## 2010SP-020-001

**LINCOLN APARTMENTS (PRELIM. & FINAL)**
Map 105-04, Parcel(s) 009
Council District 17 (Sandra Moore) Staff Reviewer: Greg Johnson

A request to rezone from R6 to SP-R zoning and for final site plan approval for property located at 24 Lincoln Street, at the northwest corner of Lincoln Street and Perkins Street (0.26 acres), to permit an existing one-story brick structure to be used as 5 apartment units, requested by Gary Wynn, applicant, on behalf of Bruce Carlock, Trustee, owner.
**Staff Recommendation: APPROVE WITH CONDITIONS**

**APPLICANT REQUEST -Permit a multi-family use.**
**Preliminary and Final SP** A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning and for final site plan approval for property located at 24 Lincoln Street, at the northwest corner of Lincoln Street and Perkins Street (0.26 acres), to permit an existing one-story brick structure to be used as five apartment units.

**Existing Zoning**
R6 District - R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25% duplex lots. R6 zoning would allow a maximum of one duplex on the subject property.

**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.

**CRITICAL PLANNING GOALS** The proposed SP will allow for residential development within an existing building that will be improved and reused for the proposed use. The project is adjacent to compatible commercial land uses and to an existing transit line. The proximity of these related land uses combined with existing sidewalk infrastructure will help to promote a walkable neighborhood.

- Supports Infill Development
- Creates Walkable Neighborhoods

**SOUTH NASHVILLE COMMUNITY PLAN**
**Existing Policy**
**Neighborhood General (NG)** NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. 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, the proposed number of dwellings is consistent with the density supported by the Neighborhood General policy. The form of development with relatively shallow setbacks from surrounding streets and building design that emphasizes the public street is consistent with the design principles of the NG policy.

**PLAN DETAILS** This SP is intended to reuse an existing building on the project site as a multi-family residential use housing five attached dwelling units. The existing building was constructed prior the existence of zoning requirements. It contained ten residential dwelling units when it was purchased ten years ago by the current owner, who has allowed it to remain vacant since. Because any rights related to nonconforming uses have expired, any use of the current building must follow current zoning requirements. The proposed multi-family residential use consisting of five residential uses falls within the upper end of density allowed by the NG policy.

**Access and Parking** Five parking spaces are proposed on the project site in addition to four additional spaces available on Lincoln Street adjacent to the site. Three angled parking spaces are provided along an alley located to the north of the project site. A curb cut along Perkins Street to the south of the site would provide access to two additional on-site parking spaces. This proposed curb cut would have two negative impacts on the project through 1) the placement of parking in a portion of the backyard space and 2) the placement of parking within the street-side setback along Perkins Street. A condition of approval has been added to remove proposed driveway access to Perkins Street. Removal of this driveway

would result in 7 total parking spaces either on the site or adjacent to the site on Lincoln Street. The Zoning Code would require 7.5 total parking spaces for the five proposed dwellings under an RM zoning district, but also allows for permitted reductions to these parking requirements. A ten pecent parking reduction can be used for this project because it is located within 600 feet of a bus line along Lafayette Street. An additional ten percent reduction can be included for this project because the residential building was constructed within ten feet of the front property line. The six spaces meet the Zoning Code requirements.

**Site plan and building façade design** The site plan and façade design drawings submitted with the SP application demonstrate the intent to improve the relationship between the existing building and the public street. The site plan shows new walkways connecting front doors to the Lincoln Street sidewalk. New trees are proposed for the front yard of each unit. A façade design drawing for the Lincoln Street façade was submitted with the application. The drawing shows the intent to replace redundant door openings with window openings.

Because the SP intends to allow more intense development than allowed under the current zoning, landscaping buffers should be consistent with the Zoning Code. A "B" landscaping buffer shall be provided along the west property line that is shared with a property with R6 zoning.

**Fall-back Zoning** A condition of approval has been added to include a fall back zoning classification for any standards that are not addressed specifically by the SP. The RM20 zoning classification is recommended as the fall back zoning classification.

