick Church Pike, construct a five (5') foot furnishing zone and six (6') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
- Provide documentation of adequate sight distance at project access locations, and at the intersection of Brick Church Pike and Fern Avenue resulting from the proposed development.
- On-street parking is currently prohibited along Fern Avenue. Changes to such will require approval of the Metro Traffic and Parking Commission at the time of development.

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	1.26	36	45	326	28	32

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	1.26	52	65	446	37	43

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+20	+120	+9	+11

STORMWATER RECOMMENDATION Preliminary SP Approved Except as Noted:

- Access Note:
(Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)

- C/D Note:
(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)

NASHVILLE ELECTRIC SERVICE RECOMMENDATION

1. Developer to provide high voltage layout for underground conduit system and proposed transformer locations for NES review and approval
2. Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning)
3. NES can meet with developer/engineer upon request to determine electrical service options
4. NES needs any drawings that will cover any road improvements to any of the public r-o-w's that Metro PW might require
5. Developer should work with Metro PW on street lighting required future location(s) due to Metro's requirements
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules
7. NES needs load information asap for each different lot type and size. (NES required to determine load capacity)
8. In addition to a conditional approval of this plan to providing NES with a site electrical plan that will meet NES requirements, it appears that some relocation of the 3-phase 23.9 kV high voltage lines that are located on this site's side of the road (see attached map).
9. NES must require the developer meet with NES to plan for relocations and/or easements to provide the necessary clearances to meet the National Electrical Safety Code and any OSHA clearances during construction.

METRO SCHOOL BOARD REPORT

Projected student generation 14 Elementary 10 Middle 12 High

Schools Over/Under Capacity Students would attend Alex Green Elementary School, Ewing Park Middle School, or Whites Creek High School. None of these schools have been identified as being over capacity by the Metro School Board.

STAFF RECOMMENDATION Staff recommends approval with conditions. The development meets the policy and serves as a transition between the residential neighborhood and commercial area.

CONDITIONS

1. The backflow preventer must be located within the building, as indicated on the plans.
2. Add a B-5 buffer along the southern property line. In areas where the retaining wall is approximately 5' from the property line, include landscaping similar to that currently shown on the plan.
3. Show correct density on cover sheet of plan.
4. Show access to the stair towers on the plan.
5. A final consolidation plat must be recorded prior to the issuance of any building permit.
6. All elevations must be submitted for review with the SP final site plan.
7. The Fern Avenue elevation must be revised with the SP final site plan submittal to depict a flat parapet, smaller pedestrian entrance, and enclosed stairwells between the blocks of units.
8. The final SP site plan shall include a site utility electrical plan that satisfies NES and Planning Department requirements.

9. This SP is limited to multi-family residential use.
10. 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 RM60 zoning district as of the date of the applicable request or application.
11. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and 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. 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.
12. 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.
13. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions, **(6-0) Consent Agenda**

Resolution No. BL2008-7

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-159U-03 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. The backflow preventer must be located within the building, as indicated on the plans.
2. Add a B-5 buffer along the southern property line. In areas where the retaining wall is approximately 5' from the property line, include landscaping similar to that currently shown on the plan.
3. Show correct density on cover sheet of plan.
4. Show access to the stair towers on the plan.
5. A final consolidation plat must be recorded prior to the issuance of any building permit.
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13. 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.

The proposed amendment to the previously approved SP-R district to allow for 64 multi-family units is consistent with the Bordeaux/Whites Creek Community Plan's Community Center policy, which is for areas intended to become town center, and includes a mixture of uses such as residential, offices, commercial retail and services and public benefit uses."