

2015SP-008-001

821 PORTER ROAD MULTIFAMILY

Map 083-07, Parcel(s) 032-039

Council District 06 (Peter Westerholm)

Staff Reviewer: Melissa Sajid

A request to rezone from R6 to SP-R zoning for properties located at 821, 827, 829, and 831 Porter Road, Porter Road (unnumbered), 2109 Tillman Lane, 809 Powers Avenue, and Powers Avenue (unnumbered), located north of Tillman Lane between Porter Road and Powers Avenue, (2.2 acres), to permit up to 54 stacked flats and 9 detached residential units, requested by Littlejohn, applicant; Josephine Lynn Colley, owner. (See also Community Plan Amendment Case No. 2015CP-005-001)

Staff Recommendation: Approve with conditions and disapprove without all conditions, subject to approval of the policy amendment.

APPLICANT REQUEST

Preliminary SP to permit up to 54 stacked flats and 9 detached residential units.

Preliminary SP

A request to rezone from One and Two-Family Residential (R6) to Specific Plan-Residential (SP-R) zoning for properties located at 821, 827, 829, and 831 Porter Road, Porter Road (unnumbered), 2109 Tillman Lane, 809 Powers Avenue, and Powers Avenue (unnumbered), located north of Tillman Lane between Porter Road and Powers Avenue, (2.2 acres), to permit up to 54 stacked flats and 9 detached residential units.

Existing Zoning

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 15 lots with 3 duplex lots for a total of 18 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
- Provides a Range of Housing Choices
- Supports a Variety of Transportation Choices

The proposed SP creates an opportunity for infill housing in an area that is served by existing infrastructure and introduces an additional housing type to the area. In addition, the site is served by an existing bus routes that run along Porter Road which will be supported by the additional units proposed by the SP.

EAST 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.

DRAFT Preferred Future Policy

No change is proposed.

Proposed 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?

The part of the SP located along Powers Avenue that includes 9 detached residential units are recommended to remain in the Urban Neighborhood Maintenance policy. That part of the SP is consistent with the Urban Neighborhood Maintenance policy which is intended to preserve the character of the existing neighborhood. The SP proposes detached dwelling units, which reflects the predominant development pattern along Powers Avenue.

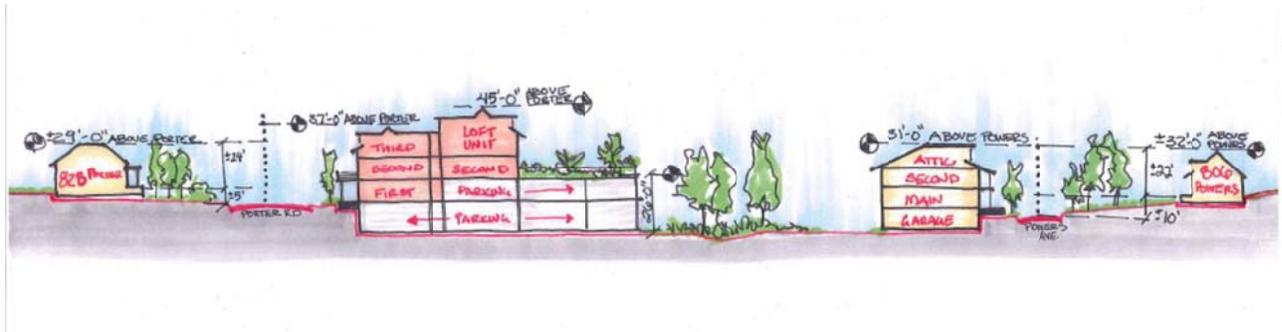
The portion of the SP that includes two buildings of stacked flats is not consistent with the existing policy. A community plan amendment (2015CP-005-001) has been requested to change the policy from Urban Neighborhood Maintenance (T4 NM) to Urban Neighborhood Evolving (T4 NE). This part of the proposed SP is consistent with the T4 NE policy as it introduces an additional housing option to those currently available in the immediate area. In addition, the proposed development is located adjacent to existing transit which will support residential use proposed by the SP.

PLAN DETAILS

The site is located at the northeast corner of the intersection of Porter Road and Tillman Lane and consists of eight parcels that front on Porter Road, Tillman Lane and Powers Avenue. Currently, five structures are located on the site; all of which are proposed to be demolished. Surrounding zoning includes R6 and CN, and the primary uses in the area are one and two-family residential.

Site Plan

The plan proposes 54 stacked flats and 9 detached residential units. The stacked flats are located in two buildings. The larger of the two buildings of stacked flats anchors the corner of Porter Road and Tillman Lane, and the smaller building is oriented toward Porter Road. Nine detached units are located along Powers Avenue and are setback to maintain the existing context along that street. The maximum building height for the multi-family structures is 4 stories in 60 feet; however at Porter Road, the height will be 37' above the street at the front setback and step back to 45' above the street to accommodate the proposed loft units. The detached residences along Powers Avenue shall not exceed 3 stories in 41 feet to the roof ridgeline. Plans utilize site topography to achieve the proposed maximum height without overwhelming the surrounding area. A site section that illustrates the proposed building height in relation to existing structures on Porter Road and Powers Avenue is included with the SP and shown below.



