

7b. 2014SP-008-001

TENNESSEE CORNER

Map 091-11, Parcel(s) 268-269, 328

Council District 20 (Buddy Baker)

Staff Reviewer: Melissa Sajid

A request to rezone from CS, R6 and RM40 to SP-C zoning for properties located at 5000 and 5002 Delaware Avenue and 604 51st Avenue North, at the northeast corner of 51st Avenue North and Delaware Avenue (1.17 Acres), to permit the expansion of an existing contractor supply sales/construction rental facility and office and retail uses, requested by Dale & Associates, applicant; Kenneth and Brian Petty, owners.

Staff Recommendation: If the associated policy amendment is approved, staff recommends approval of the SP with conditions and disapproval without all conditions. If the associated policy amendment is not approved, the staff recommends disapproval.

APPLICANT REQUEST

Preliminary SP to permit the expansion of an existing contractor supply sales/construction rental facility retail facility and office and retail uses.

Preliminary SP

A request to rezone from Commercial Service (CS), One and Two-Family Residential (R6) and Multi-Family Residential (RM40) to Specific Plan-Commercial (SP-C) zoning for properties located at 5000 and 5002 Delaware Avenue and 604 51st Avenue North, at the northeast corner of 51st Avenue North and Delaware Avenue (1.17 acres), to permit the expansion of an existing contractor supply sales/construction rental facility and office and retail uses.

Existing Zoning

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

One and Two-Family Residential (R6) requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25 percent duplex lots. *R6 would permit a maximum of 1 lot with 1 duplex lot for a total of 2 units.*

Multi-Family Residential (RM40) is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre. *RM40 would permit a maximum of 25 units.*

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

If approved with staff conditions, this development creates walkable neighborhoods by encouraging the improvement of the pedestrian environment; removing curb-cuts that cause conflict points between the pedestrian and vehicles and enhancing the street scape with landscaping and fencing.

WEST NASHVILLE COMMUNITY PLAN

Existing Policy

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.

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.

The property on 51st Avenue North is in T4 CM policy, while the remainder of the site along Delaware Avenue is T4 NM. The accompanying Community Plan Amendment (2014CP-007-002) would apply T4 CM to the entire subject site.

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Proposed Policy

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Consistent with Policy?

The proposed SP is not consistent with the existing Urban Neighborhood Maintenance policy. Urban Neighborhood Maintenance policy intends for future development to preserve the existing development pattern and refers primarily to residential uses. The applicant proposes to expand an existing commercial use that is already adjacent to existing residential uses.

The proposed SP is consistent with the T4 CM policy. As proposed, the request would allow for the expansion of existing commercial that is located at the corner of 51st Avenue North, which is an arterial street and Delaware Avenue which is classified as a collector street. In addition, the site has easy access from I-40, which exits onto Delaware Avenue. Delaware Avenue runs parallel to the interstate.

PLAN DETAILS

The site is located at the northeast corner of the intersection of Delaware Avenue and 51st Avenue North and consists of three lots. Existing structures are located on two lots, and the third lot is vacant. The adjacent zoning is CS, R6 and RM40, and uses in the area include a mixture of housing types as well as commercial and office uses along 51st Avenue North. Access is currently available to the site from both Delaware Avenue and 51st Avenue North, and existing sidewalks are located along both street frontages.

Site Plan

The SP proposes to expand the existing contractor supply sales/construction equipment rental use and add a retail/office component on property that is currently located at 600 51st Avenue North, which is zoned CS, and onto two adjacent parcels located directly east – 5000 and 5002 Delaware Avenue. The site of the existing business includes a 6,250 square foot building that currently serves as a retail/office building for the business. The second parcel, 5002 Delaware Avenue, is vacant and is zoned R6 and RM40. The third parcel, located at 5000 Delaware Avenue, is zoned RM40 and includes a one-story brick residential structure. The plan indicates that both structures will remain. The existing two-story retail/office building is proposed to be renovated to include a retail/showroom and inventory areas with an upstairs office. The existing one-story residence is proposed to be converted to office space. No exterior alteration is proposed for either structure, so elevations were not submitted as part of the SP request.

