

3. **2008SP-023U-13**
Bakertown
Maps: 134-15, 148-00, 148-02, 148-03
Parcels: various
Antioch/Priest Lake Community Plan
Council District 28 – Duane A. Dominy
Staff Reviewer: Kathryn Withers

A request to rezone from R8, R10, and CS zoning districts to SP-MU zoning to create a new specific plan known as "Bakertown Specific Plan" for properties along Antioch Court, Antioch Pike, Bakertown Road, Cherokee Court, Cherokee Hills Drive, Cherokee Place, Ezell Road, Gasser Drive, Haystack Lane, Jansing Drive, Luna Drive, Rader Drive, and Spann Court (87.79 acres), to establish development and sign standards, and regulate land uses, requested by the Metro Planning Department, sponsored by Councilmember Charlie Tygard.

Staff Recommendation: Approve with conditions, subject to approval of the associated Community Plan Policy Amendment

APPLICANT REQUEST - Preliminary SP

A request to rezone from One and Two-Family Residential (R8 and R10), and Commercial Service (CS) zoning districts to Specific Plan – Mixed Use (SP-MU) zoning to create a new specific plan known as "Bakertown Specific Plan" for properties along Antioch Court, Antioch Pike, Bakertown Road, Cherokee Court, Cherokee Hills Drive, Cherokee Place, Ezell Road, Gasser Drive, Haystack Lane, Jansing Drive, Luna Drive, Rader Drive, and Spann Court (87.79 acres), to establish development and sign standards, and regulate land uses.

Existing Zoning

R8 District-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.

R10 District-R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

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-Mixed Use 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.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Existing Policies

Residential Low Medium (RLM) - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Commercial Mixed Concentration (CMC) - CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Proposed Policies

T3 Suburban Potential Open Space (T3 POS) - T3 POS policy is intended to preserve and enhance existing open space in suburban areas. T3 Suburban Open Space Policy includes public parks and may also include private land held in conservation by land trusts and private groups or individuals. A variation of T3 Suburban Open Space – *T3 Potential Suburban Open Space* – may also be utilized to create open space by identifying areas that should be used for suburban open space in the future.

T3 Suburban Neighborhood Evolving (T3 NE) -T3 NE policy is intended to create suburban neighborhoods that are compatible with the general character of classic suburban neighborhoods as characterized by their building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern will have higher densities than classic suburban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing - challenges that were not faced when the original classic, suburban neighborhoods were built.

T3 Suburban Mixed Use Corridor (T3 CM) - 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. As discussed in the accompanying staff report for the plan amendment, the proposed community character policies were chosen based on the development models that the community participants identified as desirable for their neighborhood. The proposed SP implements that vision and the proposed policies.

PLAN DETAILS The request for this SP was prompted by the difficulties of maintaining a single-family, owner occupied, residential environment directly opposite an active industrial area along a busy arterial street with pressure to rezone to a commercial district. The resulting SP is the product of a series of three community meetings held in the Bakertown Community in June and July. At those meetings, the community expressed a desire for a pedestrian friendly “main-street” environment featuring convenient retail opportunities that are lacking in this area and a willingness to consider additional housing opportunities to support that retail. The final concept and development scenario was presented to the community on July 31. The draft document has been posted for public review on the Planning Department website and at both the Southeast and Thompson Lane Libraries since August 18.

The site currently consists of single-family homes, duplexes, apartments, mobile homes and vacant parcels. Most of the land is part of various phases of the Cherokee Hills Subdivision, which was developed in the 1960s when Antioch Pike was a two-lane road. At that time, the land opposite Antioch Pike from Cherokee Hills was zoned for office. The late 1990s brought industrial zoning, which seemed a logical conclusion given the close proximity to the Nashville International Airport and Interstate 24, however, no consideration was given to the effect on the single-family homes on the west side of Antioch Pike. Today, the industrial area to the east of Antioch Pike is occupied by a waste transfer facility, a trucking terminal, a check printing facility, and a quarry. Antioch Pike is a 5-lane arterial roadway. The frontage of Antioch Pike is no longer a sustainable location for single-family homes due to the current development and traffic pattern.