Site Section through Porter Road and Powers Avenue

The SP proposes three access points to the site. The multi-family buildings are accessed via driveways off Porter Road and Tillman Lane, and the detached units have a shared drive off Powers Avenue. Two unimproved alleys are currently located on the site and are proposed to be abandoned by mandatory referral. There is a stream located on the site that runs parallel to Porter Road near Alley #766 and prohibits construction of the alleys. Ample parking for the multi-family units is located on parking decks on the lower and first levels. Parking for the units on Powers Avenue is provided through tuck under garages at the rear of the units.

Sidewalks are currently located along the Porter Road frontage. However, the SP proposes to improve the existing sidewalks on Porter Road and add sidewalks along Tillman Lane and Porter Road to meet the standards of the Major and Collector Street Plan. In addition, the SP is located along an existing transit route that runs along Porter Road.

Architectural elevations included with the SP indicate that the design is to take cues from the Eastwood Neighborhood located to the west. Elements of Arts and Crafts -style architecture are incorporated in the design, and materials shown on the representative architectural images appear to primarily include cementitious lap siding and architectural shingles.

ANALYSIS

The proposed SP is consistent with the proposed Urban Neighborhood Evolving on Porter Road and existing Neighborhood Maintenance policy on Powers Avenue, and the plan meets several critical planning goals.

FIRE MARSHAL RECOMMENDATION

Approved with conditions

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

STORMWATER RECOMMENDATION

Approve

TRAFFIC & PARKING RECOMMENDATION

No exception taken

WATER SERVICES RECOMMENDATION

Approved with conditions

- Approved as a Preliminary SP only, on the condition the applicant submits an updated availability study reflecting the latest layout (latest study on file shows less units than this SP shows.) Depending on the final layout, public utility relocation may be required. If so, these public construction plans must be approved before Final SP stage.

PUBLIC WORKS RECOMMENDATION

Approved 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.
- Prior to Final SP, submit application, i.e. Mandatory Referral, to abandon alleys 766 and 767. Application at: https://www.nashville.gov/portals/0/SiteContent/pw/docs/permits/permits_streetalley.pdf
- Prior to Final SP, indicate installation of MPW standard ST200 curb and gutter and widen street to 22' of asphalt. ~ On Tillman, indicate curb and gutter with 22' of asphalt. On Porter, 20' of asphalt is shown, widen to 22 feet (i.e. do not count the gutter pans in travel way. Lip of gutter should be placed at the existing EOP, unless the street is being widened.
- Prior to Final SP, dedicate ROW to the back for the public sidewalk on all streets, as necessary, prior to building permits.
- Prior to Final SP, submit to Traffic and Parking Commission to install no parking signage on Porter and Tillman or add 8' parking lane on each street.

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
Two-Family Residential (210)	2.2	7.26 D	18 U*	173	14	19

*Based on three two-family lots.

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 (220)	2.2	-	63 U	506	35	53

Traffic changes between maximum: **R6** and **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+ 45 U	+333	+21	+34

SCHOOL BOARD REPORT

Projected student generation existing R6 district: 1 Elementary 1 Middle 1 High

Projected student generation proposed SP-R district: 5 Elementary 3 Middle 3 High

The proposed SP-R zoning district would generate eight more students than what is typically generated under the existing R6 zoning district. Students would attend Rosebank Elementary School, Bailey Middle School, and Stratford 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, subject to approval of the policy amendment.

CONDITIONS

1. Uses within the SP shall be limited to up to 54 stacked flats and 9 detached 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 RM40-A 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 raised foundations of 18-36" for residential buildings.
4. Proposed alley abandonments must be approved by mandatory referral prior final plat approval.
5. The height of all buildings on Porter Road and Powers Avenue shall not exceed the heights shown on the provided site section, nor shall they increase the height as compared to the structures across Porter Road or Powers Avenue from the provided site section. The proposed step back in height on Porter Road shall be required with the 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. Blackshear stepped out of the room at 4:30 p.m.

Ms. Sajid presented the staff recommendation of approval with conditions and disapproval without all conditions, subject to approval of the policy amendment.

Items 2a and 2b were heard and discussed together.

In order for each commissioner not present at the January 8, 2015 planning commission meeting to vote, Mr. Adkins asked each to confirm that they watched the video.

Jeff Heinze, Littlejohn Engineering, spoke in favor of the application and noted that the height is consistent with what would be allowed under the current regulations, it meets planning goals, and it is very sensitive to the context of the neighborhood.

Matt Gardner, Imagine One Development Company, spoke in favor of the application due to the much needed improvements it will bring to the area such as additional sidewalks and widening of Tillman and Powers as well as over parking for the area.

Jolyn Colley, 822 Porter Road, spoke in favor of the application and stated that it will help the community continue to have diversity both in its people and its housing.

