

13. **2007SP-171G-14**  
Old Hickory Village Condos and Neighborhood Center  
Map 044-15, Parcels 020, 021, 030, 023, 440, 441  
Subarea 14 (2004)  
Council District 11- Darren Jernigan

A request to change from CS to SP-MU zoning properties located at 803 Elliston Street, Ninth Street (unnumbered), Hadley Avenue (unnumbered), Donelson Avenue (unnumbered), and Elliston Street (unnumbered), at the southeast corner of Donelson Avenue and Elliston Street (5.25 acres), to permit the development of a maximum of 91 multi-family units and a maximum of 45,000 square feet of non-residential uses, requested by American Engineers, Inc., applicant, for James and Carolyn Yates, owners.  
**STAFF RECOMMENDATION: Approve with conditions.**

**APPLICANT REQUEST - Preliminary SP**

A request to change from Commercial Service (CS) to Specific Plan-Mixed Use (SP-MU) zoning properties located at 803 Elliston Street, Ninth Street (unnumbered), Hadley Avenue (unnumbered), Donelson Avenue (unnumbered), and Elliston Street (unnumbered), at the southeast corner of Donelson Avenue and Elliston Street (5.25 acres), to permit the development of a maximum of 91 multi-family units and a maximum of 45,000 square feet of non-residential uses.

**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-MU District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

**DONELSON/HERMITAGE COMMUNITY PLAN**

*Structure Policy*

**Neighborhood Center (NC)** NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial 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.

*Old Hickory Village Detailed FNeighborhood Design Plan*

**Mixed Use (MU)** MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

**Consistent with Policy?** Yes. The Specific Plan shows townhomes with a transition to single-family lots on the southern portion of the site. The portion along Donelson Avenue calls for a mixed-use building with a variety of uses.

#### **PLAN DETAILS**

**Site Plan** This is the site of the Old Hickory Village shopping center, which burned in 2004. This site historically functioned as a town center and the plan attempts to recreate a walkable center. The plan calls for two sub-districts. Sub-district 1 is a future neighborhood center that lines Donelson Avenue. The building(s) will be a maximum of three stories and will permit a mixture of uses, including office or residential on the second and third floors. The parking for this sub-district is located behind the building(s).

Sub-district 2 calls for both single-family cottages and townhomes, totaling approximately 74 dwelling units. The cottages are located on the southern border of the site and provide a transition into the existing single-family neighborhood. The townhomes are between the future neighborhood center and the cottages. These units front either the street or an interior green.

**Sidewalks** Sidewalks are required on both sides of the new street and along Elliston Street, Donelson Avenue, and Hadley Avenue.

**Access** There is one access point from Donelson Avenue. Eighth Street will be extended from Hadley Avenue to Elliston Street and will provide additional access.

**Parking** Sub-district 2 has two parking spaces per unit. Elliston Avenue, Hadley Avenue, and the extension of Eighth Street are lined with parallel parking. Sub-district 1 requires parking at UZO standards, to be determined at the time of development. Based on actual uses and size of development.

**STORMWATER RECOMMENDATION** Preliminary SP approved.

#### **PUBLIC WORKS RECOMMENDATION**

1. Provide professional seal from the State of Tennessee. Verify drawing scale of proposed plan. Two different scales are shown on the plan.
2. Identify boundary of the Specific Plan.
3. Identify property boundary.
4. Identify the number of residential units, and number of bedrooms of residential units. Identify square footage of office / retail / commercial (non residential). This is required to establish required parking and trip generation.
5. It appears this development is expected to generate more than one hundred (100) peak hour trips. In accordance with Metro's traffic study guidelines, a traffic impact study is required.
6. Redesign proposed alley and roadway network south of N. Eighth Extension. Plan appears to dedicate right of way and constructs a roadway (Debow Street) on an adjacent property. Identify the limits of construction. Identify the existing locations and dimensions of Debow Street and Dodson Street. These are private street easements and public utility easements. Provide documentation from adjacent property owners stating agreement with the additional usage on their private street. How will this be handled within the neighborhood association agreements.
7. Identify plans for sub-district 1 "Future Neighborhood Center". Identify proposed connectivity with sub-district 2 and access locations.
8. Within the specific plan narrative under Sub-District 2: Additional Standards "There shall be no more than one secondary dwelling unit per lot." Identify lots that will have two dwelling units.