Goals The plan is intended to implement development goals arrived at through the community meeting process. The goals of the SP are:

- To develop a mixed center of activity containing predominantly commercial and mixed-use development along Antioch Pike with a character that sets it apart from typical strip development along Antioch Pike.
- To provide safe, convenient vehicular movement into, out of, and within the study area, while maintaining a pedestrian and bicycle-friendly environment.
- To provide meaningful open spaces on the property as visual relief for people working or shopping within the study area as well as for passive recreation for those who live within the area.
- To create a non-commercial transition between commercial development along Antioch Pike and the neighboring single family residential development behind.

- To seamlessly integrate housing into the overall development that is sensitive to existing residential development in the neighborhood.
- To connect residential development, shopping areas, places of work, open spaces, and other points of activity through a system of sidewalks and bike lanes.
- To encourage the use of public transit in the area by making transit convenient, safe, and comfortable.
- To provide parking for those who live, work, and shop in the study area in a manner that does not dominate the street and is sensitive to the pedestrian environment.
- To apply a water quality concept that protects and enhances the existing natural integrity of the site.
- To soften the visual impact of new development and provide a greater level of comfort for pedestrians.
- To assist those who live, work, and shop within the SP area in finding destinations, while preventing visual clutter that threatens traffic safety and is harmful to the appearance of the community.

Structure of the Plan The SP district establishes development and sign standards, and regulates land uses for properties contained within SP boundaries. The development standards include urban design standards (addressing the relation of the building to the street and to open space) and minimal architectural design standards. The SP district is divided into three separate subdistricts that reflect the character of each section. These subdistricts are identified on maps contained in the SP document. Within each subdistrict, the following issues are addressed:

- **Development guidelines** explain the urban design intent of the SP district. Future development is intended to be consistent with the development guidelines, but they are not regulatory in nature.
- **System regulations** address transportation, parking, access, streetscape, signage, and landscaping and buffering. For each category, goals and standards are provided. The goals describe the intent of the SP for each system and the standards provide the framework to achieve the goals. The standards are regulatory for each subdistrict and future development within the SP district must be consistent with them.
- **Building standards** set requirements for height, physical configuration, and urban design that are required for structures within the SP district. Many different building types are permitted within each subdistrict, but there are requirements that new buildings within the SP district must meet. The standards are presented through text, graphic representations, and photographic examples of buildings consistent with the standards. The standards are regulatory for each subdistrict and future buildings within the SP must be consistent with them.
- **Land Uses** establish the permitted and excluded land uses for each subdistrict. The permitted and excluded land uses are regulatory for each subdistrict and future development within the SP district must be consistent with them.

In addition to the specific standards for each subdistrict, the SP includes general sign standards and architectural standards in a separate section.

- **Sign standards** are regulatory and all future development within any portion of the SP must be consistent with them.
- **Architectural standards** set requirements for materials, configurations and techniques, without dictating style.

Sub-districts The SP is divided into three subdistricts that are distinct, yet blend together to create a complete community that includes opportunities for shopping, a wide range of dwelling types, bike and pedestrian friendly streets and sidewalks, and community open space. The plan requires mostly residential uses along the perimeter of the SP against existing neighborhood residential uses, and requires a B landscape buffer to create an appropriate transition from the more intense development along Antioch Pike. Small open spaces (parks, greens, squares, plazas) are integrated into the overall open space system.

- **Subdistrict 1** is the pedestrian friendly “main street” district, and contains the broadest mix of building types and intensity. Building types included are: mixed-use and commercial, live/work, townhouse, townhouse courts, stacked flats (multi-family), and courtyard flat types of housing units. Parking is preferred to be behind or beside buildings, but because of the suburban location, one row of parking is allowed in front of buildings in the Subdistrict. Building heights are 1 to 3 stories. Land uses controls are employed to exclude commercial uses that are more highway oriented in nature and would not be compatible with the neighborhood vision – automotive uses, pawn shops, adult video, bar/nightclub, heavy equipment, warehouses, etc. Additionally, a maximum 5,000 square feet for restaurants has been added to ensure they remain neighborhood scaled.
- **Subdistrict 2** is the more intense residential district intended to create “rooftops” to support the mixed-use and commercial businesses in Subdistrict 1. Building types in this area include stacked flats, courtyard stacked flats, townhouse, townhouse courts, and manor houses. Building heights are 1 to 3 stories.
- **Subdistrict 3** is the least intense residential district, intended to blend back into the single family neighborhood behind the SP. Building types in this area include townhouse, townhouse courts, manor house, cottages, and cottage courts. Building heights are 1 to 3 stories.

