

1. 2013SP-026-001

9TH & CHEATHAM COTTAGES SP

Map 081-12, Parcel(s) 309-311, 470
Council District 19 (Erica S. Gilmore)
Staff Reviewer: Jason Swaggart

A request to rezone from SP-R to SP-R for properties located at 906 Cheatham Place, 1501 9th Avenue North and 9th Avenue North (unnumbered), at the northwest corner of 9th Avenue North and Cheatham Place, (0.76 acres), to permit up to 15 detached residential dwelling units, requested by Dale & Associates, applicant; Robert Pullen, owner.

Staff Recommendation: Approve with conditions and disapprove without all conditions.

APPLICANT REQUEST

Permit a fourteen unit cottage development and one single-family unit.

Preliminary SP

A request to rezone from Specific Plan – Residential (SP-R) to Specific Plan – Residential (SP-R) for properties located at 906 Cheatham Place, 1501 9th Avenue North and 9th Avenue North (unnumbered), at the northwest corner of 9th Avenue North and Cheatham Place, (0.76 acres), to permit up to 15 detached residential dwelling units.

Existing Zoning

Specific Plan-Residential (SP-R) 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. *The existing Specific Plan includes 38 multi-family units.*

Proposed Zoning

Specific Plan-Residential (SP-R) 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. *The proposed Specific Plan includes 14 detached units and one single-family unit.*

CRITICAL PLANNING GOALS

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

The proposed SP is located in a developed area with existing public infrastructure. While the proposed density is lower than what is permitted under the current SP, it is higher than the surrounding area and provides a better transition between the more dense multi-family area northeast of the site and the single-family area to the southwest. The proposed development fosters walkable neighborhoods by providing additional density and providing a sidewalk along the frontage of Cheatham Place where no sidewalk currently exists. The proposed development also provides an additional housing option in the area.

NORTH NASHVILLE COMMUNITY PLAN

Urban Neighborhood Maintenance (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. The community plan also identifies this area for infill and encourages additional housing options that maintain the existing character or provides a transition from more intense land uses to less intense land uses.

Consistent with Policy?

Yes, the request is consistent with the T4 NM land use policy, which also identifies this area as an infill area. The request provides additional density within an urban area where additional density is appropriate. The use of detached units is consistent with the single-family development pattern to the east along 9th Avenue and to the development pattern southwest of the site along Cheatham Place. The development also provides a transition from the more dense residential development to the northeast and the single-family neighborhood southwest of the site.

PLAN DETAILS

This site is located at the northwest corner of 9th Avenue North and Cheatham Place, directly across the street from MDHA's Cheatham Place and just east of Buena Vista Elementary. The site is currently vacant and contains no environmentally sensitive areas. This site is currently zoned Specific Plan (SP). The SP was approved in 2009 by Metro Council. It is approved for a three story multi-family building with 38 units.

Specific Plan Proposal

The plan identifies 15 detached residential units. Seven units front onto 9th Avenue and three units front onto Cheatham Place. Out of the three units along Cheatham Place, one will be located on the west side of the alley and will be on a separate lot. Five units front onto a central open space which is framed by the units along 9th and Cheatham Place. The units fronting

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on 9th Avenue and Cheatham Place have porches on the front and at the back, which front onto the open space. The plan also calls for a buffer along the western property line which is intended to buffer this development from the neighboring commercial (CL) district.

The plan provides the following bulk regulations (the plan utilized the RM20 zoning district for standards that are not specifically limited by the SP):

- Max Units – 15
- Max FAR – 1 (proposed: 0.89)
- Max ISR – 0.7 (proposed: 0.42 and does not include pervious concrete)
- Street Setback – 10 feet from right-of-way
- Side Yard Setback – 5 feet from property line and 3 feet between units
- Rear Yard Setback – 20 feet
- Maximum Height – three stories

Vehicular access is provided from the alley. A total of 23 parking spaces are provided, including two located in the garage for unit fifteen. The plan also calls for an additional seven on-street spaces.

ANALYSIS

This request is consistent with the T4 NM land use policy and infill area designation and meets several critical planning goals. Staff recommends approval with conditions.

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.
- All ROW dedications must be recorded prior to building permit sign off.
- Indicate on the plans the overflow for the bio-retention ponds/ swales. Stormwater must not be designed to sheet flow over the sidewalk. Coordinate with Metro Stormwater and MPW prior to final design and SP approval.

Maximum Uses in Existing Zoning District: **SP-R**

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)	0.76	-	38 U	354	23	39

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

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)	0.76	-	15 U	100	8	10

Traffic changes between maximum: **SP-R** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 23	-254	-15	-29

METRO SCHOOL BOARD REPORT

This request reduces the density and the number of students generated from the existing zoning.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions. The proposal is consistent with the site's T4- NM land use policy and infill area designation, and meets several critical planning goals.

CONDITIONS

1. Permitted land uses are limited to single-family and multi-family residential.

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2. 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 as of the date of the applicable request or application.
3. 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.
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 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.
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.

Approved with conditions and disapproved without all conditions (6-0), Consent Agenda

Resolution No. RS2013-143

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-026-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

The proposal is consistent with the site's T4 Urban Neighborhood Maintenance policy and infill area designation.

CONDITIONS

1. **Permitted land uses are limited to single-family and multi-family residential.**
 2. **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 as of the date of the applicable request or application.**
 3. **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.**
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