

**2010SP-004-001**

4414 Westlawn Drive SP  
Map: 103-08 Parcel: 072  
West Nashville Community Plan  
Council District 24 – Jason Holleman  
Staff Reviewer: Jason Swaggart

A request to change from RS7.5 to SP-MU zoning and for final site plan approval for property located at 4414 Westlawn Drive, approximately 200 feet north of Sloan Road (0.18 acres), to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area, requested by Daniel Barton, applicant, James W. Sovine, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP -Rezone to permit a single-family residence to be used for general and medical office.**

A request to change from Single-Family Residential (RS7.5) to Specific Plan Mixed-Use (SP-MU) zoning and for final site plan approval for property located at 4414 Westlawn Drive, approximately 200 feet north of Sloan Road (0.18 acres), to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area.

**Existing Zoning**

RS7.5 District -RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

**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. This Specific Plan includes residential uses in addition to office and/or commercial uses.

**CRITICAL PLANNING GOALS N/A**

**WEST NASHVILLE COMMUNITY PLAN POLICIES**

**Urban Neighborhood Maintenance (T4 NM)** T4 NM Policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present, enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

**Special Policy** A special policy applies to this property and the adjacent property to the north (parcel 272). The policy which was adopted by the Planning Commission on April 22, 2010, calls for the two properties to provide a transition between the small but intense T4 Urban Neighborhood Center located along Murphy Road and 46<sup>th</sup> Avenue North and the adjacent T4 Urban Neighborhood Maintenance area to the south. The policy permits low-intensity, small-footprint, non-residential uses with limited and properly located parking.

**Consistent with Policy?** Yes, the proposed Specific Plan is consistent with the area’s recently adopted special policy.

**PLAN DETAILS**

**Existing Conditions** The property proposed to be rezoned to SP consists of approximately 7,840 sq. ft. (0.18 acres) of land. The property is developed and contains a small single-family residential structure.

**SP Plan** The SP is to permit the existing residential structure to be converted into an office. The proposed SP consists of a layout plan and regulating language. As proposed the SP would permit single-family residential, general and medical office uses. The floor area for any use would be limited to 1,999 square feet.

**Access/Parking** Access will be from its current location on Westlawn Drive. All parking will be located to the rear of the structure. A minimum of nine spaces is required for the office uses and a minimum of two spaces is required for residential. The plan identifies nine spaces. Perpendicular parking spaces may meet the minimum design standards for compact spaces.

**Additions/Modifications** The SP does permit additions and modifications, but additions are generally limited to the rear of the building.

- Additions that expand the heated and cooled floor area beyond 1,999 sq. ft. shall not be permitted.
- Additions shall not be permitted on the front of the existing structure.
- The existing front porch shall be preserved, and shall not be enclosed.
- Decks or other exterior additions such as stairs are permitted, but shall not be permitted on the front of the structure, *unless required to meet ADA standards*.
- This SP does not regulate interior modifications to the structure, which shall be governed by all applicable Building Codes.
- This SP does not regulate exterior modifications such as general upkeep and repairs, painting, siding, window replacement, accents, lighting or other actions that don't alter the structural design of the house.
- Existing windows on the front of the structure may be replaced, but shall not be enclosed.

**New Construction** The SP does not permit the existing structure to be voluntarily demolished unless the Planning Commission finds that removal is necessary to protect public safety and welfare or if it is damaged or destroyed in the amount of twenty-five percent or more of the assessed valuation of all buildings and structures and other improvements on the property. In the event that new construction is permitted the following conditions apply:

New construction shall require a final site plan application including any applicable fees.

- New construction shall generally be in keeping with existing residential structures in the area. Elevations of proposed new structure(s) shall be submitted to the Planning Commission for review and approval.
- Floor area shall not exceed 1,999 sq. ft.
- Height shall not exceed 2 stories.
- Setbacks shall be consistent with Metro Zoning Code requirements for RS7.5.

**Buffering** The SP requires buffering adjacent to residential properties along the eastern and southern property line. Since the property to the north is not residential then buffering is optional along the northern property line.

**Signage** The SP permits two non-illuminated, small scale signs. The two permitted signs include a sign incorporated into the design of the mailbox, and a name plaque next to the front door on the building. Area for an individual sign shall not exceed three square feet.

**Analysis** The SP is consistent with the West Nashville Community Plan's Special Policy, and meets several critical planning goals. The proposed SP calls for the existing structure to be converted into a low intensity office building. While the SP does permit alterations and additions and in the instance the structure is destroyed, new construction, the SP standards will ensure that the residential character on the property is maintained.

**STORMWATER RECOMMENDATION** Preliminary SP approved

**PUBLIC WORKS RECOMMENDATION**

Maximum Uses in Existing Zoning District: **RS7.5**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.18	4.94	1 L	10	1	2

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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General Office(710)	0.18	-	1,999 SF	74	10	10
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Traffic changes between Maximum: **RS7.5** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+64	+9	+8

**STAFF RECOMMENDATION** Staff recommends that the proposed SP be approved with conditions. The SP is consistent with the West Nashville Community Plan’s land use policies.

**CONDITIONS**

1. A sidewalk is required along the frontage of the property on Westlawn Drive. The sidewalk shall be constructed per the Department of Public Works' specifications, or a financial contribution payment shall be made in lieu of construction of sidewalks. Use and Occupancy permit shall not be issued until the sidewalk is constructed and approved by Metro Public Works or a financial contribution payment has been accepted in lieu of sidewalk construction.
2. Permitted uses include single-family residential, general office and medical office. No other uses shall be permitted without Council approval.
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 MUN 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 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. 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.

**Resolution No. RS2010-72**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-004-001 is **APPROVE WITH CONDITIONS (7-0)**

**Conditions of Approval:**

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**The proposed SP district is consistent with the West Nashville Community Plan's special transitional policy.”**