When do the provisions of the SP apply? The SP was crafted to ensure that new development within its boundaries is not discouraged by applying new standards to relatively minor development permit applications. The design guidelines, system regulations, building standards, land uses, and signage standards apply to all property located within the SP district, except that modifications to existing single and two family residences shall be exempt from the system regulations.

Otherwise, the system regulations and building standards contained in the SP district apply when:

- The value of any one building permit is twenty-five percent, or the value of multiple building permits during any five year period is fifty percent of the value of all improvements on the lot prior to application for the building permit; or
- The total building square footage of any one expansion is twenty-five percent, or the total building square footage of multiple expansions during any five-year period is fifty percent, of the total building square footage of all improvements on the lot prior to improvement.

The “value of all improvements on the lot prior to application for the building permit” initially will be determined by reference to the official records of the Davidson County Assessor of Property. If the improvements on the lot currently meet Metro Code standards, then the owner may, at their option, submit a commercially acceptable estimate of the replacement cost of the improvements, which may be used as an alternate method to determine their value.

All signage provisions contained in this SP shall apply to all sign-related permits. If a non-conforming sign is damaged, however, the issuance of a permit for repairs to the sign to restore the sign to its pre-damage state shall not require compliance with the standards contained in this SP.

Phasing of Development A Conceptual Phasing Plan has been included in the SP and serves two purposes – first, it requires that development must happen along the frontage of Antioch Pike before taking place

within the neighborhood and second, it ensures that infrastructure improvements take place in a logical, coordinated manner. A recurring issue has presented itself many times over the course of creating this SP - *for change to take place within the neighborhood, it will require multiple property owners to work together*. Developers and property owners will have to work together to build streets in a logical order and in logical pieces. Because of the many different property owners within the SP, and the multitude of possibilities for development proposals, it is not possible to know the ultimate build out of this community, but this plan is a guide. As development proposals are brought forward it is anticipated that there will be alternatives proposed to the phasing plan. However, any alternative proposal must consider how a change to the Conceptual Phasing Plan will affect adjoining phases.

Access Management A Conceptual Access Management Plan has been included in the SP document to govern the location of access points on Antioch Pike. Currently, every single-family home on Antioch Pike has its own driveway curb cuts, in some instances two curb cuts. Driveways will need to be consolidated to accommodate more intense development without impacting the safety of Antioch Pike. The Access Management Plan makes recommendations to remove, maintain, convert to shared driveway with an adjoining property, or construct a new driveway in a new location. All Final SP submittals will be reviewed against this plan.

METRO SCHOOL BOARD REPORT

Projected student generation The projected number of students cannot be determined at this time. The number of students will be projected with any final SP site plan that includes residential units.

A school capacity calculation was run using a development scenario of 1200 units. Due to the urban nature of this proposed development, the projected student count was generated using the Urban Infill Factor.

12 Elementary 0 Middle 12 High

Students would attend Uan Elementary School, Margaret Allen Middle School, and McGavock High School. Una Elementary has been identified as being overcrowded, however, there is capacity available at another elementary school within the cluster. McGavock High School has been identified as being overcrowded, but capacity is available within an adjacent cluster. This information is based upon data from the school board last updated May 2008.

FIRE MARSHAL RECOMMENDATION Approved based on no construction being done with this application. Any construction will require additional information.

PUBLIC WORKS RECOMMENDATION Following are PW comments for the Bakertown Community specific plan (2008SP-023U-13), scheduled for the September 25, 2008 MPC meeting:

A detailed development plan has not been submitted to the Department of Public Works to allow for the opportunity to review, make engineering decisions, and to provide recommendations. Any final SP development plan will be reviewed for technical compliance with the Department of Public Works standards and specifications.

