

## 5. 2014SP-086-001

### 204 BEN ALLEN SP

Map 060, Parcel(s) 050

Council District 08 (Karen Bennett)

Staff Reviewer: Melissa Sajid

A request to rezone from RS10 to SP-R zoning for property located at 204 Ben Allen Road, approximately 990 feet east of Dickerson Pike, (4.18 acres), to permit up to 17 dwelling units, requested by Dale & Associates, applicant; Teesdale Properties, owner.

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

### APPLICANT REQUEST

**Preliminary SP to permit up to 17 residential units.**

#### Preliminary SP

A request to rezone from Single-Family Residential (RS10) to Specific Plan-Residential (SP-R) zoning for property located at 204 Ben Allen Road, approximately 990 feet east of Dickerson Pike, (4.18 acres), to permit up to 17 dwelling units.

### Existing Zoning

Single-Family Residential (RS10) requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. *RS10 would permit a maximum of 15 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

- Supports Infill Development
- Supports a Variety of Transportation Choices

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure. In addition, the site is served by an existing bus route that runs along Dickerson Pike to the west which will be supported by the additional density proposed by the SP.

### EAST NASHVILLE COMMUNITY PLAN

#### Current 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.

#### DRAFT Preferred Future 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.

#### Consistent with Policy?

Yes, the SP is consistent with the Urban Neighborhood Evolving policy. The urban neighborhood evolving policy is intended to create neighborhoods that are compatible with the general character of urban neighborhoods in terms of its development pattern, building form, land use and the public realm while anticipating changes such as smaller lot sizes and additional density.

### PLAN DETAILS

The site is located at 204 Ben Allen Road, east of Dickerson Pike. Surrounding zoning includes RS10 and CS, and the area is characterized by a variety of land uses. Access to the site is from one driveway proposed on Ben Allen Road which is to align with Hillside Drive to the north. The plan includes a future connection to the site located to the east.

**Site Plan**

The plan proposes 17 residential units and includes both attached and detached units. The maximum height for all units is 3 stories in 42'. Type B-5 landscape buffers are proposed along all property boundaries that are adjacent to existing residential. In addition, a significant vegetation conservation area is proposed at the rear of the site.

The overall site layout includes two units fronting Ben Allen Road and 15 units that are oriented toward an interior courtyard. The units oriented toward Ben Allen Road incorporate a contextual front setback to maintain the existing rhythm along the street. Architectural images have not been included with the preliminary SP. The SP, however, includes notes that address design considerations for the SP. The design conditions address doorway placement, glazing, window orientation and porches. Also, EIFS and vinyl siding will not be permitted as building materials.

Parking is provided via a mixture of garages and surface parking and includes ample guest parking located behind Units 12-17 on the east side of the site. The SP is located about 900 feet from an existing bus stop for a line that runs along Dickerson Pike. There is not an existing sidewalk network in the area. The SP proposes to construct sidewalks along the Ben Allen Road frontage of the site, and interior sidewalks are provided throughout the site to connect the units to the proposed public sidewalk.

The plan provides approximately 1.71 acres of open space or 40% of the total site, including the entire south side of the property which is proposed to be "conservation space".

**ANALYSIS**

The proposed SP is consistent with the Urban Neighborhood Evolving land use policy, and the plan meets two critical planning goals. Therefore, staff recommends approval with conditions and disapproval without all conditions.

**FIRE MARSHAL RECOMMENDATION**

**Approve with conditions**

- Fire Code issues for the structures will be addressed at permit application review. Radius on turns to meet the requirements of Appendix D of the 2006 IFC

**STORMWATER RECOMMENDATION**

**Approve**

**TRAFFIC & PARKING RECOMMENDATION**

**No exception taken**

**WATER SERVICES RECOMMENDATION**

**Approve**

- Approved as Prelim SP. Applicant will need to pay required Capacity Fees and have Approved Construction Plans before approval will be issued at the Final SP stage.

**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.
- Coordinate stormwater outfall with MPW and Metro Stormwater to confirm no stormwater flow over the proposed public sidewalk, may require hard connection to the existing infrastructure with Final SP.
- If cross access is proposed to parcel 52, establish cross access agreement.

Maximum Uses in Existing Zoning District: **RS10**

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)	4.18	4.35 D	18 U	173	14	19

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 (230)	4.18	-	17 U	138	13	15

Traffic changes between maximum: **RS10** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	- 1 U	-35	-1	-4

**SCHOOL BOARD REPORT**

Projected student generation existing RS10 district: 2 Elementary 2 Middle 2 High

Projected student generation proposed SP-R district: 2 Elementary 1 Middle 1 High

The proposed SP-R zoning district would generate two fewer students than what is typically generated under the existing RS10 zoning district. Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood 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 approval with conditions and disapproval without all conditions.

**CONDITIONS**

1. Uses within the SP shall be limited to 17 residential units.
2. 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 RM4 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.
3. The final site plan shall include architectural elevations showing compliance with the design consideration as well as raised foundations of 18-36" for residential buildings
4. The final site plan shall label all internal driveways as "Private Driveways" and shall provide for a joint access easement to the property to the east. A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
5. The area labeled on the plan as Conservation Space shall remain undisturbed. Any proposals to substantially alter the plan (as determined by the Planning Commission) to disturb this area shall require Metro Council approval. This condition shall not prohibit maintenance of the designated Conservation Space.
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 approval with conditions and disapproval without all conditions.

Michael Garrigan, 516 Heather Place, spoke in favor of the application and noted that it will create affordable housing and usable open space.

Michael Dainer, 2915 Morningside Drive, spoke in opposition and expressed concerns with the amount of trees that will have to come down as well as the water runoff.

Michael Garrigan clarified that there will be three rain gardens on this project.

**Chairman McLean closed the Public Hearing.**

Ms. Farr spoke in favor of the application and expressed appreciation with the amount of open space that is being preserved.

Ms. LeQuire spoke in favor of the application.

**Mr. Clifton moved and Mr. Dalton seconded the motion to approve with conditions and disapprove without all conditions. (6-0)**

**Resolution No. RS2015-29**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-086-001 is **Approved with conditions and disapproved without all conditions. (6-0)**”**

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