

4. 2014SP-009-001

612 N 2ND STREET

Map 082-07, Parcel(s) 214

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from RS5 to SP-R zoning for property located at 612 N. 2nd Street, approximately 285 feet north of Berry Street (0.17 Acres), to permit single-family or two detached units, requested by Strategic Options International, LLC, owner.

Staff Recommendation: Approve preliminary SP with conditions and disapprove without all conditions. Defer or disapprove final site plan.

APPLICANT REQUEST

Zone change from RS5 to SP-R and final site plan.

Zone Change

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning and for final site plan approval for property located at 612 N. 2nd Street, approximately 285 feet north of Berry Street (0.17 Acres), to permit up to two detached single-family dwelling 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. *RS5 would permit a maximum of 1 unit.*

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. This Specific Plan includes single-family and two-family (detached) residential.

CRITICAL PLANNING GOALS

- Supports Infill Development

The SP permits an additional residential unit in an area that is served by adequate infrastructure. Development in areas with adequate infrastructure is more appropriate than development not served with adequate infrastructure, such as substandard roads, water and sewer, because it does not burden Metro with the cost of upgrading or building new infrastructure.

EAST NASHVILLE COMMUNITY PLAN

Structure Plan Policy

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.

Detailed Policy

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.

Consistent with Policy?

Yes. The proposed SP would permit one home or two detached homes which is consistent with the overall intent of the policy. While two-units would be on a single lot, the proposed SP requires that they be detached in order to keep the appearance of single-family homes. Also, the SP would permit the lot to be subdivided as long as each lot has 3,000 square feet.

PLAN DETAILS

The subject site is approximately 0.17 (7,405 SF) in size. It is located on the west side of N. 2nd Street in East Nashville.

Site Plan

The SP consists of a regulatory document that will regulate any future development on the site. The SP is intended to permit single-family or two-family detached residential. The plan provides the following requirements:

1. Permitted uses include single or two-family residential (detached).
2. Any two-family units shall be detached.
3. A minimum six foot separation is required between units and is subject to all Building and Fire Code requirements.
4. The minimum side setback shall be three feet.
5. The minimum rear setback shall be 20 feet.
6. The front setback shall be consistent with Section 17.12.030, Street setbacks.
7. No structure shall be more than two stories and shall be limited to a maximum of 29 feet at the front setback line and an overall maximum height of 45 feet.

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8. Vehicular access shall be from the alley and no driveways shall be permitted onto North 2nd Street.
9. The final site plan may be waived at the discretion of the Executive Director; however, no building permit shall be issued until such time that the permit has been approved by the Planning Department.
10. Ownership for units may be divided by a Horizontal Property Regime or a subdivision with a minimum lot size of 3,000 square feet.
11. 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 RS3.75 zoning district as of the date of the applicable request or application.
12. 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.

ANALYSIS

This SP would permit residential development consistent with the land use policy. The SP also supports infill development which is a Critical Planning Goal. The SP would also permit that the units be subdivided in the future.

While staff supports the proposed SP zoning, staff is recommending that the final site plan be deferred or disapproved. At this time adequate information for a final site plan has not been submitted. Since this will be a small development that will not require any new infrastructure, staff has included a condition of approval that would permit the final site plan to be waived. If waived, planning staff would review any development with the building permit application only.

STORMWATER RECOMMENDATION

Approved with conditions

- An infill site plan review will be required during the Building Permit review.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

*A traffic table was not prepared because an additional unit would not significantly generate more traffic than the current zoning.

WATER SERVICES RECOMMENDATION

Approved

METRO SCHOOL BOARD REPORT

The proposed SP would not generate any more students than what would be generated by the current RS5 district.

Any students would attend Shwab Elementary School, Jere Baxter Middle School, and Maplewood High School. This information is based upon data from the school board last updated September 2012.

STAFF RECOMMENDATION

Staff recommends that the proposed preliminary SP zoning be approved with conditions and disapproved without all conditions. Staff recommends that the final site plan be deferred indefinitely or disapproved.

CONDITIONS

1. Permitted uses include single or two-family residential (detached).
2. Any two-family units shall be detached.
3. A minimum six foot separation is required between units and is subject to all Building and Fire Code requirements.
4. The minimum side setback shall be three feet.
5. The minimum rear setback shall be 20 feet.
6. The front setback shall be consistent with Section 17.12.030, Street setbacks.
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12. 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.

13. 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.

Mr. Swaggart presented the staff recommendation of approval of the preliminary SP with conditions, disapproval without all conditions, and deferral of the final site plan.

Myron Dowell, Strategic Options International, spoke in favor of the application.

Brenda Ross, 813 Stockell Street, spoke in favor of the application and noted that this will greatly improve the neighborhood.

Ben Jordan, 1011 N. 5th Street, spoke in favor of the application and expressed excitement that someone has a vision and a plan for this specific street because it has been much needed for a long period of time.

Dan Forlines, 805 N. 2nd Street, spoke in opposition to the application and stated that it is not consistent with the purpose and intent of the SP and that the property is not unique and does not pose specific limitations to the owner.

Marcie Garner, 610 2nd Street, expressed concerns regarding adequate communication with the developer as well as concerns with two structures on such a small lot.

Myron Dowell stated that he is readily available, has shared his contact information, and wants to show people that he is serious about fostering change in this neighborhood.

Chairman McLean closed the Public Hearing.

Councilman Scott Davis spoke in favor of the application for three reasons: the developer uses local designers and contractors, he stays in contact with all neighbors both for and against, and housing stock is desperately needed. Councilman Davis stated willingness to make amendments on 3rd reading at council to help appease neighbors that are against this project.

Mr. Dalton expressed uncertainty and stated that he sees character inconsistencies in terms of two dwelling units on one piece of property.

Ms. Blackshear asked for clarification regarding the final site plan deferral.

Mr. Swaggart stated that final site plans are typically for larger projects that require infrastructure. The final site plan could be waived if there is no infrastructure required.

Mr. Ponder moved and Mr. Adkins seconded the motion to approve preliminary SP with conditions and disapprove without all conditions. Defer indefinitely the final site plan. (5-1) Mr. Dalton voted against.

Resolution No. RS2014-67

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-009-001 is **Approved with the preliminary SP with conditions and disapprove without all conditions. Defer Indefinitely the final site plan. (5-1)**

CONDITIONS

- 1. Permitted uses include single or two-family residential (detached).**
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- 4. The minimum side setback shall be three feet.**
- 5. The minimum rear setback shall be 20 feet.**
- 6. The front setback shall be consistent with Section 17.12.030, Street setbacks.**

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- 7. No structure shall be more than two stories and shall be limited to a maximum of 29 feet at the front setback line and an overall maximum height of 45 feet.**
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 - 9. The final site plan may be waived at the discretion of the Executive Director; however, no building permit shall be issued until such time that the permit has been approved by the Planning Department.**
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