

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 SP is consistent with the Regional Activity Center land use policy that applies to the property.”

Specific Plans

3. 2011SP-002-001

(formerly 2010Z-015PR-001)

BL2011-844 / Langster

HERMAN STREET

Map 092-06, Parcel(s) 279-280

Council District 21 (Edith Taylor Langster)

Staff Reviewer: Greg Johnson

A request to rezone from RS5 to SP-MU zoning for properties located at 2733 and 2737 Herman Street, at the southeast corner of Herman Street and 28th Avenue North (0.19 acres), to permit a mixed-use development consistent with land use standards of the MUN zoning district, Renita Anthony, applicant, Porter Maples, owner (Formerly Zone Change Case # 2010Z-015PR-001).

Staff Recommendation: APPROVE SP WITH CONDITIONS; DISAPPROVE MUN

APPLICANT REQUEST - Rezone to SP to permit mixed use development

Preliminary SP A request to rezone from Single-Family Residential (RS5) to Specific Plan - Mixed Use (SP-MU) zoning for properties located at 2733 and 2737 Herman Street, at the southeast corner of Herman Street and 28th Avenue North (0.19 acres), to permit a mixed-use development consistent with land use standards of the Mixed Use Neighborhood (MUN) zoning district. (Formerly Zone Change Case # 2010Z-015PR-001).

Existing Zoning

RS5 District - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 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

- Creates Walkable Neighborhoods
- Provides a Range of Housing Choices
- Supports Infill Development

The Herman Street SP promotes mixed use development along 28th Avenue, which is an important arterial road within North Nashville. Development consistent with the SP will strengthen the walkability of the surrounding streets through building placement next to sidewalks and prominent front doors. Multi-family residential allowed within the SP will provide housing diversity within the surrounding single-family residential neighborhood. Located on a previously-developed property, the SP promotes infill development using existing infrastructure within a developed community.

NORTH NASHVILLE COMMUNITY PLAN

T4 Urban Residential Corridor T4 RC policy is intended to preserve, enhance and create urban residential corridors that support predominately residential land uses; are compatible with the general character of urban neighborhoods as characterized by development pattern, building form, land use, and associated public realm; and that move vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Consistent with Policy? Yes. The proposed mixed use SP is consistent with the intent of the land use policy to promote a residential

corridor. The specific policy within the North Nashville Community Plan, 08-T4-RC-01, allows for residential development that is accompanied by low-intensity office and retail land uses in the form of live-work development.

PLAN DETAILS The proposed preliminary SP is a standards-based SP that anticipates mixed-use development on the project site at the intersection of Herman Street and 28th Avenue North. The SP proposes to use the standards of the MUN zoning district with additional form-based standards that are intended to implement the design principles of the T4 Residential Corridor policy and the special policy of the North Nashville Community Plan. These principles are intended to promote a strong pedestrian environment and quality building design along the property frontage.

Building Setbacks and Design Along Herman Street and 28th Avenue North street frontages, a build-to zone is proposed to promote building placement consistent with development on surrounding properties. Any building constructed within the site must be set within the build-to zone.

Façade design standards included in the SP are intended to emphasize the relationship between development and public space along the two street frontages. These include requirements intended to strengthen the public streetscape through prominent pedestrian entrances and inconspicuous vehicular entrances.

Parking Standards and Access Setback standards for parking are proposed. Similar to the build-to zone, the parking setback standards are intended to promote development that is consistent with surrounding development and to separate parking from the streetscape.

Specific access points are not proposed within the SP. Appropriate access to the site will be determined by Metro Public Works. A requirement within the SP prohibits vehicular access to the site from the Herman Street frontage.

Landscaping and Signage The proposed SP includes standards for landscaping buffers along adjacent residential properties and stormwater detention on-site. A landscaping buffer may be required with construction of parking. Standards for stormwater detention may be applied if a grading plan is required at development.

Signage must follow the standards of the MUN zoning district. Ground signage is specifically prohibited by the SP.

Council Bill This application, as originally submitted, requested a zone change from RS5 to MUN zoning. Since then, the applicant has amended the application to request SP zoning. However, the Council bill was prepared before this change and currently requests MUN zoning. The recommendation of the Planning Commission needs to address the current Council bill as well as the revised request.

A base zone change to MUN zoning would be inconsistent with the T4 RC land use policy because the T4 RC policy is a residential policy that allows for associated non-residential land uses. MUN zoning would allow for stand-alone commercial land uses without residential development, and without any setback and parking design standards that would ensure consistency with the Community Plan policy. The SP was created to allow for non-residential uses within a residential development, which is consistent with the T4 RC policy. MUN zoning is used within the SP as the fall-back zoning classification. Any standards not specified by the SP would be subject to the MUN zoning classification.

STORMWATER RECOMMENDATION Approved with conditions:

Add 78-840 note to plan:

- Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.

Add Preliminary note to plan:

- This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.

PUBLIC WORKS RECOMMENDATION

- Dedicate 30 feet of right-of-way from the centerline of both collector streets 28th Ave and Herman St as per the Major Street Plan.
- Dedicate 10 feet of right-of-way from the centerline of the alley.
 - An access study may be required prior to final SP.

