

2013SP-037-001

HILL CENTER AT SYLVAN HEIGHTS

Map 091-16, Parcel(s) 294, 296, 297, 300, 303-306, 313-323, 330-332

Council District 24 (Jason Holleman)

Staff Reviewer: Duane Cuthbertson

A request to rezone from RS5, CS and IR to SP-MU for various properties located along Charlotte Avenue, Park Avenue, 40th Avenue North and Elkins Avenue and bounded by Charlotte Avenue to the north, 40th Avenue North to the east, Alley #1197 to the south and a CSX railroad to the west, (7.4 acres), to permit uses permitted in the MUL-A district and up to 320 residential units, requested by Barge Cauthen & Associates, applicant; HG Hill Realty Company and HG Hill Realty Company, LLC, owners.

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

APPLICANT REQUEST

Permit uses permitted in the MUL-A district and up to 320 residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS5), Commercial Service (CS) and Industrial Restrictive (IR) to Specific Plan – Mixed Use (SP-MU) for various properties located along Charlotte Avenue, Park Avenue, 40th Avenue North and Elkins Avenue and bounded by Charlotte Avenue to the north, 40th Avenue North to the east, Alley #1197 to the south and a CSX railroad to the west, (7.4 acres), to permit uses permitted in the MUL-A district and up to 320 residential units.

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. *0.91 acres of the site is zoned RS5 which would permit a maximum of 14 units.*

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

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

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 proposes up to 320 residential units and 30,500 square feet of commercial uses.*

CRITICAL PLANNING GOALS

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

The SP creates new development opportunity in a neighborhood where public infrastructure exists, which is preferable because it does not burden Metro with the cost of maintaining additional, new infrastructure. The SP makes efficient use of existing infrastructure and urban land.

The SP proposes additional density in an area of Nashville adequately served by a variety of transportation choices including roads, bike lane (on Charlotte Avenue), sidewalks and transit (route #10 on Charlotte Avenue). The SP's location within a developed transportation network provides a variety of choices. As growth and development – and resulting traffic – continues the design and location of this SP provides realistic transportation alternatives to single occupancy vehicles.

The mixed use nature of the SP fosters healthy neighborhoods as it encourages walking trips for daily conveniences by proposing commercial uses in an urban form along the Charlotte Avenue corridor within walking distance for the existing and future residential. The SP indicates improvements to the pedestrian environment along all adjacent street frontages as well as the opposite side of 40th Avenue North. It also establishes a public access drive providing connectivity through the SP. The improved pedestrian environment encourages walking for existing surrounding and future residents.

The SP provides a series of uses (commercial to multi-family residential to single-family residential) away from the Charlotte Avenue corridor that will provide a better transition between the more intense industrial area to the north and west with the mostly single-family residential neighborhoods to the south and east.

The proposed development fosters walkable neighborhoods by providing additional density oriented to the adjoining streets and providing a sidewalk, street trees and a row of parallel parking along the 40th Avenue North frontage where no sidewalk currently exists. The development will improve the existing sidewalk on Charlotte Avenue with additional width and street trees.

The proposed development provides additional housing options in the area. The SP mitigates urban sprawl by increasing the supply of in-town housing, as well as commercial opportunity, which relieves the pressure to develop greenfields on the periphery of Davidson County or in neighboring jurisdictions.

WEST NASHVILLE COMMUNITY PLAN

Urban Mixed Use Corridor (T4 CM) policy is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Urban Neighborhood Maintenance (T4 NM) 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.

Consistent with Policy?

Yes. The proposed SP is consistent with both the T4 CM and T4 NM land use policy as provided by the West Nashville Community Plan. The request provides additional density in an urban area where additional density is appropriate and enhances the site's urban form. The mixed use nature of the SP is supported by the two land use policies applied to the property. The SP places buildings proposed to contain commercial uses on the ground floor with residential above along the portion of the site guided by the Mixed Use Corridor policy. Buildings proposed to contain primarily residential uses are located on the portion of the site guided by the Neighborhood Maintenance policy.

The portion of the site proposed to contain the multi-family building and guided by the Neighborhood Maintenance policy is currently zoned a mix of residential and industrial. The West Nashville Community Plan recognizes the need for flexibility with rezoning the site in order to bring the industrially zoned portion of the property closer to conformance with the T4 Urban Neighborhood Maintenance policy.