Brad Naylor, 828 Porter Road, spoke in favor of the application due to the thought and care put into the development by the applicant.

Lynn Harris, 2023 Benjamin St, spoke in favor of the application and noted that this area needs affordable housing.

Jere Holt, 104 Meadowpointe West, spoke in favor of the application due to the many needed improvements it will bring to the area.

Breanna Yeagar, 1521 Forrest Ave, spoke in favor of the application because it will provide much needed affordable and diverse housing options.

Laura Batson, 604 Joyce Lane, spoke in favor of the application and noted that there are currently not many affordable options to choose from.

Jean Zelle, 827 Porter Road, spoke in favor of the application.

Elizabeth Smith, 1800 Russell Street, asked to be included in any public meetings involving Lockeland Springs.

Brett Withers, 1113 Granada Ave, spoke in opposition to the application and asked to slow down the process in order for staff to work on a design plan for the entire area.

Raeanne Rubenstein, 1101 Porter Road, spoke in opposition to the application.

February 26, 2015, Planning Commission Meeting

Kristi Seehafer, 800 Porter Road, spoke in opposition to Item 2a; needs to be discussed first with the community.

Brandi Prewitt, 1516 Rosebank Ave, spoke in opposition to the application.

Rick Puncochar, 818 Porter Road, spoke in opposition to the application.

Mark (last name unclear), 719 Powers Ave, spoke in opposition to the application due to traffic concerns and lack of community consultation.

Sharp (last name unclear), 200 Tillman Lane, spoke in opposition to the application and noted that the entire process has been a one way conversation.

John (last name unclear), 807 McCarns St, spoke in opposition to the application and asked that traffic needs to be considered for the entire area, not just one intersection.

John Madole, 609 Shady Lane, spoke in opposition to the application.

Craig Kennedy, 1432 Greenwood Ave, spoke in opposition to the application and asked the commission to consider if the policy is right for the corridor.

Jeff Heinze noted that this is an appropriate transition; the Colley family is committing to a quality development.

Councilmember Westerholm spoke in favor of the application and noted that this project is a good fit for the location.

Mr. Adkins closed the Public Hearing.

Mr. Gee stated that he likes the plan as it really represents what was discussed in the earlier NashvilleNext Update, but inquired if this is the right change now without considering the entire street and taking it through the public process.

Chairman McLean spoke in favor of the application as long as the SP is adhered to.

Mr. Haynes spoke in favor of the application.

Ms. Farr stated that this may be better than what could be, but should the entire area be considered.

Ms. LeQuire also inquired if the entire area should be considered.

Ms. Capehart clarified that with the controversy surrounding this area, staff feels that it would be best to wait until after NashvilleNext to revisit this larger area.

Chairman McLean moved and Mr. Haynes seconded the motion to approve Item 2a. (5-3) Ms. LeQuire, Ms. Farr, and Mr. Dalton voted against.

The motion failed as six affirmative votes are needed to change the policy.

Chairman McLean moved and Councilmember Hunt seconded the motion to defer.

Mr. Dalton left the meeting at 5:46 p.m.

Mr. Sloan clarified that if deferred, staff will not be available for any community meetings to discuss policy for several months due to NashvilleNext.

Ms. Farr inquired if it's possible to move this forward without changing the policy – a zoning change versus a policy change.

Ms. Capehart explained the difference between neighborhood evolving and neighborhood maintenance. The reason this is neighborhood maintenance is because they are introducing a very new building type to the area. The applicant would have to drastically change their plan for it to be neighborhood maintenance.

Ms. LeQuire noted that her main reason for concern was that a policy the public helped put into place would be changed; from a planning perspective, this is of interest.

Mr. Gee noted that when the translation was made from LUPA policies to CCM policies, it seemed that there were many places all over town that the translation didn't necessarily make sense. The term "maintenance" that was never in our LUPA policy was introduced in places where evolution, transition, and more intensity made a lot of sense. This plan and policy makes sense in this location on Porter Road.

February 26, 2015, Planning Commission Meeting

Ms. LeQuire asked if the policy could be approved but the development could be deferred.

Mr. Haynes stated to that point, we run the risk of the property owner selling to a developer who isn't in the neighborhood who wants to accept the existing policy and throw 20 units up in a really heinous manner. We need to remember that this is a long standing resident owner that is trying to something correctly instead of doing the easy thing, which would be to sell.

Ms. LeQuire asked if the commission could reconsider the vote for Item 2a.

Chairman McLean withdrew his motion to defer and Councilmember Hunt withdrew his second.

Ms. LeQuire moved and Ms. Farr seconded the motion to reconsider Item 2a. (7-0)

Mr. Haynes moved and Chairman McLean seconded the motion to approve Item 2b with conditions and disapprove without all conditions. (6-1) Ms. Farr voted against.

Resolution No. RS2015-50

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-008-001 is Approved with conditions and disapproved without all conditions. (6-1)"

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- 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. Blackshear stepped back in the room at 6:00 p.m.