Typical Uses in Existing Zoning District: **RS5**

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)	0.17	7.41 D	1	10	1	2

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

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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Office Building Low-Rise (710)	0.17	0.444 F	3,287 SF	97	13	13
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Traffic changes between typical: **RS5** and proposed **MUN**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+87	+12	+11

Maximum Uses in Existing Zoning District: **RS5**

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)	0.17	7.41 D	1	10	1	2

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Building Low-Rise (710)	0.17	0.6 F	4,443 SF	122	16	16

Traffic changes between maximum: **RS5** and proposed **MUN**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+112	+15	+14

METRO SCHOOL BOARD REPORT

Projected student generation **1 Elementary 1 Middle 0 High**

Schools Over/Under Capacity Students would attend Park Avenue Elementary School, Bass Middle School, and Pearl-Cohn High School. Park Avenue Elementary School and Pearl-Cohn High School are under capacity. Bass Middle School has been identified as being over capacity by the Metro School Board. There is capacity within the cluster for middle school students. This information is based upon data from the school board last updated October 2010.

STAFF RECOMMENDATION Staff recommends approval with conditions of the SP. The proposed design standards and the MUN development standards ensure consistency with land use policy in terms of proposed uses and design.

Staff recommends disapproval of a zone change to the MUN zoning classification because MUN zoning, without a regulatory site plan insuring consistency with the Community Plan, is inconsistent with the residential corridor policy.

CONDITIONS

- Depending on the form of future development, a consolidation plat may be required to consolidate the existing lots.
- Prior to the issuance of any permits, public right-of-way dedication and reservation, as defined by the Major and Collector Street Plan that is in effect at the time of final site plan approval, shall be recorded.
- The following notes shall apply to preliminary construction plans:
 - Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.
 - This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
- For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.
- A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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 SP conditions and disapproval of MUN.

Renita Anthony, applicant, stated that she was there to answer any questions from neighbors with concerns.

Sandra Griffey, 916 28th Avenue, stated that she didn't oppose it but she did want to know what type of business it would be and how would it affect parking.

Ms. Anthony stated that it shouldn't affect Ms. Griffey at her address – it will be an alterations business – the customers will just come pick up their items and leave.

Councilmember Gotto asked how many parking spaces. If less than 2000 ft, is there anywhere to park on the street?

Mr. Johnson clarified there is parking on Herman Street.

Council Lady Langster spoke in support of approval.

Mr. Ponder moved and Mr. Dalton seconded the motion to close the Public Hearing. (8-0)

Mr. Clifton moved and Mr. Dalton seconded the motion, which passed unanimously, to approve staff recommendation. (8-0)

Resolution No. RS2011-27

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-002-001 is **APPROVED WITH CONDITIONS; DISAPPROVE MUN. (8-0)**

Conditions of Approval:

1. Depending on the form of future development, a consolidation plat may be required to consolidate the existing lots.
2. Prior to the issuance of any permits, public right-of-way dedication and reservation, as defined by the Major and Collector Street Plan that is in effect at the time of final site plan approval, shall be recorded.
3. The following notes shall apply to preliminary construction plans:
 - Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.
 - This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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 SP zoning is consistent with the T4 Residential Corridor land use policy. MUN zoning, without a regulatory site plan ensuring consistency with the Community Plan, is inconsistent with the T4 Residential Corridor policy."

Zone Changes

4. 2010Z-033PR-001

BL2011-854 / HOLLIN

731 MCFERRIN AVENUE

Map 082-08, Parcel(s) 307

Council District 05 (Jamie Hollin)

Staff Reviewer: Brenda Bernards

A request to rezone from RS5 to MUN zoning for property located at 731 McFerrin Avenue, at the southeast corner of McFerrin Avenue and Chicamauga Avenue within the Greenland Neighborhood Conservation Overlay (0.32 acres), requested by Design House 1411 LLC, applicant, Brinkman Holding LLC, owner.

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST - Rezone from RS5 to MUN.

Zone Change A request to rezone from Single-Family Residential (RS5) to Mixed-Use Neighborhood (MUN) zoning for property located at 731 McFerrin Avenue, at the southeast corner of McFerrin Avenue and Chicamauga Avenue within the Greenland Neighborhood Conservation Overlay (0.32 acres)

Deferral This item was deferred from the January 27, 2011, Planning Commission at the request of the applicant. The applicant met with the District Councilmember and community members on January 26, 2011. The community requested additional information concerning parking, buffering and access. A second meeting was held on February 8, 2011, for additional discussion with the community.

Existing Zoning

RS5 District - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning

MUN District - Mixed Use Neighborhood is intended for a low intensity mixture of residential, retail, and office uses.

CRITICAL PLANNING GOALS N/A

EAST NASHVILLE COMMUNITY PLAN

Mixed Housing (MH) Mixed Housing is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Neighborhood General (NG) Neighborhood General 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? No. The proposed MUN zoning district is inconsistent with the MH in NG policy, which does not allow for commercial or office uses. The portion of the property fronting on Chicamauga Avenue is oriented towards the existing residential neighborhood. There is an existing building on the southern end of the property, oriented towards McFerrin Avenue, which has been used as a daycare center since 1995. A daycare center is a permitted use in the RS5 zoning district.

PUBLIC WORKS RECOMMENDATION Parking per Metro code will be required at redevelopment.