

4b. 2013SP-029-001

49TH & TENNESSEE

Map 091-07, Part of Parcel 108
Council District 20 (Buddy Baker)
Staff Reviewer: Jason Swaggart

A request to rezone from IR to SP-MR zoning for property located at 1200 49th Avenue North, at the northeast corner of 49th Avenue North and Tennessee Avenue, (3.68 acres), to permit up to 55 residential dwelling units, requested by Dale & Associates, applicant; Jackson Masonry, owner (See Community Plan Amendment 2013CP-011-001).

Staff Recommendation: Approve with conditions and disapprove without all staff conditions if the Commission approves the associated policy amendment and disapprove if the associated policy amendment is not approved.

APPLICANT REQUEST

Preliminary SP to permit 55 multi-family dwellings.

Preliminary SP

A request to rezone from Industrial Restrictive (IR) to Specific Plan – Mixed Residential (SP-MR) zoning for property located at 1200 49th Avenue North, at the northeast corner of 49th Avenue North and Tennessee Avenue, (3.68 acres), to permit up to 55 residential dwelling units.

Existing Zoning

Industrial Restrictive (IR) is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning

Specific Plan-Mixed Residential (SP-MR) 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 a mixture of housing types which include units that front on streets as well as units that front onto open space.

CRITICAL PLANNING GOALS

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

This area is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure such as roads, water and sewer, because it does not burden Metro with the cost of maintaining new infrastructure. The request provides an additional housing option in the area. Additional housing options are important to serve a wide range of people with different housing needs. The plan provides active open space and a sufficient sidewalk network connecting all parts of the development which foster active living and supports walkable neighborhoods. The plan will increase the density for the area. Density is an important factor for walkability and a strong public transportation system. Higher density areas typically foster walkability and better public transportation because housing, work and conveniences are located within a smaller area making them more assessable by foot and or public transportation.

WEST NASHVILLE COMMUNITY PLAN

Existing Policy

District Industrial (D-IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

Proposed Policy

Urban Neighborhood Evolving (T4 NE) policy is intended to create and enhance urban neighborhoods that are compatible with the general character of existing urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm, with opportunities for housing choice and improved pedestrian, bicycle and vehicular connectivity. The resulting development pattern may have higher densities than existing urban neighborhoods and/or smaller lots sizes, with a broader range of housing types providing housing choice. This reflects the scarcity of easily developable land (without sensitive environmental features) and the cost of developing housing.

Consistent with Policy?

The proposed SP district is not consistent with the existing D-IN policy, but it is consistent with the proposed T4 NE policy. The proposed SP will provide a new housing type with a design that is in compliance with the T4 NE policy.

December 12, 2013, Planning Commission meeting

PLAN DETAILS

The subject property is approximately 4.18 acres in size; however, the proposal only covers approximately 3.68 acres. The remaining 0.5 acres will remain IR. The site is located in the Nations, on the northeast corner of 49th Avenue and Tennessee Avenue. It is developed with an industrial use (Jackson Masonry) consisting of two buildings and outdoor storage. The site has been graded, is relevantly flat and contains little vegetation or mature trees. There are no streams or other environmentally sensitive features on the site, but there is a large ditch than runs along the property boundary with Tennessee Avenue.

Site Plan

The plan calls for 55 detached residential units. Units are oriented to 49th Avenue, Tennessee Avenue or open space. Twenty-three units are oriented towards a public street and the remaining 32 units are oriented towards one of two internal open space areas. All units include front porches. Units are limited to three stories in 35 feet.

Landscaping is shown throughout the development. The courtyards are landscaped and landscaping is also shown in front of the units along 49th and Tennessee. Street trees are shown along 49th. Stormwater requirements are being met with rain gardens and other Low Impact Devices (LID). The rain gardens provide additional landscaping. A ten foot buffer yard is provided along the northern property boundary. Landscaping is also provided along the eastern property boundary. Access into the site is proposed from one drive off of 49th Avenue and one drive off of Tennessee Avenue. The plan calls for a five foot sidewalk along both 49th and Tennessee. The plan provides an internal sidewalk network that permits easy navigation throughout the development.

A total of 128 parking spaces are shown (2.3 stalls per unit). All the units fronting onto open space include a two car garage (64 garage stalls). The remaining 64 spaces are surface and provide parking for the units facing 49th and Tennessee and guest parking.

ANALYSIS

While the SP is not consistent with the existing Industrial land use policy, it is consistent with the proposed Urban Neighborhood Evolving land use policy as previously discussed. The plan also meets several critical planning goals. If the associated policy amendment is approved then staff can recommend approval of the SP with conditions. If the proposed Urban Neighborhood Evolving land use policy is not approved, then the request should not be approved.

Staff has no major issues with the request; however, Planning and Public Works staff are requesting that on street parking be provided along 49th Avenue and Tennessee Avenue. The applicant has agreed to provide the parking along 49th, but is not agreeable to providing the parking along Tennessee. On street parking is in keeping with a more urban form and is appropriate along both streets. It is also important to note that on-street parking was required along Tennessee Avenue with the Tennessee Avenue Cottages Specific Plan which is located on the northwest corner of Tennessee and 49th. The Planning Commission recommended that Council approve that SP at the September 26, 2013, Planning Commission meeting. Staff is recommending that any approval include a condition requiring on street parking along 49th and Tennessee.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Returned for Corrections

- 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.
- Indicate on the plans installation of curb and gutter, sidewalk, drainage infrastructure, and grass strip along 49th and Tennessee Ave with on-street parking "bulbed in."
- The solid waste/ recycling collection will be the sole responsibility of the HOA.

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	4.34	0.6 F	113,430 SF	404	36	37

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

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)	4.34	-	55 U	524	37	54

December 12, 2013, Planning Commission meeting

Traffic changes between maximum: **IR** and proposed **SP-MR**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+120	+1	+17

METRO SCHOOL BOARD REPORT

Projected student generation existing IR district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-MR district: 30 Elementary 17 Middle 17 High

The proposed SP-MR zoning district could generate 64 additional students. Students would attend Cockrill Elementary School, Mckissack Middle School, and Pearl-Cohn High School. Cockrill Elementary is identified as being over capacity and there is no additional capacity for elementary students within the cluster. This information is based upon data from the school board last updated September 2012.

Fiscal Liability

The fiscal liability of 30 new elementary students is \$645,000 (30 X \$21,500 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions and disapproved without all staff conditions if the Commission adopts the policy amendment and that the request be disapproved if the associated policy amendment is not approved.

CONDITIONS

1. Permitted land uses shall be limited to 55 residential units.
2. On street parking meeting Public Works design guidelines shall be provided along 49th Avenue and Tennessee Avenue.
3. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 1,000 square feet.
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 RM20 zoning district 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 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.
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.

Approved with conditions and disapproved without all conditions (10-0), Consent Agenda

Resolution No. RS2013-225

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-029-001 is Approved with conditions and disapproved without all conditions. (10-0)

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