**PUBLIC WORKS RECOMMENDATION**

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

2. Provide plan for solid waste management including recycling.

Maximum Uses in Existing Zoning District**: R6**

| **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) | 0.26 | 7.71 D | 2 L | 20 | 2 | 3 |

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

| **Land Use (ITE Code)** | **Acres** | **FAR/Density** | **Total Floor Area/Lots/Units** | **Daily Trips (weekday)** | **AM Peak Hour** | **PM Peak Hour** |
|---|---|---|---|---|---|---|
| Multi-Family Residential(220) | 0.26 | - | 5 U | 34 | 3 | 4 |

Traffic changes between Maximum: **R6** and proposed **SP**

| **Land Use (ITE Code)** | **Acres** | **FAR/Density** | **Total Floor Area/Lots/Units** | **Daily Trips (weekday)** | **AM Peak Hour** | **PM Peak Hour** |
|---|---|---|---|---|---|---|
| - | - | - | - | +14 | +1 | +1 |

**METRO SCHOOL BOARD REPORT**
**Projected student generation** **1 Elementary** **0 Middle** **0 High**

**Schools Over/Under Capacity** Students would attend Whitsitt Elementary School, Cameron Middle School, and Glencliff High School. None of the schools have been identified as being over capacity by the Metro School Board.

This information is based upon data from the school board last updated October 2010.

**STAFF RECOMMENDATION** Staff recommends approval with conditions. The proposed residential project is consistent with the land use policy in terms of density and design characteristics.

**CONDITIONS**

1. A type “B” landscape buffer, as defined by the Zoning Code, shall be provided along the west property line.

2. The proposed driveway connection to Perkins Street shall be removed from the site plan.

3. The uses of this SP shall be limited to multi-family residence.

4. 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 RM20 zoning district for residential buildings as of the date of the applicable request or application.

5. 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.

6. 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.

7. 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.

Mr. Johnson presented the staff recommendation of approval with conditions.

Bruce Carlock (applicant), 115 Bellevue Dr S, spoke in favor of staff recommendation.

Genora Flagg, 117 Lafayette Street, stated that the property has been an eyesore for a while now and would like to see it renovated.

Michelle Denning, 27 Perkins St, stated that she is not for or against but does want to insure that the applicant follows through with his intentions because the property is currently unattended.

Aaron Sparkman, 2707 Natchez Trace, spoke in support of reconditioning of the property but stated that the applicant currently does nothing to take care of this property. Stated that crime and trash are prevalent on this property.

Jeanetta Green, 13 Trimble Street, spoke in support if the applicant is going to follow through with reconditioning the property.

**Councilmember Gotto moved and Dr. Cummings seconded the motion, which passed unanimously, to close the Public Hearing. (9-0)**

Councilmember Gotto stated that the only opportunity to turn this property around is to do what the applicant is asking even if the intent is to sell it, noting that the applicant needs to have someone come out immediately and address the Codes violations.

Mr. Ponder stated that the owner has a responsibility to make the effort to show the neighbors that he is serious about

making this area a good place to live by cleaning up the property.

Dr. Cummings spoke in support but requested the Codes violations be addressed immediately.

Mr. Clifton spoke in support, stating that approval is a step towards the right direction.

Ms. Jones spoke in support.

Ms. LeQuire inquired if there had been any Codes citations to date.

Mr. Johnson clarified that there was one from September 2010 for “Failure to Secure”.

Ms. LeQuire stated her support of rezoning.

Dr. Cummings moved and Councilmember Gotto seconded the motion, which passed unanimously, to approve with conditions. (9-0)

**Resolution No. RS2010-181**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2010SP-020-001 is **APPROVED WITH CONDITIONS. (9-0)**

**Conditions of Approval:**

1. A type “B” landscape buffer, as defined by the Zoning Code, shall be provided along the west property line.

2. The proposed driveway connection to Perkins Street shall be removed from the site plan.

3. The uses of this SP shall be limited to multi-family residence.

4. 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 RM20 zoning district for residential buildings as of the date of the applicable request or application.

5. 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.

6. 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.

7. 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 SP zoning district is consistent with the North Nashville Community Plan’s Neighborhood General land use policy that applies to the property.’**