The proposed four-story, multi-family building will be located in the middle of the site, extending across the industrially zoned portion of the site. The building, containing a maximum height of four stories, provides a moderated scale along the 40th Avenue North frontage in order to better transition to the scale of the neighborhood to the east. The building will be two stories at the street frontage and step back 10 feet for each successive floor. Stoops are provided along the street frontage indicating individual access will be provided to units fronting 40th Avenue North. Principal access (pedestrian and vehicular) to the multi-family building will be gained from an interior access drive on the north side. The SP proposes a small (2,500 sq. ft.) commercial space in the multi-family building which will front the private access drive on the north side. The commercial component and building scale proposed in the multi-family building is supported by the policy as it moves the site closer to conformance with the policy.

The SP completes the transition in intensity and scale from the Charlotte Avenue corridor into the residential neighborhood by placing detached single-family residential buildings at the back of the site. The residential dwellings will be guided by bulk standards compatible with the surrounding neighborhood's residential zoning.

PLAN DETAILS

The site is located at the southwest corner of Charlotte Avenue and 40th Avenue North. It extends south two and one-half blocks and abuts an active rail line to the west. Two public streets and two alleys extend across the site however all terminate at the rail line. The SP proposes closing all of the crossing streets and alleys into the site and consolidating the property. The site currently contains a car wash and retail building along Charlotte Avenue. An industrial use occupies the southwest portion of the site. Most of the residential dwellings previously occupying the site have been cleared.

The site is surrounded by Industrial zoned automotive uses to the north and Industrial zoned warehouse/distribution uses to the west. A commercial zoned property is located east of the site along Charlotte Avenue while residential zoned dwellings are located to the east and south of the site away from Charlotte Avenue.

Site Plan

The SP calls for a large scaled mixed use development organized into three main areas: mixed-use, multi-family and detached single family.

Mixed Use area:

Two mixed use buildings are proposed on the north side of the site along the Charlotte Avenue frontage; the building at the northeast corner is proposed for 20,000 sq. ft. of commercial floor area with a minimum building height of two stories for up to 14 residential units in a second floor. The other commercial building at the northwest corner of the site is proposed at one story with 8,000 sq. ft. of floor area. The SP allows uses permitted in the MUL-A district for all commercial spaces.

The commercial buildings are placed in a build-to zone along Charlotte Avenue and 40th Avenue North. Parking is located behind and beside the buildings. The SP proposes an expanded sidewalk along Charlotte Avenue and 40th Avenue North and indicates outdoor dining may be permitted in front of the buildings.

Multi-Family area:

A four story multi-family building will occupy a large portion of the middle of the site. The multi-family building(s) is proposed to contain between 260 and 290 units and a small 2,500 sq. ft. commercial space to be located on the northern side fronting a proposed public access drive. The building will extend from the 40th Avenue North frontage to the west against the rail line. The building will be placed within a 5' to 30' build-to zone along 40th Avenue North. The building is permitted an overall building height of four stories, however, it is proposed at two stories in height at 40th Avenue North facade. Each successive story will step-back ten feet from the eastern façade. Principal (vehicular and pedestrian) access to the multi-family building will come from the north side on a proposed access drive. A four story 380 space parking structure is proposed in the interior of the site. The multi-family building will wrap around the south, north, and east edges of the structure shielding it from surrounding residential neighborhoods. Access to the parking structure is limited to the proposed public access drive on the north side of the building.

Detached Single-Family:

A detached single-family residential component will occupy the southern portion of the site. The site plan shows 14 detached residential units oriented to a courtyard and provided access from the existing alley on the north side and proposed private alleys on the west and north sides. The dwellings will be permitted up to three stories in height (in 40 feet). Each dwelling will contain a two car garage oriented to the alleys. The SP proposes an open air pavilion and green space on the east side of the detached dwellings along the 40th Avenue North frontage.

Parking and Access:

111 surface and 380 garage parking spaces are provided with the SP. Each detached dwelling will provide two garage parking spaces. On-street parking spaces are proposed on 40th Avenue North. Parking areas are provided behind or beside proposed buildings and along the access drive in the SP. The two principal surface parking areas are bordered by a building or a masonry wall along adjacent street frontages.

