

10. 2014SP-076-001

BL2014-896\S. Davis

CLEVELAND PARK/MCFERRIN SP

Council District 5 (Scott Davis)

Staff Reviewer: Melissa Sajid

A request to rezone from RS5 to SP-R zoning for various properties located along Arrington Street, Berry Street, Cleveland Street, Douglas Avenue, Evanston Avenue, Joseph Street, Lischey Avenue, Meridian Street, Montgomery Avenue, N. 2nd Street, N. 5th Street, N. 6th Street, N. 7th Street, N. 8th Street, Pennock Avenue, Richardson Avenue, Stainback Avenue, Stockell Street, Treutland Avenue, Vaughn Street and Vernon Winfrey Avenue, south of Douglas Avenue, (238.26 acres), to allow detached accessory dwelling units with all other standards of the RS5 district being applicable, requested by Councilmember Scott Davis, applicant; various property owners.

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

APPLICANT REQUEST

To permit detached accessory dwelling units.

Application type

A request to rezone from Single-Family Residential (RS5) to Specific Plan – Residential (SP-R) zoning for various properties located along Arrington Street, Berry Street, Cleveland Street, Douglas Avenue, Evanston Avenue, Joseph Street, Lischey Avenue, Meridian Street, Montgomery Avenue, N. 2nd Street, N. 5th Street, N. 6th Street, N. 7th Street, N. 8th Street, Pennock Avenue, Richardson Avenue, Stainback Avenue, Stockell Street, Treutland Avenue, Vaughn Street and Vernon Winfrey Avenue, south of Douglas Avenue, (238.26 acres), to allow detached accessory dwelling units with all other standards of the RS5 district.

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.

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. This Specific Plan includes only one residential building type.

CRITICAL PLANNING GOALS

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

The propose SP expands the range of housing choices in the area while maintaining the existing character of the neighborhood at the street. Permitting detached accessory dwelling units in an area where infrastructure is already available supports infill development. In addition, the subject properties are served by transit routes that run throughout the neighborhood which will be supported by the additional density proposed by the SP.

EAST NASHVILLE COMMUNITY PLAN

Structure Plan 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.

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

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.

Structure Plan 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.

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

Mixed Housing (MH) is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

Structure Plan Policy

Urban Community Center (T4 CC) policy is intended to preserve, enhance, and create urban community centers encouraging their development and redevelopment as intense mixed use areas that are compatible with the general character of urban neighborhoods as characterized by the service area, development pattern, building form, land use, and associated public realm. Where not present, enhance infrastructure and transportation networks to improve pedestrian, bicycle and vehicular connectivity. T4 Urban Community Centers are pedestrian friendly areas, generally located at intersections of prominent urban streets. T4 Urban Community Centers serve urban communities within a 5 minute drive or a 5 to 10 minute walk.

Cleveland Park, McFerrin Park and Greenwood Detailed Neighborhood Design Plan (DNDP)

Mixed Use (MxU) is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with Policy?

Yes. The SP proposes to permit detached accessory dwelling units (DADUs) in certain locations while maintaining the standards of RS5 zoning for all primary and accessory structures that are not DADUs. This is consistent with the goals of the detailed policies of the DNDP to preserve the existing single-family character within the core of the neighborhoods, while expanding housing options to help create affordable housing alternatives. The bulk and massing standards included in the SP for DADUs will ensure that the single-family context at the street is maintained. In addition, the access standards included in the SP help achieve the pedestrian-oriented goals of the DNDP by restricting access to alleys where available and prohibiting additional curb cuts for properties without access to an improved alley.

ANALYSIS

The SP proposes to allow an additional housing type to the Cleveland Park and McFerrin Park neighborhoods by permitting detached accessory dwelling units (DADUs) in certain locations while maintaining the existing RS5 zoning for all primary and accessory structures that are not DADUs. The standards included reflect those that are already in place for DADUs permitted countywide in One and Two-Family Residential Districts (R) districts.

Standards are included to address where DADUs location, placement and vehicular access. The SP proposes to permit DADUs on lots with an improved alley adjacent to the rear or side property line or on any lots that are at least 15,000 square feet in area. The units may only be located behind the principle structure. For lot with access to an improved alley, any additional access must be from the alley, and for units without alley access, no more than one curb cut from a public street is permitted to access both the primary structure and the DADU.

Bulk and massing standards are also included in the SP to ensure that DADUs are accessory to the primary structure on a given lot. The height of a DADU may not exceed the height of the principle structure on the lot or 27 feet in height at the roof ridge line, whichever is greater. The living space for a detached accessory dwelling unit is limited to 700 square feet, but the footprint of the structure can be up to 750 square feet on lots less than 10,000 square feet or 1,000 square feet on lots 10,000 square feet or more.

The SP also proposes design standards to ensure that DADUs complement the style, design and hue of the primary structure and hence maintain the character of the neighborhood. In addition, provisions are included for properties located within a historic overlay district. Currently, none of the properties subject to this SP are located within a historic overlay district.

STAFF RECOMMENDATION

Staff recommends approval with conditions and disapproval without all conditions of the SP as it is consistent with the structure plan policies and detailed policies and meets three critical planning goals.

CONDITIONS

1. Uses within the SP shall be limited to all uses permitted by RS5 and detached accessory dwelling units.
2. Property within the SP shall be treated as RS5 for the purposes of proposed subdivisions. All Subdivision Regulations shall apply, including Section 3-5.
3. No new Detached Accessory Dwelling Units may be built within public water, sewer, or utility easements.
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 RS5 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 or with final site plan application.

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.

Ms. Sajid presented the staff recommendation of approval with conditions and disapproval without all conditions.

Mr. Clifton stepped back in the room at 6:36 p.m.

Councilmember Scott Davis spoke in favor of the application and noted that this is not a developer led build; it's for the homeowners.

Brenda Ewin, 1214 N 8th St, spoke in favor of the application.

Dane Forlines, 805 N 2nd St, spoke in favor of the application because it supports density goals in a neighborhood evolving area in a way that doesn't negatively affect the character of the neighborhood streets, it will provide a relatively lower cost rental option, and it will provide rental income opportunities for all homeowners.

Brett Withers, 1113 Granada Ave, spoke in favor of the application.

Lisa Spells, 611 N 5th St, spoke in opposition to the application because it is not fair and equitable to the people that don't have alley access.

Pam Murray, 802 Stockell St, spoke in opposition to the application due to lack of community information.

Ernestine Crutcher, 1229 Lischey Ave, spoke in opposition to the application because it doesn't fit with the structure of the neighborhood.

Omid Yamini, 1204 N 2nd St, spoke in opposition to the application and expressed concerns with changing the base zoning of the entire neighborhood.

Kenneth Davis, N 5th St, asked for deferral to allow the community time to gather more information.

Ms. Farr left the meeting at 6:59 p.m.

Councilmember Davis clarified that a lot more communication will happen with the neighborhood.

Vice Chair Adkins closed the Public Hearing.

Mr. Clifton spoke in favor of the application and noted that it is a good step forward.

Mr. Gee spoke in favor of the application and stated that it's an inventive way to take the good parts of our zoning ordinance and leave the bad parts behind.

Ms. LeQuire moved and Mr. Clifton seconded the motion to approve with conditions and with a recommendation that Council consider smaller lot square footage requirements for this area. (7-0)

Resolution No. RS2014-280

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-076-001 is **Approved with conditions and disapproved without all conditions. (7-0)**"

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