This will have a significant impact on parking required.

9. Show and dimension right of way and pavement width along Elliston Street, Donelson Avenue, Hadley Avenue, N. Eighth Extension, and Eighth Avenue. Label and dedicate right of way 30 feet from centerline to property boundary along Donelson Avenue and Hadley Avenue, consistent with the approved major street / collector plan.
10. Align proposed N. Eighth Extension centerline / westbound thru travel movement with Eighth Avenue.
11. Identify all locations of proposed on-street parking and off-site parking. Widen Elliston and Hadley Streets to accommodate on-street parking. Identify locations of all proposed on-site parking.
12. Identify proposed shared parking plans as indicted in the SP narrative.
13. Identify plans for solid waste collection and disposal. Identify dumpster pad locations. Service truck pickup routes to accommodate SU-30 turning movements.
14. What is proposed for postal service?
15. Label Alleys north of N. Eight Extension as private. Show a minimum twenty (20') foot drive width. Alleys to accommodate SU-30 turning movements. Drive width and parking stall depth to accommodate passenger car turning movements. Provide alley connectivity or construct turnarounds at the terminus of a dead-end, greater the one hundred fifty (150') feet from an intersection.
16. Identify sidewalk requirement locations along N. Eighth Extension, Hadley Avenue, Elliston Street, and Donelson Avenue. Identify proposed sidewalk width, grass area / furnishing zone, curb & gutter, and pavement width. Along Donelson Avenue and Hadley Avenue, construct a five (5') foot furnishing zone and six (6') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways. Locate public sidewalks within the right of way. Construct sidewalks in accordance with the Department of Public Works standards and specifications.
17. All roadways are to be constructed to the Department of Public Works standards and specifications. The typical roadway sections on the plan conflicts with the proposed street sections in the narrative document.
18. Identify setbacks / easements along right of way. The plan appears to conflict with the narrative document.

The Old Hickory Village SP is deficient in specific details and requirements as outlined in the SP submittal checklist as required for the Council Development Plan submittal.

Public Works is willing to let the zoning request proceed through the process as long as all parties and agencies agree that all Public Works requirements will be satisfied on the final SP and understand that significant revisions may be required with the development layout.

**Typical Uses in Existing Zoning District: CS**

| Land Use (ITE Code)  | Acres | FAR   | Total Square Feet | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------|-------|-------|-------------------|-----------------------|--------------|--------------|
| General Office (710) | 3.6   | 0.198 | 31,049            | 543                   | 74           | 114          |

**Typical Uses in Proposed Zoning District: SP**

| Land Use (ITE Code)  | Acres | FAR   | Total Square Feet | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------|-------|-------|-------------------|-----------------------|--------------|--------------|
| General Retail (814) | 3.6   | 0.169 | 45,000            | 1,963                 | 43           | 130          |

**Typical Uses in Proposed Zoning District: SP**

| Land Use (ITE Code)              | Acres | Density | Total Dwelling Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------------------|-------|---------|----------------------|-----------------------|--------------|--------------|
| Residential Condo/Townhome (230) | 3.6   | N/A     | 91                   | 593                   | 48           | 56           |

**Change in Traffic Between Typical Uses in Existing and Proposed Zoning District**

| Land Use (ITE Code) | Acres | -- |        | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|----|--------|-----------------------|--------------|--------------|
| --                  | 3.6   |    | -4,547 | 2,013                 | 17           | 72           |

**METRO SCHOOL BOARD REPORT**

**Projected student generation    15 Elementary    10 Middle    7 High**

**Schools Over/Under Capacity** Students would attend Dupont Elementary School, Dupont-Hadley Middle School, or McGavock High School. McGavock High School has been identified as being over capacity by the Metro School Board. There is capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated April 2007.