The site is provided access from Charlotte Avenue on the north side and 40th Avenue North on its eastern boundary. The SP proposes a public access drive connecting Park Avenue on the east with Charlotte Avenue on the north. The drive provides connectivity through the site by extending in between the multi-family building and the mixed use buildings. The access drive will align with 40th Avenue North on the north side at Charlotte Avenue. The proposed access drive will accommodate the bulk of vehicular access to the site – all of the proposed parking areas are connected to the proposed access drive.

The SP provides an extensive and enhanced pedestrian network along the adjacent public streets as well as through the site. Sidewalks are widened and improved with street trees along Charlotte Avenue. Sidewalks flank the proposed access drive through the site. Sidewalks along 40th Avenue North and along the railway on the west side of the site connect all of the residential components of the SP to the mixed use buildings. The SP shows sidewalk improvements to both sides of 40th Avenue North extending the network into the adjacent neighborhood. The SP proposes right-of-way dedication for both Charlotte Avenue and 40th Avenue North to accommodate proposed sidewalk improvements.

ANALYSIS

The SP is consistent with the existing Urban Mixed Use Corridor (T4 CM) and Urban Neighborhood Maintenance (T4 NM) policies and supports several critical planning goals. The proposed development enhances the Charlotte Avenue corridor and provides a transition of use and intensity from the corridor into the adjacent neighborhood. The SP accommodates parking requirements and vehicular access though not to the detriment of a strong pedestrian environment.

SCHOOL BOARD REPORT

Projected student generation proposed SP district: 30 Elementary 13 Middle 10 High

The proposed SP zoning district could generate 53 additional students. Students would attend Sylvan Park Elementary School, West End Middle School, and Hillsboro High School.

All three schools are identified as under capacity and will accommodate additional students. This information is based upon data from the school board last updated September 2012.

STORMWATER RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Approve with Conditions

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.

November 14, 2013, Planning Commission Minutes

2. The proposed private alley system located to the south of the project should be placed within a dedicated ROW, prior to building permit signoff.
3. Indicate ST-324 driveway ramps at the connections of all private driveways and Alley connections to the public ROW.
4. The proposed concrete sidewalk on the East side of 40th, per MPW standards, should extend to the back of curb. Tree wells are acceptable in this instance, but a continuing grass strip is not.
5. Prior to submittal of the final SP to MPC, the owner/ developer should submit the easement documentation to MPW for approval.
6. Comply with the conditions of the MPW Traffic Engineer and the approved recommendations from the Traffic Impact Study.

TIS recommendations:

1. Developer shall provide adequate sight distance at all proposed access points with Public ROW and at internal driveways accessing Park Ave ext.
2. Developer shall design and submit signal plan to metro traffic engineer for approval and install signal modifications as required.

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 Residential (210)	1.95	7.41 D	14 U	134	11	15

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.06	0.6 F	27,704 SF	1223	30	88

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)	4.39	0.8 F	152,982 SF	545	446	49

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
Multi-Family Residential (220)	7.4	-	320 U	2063	161	194

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
Retail (814)	7.4	-	14,000 SF	637	19	56

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
Restaurant (932)	7.4	-	14,000 SF	1781	162	157

Traffic changes between maximum: **RS5, CS, IR** 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
-	-	-	-	+2579	+255	+255

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions as the proposed SP is consistent with the land use policies.

CONDITIONS

1. Permitted land uses shall be limited to uses permitted in the MUL-A district and up to 320 residential units.
2. On-site parking shall not be permitted in front of the multi-family building along 40th Avenue North.
3. Add the following note to the plan: "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. Comply with Public Works requirements.
5. 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 north of alley #1199 shall be subject to the standards, regulations and requirements of the MUL-A zoning district as of the date of the applicable request or application and the property south of alley #1199 shall be subject to the standards, regulations and requirements of the RM20-A zoning district.
6. 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.
7. 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.
8. 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.

Approve with conditions and disapprove without all conditions (6-0), Consent Agenda

Resolution No. RS2013-206

"BE IT RESOLVED by The Metropolitan Planning Commission that 2013SP-037-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

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