

2b. 2013SP-014-001

EASTLAND & CHICAMAUGA

Map 082-08, Parcel(s) 308, 319

Council District 05 (Scott Davis)

Staff Reviewer: Duane Cuthbertson

A request to rezone from RS5 to SP-MU zoning and for final site plan approval for properties located at 904 Chicamauga Avenue and 941 W. Eastland Avenue, approximately 125 feet east of McFerrin Avenue and located within the Maxwell Heights and Greenwood Neighborhood Conservation Overlay Districts (0.34 acres), to permit a mixture of uses including restaurant (full service), retail, office and personal care services uses in addition to single and two family residential, requested by Brinkman Holding, LLC, owner.

Staff Recommendation: Approve preliminary SP and final site plan with conditions, if associated plan amendment is approved, and disapprove preliminary SP and final site plan without all conditions or if plan amendment is disapproved.

APPLICANT REQUEST

Rezone to permit a mixture of uses.

Preliminary SP and final site plan

A request to rezone from RS5 to SP-MU zoning and for final site plan approval for properties located at 904 Chicamauga Avenue and 941 W. Eastland Avenue, approximately 125 feet east of McFerrin Avenue and located within the Maxwell Heights and Greenwood Neighborhood Conservation Overlay Districts (0.34 acres), to permit a mixture of uses, including restaurant (full service), retail, office and personal care services uses in addition to single and two family residential.

Existing Zoning

Single-Family Residential (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

Specific Plan Mixed Use (SP-MU) 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 restaurant (full service), retail, office and personal care services uses in addition to one single-family residential use on the southern lot fronting the West Eastland Avenue. This Specific Plan includes office, and either one single or one two-family use on the northern lot fronting Chicamauga Avenue.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods
- Supports Infill Development

This SP allows non-residential uses in the existing homes at the edge of an established neighborhood center. The site is located at the edges of the Greenwood (north) and Maxwell (south) neighborhoods as well as immediately to the east of an active neighborhood commercial center. A well maintained pedestrian network connects the subject properties to the surrounding neighborhood. The non-residential portion of the SP provides the possibility of additional services in the neighborhood commercial center.

EAST NASHVILLE COMMUNITY PLAN

Current Policy - Single-Family Detached in Neighborhood General (SFD in NG)

Single-Family Detached (SFD) is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

Neighborhood General (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.

Proposed Policy - Mixed Use in Neighborhood Center (MxU in NC):

Mixed Use (MxU) 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.

Neighborhood Center (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.

April 25, 2013, Planning Commission meeting

Consistent with Policy?

Yes. The northern lot of this SP located at 904 Chicamauga Avenue is currently Mixed Use in Neighborhood Center (MxU in NC) policy while the southern lot located at 941 West Eastland Avenue is currently Single-Family Detached in Neighborhood General (SFD in NG) policy. This SP application is accompanied by a request to amend the East Nashville Community Plan to change the policy for the southern lot from SFD in NG to MxU in NC (see staff report for 2013CP-005-001 on this agenda).

The MxU in NC policy on the northern lot of this SP was established by the Planning Commission in 2011 as part of a house-keeping amendment related to the zone change and re-use of the adjoining property to the west located at the southeast corner of McFerrin Avenue and Chicamauga Avenue, currently occupied by The Pharmacy restaurant.

The SP is consistent with the proposed Mixed Use in Neighborhood Center (MxU in NC) policy as it provides for office and limited commercial use of the properties at a neighborhood scale at the edge of an established neighborhood center. The SP ensures compatibility with the surrounding neighborhood center and residential neighborhood by requiring a pedestrian building scale and orientation to the adjoining sidewalks. The SP does not require the existing houses to remain. However, both lots are within Neighborhood Conservation Overlay districts (NCODs). The NCODs are administered by Metro Historic Zoning Commission. The NCOD's may limit demolition of the homes and would ensure that the scale of any redevelopment or new development is compatible with the surrounding context. The SP and Neighborhood Conservation Overlay districts combined will limit the intensity of the possible non-residential uses on the site. The northern lot is located within the Greenwood Neighborhood Conservation Overlay district. The southern lot is located within the Maxwell Heights Neighborhood Conservation Overlay district.

PLAN DETAILS

The SP is comprised of two residential lots, both containing residential buildings. The northern lot fronts Chicamauga Avenue while the southern lot fronts West Eastland Avenue. An existing alley separates the two lots. This applicant/owner also owns the two commercial properties currently occupied by restaurants adjoining the SP to the west.

Site

The site abuts two restaurant uses to the west that are located on the eastern edge of the West Eastland/Cleveland Avenue and McFerrin Avenue neighborhood center. There is currently very little buffer separating the two residential lots on the SP site from the restaurants.

The northern lot fronts Chicamauga Avenue, a lower intensity local street. The street contains mostly residential uses near this SP. The adjoining lot to the west is zoned MUN. It contains a restaurant use in a building that is setback significantly from Chicamauga Avenue. The restaurant's outdoor seating area (garden) occupies the space near the street. It is screened by a solid wood fence and only accessed from the restaurant building via McFerrin Avenue to the west. A mixture of duplex and single-family homes is situated along Chicamauga Avenue around the SP.

The southern lot fronts West Eastland Avenue, a two lane collector avenue in front of the site. The Holland House restaurant and its parking area abut this portion of the SP to the west. The Holland House restaurant is oriented to West Eastland Avenue. Newer townhomes have been established just to the south of the site. Single-family homes are situated along West Eastland Avenue to the east of the site.