A comprehensive traffic study is recommended for this development plan prior to rezoning. In the absence of a comprehensive study, focused traffic studies will be required as determined by the Metro Traffic Engineer when development occurs. As a minimum, focused studies shall include: (1) an analysis of all development rights within the proposed development phase, as defined in the SP document, and (2) any other phases that may impact the existing and proposed public infrastructure within the proposed development phase.

STORMWATER RECOMMENDATION Construction Documents are required and must be approved prior to any Final Site Plan approvals

STAFF RECOMMENDATION Staff recommends that the Bakertown SP be approved with conditions. The design of this community will help realize the vision of the overall Antioch/Priest Lake Community

Plan to achieve a complete community with opportunities to live, work and shop, provide adequate infrastructure for new development, and preserve natural features. This plan creates a community that is compact, walkable, and contains a variety of building types for all stages of life. A comprehensive traffic study is not possible at this time because a detailed development plan will not be available until an applicant comes forward with a proposal. In absence of this, Staff recommends that the Public Works request for focused traffic studies as development occurs be adopted.

CONDITIONS

1. All Public Works' conditions and 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.
2. Focused traffic studies will be required as determined by the Metro Traffic Engineer when development occurs. As a minimum, focused studies shall include: (1) an analysis of all development rights within the proposed development phase, as defined in the SP document, and (2) any other phases that may impact the existing and proposed public infrastructure within the proposed development phase.
3. 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 Subdistrict 1, and RM20 for Subdistricts 2 and 3 as of the date of the applicable request or application.
4. 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 ordinance approved by Metro Council that increase the permitted height of buildings, add uses not otherwise permitted, or eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance.
5. 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. Withers presented and stated that staff is recommending approval of 2008CP-013-09, Amendment Number 9, Antioch-Priest Lake Community Plan, as well as approval with conditions of 2008SP-023U-13, Bakertown Specific Plan.

Mr. Milton Scott, 104 Cherokee Hills Drive spoke in opposition to the proposed development.

Ms. Debra Williams, 112 Antioch Court, spoke in favor of the proposed development.

Mr. Anthony Tackett, 1517 Antioch Pike, spoke in favor of the proposed development.

Ms. Dana Formosa, 1631 Antioch Pike, spoke in favor of the proposed development.

Ms. Mary Conrad, 521 Spann Court, expressed issues with the proposed development.

Mr. Dalton acknowledged the concerns mentioned by the residents and spoke in favor of the proposed amendment. He explained the area included in the amendment needs improvement and that the proposed plan would move the community in a positive direction.

Mr. Clifton requested that staff address the opposition that was mentioned during the public hearing.

Ms. Withers explained the concern mentioned to the Commission.

Mr. Clifton acknowledged the overall intentions of the amendment and its purpose to improve the area.

Mr. Gee spoke in favor of the proposed amendment. He did however, express concerns with the open space percentages, street alignments and phasing elements that were included in the plan and suggested that staff continue to review these components. He briefly explained each of his concerns. He then requested that the motion include the submission of his written comments on the Bakertown SP.

Mr. Gotto acknowledged that Mr. James Weaver submitted a letter to the Commission for the record and requested that the motion also include the review of its contents.

Mr. Kleinfelter offered that staff continues to research “trigger provisions” as mentioned in Mr. Weaver’s letter and he further stated that once the provisions are finalized, the Commission could amend the SP’s that contain the provision.

Ms. Withers also offered additional information on the concerns of the letter.

Ms. LeQuire spoke on the importance of educating communities on community planning. She then requested additional clarification on the phasing element contained in the plan.

Ms. Withers explained the phasing element contained in the plan.

Mr. Ponder requested that the Commission vote on each item separately.

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Mr. Clifton moved, and Ms. LeQuire seconded the motion, which passed unanimously, to approve with conditions Zone Change 2008SP-023U-13, Bakertown SP, including the condition that staff consider the comments raised by the Commissioners and provide further review of the trigger provisions prior to third reading at Council. (7-0)

Resolution No. RS2008-204

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-023U-13 is APPROVED WITH CONDITIONS, including a condition that staff consider the comments raised by the Commissioners and provide further review of the trigger provisions prior to third reading at Council. (7-0)

The proposed amendment to the SP-MU is consistent with all Antioch/Priest Lake Community Plan policies for the area.”