

2015SP-043-001

BL2015-1207\Todd

HWY 70 RETAIL CENTER

Map 142, Parcel(s) 106, 369-370

Council District 34 (Carter Todd)

Staff Reviewer: Melissa Sajid

A request to rezone from R15 to SP-MU zoning for property located at Highway 70 S (unnumbered) and a portion of property located at 7037 Highway 70 S, approximately 1,065 feet east of Old Hickory Boulevard (3.17 acres), to permit up to 23,500 square feet of commercial/office space, requested by Civil Design Consultants, LLC, applicant; Hicks Family Bellevue, LLC, owner.

Staff Recommendation: Disapprove.

APPLICANT REQUEST

Permit commercial and office uses.

Preliminary SP

A request to rezone from Single-Family Residential (RS15) to Specific Plan-Commercial (SP-C) zoning for properties located at 7037 Highway 70 S and Highway 70 S (unnumbered), approximately 1,065 feet east of Old Hickory Boulevard (3.17 acres), to permit a commercial/office development.

Existing Zoning

Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. *RS15 would permit a maximum of 9 units.*

Proposed Zoning

Specific Plan-Commercial (SP-C) 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 commercial uses.

CRITICAL PLANNING GOALS

N/A

BELLEVUE COMMUNITY PLAN

Suburban Community Center (T3 CC) is intended to enhance suburban community centers encouraging their redevelopment as intense mixed use areas that are compatible with the general character of suburban 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. T3 Suburban Community Centers are pedestrian friendly areas, generally located at prominent intersections. T3 Suburban Community Centers serve suburban communities within a 10 to 20 minute drive. Conservation (CO) is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

Consistent with Policy?

No. The SP is not consistent with the goals of the Suburban Community Center and Suburban Neighborhood Maintenance policies. While the uses may be consistent with the policies, the design of the SP does not meet the policy objective to enhance the pedestrian environment. The commercial uses include four rows of parking between the building and Highway 70 South, where the policy calls for no more than one row in order to foster a more pedestrian oriented feel. Given the context along Highway 70 South, planning staff finds up to two rows of parking between the building and the street may be appropriate. In addition, the SP does not incorporate an interior sidewalk connection from the proposed buildings to the public sidewalk network.

PLAN DETAILS

The site is located on Highway 70 South, east of Old Hickory Boulevard. The site is currently vacant, and access to the site is from Highway 70 South.

Site Plan

The SP includes two parcels and a portion of a third that total 3.17 acres; all parcels include frontage on Highway 70 South. The plan shows two buildings totaling 17,000 square feet, and uses for these buildings are proposed to include a variety of commercial and office uses. A stream is located along the southern boundary of the site. The proposed development does not encroach into the required stream buffer.

The proposed buildings are oriented toward Highway 70 South. Surface parking is provided throughout the site, including multiple rows between the buildings and Highway 70. The Council bill has been filed for this rezoning request and limits building area to up to 23,500 square feet. The plan currently shows parking for only 17,000 square feet of

building area. However, the Council bill includes a note that “any addition of square footage in excess of 17,000 square feet or any vehicular access points not currently present or approved must be approved by Public Works and by the Planning Commission as a modification of the SP.”

Access to the site is from one driveway onto Highway 70 South. The plan includes sidewalks per the Major and Collector Street Plan but does not provide interior sidewalk connections from the commercial/office buildings to the public sidewalk. The plan does not include elevations or design standards for either of the buildings. The maximum height proposed for the retail/office buildings is 35’.

ANALYSIS

While the proposed uses may be consistent with the Suburban Community Center policy, the SP includes several design elements that do not align with the pedestrian-oriented goals of the policy. The plan proposes four rows of parking proposed in front of the retail building located to the east of the site which is not consistent with the policy which permits one row of parking between the building and the street in order to create a context that fosters a pedestrian friendly environment. As stated previously, staff finds up to two rows of parking between the building and the street may be appropriate given the context along Highway 70 South. While staff recognizes that the existing character in this area does provide for large parking lots in front of buildings, it does not provide for appropriate pedestrian scaled development. One of the goals of the land use policy for this area is to provide an opportunity for new development to engage the sidewalk area better than it has in the past. Over time, as new development and redevelopment occur, the goal is to transition the area into a more pedestrian oriented streetscape. While this may not happen quickly, each new development is an opportunity to move closer to that goal.

As the SP is not consistent with the goals of the Suburban Community Center, staff recommends disapproval of the SP.