Proposed Uses

The SP permits residential and non-residential use of the properties, whether in the existing homes as currently proposed or in new buildings. In order to ensure a compatible transition of use from the neighborhood center along the low intensity Chicamauga Avenue, the SP limits use on the northern lot to one single or one two-family residential use and office uses; no commercial uses will be permitted on the northern lot of this SP. A two-family residential (duplex) use is currently on the northern lot. The SP permits restaurant (full service), retail, office and personal care services uses in addition to one single-family residential use on the southern lot fronting the busier West Eastland Avenue. A vacant single-family residential use is currently on the south lot. The SP would not prohibit more than one use on either property.

Site Plan

To ensure a compatible transition in scale and intensity between the existing neighborhood center and the surrounding residential neighborhood, the SP focuses on re-use of the existing homes on the lot. No structural additions or modifications are proposed with this SP. The homes will maintain their existing orientation to the adjoining streets. Any redevelopment of either lot in this SP will be subject to review for compatibility with the surrounding neighborhood as both lots are within Neighborhood Conservation Overlay districts.

The SP requires all on-site parking be provided behind the houses and accessed from the alley. The existing alley separating the two subject lots provides two-way access to the SP from to McFerrin Avenue. No vehicular access or parking is permitted on-site in the front of either of the homes. On-street parking is also currently available in front of both lots. Both lots will provide more parking than the Zoning Code requires for commercial/office use of either buildings. The south lot contains a building with approximately 1,732 square feet of floor area. As the property is located in the Urban Zoning Overlay district (UZO) the Code requires five parking spaces for a restaurant (full service) use and fewer for any other use permitted by the SP. The office use permitted on the northern lot containing a 1,471 square foot building would not require any parking, as the first 2,000 square feet of an office use are exempt from parking in the UZO.

April 25, 2013, Planning Commission meeting

Screening and landscaping will be required on the east side of the two lots abutting the residences to ensure an adequate transition and buffer.

Signage associated with the re-use of both lots will be very limited in scale and intensity to ensure compatibility with the surrounding context. Only one wall sign and one ground sign is permitted on each site. Wall signs are limited to twelve square feet of display area while ground signs are limited to three feet in height and a display no less than eight square feet. Signage is required to be opaque and lit from an external source.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Approve with Conditions:

- 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.
- Provide adequate access for two-way traffic.

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 Attached/Detached (210)	0.34	7.41 D	2 L	20	2	3

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
Specialty Retail (814)	0.34	0.6 F	8,886 SF	403	18	41

Traffic changes between maximum: **RS5** 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
-	-	-		+383	+16	+38

SCHOOL BOARD REPORT

There is no increase in residential uses; therefore the standard analysis is not included.

STAFF RECOMMENDATION

Approve the Preliminary SP and final site plan with conditions, if the associated plan amendment is approved, and disapprove without all conditions. Disapprove preliminary SP and final site plan if the plan amendment is not approved. The SP is based on the standards of the MUN zoning district, which is a recommended zoning district within the MxU in NC policy. The SP will enhance the Eastland/Chicamauaga and McFerrin neighborhood center.

CONDITIONS

1. Permitted land uses within this SP shall be limited to one single-family residential dwelling or one two-family residential dwelling, and office use on the north lot and one single-family residential dwelling, restaurant (full service), retail, office, and personal care services uses on the south lot.
2. Add a note to the plan stating '*The drive aisle on the south lot may be used to provide access to a future parking area on the abutting lot to the west (Map 82-8 Parcel 32). An appropriate cross access easement and shared parking agreement shall be established across the drive aisle at that time.*'
3. All parking areas shown behind buildings on the plan shall be paved and striped according to the Zoning Code.
4. Revise the final site plan to show an irrigated A-3 Landscape Buffer Yard with an opaque screening fence along the east boundary of both lots.
5. Revise the site plan to clearly mark the property boundaries with dimensions, show paving extents, indicate vehicular access points from the adjoining existing alleyway, and show all required landscape areas with dimensions.

April 25, 2013, Planning Commission meeting

6. 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 as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro 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.
8. 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.
9. 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.

Approved preliminary SP and final site plan with conditions, and disapprove preliminary SP and final site plan without all conditions. (9-0), Consent Agenda

Resolution No. RS2013-67

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-014-001 is **Approved preliminary SP and final site plan with conditions, and disapprove preliminary SP and final site plan without all conditions. (9-0)**

The SP is based upon the standards of the MUN zoning district and is consistent with the Mixed-Use in Neighborhood Center policy.

CONDITIONS

1. **Permitted land uses within this SP shall be limited to one single-family residential dwelling or one two-family residential dwelling, and office use on the north lot and one single-family residential dwelling, restaurant (full service), retail, office, and personal care services uses on the south lot.**
2. **Add a note to the plan stating '*The drive aisle on the south lot may be used to provide access to a future parking area on the abutting lot to the west (Map 82-8 Parcel 32). An appropriate cross access easement and shared parking agreement shall be established across the drive aisle at that time.*'**
3. **All parking areas shown behind buildings on the plan shall be paved and striped according to the Zoning Code.**
4. **Revise the final site plan to show an irrigated A-3 Landscape Buffer Yard with an opaque screening fence along the east boundary of both lots.**
5. **Revise the site plan to clearly mark the property boundaries with dimensions, show paving extents, indicate vehicular access points from the adjoining existing alleyway, and show all required landscape areas with dimensions.**
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April 25, 2013, Planning Commission meeting

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