**STAFF RECOMMENDATION** Staff recommends approval with conditions because the request is consistent with policy and creates a mixed-use development with a pedestrian-oriented streetscape.

**CONDITIONS**

1. Change cottages to east side of Debow Street and townhomes to west side of Debow Street.
2. Clearly show boundary of SP.
3. Include survey of all properties and make sure the ownership is correct.
4. Cross access easements will be required to the east and the west in the parking for the future neighborhood center.
5. Line up alley between lots 21 and 22.
6. Include corrected plan on page 12.
7. Show sidewalks on both sides of 8<sup>th</sup> Avenue.
8. Submit phasing plan.
9. Submit landscape plan with SP final site plan.
10. Sub-district 1 is limited to multi-family, single-family, home occupation, cultural center, religious institution, day-care, personal instruction, community education, financial institution, general office, leasing/sales office, medical office, outpatient clinic, rehabilitation services, veterinarian,

- bed and breakfast, hotel, personal care services, restaurant (full service), restaurant (take-out), retail, audio/video tape transfer, multi-media production, printing and publishing, club, commercial amusement (inside), rehearsal hall, theater, and temporary festivals. Sub-district 2 is limited to townhomes and single-family.
11. 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 for Sub-district 1 and RM20 zoning district for Sub-district 2 as of the date of the applicable request or application.
  12. 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.
  13. 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.
  14. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Ms. Logan presented and stated that staff is recommending approval with conditions, which included an additional condition regarding a bike lane as requested by Councilman Jernigan.

Mr. Allan Welch, 1006 9<sup>th</sup> Street, spoke in opposition to the proposed zone change.

Mr. Donald Swartz, 809 Lawrence St., spoke in favor of the proposed zone change.

Ms. Carolyn Yates, 904 Hadley Ave., spoke in favor of the proposed zone change.

Councilman Jernigan spoke in favor of the proposed zone change. He spoke of the website in which his residents could view the plans for this development.

Mr. Scott Hamilton, 805 Elliston Street, spoke in opposition to the proposed zone change.

Mr. Ron Coleman, American Engineers, spoke in favor of the proposed change.

Mr. Phil Smith, 800 Elliston Street, expressed issues with the proposed zone change.

Mr. Dalton requested additional clarification regarding the parking that would be included in the proposal.

Ms. Logan stated that there were two parking spaces for each unit as well as additional parking.

Ms. Jones spoke in favor of the proposal.

Mr. Clifton acknowledged the planning including in this request. He spoke in favor of mixed use for this area inasmuch as it would build the community as well as assist with sustaining property values in the area.

Ms. Cummings mentioned issues with traffic flow, but then acknowledged that the conditions included in the proposal would minimize its affects. Ms. Cummings then mentioned the school situation in the area and requested whether the School Board had any issues with the additional students.

Mr. Bernhardt stated that the School Board did not have any issues.

Mr. Gotto spoke in favor of this rezoning in that it was an SP which will allow input from the Council. He stated that it was a good concept plan.

Mr. Gotto moved and Ms. Nielson seconded the motion, which passed unanimously, to approve with conditions Zone Change 2007SP-171G-14.

Ms. Nielson asked for additional clarification regarding the streets included in the proposal.

Mr. Bernhardt explained this concept to the Commission. **(8-0)**

**Resolution No. BL2007-391**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-171G-14 is **APPROVED WITH CONDITIONS, including a condition that staff evaluate the possibility of including bicycle lanes in the Final SP site plan. (8-0)**

**Conditions of Approval:**

1. Change cottages to east side of Debow Street and townhomes to west side of Debow Street.
2. Clearly show boundary of SP.
3. Include survey of all properties and make sure the ownership is correct.
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14. 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 mixed-use SP zoning district is consistent with the Donelson/Hermitage/Old Hickory Community Plan's Neighborhood Center policy, which is intended for mixed use areas that act as local centers and include residential uses, and its Mixed Use Detailed Policy, which calls for a mixture of uses that are mixed horizontally and vertically."**

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The Commission recessed at 6:13 p.m.

Mr. Clifton left the meeting at 6:30 p.m.

The meeting resumed at 6:33 p.m.