Five additional parking spaces will be added to the site near the one-story office building on the eastern-most parcel. Existing parking located in the right-of-way of Delaware Avenue will be removed, and Public Works has conditioned approval of the SP on the removal of existing pull-in parking located in the right-of-way of 51st Avenue North. At least one of the five existing parking spaces located at 51st Avenue North must be relocated on-site in order to meet the parking requirements of the Zoning Code. Sidewalks are currently located along both 51st Avenue North and Delaware Avenue. Five existing driveway ramps located along the Delaware Avenue frontage are to be removed and replaced with sidewalk. In addition, asphalt located behind portions of the sidewalk on Delaware Avenue will be removed and replaced with grass.

Screening between the proposed SP and the duplex located directly to the east will include existing trees and additional plantings that will meet the requirements of a C-3 buffer. The existing wrought iron fence along the Delaware Avenue frontage will be extended, and the final site plan is required to meet the perimeter landscaping and interior planting requirements of the Zoning Code. Also, the fencing currently located along Delaware Avenue will be relocated so that it does not encroach into the right-of-way.

ANALYSIS

While the proposed SP is not consistent with the existing T4 NM land use policy, it is consistent with the proposed T4 CM policy. If the associated policy amendment is approved, staff recommends approval of the SP with conditions and disapproval without all conditions. If the associated policy amendment is not approved, the staff recommends disapproval.

FIRE MARSHAL RECOMMENDATION

- N/A

STORMWATER RECOMMENDATION

- Approved with comments
1. Cite the correct FEMA panel number to plans (238 is not correct).

NASHVILLE ELECTRIC SERVICE RECOMMENDATION

- Approved

TRAFFIC & PARKING RECOMMENDATION

- No exception taken

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WATER SERVICES 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.
- With the construction of any new building structures on any of the SP parcels the developer must remove the head in parking within the ROW on 51st and relocate the required parking on site.

- Maximum Uses in Existing Zoning District: **R6**

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)	0.17	-	2 U*	20	2	3

- *Based on one, two-family unit

- Maximum Uses in Existing Zoning District: **RM40**

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)	0.64	-	25 U	240	19	26

- 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)	0.36	0.6 F	9,408 SF	441	15	45

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.17	-	2,650 SF	82	11	11

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	1.17	-	2,000 SF	124	9	27

- Traffic changes between maximum: **R6, RM40 and CS** and proposed **SP-C**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-495	-16	-36

SCHOOL BOARD REPORT

Projected student generation existing R6 and RM40 district: 4 Elementary 2 Middle 2 High

Projected student generation proposed SP-C district: 0 Elementary 0 Middle 0 High

The proposed SP-C zoning district could generate eight fewer students than what is typically generated under the existing R6 and RM40 zoning districts. Students would attend Cockrill Elementary School, McKissack Middle School, and Pearl-Cohn

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High School. Cockrill Elementary School has been identified as over capacity. This information is based upon data from the school board last updated September 2013.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all condition if the Commission adopts the policy amendment and disapproval if the associated policy amendment is not approved.

CONDITIONS

1. Uses within the SP shall be limited to retail and office uses.
2. Prior to the SP Final Site Plan approval, plans shall show the pull in parking and associated pavement located within the right-of-way on 51st Avenue North removed, and parking relocated parking on site. Prior to a Use and Occupancy permit, the pavement along 51st Avenue North shall be removed and parking shall be relocated on site.
3. All parking and/or storage areas must be a hard dustless surface. No gravel will be permitted. To meet Metro Stormwater requirements, pervious pavement is encouraged.
4. Prior to a Use and Occupancy permit, asphalt located behind the sidewalk adjacent to Delaware Avenue must be removed and replaced with grass.
5. A detailed landscape plan shall be submitted with the SP Final Site Plan to demonstrate that landscaping complies with the requirements of Sections 17.24.150 and 17.24.160 of the Zoning Code. There shall be adequate space on site for landscaping between the wrought iron fence and the right-of-way.
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 CS zoning district as of the date of the applicable request or application.
7. Signage shall meet the requirements of the MUL-A zoning district. Ground signs shall be limited to monument signs, and billboards and LED signs shall be prohibited.
8. 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.
9. 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.
10. 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. RS2014-38

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-008-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

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