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

Conditional if approved

In accordance with May 22, 2015 TIS findings, developer shall

- Construct an EB right turn lane on Hwy 70 at access drive with 125 ft storage length and taper per AASHTO standards.
- Project Access drive shall have 2 exiting lanes and 1 entering lane with appropriate lane widths.
- A minimum of 75ft of storage for exiting lanes shall be provided. Adequate queue storage shall be provided between the first interior drive and Hwy 70.
- Adequate sight distance shall be provided at intersection with Hwy 70. The TIS identified existing Berms along this property which will need removal to allow adequate sight distance. Developer shall submit a field run survey confirming adequate sight distance with final SP.
- Final SP and Construction documents shall include a pavement marking plan and signage plan and construction plans for right turn lane. Roadway improvements on a hwy 70 may require approval by TDOT.
- The developer shall submit a signal modification plan to upgrade the pedestrian signals at Hwy70 /OHB signalized intersection to modular countdown units on a minimum of 2 approaches and modify traffic signal as approved by metro traffic engineer. The signal plans shall be included in final SP and construction documents.
- Per the TIS, developer shall work with MTA to incorporate a transit stop in project plans if feasible.
- Plans shall show cross access easement to the R15 zoned property and relocation of the existing single family house drive. Internal road design shall show intersection design with relocated single family drive .
- All internal drives shall provide two way travel with adequate turning radii for truck turning movements

HARPETH VALLEY UTILITY DISTRICT RECOMMENDATION

Approve with conditions

- Water and sewer plans must be submitted and approved by HVUD at the appropriate time.

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.
- All construction within the ROW will require a permit from TDOT. TDOT permit must be obtained and copy remitted to MPW prior to any work within the ROW.
- If sidewalks are required, indicate the installation of standard curb and gutter at the existing EOP, 6' grass strip and 8' standard sidewalk along the property frontage. The sidewalks must be in ROW.

Maximum Uses in Existing Zoning District: **RS15**

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)	14.99	2.90 D	43 U	479	40	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail (814)	14.99	-	12,000 SF	552	17	51

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Restaurant (932)	14.99	-	5,000 SF	636	58	56

Maximum Uses in Proposed Zoning District: **RM20**

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)	14.99	20 D	238 U	1566	121	149

Traffic changes between maximum: **RS15** and **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+2,275	+156	+205

STAFF RECOMMENDATION

As the SP is not consistent with the goals of the Suburban Community Center in regard to design and enhancing the pedestrian realm, staff recommends disapproval of the SP.

CONDITIONS (if approved)

1. Uses within the SP shall permit up to 23,500 square feet of commercial/office space.
2. 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 SCC District as of the date of the applicable request or application.
3. Uses shall be limited to retail, restaurant, financial institution, general office, ATM, automobile parking, outpatient clinic, medical office, personal care services, business services, furniture store, day care, home improvement sales and commercial amusement (inside).
4. Maximum building height shall be measured to the top of the roofline.
5. Interior sidewalks shall be provided throughout the development and connect to the public sidewalk proposed along the Highway 70 South frontage.
6. Add note to plan: Be it further enacted, 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, or eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance. Any addition of square footage in excess of 17,000

square feet or any vehicular access points not currently present or approved must be approved by Public Works and by the Planning Commission as a modification of this SP.

7. 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.

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.

The commission took a break from 6:40 – 7:05 p.m.

Ms. Sajid presented the staff recommendation of disapproval.

Jim Murphy, 1600 Division St, spoke in favor of the application. This is a transition therefore it is consistent with the CCM. Councilman Todd is also in support.

Hunter Crabtree, 805 Running Deer, spoke in favor of and in opposition to the application. She wants to preserve the natural setting, but also feels that the building location is fine the way it is.

Lisa Hicks Ferrelli, 2766 Rockwall Rd, spoke in favor of the application and noted that it is a positive for the neighborhood.

Mr. Murphy also noted that any increase above 17,000 square feet will have to come back before the planning commission as a modification.

Vice Chair Adkins closed the Public Hearing.

Ms. LeQuire stated it's an exciting project; however, why would it be so detrimental to have the building move forward?

Mr. Dalton stated this is a good project, however, it could be reoriented to meet the goals mentioned. Would like to find a workable solution.

Mr. Clifton noted that it seems like there has to be a more creative solution than either/or.

Ms. Blackshear noted the policy states the development is supposed to be pedestrian friendly and it doesn't in the way that it could right now.

Ms. LeQuire suggested an option of putting all the parking in the back and on the side.

Mr. Murphy explained the real issue is this is scheduled for the August public hearing and it will be a real problem if that doesn't happen.

Mr. Clifton moved and Mr. Dalton seconded the motion to approve with conditions and disapprove without all conditions including a condition that the final site plan not be approved administratively and that the applicant work with staff prior to final site plan submittal to limit parking in front of the retail building to meet the policy. (6-0)

Resolution No. RS2015-259

"BE IT RESOLVED by The Metropolitan Planning Commission that 2015SP-043-001 is **Approved with conditions and disapproved without all conditions, including a condition that the final site plan not be approved administratively and that the applicant work with staff prior to final site plan submittal to limit parking in front of the retail building to meet the policy. (6-0)**"

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