

2014SP-084-001

519 & 521 WEAKLEY AVENUE

Map 071-10, Parcel(s) 031, 188

Council District 02 (Frank R. Harrison)

Staff Reviewer: Melissa Sajid

A request to rezone from RS5 to SP-R zoning for properties located at 519 and 521 Weakley Avenue, opposite Fern Avenue, (0.34 acres), to permit up to four residential dwelling units, requested by Ben Jordan, applicant; Margurita Jackson, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Preliminary SP to permit up to 4 residential units.

Preliminary SP

A request to rezone from Single-Family Residential (RS5) to Specific Plan-Residential (SP-R) zoning for properties located at 519 and 521 Weakley Avenue, opposite Fern Avenue, (0.34 acres), to permit up to four residential 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 2 units.*

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

N/A

BORDEAUX-WHITES CREEK COMMUNITY PLAN

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?

No. The Urban Neighborhood Evolving policy is intended to create and enhance the character of the existing neighborhood in terms of its development pattern, building form, land use and the public realm. The policy also emphasizes a high level of pedestrian connectivity. While the proposed residential use is consistent with the Urban Neighborhood Evolving policy, the design of the SP ignores the policy objective to enhance the pedestrian environment. The plan proposes front loaded garages with individual driveways for all four units. This creates an environment that is auto-centric and fails to foster pedestrian connectivity. Staff recommends incorporating one shared driveway which will not only reduce the amount of pavement but also reduce the extent of conflicts between pedestrians and automobiles.

PLAN DETAILS

The site is located at 519 and 521 Weakley Avenue, northeast of Baptist World Center Drive and opposite Fern Avenue. Surrounding zoning includes RS5, IWD and IR, and the area is characterized by a variety of land uses. Access to the site is from Weakley Avenue. Alley # 1069 is unbuilt.

Site Plan

The plan proposes two attached duplexes for a total of 4 residential units. The maximum height for all units is 3 stories in 22' at the front setback and 40' maximum.

Access and parking for the units are provided by individual front loaded garages which create two 27' curb cuts that are separated by 23' of grass between the structures. Staff finds that the proposed curb cuts are excessive and do not help to create a pedestrian friendly environment. Furthermore, staff recommends incorporating only one driveway that will serve all units and relocating parking to the rear. The plan could utilize the existing topography which slopes down from the street to provide tuck under garages behind the structures which would provide an alternative to the proposed front loaded garages.

Existing sidewalks are located on the east side of Weakley Avenue; installation of a sidewalk in front of the subject property is not proposed with the SP.

ANALYSIS

The SP includes several design elements that do not align with the goals of the Urban Neighborhood Evolving land use policy. The proposed front loaded garages and individual driveways along with the scale and massing fail to provide a consistent streetscape that enhances pedestrian connectivity. Staff recommends incorporating a shared driveway and parking in the rear to minimize negative impacts on the pedestrian environment. As the SP is not consistent with the goals of the Urban Neighborhood Evolving policy to create and enhance the pedestrian environment, staff recommends disapproval.

FIRE MARSHAL RECOMMENDATION

Approve with conditions

- Fire Code issues for the structures will be addressed at permit application review.

STORMWATER RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

Returned

- Comply with road section conditions.

WATER SERVICES RECOMMENDATION

Approve

PUBLIC WORKS RECOMMENDATION

Returned

- 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.
- If sidewalks are required, then they should be shown on the plan per Public Works standards with the required curb and gutter and grass strip.
- Submit plan to scale. Scale listed appears to be incorrect.
- Indicate that driveway connections to Weakley are to be per ST-323. Driveways are to be a maximum of 22' wide each, at the ROW.
- Indicate only one driveway per lot.
- Submit vertical and horizontal sight distance for the driveway connections for each lot.

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)	0.34	8.71 D	2 U	20	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (210)	0.34	-	4 U	39	3	5

Traffic changes between maximum: **RS5 and SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 2 U	+19	+1	+2

SCHOOL BOARD REPORT

Projected student generation existing RS5 district: 0 Elementary 0 Middle 0 High

Projected student generation proposed SP-R district: 1 Elementary 1 Middle 1 High

The proposed SP-R zoning district would generate three more students than what is typically generated under the existing RS5 zoning district. Students would attend Lillard Elementary School, Joelton Middle School, and Whites Creek High School. All three schools have been identified as having additional capacity. This information is based upon data from the school board last updated October 2014.

STAFF RECOMMENDATION

Staff recommends disapproval of the SP as it is not consistent with the goals of the Urban Neighborhood Evolving land use policy.

CONDITIONS (if approved)

1. Uses within the SP shall be limited to 4 residential units.
2. Correct purpose note: "The purpose of this SP is to permit up to 4 residential units."
3. If a development standard, not including permitted uses, is absent from the SP plan and/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. Uses are limited as described in the Council ordinance.
4. The final site plan shall include architectural elevations showing raised foundations of 18-36" for residential buildings.
5. The preliminary SP plan approved by the metropolitan council is of such detail that the executive director of the planning department or his designee may waive the submittal of a final site plan.
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 or with final site plan application.
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.

Ms. Sajid presented the staff recommendation of disapproval.

Ben Jordan, 1011 N 5th Street, representing applicant, spoke in favor of the application and clarified that the applicant will live in the area. This project will enhance the area and bring in more people.

Commissioner Clifton closed the Public Hearing.

Ms. Farr inquired if staff suggested different design options to the applicant.

Ms. Sajid clarified that staff met with Mr. Jordan early on and urged them to look at that and incorporate that in the design but he was not interested in going in that direction.

Ms. LeQuire asked if the duplexes could be stacked instead of side-by-side to allow for a driveway.

Ms. Sajid noted that stacked would probably address staff concerns but a design to that effect was not presented.

Ms LeQuire suggested leaving two side-by-side and stacking the other two.

Mr. Jordan stated safety concerns and investment concerns due to a 20% crime increase in this area; front loaded garages are preferred.

Councilman Hunt spoke in favor of the application and noted that this area has a lot of potential; trying to help evolve this area into something that is safe and good.

Mr. Blackshear noted that she is leaning towards supporting the application.

Mr. Gee pointed out that there are a lot of different configurations that could be considered and expressed concern that if this is approved, the entire neighborhood will end up garages.

Mr. Clifton stated that he is not sure that he can agree with the staff recommendation due to the specific things that have been mentioned.

December 11, 2014, Planning Commission Meeting

Ms. LeQuire moved and Mr. Gee seconded the motion to disapprove due to the design.

Ms. Blackshear asked Mr. Jordan if the applicant would be willing to go back and work with planning to find alternate ways to where it would be more consistent with policy.

Mr. Jordan stated that the owner is not a traditional developer; she is just a private citizen and may not have the financial means to continue to go back and forth with the designer.

Ms. Farr noted that there could be some design changes made that may not be terribly expensive.

Ms. LeQuire asked Mr. Jordan if he would consider a deferral.

Mr. Jordan noted that he would consider it, but the owner doesn't have the financial resources to go to great lengths to find another design.

Ms. Blackshear stated that while she likes the design, she can't support it the way it is structured right now.

Mr. Gee clarified that the commission is only making a recommendation to the council; they can do what they wish.

Vote taken: (4-3) Mr. Haynes, Councilman Hunt, and Mr. Clifton voted against.

Resolution No. RS2014-308

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-084-001 is Disapproved. (4-3)"